

Meyers, Robert (COE)

INQ 06-10

From: Meyers, Robert (COE)
Sent: Thursday, July 20, 2006 5:17 PM
To: 'Jannie L. Russell'
Subject: RE: possible conflict

Ms. Russell,

Thank you for the additional information. Based on what you have provided, I can issue an opinion. As I understand it, you have an employee who sits on the Planning Council for the city of Opa-Locka and a company that your non-profit wishes to solicit for summer field trips has a matter before the Planning Council. You further explain that employee will not be involved in the solicitation efforts. You wish to know whether a conflict of interest is created if your employee participates as a member of the Planning Council in a decision that will affect this company if your non-profit solicits this company.

Under the county's Conflict of Interest and Code of Ethics Ordinance, a conflict would be created if your employee promised the company favorable consideration by the Planning Council in return for a donation to non-profit's summer field trip program. Assuming such conduct is not going to transpire, I find that no violation of the ethics code exists if your employee participates in the Planning Council agenda item involving the company that your organization is planning to solicit as long as the employee plays no role in any solicitation efforts with respect to the company.

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

Sincerely,

Robert Meyers, Executive Director

From: Jannie L. Russell [mailto:teenupwardbound@bellsouth.net]
Sent: Thursday, July 20, 2006 3:56 PM
To: Meyers, Robert (COE)
Subject: RE: possible conflict

July 20, 2006

Mr. Meyers,

7/20/2006

1. The employee is not involved in solicitation of the company, nor will the matter be discussed with the employee.
2. My knowledge of the issue is the development company is constructing Phase II of their project that will be housing offices and some city departments (supposedly) . They have already constructed Phase I.

From: Meyers, Robert (COE) [mailto:RMEYERS@miamidade.gov]

Sent: Thursday, July 20, 2006 12:55 PM

To: Jannie L. Russell

Subject: RE: possible conflict

Ms. Russell,

I am forwarding your request for opinion to our staff attorney. There are two questions I need to have clarified before we can issue you an opinion. 1) Is the management employee of your non-profit involved in the solicitation of the company that is appearing before the Planning Council? 2) Do you know the reason why the company is coming before the Planning Council? If you can provide me with answers to these questions by noon tomorrow, I can have an opinion to you by the end of the day.

Thank you,

Robert Meyers, Executive Director

From: Jannie L. Russell [mailto:teenupwardbound@bellsouth.net]

Sent: Wednesday, July 19, 2006 4:55 PM

To: Meyers, Robert (COE)

Subject: FW: possible conflict

From: Jannie L. Russell [mailto:teenupwardbound@bellsouth.net]

Sent: Wednesday, July 19, 2006 4:10 PM

To: 'ethics@miamidade.gov'; 'rmeyers@miamidade.gov'

Subject: possible conflict

7/20/2006

July 19, 2006

Mr. Meyers;

I am director the director of a not-for-profit organization and interested in soliciting donations to help with our end of the summer field trip from a company that does business in the City of Opa-Locka. This company is scheduled to come before the planning council in the City of Opa-Locka. One of the employees of the organization sits on the planning council board. The employee is a part of management staff. Can the organization still solicit donations from that company without being in conflict?

We will be going on that field trip next Friday and in the process of soliciting donations to help the children that parents are financially unable to pay. The monies will be dedicated solely to the trip for children and their parent.

I would appreciate a response ASAP if possible.

Thanks,
Jannie L. Russell-Ex. Director

7/20/2006