

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

K #:08-010 Armando Cabrera

Date Opened: 01/28/2008

Date Closed: 03/07/2008

Name of investigator: Arthur D. Skinner
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Allegation:

This investigation was predicated upon the receipt of information that a Miami Dade County contractor GeoTechnical Marine Corporation had obtained a letter of recommendation from Miami Dade Solid Waste Management Environmental Resources Project Supervisor Armando Cabrera (Office (305) 514-6667 Cell (305) 505-8299) and they were using the letter as a testimonial advertizing on their WEB Site.

Section 2-11.1 of the Code of Miami-Dade County, the County's Conflict of Interest and Code of Ethics Ordinance. (k) Prohibition on outside employment. (1) No person included in the terms defined in Subsections (b)(5) [departmental personnel] and (6) [employees] shall receive any compensation for his or her services as an officer or employee of the County, from any source other than the County except as may be permitted by Section 2-11 of this Code of Ordinances. (2) All full-time County and municipal employees engaged in any outside employment for any person, firm, corporation or entity other than Miami-Dade County, or the respective municipality, or any of their agencies or instrumentalities, shall file, under oath, an annual report indicating the source of the outside employment, the nature of the work being done pursuant to same and any amount or types of money or other consideration received by the employee from said outside employment. Said County employee's reports shall be filed with the supervisor of elections no later than 12:00 noon on July 1st of each year, including the July 1st following the last year that person held such employment.

Municipal employee reports shall be filed with the clerk of their respective municipalities. Said reports shall be available at a reasonable time and place for inspection by the public. The County Manager or any city manager may require monthly reports from individual employees or groups of employees for good cause.

Investigation:

On February 26, 2008, a COE Investigator interviewed Cabrera in his office located at 21500 NW 47th Avenue, Miami, Florida. Cabrera was advised of the purpose of the interview and gave the following information:

Cabrera stated that he wrote the testimonial letter at the request of someone from GeoTechnical Marine Corporation. Cabrera did not recall the name of the person. Cabrera has written this type of letter for other vendors when he was requested. Cabrera did not receive any payments of gifts in return for writing this letter.

On March 5, 2008, a COE Investigator interviewed George X, Sainz Vice-President for GeoTechnical Marine Corporation at 9939 NW 89th Avenue, Bay 1, Medley, Florida 33178 (305) 863-8680. Sainz stated that he asked Cabrera for the testimonial letter to be used on the company WEB site. He did not pay Cabrera for the letter. Sainz said he wished he had additional testimonial letters to use as advertizing. He stated that he had two testimonial letters on his WEB site at this time. The letter from Cabrera and a letter from Lawrence Ventura Jr. (305) 224-7163. Sainz said Ventura was an Air Force Reserve Officer at Homestead Airbase. Sainz stated that the Base JAG objected to the using the U.S. Air Force as a reference, but they could use Ventura's statement as a testimonial.

On March 7, 2008, a COE Investigator interviewed Miami Dade Solid Waste Management Manager of Environmental Affairs German Hernandez (305) 514-6673, by telephone. Hernandez is Cabrera's supervisor. Hernandez stated that to the best of his knowledge, there no regulation or instruction that authorizes or prohibits the department giving from recommendations to vendors. It is common practice for Miami Dade

Department of Solid Waste Management to allow vendors to use the department as a reference. Hernandez said this is a professional courtesy given by the Department of Solid Waste Management, there are no payments or gifts given to the department personnel in return for this service.

CONCLUSION:

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