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STAFF GENERAL COUNSEL

January 22, 2001

Lorraine Grigsby  
8421 S.W. 140<sup>th</sup> Street  
Miami, FL 33158

**RE: REQUEST FOR ADVISORY OPINION 00-181**

Dear Mrs. Grigsby:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on January 17, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding a possible voting conflict involving the Sprint Corporation.

In your letter, you advised the Commission that you own three hundred shares of stock in the Sprint Corporation. Sprint Spectrum, L.L.P. and St. Paul Lutheran Church, Inc, have an application pending before the Community Council to erect a ninety-seven telecommunications tower on the church grounds.

The Commission found that Section 20-45 permits you to vote on matters involving the Sprint Corporation. Section 20-45 provides that a community council member is prohibited from voting or participating in any way in any matter presented to the Community Council on which the member serves if the member has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the Community Council on which

the member serves: i) officer, director, partner, of counsel, consultant employee, fiduciary or beneficiary; or ii) stockholder, bondholder, debtor or creditor if in any instance the transaction or matter would affect the Community Council member in a manner distinct from the manner in which it would affect the public generally. Any Community Council member who has any of the above relationships and who would be or might be enhanced by the action of the Community Council on which the member serves shall absent himself or herself from the Community Council meeting during the discussion of the subject item and shall not vote on or participate in any way in said matter.

Although you are a stockholder in the corporation, your de minimis ownership renders any financial gain so remote and speculative that any vote would not affect you in a manner distinct from the manner in which it would affect the public generally. Therefore, you may vote on the matter.

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

Sincerely Yours,



ROBERT MEYERS  
Executive Director