

Prkic, Christina (COE)

From: Prkic, Christina (COE)
Sent: Thursday, November 14, 2002 2:50 PM
To: 'TFCI2000@aol.com'
Subject: RE: Additional Item - Determination of Conflict

Pete,

After consulting with our Staff General Counsel, we find that you are not prohibited from voting on "Item C" because you do not have one of the enumerated relationships under Section 2-11.1 (v) "Voting Conflicts" of the Conflict of Interest and Code of Ethics Ordinance.

However, while there is no legal conflict, keep in mind that there may be a perception of a conflict because your wife's employer may benefit from the Council action.

If you have any additional questions, please do not hesitate to contact our office.

Sincerely,
 Christina Prkic

-----Original Message-----

From: TFCI2000@aol.com [mailto:TFCI2000@aol.com]
Sent: Thursday, November 14, 2002 2:17 PM
To: cprkic@miamidade.gov
Subject: Re: Additional Item - Determination of Conflict

Christina,

Sorry for delay in reply, I have been out all morning. Item "C" is Doral Academy who is looking to increase the number of student stations from 800 to 1600 at their existing facility. Then rent space from a local university which has additional empty space. The comes to us for variances approval because it does not meet the parking and recreation requirement. My spouse is simply a teacher thee with no other duties, responsibilities or interest.

Thank you once again for your assistance.

Pete Cabrera
 Community Council 9

Good morning Pete:

Before I can provide you with an answer, I have a couple of more questions.

One: What does "Item C" specifically involve? What is the issue?

Two: You state that your wife is a teacher. Does she have any other function or serve in any other capacity at the school? For instance, is she on the board, is she an administrator, etc...?

Christina

12/10/02

-----Original Message-----

From: TFCI2000@aol.com [mailto:TFCI2000@aol.com]
Sent: Wednesday, November 13, 2002 6:16 PM
To: cprkic@miamidade.gov
Subject: Additional Item - Determination of Conflict

Christina,

I apologize, I just realized there is one additional item on the agenda that I want to consult with you. Item "C" involves Doral Academy and my wife is a teacher at that school. Does this present a potential conflict or problem?

Thank you again for your assistance, I rather be on the side of caution.

Sincerely,

Pedro "Pete" Cabrera
Doral Community Council

12/10/02

Prkic, Christina (COE)

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INQ 02-58

From: Prkic, Christina (COE)
Sent: Wednesday, November 13, 2002 3:59 PM
To: 'TFCI2000@aol.com'
Subject: RE: Determination if a potential Conflict of Interest exist

Hi Pete:

I've reviewed this matter with both our General Counsel and Executive Director. Based upon the facts you stated below, we have determined that you may not participate in or vote on the matter ["Item F"] due to your business/fiduciary relationship with the applicant. You may attend the meeting; however, once this item is introduced, you must absent yourself from the discussion and not vote on the matter.

Should you have any additional questions or comments, please do not hesitate to contact our office at the number below.

Sincerely,

Christina Prkic
 Staff Attorney

Miami-Dade County Commission on Ethics
 and Public Trust
 19 West Flagler ST, Suite 207
 Miami, FL 33130
 (305) 579-2594

-----Original Message-----

From: TFCI2000@aol.com [mailto:TFCI2000@aol.com]
Sent: Wednesday, November 13, 2002 11:36 AM
To: cprkic@miamidade.gov
Subject: Determination if a potential Conflict of Interest exist

Cristina Prkic
 Miami-Dade County
 Commission on Ethnic & Trust

Re: Determination if a Conflict of Interest exist

Dear Cristina,

My name is Pedro "Pete" Cabrera and I am a recently elected member of the Doral Community Council 9 and work as Life & Health Insurance agent. At our next Zoning Appeals meeting on November 14, Item "F" is an application which has an "Option to Purchase predicated on the approval of the zoning request". The company with the option is Adrian Development Group, Inc. whose owner, Pedro Adrian is personal client mine. Mr. Adrian has been a client for 10+ years and his father and brother are also personal client. I do not have anything to directly gain from the approval or denial of this application, but because of my close business relationship with the family I wanted to know if this presents a potential conflict. During our recent orientation it was mentioned to us that sometimes the appearance of a conflict can also erode public trust.

11/13/02

There is also one other factor regarding this application. About 6 months ago, prior to even being a candidate for the Community Council this applicant made a presentation of this project at a general meeting of a community based organization of which I am a part of. Ideas about about the project were discussed publically with about 35-40 persons in attendance. Although I a Community Council member at the time I do come to the table with prior knowledge and public input from both the applicant and the community.

I would appreciate your assistance in determining if any of these factors presents a potential conflict or violation. If so, my next questions is should I attend the meeting and leave for this application? Someone once told me that in a potential conflict of interest situation, that it is best to get a determination prior to the meeting because to leave during the meeting may in itself taint the vote because it may influence my fellow board members by them just knowing that I have a conflict. Should just not attend the meeting at all? I am not even sure that anything will actually be heard with the pending Omnipoint issue.

Thank you for your assistance and I would appreciate if you could respond prior to tomorrow's meeting. I apologize for short notice but I recieved the package at the end of last week and we had teh long weekend in the middle.

Sincerely,

Pedro "Pete" Cabrera