

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, September 01, 2009 3:08 PM
To: 'newan@miamigov.com'
Subject: City of Miami Lobbyist Opinion

Hello Nicole,

An employee of a corporation who simply attends a Commission meeting, speaks in favor or against the passage of an item, and does *not* lobby as part of the normal scope of his employment is *not* a lobbyist.

Under these circumstances, it is assumed that the employee is speaking for himself only, not on behalf of his company. Only lobbyists are authorized to speak on behalf of their companies.

Another factor to consider is whether the employee is being compensated to lobby for his employer. At the county level, however, we've generally held that the more crucial point is whether lobbying is part of the employee's normal scope of employment.

I hope this helps.

Sincerely,

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 Miami-Dade Co. Commission on Ethics
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From: Ewan, Nicole [mailto:newan@miamigov.com]
Sent: Tuesday, September 01, 2009 11:01 AM
To: Frigo, Victoria (COE)
Cc: Hannon, Todd; Thompson, Priscilla
Subject: City of Miami Lobbyist Opinion

Good Morning Ms. Frigo:

I spoke to you on August 6th regarding lobbyist registrations of those who attended Miami 21 hearing at City of Miami City Commission Meeting. Our concern is to ensure that all parties required to register as lobbyists are doing so according to the City's Charter and the County's Code of Ordinance. Per City Clerk, Priscilla Thompson, can you please respond with your legal opinion regarding who is required to register as a lobbyist?

Attached is the City of Miami and Miami-Dade County Ordinance regarding lobbying. Please refer to the highlighted sections and advise if this pertains to any employee of a corporation who simply attends a Commission meeting and speak in favor or against the passage of an item.

Thank you for your assistance with this matter.

Have a wonderful day.

Nicole N. Ewan
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