

**MEMORANDUM**

To : Robert Meyers  
Executive Director of the Miami-Dade County  
Commission on Ethics and Public Trust

From: Michael P. Murawski  
Advocate

Re: Inquiry from Miami Beach

Date : January 14, 2005

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On Thursday, January 13, 2005 I received a telephone call from Assistant City Attorney Gary Held from Miami Beach. ACA Held advised that the City was contemplating entering into a contractual agreement for architectural services with an individual who currently serves on the City's Zoning Board in a quasi-judicial capacity.

The nature of the contract dealt with a building located in the City and a determination of whether the building was capable of being renovated or if it needed to be razed.

After consulting the Code and Mr. Meyers, it was determined that the City could not contract with this individual because it would violate section 2-11.1(3) of the County Code since the building is under the regulation of the zoning board on which the individual serves.

ACA Held was advised that the City of Miami Beach Commission could grant a waiver if it so chose.