

a conflict if you resumed monitoring of the security guard contracts.

The Commission found the Conflict of Interest and Code of Ethics Ordinance permits you to continue your outside employment as long as you do not have to assume responsibility for monitoring of security guard contracts. Section 2-11.1(j) provides that an employee may not accept outside employment that will impair the employee's independence of judgment in performance of their public duties. Your monitoring of contracts involving your competitors may impair your independence of judgment in the performance of her public duties. At a minimum, your monitoring of contracts involving your business competitors may create appearance problems if you determine that competitors are not in compliance with the county's minority business and living wage ordinances. Therefore, your outside employment is not barred by the Conflict of Interest and Code of Ethics ordinance. However, you may not resume monitoring of security guard contracts in order to prevent a conflict between her outside employment and her public duties.

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 Ardyth Walker, Staff General Counsel at (305) 579-2653 or the undersigned at (305) 579-2594.

Sincerely Yours,



ROBERT MEYERS  
Executive Director



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**MICHAEL P. MURAWSKI**  
ADVOCATE

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

April 5, 2001

Alice Hidalgo-Gato  
Acting Manager  
Contract Review and Compliance Division  
Department of Business Development  
175 N.W. First Avenue  
28<sup>th</sup> Floor  
Miami, FL 33128

**RE: REQUEST FOR ADVISORY OPINION 01-23**

Dear Ms. Gato:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 4, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding your outside employment as the president of a security guard company.

In your letter, you advised the Commission that in 1999, you became president of Eastech Security Guard Company. At the time, you were a Compliance Officer with the Department of Business Development. Your responsibilities at DBD included monitoring county security guard contracts for compliance with the Black Business Enterprise (BBE) ordinance. After your outside employment was approved, the security guard contracts were reassigned.

As Acting Manager of the Compliance Division, you are responsible for the monitoring of all contracts including security guard contracts. Currently, the compliance officers responsible for monitoring security guard contracts reports to another Division Director. You want to know if you would have