

Meyers, Robert (COE)

JAN 10-196

From: Meyers, Robert (COE)
Sent: Thursday, December 16, 2010 12:03 PM
To: Menge, Robert (SWM)
Subject: RE: Outside Employment

Dear Robert:

Thank you for your request for opinion. I will respond via e-mail, but let me know if you need something more formal. You have informed me that you are an employee in the Department of Solid Waste – fairly close to retiring – and you own and operate a company by the name of Advance Water Resources, Inc. The company has been in existence since 2000 and processes permit applications and phase one audits for businesses in Miami-Dade, Broward, Monroe and Palm Beach counties. From time-to-time, you acknowledge that your outside employment might require you to appear before the Miami-Dade Board of County Commissioners. You wish to know whether your outside employment activities conflict with your responsibilities as a County employee.

I am assuming that your job duties in Planning and Governmental Affairs in the Department of Solid Waste would never involve reviewing or approving any permit applications or audits perform for clients of Advance Water Resources. Thus, the major issue is whether you may represent your clients in meetings with County staff or in front of County boards or committees. You have stated that any appearance before the County Commission would be handled by one of your associates. Please keep in mind that you would also be personally barred from meeting with County staff as well, unless such meetings were purposes of addressing routine administrative matters. The Ethics Commission has held on numerous occasions that employees who have outside employment which requires interaction with other County employees on behalf of third party clients must limit their discussions to routine matters. If a County employee has discretionary authority with respect to an item you bring to his/her attention on behalf of one of your private clients, you would be in violation of the ethics code if you personally meet with County employees. Therefore, you would need to assign an associate to attend these meetings as well. As I stated above, if the issue is a routine one, it would be permissible for you to meet with your fellow County employees.

If you wish to discuss or have any questions, please do not hesitate to contact me.

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust

From: Menge, Robert (SWM)
Sent: Thursday, December 16, 2010 7:58 AM
To: Meyers, Robert (COE)
Cc: McDuffie, Stacey (SWM)
Subject: FW: Outside Employment

Good morning Robert,

Please let me know if you have had time to prepare an advisory opinion regarding my outside employment.

Thank you.

Robert Menge

Planning and Intergovernmental Affairs
 Department of Solid Waste Management
 2525 N.W. 62 Street, 5th Floor
 Miami, Florida 33147
 (305) 514-6787 (Office)

12/16/2010

(305) 514-6874 (Fax)

"Delivering Excellence Every Day"

"To provide our customers with exceptional waste collection, recycling and disposal services that protect, preserve and improve our environment and the quality of life in our community."

From: Menge, Robert (SWM)
Sent: Tuesday, December 14, 2010 12:19 PM
To: Meyers, Robert (COE)
Cc: McDuffie, Stacey (SWM)
Subject: FW: Outside Employment

Good afternoon Robert,
Thank you for returning my call. The name of my company is Advance Water Resources, Inc. The address is 9999 NE 2nd Avenue, Suite 313, Miami Shores Florida 33138. I opened the company in April 2000. My firm processes permit applications, and phase one audit for businesses in Miami-Dade, Broward, Monroe and Palm Beach Counties.

If a permit application requires appearing before any Miami-Dade County Board or the County Commission, I have associates from my company who appear on behalf of my clients to address those issues. I personally do not appear before any County Board or the County Commission.

Thank you for your assistance.

Robert Menge

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From: Menge, Robert (SWM)
Sent: Monday, December 13, 2010 10:12 AM
To: Meyers, Robert (COE)
Cc: McDuffie, Stacey (SWM)
Subject: Outside Employment

Good morning Robert,

As a follow up to my phone message, I have a consulting firm that assists clients in permit submittals and applications and I would like to receive an advisory opinion. Please let me know if there is a form or a process I need to follow to receive it.

Thank you for your assistance.

Robert Menge

12/16/2010

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