

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Monday, October 14, 2013 1:47 PM
To: 4rio@bellsouth.net
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Ethics Opinion INQ 13-252 (2-yr. rule)
Attachments: RQO 12-09 Carreno.pdf; RQO 04-33 Danger.pdf

Ms. Rio,

Under the County Ethics Code at Sec. 2-11.1 (q), a former city employee cannot lobby her former city employer for two years following her departure from city employment. Because you recently left employment with the City of Miami Beach Planning Department, you must carefully monitor your activities as a private consultant and expeditor so as not to violate this provision.

The County Ethics Commission has interpreted “lobbying” very broadly under the “two-year rule” referenced above to include any activities intended to influence any official determination, regardless of whether that determination will foreseeably be heard or reviewed by a commission, board or committee. Consequently, advocating for decisions that may be made at the sole discretion of an individual city employee, not necessarily a voting body, are not allowed.

As an expeditor in the City of Miami Beach for the next two years, you are limited to submitting plans for review and following all established procedures. You cannot ask for special benefits outside of the usual practices. Additionally, to avoid the appearance of impropriety, you should not discuss the projects you represent with Miami Beach City staff and, particularly, not with former coworkers.

Attached are two ethics opinions that review in detail both permissible as well as prohibited activities under the Sec. 2-11.1 (q) of the County Ethics Code. Your activities in municipalities other than the City of Miami Beach are not affected by the “two-year rule.”

If you have additional questions going forward, please feel free to contact me or my colleague, Gilma Diaz-Greco, Staff Attorney.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: Diana Rio [<mailto:4rio@bellsouth.net>]
Sent: Wednesday, October 09, 2013 2:38 PM
To: Ethics (COE)
Subject: Need an opinion

Hello,

I worked at the City of Miami Beach Planning Department for 11.5 years. My employment started January 22, 2002 and ended on August 29, 2013. I resigned in order to open my own business. I will be doing zoning consultations for different municipalities, including Miami Beach. I will also be doing permit expediting in different municipalities, inclusive of Miami Beach. My role as expeditor in Miami Beach will be simply to submit plans for review of the different disciplines. My intention is not to discuss any of the projects with City staff, I will simply be a carrier of these plans from office to office. Obviously, this would lead me to encounter many people that were my coworkers in the past.

Please let me know if this could be considered an issue.

Thank you

Best regards,

Diana B. Rio



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