

February 23, 2005

Leland S. Salomon
Chief
Real Estate Development
General Services Administration
111 N.W. First Street
Suite 2460
Miami, FL 33128

**RE: REQUEST FOR ADVISORY OPINION RQO 05-15
Leland S. Salomon Conflict of Interest**

Dear Mr. Salomon:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on February 22, 2005 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding your ability to operate a consulting business for real estate developers.

In your letter, you advised the Commission that you are the Chief of the GSA Real Estate Development Division. In your capacity as Chief, you are responsible for managing the County's real estate portfolio. You oversee the county's acquisition of new properties including arranging financing, overseeing design and managing construction of complex developments such as the joint development of Metrorail properties. You also serve as GSA's liaison to the Planning Advisory Board and the Developmental Impact Committee.

You are in the process of establishing North Bay Realty Advisors, L.L.C.. North Bay Realty will analyze real estate projects for possible acquisition, sale or development by investors. You will be paid on an hourly basis and will submit a list of clients to the department director on a quarterly basis.

The Commission found that you may establish North Bay Realty and advise private clients on real estate projects. However, you may not work with any clients who are engaged in any real-estate transaction with Miami-Dade County (including leases, purchases, financing, joint developments and construction) or who are seeking action from the Planning Advisory Board or the Developmental Impact Committee. Finally, you are prohibited from appearing before any county committee or meeting with county staff regarding any matter involving your private clients. Section 2-11.1(j) provides that no employee "shall accept other employment which would impair his or her independence of judgment in the performance of his or her public duties." Therefore, you may perform the outside employment as long as your clients do not seek analysis or assistance with any properties or developments owned, leased, financed or sought by Miami-Dade County or any agency or instrumentality of Miami-Dade County or who are seeking action from the Planning Advisory Board and the Developmental Impact Committee.

Further, you should submit a list of the clients and their projects to the Department Director on a quarterly basis so that he may evaluate your client list for any potential conflicts.

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 the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 350-0616.

Sincerely Yours,

ROBERT MEYERS
Executive Director