

**Prkic, Christina (COE)**

TWR

**From:** Prkic, Christina (COE)  
**Sent:** Friday, March 04, 2005 2:20 PM  
**To:** 'wfoeman@coralgables.com'  
**Subject:** Ethics Opinion

OS-36

Hi Walter:

You've requested an opinion concerning potential outside employment. In our phone conversation, you indicated that you are interested in acquiring twenty-five percent (25%) ownership interest in an international company called Ibersolar USA, a company that develops/markets alternative renewable fuel sources. Your role will include marketing and promoting the company's products and services. You state that the company does not work within the City of Coral Gables nor does it seek to contract with the City.

You would like to know what restrictions, if any, you have under the Code of Ethics regarding this outside employment. Section 2-11.1 (j) "*Conflicting employment prohibited*," provides that,

No person included in the terms defined in subsections (b)(1) through (b)(6) shall accept other employment which would impair his or her independence of judgment in the performance of his or her public duties.

The Code of Ethics does not prohibit you from engaging in this outside employment. Based upon what the company does and your role with company, it would not appear to impair your judgment in the performance of your public duty as the City Clerk of Coral Gables. You cannot enter into contracts with the City and the Code prohibits employees and officials from using their government resources in furtherance of their outside employment. Accordingly, all work would need to be outside of your City time. The City of Coral Gables Code of Ethics, subsection (i), outlines similar restrictions.

Also keep in mind, that the Code prohibits employees and officials from using their official position to secure any benefits or privileges for themselves or others, i.e., outside employers.

The City of Coral Gables Code of Ethics requires that you obtain written approval from your "department head," the individual(s) to whom you report. Additionally, you must file an annual report with your office indicating the source and nature of the outside employment and the amount of money received from said employment.

Should you have any additional questions please do not hesitate to call me at the number below.

Sincerely Yours,  
Christina Prkic  
Staff Attorney  
Miami-Dade County Commission on Ethics and Public Trust  
P: (305) 350-0615