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STAFF GENERAL COUNSEL

April 14, 2000

Lawrence Cohan  
Brito, Cohan and Associates  
4942 LeJeune Road  
Suite 200  
Coral Gables, FL 33146

**RE: REQUEST FOR ADVISORY OPINION 00-28**

Dear Mr. Cohan:

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 ability to vote on a matter involving a client of your firm.

In your letter, you advised the Commission that your architectural firm previously did work for Constructa Development on projects in Vero Beach and Fort Lauderdale. Constructa recently had an appeal pending before the Fire Prevention and Safety Appeals Board regarding a project on Miami Beach. Although you did not vote on the project, you want to know if you are precluded from voting on projects involving clients that may arise before the Board.

The Commission found that The Conflict of Interest and Code of Ethics ordinance does not preclude you from voting on matters before the Fire Prevention and Safety Appeals Board involving clients of your firm. Section 2-11.1 (d) which governs voting conflicts

does not apply to members of quasi-judicial bodies. Therefore, the ordinance does not preclude you from participating in discussion and voting on matters involving clients of his firm.

However, you may have a voting conflict under state law. Since this opinion only construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance, you should contact the State of Florida Commission on Ethics 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", followed by a horizontal line.

ROBERT MEYERS  
Executive Director