

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, May 08, 2018 4:28 PM
To: Sanchez, Rodzandra (COE)
Subject: Andrea Jackson, Vice Mayor, North Bay Village (Conflicting Outside Employment, Sunshine Law) INQ 18-91

INQ 18-91 Jackson

From: Centorino, Joseph (COE)
Sent: Tuesday, May 08, 2018 4:14 PM
To: 'ajackson@nbvillage.com' <ajackson@nbvillage.com>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 18-91 Andrea Jackson, Vice Mayor, North Bay Village (Conflicting Outside Employment, Sunshine Law)

Dear Vice Mayor Jackson:

You inquired regarding whether there would be any legal or ethical prohibitions concerning your private employment as a paid political consultant. You asked this question in the context of representation of candidates both within and outside of North Bay Village, where you serve as Vice Mayor and a voting member of the Village Commission.

As a voting member of the governing body in North Bay Village, you are subject to the provisions of Section 2-11.1(j) of the County Ethics Code, which prohibits a public official or employee from engaging in outside employment "which would impair his or her independence of judgment in the performance of his or her public duties." Additionally, you are subject to the Florida Sunshine Law, Section 286.011, Florida Statutes, pursuant to which you are prohibited from engaging in discussions with fellow board members about any matter that might foreseeably come before the North Bay Village Commission for consideration.

It is my opinion that you should not engage in professional political consulting for members of your own board. I think there is a significant likelihood that this type of engagement with a fellow board member could impair your independence of judgment on some matters, particularly when a client of your private consulting business, with whom you have advised in connection with political matters in the Village, may be proposing or supporting a position which you may have discussed with that individual as a political candidate in the context of its political favorability in the Village. In the past we have found similar conflicts where officials within a particular municipality have established business relationships.

Additionally, you would be prohibited under the Sunshine Law from discussing with a fellow board member, for whom you were simultaneously providing political consulting services, any matter that would foreseeably come before the board. Although this would not apply in situations where the client was only a candidate and not a presently sitting member of the board, the damage to the public trust from a perception of possible collusion or improper communication should be considered something you should avoid.

I do not foresee that the prohibitions under Section 2-11.1(j) and the Sunshine Law would apply to your private representations of candidates or public officials in political campaigns outside of North Bay Village. I would advise you, however, to separate your authority and identity as an elected official in North Bay Village from your private business activities to avoid any possible Exploitation of Official Position under Section 2-11.1(g) of the County Ethics Code.

Sincerely,

Joe Centorino

Joseph M. Centorino

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