



To: Mayor Vince C. Lago

From: Cristina M. Suárez, City Attorney *CMS*

RE: Appeal of Decision of Board of Adjustment regarding 722 Aledo Avenue and Mayor

Date: June 2, 2026

As requested by you, this opinion addresses whether you have a voting conflict with respect to action to be taken by the City Commission regarding an appeal of a decision of the Board of Adjustment granting a variance for the property located at 722 Aledo Avenue.

I. Factual Background

An appeal is pending before the City Commission regarding the granting a variance for the property located at 722 Aledo Avenue (the "Property"). The Property is owned by Brian Goldmeier and Nicole Gomez Goldmeier. You have indicated that you previously contracted with BYG Strategies, Inc., a strategic advisory and political consultancy firm of which Mr. Goldmeier is founder and president. That contract, you advised, has concluded and you do not have an ongoing agreement with BYG Strategies, Inc. (or any other entity associated with Mr. Goldmeier) for provision of any services. You have requested an opinion regarding your ability to vote on the appeal, given the prior contractual relationship.

II. Voting Conflicts under Florida Law

Voting conflicts under Florida's Code of Ethics are addressed in Florida Statutes § 112.3143. As applied to county and municipal officers, it provides as follows:

(3)(a) No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer.

"Special private gain or loss" is defined as

an economic benefit or harm that would inure to the officer, his or relative, business associate, or principal, in which case, at least the following factors must be considered whether determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.
2. The nature of the interests involved.
3. The degree to which the interests of all members of the class are affected by the vote.
4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

Fla. Stat. § 112.3143(1)(d).

Given that your contractual relationship with BYG Strategies, Inc. has concluded, this section is not implicated as the Commission's action regarding the subject appeal would not inure to your special private gain or loss or the special private gain or loss of a relative or business associate. Accordingly, you do not have a voting conflict under state law.

III. Voting Conflicts in the Miami-Dade County Code^[1]

The operative provision in the Miami-Dade County Ethics Code is section 2-11.1(d) which is included, in pertinent part, below.

Additionally, no [Commissioner] shall vote on or participate in any way in any matter presented to the [City Commission] if said person has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the [City Commission] if said person has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the [City Commission]: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtor, or creditor if in any instance the transaction or matter would affect the [Commissioner] in a manner distinct from the manner in which it would affect the public generally. Any [Commissioner] who has any of the above relationships **or [emphasis added]** who would or might, directly or indirectly, profit or be enhanced by the action of the [City Commission] shall: (1) announce publicly at the meeting the nature of the conflict before the matter is heard; (2) absent himself or herself from the Commission chambers during that portion of the meeting when the matter is considered; and (3) file a written disclosure of the nature of the conflict with the Clerk of the Board within 15 days after the vote...

You have advised that while you previously had a contractual relationship with BYG Strategies, Inc. to provide political consulting, that contract has concluded and you do not currently have any of the enumerated relationships with the owners of the Property. Accordingly, there is no voting conflict based on any of the enumerated relationships and any argument that you would or might, directly or indirectly, profit or be enhanced by the Commission's action on the subject appeal is too remote and speculative to result in a voting conflict.

^[1] There is no corresponding provision in the City of Coral Gables Ethics Code.

IV. Conclusion

As explained above, because you do not have a “special private gain or loss” with respect to the appeal involving the Property due to your prior contractual relationship with BYG Strategies, Inc., you do not have a voting conflict under Florida Statutes § 112.3143. Similarly, you do not have any of the enumerated relationships to result in a voting conflict under Miami-Dade County Ethics Code section 2-11.1(d) and any benefit or detriment to you from the Commission’s action on the subject appeal is too remote and speculative. However, even if there is no voting conflict, Florida Statutes § 286.012 allows an elected official to abstain from voting when there “appears to be, a possible conflict of interest” under § 112.3143. Thus, an elected official should always consider whether a vote on a particular matter creates an appearance of a voting conflict.

Moreover, when the City Commission sits in a quasi-judicial capacity, each sitting commissioner must also consider whether he or she has a bias or an appearance of bias. Indeed, Florida Statutes § 286.012 provides that “[i]f the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.” Accordingly, you should evaluate whether you have a bias or whether your participation will create an appearance of bias and act in accordance with your determination.

In consultation with special ethics counsel, this opinion is issued pursuant to Sections 2-252(e)(1) and (8) of the City Code and Section 2-300 of the City’s Ethics Code authorizing the City Attorney’s Office to issue opinions and interpretations on behalf of the City.