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STAFF GENERAL COUNSEL

November 22, 1999

Aymara Gonzalez  
President  
Union Express Transport  
P.O. Box 651546  
Miami, Florida 33265

**RE: REQUEST FOR ADVISORY OPINION 99-47**

Dear Mrs. Gonzalez:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on November 18, 1999 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding a possible conflict of interest if your company provides transportation services to the Risk Management Department.

In your letter, you advised the Commission that your company, Union Express Transport, provides transportation for Worker's Compensation patients to and from doctors' offices. The company has approached Miami-Dade County's Risk Management Department about the possibility of providing transportation for county worker's compensation patients.

You further advised the Commission that you are a fifty-percent owner of Union Transport Express and that your husband is a Miami-Dade police officer.

The Commission found that you may not contract with the Risk Management Department to provide transportation services to Worker's Compensation patients. Section 2-11.1(d) provides that "No person included in the terms defined in subsection (b)(1) through (6) and in subsection (b)(9) shall enter into any contract or transact any business through a firm, corporation, partnership or business entity in which her or a member of his immediate family has a controlling financial interest, direct or indirect, with Dade County or any person or agency acting for Dade County, and any such contract, agreement or business engagement entered in violation of this subsection shall render the transaction voidable." A controlling financial interest is defined in the ordinance as ten percent or more ownership of stock or interest in a business entity. A spouse is considered a member of the immediate family under the ordinance. Therefore, Union Express Transport may not contract with Risk Management to provide transportation services.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

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