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STAFF GENERAL COUNSEL

August 3, 2009

Walter J. Foeman, City Clerk  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134

Via First Class Mail and email at [wfoeman@coralgables.com](mailto:wfoeman@coralgables.com)

Re: INQ 09-127

Dear Mr. Foeman:

In a letter to the Commission on Ethics & Public Trust dated July 27, 2009, you asked if a Senior Foreman of the Coral Gables Public Works Department was required to file a "Statement of Financial Interests Form 1" based on his duties, not his title.

You stated that a Senior Foreman performs midway below a department director; he exercises some discretion in supervisory matters and has limited purchasing authority.

It is the opinion of the Ethics Commission staff that the Senior Foreman of the Public Works Department is not required to file financial disclosure based on his responsibilities. His duties do not rise to the level of those who must file, specifically "heads or directors of [city] departments and their assistant or deputy department heads." See the Miami-Dade County Conflict of Interest Code at § 2-11.1(i)(2).

This opinion construes the Miami-Dade Conflict of Interest & Code of Ethics Ordinance, but is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me if I can be of further assistance.

Sincerely,

Victoria Etigo  
Staff Attorney