



FILE COPY

March 27, 2009

ETHICS COMMISSIONERS

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Roosevelt Bradley
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8181 N.W. 154th Street
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RE: REQUEST FOR ADVISORY OPINION RQO 09-12

Dear Mr. Bradley:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on March 26, 2009 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding when Section 2-11.1(q) (two-year rule) applies to employees who have a gap between the date of resignation and the date of termination from the County.

In your request, you advised the Commission that you served as Director of Miami-Dade Transit from 2003-2007. On March 16, 2007, you resigned as Director of Transit. You used your accumulated annual leave and were granted additional administrative leave prior to termination. Your official termination date from county employment was June 1, 2007.

The Ethics Commission found the two year period for application of Section 2-11.1(q) begins to run from the date of termination rather than the date of resignation. Section 2-11.1(q) provides that no person who has served as department director " shall for a period of two years after his or her County service 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 or accusation in which Miami-Dade County or one of its agencies or instrumentalities is a party or has any interest whatever, direct or indirect." A person's county service has ceased on the date the person is officially terminated from county employment.

Section 2-11.1(q) is designed to limit a former employee's ability to use his or her former service and contacts to benefit his or her private clients and business interests during the two years after he or she leaves public employment. The date of termination will be uniform for all employees and officials who are bound by the two year rule. Therefore, former colleagues and associates of the employee will be able to ascertain when they are permitted to meet with the former employee and when the former employee may participate in discussions regarding county issues when the two year rule is measured from the date of termination. Accordingly, the two years begins to run from the official date of termination from county service.

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 the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 350-0616.

Sincerely Yours,



ROBERT MEYERS
Executive Director