

INQ 01-40

Meyers, Robert (COE)

From: Meyers, Robert (COE)
Sent: Saturday, October 07, 2000 10:58 AM
To: Perez, Annie (F&E)
Subject: Your request for opinion

Dear Annie,

As promised, I am providing you with a written response to the fax you sent me on October 3, 2000. Your inquiry is based on an invitation you received by Luz Picture Productions to travel to Madrid, Spain to attend events that are part of Luz' announcement that it will be opening up offices in Miami. Luz wishes to pay your airfare, lodging and incidental expenses from October 16th to October 19th, 2000. Moreover, you plan on extending your time in Spain to promote Miami-Dade County for business expansion or production, all part of your office's long-term objectives to reach out to European markets. It is my understanding that the additional time you stay in Spain will not be paid for by Luz Picture Productions; that expense will be covered by the Beacon Council, which supplies your office with a small marketing budget.

As we discussed over the telephone, I indicated that it would not be a violation of the County's Code of Ethics and Conflict of Interest Ordinance for you to accept Luz Picture Production's invitation to pay airfare, hotel accommodations and incidentals. The purpose of this trip is for you and other officials to be present when the company announces its new offices in Miami-Dade County. This is considerably different than the company paying your way to seek to a commitment from you to do business in Miami-Dade. From what I can tell, you were not involved in negotiating the deal that brought Luz to Miami-Dade County or part of the decision-making process that resulted in the company opening up offices in Miami-Dade. If you were to play such a role in the future, it would be improper for you to accept the invitation at the company's expense. Secondly, you understand that Luz cannot pay for the portion of the trip that involves you seeking out other business opportunities for the County. Finally, you must calculate the value of the gift Luz is giving you and disclose it to the Department of Elections no later than December 31, 2000. The Elections Department has the gift form that you need to complete. If you have any questions about filling out the form, you can contact me.

Please realize that I do not have the formal legal authority to issue ethics opinions. The above represents an informal opinion; only the Ethics Commission has the authority to render official conflict of interest opinions. Due to the fact I was unable to get this on the agenda of the October meeting because you had such a short turnaround time, I agreed to give you my assessment of your question.

I hope this helps.

Robert Meyers



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INQ 01-40

October 3, 2000

Mr. Robert Myers
Executive Director, Miami-Dade County Ethics Commission

SENT VIA FAX: (305) 579-2656

Dear Mr. Myers:

It was a pleasure speaking to you. Per our conversation, I have been extended an invitation by Luz Picture Productions to travel to Madrid, Spain to attend their movie premiere, gala and press conference. This invitation entails Luz Picture Productions paying for my airfare, hotel accommodations and food and beverages from October 16th through October 19th, 2000.

Luz Picture Productions is a film and television production company in Spain who will be opening their U.S. offices here in Miami in November. Luz Picture Productions has invited a group of approximately twenty notable members from our community, of which I have the pleasure to have been included, in an effort to have a Miami-Dade County presence at these events where they will announce the opening of their offices in Miami.

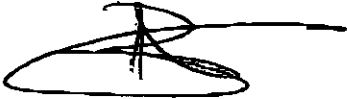
On Thursday, September 21st, Mayor Penelas and I met with the executives of Luz Picture Productions, and during this meeting they shared their Miami objectives for the next four years, which include filming three feature films to be distributed in Europe and Latin America, the creation of a television program to be broadcast from Miami to Spain and the development of a distribution channel in the United States for movies filmed in Spain and vice versa. These projects would represent a series of economic benefits to our local community including increased tourism via the films and television show which would showcase our wonderful community, the creation of additional jobs and an increase in film and entertainment production revenues.

Our office's primary mission is to establish Miami-Dade County as a leading film and entertainment production capital by facilitating, promoting and nurturing the development and growth of the film and entertainment industry for infrastructure development, business expansion and location production; therefore, we are very pleased that Luz Picture Productions has selected Miami as their U.S. base and would like to support their decision by attending the aforementioned events in Madrid. In addition, I would like to take advantage of this trip by staying an additional day or so, to meet with Spanish film and entertainment firms such as Telefonica Media, Telecinco and others in order to promote Miami-Dade County for business expansion and/or

production. This trip provides an excellent opportunity for our office to reach out to the European market, which is one of our long-term business goals included in our strategic business plan.

As the Executive Director of the Ethics Commission, I am seeking your formal approval for the acceptance of this invitation to travel to Madrid. Luz Picture Productions has informed me that they need to make my travel arrangements no later than this Friday, October 6, 2000; therefore, time is of the essence. If you have any questions, please do not hesitate to contact me at (305) 375-3227. Your prompt response and assistance in this matter are greatly appreciated.

Sincerely,



Annie Perez
Director of Marketing

Cc: Sergio Gonzalez, Chief of Staff, Miami-Dade Mayor's Office
Jeff Peel, Director, Miami-Dade Mayor's Office of Film & Entertainment
Eric Rodriguez, Assistant County Attorney