

**Meyers, Robert (COE)**

INR 08-73

**From:** Meyers, Robert (COE)  
**Sent:** Wednesday, April 30, 2008 4:27 PM  
**To:** 'armandogutierrezjr@hotmail.com'  
**Cc:** Shy, Eugene (CAO)  
**Subject:** RE: potential conflict

Dear Mr. Gutierrez:

Thank you for your question. As I understand it, you have an ownership interest in a proposed Spring Hill Suites Marriott near the main Jackson Health Systems campus and you are a member of the Public Health Trust. You indicate that either the Trust or the Jackson Foundation will be proposing a hotel project, which will be presented to Board of Trustees for consideration. You wish to know whether you may participate in the discussions and vote on any matters involving this project.

Members of the Public Health Trust are said to have a voting conflict when they hold a special relationship with a party or entity affected by the action of the Public Health Trust or if they might, directly or indirectly, profit or be enhanced by the action of the Public Health Trust. Given the fact there are limited lodging options in the general vicinity of the main Jackson campus, I conclude that you stand to indirectly profit from action taken by the Public Health Trust concerning a Jackson hotel project. It appears rather likely that your Spring Hills Suites would be competing for some of the same business as the Jackson hotel. If you were allowed to vote against the Jackson hotel project, it could be perceived as an attempt on your part to stifle competition and leave the Spring Hill Suites as the only feasible lodging option.

Therefore, a voting conflict exists for you and you should absent yourself from the discussions on any items before the Public Health Trust or any of its committees related to the Jackson hotel project. If circumstances change regarding the scope of the abovementioned Jackson project or your interest with the Spring Hill Suites changes, I would be more than willing to revisit this issue.

Sincerely,

Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust  
(305) 350-0613

---

**From:** Armando Gutierrez Jr [mailto:armandogutierrezjr@hotmail.com]  
**Sent:** Tuesday, April 29, 2008 3:59 PM  
**To:** Meyers, Robert (COE)  
**Subject:** potential conflict

I recently spoke to you in reference to an ownership interest I have in a proposed Spring Hill Suites Marriot on NW 10 Ave. & NW 13. St. Miami, FL. As a member of the Public Health Trust, the PHT or the foundation will be proposing a hotel project to the trust, I would like to see if it would be a conflict for me to act on this item or if you would recommend I request myself. Thank you for your assistance.

---

**Armando Gutierrez Jr**  
**604 Majorca Ave.**  
**Coral Gables, FL 33134**

phone: 305.525.8833

4/30/2008