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March 8, 1999

Chris Rollins
Director
Miami-Dade Fruit and Spice Park
24801 S.W. 187th Avenue
Homestead, FL 33031

RE: REQUEST FOR ADVISORY OPINION RQO 99-06

Dear Mr Rollins:

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 regarding whether it is a conflict of interest for the gift shop at Fruit and Spice Park to sell a video produced by you and two partners.

In your request, you advised the Commission that you are an expert in the field of tropical fruit and botany and that you have produced a video on small space gardening. Ten copies of the video were sold to the gift shop for resale to the general public. You have not made a profit on the venture.

The Commission found that Section 2-11.1(c) of the Conflict of Interest and Code of Ethics ordinance prohibits you from selling the video to the gift shop at Fruit and Spice Park. Section 2-11.1(c) provides that no employee shall enter into any contract or

transact any business in which he or a member of his immediate family has a financial interest, direct or indirect, with Dade County or any person or agency acting for Dade County, and any such contract, agreement or business engagement entered in violation of this subsection shall render the transaction voidable. Since you have a financial interest in the transaction, the gift shop may not purchase your video for resale.

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,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director