

## Sanchez, Rodzandra (COE)

---

**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, November 07, 2017 9:38 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Michael Grieco, former Commissioner, City of Miami Beach (Two-year Rule) INQ 17-252  
**Attachments:** RQO 12-09 Carreno.pdf

INQ 17-252 Grieco

---

**From:** Centorino, Joseph (COE)  
**Sent:** Monday, November 06, 2017 5:23 PM  
**To:** 'Michael Grieco' <michael@griecolaw.com>  
**Cc:** Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Aguila, Raul (RaulAguila@miamibeachfl.gov) <RaulAguila@miamibeachfl.gov>  
**Subject:** INQ 17-252 Michael Grieco, former Commissioner, City of Miami Beach (Two-year Rule)

Michael,

This is in response to your inquiry concerning the limitations place on you under the “Two-Year Rule,” Section 2-11.1(q). That section places significant restrictions on the ability of former officials or employees to lobby their former employer for a period of two-years following their separation from County or municipal service. For your general information, I have attached a copy of RQO 12-09, which expanded the definition of lobbying under the two-year rule to include efforts to influence county or municipal personnel regardless of whether their decision will be reviewed or heard by a board or commission. It also should be underscored that, where a municipality has stricter rules on lobbying than those in the County Ordinance, those stricter rules will apply, so it is important that you review the City Ordinance, and, if necessary, seek clarification from the City Attorney or City Clerk regarding its implementation by the City of Miami Beach.

The restrictions under the Two-Year Rule will generally prohibit you from acting as a paid lobbyist under any circumstances during the two-year period, but could also apply to many unpaid lobbying situations.

There is an exception under the Two-Year Rule, Section 2-11.1 (q)(2) for individuals who are **employed** by a governmental, non-profit or educational entity, **and** who lobby for that entity in the course of their official position. Note that the exception requires that you actually have an employment relationship with the entity in order to get the benefit of this exception.

Nonetheless, there is also a provision in the County Ordinance, as well as in the City of Miami Beach Ordinance that excludes from the definition of the term, “lobbyist,” any person who appears only as a representative of a not-for-profit community-based organization **for the purpose of requesting a grant** without special compensation or reimbursement for the appearance. Because the County does not require lobbyist registration in this limited situation, i.e., requesting a grant, it would be permissible to engage in this activity under the two-year rule, regardless of being employed with the entity, since it falls outside the scope of the lobbying definition in the Ordinance. However, it is my understanding that the City of Miami Beach does require that you fill out the lobbyist registration form for such representation, although no fee is imposed.

There is also an exception under both the County and City of Miami lobbying ordinances that excludes from the definition of “lobbyist,” “any person who only appears as a representative of a neighborhood association without

compensation or reimbursement for the appearance.” This activity would be permissible under the Two-Year Rule since it also falls outside the scope of the lobbying ordinance definition, although you may need to register with the City when you make such an appearance.

While the County has an exception in the lobbyist ordinance for individuals who represent persons or entities during publicly-noticed quasi-judicial proceedings, that exception does not exist under the City of Miami Lobbyist Ordinance, which requires registration for representation in quasi-judicial hearings. Because such representation, paid or unpaid, would be considered “lobbying” under the City ordinance, you would not be able to engage in that activity under the Two-Year Rule.

Another exception would apply to your speaking, not as a representative of another person or entity, but as a private citizen in your individual capacity for the purpose of self-representation without compensation or reimbursement, Subsection 2-11.1(s)(3)(b).

In the event that you confront a situation in which you are unsure about the application of the Two-Year Rule, I strongly suggest that you seek an opinion from this office.

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  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[ethics.miamidade.gov](http://ethics.miamidade.gov)



---

**From:** Michael Grieco [<mailto:michael@griecolaw.com>]  
**Sent:** Thursday, October 26, 2017 6:04 AM  
**To:** Centorino, Joseph (COE) <[Joseph.Centorino@miamidade.gov](mailto:Joseph.Centorino@miamidade.gov)>  
**Subject:** Inquiry for opinion

Joe,

Now that I am post-office, I am looking to clarify what I can and cannot do related to Miami Beach. Two main questions:

1) I want to continue to help people, especially residents or resident groups etc who need the help, strictly in a Pro Bono capacity. If a resident, group or non-profit came to me with Miami Beach concerns and no formal

arrangement or contract is signed, nor is there a fee paid, am I prohibited from communicating with commissioners and/or city manager staff and/or addressing matters in a public meeting?

“My name is Michael Grieco and I am speaking on behalf of person X”

“My name is Michael Grieco and I am speaking on behalf of myself as a Miami Beach resident who wants to discuss situation X/person X’s situation.”

2) Not that I am actively seeking this kind of work, but am I prohibited from formally representing individuals and/or businesses in code violations or other issues in front of the Special Master (which may include communicating with someone from the City Attorneys office during the process)?

Thanks

Michael C. Grieco  
[Michael@GriecoLaw.com](mailto:Michael@GriecoLaw.com)

(305) 857-0034  
(305) 856-7771 (fax)

175 sw 7th Street  
Suite 2410  
Miami, FL 33130

[www.MiamiCriminalDefense.com](http://www.MiamiCriminalDefense.com)

---The information contained in this transmission may contain PRIVILEGED and CONFIDENTIAL information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. To reply to our email administrator directly, please send an email to [jessica@griecolaw.com](mailto:jessica@griecolaw.com).