



MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

August 12, 2013

Barry E. Johnson, President/CEO
Greater Miami Chamber of Commerce
1601 Biscayne Boulevard, Ballroom Level
Miami, FL 33132

Re: RQO 13-07 José Abreu
Former County Airport Director subject to County Ethics Code at Sec. 2-11.1 (q)

Dear Mr. Johnson:

At a public meeting on July 11, 2013, the Miami-Dade Ethics Commission opined that José Abreu, the former County Airport Director, may serve as the unpaid volunteer Chair of the Transportation and Infrastructure Committee of the Greater Miami Chamber of Commerce, with certain limitations.¹

Specifically, the Miami-Dade County Code at Sec. 2-11.1 (q) prohibits Mr. Abreu from lobbying County officials and personnel for two years following his County employment. This two-year lobbying ban has been interpreted very expansively by the County Ethics Commission to cover any of Mr. Abreu's activities intended to influence an official decision or official action, regardless of whether the action will foreseeably be heard or reviewed by a commission, board or committee.²

The Transportation and Infrastructure Committee, which Mr. Abreu would be heading, considers and provides forums to evaluate transportation issues and problems facing the Miami-Dade Community. In this setting, Mr. Abreu cannot, for the next two years, attempt to influence County officials and/or staff to take official actions regarding transportation

¹ Mr. Abreu resigned from County employment in March 31, 2013, and, consequently, subject to post-employment lobbying restrictions until March 30, 2015, *i.e.*, for two years following his County service.

² See **RQO 12-09** to Charles O. Carreño, former Department Director, Office of Capital Improvement Projects, City of Miami Beach; **RQO 04-33** to Charles Danger, Director, County Building Dept.; **RQO 04-201** to Rene Rodriguez, retired Director, County Housing Agency; and **RQO 04-34** to Danny Alvarez, former Director, County Transit Dept.

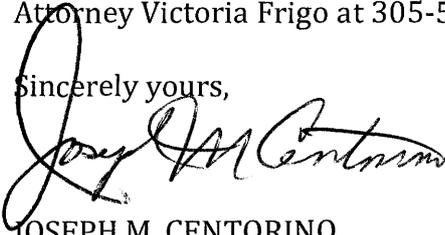
and infrastructure projects or any other County matters intended to benefit Chamber members.

The Ethics Commission recognizes that the Chamber engages a Governmental Affairs Group to promote its public policy positions at the local, state, and federal levels and that its committee chairs do not lobby *in the traditional sense*. However, we caution Mr. Abreu to take into account the very broad range of activities the County Ethics Commission has banned as lobbying under the post-employment "two-year rule." As Chair of the Transportation and Infrastructure Committee, Mr. Abreu may meet with County officials and personnel as long as he does not seek to influence a County official and/or County personnel to take an official County action.

This opinion construes the Miami-Dade County Ethics Code and is not applicable to other conflicts under County or State laws. Inquiries regarding possible conflicts under State ethics laws should be directed to the State of Florida Commission on Ethics.

If you have any questions regarding this opinion, please call the undersigned or Senior Staff Attorney Victoria Frigo at 305-579-2594.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Joseph M. Centorino". The signature is fluid and cursive, with a large initial "J" and "C".

JOSEPH M. CENTORINO
Executive Director and General Counsel