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January 22, 2001

Rosa Naccarato
Vice-President
Goldman, Naccarato, Patterson, Vela and
Associates, Inc.
1570 Northwest Fourteenth Street
Miami, FL 33125

RE: REQUEST FOR ADVISORY OPINION 00-185

Dear Ms. Naccarato:

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 your service on the Commission for Women and your work for the Eleventh Judicial Circuit.

In your letter, you advised the Commission that you are Vice-President of GNVP, Inc. and own a twenty-five percent ownership interest. GNVP is a court reporting service and contracts with the Eleventh Judicial Circuit to provide services to the felony court divisions. GNVP has been part of the court reporting pool since 1991 and is currently under a two-year contract which began in 1999. The state of Florida and Miami-Dade County jointly fund the court reporting contract. Commissioner Martinez recently appointed you to serve on the Miami-Dade County Commission for Women.

The Commission found the Conflict of Interest and Code of Ethics ordinance does not prohibit you from continuing work under your current contract. Section 2-11.1(c) prohibits board members from contracting with the county to provide services. Section 2-11.1(c) provides that no person... shall enter into any contract or transact any business in which he or a member of his immediate family has a financial interest, direct or indirect with Miami-Dade County or any person or agency acting for Miami-Dade County and any such contract, agreement or business engagement entered in violation of this subsection shall render the transaction voidable. The ordinance does not apply retrospectively to contracts entered into prior to employment or appointment, so it does not prevent you from continuing service under your existing contract. However, the ordinance would prohibit you from entering into any new contracts or an extension of the current contract to provide service.

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,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal line extending to the right.

ROBERT MEYERS
Executive Director