

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. The Conflict of Interest and Code  
of Ethics ordinance does not prohibit you  
from participating in discussion and voting  
on the zoning change since you do not have  
any of the prohibited relationships  
enumerated in the ordinance with the school  
and you would not be uniquely affected by any  
action taken by the Board.

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

Sincerely yours,



ROBERT MEYERS

Executive Director



**ETHICS COMMISSIONERS**

Kerry E. Rosenthal, Chairperson  
Charles A. Hall, Vice Chairperson  
Elizabeth M. Iglesias  
Knovack G. Jones  
Robert H. Newman

**ROBERT A. MEYERS**  
EXECUTIVE DIRECTOR

**MICHAEL P. MURAWSKI**  
ADVOCATE

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

July 12, 2001

William H. Kerdyk, Jr.  
Vice-Mayor  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134

**RE: REQUEST FOR ADVISORY OPINION 01-61**

Dear Mr. Kerdyk:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on July 10, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding a potential voting conflict involving St. Phillips Episcopal Church and Day School.

In your letter, you advised the Commission that St. Phillips Episcopal Church and Day School is seeking a zoning change to construct additional classrooms. The school recently purchased a home adjacent to the property for this purpose. Your three children attend St. Phillips Day School and have attended the school for the past six years.

The Commission found that you may vote on a zoning change for St. Phillips Episcopal Church and Day School. Section 2-11.1(d) of the Code of Miami-Dade County prohibits commissioners from voting or participating in any way in any matter presented to the City Commission 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 City Commission: (i) officer,