

ING 02-62

Meyers, Robert (COE)

From: Meyers, Robert (COE)
Sent: Wednesday, December 11, 2002 5:26 PM
To: Paredes, Marco (DIST6)
Subject: RE: Ethics Opinion Request

Marco,

I reviewed the attached memorandum and the relevant facts are as follows: Commissioner Sosa wishes to offer a staff position to a woman who has a sister who holds a staff position in Commissioner Martinez' office. I conclude that the County's Conflict of Interest and Code of Ethics Ordinance does not address this situation, but it should be examined under the Sunshine Law. Please understand that we do not give official opinions concerning the Sunshine Law, as this is the responsibility of the Office of the County Attorney. However, based upon my knowledge of this law, which is fairly extensive, I find there is no violation of the public meetings component of the Sunshine Law. The public meetings requirement is established only if two members of the same board communicate about items that are on the board's agenda or could foreseeably come before the board. The law does not apply to staff members because they are not defined as public officials under this law. However, if the staff members were used by the two county commissioners as liaisons/conduits to discuss public business in an attempt to determine how each commissioner will vote on specific matters before the county commission and then such information is passed on to the other commissioner, the law would be violated. Assuming this will not occur, there is nothing I can find in Florida law that makes this potential hiring decision improper.

If you have any additional questions, please feel free to contact me.

Thanks,

Robert Meyers

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

From: Paredes, Marco (DIST6)
Sent: Tuesday, December 10, 2002 4:23 PM
To: Meyers, Robert (COE)
Cc: de la Torre, Raul (DIST6); Sosa, Rebeca (DIST6)
Subject: Ethics Opinion Request
Importance: High

Please see the attached memo. Thank you.

<< File: ethics opinion.doc >>

Marco T. Paredes, Jr., Esq.

Legislative Director
Office of Miami-Dade County Commissioner
Rebeca Sosa
District 6
305.375.5696 (Phone)
305.372.6090 (Fax)
marcop@miamidade.gov

111 N.W. 1st Street
Suite 220
Miami, FL 33128
(305) 375-5696 Phone
(305) 372-6090 Fax

**Office of Miami-Dade
County
Commissioner
Rebeca Sosa,
District 6**

Memo

To: Robert Meyers, Commission on Ethics and Public Trust
From: Rebeca Sosa, Miami-Dade County Commissioner, District 6
Date: December 10, 2002
Re: Ethics Commission opinion request

I would like to request from you an ethics opinion regarding the hiring of Mia Marin as my new Legislative Aide. Ms. Marin's sister is Mavis Marin-LaRocca, Commission Aide to Commissioner Joe Martinez. This relationship poses a possible sunshine law issue. I would like for the ethics commission to review this matter and provide me with a written opinion. Please give this matter your utmost urgency as Ms. Marin will begin on Monday December 16, 2002. Please contact me should you require further information. Thank you.