

Meyers, Robert (COE)

INQ 09-105

From: Meyers, Robert (COE)
Sent: Wednesday, June 24, 2009 4:17 PM
To: 'Pizzi, Michael'; Murawski, Michael P. (COE); Rosario, Kennedy (COE); Skinner, Arthur D. (COE); Diaz, Manuel W. (COE)
Cc: Frigo, Victoria (COE)
Subject: RE: Miami Lakes TOWN Attorney (Second Request)

Dear Mike:

Thank you for your e-mail. This appears to be a request for opinion concerning your authority as the Mayor of the Town of Miami Lakes to nominate the Town Attorney. This language is derived from your municipal charter and the Miami-Dade Commission on Ethics and Public Trust has no authority to interpret municipal charters. If you lawfully exercise your discretion in this matter, then no local ethics laws will have been violated. As a general rule, knowing members of a law firm but having no business relationship with the individual members or the firm itself would not create a conflict of interest if you were to exercise your authority and nominate this firm.

Please feel free to contact me should you have any further questions.

Thanks,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust

From: Pizzi, Michael [mailto:PizziM@miamilakes-fl.gov]
Sent: Wednesday, June 24, 2009 2:44 PM
To: Meyers, Robert (COE); Murawski, Michael P. (COE); Rosario, Kennedy (COE); Skinner, Arthur D. (COE); Diaz, Manuel W. (COE)
Subject: Miami Lakes TOWN Attorney (Second Request)

Dear Robert, Mike, Manny et al:

I wanted to make sure you received my request of yesterday's date. The Town Charter gives me the privilege of nominating a Town attorney. With regard to the Town Manager, I was able to appoint a choice that received unanimous Council and public support. My reading of the Town Charter is that I have the right to nominate the attorney or firm of my choosing and allow the Council to vote on it at a public hearing. The Charter does not set forth or require any particular process. I have considered recommending the firm of Stearns, Weaver, which I do no business with and have no relationship with. I've known Murray Greenberg and Jimmy Morales for a number of years, but I do no business with them, I have never seen them socially. I know them like you guys know them. Whomever I pick, the Council can accept or reject the nomination and the public can vote for or against myself or any other council member if they are not happy. Same as with the Town Manager. Please advise me of any provision of any of the laws within your jurisdiction that suggest that I cannot make the nomination of my choosing, like any other Mayor. If you are aware of anything in the Ethics Code or any other legislation that even suggests that there is something that makes it inappropriate for me to nominate a person or firm of my choosing, please advise. My selection may not be the selection that others would make. It may not even be the selection that any of you would make. In fact, whomever I pick, some may disagree and think someone else was more qualified. But, I am asking the direct question of what provision, if any, of the Ethics Code, or any other code, says that I cannot use my discretion to make the selection of my choice. Let me know and thanks. Mayor Mike Pizzi

6/24/2009