

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, April 06, 2017 4:05 PM
To: Sanchez, Rodzandra (COE)
Subject: Joseph Corradino, Mayor, Village of Pinecrest (Voting Conflict) INQ 17-106
Attachments: votingconflictForm8B.pdf

INQ 17-106 Corradino

From: Ethics (COE)
Sent: Thursday, April 06, 2017 3:51 PM
To: 'Joseph M Corradino' <JMCorradino@CORRADINO.com>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 17-106 Joseph Corradino, Mayor, Village of Pinecrest (Voting Conflict)

Mayor Corradino:

You have inquired regarding whether, in your capacity as Mayor of the Village of Pinecrest, you may vote on a matter coming before the Village Council involving the settlement of a claim under the Americans with Disabilities Act, where the attorney for the party involved is a subconsultant to your business. You have indicated that you are the owner of The Corradino Group, a transportation planning entity that engages primarily in work for public sector agencies. In your business, you have occasionally employed, as a subconsultant, a public relations firm run by Courtney Cunningham, known as The Cunningham Group, to set up public hearings or workshops on projects with which your business is involved. These contracts with Mr. Cunningham's firm would generally run to about \$25,000. In fact, you currently have such a contract pending with Mr. Cunningham's Group. You have personally dealt with Mr. Cunningham in connection with these engagements. Mr. Cunningham maintains a private law practice in addition to his public relations consulting firm, and was retained by the individual with the current claim before your board.. The settlement, under which a number of ADA improvements have been made by the Village, calls for a payment of \$10,000 to Mr. Cunningham's client.

Voting conflicts for elected public officials are subject to Section 2-11.1(d) of the Miami-Dade County Conflict of Interest and Code of Ethics. Under that section an official who has one of a number of specified relationships with an entity or individual who "would be or might be directly or indirectly affected by any action of the Board" has an automatic conflict disqualifying the official from voting. The specified relationships include "employee" and "consultant." Additionally, a voting conflict would be created if a voting official "would or might, directly or indirectly, profit or be enhanced by the action of the Board..."

Under the circumstances above, it is my opinion that Mr. Cunningham is a consultant to a company owned by you. Additionally, as the attorney for a party who would receive a financial benefit as a result of the vote, and especially where it is likely that Mr. Cunningham's fee would be derived from the settlement, that you would have a voting conflict under Section 2-11.1(d). Additionally, there is at least a possibility that your business relationship with Mr. Cunningham would be enhanced by your voting on the matter, although this is more speculative.

Based on the foregoing, you should recuse yourself from the vote on this item. What that entails is that you should 1) Announce publicly at the meeting, before the issue comes up, that you have a voting conflict and will be recusing yourself; 2) Leave the chamber during the discussion and vote; 3) File a Form 8B (attached) with your Clerk within 15 days of the vote disclosing the nature of the conflict.

If you have any further questions, please do not hesitate to call me.

Sincerely,
Joe Centorino

Joseph M. Centorino

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From: Joseph M Corradino [<mailto:JMCorradino@CORRADINO.com>]
Sent: Tuesday, April 04, 2017 8:08 PM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Pinecrest

I am Joe Corradino, the Mayor of Pinecrest.

There is an item coming before our council in April, where the Village is being sued by an attorney for an issue regarding the American Disabilities Act. The attorney for the plaintiff is seeking a settlement. The Council must vote to settle or not.

The attorney for the plaintiff is a person who I know and who my private business partners with by using their firm as a sub consultant. We have one ongoing engagement where this firm is a sub consultant. I may work with that firm again in same capacity at some time.

My question is: do I have a conflict of interest that requires me to recuse myself from voting?

Thank you in advance for your opinion.

Joe Corradino
Mayor of Pinecrest.
305-606-2364.
Jmcorradino@corradino.com