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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, August 20, 2014 2:51 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Lorena Bravo, Acting City Attorney, City of Hialeah (voting conflicts) INQ 14-193

INQ 14-193

Dear Ms. Bravo:

You inquired whether there would be a prohibited conflict for a current employee of the City of Hialeah to be appointed to serve on the City's Planning and Zoning Board (P&Z Board).

The county Code at Section 2-11.1(v) addresses voting conflicts associated with advisory and quasi-judicial boards. It prohibits board members from voting if they have a certain relationship with the person or entity bringing the matter before your Council (i.e., officer, director, partner, of counsel, consultant, employee, fiduciary, beneficiary, stockholder, bondholder, debtor, or creditor). In this case, because the person in question is an employee of the City of Hialeah, which is a party to the P&Z Board, which enforces the city zoning ordinances, and because the City may also appear before the board on City planning and zoning matters, the employee would have a recurring conflict that would prevent her from voting on any matter before the P&Z board.

This opinion is based on the fact presented. Please contact us if these facts change or if you have any further questions.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney

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-----Original Message-----

From: Bravo, Lorena [<mailto:LBravo@hialeahfl.gov>]  
Sent: Monday, August 11, 2014 7:34 PM

To: Diaz-Greco, Gilma M. (COE)  
Subject: New COH Ethics Inquiry

Good afternoon, Gilma.

I have another conflicts question. An elected official wants to appoint a current employee to a vacancy on the Planning and Zoning Board. Our Charter does not prohibit a current employee from being appointed to serve on this board. Furthermore, the employee is not employed in any department (zoning, building) where she may face a continuing conflict by participating on the board as a result of her work. Other than the laws of conflict every other official has to observe, do you see any other ethical concern in this appointment?

Please forward my inquiry to the appropriate person within Commission staff as you deem necessary. Thank you in advance for your response.

Sincerely,

Lorena Bravo