



April 14, 2000

**ETHICS COMMISSIONERS**

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**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

The Honorable Dorrin Rolle  
Board Of County Commissioners  
District Two  
111 N.W. First Street  
Suite 220  
Miami, Florida 33128

**RE: REQUEST FOR ADVISORY OPINION 00-47**

Dear Commissioner Rolle:

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 any possible conflicts of interest in your participation in discussion and voting on a matter involving BellSouth.

In your memorandum, you advised the Commission that you serve as President and CEO of the James E. Scott Community Association (JESCA). The chair of JESCA's board is an employee of BellSouth. On April 25, 2000, the Board of County Commissioners will decide a telephone contract where the principals involved are AT&T and BellSouth.

The Commission found that the Conflict of Interest and Code of Ethics ordinance prohibits you from voting on the matter involving BellSouth. Section 2-11.1(d) provides that " No person included in the terms defined in subsection (b) (1) shall vote on or participate in any way in any matter presented to the Board of County

Commissioners if said person 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 Board of County Commissioners: (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 person defined in subsection (b)(1) in a manner distinct from the manner in which it would affect the public generally. Any person included in the term defined in subsection (b)(1) who has any of the above relationships or would or might, directly or indirectly profit or be enhanced by the action of the Board of County Commissioners shall absent himself from the Commission meeting during the discussion of the subject item and shall not vote or participate in any way in said matter.

You may indirectly profit or be enhanced by the vote of the commission because of the relationship between the Commissioner and one of the entities seeking Board action. Since the Board is responsible for determining the terms and conditions of your service as President and CEO of JESCA, you may be enhanced if you support the Chairperson's employer. Therefore, you should not vote on or participate in discussion regarding the matter between AT&T and Bell South.

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 the opinion, please call the undersigned at (305)

579-2954 or Ardyth Walker, Staff General  
Counsel at (305) 579-2653.

Sincerely Yours,

A handwritten signature in cursive script that reads "Robert Meyers". The signature is written in black ink and is followed by a long horizontal line that extends to the right.

ROBERT MEYERS  
Executive Director