

OFFICE OF THE INDEPENDENT ADVOCATE
REPORT OF INVESTIGATION

K09-004

Date Opened: January 28, 2009 Date Closed: May 7, 2009

Name of investigator: Kennedy Rosario
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Allegation:

On December 17, 2008 Ismael Perera (Perera) met with Miami-Dade County Commissioner Bruno Barreiro (Barreiro) in his District office. Royal-Rent-A-Car (Royal), a Florida for Profit Corporation, is a County vendor; its sole corporate officer/owner is Perera. Under the Miami-Dade County Conflict of Interest and Code of Ethics ordinance section 2-11.1 subsection (s) (1) (b), Perera is a considered a "principal". The term Lobbyist specifically includes the principal. Perera is not a registered lobbyist. In meeting with Barreiro, Perera violated said ordinance by failing to register as a lobbyist prior to the meeting.

Investigation:

During the course of a COE investigation, K08-134, it was determined that Perera did in fact meet with Barreiro. This current investigation re-affirmed those findings. On April 30, 2009 COE Investigators Breno Penichet and Kennedy Rosario met with Barreiro. Barreiro was advised that the meeting of December 17, 2008 with Perera constituted, for Perera, a violation of Code of Ethics ordinance. Barreiro acknowledged that Perera met with him solely for the purpose of pleading his (Perera) contention that the Rental Vehicle Agreement (RVA) contract that the BCC ratified on December 16, 2008 was

flawed and the County would be better served if Royal would be re-instituted as the contract vendor. Barreiro, on December 18, 2008, pulled the RVA for re-consideration citing that the County staff did not fully follow a prior BCC directive.

On May 7, 2009 COE Investigators met with Perera and advised him of the violation. Perera, while acknowledging that he did meet with Barreiro on the RVA contract, stated that in the many years he had dealing with County staff it was never mentioned to him that he was considered a Lobbyist.

Perera further acknowledged that he had met with Barreiro at the behest of Royal's registered lobbyist James D. McQueen (MCQueen)

CONCLUSION:

It is apparent that the Barreiro / Perera meeting of December 17, 2008 occurred solely on the issue of the RVA contract that was before the BCC.

Had it not been for this meeting Barreiro would not have "pulled" the item for re-consideration.

During the course of the K08-134 investigation, McQueen stated that he did in fact direct Perera to meet with the Hispanic Commissioners. Perera only met with Barreiro. A check with the BCC Clerk of the Board confirmed that Perera was not a registered lobbyist.

For complete details on the RVA investigation (K08-134) refer to the Report of Investigation, a copy of which has been made a part of this investigative file.