

City Attorney OK With Dingfelder Role In Lightning Suit

By ELLEN GEDALIUS, The Tampa Tribune

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TAMPA - John Dingfelder's tiny law firm just landed a big case: the Tampa Bay Lightning lawsuit.

But does that present a conflict of interest for the city councilman, considering that the city has a financial relationship with the current hockey team owners?

City Attorney David Smith says no.

"It has nothing to do with the city," Smith said. "He's just acting as a lawyer for someone who is trying to enforce a contractual provision. There's nothing that's going to come before council."

Real estate developer Jeff Sherrin, Hollywood producer Oren Koules and National Hockey League executive Doug MacLean announced in August plans to buy the Lightning.

On Monday, though, companies led by Sherrin filed a lawsuit in Hillsborough County Circuit Court, alleging Koules advised the Lightning not to deal with Sherrin's group. Sherrin accuses Koules of failing to provide his initial share of \$4.2 million toward the purchase agreement by a November deadline.

Dingfelder's law firm is representing Sherrin's companies in the lawsuit.

Dingfelder's partner, Thomas Scarritt Jr., signed the complaint. Dingfelder's name is typed beneath Scarritt's.

Dingfelder confirmed Tuesday that he is heavily involved in the case but said he doesn't see any potential conflicts.

"If they ever got ownership of the Lightning and they got to city hall, I would recuse myself from voting," Dingfelder said. "I can't quit practicing law and turn away clients because I'm on council.

"The last thing I would ever do is risk crossing any ethical boundaries," Dingfelder said.

The city has been on the hook to make up shortfalls in Lightning revenue targets for parking fees and ticket surcharges, paying out nearly \$2.5 million in debt service over the past 10 years.

The city pays \$750,000 annually to retire debt on the South Regional Parking Garage, using revenue from parking charges. If parking for Lightning games and other events doesn't generate at least \$750,000, the city has to make up the difference, about \$1.5 million since 1997.

The city also has had to make up about \$900,000 over a 10-year period for shortfalls on the surcharge added to tickets sold for events at the St. Pete Times Forum, where the Lightning plays. Money from the city's parking fund makes up the deficit.

City officials have said they don't expect those agreements to change if the team is sold.

Kerrie Stillman, a spokeswoman for the Florida Ethics Commission, said public officials are prohibited from having employment or contractual relationships with entities doing business with, or subject to regulation by, the agency they work for. (Dingfelder's partner, Scarritt, is on the commission's board.)

In this case, Dingfelder's client is not doing business with the city and is not regulated by the city.

The existing parking agreements are with the current owners, not Dingfelder's client.

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