
From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, November 18, 2015 12:52 PM
To: Sanchez, Rodzandra (COE)
Subject: FW: Carli Koshal, Esq. Bercow Radell & Fernandez (Two- Year Rule) INQ 15-261

INQ 15-261 Koshal

From: Perez, Martha D. (COE)
Sent: Wednesday, November 18, 2015 12:51 PM
To: ckoshal@brzoninglaw.com
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Carli Koshal, Esq. Bercow Radell & Fernandez (Two- Year Rule) INQ 15-261

Dear Ms. Koshal,

You inquired whether the County's "Two-Year Rule" applies to members of the Town of Surfside Planning & Zoning Board, a board comprised of residents appointed by the Mayor and/or Town Commission, to make recommendations to the Commission regarding phases of the town's planning program.

Members of the Planning & Zoning Board for the Town of Surfside do not fall under the County's two-year post-employment restrictions.

Generally, the County Ethics Code at Section 2-11.1(q) (Two-year post-employment restrictions) prohibits "an elected County official,[ie., Mayor, County Commissioner] or a member of the staff of an elected County official, or as County Manager, senior assistant to the County Manager, department director, departmental personnel or employee..." from LOBBYING any County officer or employee " in connection with any judicial or other proceeding, application, RFP, RFQ, bid, request for ruling or other determination, contract, claim, controversy, charge, accusation, arrest..." for two years after his or her County employment has ceased. Also, community council members may not LOBBY with respect to any zoning or land issue.

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

Sincerely,
Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
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From: Ethics (COE)
Sent: Tuesday, November 17, 2015 1:21 PM
To: Perez, Martha D. (COE)
Subject: FW: Question Related to Two Year Rule

Please respond to Ms. Koshal with an INQ. Thanks.

From: Carli Koshal [<mailto:ckoshal@brzoninglaw.com>]
Sent: Tuesday, November 17, 2015 12:58 PM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Question Related to Two Year Rule

Dear Ethics Commission,

I was previously on the Town of Surfside's Planning & Zoning Board. Section 2-11.1 (q)(1) of the County Ethics Code contains limitations on certain types of government service:

“No person who has served as an elected County official, i.e., Mayor, County Commissioner or a member of the staff of an elected County official, or as County Manager, senior assistant to the County Manager, department director, departmental personnel or employee ... Additionally, no person who has served as a community council member...”

The Surfside Planning and Zoning Board is a recommending body to the Town's Commission. It is comprised of residents appointed, not elected, to the board. It should be noted that, although the Surfside Planning and Zoning Board does review quasi-judicial applications, it is only a recommending body and has no decision making abilities on its own.

My question is whether the two year rule should apply given the nature of the Planning and Zoning Board and that, unlike Community Council members, the Planning and Zoning Board members are not elected and the Board is not a decision-making body.

I appreciate your guidance.

Best regards,
Carli

Bio	Vcard
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