

Meyers, Robert (COE)

INQ
04-11

To: Paul Vrooman
Subject: RE: Paul Vrooman

Paul,

Sorry I haven't responded sooner, but things have been quite hectic. According to your letter, you state that you voted to approve the zoning application for a residential development and you are now considering purchasing a unit on a pre-construction basis in this community. The application was approved by the community council and the decision was affirmed on appeal at the county commission level. The relevant questions are: 1) Would you be exploiting your official position if you, as the vice-chair of Community Council 15, purchased a home in this development and 2) Was a voting conflict created if you knew at the time of the vote that you would be purchasing a home in this community?

With respect to both questions, there is no conflict under the County's Conflict of Interest and Code of Ethics Ordinance. Regarding the vote itself, any benefit that results from approving this development extends to the public-at-large; in other words, there is no special benefit that you receive from this decision. Regarding the exploitation of official position provision, unless you are being offered a special pre-construction price to purchase a home in this community because of your position, there is no problem with you buying a home at a discount. Of course, I am assuming that this discount is available to any person who buys pre-construction and is not a special discount to you. To the extent to which you are able to negotiate a better price, this must be based on your negotiating skills only and not because you are the vice-chairman of the community council. I am assuming that most of the discounts are fairly standard and they are offered for a limited period of time. As long as you fall within the established criteria set forth by the developer/builder, you can take advantage of pre-construction pricing like anyone else.

If you wish to discuss the above with me in greater detail, feel free to contact me at your convenience.

Thank you,

Robert Meyers

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

From: Paul Vrooman [mailto:pvrooman@adelphia.net]
Sent: Monday, February 02, 2004 10:42 PM
To: Meyers, Robert (COE)
Subject: Paul Vrooman

I'm attaching the letter that we spoke about. There may be another copy at your office because I faxed it several months ago. That one will have a signature. As I go forward, I plan to continue to send updates for your files to make sure everything is recorded.

Thanks for your help.

Paul

Paul S. Vrooman

10013 SW 223 Lane
Miami, FL 33190
305-975-6782

February 2, 2004

Mr. Robert Myers, Executive Director
Miami-Dade County Commission on Ethics And Public Trust
19 West Flagler, 2nd Floor
Miami, FL 33177

Dear Mr. Myers:

As vice-chairman of Community Council 15, I am writing for guidance from your department on the proper procedures that I should follow in order to pursue a possible move of my primary residence. Furthermore, in order to avoid any appearance of misconduct or ethical breach, I would like this letter to be retained in your records as proof of disclosure of my intentions.

Last year, I voted to approve a zoning application for a residential development. Upon reviewing the application, I was impressed with the quality of the homes and design of the community. Now that the appeal of the council's approval vote was upheld by the county commission, it appears that the community will be built. I would like to consider purchasing one of the units on a pre-construction basis in order to make it affordable for me.

Under no circumstances, will I expect or accept any special pricing, features or upgrades from the developer because of my status as a council member. On the other hand, real estate purchases are also subject to negotiation and I would want to be able to make the best possible deal, as would any other customer.

I have not contacted the developer and he is not aware that I would like to consider a possible move to his project.

Please provide me with advice as to whether it would be possible for me to pursue this move and what the best way would be for me to accomplish this without being at a disadvantage as a consumer or an advantage as a council member. Since I would like to negotiate a pre-construction price, a fast response would be appreciated.

Sincerely,

(signature sent via fax version)

Paul Vrooman, Vice Chair
Community Council 15