

Case Number: K 06-015

Alleged Conflict of Interest Violation

City of North Miami Advisors Pierre and Siskind

Background:

The North Miami Community Redevelopment Agency Advisory Committee (CRA) membership included Attorney Andre Pierre, Mr. Pierre also is a “beneficial owner” of North Miami Housing Ltd. (NMH), a Florida corporation engaged in business with the CRA.

Mr. Steve Siskind, esq. is a consultant to the CRA. Mr. Siskind’s spouse, Patsi Siskind, also is a “beneficial owner” of NMH.

Concerns were raised as to the possibility that these individuals have a conflict of interest. To this end the CRA requested that their general counsel request an ethics opinion of the Florida Commission on Ethics. Said request was forwarded to the FCOE by attorney Steven W. Zelkowitz, a copy of which has been made a part of the investigative file.

The Miami-Dade County Commission on Ethics COE) spoke with Ms. Helen Jones of the FCOE and was advised that “no opinion was rendered” on the matter.

The COE then re-interviewed North Miami Mayor Kevin Burns who expressed satisfaction as to the FCOE findings.

The COE then requested and received from Attorney Zelkowitz a copy of the FCOE letter, a copy of which has also been made a part of the investigative file.

The FCOE opinion dated April 10, 2006 was authored by Senior Attorney Doss.

Ms. Doss writes that subsequent to Zelkowitz’ request for opinion he notified the FCOE of Mr. Pierre’s resignation from the CRA thus withdrawing the request as to him.

As to the Siskinds, the FCOE relied on Section 112.313(7)(a) of the Florida Statutes—Conflicting Employment or Contractual Relationship and opined that “At most, they (Siskinds) might be described as independent contractors to the City, and the Commission has said on many occasions the standards of conduct contained in the Code of Ethics (Florida) do not apply to a person whose relationship with a government entity is an independent contractor rather than as a public officer or public employee. As the Siskinds are neither public officers nor public employees, the statute does not apply to them”.

Conclusion

Based on the FCOE interpretation of this matter it is recommended that this investigation be closed.

Name & Signature:	Kennedy Rosario, Investigator	Date: Item #:
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