



February 28, 2003

**ETHICS COMMISSIONERS**

Kerry E. Rosenthal, Chairman  
Robert H. Newman, Vice Chairman  
Gail Dotson  
Dawn Addy  
Elizabeth M. Iglesias

**ROBERT A. MEYERS**  
EXECUTIVE DIRECTOR

**MICHAEL P. MURAWSKI**  
ADVOCATE

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

Jane W. Robinson  
Head Start/ Early Start Director  
Community Action Agency  
395 First Street  
Suite 103  
Miami, Florida 33128

**RE: REQUEST FOR ADVISORY OPINION 03-19**

Dear Ms. Robinson:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on February 28, 2003 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the agency's ability to accept gifts from a county contractor.

In your request, you advised the Commission that Humana, Inc provides health services to Miami-Dade County. The company would like to adopt one of the Head Start Centers and provide gifts to the children.

The Commission found the Conflict of Interest and Code of Ethics ordinance permits a county contractor to adopt one of the Head Start centers and provide gifts and other services to the children. Section 2-11.1(e)(2)(e) exempts gifts solicited and received for official county business from the definition of gifts. Therefore, the Head Start centers may solicit and receive gifts from county contractors for the children. However, the head of the Community Action Agency or any procurement staff for the Community Action

Agency may not solicit gifts for the day care centers.

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 the opinion, please call the undersigned 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 line extending to the right.

ROBERT MEYERS  
Executive Director