

Meyers, Robert (COE)

INQ 06-133

From: Meyers, Robert (COE)
Sent: Thursday, September 14, 2006 3:47 PM
To: Meyers, Robert (COE)
Subject: Inquiry

Bernardo Escobar called and asked two questions about Commissioner Souto and the Francisco Foundation, which the Commissioner founded and its mission is to give scholarships to Miami-Dade College students. Mr. Escobar wanted to know whether the Commissioner could appear before the County seeking funds for the Foundation. I advised Mr. Escobar that it would be a violation of the county's Conflict of Interest and Code of Ethics Ordinance if the Commissioner appears on behalf of the agency. I suggested another individual connected with the Foundation could appear and seek funding from the County, provided Commissioner Souto recused himself if the matter comes before the Board of County Commissioners.

The second question Mr. Escobar asked was whether the Commissioner could solicit private businesses for donations to this Foundation. Pursuant to the exception noted in the gifts section of the Code, the Commissioner may solicit to benefit a non-profit as long as he is not compensated as a result of his solicitation efforts. Mr. Escobar indicated that Commissioner Souto draws no salary nor does he draw any form of compensation from the Foundation. Further, I indicated that any appeal to the private sector for funding ought not to concentrate on companies doing business with the County or lobbyists of these firms. Rather, a generic approach to solicitation would be better.

Robert Meyers
9/14/06

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