

September 15, 2008

Alan D. Lerner, President
Offerle-Lerner, Inc.
13190 SW 134th St., Suite 208
Miami, FL 33186

Via First Class Mail and Fax at 305.254.4469

Re: INQ 08-148

No Jurisdiction over Board of Education Employees, as per Miami-Dade Co. Conflict of Interest & Code of Ethics at §2-11.1 (a)(6)

Dear Mr. Lerner:

You asked for a legal opinion today to show that your architectural firm, Offerle-Lerner, Inc., has no ethics conflicts that would prohibit you from registering as a vendor with Miami-Dade County.

As per the Miami-Dade County Conflict of Interest & Code of Ethics at §2-11.1 (a)(6), the Ethics Commission has jurisdiction to opine on the vendor applications of all “salaried personnel employed by the County.”

Your spouse, Margaret B. Lerner, is employed by the County Board of Education, a state entity distinct from Miami-Dade County. Additionally, you have confirmed that you have no other immediate family members employed by the County. The facts as you have presented them do not trigger ethics conflicts under the County Conflict of Interest & Code of Ethics because none of your immediate family members are within the jurisdiction of the Ethics Commission.

If you have further questions, please do not hesitate to contact our office at 305.579.2594.

Sincerely,

VICTORIA FRIGO
Staff Attorney