

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Monday, January 09, 2017 2:52 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** James Hepburn, WASD (Elective Office Holding by County Employee) INQ 17-07  
**Attachments:** LeaveOfAbsence.Forfeiture.ElectionToPublicOffice.pdf

INQ 17-07 Hepburn

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**From:** Centorino, Joseph (COE)  
**Sent:** Monday, January 09, 2017 2:30 PM  
**To:** Hepburn, James (WASD) <James.Hepburn@miamidade.gov>  
**Cc:** Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>  
**Subject:** INQ 17-07 James Hepburn, WASD (Elective Office Holding by County Employee)

Mr Hepburn:

You have inquired as to whether you could continue to serve in your employment position with the County's Water and Sewer Department in the event that you were to be elected to the City Commission in the City of Miramar, for which you are currently contemplating becoming a candidate. Please be advised that, pursuant to Section 1.05 of the Miami-Dade County Code (see attached), a County employee who qualifies as a candidate for election to any federal, state or municipal office, must immediately take a leave of absence from his or her County position. If elected, the employee forfeits his or her County position. If not elected, the employee is eligible for immediate reinstatement to his or her former position.

I trust that this answers the question that you have posed.

Sincerely,

Joe Centorino

*Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
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SECTION 1.05. - FORFEITURE OF OFFICE OF COUNTY ELECTED AND APPOINTED OFFICIALS AND EMPLOYEES.

- A. Any member of the Board of County Commissioners who ceases to be a qualified voter of the county or removes himself from the county or the district from which he was elected, or who fails to attend meetings without good cause for a period of six months, shall immediately forfeit his office. Any Commissioner who ceases to reside in the district which he represents shall also immediately forfeit his office.
- B. Any elected or appointed county official who holds any other elective office, whether federal, state or municipal, shall forfeit his county position, provided that the provisions of this subsection shall not apply to any officials presently holding such other office during the remainder of the present terms.
- C. Any appointed official or employee of Dade County who qualifies as a candidate for election to any federal, state or municipal office shall immediately take a leave of absence from his or her county position until the date of the election and shall, if elected, immediately forfeit his or her county position. If the candidate is not elected, he or she shall immediately be reinstated to his or her former position.