

MEMO

COMMISSION ON ETHICS & PUBLIC TRUST

TO: File
COPY: Robert Meyers
FROM: Victoria Frigo
DATE: Aug. 27, 2007
RE: INQ 07-140

Michael Pizzi, Miami Lakes Council Member, asked if he may vote on a waste hauling franchise fee. In his capacity as a private attorney, one of his clients is a waste hauler.

Mr. Pizzi does not know and does not want to ask his client if the client does business in the city of Miami Lakes. *If* the client did business in Miami Lakes, the client would be directly affected by the waste hauling franchise fee, and Mr. Pizzi would not be allowed to vote on this matter under Section (d).

In a telephone conversation today with Mr. Pizzi, he advised me that about 30 to 40 companies are in the solid-waste business in the Miami Lakes area. About 90% of the business goes to a group of companies organized under an umbrella consortium. His client is an independent company and not part of this umbrella organization. Consequently, Mr. Pizzi argues that if his client were involved in waste hauling in the city, the involvement would be minimal.

I told Mr. Pizzi that the conflict did not rest on that issue, but on whether his client was affected, indirectly or directly, even if minimally.

Consequently, Mr. Pizzi advised me that he plans to attend the budget workshop tonight but will speak generically about his disapproval of all franchise fees. He will not vote specifically on a franchise fee affecting waste haulers.