

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, May 14, 2013 11:01 AM
To: 'Eve Boutsis'
Cc: Centorino, Joseph (COE)
Subject: INQ 13-117 Palmetto Bay Task Force

Hello Eve,

Contractors and developers who are members of the Downtown Redevelopment Task Force currently have no conflicts to make *general* recommendations about the *broad, overall vision* for the downtown area in Palmetto Bay. Please be advised, however, that these contractors and developers may encounter future conflicts if they bid on construction projects resulting from recommendations made by the Task Force.

In previous ethics opinions, we have advised stakeholders serving on charrettes that they may participate in the charrette process as long as they are not directly or uniquely affected by the recommendations subsequently acted upon by boards, councils, or commissions. (*See also* RQO 11-28, given to County Planning Advisory Board member José Bared, who was allowed serve on a charrette and subsequently vote on the recommendations made by the charrette as a Planning Advisory Board member when his interests in matters being voted on represented less than 2% of the class of persons affected by the vote.)

Under the County Code at Sec. 2-11.1 (n), members of the Downtown Redevelopment Task Force are prohibited from taking any official action that would affect their financial interests. Additionally, under the County Code at Sec. 2-11.1 (o), members are prohibited from acquiring a financial interest in a project when they believe or have reason to believe that the financial interest will be directly affected by their official actions or by the official actions of the village council.

Consequently, if future recommendations made by the Downtown Redevelopment Task Force become more specific, particularly regarding construction projects, contractors and developers who wish to bid on those projects must resign from the Task Force prior to participating in the matter and voting.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

Direct Phone: 305 350-0601
Main Number: 305 579-2594
Fax: 305 579-0273



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

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From: Eve Boutsis [<mailto:eboutsis@fbm-law.com>]
Sent: Wednesday, May 08, 2013 2:32 PM
To: Frigo, Victoria (COE)
Subject: Task Force

Hi Victoria:

Thanks for the opinions you sent over. They were helpful. I just wanted to confirm one more thing - as you know there are contractors and developers on Task Force, which is an advisory group. If at end, Council decides to adopt recommendations of Task Force, would any of the contractors or developers be precluded from bidding on any work that may come out of the recommendations?

Thanks, again.

Very truly yours,

Eve,

Eve A. Boutsis
Village Attorney
Village of Palmetto Bay
18001 Old Cutler Road, Suite 560
Palmetto Bay, Florida 33157
305-235-9344, Telephone
305-235-9372, Facsimile
Eboutsis@fbm-law.com

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