

Meyers, Robert (COE)

JNQ 09-25

From: Meyers, Robert (COE)
Sent: Thursday, February 12, 2009 10:45 AM
To: 'Rodriguez, Rolando D (JMF)'
Subject: RE: Jackson Memorial Foundation Status

Hi Rolando:

After consulting with the Chairman of Ethics Commission and our Staff General Counsel, it is our opinion that employees and board members of the Jackson Memorial Foundation are not lobbyists when they appear before the County Commission or when meet with County officials or staff. In a nutshell, the Jackson Memorial Foundation acts as an arm of a governmental entity (the Public Health Trust) and public officials and employees appearing in their official capacities are not required to register as lobbyists.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Robert Meyers, Executive Director
Miami-Dade Commission on Ethics and Public Trust

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

From: Rodriguez, Rolando D (JMF) [mailto:RDRodriguez@med.miami.edu]
Sent: Thursday, February 12, 2009 8:17 AM
To: Meyers, Robert (COE)
Subject: RE: Jackson Memorial Foundation Status

Hello Robert. I am having a lpm with the IG along with a JMH group, and the IG let it be known late yesterday that he expected all involved to sign letters registering as lobbyists. Jimmy Morales set the meeting so he is the one who called me with this request. I plan to report what you advised, but wondered if there was a letter or other document that would help communicate our position without creating a disturbance at the beginning of the meeting.

Thanks!

Rolando Rodriguez
305 355-4999, 305 726-4904

From: Meyers, Robert (COE) [RMEYERS@miamidade.gov]
Sent: Thursday, January 22, 2009 1:31 PM
To: Rodriguez, Rolando D (JMF)
Subject: RE: Jackson Memorial Foundation Status

Rolando:

Chairman Rosenthal and I had a chance yesterday to chat about your question. Please call me at you convenience to discuss.

Thanks,

Robert
(305) 350-0613

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

From: Rodriguez, Rolando D (JMF) [mailto:RDRodriguez@med.miami.edu]
Sent: Tuesday, January 13, 2009 2:08 PM
To: Meyers, Robert (COE)
Subject: RE: Jackson Memorial Foundation Status

I'd like to confer with you prior to making a decision, I'll call you first chance I get

and see if you're available.

Thanks!

Roland

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

From: Meyers, Robert (COE) [mailto:RMEYERS@miamidade.gov]
Sent: Tuesday, January 13, 2009 11:34 AM
To: Rodriguez, Rolando D (JMF)
Subject: RE: Jackson Memorial Foundation Status

Dear Rolando:

I am inclined to agree with your position, but I believe the best course of action would be to receive a formal opinion from the Ethics Commission. The Ethics Commission meets again on January 29th, which gives our staff ample time to draft an opinion for the meeting, assuming you want the Ethics Commission's input.

If for some reason, you would prefer not to have the request for opinion presented to the entire Ethics Commission, I can discuss your question with our chairman and ask him if he feels comfortable with me issuing an opinion without it going before the full board.

Please provide me with your thoughts at your earliest convenience.

Thanks,

Robert

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

From: Rodriguez, Rolando D (JMF) [mailto:RDRodriguez@med.miami.edu]
Sent: Monday, January 12, 2009 2:13 PM
To: Meyers, Robert (COE)
Subject: Jackson Memorial Foundation Status

Dear Robert:

I hope you are well. I wanted to give you this head's up on the issue requested below, and hopefully we can talk soon.

I wonder what other similiar non-profit foundations (i.e. Zoological Society, Vizcayan Foundation, Performing Arts Foundation) have done in the past in similiar situations? Our legal mission and charter is to serve JMH, so it seems strange (to say the least) in registering as a lobbyist or to be put in a position of "negotiation" with the County on a project to benefit the hospital.

Last year I appeared before the commission representing the foundation to get the County's support of an ordinance that allows us to do construction at JMH for projects under \$5 million, using all private donated dollars. The Commission approved this ordinance and no question ever came up of the Foundation registering as a "lobbyist".

I can share with you that this is making us uncomfortable, as our board does not view itself, nor does it want to be viewed, as an organization that has a separate agenda from Jackson's. Our mission is Jackson, and our efforts (including with the hotel project) is to help JMH. From a non-legal perspective, they believe that this kind of "perceptual creep"

can undermine our credibility. Some of the members find the thought insulting that we would be viewed as "lobbyists" when appearing before the County in support of the hospital or that we would be "negotiating" as if we had different ultimate agendas.

But I'm sure you've seen stranger things! Look forward to speaking with you.

Thanks,

Rolando Rodriguez

President & CEO
Jackson Memorial Foundation
305 355-4999

>>> "Poppel, Jeffrey (CAO)" <jpoppel@miamidade.gov> 1/5/2009 4:24 PM >>>

Brian, the County's Office of Inspector General (OIG) through its representative Peter Liu, raised the issue as to whether it is necessary for Rolando and any Foundation Board members who may engage in negotiation on behalf of the Jackson Foundation to register as lobbyists (for the Hotel Project) pursuant to the Code of Miami-Dade County. I spoke to Robert Meyers at the County's Ethics Commission and he said that you or Rolando can call him to resolve this issue. Robert can be reached at (305) 579-2594. Regards, Jeffrey