

**Meyers, Robert (COE)**

INQ 07-186

**From:** Meyers, Robert (COE)  
**Sent:** Tuesday, December 18, 2007 10:39 AM  
**To:** Nares, Dimitrios (ITC)  
**Subject:** RE: Request for Ethics Opinion

Jimmy,

Sorry for not responding sooner and I do appreciate your answers to the questions I posed in a prior e-mail. After giving your inquiry some thought, I find a letter sent by the Chair of the Sister Cities Coordinating Council to endorse a requested Fulbright Scholar in Residence at Miami-Dade College is appropriate as long as the matter is presented to the Council and approved by the Council. Assuming that such action is taken by the Council, the Chair may give the endorsement on official letterhead of the Sister Cities Coordinating Council. I understand the endorsement is non-financial in nature and that any benefit that might accrue to the potential recipient does not directly affect the Chair of the Sister Cities Coordinating Council, who is the Director of Miami-Dade College's Hospitality Management Program.

As far as guidelines are concerned, letters of support or endorsement should not be sent by a chair or any board member on official letterhead without a vote from the board. Once the matter is approved, it becomes, in essence, official board business and then it is proper for the letter to go out on official letterhead. Absent formal approval from the board/council, an individual member wishing to back a particular individual/program/cause must do so as a personal expression. Letters or other communications of this type need to convey that the individual's views may or may not represent the views of the entire board and the use of letterhead or the person's title or position would not be acceptable.

A voting conflict of interest exists when a board member is directly affected by the outcome of board's decision **and** the individual board member has a special relationship with a party or applicant who is seeking some benefit from the board. Directly affected generally means the board member stands to benefit financially from the board's action. An example of a special relationship would be one in which the board member's employer is appearing in front of the board.

If you have any further questions, please do not hesitate to contact me at your convenience.

Thanks,

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

**From:** Nares, Dimitrios (ITC)  
**Sent:** Monday, November 26, 2007 5:17 PM  
**To:** Meyers, Robert (COE)  
**Subject:** FW: Request for Ethics Opinion

Hello Mr. Meyers,

I do not believe that we have received a reply to our ethics opinion inquiry below. Therefore, in case the e-mail did not reach you previously, I am re-sending it to you.

If you have already replied, I apologize.

Regards,

Jimmy Nares  
 Assistant Director  
 Jay Malina International Trade Consortium of Miami-Dade County

12/18/2007

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nares@miamidade.gov

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**From:** Nares, Dimitrios (ITC)  
**Sent:** Tuesday, October 30, 2007 9:50 AM  
**To:** Meyers, Robert (COE)  
**Subject:** RE: Request for Ethics Opinion

Hello Mr. Meyers,

In answer to your follow up questions regarding the Sister Cities Chair:

The Chair of our Sister Cities Coordinating Council (SCCC) is the Director of Miami Dade College's Hospitality Management Program. The program that the Chair wanted to support (under the capacity of the Chair of the Sister Cities Program) was the Fulbright Scholar Program. Specifically, the Chair wanted to write a letter on behalf of Sister Cities in support of a requested Fulbright Scholar in Residence at Miami Dade College in the area of International Business (I am not aware if the potential recipient is also a student of the Hospitality Program). The Chair did not do so, however, after we advised her that it *may* have been inappropriate for her to write a letter in support of this program on behalf of the entire Board without discussing it with them. Additionally, we advised her that given her affiliation with Miami Dade College and the fact that the recipient of the scholarship was a MDC student, it *may* have been a conflict of interest for her to support the program on behalf of Sister Cities. I am not aware of any benefit that could accrue to the Chair for supporting this specific program. Also, what I meant by endorse (in this specific case) was for the Sister Cities program to support or approve of the Fulbright Scholar candidate in a non-financial manner.

Please be aware that while this issue never materialized, we would like to get some guidelines for potential future issues that may arise under similar circumstances given our Chair's affiliation with Miami Dade College.

Thank you for your initial response (I have attached our initial request for your records), and for any other guidance or advise you may be able to provide.

Regards,

Jimmy Nares  
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**From:** Meyers, Robert (COE)  
**Sent:** Friday, October 19, 2007 9:23 AM  
**To:** Nares, Dimitrios (ITC)  
**Subject:** Request for Ethics Opinion

Mr. Nares,

I apologize for not responding sooner, but I inadvertently deleted your e-mail. I did, however, keep a hard copy. As I understand the facts, a new chairperson of the Sister Cities Coordinating Council was recently appointment and the chair is an employee of Miami-Dade College. You ask whether the Chair can officially endorse a program or activity that is of specific interest to Miami-Dade College and you give the example of this person writing a letter on official letterhead on behalf of the Sister Cities Program endorsing the program without any discussion or approval by the rest of the Coordinating Council. A related question is whether the Chair can sign the letter to Miami-Dade College if the full council discusses and approves the item. Your final question is whether the Chair should abstain from taking a position regarding this program during a Coordinating Council meeting.

12/18/2007

I need more information to answer all of your questions, such as what position does the chair have at Miami-Dade College? Furthermore, what program is the Coordinating Council considering supporting and is there any benefit that can accrue to the chair as an employee of Miami-Dade College if the program is supported? Finally, what do you mean by "endorse"? Is the Council going to offer financial support or another type of support?

My initial response is that a letter of support from the Chair as an employee of Miami-Dade College to Miami-Dade College without the approval of the Coordinating Council is highly inappropriate. With respect to your other questions, I can answer them once you provide me an answer to my questions.

I will be out of the office this afternoon (Friday), but I will be back in the office on Monday.

Thanks,

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