

Meyers, Robert (COE)

JNQ 06-73

From: Meyers, Robert (COE)
Sent: Thursday, May 25, 2006 9:25 AM
To: 'Menendez, Maria'
Subject: RE: seeking opinion on behalf of Commissioner Palmer

Ms. Menendez,

Thank you for your request for opinion on behalf of Commissioner Velma Palmer. As I understand it, Commissioner Palmer wishes to communicate with her constituents and is in the process of drafting a letter that details her efforts to serve her community and the letter will also provide the community with information the Commissioner deems useful. There are three questions the Commissioner has asked: 1) Can she send this letter using the City's bulk mail; 2) Can she spend money out of her discretionary account for this purpose and 3) Can she use her official stationery – I assume the stationery identifies her as a commissioner and includes the city seal.

As we discussed in a telephone conversation yesterday, I indicated I was not familiar with the bulk mail rules and suggested you contact the U.S. Postal Service and inquire about whether bulk mail can be used for this type of a mailing. My sense would be that it is probably reasonable and would clearly save the city of South Miami money on postage.

Concerning the other two questions, there is no doubt in my mind that elected officials have a right, and possibly a duty, to inform their constituents about matters of public concern, whether they represent them in local, state or federal government. To the extent the Commissioner wants to explain to her constituents the efforts she has undertaken to represent them, the most effective method is to reach the residents through the U.S. mail. Therefore, using city stationery to accomplish this goal is perfectly acceptable. Furthermore, the rationale behind giving elected officials some discretionary funds is to promote the interests of her constituents and using these resources for keeping her constituents better informed regarding issues being discussed and decided at City Hall is an appropriate use of these discretionary funds.

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

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust

From: Menendez, Maria [mailto:MMenendez@cityofsouthmiami.net]
Sent: Wednesday, May 24, 2006 3:03 PM
To: Meyers, Robert (COE)
Cc: Figueredo, Luis; Palmer, Velma
Subject: seeking opinion on behalf of Commissioner Palmer

Mr. Meyers, this is to follow up on our telephone conversation of today on behalf of Commissioner Palmer, regarding certain questions regarding a letter she intends to mail to her constituents.

Commissioner Palmer has explained to me that the letter is generally about her efforts to help the community since she has been in office, such as trying to get the garbage receptacle fee refunded to the residents; getting a point of distribution (POD) for emergency situations such as during the hurricane season, etc. She says that this will be just a generic type of letter informing her constituents on what she has been doing on their behalf.

5/25/2006

So here are the Commissioner's questions:

- Can I send the above described letter to my constituents using the City's bulk mail?
- Can I use my discretionary account for this project, or do I need to use my personal money?
- Can use my City's stationery?

As far as the City Clerk is concerned, (and this is the Clerk asking now) I also would like to take this opportunity to ask you, Mr. Meyers, whether it will be proper for the office of the City Clerk to be involved with the above project at any level.

We will appreciate your response to all of the above questions.

Sincerely,

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