

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Wednesday, June 08, 2011 2:09 PM
To: 'japonte901@bellsouth.net'
Subject: Ethics opinion for plans expediter (INQ 11-89)

Mr. Aponte,

In a meeting we had at my office on June 6, 2011, you asked if the County's "two-year rule" was applicable to you, and if so, how the rule would affect your future self-employment as a private plans expediter in the City of Miami Beach. (See Miami-Dade County Code at Sec. 2-11.1 (q).) You stated that you were employed as a temporary Office Associate I by the City of Miami Beach Building Department from September 20, 2010, to May 27, 2011.

IN SUM, as a former City of Miami Beach employee, you are prohibited from lobbying the City of Miami Beach for two years following your separation from the City. Lobbying is defined very broadly to include any activity intended to encourage the passage, defeat, or modification of any action or decision of City officials or personnel during the time period of the entire decision-making process. (See Miami-Dade County Code at Sec. 2-11.1 (s).)

IN GENERAL, you may engage in routine administrative tasks involved with processing building applications with the City of Miami Beach, such as dropping off and picking up plans, receiving comments from plan reviewers, and conveying these comments to design professionals. You may also communicate with staff to ask about other general procedural matters. *However, attempting to encourage or persuade city officials or employees to take specific actions on these matters is lobbying and prohibited under the two-year rule.*

Several past opinions of the Ethics Commission may guide you in distinguishing routine ministerial activities from lobbying activities. Please refer to RQO 00-12, RQO 01-38, RQO 03-120, RQO 04-33, RQO 04-34, RQO 04-48, RQO 04-106, and RQO 04-148. RQO 00-12, RQO 01-38, RQO 03-120, RQO 04-33, RQO 04-34, RQO 04-48, RQO 04-106, RQO 04-148, and RQO 08-28.

If you have any additional questions about a specific issue related to your activities in Miami Beach, please do not hesitate to call me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY
MIAMI-DADE COUNTY COMMISSION ON ETHICS
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From: japonte901@bellsouth.net [mailto:japonte901@bellsouth.net]

6/8/2011

Sent: Monday, June 06, 2011 3:32 PM
To: Frigo, Victoria (COE)
Subject: Meeting in regards to plans expediter limitations

Dear Mrs. Victoria Frigo,

This is Jorge Aponte, I am following up with you in regards to our meeting pertaining to my limitations as a plans expediter. Your help was greatly appreciate and look for to hearing from you soon. Thank you and have a nice day.

Sincerely,
Jorge Aponte

Sent from my HTC Inspire™ 4G on AT&T