

**Meyers, Robert (COE)**

FNO 10-110

**From:** Meyers, Robert (COE)  
**Sent:** Tuesday, June 15, 2010 11:31 AM  
**To:** 'Anderson, Maria'  
**Cc:** 'Hernandez, Elizabeth'  
**Subject:** FW: Gulliver Application vs Gables By the Sea - Conflicts of Interest

Dear Commissioner Anderson:

I received an e-mail from Elizabeth Hernandez on Tuesday, June 8, 2010 indicating that you were requesting an informal opinion concerning the Gulliver matter. As I understand it, Gulliver School has a land use and zoning item likely to come before the City Commission in July 2010. You ask whether you have a conflict of interest, which if one exists, would prohibit you from participating in and voting on the matter. The two relevant sections of the County's Conflict of Interest and Code of Ethics Ordinance worth highlighting are voting conflicts and actions where one's financial interests are affected. In order for a voting conflict to be established, you must have an enumerated relationship with the party or applicant who will be affected by the Commission's action or you must stand to profit from or be enhanced by the action in a unique way. Based upon the information provided to me by the City Attorney, you do not have a special relationship with Gulliver nor will you be uniquely affected by the outcome.

Another section of the ethics code which could potentially create a conflict of interest covers situations in which an official or the official's immediate family has a financial interest in a business affected by the Commission's action. Once again, there are no facts on the record showing that you or your family has a financial interest in Gulliver. Under these circumstances, there are no impediments under the County's ethics code that would preclude you from hearing this matter.

Please be advised that my analysis is strictly limited to interpreting the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance. If you would like an analysis of state law or other local laws, I suggest you confer with Ms. Hernandez and she will counsel you accordingly.

Should you have any questions of me, do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
 Miami-Dade Commission on Ethics and Public Trust

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**From:** Hernandez, Elizabeth [mailto:ehernandez@coralgables.com]  
**Sent:** Tuesday, June 08, 2010 5:01 PM  
**To:** Meyers, Robert (COE)  
**Cc:** Maria Anderson  
**Subject:** RE: Gulliver Application vs Gables By the Sea - Conflicts of Interest

Mr. Meyers:

As always, it was a pleasure to speak to you today. As we discussed, the matter that will ultimately come before the City Commission is a land use and zoning matter. Mr. Sanabria is a member of a homeowners association which is an affected party in the matter.

Commissioner Anderson would like to request an informal opinion from your office regarding this matter. Please note that neither she or any family member have any financial interest in, or business relationship with Gulliver, and would not stand to gain financial from either an affirmative or negative vote on the matter.

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**From:** Meyers, Robert (COE) [mailto:RMEYERS@miamidade.gov]  
**Sent:** Friday, May 28, 2010 2:57 PM

6/15/2010

**To:** GoSanabria@aol.com; Hernandez, Elizabeth

**Subject:** RE: Gulliver Application vs Gables By the Sea - Conflicts of Interest

Dear Mr. Sanabria:

Thank you for your e-mail. The Miami-Dade Commission on Ethics and Public Trust is unable to issue an opinion to you for two reasons: 1) The person requesting the opinion must be under our jurisdiction and you as a private citizen fall outside our jurisdiction and 2) The Ethics Commission has no authority to issue an opinion to an individual concerning another party's conduct. Thus, our office can issue an opinion in this matter only if Commissioner Anderson and/or Mayor Slesnick request opinion(s) from us about the upcoming zoning hearing. Please understand the request for opinion is a purely voluntary process and neither official is obligation to seek an opinion from this office.

Please feel free to contact me should you wish to discuss.

Sincerely,

Robert Meyers, Executive Director

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**From:** GoSanabria@aol.com [mailto:GoSanabria@aol.com]

**Sent:** Wednesday, May 26, 2010 5:39 PM

**To:** Meyers, Robert (COE); ehernandez@coralgables.com

**Subject:** Gulliver Application vs Gables By the Sea - Conflicts of Interest

To: Coral Gables City Attorney Elizabeth Hernandez  
and, Mr. Robert Myers, Director of Ethics Commission, Miami- Dade County

**Ref: Upcoming Voting Conflict of Interest on the part of Coral Gables  
Commsr. Maria Anderson and Mayor Don Slesnick**

Date: 5/26/10

From: Gonzalo Sanabria, former Commission Candidate, CG District 3 and a  
Gables By the Sea homeowner, HOA Board Member and litigant.

Request for Ruling on Conflict of Interest

Dear Mr. Myers and Ms Hernandez

Our community, Gables By the Sea, will be confronting its neighbor, Gulliver Middle Schools in a currently contentious zoning hearing on or about July of 2010 at the Commission level in which Commsr. Anderson holds office and a crucial vote on this application.

I, Gonzalo Sanabria, strongly contend that Commsr. Anderson has a conflict of interest and cannot impartially vote on this matter due to the following reasons.

a. Commsr. Anderson and myself had a bitterly contested election just this past April of 2009

b. Commsr. Anderson filed a defamation suit which is just now being dismissed or

6/15/2010

resolved in which I was listed as a defendant

c. Commsr. Anderson, on April 13th, 2010 opposed the nomination of my spouse Nancy in a public hearing to a board appointment and whose video of that meeting will attest that Commsr. Anderson is predisposed to act pre judiciously in any matter involving myself or my wife. I urge you to request a video of that hearing from Atty Hernandez for your corroboration This strong verbal objection on public record just a month ago is indicative of a pre-bias and prejudice

d. I am an active member of the Gables By the Sea HOA and will be part of the spearheading group to make the objections known in hopes of a fair and untainted proceeding.

In that same referenced video, Mayor Slesnick also made pre judicious statements of sympathy towards Commsr. Anderson that indicates that Mayor Slesnick may be tainted in his fair and equitable judgement of the facts and act in an impartial way.

I hereby implore and seek relief, a sympathetic ear to our akward and vulnerable position and a legal opinion from the Miami-Dade Ethics Commission and the attorney from the City of Coral Gables to ensure that a fair,unbiased, honorable and impartial hearing be assured by interceding on this request and rendering a ruling prior to the hearing dates of July 2010.

I thank you beforehand on behalf of myself and our besieged community.

Sincerely,

Gonzalo Sanabria  
305 785 4239  
Homeowner  
Gables By the Sea  
944 San Pedro Avenue  
Coral Gables, Fl. 33156

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