

Walker, Ardyth (COE)

From: Guerrero, Maria (DP&Z)
Sent: Monday, September 19, 2011 1:01 PM
To: Walker, Ardyth (COE)
Subject: RE: PAB - Eligibility to vote on Palmer Lake Report

*See also, INQ
11-138*

Thank you for your prompt response to this matter.
 Maria.

From: Walker, Ardyth (COE)
Sent: Monday, September 19, 2011 12:58 PM
To: Guerrero, Maria (DP&Z)
Subject: RE: PAB - Eligibility to vote on Palmer Lake Report

The Conflict of Interest ordinance permits the board member to vote on the matter. Section 2-11.1 (v) provides that a board member may vote on a matter unless he is "directly affected by the action of the board on which the member sits and the board member has any of the following relationships with any of the persons or entities appearing before the board: (i) officer, director, partner, of counsel, consultant employee, fiduciary or beneficiary; or (ii) stockholder, bondholder, debtholder. In order to have a conflict, the board member must benefit financially from the decision (directly affected) as well as serve as an officer of the entity that is seeking board action. A board member does not generally have a conflict because they reside in the area affected by the decision unless the area is a single block or residential development. Accordingly, the board member may vote on the matter unless the Palmer Lake study refers to a single residential development or the board member or the Charette Study Group will financially benefit from the PAB decision.

From: Guerrero, Maria (DP&Z)
Sent: Monday, September 19, 2011 11:58 AM
To: Walker, Ardyth (COE)
Subject: FW: PAB - Eligibility to vote on Palmer Lake Report

Please see below.

From: Silva, Eric (DP&Z)
Sent: Monday, September 19, 2011 9:08 AM
To: Guerrero, Maria (DP&Z)
Subject: FW: PAB - Eligibility to vote on Palmer Lake Report

Eric Silva, AICP
 Chief, Community Planning
 Miami-Dade County Department of Planning and Zoning
 111 NW 1st Street - 12th Floor
 Miami, Florida 33128
 Phone: (305) 375-3565
 Fax: (305) 375-2560
 silvae@miamidade.gov
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9/19/2011

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From: Zizold, Alejandro (DP&Z)
Sent: Thursday, September 15, 2011 4:56 PM
To: Silva, Eric (DP&Z)
Subject: FW: PAB - Eligibility to vote on Palmer Lake Report

Below please email from Jose.

Thank you,

Alejandro Zizold, Principal Planner - Urban Design Center
Miami-Dade County Department of Planning & Zoning
 111 NW 1st Street, Suite 1210, Miami, Florida 33128
 Ph: (305) 375-2842, Fax: (305) 375-2560
www.miamidade.gov <<http://www.miamidade.gov>>

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From: joseb@jonesdrydock.com [mailto:joseb@jonesdrydock.com]
Sent: Wednesday, September 14, 2011 9:39 AM
To: Zizold, Alejandro (DP&Z)
Subject: Re: PAB - Eligibility to vote on Palmer Lake Report

Alejandro:

I contacted the ethics department waiting on a Ms. Walker general council to get back to me on weather or not I have a conflict.

Thanks again,
 Jose Bared

Sent via BlackBerry by AT&T

From: "Zizold, Alejandro (DP&Z)" <zizolda@miamidade.gov>
Date: Tue, 13 Sep 2011 16:34:37 -0400
To: Jose Bared<joseb@jonesdrydock.com>
Cc: Silva, Eric (DP&Z)<silvae@miamidade.gov>
Subject: PAB - Eligibility to vote on Palmer Lake Report

Good afternoon Jose,

I hope this email finds you well. Please contact the **Miami-Dade County Commission on Ethics** prior the upcoming PAB meeting to verify your eligibility to vote on the Palmer Lake Charrete Area Plan Report, as you are a PAB member, chair of the Palmer Lake Charrette and property owner in the study area.

Miami-Dade Commission on Ethics: (305) 579-2594

9/19/2011

Do not hesitate to contact me if you have any questions.

Thank you,

Alejandro Zizold, Principal Planner - Urban Design Center

Miami-Dade County Department of Planning & Zoning

111 NW 1st Street, Suite 1210, Miami, Florida 33128

Ph: (305) 375-2842, Fax: (305) 375-2560

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Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Wednesday, September 14, 2011 3:50 PM
To: 'joseb@jonesdrydock.com'
Cc: Centorino, Joseph (COE); Thompson, Robert A. (COE)
Subject: INQ 11-138 Planning Advisory Board

Mr. Bared,

As we discussed today, you have a voting conflict regarding a report that will be presented to the County Planning Advisory Board on September 19, 2011. Under the Miami-Dade County Code at Sec. 2-11.1 (v), advisory board members may not vote on matters that will directly affect them *and* if they have certain enumerated relationships with the entity before them.

The vote involves long-range plans for the Palmer Lake Charrette area. You acknowledged that the vote will directly affect you because you own the Jones Boat Yard property, which lies within the Palmer Lake Charrette area. Additionally, you are the chair of the Palmer Lake Charrette Committee—the entity bringing this matter before the Planning Advisory Board. Consequently, you must recuse yourself from voting and not participate in discussions regarding the Palmer Lake Charrette.

You said that because you were appointed to the board very recently, you were not aware that all advisory board members are required to complete a two-hour ethics course conducted by the Miami-Dade Ethics Commission. You may contact your board secretary or Robert Thompson in our office to schedule a time to attend. Mr. Thompson can be reached at 305 350-0630 or ROBTHOM@miamidade.gov.

If you have additional questions, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601
Fax: 305 579-0273

19 West Flagler St., Suite 820
Miami, FL 33130

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In INQ 11-147, the **facts** that Mr. Bared was an **officer** in the Palmer Lake Charrette Committee, which was bringing the matter before the planning board, and he acknowledge that he would be **directly affected** by the vote were not known.