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April 14, 2000

Julian Perez
ADA Engineering, Inc.
P.O. Box 650095
Miami, Florida 33265

RE: REQUEST FOR ADVISORY OPINION 00-27

Dear Mr. Perez :

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 12, 2000 and rendered its opinion based on the facts stated in your memorandum.

You requested an opinion regarding your firm's ability to contract with the Aviation Department.

In your letter, you advised the Commission that you serve on the Brownfields Oversight Committee which works to enhance the county's brownfields program through work with the responsible agencies including the Department of Environmental Resource Management (DERM) and the Office of Community and Economic Development (OCED). Your focus on the committee has been developing the financial incentives portion of the program and identifying funding sources for the revolving loan program.

Your firm, A.D.A. Engineering, Inc., has a miscellaneous contract with the Aviation Department. The firm has been asked to assist the Aviation Department in preparing a Brownfield Site Rehabilitation Agreement

between the Aviation Department and the Florida Department of Environmental Protection. You will have primary responsibility for the preparation and implementation of the agreement. You are not an officer of the firm and do not own any stock in the corporation.

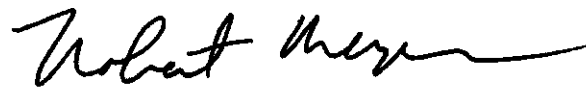
The Commission found that you are not prohibited from working on the Brownfields agreement by your service on the oversight committee. Section 2-11.1(d) only prohibits advisory board members from contracting with the county through a corporation in which they have a controlling financial interest. A controlling financial interest is defined under the ordinance as ten percent or more of the capital stock in the corporation. Since you do not own any stock in the corporation, ADA is not prohibited from contracting with the county to provide services and you are not precluded from working on the project.

However, pursuant to 2-11.1(f), you should file a sworn statement with the Circuit Court disclosing his employment and the company's business commitments to the county. Further, pursuant to 2-11.1(h), you may not disclose any confidential information that you acquire through your board service to the company or any other person or entity.

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 cursive script, appearing to read "Robert Meyers". The signature is fluid and extends to the right with a long, sweeping tail.

ROBERT MEYERS
Executive Director