

February 9, 2011

**ETHICS COMMISSIONERS**

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ADVOCATE

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

Shanise Harris  
Department of Small Business Development  
111 N.W. First Street  
19<sup>th</sup> Floor  
Miami, FL 33128

**RE: REQUEST FOR ADVISORY OPINION-RQO 10-32**

Dear Ms. Harris:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on February 8, 2011 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether your husband may work for a firm that is doing plumbing and mechanical work on the Florida Marlins Stadium.

In your request, you advised the Commission that in 2009, the Board of County Commissioners entered into a series of agreements for the development, construction and financing of a new stadium for the Florida Marlins. Under the agreements, the Florida Marlins hired a stadium developer who selected Hunt Moss to serve as Construction Manager for the project.

The agreements provided that solicitations for all bid packages for each phase of the stadium would be subject to Community Small Business Enterprise (CSBE) and Community Workforce Program (CWP) goals. The County's Review Committee, which is staffed by SBD, is responsible for establishing the goals of each package. Additionally, all primes and subconsultants are responsible for complying with the County's responsible wage ordinance. SBD's Contract Review and Compliance Division

is responsible for monitoring all stadium contractors and subcontractors to ensure that they are in compliance with the established goals.

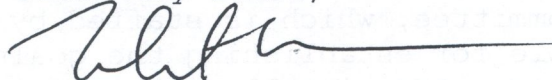
Your spouse is employed by a firm that is providing plumbing services on the stadium. Although you work for the division that is responsible for monitoring compliance, you are not directly responsible for monitoring any phase of the Marlins agreement.

The Ethics Commission found the Conflict of Interest ordinance permits your spouse to work for a firm that is doing work on the Florida Marlins stadium. Section 2-11.1(c) only prohibits spouses from contracting to provide services where they have a controlling financial interest in a corporation or firm that is doing business with the County. The Conflict of Interest ordinance does not prohibit immediate family members from contracting with firms that do work on county funded projects. Therefore, your spouse may work for a firm that is doing work on the Marlins stadium.

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) 350-0616.

Sincerely Yours,



ROBERT MEYERS  
Executive Director