
*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1847
CONNECTION TEL 93054464921
CONNECTION ID
ST. TIME 12/15 12:33
USAGE T 01'42
PGS. SENT 3
RESULT OK

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

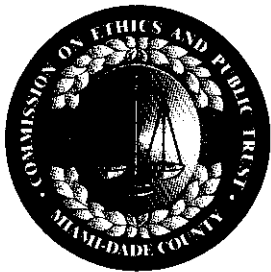
Fax

To: *Commissioner William Kordylek* From: Robert Meyers
Fax: *(305) 446-4921* Pages: *3*, including cover sheet
Phone: Date: *12/15/00*
Re: *Amended Opinion* CC:

Urgent For Review Please Comment Please Reply Please Recycle

Per your request.

Robert Meyers



ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairperson
Charles A. Hall, Vice Chairperson
Elizabeth M. Iglesias
Knovack G. Jones
Robert H. Newman

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

December 15, 2000

William H. Kerdyk, Jr.
President – CEO
Kerdyk Real Estate
2631 Ponce de Leon Blvd.
Coral Gables, Florida 33134

Re: Request for Opinion (Technical Correction)

Dear Commissioner Kerdyk:

I am in receipt of your letter dated December 11, 2000, which I received via fax on December 12, 2000. You wish to know whether the facts you present in your letter create a conflict of interest for you as a member of the Coral Gables City Commission.

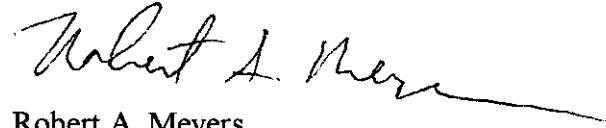
You indicate that your real estate firm has a listing for sale on an office building in Coral Gables, representing the seller, and your firm has agreed to act in a Transaction Broker Relationship. This relationship requires the agent to facilitate the transaction by assisting both buyer and seller and that your firm will cooperate fully with other realtors. Moreover, the seller will pay any commissions derived from the sale of the building.

You state that the Fraternal Order of Police (FOP), which negotiates on behalf of police officers in your city, has agreed to purchase the office building in question. The FOP has appeared before the City Commission on which you serve in the past but currently has no pending matters in front of the Commission.

Based upon the abovementioned facts, a conflict of interest does not exist provided the FOP purchases the property for "fair market value." Furthermore, if the FOP appears before your City Commission in the future, I see no legal conflict that would prohibit you from participating in or voting on matters concerning the FOP.

Please understand that I do not have the formal legal authority to issue binding ethics opinions; that power rests with the Miami-Dade Ethics Commission. If you would like to have this matter presented to the Ethics Commission for its consideration, I can arrange that for you.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Meyers", with a long horizontal flourish extending to the right.

Robert A. Meyers
Executive Director

KERDYK REAL ESTATE

S I N C E 1 9 2 6

INO
100-25

Monday, December 11th, 2000

Mr. Robert Myers
19 West Flagler Street Unit 220
Miami, Florida 33130

Dear Mr. Myers,

Thank you for speaking with me this morning. As I mentioned in our conversation I would appreciate you rendering an opinion regarding an issue that I have related to my Real Estate Company.

For clarification I am the owner of Kerdyk Real Estate a company that specializes in the sales, leasing and management of property in The Coral Gables area. Furthermore, I am a City Commissioner in Coral Gables.

My office has the listing for sale on an office building in Coral Gables since June 2000. This agreement, which is an Exclusive Right To Sale, signed by the seller calls for Kerdyk Real Estate to act in a Transaction Broker Relationship. This provides for a limited form of representation that allows the agent to facilitate a transaction by assisting both the seller and buyer. Other pertinent provisions call for Kerdyk Real Estate to cooperate fully with all other realtors offices and that the commission would be paid by the seller.

During the past several months my agents in my office and other Real Estate offices has shown the property numerous occasions and negotiated a few contracts that have not become fully executed. However, recently a transaction was secured with the Police Benevolent Association (PBA) and the owner. The PBA negotiates on behalf of the Police officers in the City of Coral Gables and currently they have nothing pending in front of the City Commission. The transaction has no other Real Estate office involved and both parties were dealt in the transaction broker arrangement, mentioned above.

Please render an opinion regarding any possible conflicts of interest in this outlined scenario. Should you need any additional information please contact me.

Sincerely,


William H. Kerdyk, Jr.
President / CEO

WHK/lc

2631 PONCE DE LEON BLVD. • CORAL GABLES, FLORIDA 33134
(305) 446-2586 • FAX: (305) 446-4921

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

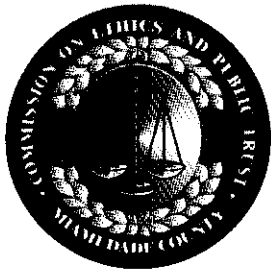
To: Commissioner William *Kerdyle* From: Robert Meyers
Fax: (305) 446-4921 Pages: 3, including cover sheet
Phone: Date: 12/13/00
Re: Request for opinion CC:

Urgent For Review Please Comment Please Reply Please Recycle

Per your request.

Robert Meyers

The information contained in this facsimile message is **CONFIDENTIAL** information intended only for the use of the individual or entity named above. If the reader of this message is not the recipient you are hereby notified that any dissemination, distribution or copy of this communication is strictly **PROHIBITED** and will be considered as a tortious interference in our confidential business relationships. Additionally, unauthorized dissemination of this confidential information subjects you to criminal and civil penalties. If you have received this communication in error, please immediately notify us by telephone and return the original to us at the above address via the U.S. Postal Service.



FAX to Kerdyk
on 12/13/00

December 12, 2000

ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairperson
Charles A. Hall, Vice Chairperson
Elizabeth M. Iglesias
Knovack G. Jones
Robert H. Newman

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

William H. Kerdyk, Jr.
President – CEO
Kerdyk Real Estate
2631 Ponce de Leon Blvd.
Coral Gables, Florida 33134

Re: Request for Opinion

Dear Commissioner Kerdyk:

I am in receipt of your letter dated December 11, 2000, which I received via fax on December 12, 2000. You wish to know whether the facts you present in your letter create a conflict of interest for you as a member of the Coral Gables City Commission.

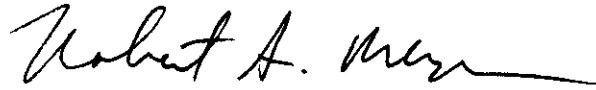
You indicate that your real estate firm has a listing for sale on an office building in Coral Gables, representing the seller, and your firm has agreed to act in a Transaction Broker Relationship. This relationship requires the agent to facilitate the transaction by assisting both buyer and seller and that your firm will cooperate fully with other realtors. Moreover, the seller will pay any commissions derived from the sale of the building.

You state that the Police Benevolent Association (PBA), which negotiates on behalf of police officers in your city, has agreed to purchase the office building in question. The PBA has appeared before the City Commission on which you serve in the past but currently has no pending matters in front of the Commission.

Based upon the abovementioned facts, a conflict of interest does not exist provided the PBA purchases the property for "fair market value." Furthermore, if the PBA appears before your City Commission in the future, I see no legal conflict that would prohibit you from participating in or voting on matters concerning the PBA.

Please understand that I do not have the formal legal authority to issue binding ethics opinions; that power rests with the Miami-Dade Ethics Commission. If you would like to have this matter presented to the Ethics Commission for its consideration, I can arrange that for you.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Meyers", with a long horizontal flourish extending to the right.

Robert A. Meyers
Executive Director

TO: [unclear]
FROM: ERP

SWM SERVICE COMPLAINT COORDINATOR

NATURE OF WORK

This is responsible professional and administrative work in the Department of Solid Waste Management assisting in the development and implementation of an efficient waste collection service delivery plan.

An employee in this class is responsible for serving in a liaison capacity between Department staff and the Director's Office on departmental service issues, communicating the Department's position regarding service matters to the community, and participating in the development of plans, policies and procedures for effective service delivery. Responsibilities include coordinating with Department staff the investigation and analysis of service problems, coordinating management responses to service complaints, coordinating the preparation of packages for neighborhood meetings regarding collections service, and preparing amendments to Chapter 15 of the Miami-Dade Code. The incumbent exercises considerable independent judgment in the application of professional knowledge of waste management systems and technologies to the development and implementation of a waste collection service delivery plan. General supervision is received from the Director who holds the incumbent responsible for achievement of designated objectives.

ILLUSTRATIVE TASKS

Coordinates the investigation and analysis of waste collection service delivery issues and prepares detailed correspondence in response to service issues.

Coordinates the preparation of management responses to service complaints.

Assists the Department Director in resolving service issues related to the collection of solid waste and implementation of collections initiatives in the Solid Waste Management Plan.

Analyzes the efficiency and effectiveness of waste collection operations.

Recommends, reviews, evaluates, and monitors goals, policies and procedures related to waste collection operations.

Formulates recommendations for the improvement of the waste collection service delivery system.

Represents the Department of Solid Waste Management before community meetings and various public and private entities.

Drafts ordinances and other legal documents for approval by the Board of County Commissioners.

Performs related work as required.

KNOWLEDGES, ABILITIES AND SKILLS

Considerable knowledge of the County's solid waste management system and waste management technologies and processes in general.

SWM SERVICE COMPLAINT COORDINATOR (Cont'd)**KNOWLEDGES, ABILITIES AND SKILLS (Cont'd)**

Ability to analyze the efficiency and effectiveness of waste collection operations.

Ability to formulate logical recommendations for the improvement of a waste service delivery system.

Ability to evaluate and monitor goals, policies and procedures pertaining to collection operations.

Ability to coordinate the investigation and analysis of waste collection system problems.

Ability to coordinate the preparation of management responses to service complaints.

Ability to establish and maintain effective working relations with department directors, County attorneys, public interest groups, environmental representatives of the solid waste management industry.

Ability to communicate clearly and concisely, orally and in writing, to individuals.

MINIMUM QUALIFICATIONS

Graduation from an accredited college or university with a Bachelor's degree and two years of administrative, operational, or enforcement experience in a solid waste environment is required. Additional related experience may be substituted for the requirements on a year for year basis.

NEW 7/98