

OFFICE OF THE INDEPENDENT ADVOCATE
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
REPORT OF INVESTIGATION

K #: 07-157

Date Opened: 12/14/2007

Date Closed: 03/05/2008

Name of investigator: Arthur D. Skinner
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Allegation:

This investigation was predicated upon the receipt of a letter of complaint from Dwarka Persaud Vice President of SRI Vending Company, DBA/ R.G. Vending of America. The letter was addressed to the Miami Dade Aviation Department (MDAD) Division Director of Commercial Operations Patricia Ryan. Persaud claimed he received a threatening telephone call from MDAD Commercial Operations Property Manager Daniel Dooling. Dooling told him to remove his vending machines from an area in the airport that was operated by the Aviation Department. Persaud had his son Sridat Persaud contact Dooling. Dooling allegedly threatened Sridat Persaud saying he could be arrested for criminal trespassing and the machines had to be removed from the airport.

Section 2-11.1 of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. (g) Exploitation of official position prohibited. No person included in the terms defined in Subsections (b)(1) through (6) shall use or attempt to use his official position to secure special privileges or exemptions for himself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners..

Investigation:

On January 25, 2008, COE investigators interviewed Commercial Operations Property Manager Daniel Dooling (305) 876-7741 in Terminal "E" 6th Floor of Miami International Airport (MIAP). Dooling said he was advised by another vending machine owner that Persaud had machines that were without vending tags in building 702 in an area controlled by MDAD. Dooling went to building 702 and verified that the machines belonged to SRI Vending. The machines did not have County licenses or MDAD permits.

Dooling stated that he contacted Persaud by telephone after a letter he sent advising the company to remove their vending machines from the airport was returned as undeliverable. He called the telephone number listed on one of the tags on an SRI owned vending machine that was in an area of the airport controlled by MDAD. Dooling said he told Persaud the machines were illegally placed in the Airport, because the company had no business license, or permits for the machines and they did not have a contract with MDAD. Dooling stated that he did not threaten Sridat Persaud, but advised him of county regulations and ordinances. Dooling advised Persaud that the placement and management of vending machines was contracted to HMS Host. Persaud needed to call HMS Host. Dooling also offered to put Persaud's company information on MDAD's Interested Parties List in the event they issue a solicitation for vending services.

Dooling said he composed a letter in response to Persaud's complaint for Division Director Ryan's signature that was sent to Persaud on January 17, 2008.

On February 21, 2008 COE Investigator's interviewed Dwarka Persaud Vice President of SRI Vending Company at 7300 SW 131st, Miami, Florida 33183. Persaud was advised of the purpose of the interview and gave the following information: Persaud bought the business for his son Sridat Persaud who actually runs the business. The business was bought from Rosa N. Garmendia for \$142,000 11/02/2005. The company name is SRI Vending Company. Persaud does business as (DBA) R.G.

Vending of America. The name is registered as a Fictitious Name with the State Department of Corporations filed 11/14/2005. Persaud said he and his son decided to keep the same name because customers would recognize the name. Persaud stated that he did not have any contracts with Miami Dade County or MDAD.

On February 22, 2008, COE Investigators interviewed Rosa Garmendia (305-893-5351) at her residence at 2150 San Souci Blvd., North Miami, FL. Mrs. Garmendia gave the following information: Garmendia confirmed the sale of the vending company to Persaud. The company was owned by Garmendia and her daughter Rosa N. Garmendia. Garmendia stated that she had the business for the past thirty years with her ex-husband Carlos Garmendia. In 2000 Garmendia divorced her husband and as part of the settlement she received half the vending company with her daughter. The vending company had informal agreements with some of the cargo airlines in rented space in the cargo area of Miami International Airport. She stated that she did not have any contracts with Miami Dade County Aviation Department. The machines in the 700 buildings (Cargo area) had been in place since the construction of the buildings more than ten years ago.

CONCLUSION:

There does not appear to be a violation of the Code of Ethics. This matter is closed.