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## Miami-Dade County Commission on Ethics and Public Trust

# Memo

**To:** Mike Murawski, ethics advocate  
**From:** Karl Ross, investigator  
**Date:** June 11, 2009  
**Re:** K09-033 Eric Silva

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**Close-out:** Earlier this year, a case was opened pursuant to an anonymous letter received April 2 and alleging Miami-Dade County Planning & Zoning Director Marc LaFerrier acted improperly by hiring his “best friend ... at a very high salary.” After a thorough review of the process leading to the selection of Eric Silva as chief of that agency’s planning section, no evidence of misconduct has been found. COE interviewed the three members of the selection panel assembled to review the qualifications of job applicants and found that none of the panelists felt in any way influenced by Director LaFerrier in recommending Mr. Silva for that position. The investigation further established that the county’s human resources department approved the hiring of Mr. Silva despite his lack of one of the required degrees in planning or a planning-related field. An independent review of the applicants for the August 2008 job posting revealed that Silva, despite lacking such a degree, possessed abundant work-related experience and was deserving of consideration. That Mr. Silva previously worked with Director LaFerrier in the city of Ft. Lauderdale and at a private consulting firm was known only to the head of the selection panel, Assistant DP&Z Director Subrata Basu. Mr. Basu was aware of this because he had collaborated with Mr. Silva at the time the firm was conducting a study of the county’s watershed. Basu affirmed that, while he developed a positive opinion of Silva at this time, he was not unduly influenced. Director LaFerrier said he was not involved to any significant degree in the selection process. He stated that while he considered Silva a “friend” from the time spent working together, he said that he did not socialize with Silva outside of the office. He said he did encourage Silva to apply for the job, noting the agency had had such a difficult time filling the position after at least three

previously unsuccessful attempts. He said he decided to start Silva at the highest step in the salary range because Silva rejected several offers to start at a lower salary. He noted that Silva was eight months shy of becoming vested in the city of Ft. Lauderdale's pension system and he took this into consideration when offering Silva top pay. The county's HR department confirmed LaFerrier was authorized to start out a new hire such as Silva at any step within the established pay range. The investigation did not yield any evidence of a possible ethics violation.