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TX/RX NO 1820  
CONNECTION TEL 919544301004  
CONNECTION ID  
ST. TIME 12/11 10:58  
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RESULT OK

*INQ  
00-22*

Biscayne Building  
19 West Flagler Street  
Suite 220  
Miami, Florida 33130  
Phone: (305) 579-2594  
Fax: (305) 579-2656

Miami-Dade County  
Commission on Ethics  
and Public Trust

# Fax

To: *Norman Wartman* From: Robert Meyers  
Fax: *(305) 430-1004* Pages: *2*, including cover sheet  
Phone: Date: *12/11/00*  
Re: *Request for Opinion* CC:

- Urgent  For Review  Please Comment  Please Reply  Please Recycle

*Per our discussion, please call me if you have any questions.*

*Thanks,  
Robert Meyers*

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Per our discussion. Please call me  
if you have any questions.

Thanks,  
Robert Meyers

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# Memo

**To:** Norman Wartman, Chair  
C.T.A.C.  
**From:** Robert Meyers, Executive Director  
Commission on Ethics and Public Trust

**Date:** 12/11/00

**Re:** Request for Opinion

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I am in receipt of your fax dated November 30, 2000 and I wanted to respond accordingly. You state in your fax that you own a marina in Key Largo and are planning to buy another marina in Key Largo that is next to U.S. 1. You claim that this section of U.S. 1 will be rebuilt by Florida D.O.T. in approximately four to five years. You assert that DOT may have to buy back a piece of the new property you are considering purchasing and DOT reconstruction work will likely affect this marina. Finally, you indicate that your board (CTAC) voted in favor of this DOT project some time in the past.

Based upon the facts that have been presented, I see no conflict of interest at the present time. First, it does not appear that at the time your board voted in support of the DOT expansion project, a conflict of interest was created because your potential purchase of the marina will occur long after the vote of your board. If, however, you had plans to purchase the marina at the time you voted to support the DOT project, I might look at this a bit differently. Secondly, any DOT project that is likely to commence with respect to this stretch of land will not take place for a number of years. By then, you may not be serving on the board. If you are serving on the board at the time the DOT project begins, you may want to revisit the question at that time. It would be my advice to you that if in the future your board decides to take a position on this DOT project and you are the owner of the marina within these boundaries, you would simply disclose that fact on the record. I would assume that many other businesses will be affected by the expansion and you would not uniquely benefit. Also, your board's position is not controlling on DOT and this influences my opinion as well.

Finally, please understand that I do not have the formal authority under local law to give you an "official" ethics opinion. For an official opinion to be issued, the matter would have to be presented to the Ethics Commission. If you want this matter to be heard by the Ethics Commission, please let me know and I will place it on the agenda at an upcoming meeting.

TO: ROBERT MEYERS

FROM: NORMAN WARTMAN (905) 469-3660 CELL  
C.T.A.C. CHAIRMAN (954) 430-1002 FAX

11-30-00

I AM INTERESTED IN BUYING ANOTHER MARINA (WITH MOTEL) IN KEY LARGO. I HAVE OWNED ANOTHER ONE OVER 10 YEARS. IT IS NEXT TO U.S. 1 WHICH F.D.O.T. PLANS TO REBUILD IN ABOUT 4 OR 5 YEARS FROM NOW. THEY MAY WANT TO BUY BACK THE RAMP ACCESS RIGHTS WHEN THEY REBUILD THE ROAD. THEIR RECONSTRUCTION WORK WILL AFFECT MY (POTENTIAL) BUSINESS. YEARS AGO WE (C.T.A.C.) VOTED IN FAVOR OF THIS PROJECT.

WILL THERE BE A CONFLICT OF INTEREST IF I BUY THIS MARINA?