

Meyers, Robert (COE)

INQ 01-27

From: Devoe, Lawanda (ERD)
Sent: Wednesday, August 01, 2001 3:12 PM
To: Meyers, Robert (COE)
Subject: RE: Ethics Questions

As always, thanks for your assistance. I will forward this information to Gail of the Public Works Department.

-----Original Message-----

From: Meyers, Robert (COE)
Sent: Wednesday, August 01, 2001 2:31 PM
To: Devoe, Lawanda (ERD)
Subject: RE: Ethics Questions

Lawanda,

I would answer the questions as follows:

- 1) The Cone of Silence does not apply to the emergency procurement of goods or services pursuant to Administrative Order 3-2. It doesn't specifically exempt activities under the Expedited Ordinance. I need to know more about this ordinance before I can answer the question.
- 2) The Cone of Silence covers all normal contracting operations; emergencies are covered by the exception to the rule.
- 3) The Sunshine Law covers the meeting of two or more public officials who sit on the same board or committee. It does not apply to management and staff relations.
- 4) If these meetings are public meetings, then minutes must be taken. If these meetings are not public meetings, then minutes do not have to be taken.
- 5) Let us know and we will follow-up or conduct our own investigation.
- 6) If someone suspects a violation of the Conflict of Interest/Code of Ethics, that person has two options -- file a formal complaint with us or give us the information and we will conduct our own investigation. Obviously, under either scenario, we will check on whether an ethics opinion was requested.

Hope this helps.

Robert

-----Original Message-----

From: Devoe, Lawanda (ERD)
Sent: Wednesday, August 01, 2001 11:22 AM
To: Meyers, Robert (COE)
Subject: Ethics Questions

Good morning Robert:

Once again I'm requesting your assistance. Gail Casady of Public Works received the following questions training Ethics Phase IV. The employee who asked these questions is an Engineer II in the Construction Division, Clarence A. Bird at extension 8948.

1. When, if applicable, does the "Cone of Silence" Ordinance go into effect when using the "Expedited Ordinance" (# 00.84 Ordinance amending the Code of Miami-Dade County to expedite procedures for contracts relating to disaster or hurricane recovery), by-passing bid process?

2. When is the "Expedited Ordinance" applicable? In other words, is it for Extraordinary circumstances or Disasters only, or does it apply to normal contract operations?
3. On the issue of the "Sunshine Law", How does it apply to verbal directives issued to staff by Management? If it is not documented, How do you enforce it?
4. Are all of Miami-Dade County meetings between County Staff and Consultants, Contractor's or Lobbyist required to have meeting minutes? And if yes, if they are not being enforced, what is the procedure to follow?
5. If you have reported or filed a complaint with County Management about mismanagement and waste, and no action is taken, what is the procedure to follow?
6. If complaints are awarded through the use of the "Expedited Ordinance" and a potential conflict of Interest is obvious and no opinion was requested to the "Ethics Commission", What is the procedure to follow, and what are the enforcement code articles that applied?