



**CITY ATTORNEY'S OFFICE**  
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COCONUT CREEK, FLORIDA 33063

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POLICE LEGAL ADVISOR

November 6, 2023

Mayor Joshua Rydell  
City Commission, City of Coconut Creek  
4800 West Copans Road  
Coconut Creek, FL 33063

Re: Your Private Representation of a City Resident

Dear Mayor Rydell:

You have inquired whether or not there would be any violation of Section 1-19 of the Broward County Code of Ordinances if you represented a City resident by the name of Albaro N. Moya in a matter involving Adios Villas Homeowners Association, Inc., in a case in which the City of Coconut Creek is not a party.

As you are aware, Section 1-19 of the Broward County Code of Ordinances provides a Code for Ethics for Elected Officials. As such, it provides for limitations on acceptance of gifts; limitations on lobbying activities by elected officials; requirements for interactions with lobbyists; requirements to engage in honest services; limitations and requirements for solicitation and receipt of charitable and campaign contributions; prohibitions on service on procurement selection committees; annual financial disclosure requirements; and annual training and education ethics requirements.

Further, Section 1-19 of the Broward County Code of Ordinances provides in subsection 1-19(c)(8) that, "any Elected Official may request an advisory opinion about how the Broward County Elected Official Code of Ethics applies to his or her own situation.... Requests for opinions from Municipal Officials shall be made to the Municipality's Chief Attorney or that Attorney's designee. Requests for opinions shall state all material facts necessary for the advising attorney to understand the circumstances to render a complete and correct opinion, and such facts shall be recited in the issued opinion...."

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Additionally, per Section 1-19(c)(8)b., "Until amended or revoked, an advisory opinion rendered pursuant to this section shall be binding on the conduct of the Elected Official covered by the opinion unless material facts were omitted or misstated in the request for the advisory opinion. If the Elected Official acts in accordance with a binding advisory opinion, the Elected Official's action may not be found to be in violation of the Broward County Elected Official Code of Ethics."

Pursuant to the facts provided to me thus far: that the City is not a party to the suit and that if any City employee were to become a witness any time, you would withdraw from representing the resident, I do not see any violation of Section 1-19 of the Broward County Code of Ordinances. Further, I believe there is not likely any ethical violation of the County Code by your private representation of this resident. Please note, however, that I cannot give you a "Safe Harbor" Opinion as it relates to any state or federal laws or rules. Therefore, my opinion herein is limited only to whether or not there is an ethical violation of the Broward County Elected Official Code of Ethics.

I will provide a copy of this advisory opinion in a searchable "pdf" format to [ethicsadvisoryopinions@broward.org](mailto:ethicsadvisoryopinions@broward.org) within fifteen (15) days to ensure your compliance with Section 1-19(c)(8)c., Broward County Code of Ordinances. As always, please feel free to contact me with any questions or concerns.

Sincerely,



Terrill C. Pyburn  
City Attorney