

**Meyers, Robert (COE)**

JNQ 07-68

**From:** Meyers, Robert (COE)  
**Sent:** Monday, May 07, 2007 3:56 PM  
**To:** Magill, Ron (MDPR)  
**Subject:** RE:

Dear Mr. Magill,

Thank you for your request for opinion and I think I have a handle on the critical facts. I have to admit I am somewhat uneasy about giving you an opinion that permits you to profit from your appearance in a Spanish Florida lottery commercial due to the fact the commercial is being shot on County property. I understand that the County will be given a significant location fee and Metrozoo will not be identified as the location of the shoot. However, I am concerned about setting a precedent that allows County employees to receive outside income from third parties when they are engaged in outside employment on County property. Generally, our office recommends against County employees conducting their outside employment activities on County property. I realize the facts here are rather unique, as the County is a direct beneficiary of your outside employment and there will be no mention of Metrozoo in the commercial. Therefore, my legal conclusion is you can receive payment for your appearance for this commercial. However, accepting a fee may violate the spirit of the conflicting employment provision of the ethics code, so you may want to consider donating your fee or not accepting the fee at all. Please be advised if the commercial were being shot elsewhere I would have no reservations whatsoever about you being remunerated for your work.

If you wish to discuss, please contact me at your earliest convenience.

Sincerely,

Robert Meyers, Executive Director  
 Miami-Dade Commission on Ethics and Public Trust  
 (305) 350-0613

**From:** Magill, Ron (MDPR)  
**Sent:** Wednesday, May 02, 2007 2:12 PM  
**To:** Meyers, Robert (COE)  
**Subject:**

Dear Mr. Myers,

I am writing this to get an opinion from you regarding a job as it relates to me personally and to Metrozoo.

In my Outside Employment Form, I am approved for among other things, television work. I do a lot of appearances for a variety of programs, almost always promoting the zoo. The majority of those programs are unpaid as they are either appearing at Metrozoo or using Metrozoo animals and are directly related to promoting a zoo issue and therefore fall under my job description. There are some appearances that I make where I am used as an analyst, expert, or consultant away from Metrozoo, not using any Metrozoo animals, not mentioning Metrozoo, and of course not on Metrozoo time for which I do receive compensation and for which I am also approved for on my Outside Employment form. My appearances in the Hispanic market over the past 25 years have given me a tremendous amount of exposure throughout Hispanic Markets around the world. Because of this and my extensive experience in the film industry, I was recently able to secure having a Spanish Florida Lottery commercial done at Metrozoo. One of the attractions was having me appear in the commercial. Though the commercial is being filmed at Metrozoo and Metrozoo is being well compensated with a location fee (more than double the normal rate), there is no mention of or direct reference to Metrozoo and my appearance is as a recognized face in the Hispanic community adding credibility to the commercial and not as "Ron Magill, Metrozoo Spokesman." It is basically supposed to be set in a generic zoo and I am one of a cast of characters. However,

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as one of the cast of characters, I will be paid a standard rate.

I have done all the legwork to get this commercial done here which will certainly benefit the zoo financially. We were fortunate to beat out places like Lion Country Safari and Busch Gardens for the job. I'd like to think that my participation helped with Metrozoo being awarded the job. My question to you is whether or not I can accept financial compensation for my appearance (I of course will be off the "County clock").

Again, I want to reiterate that I am approved for outside employment for these types of activities however, I have never done one at the zoo. That being said, I am hoping that since the zoo is being generously compensated and such commercial shootings are considered beneficial for Metrozoo, this can be looked at as a "win-win" situation. I appreciate your attention in this matter.

Sincerely,

***Ron Magill***

***Communications & Media Director  
Miami Metrozoo  
12400 SW 152 Street  
Miami, FL 33177  
305-251-0400, ext. 224***

***Miami-Dade Parks & Recreation  
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