

FILE COPY



October 25, 2007

Linda Cave
Senior County Commission Clerk
Clerk of the Board of County Commissioners
111 N.W. First Street
Suite 17-202
Miami, FL 33128

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EXECUTIVE DIRECTOR

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ARDYTH WALKER
STAFF GENERAL COUNSEL

RE: REQUEST FOR ADVISORY OPINION RQO 07-50

Dear Ms. Cave:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on October 24, 2007 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether people who provide technical assistance and staff support to the Climate Control Advisory Task Force are required to file financial disclosure.

In your letter, you advised the Commission that the Climate Control Advisory Task Force (CCATF) was created to provide technical advice to the Board of County Commissioners on mitigating and adapting to global climate change. The CCATF is composed of twenty-five members including an appointment from each member of the BCC, two appointments from the Mayor, the Clerk of Courts and nine technical representatives recommended by the Manager. The CCATF has created subcommittees to handle various aspects of the work. County staff and interested members of the public regularly attend subcommittee meetings and provide technical and staff support.

Pursuant to Section 2-11.1(i), the appointed members of the Task Force are required to file financial disclosure as members of an

advisory board. The attendees have not filed financial disclosure.

The Ethics Commission found the attendees of the CCATF meetings are not required to file financial disclosure. Section 2-11.1(i) provides that all persons included within ...Section (b)(4) shall file no later than 12:00 noon on July 1st of each year the appropriate financial disclosure form. Section 2-11.1(b)(4) refers to the members of those advisory boards and agencies whose sole or primary responsibility is to recommend legislation or give advice to the Board of County Commissioners.

The attendees of the meetings, who provide technical and staff support, may offer suggestions or present proposals on CCATF matters but formal recommendations to the BCC are only approved and voted on by duly appointed CCATF board members. Therefore, the attendees do not serve the function of de facto task force members of the CCATF and are not required to file financial disclosure.

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

cc: Nichole Hefty, DERM