

# Memo

**To:** Catherine Minnis  
United Way Coordinator

**From:** Ardyth Walker  
Staff General Counsel

**Date:** 7/28/2004

**Re:** INQUIRY 04-96

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I received your e-mail seeking clarification of a 1998 Ethics Commission opinion barring solicitation of gifts for use in the United Way campaign. In 2000, the Ethics Commission issued RQO 00-111 which supersedes the 1998 opinion. In RQO 00-111, the Commission held that the Conflict of Interest and Code of Ethics ordinance permits county employees to solicit gifts from county vendors for use in the United Way campaign. Section 2-11.1(e)(2)(e) was added in 1999 and provides that "Gifts solicited by county employees or departmental personnel on behalf of the county for use solely by the County in conducting its official business" is exempted from the definition of gifts. Therefore, county employees may solicit gifts for use in the United Way campaign.

If you have any additional questions, please contact me at 579-2594.

**Walker, Ardyth (COE)**

**From:** Minnis, Catherine A. (CMO)  
**Sent:** Wednesday, July 28, 2004 8:52 AM  
**To:** Walker, Ardyth (COE)  
**Subject:** FW: Bad News on United Way Matter  
**Importance:** High

Ardyth, I was referred to you by Mr. Sam Walthour. Please take a look at the following email correspondence and contact me at your earliest convenience. As the United Way Coordinator, I'd like to provide a response to the 50+ coordinators regarding the solicitation of in-kind donations as fundraisers/raffles to assist us with our campaign.

Thanks much!

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

**From:** Maria C. Sanchez [mailto:MSanchez@miami-airport.com]  
**Sent:** Wednesday, July 28, 2004 8:49 AM  
**To:** minnis@miamidade.gov  
**Subject:** FW: Bad News on United Way Matter

Catherine, please read the attached message from our County Attorney's Office. I contacted the Ethics Commission in 2001 and was advised that we could solicit items from different organizations, only if it involved the United Way Campaign. Please clarify this issue. Thanks.

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

**From:** Tim Abbott  
**Sent:** Tuesday, July 27, 2004 5:57 PM  
**To:** Maria C. Sanchez  
**Cc:** Fred Bethel; Anne Syrcle Lee; Miriam Adderley; Abigail Price-Williams; Cynji Lee; David Hope; Deborah Mastin; Geri Bonzon-Keenan; Mercedes C. Sandoval; Roy Wood

**Subject:** Bad News on United Way Matter

Sorry to say that I ran across an opinion from the Commission on Ethics, dated December 17, 1998, in which the Commission states that "the solicitation of gifts by county employees is barred by Section 2-11.1(e)(3). Therefore, employees may not solicit airline ticket and other items for the United Way campaign."

There might be another way to go on this. The opinion is based on the fact that County employees are soliciting the tickets. Perhaps if United Way itself were to make the contacts with the airlines and solicit the tickets, without any involvement in such solicitation activities by MDAD or County employees, the answer might be different.

7/28/2004