
INQ 16-150 Cid

From: Centorino, Joseph (COE)
Sent: Tuesday, June 07, 2016 5:53 PM
To: 'rgastesi@gastesi.com' <rgastesi@gastesi.com>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Subject: INQ 16-150 Manny Cid, Council Member, Seat 5, Town of Miami Lakes (Voting Conflict)

Mr. Gastesi:

You have inquired on behalf of Council Member Manny Cid, Seat 5, regarding whether he would have a voting conflict of interest in participating in and voting on an issue concerning the payment of legal fees incurred by Miami Lakes Mayor Michael Pizzi in the Mayor's legal defense against criminal charges upon which the Mayor was acquitted. The question has been raised based on the fact that Mayor Pizzi is a candidate for re-election and Councilman Cid is an announced candidate for Mayor who will be opposing Mayor Pizzi in the upcoming election this fall. It is my understanding that other than the fact that Councilman Cid is a political opponent of the Mayor's, there is no other basis for the request of this opinion and Councilman Cid has no personal financial interest whatsoever in whether such fees are awarded or what amount of fees may be awarded, either in litigation or settlement. It is my understanding also that Councilman Cid has no personal financial relationship with either Mayor Pizzi or any of the attorneys who may be the recipients of such fees.

Section 2-11.1(d) enumerates a number of relationships between an elected board member and a person or entity that might be affected by a particular vote in assessing whether there is a prohibited conflict on a voting matter. Councilman Cid has none of those relationships based on the information that I have received. That section also provides that there could be a prohibited voting conflict if the board member "would or might, directly or indirectly, profit or be enhanced" by the action of the board. The mere fact of being a political opponent of the person involved in the vote would not create any profit or enhancement for Councilmember Cid. See INQs 13-12 and 13-23.

Sincerely,
Joe Centorino

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