
INQ 16-110 Cabrera:

From: Perez, Martha D. (COE)
Sent: Monday, April 11, 2016 11:44 AM
To: Cabrera, Rafael (WASD) <Rafael.Cabrera@miamidade.gov>
Cc: Centorino, Joseph (COE) <CENTORI@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: RE: Requesting a meeting with you; Rafael Cabrera, Sr. Land Surveyor, WASD, Conflict of Interest, INQ 16-110

Good morning Mr. Cabrera,

You inquire whether you should be allowed to conduct plat work for a former private client who needs to complete the recording of a final plat document with the County. You prepared the plat document approximately 6 years ago but the project did not proceed at the time. Your Department has determined that it is a conflict of interest for you to conduct this outside work, ie., physically go to the County's Public Works Department and make modifications to the plat documents for the former private client while still employed with the County.

I understand that this situation may be problematic to you, however, the County may impose stricter policies and/ or directives than those in the provisions of the County Ethics Code if it determines an "outside employment" situation is not appropriate. This office will not interfere with your Department's administrative decisions.

This opinion is based on the facts as you have presented them to the Ethics Commission. Please contact us if these facts change. Inquiries regarding possible conflicts with departmental directives should be addressed with your Department Supervisor. Inquiries regarding possible conflicts under State law should be directed to the Florida Commission on Ethics.

Sincerely,

Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
19 West Flagler St. Suite 820
Miami, FL 33130
(305)350-0656
PEREZMD@miamidade.gov

Miami-Dade County is a public entity subject to Florida's public record laws. Any communication with this office, including e-mail messages, could be considered a public record subject to disclosure. This email and any attachments are for the exclusive and confidential use of the intended recipient(s). If you are not an intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify me immediately by return email and promptly delete this message and its attachments from your computer.

From: Cabrera, Rafael (WASD)
Sent: Monday, April 11, 2016 8:17 AM
To: Perez, Martha D. (COE)
Subject: Requesting a meeting with you

Ms. Perez,

My name is Rafael Cabrera, with Miami-Dade Water and Sewer. Several months ago you helped me to get approval to do private consulting work for other Municipalities reviewing subdivision plats. Now I have an issue with a plat I prepared over 6 years ago and has been sitting in the land development office of Public Works all these years because the developer had not made any advances to proceed with the project. Now he has submitted recently all the documentation necessary to complete the recording of the final plat document. However because the document (the original mylar) now requires certain modifications I am told I cannot go there to make these changes by hand in person. They consider this to be a conflict of interest because I am still employed by the county. The modifications needed are to simply to erase and replace the language they marked up in a print and write by hand those changes. Many of the changes are due to language reflecting county department names, some dates and some matters related to geometry (math).

What I would like to be able to do is to be allowed to go and make these changes myself in person on my own time, I can take a day off from my job at MDWASD to go downtown and complete this work. This is the only plat document signed and sealed by me in the county and I do not plan to prepare any more while I am still employed by the Water and Sewer Dept. Please keep in mind that the dept. I work for is not involved in this matter. They asked that I send someone from my office to do these corrections, but I have no one else that I can delegate this too. I am the responsible one and should be allowed to make the corrections myself.

Can you please help me,

Thank You,

Rafael Cabrera, P.S.M.

786 236-7606