

**Meyers, Robert (COE)**

INQ 09-03

**From:** Meyers, Robert (COE)  
**Sent:** Tuesday, January 13, 2009 5:14 PM  
**To:** 'David M. Wolpin'  
**Subject:** RE: Charitable Entity Matter - City of Homestead

Hi David:

I apologize for not responding sooner to your question. I agree with the general proposition that the Council Member may use the Champions Room at the Speedway for a charitable event, but there has to be some benefit to the Homestead community. For example, if a Council Member were to hold a charitable event to benefit the March of Dimes of the Palm Beaches, there may not be a sufficient connection with the City of Homestead. On the other hand, if the charitable event were held for the benefit of the March of Dimes of Miami-Dade County, due to the fact the City of Homestead falls within the boundaries of Miami-Dade County, a sufficient nexus could be demonstrated.

In terms of measuring the impact, it wouldn't have to be calculated scientifically, but some generic benefit to area would be necessary.

If you have a specific example to run by me, please do not hesitate to contact me.

Thanks,

Robert

**From:** David M. Wolpin [mailto:DWolpin@wsh-law.com]  
**Sent:** Wednesday, January 07, 2009 6:03 PM  
**To:** Meyers, Robert (COE)  
**Cc:** Richard Jay Weiss  
**Subject:** Charitable Entity Matter - City of Homestead

Hi Robert- please advise as to whether you agree that under the Miami- Dade County Ethics Code a City Council Member may arrange with the operator of the Speedway for a charitable 501( c) (3) entity to use that Council Member's provisionally allocated City Day at the Champions Room at the Speedway for a charitable event , without requiring that the charitable organization demonstrate a measurable charitable program service delivery nexus within the City, so long as it is a bona fide charitable organization as described in Sec. 2-11.1 (e) (2) (g) and neither the Council Member nor his staff receives any compensation as a result of the event, as such compensation is likewise described in that subparagraph (g) .

Thanks

**David M. Wolpin, Esq.**  
 Member

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