

Meyers, Robert (COE)

JNG 07-49

From: Eve Boutsis [eboutsis@ngf-law.com]
Sent: Wednesday, March 28, 2007 9:57 AM
To: Meyers, Robert (COE)
Subject: Re: Query to Comm'n on Ethics and Public Trust on behalf of HACMB

As far as I know only the one issue.... In five years with hacmb, the hacmb hjas onluy had the one dealing with mbcdc Eve A. Boutsis Sent from my BlackBerry Wireless Handheld

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

From: Meyers, Robert (COE) <RMEYERS@miamidade.gov>
To: Eve Boutsis <eboutsis@ngf-law.com>
Sent: Wed Mar 28 09:55:09 2007
Subject: RE: Query to Comm'n on Ethics and Public Trust on behalf of HACMB

Eve,

I see no conflict under the County's Conflict of Interest and Code of Ethics Ordinance for this individual to serve on both boards. Two other thoughts concerning this question: 1) Does the City of Miami Beach place any restrictions on the number of boards a person can serve on at any given time? and 2) Do you think a frequently, recurring conflict is created for this individual to sit on both boards? In other words, do you envision Ms. Llerandi having to regularly recuse herself as a member of the HACMB because she is a member of the MBCDC? If it is only the one instance you identified, that shouldn't present a problem. However, if there is a great deal of overlap, then resignation from one of the boards might be the way to go.

Let me know what you think.

Thanks,

Robert

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

From: Eve Boutsis [mailto:eboutsis@ngf-law.com]
Sent: Monday, March 26, 2007 4:13 PM
To: Meyers, Robert (COE)
Subject: Re: Query to Comm'n on Ethics and Public Trust on behalf of HACMB

Yes, as oit is an arm of the city. It is funded by city and cdbg. It may technically be separate. The city does not appoint the mbcdc bd members.
Eve A. Boutsis
Sent from my BlackBerry Wireless Handheld

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

From: Meyers, Robert (COE) <RMEYERS@miamidade.gov>
To: Eve Boutsis <eboutsis@ngf-law.com>
Sent: Mon Mar 26 16:02:43 2007
Subject: RE: Query to Comm'n on Ethics and Public Trust on behalf of HACMB

Dear Eve:

I reviewed the request for opinion you submitted and I would like something clarified before I can proceed. Is it your opinion that MBCDC is covered by the County Conflict of Interest and Code of Ethics ordinance? Let me know what you think.

Thanks,

Robert

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

From: Eve Boutsis [mailto:eboutsis@ngf-law.com]
Sent: Sunday, March 25, 2007 11:18 AM
To: Meyers, Robert (COE)
Cc: Ada Llerandi; Executive Director
Subject: Query to Comm'n on Ethics and Public Trust on behalf of HACMB
Importance: High

Mr. Meyers (Robert):

This email is sent on behalf of the Housing Authority of the City of Miami Beach. I am general counsel to that agency. The Housing Authority of the City of Miami Beach (HACMB) has a new board member, Ada Llerandi.

All five (5) of the board members are appointed by the City of Miami Beach commission. Ms. Llerandi advises that she also serves as a board member to MBCDC, Miami Beach Community Development Corp. MBCDC, before Ms. Llerandi's tenure with HACMB bid for a position as a contract administrator for a HACMB project. I should advise that MBCDC is a nonprofit arm of City that does affordable housing and redevelopment. MBCDC has to report to HACMB staff. Ms. Llerandi requested I obtain an opinion from you regarding her two rolls as board members of both entities and whether she has a conflict. She does not have a financial interest, she is a voluntary, unpaid, board member of both entities.

She was appointed to HACMB maybe 2 months ago. I recently was advised of her roll with MBCDC. I have reviewed MDC Ethics Opinion 04-78, which appears to indicate a conflict. However, in that example the person was a board member of one entity and an employee of another entity. Here the person is a board member of both. She never appeared before the HACMB when MBCDC applied to be a contract administrator for the HACMB on a project. I assume, that since she was not involved in the selection of MBCDC, and as she has no oversight of MBCDC (there is contract in place administered by the Executive Director), that the scenario is not the same. I assume that should MBCDC attempt to apply for another contract with HACMB, Ms. Llerandi would have to recuse herself from hearing the item. She would have to leave dais and not participate in anyway. But, otherwise, she can continue to serve on both boards.

I ask that you please advise on this item. Please advise additionally if you need any more information.

Thank you.

Eve A. Boutsis,
Office of General Counsel to the
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IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS E-MAIL, PLEASE NOTIFY US IMMEDIATELY. THANK YOU.