

Prkic, Christina (COE)

RDO 03-185

**From:** Prkic, Christina (COE)  
**Sent:** Tuesday, December 09, 2003 5:08 PM  
**To:** Riviere, Amber (OSBM)  
**Cc:** Velar, Peter (OSBM); Klingbeil, Carol (DIST8); Collier, Craig (CA); Johnson-Stacks, Cynthia (CA); Meyers, Robert (COE); 'egm2556@aol.com'  
**Subject:** RE: Boundaries Commission and Cutler Ridge Incorp.

Hi Amber:

Robert Meyers and I discussed the matter you presented below.

According to the facts you provide, the County Boundaries Commission will consider the proposed incorporation of Cutler Ridge. One member of the Commission is a resident of the area and an active member of the Cutler Ridge Steering Committee, a citizen committee instrumental in the incorporation effort and in the creation of the Cutler Ridge Area Municipal Advisory Committee (MAC). The Committee is not a County agency or advisory board.

You asked whether the Commission member may participate in the Boundaries Commission deliberations regarding the incorporation of Cutler Ridge.

Under the Conflict of Interest and Code of Ethics Ordinance, there is no legal conflict which precludes the Commission member from participating in the deliberations. Section 2-11.1 (v) "Voting Conflicts: Members of Advisory and Quasi-Judicial Boards," states:

No person included in the terms defined in subsections (b) (3) (quasi-judicial personnel) and (b) (4) (advisory personnel) shall vote on any matter presented to an advisory board or quasi-judicial board on which the person sits if the board member will be directly affected by the action of the board on which the member serves, and the board member has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor or creditor.

Even if the Commission member is considered an officer of the Steering Committee, there is no direct affect to the member; therefore, the second prong of this section is not satisfied. Although, the member supports incorporation, that alone is not enough to establish a legal conflict under the Conflict of Interest Ordinance.

As I mentioned to you earlier, the Ethics Commission will also review this matter at its monthly meeting tomorrow morning.

In the meantime, should you have any additional questions please do not hesitate to contact Robert Meyers or me.

Kind regards,  
Christina Prkic  
Staff Attorney  
Miami-Dade County Commission on Ethics and Public Trust  
P: (305) 350-0615

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

**From:** Riviere, Amber (OSBM)  
**Sent:** Tuesday, December 09, 2003 11:01 AM  
**To:** Prkic, Christina (COE)  
**Cc:** Velar, Peter (OSBM); Klingbeil, Carol (DIST8); Collier, Craig (CA); Johnson-Stacks, Cynthia (CA)  
**Subject:** Boundaries Commission and Cutler Ridge Incorp.  
**Importance:** High

Christina:

Art Skinner referred me to you with respect to an issue with the Boundaries Commission. On Wednesday the proposed incorporation of Cutler Ridge will appear before the Boundaries Commission for recommendation, a member on the Boundaries Commission is a resident of the area and an active member of the Cutler Ridge Steering Committee, attached is a link to their web site.