

Meyers, Robert (COE)

JNQ 05-142

From: Winkle, Tena [TWinkle@bellhelicopter.textron.com]
Sent: Tuesday, August 23, 2005 2:27 PM
To: 'Meyers, Robert (COE)'
Cc: Kolb, Douglas
Subject: RE: Solicitation

Thanks Robert for working with me on this matter.

*Tena Winkle, Manager,
Business Ethics and Legal Compliance
twinkle@bellhelicopter.textron.com
817-280-2445 BELLLINE 817-280-7777*

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

From: Meyers, Robert (COE) [mailto:RMEYERS@miamidade.gov]
Sent: Tuesday, August 23, 2005 1:15 PM
To: Brooks, David (MDFR)
Cc: Skinner, Arthur D. (COE); Winkle, Tena
Subject: Solicitation

Dear Chief Brooks,

I am following up on a conversation Art Skinner had with you recently concerning your efforts to solicit support for a 20th Anniversary Party for Air Operations. By way of background, our office received information from Bell Helicopters that you had approached the firm asking whether the firm would like to contribute to this anniversary party. As I understand it, this party will be open to the public and Bell Helicopters, a County vendor, was the sole vendor that you solicited. From my discussions with Mr. Skinner, it isn't clear to me whether you solicited Bell as a County employee or on behalf of the Fireman's Benevolent Association, but this disputed fact does not change my analysis of the situation. My conclusion is based upon other opinions our office has issued with respect to the question of gift solicitation.

County employees are prohibited from soliciting contributions and donations from third parties unless the gifts are solicited by employees in performance of their official duties for use solely by the County in conducting its official business. On a number of occasions, we have been asked whether it is proper for employees to solicit gifts if the purpose behind the solicitation is to offer some benefit to the health, safety and welfare of the community. We have said that where a public purpose can be shown and the solicitations are general in nature, the Ethics Commission finds these solicitations to be consistent with letter and spirit of County law. However, in the case of soliciting for the 20th Anniversary Party, despite the public purpose that exists in showcasing the Department's air operations, there apparently was no effort made to solicit others. Therefore, I advised Bell Helicopters against contributing to the event. Please understand I recognize that there are many worthwhile activities that the Fire Department may wish to sponsor in the future, and may need co-sponsors to defray some of the costs, but the problem arises when the solicitation is of a limited nature. At a minimum, it puts the vendor in a difficult position. In the future, I suggest that if you need to enlist the support of private companies to underwrite some of your expenses, you make certain that you send out a broad-based appeal to the community, which may include asking County vendors for their support.

If you wish to discuss the above with me in greater detail, please contact me at your convenience.

Sincerely,

8/23/2005

Robert Meyers