

Further, Mazorra may research items and request documents because Section 2-11.1(q) permits former employees to make routine administrative requests.

Therefore, Section 2-11.1(q)(1) permits Mazorra to attend quasi-judicial hearings and county commission meetings and provide administrative support but prohibits Mazorra from attending meetings with county staff or commissioners as part of a lobbying team representing the principal.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call Ardyth Walker, Staff General Counsel at (305) 579-2653 or the undersigned at (305) 579-2594.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal line extending to the right.

ROBERT MEYERS
Executive Director

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 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.

The two-year rule's prohibition against lobbying by former officials and employees is broad and would cover any activity where the employee attends meetings and is publicly identified as part of a lobbying team employed by the principal. Like the members of a selection committee who are required to register whether or not they speak during the presentation, attendance at meetings as a member of the team on behalf of the principal would constitute lobbying. Therefore, Mazorra may not attend meetings with county staff or commissioners as part of the lobbying team.

However, Mazorra can attend quasi-judicial hearings and county commission meetings and provide administrative support if he is not publicly identified as a member of the lobbying team.



April 5, 2001

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RE: REQUEST FOR ADVISORY OPINION 01-38

Dear Mr. De Grandy:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 4, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the employment restrictions created by the two-year rule on a new associate.

In your letter, you advised the Commission that you recently hired Nick Mazzora as an associate. Mazzora worked for six months as an aide to Commissioner Joe Martinez. Your law firm specializes in governmental and administrative law. Although the bulk of the firm's county lobbying activity will be undertaken by other employees, you want to know if Mazzora can attend meetings and provide administrative support if he does not actively participate in advocacy on behalf of the client.

The Commission found Mazzora may not participate in any activities where he is part of the lobbying team advocating on behalf of the principal. 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