

MEMORANDUM

To: Michael P. Murawski, Advocate

From: Arthur D. Skinner, Investigator

Re: K05-016 Design Center Supervisor Shailendra Singh, Department of  
Planning and Zoning

Date: April 2005

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**Recommendation:**

A finding of **Probable Cause** should be entered in the above captioned matter.

**Relevant Ordinance:**

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance section: 2-11.1 (j) Conflicting employment prohibited. No person included in the terms defined in subsections (b)(1) through (6) shall accept other employment, which would impair his independence of judgment in the performance of his public duties.

**Background and Investigation:**

This investigation began as a result of routine review of the Work Authorization Request forms received from the Miami-Dade County Department of Planning and Zoning (DP&Z), February 2005. A review of the DP&Z "Outside Employment Disclosure/Approval" form indicated that Employment Authorization had been approved to do consulting work for a company called Treasure Coast Regional Planning Council (TCRPC). On June 23, 2004, Singh approved his own application as the Immediate Supervisor, The Section

Supervisor Maria Crowley and the Director Diane O'Quinn-Williams approved the request.

A review of the TCRPC WEB site revealed that at least three Charrette projects were done by this company in Miami Dade County, Naranja Old Cutler Road, and North Miami. The company is a Florida Non-Profit company called Treasure Coast Enterprise Fund, Inc. DBA Treasure Coast Regional Planning Council (TCRPC). Committee members consist of community leaders from Martin, St. Lucie, and Palm Beach Counties.

On or about January 29, 2002 the Miami-Dade County Commission approved Resolution R-60-02, an interlocal agreement signed between the DP&Z and TCRPC to provide Charrette Planning Services and Report Development Assistance. The DP&Z is the county department that determines if the performance of TCRPC is in compliance with this agreement. The agreement authorizes a payment \$350,000.00 for TCRPC's services. The project was scheduled to run from January 2002 through June 2003.

Singh is a Supervisor in the DP&Z, Community Planning Section and supervised employees that worked on the project, and is responsible for approving the employees work product. From approximately July 22, 2002 through approximately March 14, 2004 Singh rated two employees assigned to the TCRPC projects as Above Satisfactory in their employee performance evaluations.

The two employees, Senior Planner Jess Linn and Principal Planner Natasha Alfonso have requested and received work authorization to work for TCRPC from Singh. The Employment Authorization for Singh clearly indicated

that the work to be performed by him was on Charrettes outside of Miami Dade County. Singh signed and approved his own work authorization form.

On April 14, 2005 COE Investigators interviewed Singh. Singh stated that the Charettes were not a conflict of interest because the work performed by him was outside Miami-Dade County. Singh said he had followed the Planning Department regulations on outside employment. Singh stated several times that the department approved the work authorization, and therefore it was their responsibility to determine if there was a conflict of interest.

Records from TCRPC show that Singh has received \$72,781.24 from 07/20/2001 through 11/06/2004. Singh began his employment with Miami-Dade County 09/02/2002.

**Analysis:**

The evidence shows that Singh had conflicting employment.

Singh stated on his Work Authorization application that he would be limited to working on TCRPC projects outside Miami-Dade County. This is in violation of the ordinance, and professional standards of conduct. It is clear that Singh accepted employment which would impair his independence of judgment in the performance of his public duties.

**F.S. 112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—**

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.-- (a) No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or

employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.