



April 7, 2000

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STAFF GENERAL COUNSEL

Wendy Carr  
Controller  
7101 Miami Lakes Drive  
Q-24  
Miami Lakes, FL 33014

**RE: REQUEST FOR ADVISORY OPINION 00-20**

Dear Ms. Carr:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on March 29, 2000 and rendered its opinion based on the facts stated in your memorandum.

You requested an opinion regarding your employment with Kunde, Sprecher and your service on the Citizen's Transportation Advisory Committee (CTAC).

In your letter you advised the Commission that Kunde, Sprecher and Associates is an architectural and engineering firm that has several government contracts with Miami-Dade County, the Miami-Dade Aviation Department, the Florida Department of Transportation and the City of Miami. You are not a director of the company and do not own any stock.

The Commission found that the Conflict of Interest and Code of Ethics ordinance Carr's employment does not prohibit your service on CTAC or your company's ability to contract with Miami-Dade County. Section 2-11.1(d) prohibits advisory board members from contracting with the county through a corporation in which they have a controlling financial interest. A controlling financial interest is defined under the ordinance as

interest is defined under the ordinance as ten percent or more of the capital stock in the corporation. Since you do not own any stock in the corporation, Kunde, Sprecher and Associates is not prohibited from contracting with the county to provide services.

However, pursuant to 2-11.1(f), you should file a sworn statement with the Circuit Court disclosing her employment and the company's business commitments to the county. Further, pursuant to 2-11.1(h), you may not disclose any confidential information that you acquire through your board service to the company or any other person or entity.

Therefore, the Conflict of Interest and Code of Ethics ordinance does not restrict your service on CTAC but you should be mindful of the restrictions of 2-11.1(h) against disclosure of confidential information and you must disclose her employment in a sworn statement.

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) 579-2653.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Robert Meyers", with a long horizontal line extending to the right.

ROBERT MEYERS  
Executive Director