



August 1, 2011

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STAFF GENERAL COUNSEL

Leonard Gonzalez
10015 S.W. 85th Street
Miami, FL 33173

REQUEST FOR ADVISORY OPINION-RQO 11-24

Dear Mr. Gonzalez:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on July 26, 2011 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any post-employment restrictions on work for a county contractor.

In your letter, you advised the Commission that you recently accepted employment with Odebrecht Global Sourcing, Inc. Odebrecht is a current county vendor that is currently working on construction projects for several county departments. In your capacity as a Contracting Officer, you have purchased commodities and have not handled construction contracts. You will also be serving as a purchasing agent for Odebrecht.

The Commission found the Conflict of Interest and Code of Ethics ordinance permits you to accept employment from a current county vendor. Section 2-11.1(q) (two-year rule) only prohibits former employees from lobbying county officials during the two years after they leave county employment.

Section 2-11.1(q) provides that "no person who has served as an elected county official, County Manager, senior assistant to the County Manager, department director, departmental personnel or employee " shall for a period of two years after his or her County service has ceased, 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 or accusation in which Miami-Dade County or one of its agencies or instrumentalities is a party or has any interest whatever, direct or indirect." The Conflict of Interest ordinance broadly defines lobbying as seeking to influence county staff, the County Manager or any member of the Board of County Commissioners during the entire decision-making period of any legislative action, decision or action that may foreseeably come before the Board of County Commissioners or any County board."

Section 2-11.1(q) prohibits you from lobbying county officials on Odebrecht's behalf for two years. However, Section 2-11.1(q) permits you to provide services related to county projects. The two-year rule permits former employees to provide management and oversight of county projects (See RQO 08-18) including coordination of activities between Miami-Dade County, outside agencies and county contractors. Further, Section 2-11.1(q) permits you to meet with county staff and appear before county boards and committees as long as any appearance is related to an awarded contract.

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 this
opinion, please call the undersigned at (305)
579-2594 or Ardyth Walker, Staff General
Counsel at (305) 350-0616.

Sincerely Yours,

A handwritten signature in blue ink, appearing to read 'R. Meyers', with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director

cc: Miriam Singer, Department of Procurement
Management