

Frigo, Victoria (COE)

From: Ethics (COE)
Sent: Friday, June 21, 2013 2:26 PM
To: 'kim lumpkin'
Cc: Frigo, Victoria (COE)
Subject: INQ - North Miami Beach

Ms. Lumpkin:

I fully understand your concerns regarding the mixing of lobbying activity and campaign consulting/fundraising. However, there are no prohibitions under State Law or the Miami-Dade County Ethics Ordinance at present that would prevent such dual activity. The County Ethics Ordinance and the State Ethics Code both address the question of what constitutes a conflict of interest for a public servant when personal or family interests are at stake. State election law addresses the reporting of campaign contributions and expenditure of funds for political consulting. The County Ethics Code also has registration and expense reporting requirements for lobbyists, and the State Code restricts the amount of gifts (which excludes campaign contributions) that lobbyists may make to elected officials to a maximum of \$100. They do not address the question of whether and to what extent it is appropriate for paid lobbyists to also involve themselves in the campaigns of those whom they lobby. There are some local municipalities, e.g., Miami Beach, which restrict lobbyists and/or city vendors from fundraising for local elected officials. In the absence of such a prohibition, however, it is up to the conscience of the elected official as well as the lobbyists/consultants to keep an appropriate professional distance in official decision-making.

Please feel free to call me at 305-579-2594 if you should have any questions.

Joseph M. Centorino
Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust

From: kim lumpkin [<mailto:kaylum@gmail.com>]
Sent: Friday, June 21, 2013 1:45 PM
To: Ethics (COE)
Subject: Ethics Inquiry

This ethics inquiry regards Keith Donner, lobbyist for Braha Dixie, the company which owns the land next to Greynolds Park where a large high rise construction is proposed. Many citizens of North Miami Beach and the surrounding area are very concerned that this construction will damage the park. The NMB City Council unanimously approved rezoning the land from residential to B2, which allows buildings up to 15 stories. The ethics concern is that Mr. Donner, in addition to being a lobbyist and spokesman for Braha Dixie, is also a political consultant who, according to an article by Erik Bojnansky in the July edition of the Biscayne Times newspaper, "helped [NMB Mayor George] Vallegjo, Councilwoman Barbera Kramer, and Councilwoman Beth Spiegel win their elections in 2011. During NMB's election last month, Keith Donner also worked on the campaign of newly elected Councilman Tony DeFillipo, as well as Spiegel's successful re-election campaign." The Save Greynolds Park Committee, representing the citizens of NMB who are opposed to the construction, as well as many others concerned about the preservation of historic Greynolds Park, want to know whether it is a violation for someone to work simultaneously for city council members voting on a construction and also work for the person trying to get the council to approve the construction.

Thank you,

Kim Lumpkin, Chair
Friends of the Oleta River/Save Greynolds Park Committee