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**MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST**

In re: ALEX GONZALEZ

C 08-05

PUBLIC REPORT AND FINAL DISMISSAL ORDER

The ADVOCATE filed the above-referenced COMPLAINT against RESPONDENT Alex Gonzalez, a Government Affairs Director at Waste Management, Inc., of South Florida. The COMPLAINT alleged that in 2006 the RESPONDENT did not register as a lobbyist prior to appearing at two Selection Committee meetings in the City of Opa-locka. The RESPONDENT was called on by city commissioners to answer questions regarding a pending waste collection contract. RESPONDENT's regular duties with Waste Management included responding to city officials, employees, and citizens regarding performance of a current contract. Failure to register as a lobbyist, before engaging in lobbying activities, violates the Opa-Locka City Code at § 2-18 (c).

Pursuant to the Code of Miami-Dade County at Section 2-1068, the Commission on Ethics & Public Trust has jurisdiction to enforce the City of Opa-Locka Code at § 2-18 (c). In pertinent part, this section of the City Code includes within the definition of lobbyists "any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee." Unlike the County Code, no exceptions are made for employees whose normal duties do not include lobbying or who appear before selection committees only as listed members of a presentation team.

On March 26, 2008, the Commission on Ethics found the above-referenced COMPLAINT to be legally sufficient. On April 24, 2008, the ADVOCATE moved that the COMPLAINT be dismissed for good cause. Because the RESPONDENT's activities were limited to answering questions posed to him by city officials in a public meeting, the ADVOCATE contended that the public's interest would not be served by pursuing the COMPLAINT further. However, the RESPONDENT was advised to seek an Ethics Opinion regarding prospective lobbyist activities in Opa-locka.

Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT is hereby DISMISSED.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on April 24, 2008.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.

Chairman