

from contracting with the county to provide advertising and marketing services. Section 2-11.1 (d) prohibits advisory board members from contracting with the county. Section 2-11.1(d) provides that "No person included in the terms defined in subsections (b) (1) through (b) (6) shall enter into any contract or transact any business through a firm, corporation, partnership or business entity in which he or any member of his immediate family has a controlling 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 contract shall render the transaction voidable. A controlling financial interest is ten percent or more of the stock in a corporation. Since you are sole owner of the corporation, Section 2-11.1(d) prohibits you from contracting with the county to provide advertising and marketing services.

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,



ROBERT MEYERS  
Executive Director



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April 5, 2001

Maritza Gutierrez  
President  
Creative Ideas Advertising, Inc.  
2600 S.W. Third Avenue  
Suite 301  
Miami, FL 33129

**RE: REQUEST FOR ADVISORY OPINION 01-35**

Dear Ms. Gutierrez:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 4, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding conflicts between your service on an advisory committee and the firm's acceptance of a county contract.

In your letter, you advised the Commission that you have served as a member of the Safe Neighborhood Board for the past two years. Six months ago, your firm, Creative Ideas, was selected to serve as part of a pool of firms to provide marketing and advertising work. You are sole owner of the firm. Recently, Creative Ideas was ranked #1 after the selection process among pool firms for a county work order. The firm will enter into a county contract to provide the work.

The Commission found the Conflict of Interest and Code of Ethics ordinance prohibits you