



ETHICS COMMISSIONERS February 2, 2009

Kerry E. Rosenthal, CHAIRPERSON
Dawn E. Addy, VICE CHAIRPERSON
Magda Abdo-Gomez
Judge Seymour Gelber
Erica Wright

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

J. Robert Barnes
ROBERT BARNES & ASSOCIATES
221 North Krome Ave.
Homestead, FL 33030

Via First Class Mail and Fax at 305 247-0818

Re: INQ 09-07 Registering as a County Vendor

Dear Mr. Barnes:

In correspondence to our office on January 28, 2009, you said that you wish to register your business, ROBERT BARNES & ASSOCIATES, as a county vendor.

You stated that you serve as a board member in a quasi-judicial capacity on a Miami-Dade County Board of Rules and Appeals.

It is the opinion of the Ethics Commission staff that you and your firm, ROBERT BARNES & ASSOCIATES, may register to contract with the county as long as the contract you enter into is *not* subject to the regulation, oversight, management, policy-setting, or quasi-judicial authority of the board on which you serve.

This opinion is consistent with previous ethics opinions dealing with similar facts and based on the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance at Section 2-11.1(c)(3). In that section, members of advisory boards and quasi-judicial boards are permitted to enter into county contracts, individually or through a business entity in which the member or an immediate family member has a controlling financial interest, as long as the contract is not controlled in any way by the board on which the member serves.

If any of the facts you have presented change, or if you have further questions, please do not hesitate to contact me at 305.350.0601.

Sincerely,

VICTORIA FRIGO
Staff Attorney