



June 23, 2011

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Douglas Pile, Esq.
New Business Division
Department of Water and Sewer
3575 LeJeune Road
Room 114
Miami, FL 33146

RE: REQUEST FOR ADVISORY OPINION RQO 11-15

Dear Mr. Pile:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on June 22, 2011 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the continued applicability of a previously issued advisory opinion.

In your letter, you stated that in 2009, you requested an opinion regarding any restrictions on outside employment as a political consultant. As a political consultant, you assist candidates and political committees in developing strategy, organization, fundraising, issue research and policy. You were formerly serving as an attorney in the Intergovernmental Affairs Division of WASD. In that capacity, you were responsible for negotiating and drafting agreements with municipalities for WASD services. In RQO 09-29, the Ethics Commission opined that you were prohibited from serving as a political consultant for any municipal client with which WASD had a contract.

You have recently transferred to the New Business Division. In your new job, you are responsible for drafting service agreements with residential and commercial developers for WASD services. In some cases, a municipality may serve as the developer for a project.

The Ethics Commission found that you may serve as a political consultant for municipal candidates in your new position. You may also serve as a consultant to political committees as long as they are not primarily comprised of or financed by developers with whom you are currently negotiating agreements. Further, you are prohibited from serving as a political consultant to principals of developers with whom you are drafting agreements for two years after you have concluded negotiations.

Finally, you must continue to provide a quarterly report of your clients to your department so they may monitor any potential conflict and file your annual outside employment disclosure form.

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 or Ardyth Walker, Staff General Counsel at (305) 350-0616.

Sincerely Yours,



ROBERT MEYERS
Executive Director

cc: Zaba S. Castro, WASD