

Sanchez, Rodzandra (COE)

From: Turay, Radia (COE)
Sent: Monday, August 01, 2016 2:25 PM
To: Diaz-Greco, Gilma M. (COE); Sanchez, Rodzandra (COE)
Subject: FW: INQ 16-174, Jean Paul Guillot, Lieutenant, City of Miami Police Department, (Outside Employment)

From: Turay, Radia (COE)
Sent: Wednesday, June 29, 2016 7:47 PM
To: '2289@miami-police.org' <2289@miami-police.org>
Cc: 'GWysong@miami-police.org' <GWysong@miami-police.org>
Subject: INQ 16-174, Jean Paul Guillot, Lieutenant, City of Miami Police Department, (Outside Employment)

Dear Lieutenant Guillot,

You have inquired whether a conflict of interest would exist where you, a full-time employee working for the City of Miami Police Department, has requested permission to engage in outside employment operating/managing a self-parking lot located near the Marlins Stadium.

As background, you are a Lieutenant with the City of Miami Police Department. You are specifically assigned to the Coconut Grove area and are responsible for the everyday police operation for that area.

You are seeking to engage in outside employment as a self-employer, for which you have leased, from an entity that is not a County vendor, a self-parking lot located at 1250 NW 7th Street, near the Marlins stadium. You currently employ two individuals, who are not police officers, that are responsible for the day-to-day operations of the lot. You will be responsible for overseeing/managing the lot. Your work hours for the self-parking lot will mainly occur in the evenings and outside of your City employment hours. You have confirmed that no work on the self-parking lot will be performed during the hours that you are employed by the City of Miami Police Department. Further, you have also indicated that under no circumstance, will City property and equipment be used by you, including use of your police uniform, during the time that you are engaged in your outside employment. You understand that any use of your authority as a police officer to promote your private business could be considered an exploitation of your public position in violation of Section 2-11.1(g) of the Ethics Code.

The Ethics Code at Section 2-11.1(j) states that a government employee may not accept outside employment that impairs his independence of judgment in the performance of his public duties. Based on the information that you have provided to us at this time, it appears to be unlikely that the type of outside employment that you are seeking to engage in would impair your independence of judgement in the performance of your City duties as a Lieutenant with the City of Miami Police Department.

As a reminder, pursuant to the Miami-Dade County Code at Section 2-11, government employees are required to request permission to engage in outside employment from their supervisor on a yearly basis. In addition, Sec. 2-11.1(k)(2) of the Code requires filing an outside employment disclosure form on a yearly basis. Government employees are also cautioned that they may not engage in any activity which would require them to disclose confidential information acquired by reason of their official position, nor use such information directly or indirectly for their personal gain or benefit. See Sec. 2-11.1(h), Ethics Code. Lastly, a government employee may not use his or her official position to secure privileges or exemptions for themselves or others. See Sec.2-11.1(g), Ethics Code.

This opinion is based on the facts presented. If any of the facts presented here change, or if you have any further questions, please contact us.

Sincerely,

RADIA TURAY

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From: Guillot, Jean Paul [<mailto:2289@miami-police.org>]
Sent: Thursday, June 23, 2016 3:18 PM
To: Ethics (COE) <ethics@miamidade.gov>
Cc: Wysong, George <GWysong@miami-police.org>
Subject: Off duty employment

I am writing for an opinion related to my desire to perform outside employment. I am employed full time as a Police Lieutenant with the City of Miami Police Department. I wish to engage in outside employment operating/managing a self-parking lot located at 1250 NW 7th Street near the Marlins Stadium. It is intended that I will operate/manage the lot whenever there are events at the Marlins Stadium. The Marlins stadium has a seating capacity of approximately 37,442. Yet there are only approximately 5,000 parking spaces provided on-site. The parking lot I wish to operate/manage is one many (10 or more not counting private homes) other private parking facilities that provide overflow parking for Marlins Stadium events.

I do not believe that my operation/management of the self-parking lot creates a conflict of interest. I do not patrol nor am I assigned to the area near the Marlins stadium. No work will be performed during my regular working hours. The work will not take place on City premises. Under no circumstances will City property or equipment be used by me including use of my police uniform. The City does not have a contract or conduct any business with the parking lot. The parking lot is not owned or managed by the City or any other City employee. I have my own insurance to cover my business activities.

Please contact me if you have any questions at (786) 470-7020, Thank you.