

INQ 03-04

Meyers, Robert (COE)

From: Del Valle, Juan Carlos (Mayor's Office)
Sent: Monday, January 27, 2003 4:35 PM
To: Meyers, Robert (COE)
Subject: Re: Modified Ethics Ordinance

Robert,
Thanks for the info. I will advise the Governance Committee of these comments. I will follow-up with you soon.

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

From: Meyers, Robert (COE) <RMEYERS@miamidade.gov>
To: Del Valle, Juan Carlos (Mayor's Office) <JCVALLE@miamidade.gov>
Sent: Mon Jan 27 13:59:00 2003
Subject: Modified Ethics Ordinance

J.C.,

Several issues to point out:

- 1) I'm not sure the Authority can partially "opt out" of Section 2-11.1. For example, subsection (c) of 2-11.1 bars County board members from transacting business with all County departments. Therefore, if you sit on the Authority, you and your immediately family cannot do business with County unless you receive a waiver from the County Commission. This provision seems to be inconsistent with the position the Authority wishes to adopt.
- 2) In the last paragraph, I don't know what is meant by indirect employment. In the same paragraph, mention is made of a "routine volunteer" and I don't know what that means.
- 3) The historic ties sections seems to be consistent with the two year rule defined in the County Ethics Ordinance, which bans individuals from lobbying County for two years following their separation from the County.
- 4) To the extent to which parties appear before the Authority seeking benefits from the Authority, they would be bound by the applicable County lobbying regulations, including registration and expenditure disclosure.
- 5) Obviously, board members would be required to submit to financial disclosure.
- 6) Finally, in the last paragraph (last sentence), the policy mentions that certain behaviors will not be tolerated. Who would enforce this in the event a violations is found?

These are my observations on short notice. I'd be happy to appear at a

future meeting, if the item could be deferred to the next meeting.

Thanks,

Robert

mitted directly
Miami-Dade
Miami-Dade County Health

... voting board member of the Authority, the
... of the vacancy and shall request that it be filled
... process or by special convening of the Miami-
... Nominating Committee.

... may be removed by a majority vote of the Board of County
... for cause. Former members of the Authority may serve on the
... Committee.

(b) Modified applicability of Conflict of Interest and Code of Ethics Ordinance. The
Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (hereinafter
referred to as the "Conflict of Interest Ordinance"), Section 2-11.1. of the Code of Miami-
Dade County, Florida, shall be applicable to the members of the Miami-Dade County
Health Authority only in the manner and to the extent hereinafter provided. It is declared
to be the intent of the Commission, as expressed in this subsection, to provide that the
Conflict of Interest Ordinance shall not operate to preclude individuals from serving as
board members on the basis of interests relating to Miami-Dade County when such
interests do not conflict with the Authority.

of interest
needs to
be more
descriptive

Transacting business w/ County section.

Wherever in the Conflict of Interest Ordinance reference is made to Miami-Dade County,
that reference shall be deemed and construed to be a reference to the Miami-Dade County
Health Authority; wherever in the Conflict of Interest Ordinance reference is made to the
Board of County Commissioners, that reference shall be deemed and construed to be a
reference to the Miami-Dade County Health Authority; and wherever in the Conflict of
Interest Ordinance reference is made to the Commissioners of the Board of County
Commissioners, that reference shall be deemed to be a reference to the voting members
of the Miami-Dade County Health Authority.

Individual members of the Authority board may not directly be employed by serving on
the governing board of or routinely volunteered his or her services to any licensed health
care provider working in Miami-Dade County. Individuals who have historic ties to the
healthcare delivery system must be able to demonstrate that those relationships have been
dormant for at least two calendar years. No direct affiliation with agencies or
organizations receiving county funding for health care services will be tolerated. *or indirectly Indirect employment?*
so what?
vendors, no vendors, family members, co-chairs,

what is
a routine
volunteer?
2 year ban
Luhhsing
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