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STAFF GENERAL COUNSEL

August 14, 2000

Sherwood Dubose  
President/CEO  
Miami-Metro Action Plan Trust  
19 West Flagler Street  
Mezzanine-Room 106  
Miami, Florida 33130

**RE: REQUEST FOR ADVISORY OPINION 00-125**

Dear Mr. Dubose:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on August 11, 2000 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the Trust Board and staff's ability to patronize businesses funded by the Metro-Miami Action Plan Trust (MMAAP).

In your letter, you advised the Commission that three years ago, MMAAP provided funding for the North Dade Community Federal Credit Union. MMAAP has also provided funding for other businesses including a Denny's restaurant. Some members of the MMAAP board and staff would like to join and support the credit union. No member of the board or staff serves on the credit union's Board of Directors. Board and staff members would also like to patronize other businesses that are funded by MMAAP but are concerned about possible conflicts of interests.

The Commission found The Conflict of Interest and Code of Ethics ordinance permits MMAAP

board and staff members to patronize businesses that receive funding from the organization. Section 2-11.1(o) (Acquiring financial interests) only prohibits board and staff from acquiring financial interests in businesses and organizations that receive county funding or which will be directly affected by the person's official action or the agency or department of which they are an officer, official or employee. Accordingly, MMAP officials and employees may patronize entities that receive funding from the organization.

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 this opinion, please call the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS  
Executive Director