



April 18, 2002

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STAFF GENERAL COUNSEL

Pabla Williams
Department of Parks and Recreation
275 N.W. 2nd Street
Miami, Florida 33128

RE: REQUEST FOR ADVISORY OPINION 02-40

Dear Ms. Williams:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 17, 2002 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any conflicts between your work as a Park Services Officer 2 and outside work as a realtor.

In your letter, you advised the Commission that you are a Park Services Officer 2 and your primary job responsibilities are coordination and preparation of the Park Department budget. Although real estate acquisition is not part of your official duties, you occasionally advise the Department on real estate transactions.

The Commission found the Conflict of Interest and Code of Ethics ordinance permits you to activate your real estate license and informally advise departmental personnel on real estate acquisitions. Section 2-11.1(j) provides that no person included in the terms defined in (b)(1) through (6) shall accept other employment which would impair his or her independence of judgment in the performance of his or her public duties.

Accordingly, you may work as a real estate agent as long as the work does not interfere with your work for the Parks Department. Further, you may provide informal technical assistance on departmental real estate transactions but you may not sell real estate to the Parks Department or recommend the acquisition of any land or other property listed by a real estate agency with which you are associated. Finally, pursuant to Section 2-11.1(k), you must annually report any outside employment and file the required disclosure forms with the Department of Elections.

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