



For Immediate Release: November 09, 2017  
Contact: Joseph Centorino, Executive Director  
305-350-0613 or centori@miamidade.gov

### **North Bay Village Commissioner facing Ethics Charges**

The Miami-Dade Commission on Ethics and Public Trust (COE) today found Probable Cause that a North Bay Village Commissioner violated two provisions of the Conflict of Interest and Code of Ethics Ordinance. According to the complaint (**C 17-29**), Commissioner Eddie Lim owns several units in the Lido Condominium and is President/Treasurer of its Condo Association. The nearly 60-year-old structure had amassed \$40,000 in fines over sewer and septic tank violations. Commissioner Lim worked closely with North Bay Village administrators to bring the Condo into compliance and, during a hearing before a Special Magistrate this past April, the fine was reduced to \$500. COE Advocate Michael Murawski noted that, while such reductions are common when compliance is achieved and there was no evidence found that Lim used his official position to receive special treatment for the Condo Association, the Ethics Code prohibits officials from representing third parties in such actions.

During the investigation into the Condo violation, it was discovered that Commissioner Lim had also proposed and voted on a contribution from the municipality to the North Bay Village Optimist Club, with which he is affiliated as a member of its Board of Directors. Even though the Commissioner may have relied on erroneous legal advice, Probable Cause was found that he violated an Ethics Code provision which states that an elected official should not vote on or participate in any action affecting an entity on which he serves as an officer. It was noted during discussion by Ethics Commission members that mitigating circumstances could be considered in connection with the penalty phase in the event that a final determination is made on any violation.

COE members approved a Letter of Instruction for a Miami-Dade County lifeguard who has worked a second job for the past six years without disclosing it, as required. Jose A. Cancelo, who is employed by Miami-Dade Fire Rescue as a lifeguard at Haulover Beach, admitted as part of the settlement to the complaint (**C 17-17**) that he also had worked part-time performing similar duties at MAST Academy. As part of the agreement, Cancelo filed the appropriate disclosures for the past three years and paid a \$500 fine. The Letter states that it should serve as a warning to other public employees that they must receive permission from their supervisors and disclose any income they received from outside sources every year.

The COE considered five separate complaints today against Sweetwater City Commissioners that stemmed from a citizen's opposition to the commission's upcoming vote on a court mandate to either have former Mayor Jose Diaz remove an unauthorized structure from his home or grant him the opportunity to appeal. The complaints filed against Commissioners Cecilia Holtz-Alonso (**C 17-21**), Joniel Diaz (**C 17-22**), Prisca Barreto (**C 17-23**), and Idania Llanio (**C 17-24**), allege they must recuse themselves from the upcoming vote because of perceived conflicts. Those complaints were deemed Not Legally Sufficient and dismissed because they are premature and do not pertain to actions already taken, and therefore, are not within the enforcement authority of the COE. In addition to trying to prevent Commissioner

Manuel Duasso from voting, complaint **C 17-19** also alleged that Duasso had solicited contributions for repairs to a city building from a law firm that includes attorneys appearing in support of a land use amendment in the city. The investigation determined that the donation request served a valid public purpose and was not made as a “quid pro quo.” The Ethics Commission accepted the staff recommendation and found No Probable Cause on the complaint.

The COE found No Probable Cause that a local attorney lobbied improperly when he provided legal services for a company bidding to provide pre-paid phone cards at Miami International Airport without registering to do so. The president of a competing firm filed the complaint (**C 17-20**) against Mitchell Bierman, who was retained by Euronet to provide legal representation regarding the rejection of its proposal as “non-responsive.” Bierman discussed the legal issue with an assistant county attorney, who requested the legal objection be put into writing. Since the contact between the lawyer and County staff covered legal issues and did not pertain to the desirability or superiority of Euronet’s proposal, it did not fit the legal definition of “lobbying” and the complaint was dismissed.

*The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.*

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