



Via First Class Mail
and
email at aprueff@campus-communitystrategies.com

November 18, 2010

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Commodore Charles Prueff
Coconut Grove Sailing Club
2990 South Bayshore Dr.
Miami, FL 33133

Re: INQ 10-184

Dear Commodore Prueff:

You asked two questions today regarding a contract between the Coconut Grove Sailing Club and the City of Miami.

You stated that you are a volunteer member of the City of Miami's Waterfront Advisory Board and that you hold a volunteer position as Commodore and member of the Board of Directors of the Coconut Grove Sailing Club, a 501(c)(7) nonprofit organization.

In response to your first question, the City of Miami Code at Sec. 2-612 (a) does not prohibit the Coconut Grove Sailing Club from entering into a contract with the City of Miami because of your relationship with both entities. As a nonpaid volunteer with the Coconut Grove Sailing Club, you have no ownership or financial interest in the nonprofit organization that would be entering into the contract.

Please be advised, however, that the City of Miami Code at Sec. 2-612 (a) prohibits you from *representing* the Coconut Grove Sailing Club, or any other third party, before the Waterfront Advisory Board.

Second, regarding a potential voting conflict, you stated that you would prefer to recuse yourself from voting on the contract between the City and the Sailing Club when the matter comes before the Waterfront Advisory Board. Although it could be argued that you have no voting conflict because you would not be *directly* affected by the Waterfront Advisory Board's action, you wish to avoid an appearance of impropriety.¹

Please feel free to contact me if I can be of further assistance.

Sincerely,

VICTORIA FRIGO
Staff Attorney

¹ As per the County Code at Sec. 2-11.1 (v), a voting conflict occurs only when the board member is *directly* affected by the action of the board *and* he has a relationship with the entity before him, e.g., officer and/or director.