



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

April 18, 2007

Dr. Carlos Bonzon
601 San Juan Drive
Coral Gables, FL 33143

Dear Dr. Bonzon:

Thank you for your letter dated April 3, 2007. The relevant facts are that you retired from County service after 35 years and have been offered a position with Bermello Ajamil & Partners, Inc., an architectural and engineering firm doing business in the United States and other countries. In your position as Director of Infrastructure and Municipal Services for the firm, there is a potential for you to interact with County officials and other personnel during the course of your employment with BA. The County's Conflict of Interest and Code of Ethics Ordinance contains a provision that restricts former employees from lobbying in the County for two years from their date of separation from Miami-Dade County. You present a series of questions pertaining to possible limitations/restrictions placed on you on account of this Two-Year Rule. I would answer the nine questions in the following manner:

- 1) You may attend Commission meetings and there are no limitations placed on such attendance. The Sunshine Law holds that the public is entitled to attend all public meetings and you are certainly a member of the public for purposes of this analysis. Obviously, you would not be permitted to appear in front of the County Commission at these meetings on behalf of BA.
- 2) You can sit in the audience at any BCC/Committee meeting as long as the meeting is a public meeting. If the meeting is not open to the public, you should not be present.
- 3) You can call directors and their staff to find out about upcoming projects as long as there is no attempt on your part to lobby them while you are requesting such information.
- 4) You can meet directors and their staff to find out about upcoming projects as long as you do not attempt to lobby them during your meeting(s).
- 5) If other members of BA are lobbying when you are present at a private meeting, you would be in violation of the Two-Year Rule. If other firm members are simply asking questions and you are present during these discussions, your firm is not lobbying.
- 6) Scheduling a meeting between members of BA and County staff would be permissible. Moreover, you can mention the purpose of the meeting with the individuals who schedule the meetings for the County staff your firm wishes to see.

- 7) You may attend Selection Committee meetings and not speak. I am assuming that such meetings are open to the public. If the meetings were closed for some reason, you would not be allowed to attend.
- 8) There should be no mention of your name in connection with the proposal being submitted by BA to the County. This is an indirect attempt by the firm to utilize your name, background and experience to secure work for the firm. This is a form of lobbying which you cannot engage in until the expiration of the two year period. Similarly, it would not be proper for your experience and qualifications to be stated to the Selection Committee as part of the firm's presentation.
- 9) You cannot participate in contract negotiations with County staff. The Ethics Commission's definition of lobbying includes contract negotiations.

Please understand that above represents my opinion and has not been presentation to the Ethics Commission. If you would like to seek a formal opinion from the Ethics Commission, I can schedule this item for our May meeting. If you have any specific questions of me, please do not hesitate to contact me at your convenience. My e-mail address is rmeyers@miamidade.gov and my direct telephone number is (305) 350-0613.

Sincerely,



Robert Meyers
Executive Director

April 3, 2007

Mr. Robert Meyers
Executive Director
The Commission on Ethics and Public Trust
19 West Flagler - Suite 820
Miami, Florida 33130

Re: Request for Advisory Opinion:

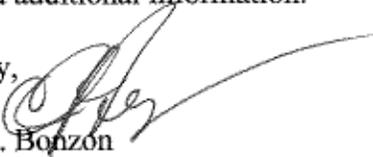
Dear Mr. Meyers:

As you may be aware, I retired from Miami-Dade County after 35 years of service this past December 31, 2006. At the time of my retirement, I was an Assistant County Manager overseeing Public Works, Transit, MPO, CITT and Capital Improvements. On April 16, 2007 I will begin employment with Bermello Ajamil & Partners, Inc., a private Architectural and Engineering firm doing business in the U.S.A. and other countries. I will be the Director of Infrastructure and Municipal Services which includes Transportation and Aviation services. I have read pertinent advisory opinions issued by the Commission on Ethics and Public Trust and posted on the Miami-Dade website. In particular, I have carefully reviewed Advisory Opinion 04-34 which very closely parallels my situation. Nevertheless, in an abundance of caution, I request an advisory opinion clarifying the restrictions and possible conflicts related to my employment with Bermello Ajamil (ba). In particular, please clarify the following:

1. Can I attend Commission meetings? If yes, are there any limitations other than what is inherent in the definition of lobbying?
2. If there is a contract or item on a BCC/Committee agenda that BA has an interest in can I attend those meetings and just sit in the audience?
3. Can I call department directors or any member of their staff to find out about upcoming projects (scope and anticipated advertisement date?)
4. Can I meet with department directors or any member of their staff to find out about upcoming projects (scope and anticipated advertisement date?)
5. Can I bring other members of BA along?
6. Can I just schedule the meetings between members of BA and County staff and not attend myself as long as the meetings are only for the purpose delineated in No.4 above?
7. Can I attend Selection Committee meetings when BA is making a presentation as long as I do not speak?
8. Can I be identified by BA as the Partner-in-Charge or Project Manager on a proposal submitted to the County? Can a person from BA who is making a presentation before a Selection Committee orally indicate that I will be the Partner-in-Charge or PM and state my experience and qualifications to the Selection Committee?
9. If a contract is awarded to BA by the BCC can I participate in contract negotiations with County staff?

Thank you in advance for your usual prompt attention to these matters. Please advise if you need additional information.

Sincerely,



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Coral Gables, Fla. 33143

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