

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, September 08, 2011 3:46 PM
To: 'steveinspect@aol.com'
Cc: 'marlen.martell@citynmb.com'; Centorino, Joseph (COE)
Subject: INQ 11-135 Nonprofit organization to include councilwoman

Mr. Pizzillo,

Joe Centorino has asked me to respond to your question about forming a nonprofit organization with North Miami Beach Councilmember Marlen Martell. Based on the facts you provided, we find no ethics laws are violated.

You stated that the nonprofit organization will help individuals refurbish their homes through volunteer efforts and donations. The nonprofit will not seek nor accept grants or any other resources from the city of North Miami Beach. Additionally, all members of the nonprofit board are private citizens with no connection whatsoever to city government. Councilwoman Martell will not sit on the board.

The Miami-Dade County Code at Secs. 2-11.1 (g) and (n) prohibits government officials and employees from using their official positions to obtain special benefits for themselves or others and from taking official actions when financial interests are involved. [See, for example, an ethics opinion (RQO 04-04) and a subsequent complaint (C 10-14) regarding former County Commissioner Dorrin Rolle and the nonprofit organization JESCA.]

If you have additional questions, please do not hesitate to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

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From: steveinspect@aol.com [<mailto:steveinspect@aol.com>]
Sent: Tuesday, September 06, 2011 10:44 PM
To: Centorino, Joseph (COE)
Subject: Question

Mr. Centorino,

A group of citizens, after hearing a council candidate, have decided to take up her charge. While running for North Miami Beach Council, Marlen Martell talked about forming a non profit foundation to help low income, veteran and disabled homeowners refurbish their homes. This would be done through volunteerism and donations, similar to Rebuild Broward. Councilwoman Martell would not be a voting member of the board, will not be a signer on the checkbook if and when

there is one and would be for all purposes just the face of the organization. After consideration the board wants your advice on whether or not we can use Ms. Martell's name on the project.

It is also the intention of the board to not use City funds or personnel in this endeavor.

Thank you for your consideration in this matter,

Steve Pizzillo

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