
From: Perez, Martha D. (COE)
Sent: Thursday, August 20, 2015 1:46 PM
To: Jason Hagopian
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE); Sanchez, Rodzandra (COE); thannon@miamigov.com
Subject: Jason Hagopian, Architect, TSAO Design (Lobbyist registration & Training) INQ 15-185
Attachments: Miami Lobbyist Ordinance.pdf; RQO 02-177 Brown-Morilla, R. Letter & Opinion.pdf

Dear Mr. Hagopian,

You inquired whether you are required to register as a lobbyist in the City of Miami when performing services as an Architect/Consultant on behalf of Miami-Dade County's Public Housing & Community Development (PHCD).

As background, your firm, TSAO Design, entered into a professional services agreement with Miami-Dade County to assist PHCD with a zoning change application to be presented to the City of Miami Commission Planning & Zoning Appeals Board. Specifically, you will be providing factual information to the Board in order to seek rezoning of the PHCD site on behalf of PHCD.

Public Officer/Employee Exception under Miami-Dade County and City of Miami Lobbying Ordinances

Section 2-11.1(s)(1)(b) of the County's Ethics Code specifically excludes from lobbyist registration requirements any public officer, employee or appointee appearing in his or her official capacity. In **RQO 02-177**, the Ethics Commission opined that a private firm hired by a municipality to represent its interests before the city commission of another municipality fell under the "public officer/employee/appointee" exception to the County's lobbying regulations.

Correspondingly, Section 6-253 of the City of Miami Lobbyist Ordinance contains an exception from the lobbying registration and training requirements for a government employee acting in his or her official capacity. That section defines a "government employee" as any agent of government, whether elected, appointed or *hired*, paid or unpaid, *who is acting on behalf of* [inter alia] a county or municipality of the State of Florida.

Consequently, you are appearing in your official capacity as the designated Architect of the County's PHCD on a specific County zoning change (rezoning) application to provide factual information on this issue. As a result you are not required to register as a lobbyist under the "government employee" exception to the City's lobbying registration requirements.

I am attaching RQO 12-177 and the City of Miami's Lobbyist Ordinance for informational purposes.

This opinion is based on the facts presented. If these facts change, kindly contact us.

Martha D. Perez
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From: Jason Hagopian [<mailto:jhagopian@tsaodesign.com>]
Sent: Monday, August 17, 2015 9:21 AM
To: Perez, Martha D. (COE)
Cc: Janie Coka
Subject: Lobbyist Training

Dear Ms. Perez,

It was a pleasure meeting you at the August 14 Lobbyist Training.

Per our discussion, I am an Architect that has been hired by the County to assist them with a Zoning change application that will require me to present to the County Commission on behalf of Miami Dade Housing.

I have enclosed my contract with the County. It was Christine Hwa, the Hearing Boards Coordinator that is requiring us to register as a Lobbyist.



Christine Hwa, Hearing Boards Coordinator
Planning and Zoning Department, Hearing Boards Section
City of Miami
chwa@miamigov.com
305.416.2031

Can you review and let me know if this request is valid? I'd prefer not to have to be a Lobbyist if not needed.

Sincerely,

Jason Hagopian, AIA, LEED AP
Principal

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