

**Meyers, Robert (COE)**

INQ 07-129

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**From:** Meyers, Robert (COE)  
**Sent:** Friday, August 03, 2007 2:41 PM  
**To:** 'josef@greatermiami.org'  
**Subject:** Ethics opinion

Dear Mr. Fabregas:

I received your request for opinion the other day. You actually e-mailed the request to David Meyers, another County employee, and he forwarded it to me. In any event, I understand that you are the chairperson of the Affordable Housing Advisory Board (AHAB) and you have started a consulting firm to deal with Workforce Housing, which means you are considering doing business with other developers who apparently will be seeking funding from AHAB. Clearly, any appearance by you in front of AHAB for purposes of securing funds as a consultant creates a conflict of interest. The only way to cure this conflict is to resign from the Board. Similarly, if you were to partner with others who appear before AHAB, you would have a conflict of interest as well. Therefore, I see resignation from the Board as your only viable option. If you decide not to seek County funding, either directly or indirectly, you could conceivably remain on the Affordable Housing Advisory Board. However, under the circumstances you have described in your e-mail, your private business interests seem to be in direct conflict with your board service.

If you have any questions concerning the above, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust  
(305) 350-0613

8/3/2007

**Meyers, Robert (COE)**

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**From:** Meyers, David W. (Building)  
**Sent:** Wednesday, August 01, 2007 11:04 AM  
**To:** 'Jose Fabregas'  
**Cc:** Meyers, Robert (COE)  
**Subject:** RE: Legal Opinion

Sent in error.

**David W. Meyers**, Mechanical Plans Examiner  
**Miami-Dade County Building Department**  
11805 S.W. 26 Street, Room 131  
Miami, Florida 33175-2474  
(786) 315-2018 Phone  
(786) 315-2907 Fax  
[www.miamidade.gov/building/home.asp](http://www.miamidade.gov/building/home.asp)  
*"Delivering Excellence Every Day"*

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**From:** Jose Fabregas [mailto:josef@greatermiami.org]  
**Sent:** Wednesday, August 01, 2007 10:54 AM  
**To:** Meyers, David W. (Building)  
**Subject:** FW: Legal Opinion

Good morning Mr. Meyers: My name I Jose Fabregas and I am presently the Chairperson for the Affordable Housing Advisory Board Attached below, please find a request for a written opinion since I have started a consulting firm to deal with Workforce Housing.  
Very Truly Yours Jose Fabregas

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

**From:** Smith, Terrence (CAO) [mailto:ASMITH2@miamidade.gov]  
**Sent:** Tuesday, July 31, 2007 1:45 PM  
**To:** Jose Fabregas  
**Cc:** Summerset, Shannon (CAO); Dashtaki, Mandana (CAO); Martinez, Sheila (DBD)  
**Subject:** RE: Legal Opinion

Good afternoon Jose:

This sounds like a conflict of interest question. The County Attorney's Office does not render opinions concerning conflicts of interest. You should direct your inquiry to the Commission on Ethics and Public Trust. Below is the Commission's contact information and web link.

**Ethics and Public Trust**  
19 West Flagler,  
Suite 820  
Miami, Florida 33130

8/1/2007

**Ethics Hotline**

(305)579-9093

**Fax**

(305) 579-0273

<http://www.miamidade.gov/ethics/>

I hope this information is useful.

Terrence A. Smith  
Assistant County Attorney  
Miami-Dade County Attorney's Office  
111 N.W. 1st Street, Ste. 2810  
Miami, Florida 33128  
(305) 375-1322  
(305) 375-5634 (Fax)  
[ASMITH2@miamidade.gov](mailto:ASMITH2@miamidade.gov)

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**From:** Jose Fabregas [mailto:[josef@greatermiami.org](mailto:josef@greatermiami.org)]  
**Sent:** Tuesday, July 31, 2007 12:28 PM  
**To:** Martinez, Sheila (DBD); Smith, Terrence (CAO)  
**Subject:** Legal Opinion

Good Morning Sheila and Terrence: Since I am now working as an Independent Contractor Consultant and I am talking into venturing with other developers that request funds from the AHAB Board. I think it would be wise to resign my position on the Board. However before I do that, I would like to request from Terrence Smith at the County Attorney's office, a written opinion on whether there is a time period where I must abstain in representing or do business with not for, and for profit corporations that request or are being presently funded by Miami Dade County .in any degree. Or my affiliation will not hinder in any way present or future projects I might become involved with. Very Truly Yours. Jose Fabregas