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01-23
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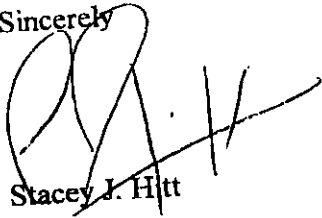
Ms. Walker

My name is Stacey J. Hitt and I am applying for certification in the Business Enterprise Program (Department of Business Development). They would like for me to follow up with the County to obtain an "opinion" regarding my previous employment with Miami-Dade County.

I retired from Miami-Dade County in January 2000. I retired as a Computer Services Manager from the Miami-Dade Water and Sewer Department.

Please fax to me any opinion that affects me and my previous employment with the County as it pertains to a possible conflict of interest.

Sincerely



Stacey J. Hitt

(C) (786) 205-9996
(F) (305) 258-7242

Memo

To: Stacey Hitt

From: Ardyth Walker
Staff General Counsel

Date: June 26, 2001

Re: Inquiry 01-23

I received your request for a written opinion regarding certification in the Business Enterprise Program from the Department of Business Development. In your letter, you advised me that you are a former employee of Miami-Dade County and that you retired in January 2000. Your last employment with the county was as a Computer Services Manager for the Miami-Dade Water and Sewer Department.

Section 2-11.1(q), the "two-year rule", does not prohibit you from receiving certification from the Department of Business Development. Section 2-11.1(q) only prohibits you from lobbying the county or any department for the two years after you leave county employment. 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, RFO, 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 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. Therefore, you may receive business certification. However, you may not lobby any county official, board or agency in regard to any prospective contract or contract after you receive certification until January 2002.

The Ethics Commission has not considered this matter. If you would like a formal opinion from the Ethics Commission, you must notify me by Thursday, June 28th for inclusion on the July agenda.

If you have any further questions, you may contact me at (305) 350-0616.

Biscayne Building
19 West Flagler Street
Suite 220
Miami, Florida 33130
Phone: (305) 579-2594
Fax: (305) 579-2656

Miami-Dade County
Commission on Ethics and
Office of Inspector General

Fax

To: Stacey Hitt From: Ardyth Walker
Fax: (305) 258-7242 Pages: 3, including cover sheet
Phone: (786) 205-9996 Date: 6/26/01
Re: Inq 01-23 CC:

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