

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, December 21, 2010 1:42 PM
To: 'JSK Architectural Group '
Cc: 'Held, Gary'; josesmith@miamibeachfl.gov
Subject: Request for Opinion (INQ 10-194)

Mr. Kuperman,

As a former member of the City of Miami Beach Planning Board, you asked if the ethics codes of Miami-Dade County and the City of Miami Beach prohibit you from appearing before the Planning Board and/or other boards and agencies of the City of Miami Beach on behalf of private clients.

My research reveals a section of the Miami Beach Code that is relevant to your question:

Sec. 2-26. - Representative appearance before agency, board or committee by former member prohibited for one year.

No person who has served upon any city advisory agency, board or committee, the zoning board of adjustment, the pension board or the personnel board may appear, in a representative capacity, before such agency, board or committee of which he has been a member, for a period of one year following the cessation of his membership thereon.

(Ord. No. 97-3086, § 1.3.4, 7-2-97)

This section of the Miami Beach Code does not fall within the jurisdiction of the Ethics Commission. Consequently, I recommend that you contact Gary Held at the Miami Beach City Attorney's Office for a legal interpretation of the ordinance and, in particular, whether it applies to your associates as well.

If you have further questions about the local ethics codes, please feel free to contact me.

Sincerely,

Victoria Frigo, Staff Attorney

Miami-Dade County Commission on Ethics
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From: JSK Architectural Group [mailto:j.kuperman@jskarchitecturalgroup.com]
Sent: Tuesday, December 21, 2010 10:59 AM
To: Frigo, Victoria (COE)
Subject: Request for Opinion

Hello Victoria, thanks for talking to me over the telephone. The purpose of this e-mail is to formalize my request for an opinion from the Ethic Commission, the question and circumstances as follows:

I have been serving on the Planning Board of the City of Miami Beach for the past several years and my time is up as of the last Board Meeting that took place last week. I am a Licensed Architect in the State of Florida and have my own practice.

Can I appear before the same Board that I have served, starting immediately and for the same matter before any other Board of the City of Miami Beach, will I also be able to lobby, interview or consult with members of the Planning

Department on behalf of clients and all the described situations with out violating any of the ethical rules?

Thanks in advance for your assistance.

Jorge S. Kuperman, AIA

Principal

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