

Diaz-Greco, Gilma M. (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, August 12, 2013 4:22 PM
To: Myers, Ivor (MDT)
Cc: Centorino, Joseph (COE); Frigo, Victoria (COE)
Subject: Employment With MDC After Retirement. INQ 13-197
Attachments: RQO 12-09 Carreno.pdf

Dear Mr. Myers,

Congratulations on your retirement from the Transit Department on August 30, 2013.

You have asked the Ethics Commission about post-employment limitations by the County or State that might affect you as a retired County employee. With respect to State law, we refer you to the Florida Commission on Ethics

With respect to the County, you may obtain work with County contractors, consultants, vendors, etc. after your retirement. However, Section 2-11.1 (q) ("two year rule") of the County Code prohibits you from lobbying the County for two years following your employment with the County. Please be aware that for purposes of calculating the two year period under this rule, the retirement date of August 30, 2013, may not be considered the last day of employment. The two year period is calculated as of the last day that the employee receives benefits or compensation from the County such as payments for accrued vacation time, sick time, insurance, etc.

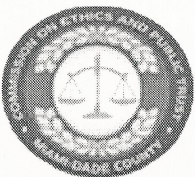
Regarding the prohibition on lobbying, please note that lobbying activities as described in the post-employment ordinance at Sec. 2-11.1(q) are interpreted very broadly. Under this section, individuals formerly employed by the County within the past two years are prohibited from performing activities intended to influence *any official determination, regardless of whether the determination will foreseeably be decided or recommended* by any of the city's commissions, boards, committees or the city manager. Unlike the general lobbyist ordinance, the post-employment ordinance expands the definition of lobbying to include advocating for decisions that may be made at the sole discretion of individual municipal personnel, not necessarily a voting body.

Finally, the Ethics Commission emphasizes that the County Ethics Code represents a minimal standard of conduct for those who have served in government and remain subject to the two-year rule. Former employees should carefully consider the totality of the circumstances before taking action that could possibly erode the public's trust.

Attached is RQO 12-09, a recent opinion, which describes post-employment restrictions and lobbying in detail. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Myers, Ivor (MDT)
Sent: Thursday, August 08, 2013 9:25 AM
To: Frigo, Victoria (COE)
Cc: Centorino, Joseph (COE); 'ivormyers@gmail.com'
Subject: Employment With MDC After Retirement.

I will be retiring from County services starting August 30, 2013. My engineering knowledge and skills are highly specialized and I may be seeking employment opportunities with County vendors, contractors and subcontractors in my field of work after I exit the County. Can you provide me with a written legal opinion on County or State rules or regulations that may prohibit me from becoming an employee of any County contractors, consultants, vendors etc after I exit the County. Please note that It is not my intention to be involved in any type of lobbying at any level or work for contractors that may supply personnel that are assigned directly to County payrolls.
Sincere thanks for any assistance that you may provide.

Ivor Myers

Chief, Rail/Mover Vehicle Acquisition

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