
INQ 15-279 Hernandez

From: Centorino, Joseph (COE)

Sent: Monday, December 14, 2015 5:22 PM

To: Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE)

Subject: INQ 15-279 Javier Hernandez, Commission Aide, Office of MDC Commissioner Xavier Suarez, District 7
(Participation in Settlement Negotiations)

Javier Hernandez, Commission Aide for Miami-Dade County Commissioner Xavier Suarez, inquired regarding whether it would be a violation of Section 2-11.1(z) if he were to attend a meeting concerning a park contamination issue that would include City of Miami Commissioner Ken Russell and representatives of DERM and the City of Miami Public Works Department. The park in question has been closed for 25 years due to arsenic contamination, and City and County representatives are discussing the reopening of the park, which ultimately will be decided by DERM. Mr. Hernandez would be attending in his capacity as an aide to District 7 Commissioner Xavier Suarez, in whose district the park is located.

Section 2-11.1(z) would prohibit County Commissioners or their staff members from participating in settlement negotiations of claims or lawsuits, including contract cope of compensation adjustments, without prior approval of the Board of County Commissioners. I informed Mr. Hernandez that this would not appear to involve any existing claim or lawsuit, but rather an informational meeting among governmental officials to discuss an ongoing issue and the path to resolving the issue. As long as there is no claim or lawsuit by the City of Miami or by any other person or entity in connection with the issue which may become the subject of discussion at the upcoming meeting, there is no reason why a Commission Aide should not attend the meeting.

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