

**COMMISSION ON ETHICS
ADVISORY OPINION
RQO-98-11**

BACKGROUND: _____ of the Animal Care and Control Division is seeking an opinion as to whether Raul Napoles, a former employee of the department, may provide veterinary services to the county under with a county contractor as an employee without violating the two-year rule restricting employment of former employees.

NARRATIVE: Raul Napoles, a veterinarian, worked for the Miami-Dade Animal Care and Control Division for 25 years. Napoles retired on July 21, 1998. Napoles was responsible for overseeing the daily operations at the Animal Shelter. Emilio Brouwer, a county contractor supplying veterinary services under a contract with the Animal Care and Control Division, wants to use Napoles to supply veterinary services to the county.

ARGUMENT: Napoles is not prohibited from supplying veterinary services to the county under Brouwer's contract. Section 2.11.1(q) of the Dade County Code prohibits former Dade County employees for a period of two years after their county service from acting as an agent for anyone other than Dade County in any matter in which they participated personally and substantially as an official, officer or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise while employed in county service. Since Napoles was not personally and substantially involved in the Brouwer contract as an employee, he is not precluded from providing services under the contract.

CONCLUSION: Napoles is not prohibited from providing veterinary services to the County as an employee for a county contractor by the two-year rule because he was not personally and substantially involved in the Brouwer contract as a county employee.