
INQ 16-187 Alzate

From: Diaz-Greco, Gilma M. (COE)

Sent: Friday, July 22, 2016 2:52 PM

To: Alzate, Claudia (MDPR) <Claudia.Alzate@miamidade.gov>; Duncan, Steve (MDPR) <Steve.Duncan@miamidade.gov>

Cc: Centorino, Joseph (COE) <CENTORI@miamidade.gov>; Murawski, Michael P. (COE) <MURAWSK@miamidade.gov>;

Perez, Martha D. (COE) <perezmd@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>

Subject: Claudia Alzate, Pw & WM Maintenance Inspector 2, Miami-Dade Parks and Recreation (Outside Employment)
INQ 16-187

Dear Ms. Alzate:

You have inquired about possible conflicts of interest between your County employment and your proposed outside employment.

Background

You are employed at the Miami-Dade Parks Recreation and Open Spaces (MDPR) Department's, Right of Way and Assets Management Division, as a Public Works and Waste Management (PW & WM) Landscape Maintenance Inspector 2. Your job duties include oversight of County-wide landscaping of County medians and swales. This includes inspection and quality control of tree planting and landscape installations and oversight of all relevant project documentation; verification of completed work for payment; and inspection and maintenance of the County's Roadway Beautification tree inventory. Your County duties also include responding to County, State, and municipal governmental agencies and citizens' service requests for tree related issues countywide.

You are seeking outside employment as a Consulting Arborist with Metric Engineering, Inc. (Metric), a County vendor. One of the services provided by Metric in construction projects is tree inventory and assessment (to determine if trees are viable). Your duties as a Consulting arborist for Metric would include the inventory and assessment of trees that are on private properties. You would not be involved in governmental projects and your work for Metric would not include any landscaping administration or oversight. Metric would employ you on a project basis when other Metric staff is not available to perform this work. This work would occur outside of your County hours on evenings and weekends. Further, you advise that your work for Metric would not take place in unincorporated Miami-Dade County where you perform your County duties. Rather, the work would take place in Broward and Monroe Counties and in incorporated municipalities in Miami-Dade County. Although Metric is a County vendor, your supervisor confirms that Metric does not currently have any contracts with MDPR's Right of Way and Assets Management Division, the MDPR division that employs you, and that none of your County duties include vendor/contract selection committee activity; nor involvement in any aspect of Metric's contract(s) with the County.

Legal Analysis

Sections 2-11.1(j) and (k) of the County Ethics Code prohibit County employees from engaging in outside employment which would impair the County employee's independence of judgment in the performance of his or her official duties or creates a conflict between the County employee's public duties and his or her private interests. . Based on the facts

presented here, we concur with your supervisor that your proposed outside employment as a Consulting Arborist with Metric is not likely to create conflicting employment because:

- Your public duties as a PW& WM Landscape Inspector 2 Coordinator at MDP&R's Right of Way and Assets Management Division overseeing landscaping projects on County medians and the tree inventory and assessment functions you would perform for Metric as a Consulting Arborist are not closely related;
- Your work would be performed on private property, not on governmental property and would take place outside of unincorporated Dade County (Broward County, Monroe County and incorporated Municipalities in Miami-Dade);
- Metric does not have any contracts with MDP&R's Right of Way and Asset Management division;
- None of your County duties include involvement in any aspect of any contract Metric has with the County; and
- Your outside employment would occur outside of your County hours.

However, please note that certain limitations would apply:

- You may not use County time or resources in the furtherance of your outside employment (Miami-Dade Code § 2-11.1(g))
- You are prohibited from using any confidential information acquired as a result of your County employment to derive a personal benefit (Miami-Dade Code § 2-11.1(h));
- You cannot represent Metric in any matter before the County (Miami-Dade Code § 2-11.1(m)).

Furthermore, we remind you that all County employees engaged in outside employment must obtain permission to engage in that employment on a **yearly** basis. Miami-Dade Code §2-11, Administrative Procedure 7-1, and Procedure 403. Full-time County employees are also required to file an Outside Employment Statement on a **yearly** basis. Miami-Dade Code § 2-11.1(k)(2). In addition, County employees employed by County vendors must file an Affidavit with the Miami-Dade Clerk of the Courts disclosing employment with that vendor (Miami-Dade Code §2-11.1(f)). This affidavit can be found on the COE's website at: http://ethics.miamidade.gov/library/2016-publications/affidavit_of_no_controlling_interest.pdf.

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

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
gdiazgr@miamidade.gov
www.facebook.com/MiamiDadeEthics

From: Duncan, Steve (MDPR)
Sent: Thursday, July 07, 2016 12:03 PM
To: Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Cc: Cardenas, David (MDPR) <David.Cardenas@miamidade.gov>; Alzate, Claudia (MDPR) <Claudia.Alzate@miamidade.gov>; Santana, Mayra (MDPR) <Mayra.Santana@miamidade.gov>
Subject: RE: Request for outside employment

Good Morning Ms. Diaz- Greco,
I hope this e-mail finds you well.

Please see below embedded responses to your office's request for additional information regarding Ms. Alzate's outside employment application.

I hope that this information is helpful. Should you have additional questions or need anything further, please contact the RAAM office at your convenience.

Thank You.

Steven Duncan
Superintendent
Miami-Dade County Parks, Recreation and Open Spaces
Right of Way Aesthetic and Assets Management (R.A.A.M.)
305.270.1791
www.miamidade.gov/parks/

"Delivering Excellence Every Day"

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, June 30, 2016 10:45 AM
To: Duncan, Steve (MDPR)
Cc: Cardenas, David (MDPR); Alzate, Claudia (MDPR); Santana, Mayra (MDPR)
Subject: RE: Request for outside employment

Good morning Mr. Duncan:

I would need a some additional information in order to complete an opinion.

I would need:

- A copy of Ms. Alzate's Outside Employment request. **Please see attached**
- Detailed information regarding Ms. Alzate's duties in her County Employment. **Ms. Alzate's duties include: county wide contract tree planting and landscape installation project inspection, quality control, all relevant project documentation and verification for payment; inspection and maintenance of over 74,000 trees in the County Roadway Beautification tree inventory; responding to citizen and governmental agency service requests for tree related issues countywide**
- Information regarding whether Ms. Alzate would be involved in any selection committee regarding this vendor; and/or whether she in any way oversees or manages, or is/ or would be involved in any way in this vendor's/ contract with the County. For example, she states that her County responsibilities include countywide tree planting contracts; would she come into contact or have any dealing with this vendor while performing this or any other county duty? **Ms. Alzate's County duties do not include vendor/ contract selection committee activity and she will not be involved in any way with this vendor's contract with the County. Ms. Alzate's County duties will not involve any contact or other dealings with this vendor.**

Thank you and best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust

19 W. Flagler Street, Suite 820

Miami, FL 33130

Tel: (305) 579-2594

Fax: (305) 579-0273

gdiazgr@miamidade.gov

www.facebook.com/MiamiDadeEthics

From: Duncan, Steve (MDPR)

Sent: Wednesday, June 29, 2016 7:47 AM

To: Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>

Cc: Cardenas, David (MDPR) <David.Cardenas@miamidade.gov>; Alzate, Claudia (MDPR)

<Claudia.Alzate@miamidade.gov>; Santana, Mayra (MDPR) <Mayra.Santana@miamidade.gov>

Subject: FW: Request for outside employment

Good Morning Ms. Diaz-Greco,

I hope this e-mail finds you well.

Please be advised that Metric Engineering, Inc. is not listed as a vendor on any contracts currently utilized by the Parks, Recreation and Open Spaces Department's (PROS) Right of Way Aesthetic and Assets Management (RAAM) Division. Currently, I see no conflict of interest with and have no objection to Ms. Alzate's request.

I hope that this information is helpful. Should you have additional questions or need anything further regarding this matter, please contact the RAAM office at your convenience.

Thank You.

Steven Duncan

Superintendent

Miami-Dade County Parks, Recreation and Open Spaces

Right of Way Aesthetic and Assets Management (R.A.A.M.)

305.270.1791

www.miamidade.gov/parks/

"*Delivering Excellence Every Day*"

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Alzate, Claudia (MDPR)
Sent: Monday, June 13, 2016 7:14 AM
To: Duncan, Steve (MDPR)
Subject: Request for outside employment

Good morning Steve,

As discussed last Friday, I was required by the Ethics Commission to prepare a written request for outside employment, since the Company I would be working for (if approved) is a Miami-Dade County vendor. After your review, please send your findings to Gilma Diaz-Greco at gdiazgr@miamidade.gov Thanks!

I am requesting approval to accept outside employment with the company Metric Engineering Inc., located at 13940 SW 136th Street, Miami Florida, as a Consulting Arborist. In this position, I will be conducting tree inventories and tree assessments in private sites, located in Miami-Dade (only incorporated municipalities), Broward and Monroe Counties. The hours will be after 5:00 PM on weekdays, as needed, and weekends, not to exceed 20 hours/week. I am currently working for Miami-Dade County as a PW & WM Landscape Maintenance Inspector 2, with the Parks and Recreation Department, R.A.A.M Division, mainly responsible for countywide tree planting contracts.

Claudia Alzate

PW & WM Landscape Maintenance Inspector 2
Miami Dade County Parks, Recreation and Open Spaces
Right of Way Aesthetic and Assets Management Division (R.A.A.M)
305.270.1791



REQUEST FOR OUTSIDE EMPLOYMENT

Sections 2-11.1(j) and (k) of the Miami-Dade County Code provide that County employees may accept incidental or occasional outside employment as long as the employment is not contrary, detrimental or adverse to the interests of the County and as long as **no County time, equipment, or other resources are used**. Miami-Dade County [Administrative Order 7-1](#) and [Procedure 403](#) require that any County employee intending to engage in outside employment must first obtain approval from his/her Department Director using this **Request for Outside Employment** form. These approvals must be renewed on an annual basis. Copies of all outside employment approvals shall be maintained in the centralized personnel files of the Human Resources Department. Each County department shall also maintain appropriate records regarding outside employment requests. Full-time County employees engaging in outside employment must also file an **Outside Employment Statement** form with the Elections Department by July 1st of each year, in accordance with §2-11.1(k)(2) of the Miami-Dade County Code. More detailed information on outside employment is available on the [Miami-Dade Commission on Ethics website](#).

Employee's Name Claudia Alzate	Employee ID Number 00137573
--	---------------------------------------

Present County Employment (check one)

<input checked="" type="checkbox"/> County <input type="checkbox"/> Public Health Trust	
Department Parks, Recreation and Open Space	Position or Title PW & WM Landscape Maintenance Inspector 2
Job Responsibilities Tree planting program, contract oversight, tree inventory management, invoices verification.	

Proposed Outside Employment

Name of Company/ Organization	Metric Engineering
Job Title	Consulting Arborist
Responsibilities	Conduct tree inventories and tree assessments for private developments (excluding right-of-ways).
Location	Broward and Monroe Counties, Incorporated municipalities within Miami Dade County
Work Schedule	As needed after 5 PM on weekdays and weekends
Total hours per week	As needed, not to exceed 20 hours/week
Will your proposed outside employer release you if and when your services are needed by the County? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

In my outside employment, I am employed by one of the following types of organizations:

- Company or organization that is not a County vendor.
- Company or organization that is a County vendor. (An Ethics Opinion should be requested to ensure that no conflict of interest exists, and the County employee is required to file a sworn [affidavit](#) disclosing such employment with the County Clerk of the Board.)
- Self-employed through my private business, whether incorporated or not. (If your privately-owned business is seeking to contract with Miami-Dade County, you are required to request an [ethics opinion](#).)
- Company or organization owned by an immediate family member; defined as a spouse, domestic partner, parents, stepparents, children, and stepchildren of employee. (If the company owned by your immediate family member is seeking to contract with Miami-Dade County, [ethics opinion](#) is required.)

I affirm that the information I have provided is true and I pledge to abide by the requirements listed here.



Employee's Signature

5/26/2016

Date

Department Director's Approval

Date

Enterprise	Discounts	Bluebook	Idea Machine	Impress
-------------------	------------------	----------	---------------------	----------------

My BlueBook Profile

Search for County Employee

Select Department

Select Department ▼

Last Name First Name Office Number (305-xxx-xxxx)

Alzate Claudia

Exact Match

[My Blue Book Info](#)

Results

This is 1 out of 1 pages of results.

First Name	Last Name	Position	Division	Department	Email Address	Phone Number	Office Location
CLAUDIA	ALZATE	PWD L M IS RAAM	PARKS, RECREATION AND OPEN SPACES				

This is 1 out of 1 pages of results.

A production of the Communications Department (COM). Enabled by the Information Technology Department (ITD).

[Feedback](#) | [Help](#) | [eNet Roadmap](#) | For Password Assistance call 305-596-HELP



Detail by Entity Name

Florida Profit Corporation

METRIC ENGINEERING INC.

Filing Information

Document Number	509621
FEI/EIN Number	59-1685550
Date Filed	07/27/1976
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	03/08/2016
Event Effective Date	02/29/2016

Principal Address

13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Changed: 02/28/1994

Mailing Address

13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Changed: 02/28/1994

Registered Agent Name & Address

PEREZ, MARILEY
13940 S.W. 136TH STREET
SUITE 200
MIAMI, FL 33186

Name Changed: 07/20/2012

Address Changed: 07/20/2012

Officer/Director Detail

Name & Address

Title Director, Executive Vice President

CAULEY, DOUGLAS K
1265 Church Avenue
CHIPLEY, FL 32428

Title Senior Vice President

WAGES, WILLIAM R
615 Crescent Executive Court
SUITE 524
LAKE MARY, FL 32746

Title Senior Vice President

CODY, DALE
615 Crescent Executive Court
SUITE 524
LAKE MARY, FL 32746

Title Treasurer

GARCIA, ISABEL
13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Title Senior Vice President

LINARES, ROBERTO A
13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Title VP

RODRIGUEZ, FELIX
13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Title VP

WIWI, AMY Y
1265 Church Avenue
CHIPLEY, FL 32428

Title VP

FULLER, CHARLES B
615 Crescent Executive Court
SUITE 524
LAKE MARY, FL 32746

Title VP

DECRESIE, EDWARD J
615 Crescent Executive Court
SUITE 524
LAKE MARY, FL 32746

Title VP

STRATTON, CHARLES
615 Crescent Executive Court
SUITE 524
LAKE MARY, FL 32746

Title VP

BURNETT, WAYMON D.
2616 Jenks Avenue
PANAMA CITY, FL 32405

Title Director, CEO

BENITEZ, VICTOR M
13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Title Director, COO, Secretary

PEREZ, MARILEY
13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Title VP

SLOUP, WILLIAM F
615 CRESCENT EXECUTIVE CT., STE 524
LAKE MARY, FL 32746

Title VP

RODRIGUEZ, CARLOS D
13940 SW 136 STREET
SUITE 200
MIAMI, FL 33186

Title Director, President

BENITEZ, MANUEL A
13940 SW 136TH ST
SUITE 200
MIAMI, FL 33186

Title AT

BENITEZ, IVONNE
 13940 SW 136TH ST
 SUITE 200
 MIAMI, FL 33186

Title VP

CARNES, CLIFFORD CRAIG
 11760 MARCO BEACH DRIVE - STE. 1
 JACKSONVILLE, FL 32224

Title Director

Benitez, Veronica
 13940 SW 136TH ST
 SUITE 200
 MIAMI, FL 33186

Annual Reports

Report Year	Filed Date
2014	01/08/2014
2015	01/02/2015
2016	01/04/2016

Document Images

03/08/2016 -- Amendment	View image in PDF format
01/04/2016 -- ANNUAL REPORT	View image in PDF format
12/16/2015 -- Merger	View image in PDF format
12/02/2015 -- Amendment	View image in PDF format
01/02/2015 -- ANNUAL REPORT	View image in PDF format
09/10/2014 -- Amendment	View image in PDF format
08/19/2014 -- Amendment	View image in PDF format
01/16/2014 -- Off/Dir Resignation	View image in PDF format
01/08/2014 -- ANNUAL REPORT	View image in PDF format
06/25/2013 -- Amendment	View image in PDF format
02/04/2013 -- Off/Dir Resignation	View image in PDF format
01/03/2013 -- ANNUAL REPORT	View image in PDF format
07/20/2012 -- Reg. Agent Change	View image in PDF format
02/06/2012 -- ANNUAL REPORT	View image in PDF format
02/08/2011 -- ANNUAL REPORT	View image in PDF format
06/21/2010 -- ANNUAL REPORT	View image in PDF format
01/19/2010 -- ANNUAL REPORT	View image in PDF format
06/11/2009 -- ANNUAL REPORT	View image in PDF format
01/21/2009 -- ANNUAL REPORT	View image in PDF format

04/03/2008 -- ANNUAL REPORT	View image in PDF format
02/01/2008 -- ANNUAL REPORT	View image in PDF format
07/30/2007 -- Amendment	View image in PDF format
02/12/2007 -- ANNUAL REPORT	View image in PDF format
02/08/2007 -- Amendment	View image in PDF format
01/17/2006 -- ANNUAL REPORT	View image in PDF format
02/28/2005 -- ANNUAL REPORT	View image in PDF format
04/05/2004 -- ANNUAL REPORT	View image in PDF format
03/10/2003 -- ANNUAL REPORT	View image in PDF format
03/25/2002 -- ANNUAL REPORT	View image in PDF format
04/13/2001 -- ANNUAL REPORT	View image in PDF format
02/29/2000 -- ANNUAL REPORT	View image in PDF format
03/04/1999 -- ANNUAL REPORT	View image in PDF format
05/04/1998 -- ANNUAL REPORT	View image in PDF format
02/12/1997 -- ANNUAL REPORT	View image in PDF format
02/19/1996 -- ANNUAL REPORT	View image in PDF format
02/21/1995 -- ANNUAL REPORT	View image in PDF format
07/27/1976 -- Off/Dir Resignation	View image in PDF format

[Copyright ©](#) and [Privacy Policies](#)

State of Florida, Department of State