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INSPECTOR GENERAL

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

February 2, 1999

[REDACTED]  
19253 Fisher Island Drive  
Fisher Island, FL 33109

**RE: REQUEST FOR ADVISORY OPINION 99-03**

Dear Mr. [REDACTED]

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

You requested an opinion regarding any conflict of interest between the purchase of real estate from the current island developer and your service on the Fisher Island Community Council.

In your letter, you advised the commission that you had recently began purchase of property on Fisher Island being sold by the current developer. You made a written offer and issued a check for a deposit on the property. After consultation with the chairperson of the community council, who advised you that there might be a conflict between your purchase and any future council vote involving the developer, you withdrew your offer for the property.

The Commission finds that your aborted purchase of the property does not preclude your service on the Fisher Island Community Council or your participation and vote on

matters involving the developer. However, Section 20-45 which governs conflict of interest for community council members, may prohibit you from participation in any matter regarding the developer, if as a result of the sale, he would or might directly or indirectly benefit or profit or be enhanced by the council's actions regarding the developer in a manner distinct from the manner the vote would affect any other resident.

Therefore, your aborted sale of property from the current developer of Fisher Island does not prevent you from serving on the Fisher Island Community Council or voting on developer related issues.

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