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November 22, 2013

Randy Mosley and Michelle Fletcher
Randy's Barbeque & Catering Services, LLC
14361 Carver Drive
Miami, FL 33176-6429

11110 SW 196 St., Apt. A-403
Cutler Bay, FL 33157-8350

Re: INQ 13-302 Limitations on Doing Business with the County

Dear Officer Mosley and Ms. Fletcher:

On November 11, 2013, you asked about limitations in doing business with the County through your privately owned company, Randy's Barbeque & Catering Services, LLC. Officer Mosley is employed as a Correctional Officer with the Miami-Dade County Corrections & Rehabilitation Department, and Ms. Fletcher is employed as a Parks Manager with the Miami-Dade County Parks & Recreation Department.

The County Ethics Code at Sec. 2-11.1 (c)(2) allows your company to enter into a contract with Miami-Dade County as long as the contract does not interfere with the full and faithful discharge of your duties to the County. This includes the condition that you do not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. Finally, you may not work in any County department that will enforce, oversee or administer your contract. In your case, this means that Randy's Barbeque & Catering Services, LLC, may not enter into contracts with the Miami-Dade County Corrections & Rehabilitation Department and with the Miami-Dade County Parks & Recreation Department.

Additionally, you may not lobby for the contract. This means that you may not contact anyone within the County in an attempt to influence his/her decision about the contract you are seeking. (See the County Ethics Code at Sec. 2-11.1 (m)(1).)

This opinion construes the Miami-Dade County Ethics Code as it applies to County employee-vendors at Secs. 2-11.1 (c)(1) and (m)(1) only. It is not applicable to any conflicts under other sections of the County Code or to issues related to state or federal laws.

If any of the facts you have presented change or if you have further questions, please feel free to contact Staff Attorney Gilma Diaz-Greco at 305 350-0638.

Sincerely,


VICTORIA GRIGO
Senior Staff Attorney

This letter does not grant you permission to engage in outside employment. You must obtain permission to engage in outside employment annually from your department director and file related financial disclosure forms every year.