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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Thursday, June 18, 2015 2:08 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** FW: Joseph Webb, Parks Planning Section Supervisor, County Parks and Recreation Department (two year rule) INQ 15-125  
**Attachments:** RQO 12-09 Carreno.pdf; rqo\_11-24\_gonzalez.pdf

[INQ 15-125 Webb](#)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Thursday, June 18, 2015 1:32 PM  
**To:** 'Joseph Webb'  
**Cc:** Centorino, Joseph (COE)  
**Subject:** Joseph Webb, Parks Planning Section Supervisor, County Parks and Recreation Department (two year rule) INQ 15-125

Dear Mr. Webb:

You have inquired whether Section 2-11.1(q) of the County Ethics Code (“two-year rule”) would preclude you from providing technical expertise on projects that your prospective employer, AECOM Technical Services (AECOM), a County vendor, has with the County; and generally, what other post-employment restrictions would apply to you under the two year rule.

As background, you are currently employed as a Parks System Planning Section Supervisor by the Miami-Dade County Parks, Recreation and Open Spaces Department (MDPROS). Your job duties in your County position include preparation of scopes of work and approval of payment for services delivered through a master professional services agreement, for multiple outside vendors, including AECOM. You advise that you recently accepted a position with AECOM. You informed your County supervisors that you were applying for a position with AECOM and following your application with this vendor, you have removed yourself from the preparation of any scopes of work, or administration of any or any work associated with AECOM.

The County Ethics Code at 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."

Lobbying activities described in the post-employment ordinance are more expansive than those found under the general lobbying ordinance at Section 2-11.1(s) of the County Ethics Code. Whereas the general lobbying ordinance characterizes lobbying as advocating for items that will foreseeably be decided or recommended by any city commission, city board or the city manager, the post-employment ordinance makes no such limiting connection to matters that will foreseeably be brought before voting bodies or the city manager. Consequently, advocating for decisions that may be made at the sole discretion of any municipal personnel, not necessarily a voting body or the manager, are prohibited under the post-employment ordinance. For example, you are prohibited from arranging and/or participating in meetings with County officials and staff on behalf of AECOM and its professional partners if the meetings are convened for the purpose of influencing elected officers and/or **County employees** to take an official action or make an official decision (emphasis added). *See* RQO 12-09.

However, while Section 2-11.1(q) prohibits you from lobbying county officials on AECOM’s behalf for two years; you would not be prohibited from providing services related to County projects. The two-year rule permits former

employees to impart institutional knowledge and history of the County's Capital Improvement Programs to your team members (*See* RQO 12-09); 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; and 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* (emphasis added). *See* RQO 11-24.

For informational purposes, I have attached RQOs 12-09 and 11-24 which detail the two year rule.

In addition, former County employees are cautioned that they may not engage in any activity which would require them to disclose confidential information acquired by reason of their official position, nor use such information directly or indirectly for their personal gain or benefit. *See* Miami-Dade County Code §2-11.1(h)

This opinion is based on the facts presented. If these facts change, please contact us.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



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**From:** Joseph Webb [<mailto:joewebb1@live.com>]

**Sent:** Tuesday, May 19, 2015 2:51 PM

**To:** Diaz-Greco, Gilma M. (COE)

**Subject:** Webb Request for Opinion

Hi Gilma,

Attached please find my request for an opinion, revised per our discussion today. Please keep me apprised as the process moves forward.

Thank you very much for your help.

Joe Webb