

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, May 04, 2010 11:22 AM
To: 'Eve Boutsis'
Subject: Housing Authority Lobbying Activities (INQ 10-83)

Eve,

In response to your inquiry of May 3rd, the Executive Director and Housing Development Director of the governmental agency, the Housing Authority of the City of Miami Beach, are not required to register as lobbyists with the County when they appear in their official capacities.

The County Code at Sec. 2-11.1 (s)(3)(a) states, "Any public officer, employee or appointee who only appears in his or her official capacity shall not be required to register as a lobbyist."

The Housing Authority of the City of Miami Beach is a "public body" exercising "public and essential governmental functions," as per Fla. Stat. 421.08 (2009). You stated that the Executive Director (Miguell Del Campillo) and Housing Development Director (Michael O'Hara) are full-time employees of the Housing Authority. Consequently, Messrs. Del Campillo and O'Hara are public employees as understood in Sec. 2-11.1 (s)(3)(a).

To clarify, Messrs. Del Campillo and O'Hara will *not* be appearing in their capacities as officers and directors of the nonprofit organization Miami Beach Housing, Inc. You stated that the nonprofit organization, which was intended to serve as a fundraising arm of the Housing Authority, is not currently active.

Please feel free to contact me if I can be of further assistance.

Sincerely,

Victoria Frigo, Staff Attorney
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