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STAFF GENERAL COUNSEL

February 9, 2000

Bill Johnson  
Senior Assistant to the County Manager  
Office of the County Manager  
111 N.W. First Street  
Suite 2910  
Miami, FL 33128

**RE: REQUEST FOR ADVISORY OPINION 99-58**

Dear Mr. Johnson:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on February 7, 2000 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether the Conflict of Interest and Code of Ethics ordinance covers members of the Blue Ribbon Aviation Panel.

In your letter you advised the Commission that the Blue Ribbon Aviation Panel was established by Mayor Penelas to examine several issues regarding the Aviation Department including procurement and contracting rules and practices; analysis of management and fiscal control systems; review of the organizational structure and to make a recommendation regarding the establishment of an independent authority to operate Miami International Airport. Panel members were selected from various constituencies in the community with members appointed by the Mayor and the Board of County Commissioners. The members will make a written report to the Mayor who will present the findings to the Board of County Commissioners.

The Commission found that The Blue Ribbon Aviation Panel is covered by the Conflict of Interest and Code of Ethics ordinance. Section 2-11.1 (b) (4) defines advisory personnel who are covered by the provisions of the ordinance. Section 2-11.1(b) (4) defines advisory personnel as " members of those County advisory boards and agencies whose sole and primary responsibility is to recommend legislation or give advice to the Board of County Commissioners." The primary purpose of the Blue Ribbon Advisory Panel is to recommend legislative changes and give advice to the Mayor and the Board of County Commissioners to improve the operation of Miami International Airport. Therefore, they are advisory personnel as defined in the ordinance and are covered by the Conflict of Interest and Code of Ethics ordinance.

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