

FILE COPY

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STAFF GENERAL COUNSEL

May 26, 2006

Sonya Samuels  
7240 Ramona Street  
Miramar, FL 33023

**RE: REQUEST FOR ADVISORY OPINION 06-37**

Dear Ms. Samuels:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on May 25, 2006 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding your ability to contract with the county.

In your letter, you advised the Commission that you are the president of "One Mind At a Time". One Mind is a catalog company that sells office and educational supplies to schools, day care centers and other businesses. The company is an approved Miami-Dade School Board vendor and seeks to contract with the county to provide materials.

You are currently serving as a Counselor 1 at the Pre-trial Detention Center. In your capacity as a Counselor, you are not involved in procurement activities for the department.

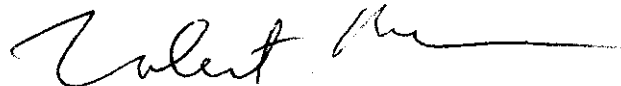
The Commission found that you may contract with all county departments except the Department of Corrections and Rehabilitation. Section 2-11.1 (c) provides that "(n)otwithstanding any provision to the

contrary herein, subsection (c) and (d) shall not be construed to prevent any employee...from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County as long as 1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the County, 2) the employee has not participated in determining the subject contract awards or awarding the contract , and 3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including but not limited to its enforcement, oversight, administration, amendment, extension, termination or forbearance. Section 2-11.1(d) prohibits employees from contracting with their department thorough a corporation in which the employee or a member of their immediate family has a controlling financial interest.

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,



ROBERT MEYERS  
Executive Director