



FILE COPY

May 2, 2011

Amelia M. Cordova-Jiminez
A & E Consultant Selection Coordinator
Office of Capital Improvements
111 N.W. First Street
Suite 2130
Miami, FL 33128

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STAFF GENERAL COUNSEL

RE: REQUEST FOR ADVISORY OPINION-RQO 11-11

Dear Mrs. Cordova-Jiminez:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 28, 2011 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether your husband may accept employment with an engineering firm that frequently seeks county contracts.

In your request, you advised the Commission that you are responsible for the selection process for architectural and engineering contracts. In that capacity, you handle the selection and negotiation process for assigned contracts. You also serve as the non-voting chair of the selection committee on the projects where you serve as coordinator. Your husband would work for a firm that frequently applies for those contracts.

The Ethics Commission found the Conflict of Interest ordinance permits Cordova's spouse to work for a firm that does work for Miami-Dade County as long as your spouse does not have a controlling financial interest in the corporation. Section 2-11.1(c) only prohibits spouses from contracting with Miami-Dade County where they have a controlling

financial interest in a corporation or firm that is doing business with the County. A controlling financial interest is defined as ownership of ten percent or more of the stock in a corporation. The Conflict of Interest ordinance does not prohibit immediate family members of county employees from working for firms that do work for Miami-Dade County. Therefore, your spouse may work for a firm that applies for and receives county contracts.

However, you should not serve as Selection Coordinator on those projects where your husband's employer is bidding on the project. Section 2-11.1(n) prohibits employees from taking official action where their financial interests may be directly or indirectly affected. Your financial interests may be indirectly affected if your spouse's firm receives additional county contracts. Therefore, you should not serve as Selection Coordinator on those agreements where your spouse's employer is one of the proposers.

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,

A handwritten signature in black ink, appearing to read 'Robert Meyers', written over a horizontal line.

ROBERT MEYERS
Executive Director