

ETHICS

To: Matson, Marsha
Subject: RE: request opinion on potential conflict of interest

JNQ 04-87

Ms. Matson,

I suggest you forward this to the attention of Joe Centorino in the State Attorney's Office. If the Perrine Cutler Ridge Council holds private meetings and two or more Palmetto Bay Council members attend these meetings and discussions are held involving matters that foreseeably could impact the Village of Palmetto Bay, then this may trigger the Sunshine Law. As this is a state law, our office has no jurisdiction to issue an opinion. The Ethics Commission has never held that a Community Council member is obligated to resign from all civic associations to avoid conflicts of interest. What we have said, however, is that an Community Council member who is an officer of an organization that regularly appears before the same community council, ought to resign from that organization.

Robert Meyers

-----Original Message-----

From: Matson, Marsha [mailto:mmatson@exchange.sba.miami.edu]
Sent: Monday, July 12, 2004 1:00 PM
To: ethics@miamidade.gov
Subject: request opinion on potential conflict of interest

To: Robert Meyers
From: Marsha Matson
Re: Opinion on conflict of interest
Date: July 12, 2004

Dear Mr. Meyers,

Two Palmetto Bay Council members belong to a local economic development organization, the Perrine Cutler Ridge Council (PCRC). Councilmember John Breder is a board member and chair of the PCRC's economic development committee. Councilmember Paul Neidhart is a board member of the PCRC. Both will have a final vote on a charrette proposal for the Southwest area of Palmetto Bay.

The PCRC represents the business and commercial interests in the southwest area of Palmetto Bay, in the area covered by a Palmetto Bay-financed charrette. The PCRC pushed for the charrette and its members have been heavily involved in every aspect of the charrette process. PCRC members were privately-interviewed by village administrators as "stakeholders" for the charrette. PCRC members participated in the design process. The village advisory committee on the charette has many PCRC members. The chair of the advisory committee is a PCRC board member, a second member is the PCRC executive director, and a third member is a vice-chair of the PCRC.

Even the village manager, Charles Scurr, is listed on the PCRC masthead as a board member.

My question is: should the two council members resign their membership in the PCRC? As a Community Council member, I was obliged by the county to resign from all civic associations to avoid conflict of interest.

Marsha Matson