

MEMO

TO: File

FROM: Victoria Frigo

DATE: June 22, 2010

RE: INQ 10-113 Dannheisser

Lynn Dannheisser, Attorney for the Town of Surfside, asked if she was required to disclose outside employment with individuals who engaged her as a private attorney. Her contract with the Town of Surfside allows her to enter into this type of outside employment with private individuals as well as with other municipal entities. She is also employed from time to time as an adjunct faculty member at St. Thomas Law School.

I told her that Robert Meyers and I agreed that she must disclose outside employment for all of the work discussed above.

She further asked if she must reveal the names of her private clients on the Outside Employment Statements. I said that she could name her private attorney firm as the source of income, rather than listing individual clients.

Finally, she asked if she could file the form with the Co. Elections Dept. rather than with the Surfside municipal clerk. I told her that she must file with the municipal clerk.

Frigo, Victoria (COE)

From: Meyers, Robert (COE)
Sent: Monday, June 21, 2010 3:41 PM
To: Frigo, Victoria (COE)
Subject: FW: Speaking/Outside Employment Statement

From: Lynn Dannheisser [mailto:ldannheisser@townofsurfsidefl.gov]
Sent: Monday, June 21, 2010 10:18 AM
To: Meyers, Robert (COE)
Cc: Lynn Dannheisser
Subject: RE: Speaking/Outside Employment Statement

Hi Robert:

Two things:

1. My Commission decided they did not need a workshop on sunshine and public records at this time since many of them attended the one you gave during the elections and have also attended League of Cities seminars. We may want to schedule in six months or so as a refresher but I thank you for your willingness to make yourself available (as always!)
2. I just want to confirm a conversation I had with Victoria from your office relating to "outside employment" disclosure forms which are to be filed by July 1. When I was with Weiss Serota I do not recall any of us city attorneys for multiple jurisdictions filing this form and now, as you may know, my employment agreement with the Town of Surfside also allows me to be retained by other clients on a case by case basis and from time to time on particular matters. My concern was whether retention as legal counsel on an isolated basis would be considered as "outside employment" for purposes of the annual disclosure. It does not seem so but I want to be on the safe side. While there did not seem to be any precedent for this question, after reviewing the language together, we agreed that it did not appear to fall within the definition or intent of this legislation. If you are aware of anything else I should consider, please advise.

Also, as I write this it occurs to me that from time to time I am also an adjunct professor at St Thomas law school teaching land use. I am not doing it this fall but may in the future. Would this fall within the definition? I am not seeking a formal opinion, just your thoughts on it. I will pursue the questions further if you think it appropriate.

Best regards,

Lynn



Lynn M. Dannheisser

6/22/2010

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"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has." - Margaret Mead

Note: Florida Public Records Law provides that most written communications to or from Municipal employees regarding town business are public records, available to the public and media upon request. Therefore, this e-mail message may be subject to public disclosure.

From: Yamileth Slate-McCloud
Sent: Monday, June 21, 2010 9:49 AM
To: All-Surfside
Subject: Outside Employment Statement- Reminder

Good morning,

Full-Time County and Municipal employees engaging in outside employment must file an annual disclosure report no later than July 1st of each year as required by the Miami-Dade County Code, Section 2-11.1 (k)(2).

Outside Employment is defined as providing services or capital, other than to the Town of Surfside, with the intent of earning a profit or income, including but not limited to, being an employee, an independent contractor, an agent, or by self-employment.

I have attached an Outside Employment Statement Form for your use in filing the annual disclosure with my office. This form is to be submitted by only those employees who have outside employment to disclose. If you do not have outside employment you do not need to submit the form.

This form must be returned to Yamileth Slate-McCloud, Human Resources Coordinator by those required to file **no later than Friday, June 25, 2010.**

DO NOT SEND THE FORM TO THE COUNTY.

6/22/2010



Yamileth Slate-McCloud
Human Resources Coordinator

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