



June 16, 2003

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STAFF GENERAL COUNSEL

John A. Henry
250 N.W. 86 Street
Miami, Fl 33142

RE: REQUEST FOR ADVISORY OPINION 03-87

Dear Mr. Henry:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on June 12, 2003 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 moving and hauling company and your ability to become certified as a Minority Business Enterprise (MBE).

In your request, you advised the Commission that you work as a bus operator for the Miami-Dade Transit Agency. You also serve as the president of Domijo Enterprises. Domijo Enterprises is a moving and hauling company. You subcontract the moving and hauling work to other truck drivers.

The Commission found that the Conflict of Interest and Code of Ethics ordinance permits you to engage in outside employment as the President of a moving and hauling company. The outside employment should not interfere with your independent judgment in the performance of your public duties. Section 2-11.1(j) provides that "No person included in the terms defined in subsections (b) (1) through (6) shall accept other employment which will impair his or her independence of judgment in the performance of his or her public duties." Since the outside employment

does not violate the provisions of 2-11.1(j),
you may engage in the outside employment.

Further, Domijo may become certified as a
Minority Business Enterprise and contract
with all county departments except the
Transit Agency.

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,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director