

Meyers, Robert (COE)

IND 03-122

From: peter.roulhac@wachovia.com
Sent: Monday, December 15, 2003 5:07 PM
To: Meyers, Robert (COE)
Subject: RE: GREATER MIAMI CHAMBER OF COMMERCE CIVILIAN INVESTIGATION PAN EL

IND 03-121

Robert, Thank you for the timely response to my request. Peter

"Meyers, Robert (COE)" <RMEYERS@miamidade.gov> on 12/15/2003 04:56:57 PM

To: "peter.roulhac@wachovia.com" <peter.roulhac@wachovia.com>
cc:

Subject: RE: GREATER MIAMI CHAMBER OF COMMERCE CIVILIAN INVESTIGATION
PAN EL

Peter,

Thank you for this information. I base my opinion on the following facts:

The Greater Miami Chamber of Commerce decided to award Chief Timoney a plaque in appreciation for his work during the recently-concluded FTAA meetings; you presented this plaque to him at the December Board of Governors meeting on behalf of the membership; as Chairman of the Chamber

you regularly present awards and give recognition to individuals who are deemed deserving by the members and you are a member of the City's new-created Citizens' Investigative Panel (CIP), which is empowered to review the actions of Chief Timoney and the police force during the FTAA meetings.

You wish to know whether you have a conflict of interest under the County Code of Ethics Ordinance that prohibits you from hearing testimony or participating in decisions involving Chief Timoney and the City of Miami Police Department that are likely to be brought to the attention of the CIP because of your actions with the Greater Miami Chamber of Commerce.

I conclude that the CIP is an advisory board as defined of County Code Section 2-11.1. In order for a voting conflict to exist, the board member must have a special relationship with a person or entity appearing before the board and the board member must be directly affected by the action of the board. In your case, I find nothing you have done in your capacity as Chair of the Chamber that establishes a special relationship with Chief Timoney. Moreover, you are not directly affected by any recommendation the

CIP issues regarding the FTAA and the Chief's handling of his staff during the FTAA meetings. Consequently, you are not required to recuse yourself from the proceedings before a vote is taken with respect to this matter.

Please understand that the above represents a staff opinion. If you want consideration by the full Ethics Commission, I can schedule this question for our next meeting.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

Robert Meyers

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

From: peter.roulhac@wachovia.com [mailto:peter.roulhac@wachovia.com]

Sent: Thursday, December 11, 2003 4:49 PM

To: Meyers, Robert (COE)

Subject: GREATER MIAMI CHAMBER OF COMMERCE CIVILIAN INVESTIGATION PANEL

As Chairman of the Greater Miami Chamber of Commerce, I presented a plaque of recognition to City of Miami Police

Chief John Timoney on December 3rd during the monthly Board of Governors Luncheon. The plaque was presented

to the chief as a thank you from chamber members in recognition of police protection of business interests in downtown

Miami during the week of FTAA Meetings. As Chamber Chairman, I regularly

present awards and recognition to a variety

of persons and organizations for a job well done in a particular area of interest for our members.

I respectfully request an opinion from your office as to whether I have

a conflict of interest in participating in discussions

and voting on matters before the Civilian Investigative Panel of which I

am a member concerning charges filed against

Chief Timoney directly and police officers indirectly of misconduct during FTAA Meetings.

Thank you kindly for considering my request.

Peter W. Roulhac

INQ 03-121

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