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March 30, 2000

George Burgess
Executive 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 00-15

Dear Mr. Burgess:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on March 29, 2000 and rendered its opinion based on the facts stated in your memorandum.

You requested an opinion regarding any limitations on your service on the Board of Directors for Habitat for Humanity of Greater Miami.

In your letter, you advised the Commission that you were recently asked to serve on the Board of Directors for Habitat for Humanity of Greater Miami. Habitat for Humanity provides zero interest loans to prospective homeowners and depends heavily on volunteers to build new homes. As a director for the organization, you may be required to assist the organization with governmental issues.

The Commission found that you may serve on the board and assist with governmental issues as long as your service on the board does not require you to disclose confidential information or use your position to secure special privileges or exemptions for the organization. Section 2-11.1 (g) provides that no person... shall use or attempt to use your official position to secure special privileges or exemptions for yourself or others". Therefore, although you may assist

the organization in navigating governmental issues but you may not use your position to help the organization achieve special privileges or exemptions that are not available to other organizations.

Further, you may not disclose confidential information to the organization during your service on the Board of Directors. Section 2-11.1 (h) provides that no person.. shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his professional position, nor shall he in fact ever disclose confidential information garnered or gained through his official position with the county nor shall he use ever use such information, directly or indirectly for his personal gain or benefit. Therefore, you must ensure that your assistance with governmental issues does not require you to disclose confidential information acquired through your position as Executive Assistant to the County Manager.

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,



ROBERT MEYERS
Executive Director