

Meyers, Robert (COE)

FNQ 04-27

From: Meyers, Robert (COE)
Sent: Friday, March 19, 2004 9:14 AM
To: Naya, Karen S. (COM) (305) 375-3776
Subject: RE: Evaristo Marina publisher also running for Mayor of County

Karen,

Thank you for your e-mail. Based on the facts you have provided me, there is no violation of the County Conflict of Interest and Code of Ethics Ordinance because Mr.. Marina is a candidate running for office and the ordinance only applies to elected public officials and employees. As far as the other concern about the County providing funds to a periodical that is likely endorse a particular candidate, I checked with the County Attorney's Office. We agree that the County is not directly or indirectly endorsing Mr.. Marina as a candidate for Mayor. Despite the fact the periodical is receiving ad revenues from the County, and one can assume that the paper will endorse Mr.. Marina for Mayor, the County can continue to include this periodical in its Community Periodical Advertising Program. If Mr.. Marina is elected Mayor, then we may have to revisit this question.

If you wish to discuss this with me in greater detail, feel free to contact me at your convenience.

Sincerely,

Robert Meyers

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

From: Naya, Karen S. (COM) (305) 375-3776
Sent: Thursday, March 18, 2004 12:56 PM
To: Meyers, Robert (COE)
Cc: Vasquez, Sonia B. (COM)
Subject: Evaristo Marina publisher also running for Mayor of County

As per our phone conversation regarding Mr. Evaristo Marina, former publisher of "El Nuevo Universal". My questions are:

1. Currently, his brother Jose Marina is the publisher of "El Nuevo Universal" which is part of our Community Periodical Advertising Program. But, Evaristo M is still the editor and biggest contributor writer. Evaristo Marina is also a candidate for Miami-Dade County Mayor. Is there any possible conflict of interest with this paper obtaining MD County ads thru our advertising program?

2. You said there may not be an ethical violation for candiates, however this may be a legal issue. Is there any legal violation in a periodical getting Miami-Dade General Funds(taxpayer funds) while also possibly endorsing a particular candidate for Mayor?

My thought on this is perhaps not, since the Herald endorses candidates and still gets advertising from County. But, the Herald makes a clear distinction within their paper - endorsements are usually in Opinion pages not getting ad revenue from County. However, El Nuevo Universal is a 16" long, 8-page tabloid paper which is too small to have separate sections. So, it is difficult for its readers to make this distinction.

Please let me know what you are able to find out. We are planning to provide another ad/campaign to these papers at the end of this month and would like to be sure that continued MDCounty advertising in this paper is okay.

Thank you so much for your help!

Karen S. Naya
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