

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Wednesday, September 26, 2012 12:21 PM
To: 'GPyott@tcgmgmt.com'
Cc: Centorino, Joseph (COE)
Subject: INQ 12-161 CTAC membership

Mr. Pyott,

As a candidate for elected office in Aventura *you are not* required to resign from the MPO Citizens Transportation Advisory Committee (CTAC) nor are you required to forfeit your CTAC appointment if you are elected.

CTAC is *not* a County board. Under Florida Stat. 339.175 (6)(e), the Miami-Dade Metropolitan Planning Organization (MPO) is required to appoint a Citizens Advisory Committee, whose members serve at the pleasure of the MPO. MPOs are created under federal law to allow urban areas to qualify for federal highway or transit assistance. *See* 23 CFR 450.310 (a).

If the facts were different and you were serving on a County board, under the exclusive authority of the County Commissioners, as soon as you qualified for the Aventura office you would be required to take an immediate leave of absence from the County board until the date of the election. If elected, you would forfeit your County board position. *See* Miami-Dade County Charter at Sec. 1.05 (C). As stated above, this requirement is not applicable to you as a CTAC member.

If you have additional questions, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

Fax: 305 579-0273



19 West Flagler St., Suite 820
Miami, FL 33130

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From: Gary Pyott [<mailto:GPyott@tcgmgmt.com>]
Sent: Tuesday, September 25, 2012 12:59 PM
To: Ethics (COE)
Subject: follow-up from telephone conversation this morning

As a follow-up from a telephone conversation this morning with the Ethics office I am requesting an opinion of the following item:

Item:

As a recent appointed member of the Community Transportation Advisory Committee (CTAC) for Dade County my request is "Am I required to resign from this committee as I am a candidate for Aventura Commission Seat #5".

Background Information:

My recent appointment to CTAC was made approximately 3 months ago by current MPO member and current Aventura Commissioner Zev Auerbach whom will be termed out this election year and who's seat I am running for in Aventura. After my research so far I am unable to find where I must resign from this "Committee" at this point ?....I do believe that there is a possibility that I may need to do so after the election in November if I am fortunate to win the election for the seat I am running for (this is a separate question ?)

I would appreciate the Ethics opinion in this matter.

Thank You

Sincerely,

Gary Pyott



Gary Pyott
President South Florida

The Continental Group Inc.
6300 Park of Commerce Blvd.
Boca Raton, Florida 33487

Dade: 786-319-5211
Broward: 954-926-2653
Palm Beach: 561-989-5086
Toll Free: 800-927-4599
Fax: 561-989-5186
gpyott@tcgmt.com

www.thecontinentalgroupinc.com



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