

Meyers, Robert (COE)

IUD B-42

From: Millie Herrera [millieherrera@themiamigroup.com]
Sent: Thursday, May 08, 2003 5:51 PM
To: Meyers, Robert (COE)
Subject: Re: Ethics ruling

Thanks for your quick response. I do need a reply by tomorrow since I have to let my client know right away.

Thank you,

Millie Herrera

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

From: Meyers, Robert (COE)
To: 'Millie Herrera'
Sent: Thursday, May 08, 2003 5:25 PM
Subject: RE: Ethics ruling

Thank you for the information. The Ethics Commission meets again on May 22nd at which time we can consider your request. If, on the other hand, you need a response sooner, staff can give you an opinion by the end of today tomorrow. If time is not of the essence, I suggest we present this to the Ethics Commission on the 22nd.

Let me know what you prefer.

Thanks,

Robert Meyers

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

From: Millie Herrera [mailto:millieherrera@themiamigroup.com]
Sent: Wednesday, May 07, 2003 1:58 PM
To: Meyers, Robert (COE)
Subject: Ethics ruling

Hello Mr. Meyers:

I would like to request a ruling with regard to my consulting services and my new position as Community Council member. In February of this year, I was appointed by Commissioner Jimmy Morales to fill a vacancy on Community Council 12, and I currently continue to serve on that board.

My name is Maria M. Herrera, but I go by my nickname, Millie. I am self-employed and the sole owner of the corporation The Miami Group, Inc., a Miami based company specializing in marketing, management and public affairs consulting. I am sometimes hired by non-profit and for-profit companies to assist them in preparing grants and/or RFPs to present to the Miami-Dade County, or municipalities. I am paid for proposal preparation services, and my fees have never been contingent on any result, so I am in compliance, and support the new ordinance banning lobbying contingency fees.

I am currently engaged in the preparation of a travel management services RFP to present on Friday, May 9th, 2003 to Miami-Dade County on behalf of my client, and my client has requested that I also assist them with lobbying the County after the cone of silence expires. I need a ruling from your office with regard to my being able to register and perform my duties as a lobbyist on behalf of this company in front of the County.

I perceive no conflicts of interest in my working for this company because I do not directly nor indirectly benefit from the proceeds of this contract, should it be awarded. I am not performing any travel related services to the County, now or in the future. My services as a consultant preparing the RFP and lobbying on behalf of the company, will be paid as a business expense from the company's existing funds, regardless of whether they receive the contract award or not. The decision to award the contract does not come before the Community Council, nor any procurement decisions are ever made by the Community Council where I serve.

I am requesting this ruling because I am a new Community Council member and want to make sure that my business dealings are transparent and ethical at all times, and there is not even a perception of impropriety on my part.

I await your response and recommendations.

Sincerely,

Millie Herrera
The Miami Group, Inc.
Ph: 305-275-0807
Fax: 305-275-0801

Meyers, Robert (COE)

To: Millie Herrera
Subject: RE: Ethics ruling

Ms. Herrera,

I have consulted with my legal staff and wanted to provide you with an opinion by the end of the day. The relevant facts are that you are newly-appointed member to the community council and your client, who hired you as a consultant to engage in work pursuant to a travel management services RFP, wants your assistance in its lobbying efforts. Finally, you state that any lobbying which might occur with respect to this RFP will not take place before the community council on which you sit. One of the relevant code sections is 2-11.1(m)(2), but the restrictions contained in this subsection apply only if you are appearing before your own board. There is another provision in the County code that bars community council members from representing clients in front of the Board of County Commissioners when the issues are related to land use and zoning.

Given that your activities on behalf of your client will not require you to appear in front of your community council and the contract your client is pursuing has nothing to do with land use or zoning, I conclude that the County Conflict of Interest and Code of Ethics Ordinance does not prohibit you from sitting on the community council and lobbying the County on behalf of a client seeking to do business with the County.

If you wish to discuss the above in greater detail or if you have any additional questions, please contact me at your convenience. My telephone number is (305) 579-2594.

Thank you,

Robert Meyers, Executive Director

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

From: Millie Herrera [mailto:millieherrera@themiamigroup.com]
Sent: Thursday, May 08, 2003 5:51 PM
To: Meyers, Robert (COE)
Subject: Re: Ethics ruling

Thanks for your quick response. I do need a reply by tomorrow since I have to let my client know right away.

Thank you,

Millie Herrera

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

From: Meyers, Robert (COE)
To: 'Millie Herrera'
Sent: Thursday, May 08, 2003 5:25 PM
Subject: RE: Ethics ruling

Thank you for the information. The Ethics Commission meets again on May 22nd at which time we can consider your request. If, on the other hand, you need a response sooner, staff can give you an opinion by the end of today tomorrow. If time is not of the essence, I suggest we present this to the Ethics Commission on the 22nd.

Let me know what you prefer.