

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, November 17, 2016 11:58 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: Craig Collier, Attorney; Lobbying; INQ 16-253

INQ 16-253 Collier

From: Perez, Martha D. (COE)
Sent: Thursday, November 17, 2016 10:33 AM
To: 'craig.collier@coller-law.com' <craig.collier@coller-law.com>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Craig Collier, Attorney; Lobbying; INQ 16-253

Dear Mr. Collier,

You inquire whether you may speak with County personnel in the Regulatory and Economic Relations Department (RER) to obtain general application information and procedures on a property, including, zoning history, platting, applicable environmental requirements and differences between the subject property and "Lake Carmen". You assert that during this inquiry, you will not be persuading any County employee "to support any application to modify the zoning of the property or to encourage the approval of any permit."

Section 2-11.1(s) (1) of the County Ethics Code defines lobbyists as persons or entities seeking to encourage the passage, defeat or modification of any action, decision or recommendation of County personnel during the entire decision-making process. The Ethics Commission has concluded that individuals who are simply gathering information or performing routine administrative activities for a client are not lobbying. See RQO 04-33; INQ 04-40; INQ 13-192; Lobbying "FAQ's" (2014). Consequently, the activities you describe in this instance do not constitute lobbying.

However, if you anticipate that during your fact-finding you will engage in an attempt to influence or persuade County personnel to take a particular course of action or make some determination related to the subject property, then you should register as a lobbyist. §2-11.1(s)(2) of the Ethics Code

This opinion is based on the facts as presented. If any of these facts change, kindly contact me.

Sincerely,

Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
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Miami, FL 33130
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From: Craig Collier [<mailto:craig.collier@coller-law.com>]
Sent: Wednesday, November 16, 2016 4:24 PM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: Opinion regarding 2 year lobbying rule

Joe, I hope this email finds you well. I have a client who is interested in purchasing a property in unincorporated Miami-Dade County that is currently a lake, fill it and rezone it. I would like to know if I am permitted to speak with the Regulatory and Economic Relations Department to obtain the zoning history, plating for the property, applicable environmental regulations and the differences between the subject property and a lake known as "Lake Carmen" where the County determined that 75 percent of the surrounding property owners were required to join in the application. I would like to ask the department what application the prospective property owner would have to file to accomplish its goals. If permitted to do so I would be informing the CAO of my inquiry.

At no time would I be lobbying a County employee to support any application to modify the zoning on the property or to encourage the approval of any permits. Essentially my purpose to speaking with the department is limited to fact gathering.

Thank you for your assistance.

Regards,

Craig

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