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STAFF GENERAL COUNSEL

October 3, 2006

Dave Caldera  
EDCA, Inc.  
14515 S.W. 167<sup>th</sup> Terrace  
Miami, FL 33177

**RE: INQUIRY 06-139**

Dear Mr. Caldera:

I received your request for an advisory opinion. You requested an opinion regarding whether you may accept outside employment as a qualifier for an electrical engineering firm.

In your letter, you advised me that you are an electrical engineer for the Department of Water and Sewer. You recently became an officer in EDCA, Inc. In EDCA, you serve as a qualifier and pull permits for the electrical work.

The Conflict of Interest and Code of Ethics ordinance permits you to serve as a qualifier for an electrical engineering firm. The Conflict of Interest ordinance also permits you to contract with municipalities and county departments except for the Department of Water and Sewer.

However, you are prohibited from meeting with any county personnel regarding the permit applications. Section 2-11.1(m)(1) prohibits employees from meeting with staff regarding permit applications. Section 2-11.1(m)(1) provides that Section 2-11.1(m)(1) provides that no employee "shall appear before any County board or agency and make a presentation on behalf of any third person with respect to any license, contract,

certificate, ruling, decision, opinion, rate schedule, franchise or other benefit sought by a third person. Nor shall such person receive compensation, directly or indirectly or in any form for services rendered to a third person in connection with the particular benefit sought by a third person." Therefore, you are prohibited from meeting with staff, for any reason including expediting the process, regarding the permit.

Finally, as you are aware, you must annually receive permission from your department for the outside employment and file the annual disclosure forms.

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.

Sincerely Yours,



ARDYTH WALKER  
Staff General Counsel