



## **Miami-Dade Commission on Ethics & Public Trust**

### **Investigative Report**

**Investigator:** Robert Steinback

<b>Case K13-079</b>	<b>Case Name:</b> Rodney Lovett	<b><u>Date Open:</u></b> 5/23/13	<b><u>Date Closed:</u></b> 6/3/13
<b>Complainant(s):</b> Pedro Cruz	<b>Subject(s):</b> Rodney Lovett		

#### **Allegation(s):**

- (1) That Rodney Lovett, Chief of the Sewer Collection Division of the Miami-Dade Water and Sewer Department (WASD), might have a conflict of interest for teaching courses for an outside private professional organization that WASD employees must take for licensing, certification and professional advancement, and,
- (2) That Lovett had not filed the required outside employment income documentation with the county.

#### **Relevant Ordinances:**

Sec. 2-11.1 (j): "No [county employee] shall accept other employment which would impair his or her independence of judgment in the performance of his or her public duties."

Sec. 2-11.1 (k)(2): "All full-time County and municipal employees engaged in any outside employment...shall file, under oath, an annual report indicating the source of the outside employment, the nature of the work being done . . .and any amount or types of money or other consideration received by the employee from said outside employment."



## **Investigation:**

The COE on Thursday May 23, 2013, received a complaint from Pedro Cruz (Cruz), a supervisor at WASD, asking if one of his supervisors, Rodney Lovett (Lovett), might have a conflict of interest in that Lovett is also an instructor for the Florida Water & Pollution Control Operators Association (FW&PCOA). Lovett is Chief of the Sewer Collection Division for WASD.

Cruz pointed out that water and wastewater department employees are required by the Florida Department of Environmental Protection to have certain licenses and certifications, and that employees must pay for the courses offered to obtain those certifications. Though he didn't spell out his concern in detail, it seems Cruz was wondering if Lovett was somehow personally benefiting improperly from referring or directing employees to classes he, Lovett, teaches.

This investigator located the website for the FW&PCOA and contacted its executive director for background and general information on the organization.

## **Interviews**

### **Tim McVeigh**

*Executive Director*

[exec-dir@fwpcoa.org](mailto:exec-dir@fwpcoa.org)

(954) 683-1432

This investigator contacted Tim McVeigh (McVeigh), executive director of the FW&PCOA, by telephone on Friday, May 31, 2013, at approximately 2:30 p.m.

McVeigh stated that his organization is a private, non-profit professional Florida corporation formed in 1941, which provides training to Florida water and wastewater operators to advance and enhance their professional skills. McVeigh said that while some operators' licenses and certifications are required by the state, many of the courses are elective, allowing operators to earn credit toward higher professional classifications in the interest of career advancement.

It should be noted that FW&PCOA is one of at least five Florida organizations that offer such training, so water/wastewater employees have options as to where they choose to attend classes.

Significantly, McVeigh said that with just a few exceptions, nearly all instructors for FW&PCOA are unpaid volunteers.

McVeigh also said that his organization maintains no contractual arrangements with Miami-Dade County.



**Rodney Lovett**

Chief, Sewer Collection Division, WASD

This investigator spoke with Lovett on Monday, June 03, 2013, at approximately 10:20 a.m.

Lovett stated that he serves as a board member for FW&PCOA, and has taught for the organization for 12 to 14 years. Lovett said he is not compensated for the courses he teaches, aligning with the comments of McVeigh.

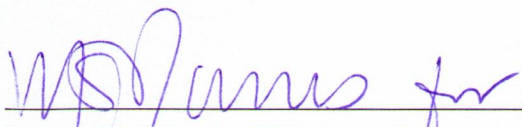
***Additional Note:***

Independent of the initial complaint, this investigator had noted in the employee phone log that Lovett's wife, Maria E. Lovett, works in the Water and Sewer Construction Support section of WASD, raising the question of whether an employee might have direct supervisory responsibility over a spouse. According to an organizational chart included in the department's 2012 annual report, the construction operations sections is not in the chain of authority of the wastewater collection department, and so this investigator opted not to raise the question with Lovett.

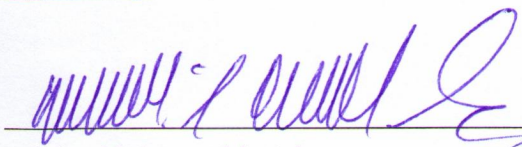
**Conclusion(s):**

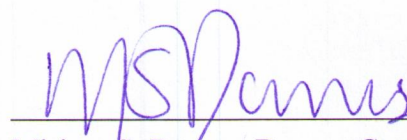
This investigator has determined that Lovett does teach certain certification and licensing classes for a private professional organization, but he is not paid to do so, and thus does not need to file the outside employment form. Further, the professional organization in question is not a county contractor, and county employees are not compelled to take their licensing and certification courses with this organization, as there are at least four others in Florida that offer similar courses. Thus, there appears to be no indication of an impermissible conflict of interest.

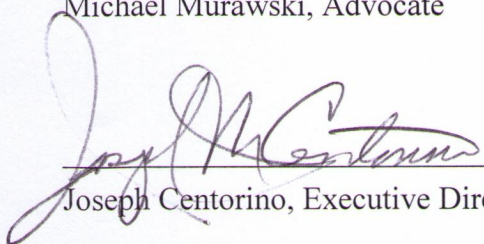
On a matter observed by this investigator but not part of the original complaint, it does not appear that Lovett has direct supervisory authority over his spouse, who works for the same department but in a different section.

  
Robert Steinback, COE Investigator

Approved by:

  
Michael Murawski, Advocate

  
Miriam S. Ramos, Deputy General Counsel

 6/3/13  
Joseph Centorino, Executive Director