



ETHICS COMMISSIONERS

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Executive Director

MICHAEL P. MURAWSKI  
Advocate

ARDYTH WALKER  
Staff General Counsel

August 17, 2007

Chief Raymond Barreto  
Division Chief  
Special Operations Bureau  
Miami-Dade Fire Rescue Department  
9300 N.W. 41st Street  
Miami, FL 33178

**RE: REQUEST FOR ADVISORY OPINION RQO 07-34**

Dear Chief Barreto:

Per your request, please find attached the official Ethics Commission opinion regarding this matter. The official Ethics Commission opinion supersedes the previously issued staff opinion.

Please contact me if you have any questions or I can provide any further assistance.

SINCERELY YOURS,

ARDYTH WALKER  
Staff General Counsel



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**RE: REQUEST FOR ADVISORY OPINION RQO 07-34**

Dear Chief Barreto:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on August 16, 2007 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the outside employment request of Captain Roman Bas.

In your letter, you advised the Commission that Captain Bas is currently seeking approval for outside employment with Motor Medics Corporation and Seavival, Inc. Motor Medics Corporation provides training on motorcycle emergency rescue techniques to students from across the country. The training will not include present employees of the Miami-Dade Fire Rescue Department and will not be conducted at any county facilities. Captain Bas will also conduct training for Seavival, Inc. Seavival is a corporation that provides training to civilian cruise personnel on emergency rescue techniques. The training will be provided during the Captain's off-duty hours and will not be conducted at county facilities or use county equipment.

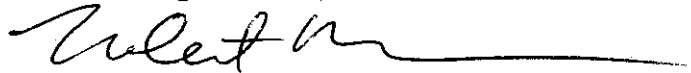
The Ethics Commission found the Conflict of Interest and Code of Ethics ordinance permits

Captain Bas to provided training services on behalf of Motor Medics, Inc. and Seavival. Section 2-11.1(j) provides that no employee "shall accept other employment which would impair his or her independence of judgment in the performance of his or her public duties." Since Captain Bas' outside employment does not require him to train colleagues or subordinates, the outside employment should not compromise his independence of judgment in the performance of his public duties. Further, as required, the outside employment will not occur during working hours or involve non-incidentual use of county equipment and resources. The Ethics Commission has frequently opined that county employees may serve as lecturers and instructors in their field of professional expertise. Accordingly, Captain Bas may provide training on behalf of Motor Medics, Inc and Seavival.

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