



ETHICS COMMISSIONERS

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ARDYTH WALKER
STAFF GENERAL COUNSEL

June 16, 2004

Spencer B. Meredith
90 Edgewater Drive #702
Coral Gables, FL 33133

RE: INQUIRY 04-63

Dear Mr. Meredith:

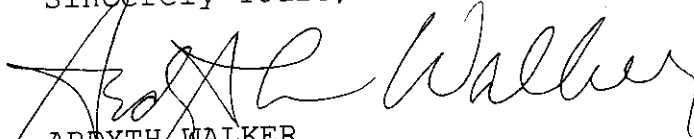
I received your letter regarding financial disclosure requirements for members of the Marine Facilities Advisory Board. The members of the Marine Facilities Advisory Board do not have to file financial disclosure. Section 24-7.1 provides that committee members are charged with the responsibility of make recommendations to DERM concerning conditions, limitations or restrictions for recreation and commercial boat docking facilities and boat storage facilities which are required to obtain an operating permit.

Since the Marine Facilities Advisory Board does not provide recommendations to the Board of County Commissioners, the board does not meet the definition of an advisory board for purposes of the Conflict of Interest and Code of Ethics ordinance. Therefore, the board members are not required to file financial disclosure under the county code.

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)
350-0616.

Sincerely Yours,


ARDYTH WALKER
Staff General Counsel

To: Spencer Meredith From: Anlyth Walker
 Fax: (305) 668-4472 Pages: 3
 Phone: Date: 6/16/04
 Re: Inquiry 04-63 CC:

Urgent For Review Please Comment Please Reply Please Recycle

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DATE, TIME
 FAX NO./NAME
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TIME : 06/16/2004 12:18
 NAME : COMM. SECTION ETHIO
 FAX : 305 668 4472
 TEL : 305 668 4472
 SER. # : ERIC 1157947

TRANSMISSION VERIFICATION REPORT

Miami-Dade County
Commission on Ethics and Public Trust

Biscayne Building
19 West Flagler Street,
Suite 207
Miami, Florida 33130

Phone: (305) 579-2594

Fax: (305) 579-0273

Fax Fax

To: Spencer Meredith **From:** Ardyth Walker
Fax: (305) 668-4472 **Pages:** 3
Phone: **Date:** 6/16/04
Re: Inquiry 04-63 **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

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June 2, 2004

Ms. Ardyth Walker
Staff General Counsel
Commission on Ethics
Miami-Dade County
19 West Flagler Street, Suite 207
Miami, FL 33130

Re Financial Disclosure

Dear Ms. Walker:

To follow up on our telephone conversation today, this is a request that you confirm that members of the advisory board that I serve on are not required to file Financial Disclosure statements with the Deputy Supervisor of Elections. On May 28th I received a set of these forms, requesting this personal information as a legal requirement.

I serve on the Marine Facilities Advisory Board for DERM's Marine Operating Permit Program. The members are appointed by the County Manager on the basis of representing the various segments of the marine community. We are not compensated in any form, serve voluntarily, and make recommendations to DERM's staff. We do not appear before the County Commission or lobby individual commissioners or officials as part of our activities. Our comments and recommendations do not have the effect of law or ordinance and the staff is legally empowered to ignore them. Our meetings are properly noticed, open to the public and public comment is welcome. The committee was created as part of an Ordinance that required county marine facilities to have an operating permit from DERM. That ordinance did not require financial disclosures from the advisory board. We have been functioning for more than ten years, and this is the first time that we have been requested to provide disclosure of our personal finances.

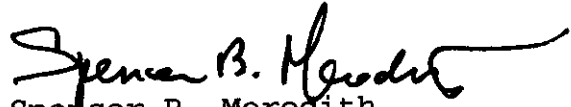
In Section III of your Memo of May 5th to the County Manager, you listed "who must file" for the Miami-Dade County requirements. Our committee does not meet any of those criteria: we are not autonomous or semi-autonomous, we do not perform quasi-judicial functions, and we do not recommend legislation or give advice to the County Commissioners.

I feel very strongly that private citizens who volunteer their time for community service should not be required to make public their personal affairs. Furthermore, just as I am concerned over the status of our committee, I am also concerned that a broad interpretation of a law designed to curb lobbyists will result in experienced private citizens refusing to serve on advisory boards. The loss will be significant, because these boards are a communication link between the bureaucracy and the public, and could not easily be replaced by hired consultants.

Please confirm that my reading of your memo is correct and that I do not need to file Financial Disclosure Forms.

Thank you.

Best regards,

A handwritten signature in black ink, appearing to read "Spencer B. Meredith". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Spencer B. Meredith
90 Edgewater Drive, #702
Coral Gables, FL 33133

Tel & Fax 305 668-4472