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October 24, 2002

Ann Lee
Associate Aviation Director for Professional
Compliance
Aviation Department
P.O. Box 592075
Miami, Florida 33159

RE: REQUEST FOR ADVISORY OPINION 02-126

Dear Ms. Lee:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on October 23, 2002 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding a contest for Aviation Department employees.

In your letter, you advised the Commission that the Aviation Department is constructing an automated people-mover (APM) as part of the North Terminal Development program. In the near future, the Aviation Department will erect signs to direct travelers to the new system. In order to avoid traveler confusion, the Aviation Department would like a nickname, similar to the "T" in Boston, for the new system. American Airlines and the Aviation Department would like to sponsor a naming contest to come up with a nickname for the automated people mover. The contest would be open to Aviation and American Airlines

employees. The prize would be two tickets to a destination of the winner's choice.

The Commission found that Aviation employees may participate in a naming contest for the automated people-mover. However, pursuant to Section 2-11.1(e), the prize is a gift and must be disclosed. Section 2-11.1(e) only prohibits employees from soliciting gifts or accepting gifts in exchange for official action. Section 2-11.1 (e) (1) defines a gift as " the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise or in any other form without lawful and adequate consideration." Section 2-11.1(e) (4) requires county employees to file a disclosure form for any gift or series of gifts that exceed twenty-five dollars. Section 2-11.1(e) (4) provides that "Any person included in the term defined in subsection (b) (1) through (6) shall disclose as provided herein any gift, or series of gifts from any one person or entity, having a value in excess of twenty-five dollars.

Since the tickets would not be matched by lawful and adequate consideration, they are gifts and must be reported. However, employees may participate in the contest.

Therefore, Aviation Department employees may participate in the naming contest. However, the prize is a gift under the Conflict of Interest ordinance and must be disclosed by the winner.

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,

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

ROBERT MEYERS
Executive Director