

CLERK OF THE BOARD

2018 DEC 31 PM 12:55

CLERK, CIRCUIT & COUNTY CT'S
MIAMI-DADE COUNTY, FLA.
#1



FILE COPY

**MIAMI-DADE
COMMISSION ON ETHICS & PUBLIC TRUST**

**In re:
John Dubois**

C 18-37-09

PUBLIC REPORT AND FINAL ORDER

David Singer, Councilman for the Village of Palmetto Bay (VPB), filed the above-referenced complaint against Respondent, John Dubois (Dubois), Vice-Mayor of VPB, alleging that Dubois participated in a zoning application hearing requested by the Shores of Palmetto Bay, LLC (Shores), after filing a conflict of interest on the item, in violation of Section 2-11.1(d) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (County Ethics Code).

Investigation revealed Dubois is Manager of Indigo Street, LLC (Indigo Street), a company which owns real property in VPB and is opposed to the Shores development (zoning application). On or about July 16, 2018, Indigo Street filed an objection to the Shores zoning application through a letter drafted, signed and delivered by Jeffrey Leary, Esq., registered agent for Indigo Street. On or about July 23, 2018, the Shores zoning application was heard by VPB Council. Dubois recused himself from this matter and filed the appropriate conflict of interest form.

A public official is not stripped of his rights as a residential or commercial property owner as long as the public official maintains his or her personal, private interests separate from the exercise of his or her official public duties. There is no evidence that Dubois participated in the discussion or vote of the Shores application. The letter sent on behalf of Indigo Street did not mention Dubois by name, title or position in the company.

On December 13, 2018, in closed session, the Ethics Commission held a probable cause determination hearing and found that there was insufficient evidence for a violation of Section 2-11.1(d) of the County Ethics Code.

FILE COPY

In open session, the Ethics Commission voted unanimously to find No Probable Cause and dismissed the case.

Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C18-37-09 against Respondent, John Dubois, is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on December 13, 2018.

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

By: 

H. Jeffrey, Esq.
Vice-Chair

Signed on this Date: 12/20/2018