

INQ 01-08



February 23, 2001

ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairperson
Charles A. Hall, Vice Chairperson
Elizabeth M. Iglesias
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Robert H. Newman

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

James D. McQueen, Esq.
9830 Dunhill Drive
Miramar, FL 33025

Dear Mr. McQueen:

I received your request for an advisory opinion regarding any restrictions on your ability to work for county contractors after your county employment. In your letter, you stated that you have recently resigned your position as Chief of Staff to Commissioner Dorrin Rolle.

The Conflict of Interest and Code of Ethics ordinance permits you to work for county contractors as an employee or a consultant. However, you may not lobby any county official regarding any issue which may foreseeably require action by the Board of County Commissioners or a county board or committee. Section 2-11.1(q) provides that "no person who has served as an elected 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 shall for a period of two years after his or her county employment 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, accusation, arrest or other particular subject matter in which Miami-Dade County or one of its agencies or instrumentalities is a party or has any interest whatever, whether, direct or indirect." The Conflict of



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Interest and Code of Ethics ordinance defines lobbying as seeking to encourage the passage, defeat or modifications of 1) ordinance, resolution, action or decision of the County Commission; 2) any action, decision, recommendation of any County board or committee; or 3) any action, decision or recommendation of County personnel which foreseeably will be heard or reviewed by the County Commission or a county board or committee.

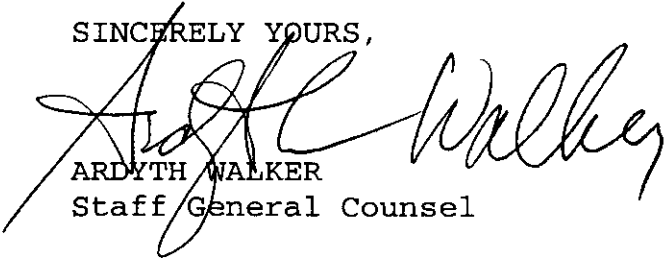
Section 2-11.1(q) does not prohibit you from lobbying county officials if you work for a governmental entity, a 501(c)(3) corporation or an academic institution.

Therefore, you may work for a county contractor but may not lobby county officials regarding any action that may require action by the Board of County Commissioners or a county board or committee.

Please be advised that this is an informal opinion that is being issued because of the time constraints involved in your request. The Ethics Commission has not reviewed this matter and this is not a formal opinion. You may request a formal Ethics Commission opinion that will be rendered at the March meeting.

If you have any further questions or I can provide additional assistance, please contact the undersigned.

SINCERELY YOURS,


ARDYTH WALKER
Staff General Counsel

9830 Dunhill Drive
Miramar, FL 33025

February 21, 2001

Mr. Robert Meyers, Executive Director
Commission on Ethics & Public Trust
19 West Flagler Street, Suite 220
Miami, FL 33130

Dear Mr. Meyers:

I have recently resigned my position as Chief of Staff to Miami-Dade County Commissioner Dorrin D. Rolle. It is my request that I receive a written response to the following:

1. As a former member of the Commissioner's staff may I be employed with or for a company, which is currently contacting with Miami-Dade County.
2. May I act as a consultant to a firm, which is currently contracting with Miami-Dade County?

You may send written response to 9830 Dunhill Drive, Miramar, FL 33025. Your assistance is greatly appreciated.

Sincerely,



James D. McQueen, Esq.

