

applicable is Section 2-11.1(g) which prohibits employees and officials from using their position to secure a special benefit for themselves or others. However, other individuals were interviewed for the position and there is no showing that De La Torre is receiving a special benefit.

The county does have an anti-nepotism employment policy pursuant to the state anti-nepotism law which prohibits county officials from hiring or being involved in the appointment of certain close relatives. While the policy prohibits the hiring of a first cousin, the policy does not extend to the spouse of a first cousin.

Therefore, the anti-nepotism policy does not prohibit you from hiring the spouse of your cousin to serve as your chief of staff.

If you have any questions regarding this matter, please call Ardyth Walker, Staff General Counsel at (305) 350-0616 or the undersigned at (305) 579-2594.

Sincerely Yours,



ROBERT MEYERS

Executive Director



July 11, 2001

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

The Honorable Rebecca Sosa
Board of County Commissioners
District Six
111 N.W. First Street
Suite 220
Miami, FL 33129-1963

RE: REQUEST FOR ADVISORY OPINION 01-78

Dear Commissioner Sosa:

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 any conflicts of interest if she hires the spouse of a family member to serve as her chief of staff.

In your letter, you advised the Commission that you were recently elected as a county commissioner. When you were elected, you hired Yolanda Aguilar, former City Manager of West Miami as her chief of staff. Aguilar subsequently left the position to return to her employment as West Miami City Manager. You recently interviewed Raul De La Torre, a federal Customs employee, for the position. De La Torre is the husband of Sosa's cousin, Judge Blanca Bianchi De La Torre. You would like to offer the position to De La Torre.

The Commission found that The Conflict of Interest and Code of Ethics ordinance does not prohibit you from hiring your cousin's husband to serve as chief of staff. The Conflict of Interest and Code of Ethics ordinance does not contain an anti-nepotism provision. The only provision that might be