

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) 350-0616 or the undersigned at (305) 579-2594.

Sincerely Yours,

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

ROBERT MEYERS
Executive Director

ordinance applies to employees and officials of the Public Health Trust. Section 25A-3(c) of the Code of Miami-Dade County provides that "(w)henever in the Conflict of Interest ordinance reference is made to Dade County, that reference shall be deemed and construed to be a reference to the Public Health Trust; whenever in the Conflict of Interest ordinance reference is made to the Board of County Commissioners that reference shall be deemed and construed to be a reference to the Board of Trustees of the Public Health Trust and whenever in the Conflict of Interest ordinance reference is made to the Commissioners of the Board of County Commissioners, that reference shall be deemed to be a reference to the voting members of the Board of Trustees of the Public Health Trust."

Section 2-11.1(m)(1) provides that employees "shall not appear before any County Board or agency and make a presentation on behalf of a third person with respect to any license, contract, certificate, ruling, decision, opinion, rate schedule, franchise or other benefit sought by the third person. Nor shall such person receive compensation, directly or indirectly or in any form, for services rendered to a third person, who has applied for or is seeking some benefit from the county or County agency, in connection with the particular benefit sought by the third person." Since APHFC is seeking a benefit from the trust, you may not appear on its behalf.

Therefore, the Conflict of Interest and Code of Ethics ordinance permits APHFC to apply for and receive funding from the Public Health Trust. However, Section 2-11.1(m)(1) prohibits Pierre from appearing before the Trust or any subcommittee and seeking a benefit for a third party.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics



November 28, 2001

Anna Pierre
APHEC International, Inc.
P.O.Box 640981
Miami, FL 33164

ETHICS COMMISSIONERS

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ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

RE: REQUEST FOR ADVISORY OPINION 01-106

Dear Ms. Pierre:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on November 27, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding your ability to seek funding from the trust for a community health initiative.

In your letter, you advised the Commission that you are the founder of APHEC International, Inc and a registered nurse for the Public Health Trust. APHEC provides health information and services to the Haitian Community. APHEC currently receives a grant from C-BORN to provide health screenings and health education. You pay for most of the organization's expenses. APHEC is currently applying to the Public Health Trust for a CBO (Community Based Organizations) grant. APHEC would use the funds for additional personnel.

The Commission found that the Conflict of Interest and Code of Ethics ordinance permits APHEC to receive grant money from the Public Health Trust. The Code does not prohibit an employee from seeking funds for a non-profit organization with which they are associated. However, you may not appear before the Trust or any subcommittee on APHEC's behalf. The Conflict of Interest and Code of Ethics