

Meyers, Robert (COE)

JNQ 07-84

From: Meyers, Robert (COE)
Sent: Monday, June 04, 2007 5:15 PM
To: Meyers, Robert (COE)
Subject: Inquiry

I received a phone call from Jose Smith, City Attorney of Miami Beach and Jean Olin, Deputy City Attorney, about the application of outside employment to investment properties. City Attorney Smith stated that he invests in rental properties, including a shopping center, that his mother and wife manage (outside of Miami Beach) and he draws income from these properties. He claims he is not involved in the management of these operations – he is simply an investor. I advised Mr. Smith that an employee who has private investments is not engaged in outside employment. The drawing of income from such an activity does not create outside employment unless the employee plays an active role with the investment company. Simply putting up the capital for a business activity that provides income to the employee-investor is not outside employment. The fact that his wife may play an active role with respect to the rental properties does not result in outside employment for him, either. He may, however, be required to report this business on his financial disclosure forms.

Robert Meyers
6/4/07

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