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December 20, 1999

John Hamill
President
Intermodal Applications
P.O. Box 15285
Sarasota, Florida 34277

RE: REQUEST FOR ADVISORY OPINION 99-54

Dear Mr. Hamill:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on December 15, 1999 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any conflicts between your former employment with the Aviation Department and your work with Stagecoach Aviation.

In your letter, you advised the Commission that you are a former management-level employee at the Aviation Department and that you have been asked to submit a proposal by your firm, Intermodal Applications, to Stagecoach Aviation. Stagecoach Aviation is working on the development of the Opa-Locka Airport. Intermodal's proposal to Stagecoach involves the technical aspects of noise mitigation, design, construction, planning, development and other related areas. You will not interact with the Board of County Commissioners or their staff nor do you intend to represent Stagecoach as a lobbyist.

The Commission found that The Conflict of Interest and Code of Ethics Ordinance does not prohibit you from serving as a subcontractor to Stagecoach Aviation and providing technical assistance regarding their lease at Opa-Locka Airport. Section 2-11.1(q)(4) only restricts former employees from lobbying the county with regard to any issue in which Miami-Dade County has an interest. Section 2-11.1(q)(4) provides that " no former county officer, departmental personnel or employee who has left the county within the two years prior to the effective date of this ordinance shall for a period of two years prior to the effective date of this ordinance shall for a period of two years after his or her county service or employment has ceased enter into a lobbying contract to lobby any county officer, departmental personnel or employee in connection with any judicial or other proceeding , application, RFP, RFQ, bid, request for ruling or other determination, contract, claim, controversy, charge, accusation, arrest or other particular subject matter in which Miami-Dade county or one of its agencies or instrumentalities has a direct or substantial interest and in which he or she participated directly or indirectly as an officer, departmental personnel or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise during his or her county service or employment.

Therefore, you may work for a company that has a contract with Miami-Dade County as long as the work does not involve lobbying any county employee or official in regard to work done by Stagecoach Aviation.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you

have any questions regarding possible
conflicts under state law.

If you have any questions regarding the
opinion, please call the undersigned at (305)
579-2954 or Ardyth Walker, Staff General
Counsel at (305) 579-2653.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director