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INSPECTOR GENERAL

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

March 9, 1999

[REDACTED]  
5236 Fisher Island Drive  
Miami, Florida 33109

**RE: REQUEST FOR ADVISORY OPINION RQO 99-05**

Dear Mr. [REDACTED]

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on March 4, 1999 and rendered its decision based on the facts stated in your letter.

You requested an advisory opinion as to whether there is a conflict of interest if you work as a broker for the current developer of the island and continue to serve on the community council.

In your letter, you advised the Commission that you work as a Commercial Real Estate Broker and would like to work for the Fisher Island developer in locating appropriate property for development. You would receive a commission for each transaction. The development of Fisher Island is very contentious and the residents of Fisher Island have requested a building moratorium.

The Commission found that you may continue to serve on the Community Council but you may not vote on matters involving the developer if you work for the developer as a real estate broker. Section 20-45 of the Dade County Code strictly prohibits a Community Council member from voting on or participating in any way in any matter presented to the Community Council

where the council member would or might, directly or indirectly, profit or be enhanced by the action of the community council on which the member serves. Since you will directly profit from development issues involving the developer, you may not participate in consideration of or vote on any matters involving the developer or development of the island.

If you have any questions regarding the opinion, please call Robert Meyers, Executive Director at (305) 579-2954 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,

ROBERT MEYERS  
Executive Director