

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Wednesday, July 24, 2013 2:15 PM  
**To:** Carol Keys; Lebowitz, Lawrence (COE)  
**Cc:** 'Holly Cohen'; Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** Board Appointee (INQ 13-183)

Councilwoman Keys,

Your appointment of Holly Cohen to the North Miami Board of Adjustment, a quasi-judicial board, does not create a conflict of interest for you. It appears that your landlord-tenant relationship is an arm's length transaction made in the ordinary course of business. We advise both of you, however, of the County Ethics Code provisions at Secs. 2-11.1 (g) and (h) that prohibit exploitation of official positions to benefit yourselves or others and the prohibition on disclosing confidential information obtained through your individual positions.

Please feel free to contact me if you have further questions.

Sincerely,

Victoria Frigo  
Staff Attorney  
Miami-Dade Ethics Commission  
305 350-0601

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**From:** Carol Keys [<mailto:keyslaw@keystitle.com>]  
**Sent:** Tuesday, July 23, 2013 3:37 PM  
**To:** Lebowitz, Lawrence (COE); Frigo, Victoria (COE)  
**Cc:** 'Holly Cohen'  
**Subject:** FW: your question - Conflict Board Appointee

Mr. Lebowitz

Thank you for your prompt response.

Just to confirm, I appointed Holly Cohen to the North Miami Board of Adjustment, a quasi judicial board.

Ms. Cohen is a real estate attorney and served two years ago, as an appointment by my predecessor councilman.

Ms. Cohen sublets an office space in my office and pays a monthly fixed rent.

I just wanted to verify that my appointment did not violate an ethics rules.

Thank you,

Carol Frances Keys, Esq.  
Councilwoman, North Miami Council, District 2  
12700 Biscayne Boulevard, Suite 401  
North Miami, Florida 33181  
305-891-1600

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**From:** Lebowitz, Lawrence (COE) [<mailto:LEBOWIT@miamidade.gov>]  
**Sent:** Tuesday, July 23, 2013 1:19 PM  
**To:** Carol Keys  
**Subject:** your question

Ms. Keys,

I spoke with Victoria Frigo, who is a staff attorney here at the Ethics Commission; she oversees a lot of the Requests for Opinion from elected officials and public appointees.

She took a cursory look at the code based on my retelling of the example you described to me. In this instance, doesn't believe you are required to publicly disclose the relationship between yourself and the business tenant you have appointed to the Board of Adjustment. If, however, the tenant/appointee, were going to do business with the city, you would probagbly need to disclose that relationship before you participated in a public debate or vote.

If you want to discuss it further, call Ms. Frigo at (305) 350-0601 or send her an email at [FRIGOV@miamidade.gov](mailto:FRIGOV@miamidade.gov).

**Larry Lebowitz, Investigator**  
**Miami-Dade County Commission on Ethics & Public Trust**  
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