

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, April 30, 2013 4:09 PM
To: 'fireandiceac@bellsouth.net'
Cc: Centorino, Joseph (COE)
Subject: INQ 13-109 Hearing Officer and Community Council Member

Mr. Suarez,

As stated on the Miami-Dade County Hearing Officer Application, the County Ethics Code applies to Code Enforcement Hearing Officers. The County Ethics Code also applies to Community Council members. *See* County Code at Sec. 20-45.

Under Sec. 2-11.1 (j) of the County Code, you are prohibited from engaging in conflicting employment. In the unlikely event that recurring conflicts ensue based on hearings you adjudicate and matters that come before the Community Council, you should consider resigning from one of the positions.

Additionally, because the question is asked on the Hearing Officer Application, please advise the Clerk of the Courts that you are now serving as a Community Council member.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: robert suarez [<mailto:fireandiceac@bellsouth.net>]
Sent: Monday, April 29, 2013 8:44 PM
To: Ethics (COE)
Subject: Legal opinion

Hello Mr. Centorino.

I would like a legal opinion from your office. I have been a Code Enforcement Hearing Officer for Miami Dade County for the last 2 years. I am not a County employee. Recently I was asked by a sitting county commissioner if I would be willing to fill a recently vacant, appointed community council position. I accepted his offer and have been waiting for the process to take its course. I happened to speak to assistant county attorney Thomas Robertson today and he suggested I ask your office for an opinion. Must I resign from the Hearing Officers position if I am appointed to the Community Council? I have read the codes and cannot find where it states that I cannot hold both positions but need your legal advise.

Regards,

Roberto J. Suarez
3213 SW 118 Ct.
Miami, Fl. 33175

