



Ethical issues for potential Advisory Board Members

Serving on an advisory board is an important and valuable role citizens can play in their local government. However, it is critical for participants to be aware of the unique requirements of public service to ensure transparency and avoid conflicts of interest. Before accepting a position on an advisory board, please review the provisions of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance. For further information, visit ethics.miamidade.gov, email questions to ethics@miamidade.gov or call 305-579-2594.

County Resolution R 189-05 requires that members of all County boards complete an ethics training course which, at a minimum, shall include: the Conflict of Interest and Code of Ethics Ordinance; the Sunshine Law; and the Public Records Law. The schedule and registration form (as well as other information) can be found at ethics.miamidade.gov. While most municipalities do not require ethics training, it is strongly recommended and is provided at no charge by the Miami-Dade Commission on Ethics and Public Trust.

Financial disclosure statement 2-11.1 (i)

Board members must file either a County Source of Income Statement, State Form 1 or a copy of their income tax return by July 1st of each year for the preceding calendar year, including the year following the last year of service on the board.

Transacting business 2-11.1 (c)(3)

Board members or his/her immediate family members may not contract with any County/Municipal agency or department subject to the regulation, oversight, management, policy-setting, or quasi-judicial authority of the board of which the person is a member. Immediate family members include spouse, domestic partner, parents, stepparents, children and stepchildren.

Gifts 2-11.1 (e)

With few exceptions, it is unlawful to solicit any gift or to accept a gift in exchange for any official action connected with board service. Any gifts received that are valued more than \$100 must be reported.

Exploitation of official position 2-11.1 (g)

Board members may not use or attempt to use their official positions to secure special privileges and exemptions for themselves or others.

Confidential information 2-11.1 (h)

Board members may not accept employment or engage in any business or professional activity that they might reasonably expect would require or induce them to disclose confidential information acquired by reason of their official position, may not disclose confidential information obtained through their official position with the County/Municipality, and may not use such information, directly or indirectly, for personal gain or benefit.

Appearances 2-11.1 (m)(2)

Regarding the board on which they serve, advisory and quasi-judicial personnel may not appear before the board on behalf of third parties seeking a benefit from the board. This means that the board member cannot submit documents or correspondence, appear in meetings with staff, or appear before the board on which the board member serves on behalf of a client, organization, or nonprofit. They may not receive compensation from third parties seeking a benefit from the board.

Actions prohibited when financial interests involved 2-11.1 (n)

Board members shall not participate in any official action affecting a business in which he or she or any member of his or her immediate family has a financial interest.

Acquiring financial interest 2-11.1 (o)

Board members shall not acquire a financial interest in a project, business entity, or property at a time when they believe or have reason to believe that the said financial interest will be directly affected by their official actions or by official actions of their agencies.

Recommending professional services 2-11.1 (p)

Board members may not recommend the services of any lawyer, architect, public relations firm, or any other person or firm to assist in any transaction involving the County/Municipality or any of its agencies, unless done in connection with the duties of office.

Voting conflicts for members of advisory and quasi-judicial boards 2-11.1 (v)

Board members may not vote on any matter if the member will be directly affected by the board action **and** the board member has any of the following relationships with the persons and entities appearing before the board: officer, partner, consultant, fiduciary, stockholder, debtor, director, of counsel, employee, beneficiary, bondholder or creditor.

Florida's Government in the Sunshine Law F.S. 286.011

Members of any public board, including advisory boards, may not communicate privately (by any means) with fellow members about any issue that will foreseeably come before the board.

If you have questions about a potential conflict, or any other ethics-related issue, please submit a request for opinion with all relevant information in an email to ethics@miamidade.gov