

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Thursday, October 13, 2011 2:41 PM  
**To:** Sanchez, Gerald (CAO)  
**Cc:** Centorino, Joseph (COE)  
**Subject:** MPO lobbying question (INQ 11-153)

Gerald,

Joe Centorino has asked me to respond to your question on behalf of a former Chief of Staff of a County Commissioner. The former Chief of Staff is seeking to lobby the Miami-Dade Metropolitan Planning Organization (MPO).

After reviewing Ethics Commission precedent and in discussion with staff, we have concluded that the former Chief of Staff is prohibited from lobbying the MPO for two years following his/her employment with the County. This prohibition is found in the Miami-Dade County Code at Sec. 2-11.1 (q).

Because the former Chief of Staff worked for the County Commissioner in the Commissioner's dual capacities—both as a member of the Board of County Commissioners as well as a member of the MPO Board—the former Chief of Staff cannot lobby the County nor the MPO.

Similarly, in an opinion given to a former MPO employee (INQ 05-12), the former MPO employee was advised that he could not lobby the MPO nor the County for two years following his employment with the MPO.

Although the Miami-Dade MPO is an entity created by an interlocal agreement between the County and the Florida Dept. of Transportation, the Miami-Dade MPO has chosen to operate out of Miami-Dade County government. As part of its administrative services agreement with the County, the MPO uses the County's structure and procedures and has consented to abide by the Miami-Dade County Ethics Code. This arrangement characterizes the MPO as within the bounds of the County, rather than as a stand-alone independent agency or a hybrid agency of the Dept. of Transportation or of a regional planning agency. (All of these latter options were available to the Miami-Dade MPO but were evidently rejected.)

We would be happy to present this question to the Ethics Commissioners in public session if the former Chief of Staff would prefer a formal opinion. The next meeting of the Ethics Commission is on Tuesday, Oct. 25, at 10:00 AM.

Please feel free to contact Joe Centorino or me if we can be of further assistance.

Sincerely,

**VICTORIA FRIGO, STAFF ATTORNEY**

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