

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, May 18, 2017 2:13 PM
To: Sanchez, Rodzandra (COE)
Subject: Officer Antonio Whitley, Miami-Dade Police Department (Limitations on Contracting with the County) INQ 17-141

[INQ 17-141 Whitley](#)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, May 18, 2017 2:11 PM
To: Whitley, Antonio T. <ATWhitley@mdpd.com>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Officer Antonio Whitley, Miami-Dade Police Department (Limitations on Contracting with the County) INQ 17-141

Dear Officer Whitley:

It was a pleasure to speak with you over the phone. You inquired about limitations on transacting business with the Miami-Dade Public Schools and School Board and with Miami-Dade County through your privately owned business. You are a County employee employed by the Miami-Dade Police Department as a Police Officer.

Outside Employment

Please be advised that work conducted for your privately owned business constitutes outside employment. You will therefore be required to obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year. *See* Miami-Dade Code §§ 2-11, and 2-11.1(k)(2).

Once you have obtained permission to engage in outside employment, the following would apply:

Transacting Business with Miami-Dade Public Schools and School Board

With respect to transacting business with the Miami-Dade Public Schools and School board, they are separate entities from Miami-Dade County and the jurisdiction of the County Ethics Code does not extend to them. Therefore, the County Ethics Code does not prohibit you from transacting business with the Miami-Dade Public Schools or School Board.

Transacting Business with Miami-Dade County

The County Ethics Code permits a County employee (either individually or through a privately owned business) to enter into contracts with the County as long as the contract does not interfere with the full and faithful discharge of the employee's duties to the County. *See* Miami-Dade Code §§ 2-11.1 (c) and (d). This includes the condition that the County employee may not participate in determining the contract requirements or in awarding the contract or being involved in the contract in any way. Additionally, the County employee may not work in any County department that would enforce, oversee or administer this contract.

Prior to transacting business with the County, a County employee must obtain an ethics opinion to ensure that no conflict of interest exists. *See* Miami-Dade Code § 2-11.1(c)(4).

The form to request this ethics opinion can be found at:

http://ethics.miamidade.gov/library/forms/county_employee_seeking_to_be_a_county_vendor_2013.pdf

This opinion is based on the facts presented. If you require additional clarification, or the facts presented here change, please contact me.

Cordially,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust

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