
From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, September 24, 2015 1:15 PM
To: Sanchez, Rodzandra (COE)
Subject: Manny Cid, Vice Mayor, Town of Miami Lakes (Voting Conflict (d). Prohibited Business Transactions (u)) INQ 15-201

FW: INQ 15-201 Sera

From: Centorino, Joseph (COE)
Sent: Friday, September 04, 2015 10:03 AM
To: Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)
Subject: INQ 15-201 Manny Cid, Vice Mayor, Town of Miami Lakes (Voting Conflict (d). Prohibited Business Transactions (u))

I spoke with Haydee Sera, Miami Lakes Assistant Town Attorney, regarding a possible voting conflict for Vice Mayor and Town Council member Manny Cid. Ms. Sera is associated with the firm of Raul Gastesi, Town Attorney for the Town of Miami Lakes. Mr. Gastesi's firm is retained by the Town as Town Attorney under a contractual agreement with the Town. Councilman Cid is 30% owner of day care center which is a private client of Gastesi's firm. In the past, Councilman Cid has recused himself from voting on the Town's contract with Gastesi's firm due to his private business connection to the firm. The upcoming issue involves payment of monies owed the firm by the Town in connection with the firm's representation of the Town in litigation surrounding Mayor Pizzi's attempts to reclaim the Mayor's seat following his acquittal on federal corruption charges. The Mayor has declined to sign checks for payments owing to the firm by the Town. The Town Council adopted a procedure whereby the Vice Mayor may sign checks in lieu of the Mayor. The issue regarding a possible conflict on the part of Mr. Cid has been raised.

I advised Ms. Sera that Mr. Cid's part of ownership of an entity represented privately by the Gastesi firm would not necessarily create a voting conflict under Section 2-11.1(d) of the Code, since Mr. Cid's day care center would not be expected to be affected directly or indirectly by the vote, and Mr. Cid would not likely profit or be enhanced by the vote, unless there were some expectation that his day care center would receive some special deal from Gastesi's firm as a result. The latter circumstance would, of course, involve an illegal gift and, possibly, a bribe should it occur. It would also violate Section 2-11.1(u) of the Code, which requires that any business transactions between Mr. Gastesi's firm and the Vice Mayor be at arms length.

Nonetheless, give Mr. Cid's prior recusals, I suggested it would probably be best for him to avoid taking action in this situation, if possible, in order to maintain consistency with his prior indication of a possible conflict.