

Meyers, Robert (COE)

ING 06-132

From: Meyers, Robert (COE)
Sent: Tuesday, September 12, 2006 1:44 PM
To: Gil, Conrado (MDT)
Subject: RE: Request for opinion

Mr. Gil,

I apologize for not responder sooner, but I've been rather busy lately. I understand from your e-mail that you are a Transit Instructor for the Transit Department and may purchase a Jitney company that has a license issued by Consumer Services. You wish to know whether a conflict of interest is created if you buy this company and operate a jitney service, where there is some oversight by the Transit Department.

There are several items to consider: 1) Transacting business with the County -- Your company cannot transact business with your department (Transit), but you may transact business with other county departments. Given the fact that the license is issued through Consumer Services, there appears to be no conflict; 2) County responsibilities -- I assume from your position with the Transit Department that you will in no way oversee, monitor or regulate anything to do with jitneys; 3) Appearances -- Once you buy the company you are prohibited from appearing before a County board/committee or in front of County personnel on behalf of your company. Renewing the jitney's license is not considered appearing before the County. However, if you must make a presentation as the owner of the company, this might violate the ethics ordinance and 4) Outside employment -- If you expect to generate income from the jitney business, you must receive permission from your department to engage in outside employment. Without this permission, you are not in compliance with the ethics ordinance.

In conclusion, you may own this company licensed through Consumer Services and operate routes reviewed by the Transit Department without violating the county's Conflict of Interest and Code of Ethics Ordinance. The only open question is the procedure that takes place to renew the jitney's license. If this procedure will require you to meet with County employees or present to a County board, you should contact me. If it is merely a matter of submitting a form to renew the license, then it is permissible.

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

Sincerely,

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

From: Gil, Conrado (MDT)
Sent: Thursday, August 31, 2006 4:47 PM
To: Meyers, Robert (COE)
Cc: Walker, Ardyth (COE)
Subject: Request for opinion

Good afternoon Mr. Meyers:

I am a Miami-Dade Transit employee since June of 1981 currently in the capacity of Transit Instructor (Human resources division), training Miami-Dade transit employees on policies, procedure, defensive driving, and bus operation ext... I have an opportunity of owning a Jitney company that is licensed through the Consumer Service Department to operate semi-fixed routes. These routes have to be reviewed by Miami-Dade Transit's Planning division for compliance with county route code and there are some agreements with M.D.T. on issuing and accepting rail transfers.

I would like your opinion on the possibility of ownership and/or management of this Jitney company and

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continuing to work for transit.

Thanks in advance for your prompt attention and response to this matter.

If you have any questions please feel free to e-mail me or call my cell 786-271-6563.

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