

Meyers, Robert (COE)

JNQ 07-187

From: Meyers, Robert (COE)
Sent: Wednesday, December 19, 2007 3:14 PM
To: 'Crowley, Spencer'
Subject: RE: manatee protection plan review committee

Spencer,

Thank you for you e-mail. Let me address your questions one-by-one.

Due to your appointment to the Manatee Protection Plan Review Committee, Section 2-11.1(m)(2) prohibits your from the County board or agency which you serve. In this particular case, the Environmental Quality Control Board (EQCB) is housed within DERM, which means you cannot personally appear before the EQCB.

The Ethics Commission has defined the term appearances quite broadly. Therefore, the activities you describe below (meetings with staff regarding permitting processes, handling issues related to water and sewer approvals and assisting clients in obtaining environmental permits) are considered appearances and would be precluded under the 2-11.1(m)(2). However, others in your law firm may "appear" in these capacities without violating the applicable code section.

Finally, your law firm may appear in any capacity in any matters relating to DERM during the period of your appointment given your current affiliation with your law firm. If your status with the law firm changes, we may have to revisit this question.

If you have any additional questions, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust
 (305) 350-0613

From: Crowley, Spencer [mailto:spencer.crowley@akerman.com]
Sent: Tuesday, December 18, 2007 4:11 PM
To: Meyers, Robert (COE)
Subject: manatee protection plan review committee

robert, to follow up on our conversation this afternoon i am writing concerning my appointment to the manatee protection plan review committee.

can you confirm whether, pursuant to section 2-11.1(m) of the county ethics ordinance, i would be prohibited from representing a client before the county's environmental quality control board (EQCB)?

can you explain the extent to which i may represent clients in matters relating to DERM, if such representation does not entail presenting before a DERM board. that is, would i be able to contact DERM staff regarding permitting processes, handle issues related to water and sewer approvals, assist clients in obtaining environmental permits, etc.

finally, can you confirm that my law firm would be permitted to represent clients before DERM, or in matters relating to DERM, during the period of my appointment. as we discussed i am not a partner with the law firm and i do not stand to individually benefit from any such representation which may occur. if there are any restrictions my law firm would experience by virtue of my appointment can you please elaborate on such restrictions.

thank you for your time and consideration of these issues.

12/19/2007

spencer

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12/19/2007