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February 2, 1999

Jeffrey Rynor, Esquire
Mitrani, Rynor, Adamsky, Macaulay & Zorilla,
P.A.
2200 Suntrust International Center
One Southeast Third Avenue
Miami, Florida 33131

RE: REQUEST FOR ADVISORY OPINION 98-25

Dear Mr. Rynor:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on January 29, 1999 and rendered its decision based on the facts stated in your letter.

You requested an opinion regarding potential voting conflicts between your service as member of the Vizcaya Trust and your membership in three private non-profit support organizations that provide volunteer services and raise funds for Vizcaya.

In your letter and supporting documents, you advised the Commission that the trust was recently created by the Miami-Dade County Commission to negotiate and recommend contracts and agreements with support groups and develop policies for the Vizcaya Museum and Gardens in various areas including the role of support groups, membership and education programs, acceptance of gifts and grants and outreach programs.

You also advised the Commission that you serve as treasurer for the Vizcayans, a non-profit organization that raises funds for the renovation of Vizcaya. You are considering becoming a member of the Guides, an organization that conducts tours of the estate and the Foundation, an organization involved in the endowment of the organization. The heads of all of the volunteer organizations were designated as trustees by the county commission.

The Commission finds that the Conflict of Interest and Code of Ethics ordinance does not preclude you from voting on matters before the Vizcaya Trust involving any of the volunteer organizations because Section 2-11.1 (d) which governs voting conflicts does not apply to members of advisory boards. Therefore, the ordinance does not preclude you from participating in discussion and voting on matters involving the three volunteer organizations. }✓

Accordingly, the Conflict of Interest and Code of Ethics ordinance does not prohibit you from serving on the Vizcaya Trust and retaining your membership in volunteer organizations that support Vizcaya because the section of 2-11.1(d) governing voting conflicts only applies to county commissioners.

If you have any questions regarding the opinion, please call the undersigned at (305) 579-2954 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,



ROBERT MEYERS
Executive Director