


Memo

To: Commissioner Dorrin D. Rolle
Board of County Commissioners, District Two

From:  Robert Meyers, Executive Director
Commission on Ethics and Public Trust

Date: 04/07/00

Re: Request for Ethics Opinion

I conferred with County Attorney Robert Ginsburg on the question of whether you can participate in and vote on the Payphone Services Contract item which is scheduled as an agenda item for the County Commission meeting of April 11, 2000. Mr. Ginsburg and I considered the following facts: you are the Executive Director of JESCA; in this position you report to a Board of Directors and the chairman of the Board is employed by one of the bidders(disputants) in the Payphone Services Contract. I assume that the Board of Directors of JESCA sets your salary and determines the terms and conditions of employment. Further, I assume that the Board exercises the right to retain or release its executive director. Under these circumstances, Mr. Ginsburg and I believe you are not truly a free agent and would have a legal conflict of interest if you were to participate in and vote on the above mentioned matter. Please understand that this conclusion is "unofficial" as I do not have the legal authority to issue you a formal and binding written opinion on this matter; this power rests solely with the Ethics Commission.

As you know, the Ethics Commission ordinance describes the process by which formal opinions are given. It requires a written submission to our office. Once the request is received, staff prepares a draft opinion and the item is scheduled for the next Ethics Commission meeting. Once the Ethics Commission has had the opportunity to review the draft opinion at a public meeting, a written opinion will be issued. Our next Ethics Commission meeting is scheduled for Wednesday, April 12, 2000 at 9:30 a.m. I realize that if a vote is taken on April 11th, the issue will be moot and there would be no reason to seek an opinion from the Ethics Commission. If however, the item is deferred again or it comes back on a later agenda in another form, you may want the advice of the Ethics Commission.

If you wish the above item to receive full consideration by the Ethics Commission at the April 12th meeting, please contact me at your earliest convenience.

cc: Robert Ginsburg, County Attorney

*** TX REPORT ***

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PGS. SENT	2	
RESULT	OK	

Courthouse Center Building
 175 N.W. 1st Avenue
 Suite 1101
 Miami, Florida 33128
 Telephone: (305) 579-2594
 Facsimile: (305) 579-2656

Miami-Dade County
 Commission on Ethics &
 Office of the Inspector
 General

Fax

To: Commissioner Darrin Rolle From: Robert Meyers

Fax (305) 375-4843 Pages: 2, including coversheet

Phone: Date: 4/7/00

Re: Payphone Services Contract

Urgent
 For Review
 Please Comment
 Please Reply
 Please Recycle

Per my discussion with Robert Ginsburg,
 please call me if you have any questions.

Thank you,
 A. D. A. No.

Courthouse Center Building
175 N.W. 1st Avenue
Suite 1101
Miami, Florida 33128
Telephone: (305) 579-2594
Facsimile: (305) 579-2656

Miami-Dade County
Commission on Ethics &
Office of the Inspector
General

Fax

To: Commissioner Darrin Rolle From: Robert Meyers
Fax: (305) 375-4843 Pages: 2, including coversheet
Phone: Date: 4/7/00
Re: Payphone Services Contract CC:
 Urgent For Review Please Comment Please Reply Please Recycle

Per my discussion with Robert Ginsburg,
Please call me if you have any questions.

Thank you,

Robert Meyers

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