

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, March 09, 2017 1:59 PM
To: Sanchez, Rodzandra (COE)
Subject: Nancy Liebman, Member, City of Miami Beach Historic Preservation Board (Gifts, Voting Conflicts) INQ 17-70

INQ 17-70 Boutsis

From: Centorino, Joseph (COE)
Sent: Thursday, March 09, 2017 11:52 AM
To: 'Boutsis, Eve' <EveBoutsis@miamibeachfl.gov>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 17-70 Nancy Liebman, Member, City of Miami Beach Historic Preservation Board (Gifts, Voting Conflicts)

Eve:

You have inquired on behalf of Nancy Liebman, Member of the City of Miami Beach Historic Preservation Board regarding whether a prospective luncheon provided to Miami Beach United, a community organization of which she is a former President and currently a board member, by Mango's, a Miami Beach restaurant with a pending issue before the Historic Preservation Board. There is no reason, based upon what you have told me, to believe that the proffered complimentary luncheon to the board of Miami Beach United, scheduled to occur in May, is in any way related to the issue pending before the Historic Preservation Board. No such invitation has been provided to the members of that board. The gift of a lunch to the board of Miami Beach United is a gift to the organization, and not intended as a specific gift to Ms. Liebman, although her acceptance of the free lunch would be considered a gift to her under the Ethics Code since she is getting the benefit of something provided to her without any consideration.

Under these circumstances, I do not believe that there is any legal prohibition against Ms. Liebman's attendance at the luncheon, given that the lunch is unconnected to the Historic Preservation Board. Additionally, assuming that value of a lunch provided at Mango's does not exceed \$100, there would be no requirement that the lunch be reported under Subsection 2-11.1(e)(4) of the Code.

Additionally, the proffer of the lunch would not create a prohibited voting conflict under Section 2-11.1(v) of the Code, since Ms. Liebman is herself not directly affected by the vote on the Mango's issue and does not have any of the enumerated relationships cited by that provision, both of which would be required under 2-11.1(v).

It is my understanding that Ms. Liebman intends to request that the Miami Beach United board decline the complimentary luncheon offered by Mango's. Should the luncheon proceed, Ms. Liebman may make her own decision regarding whether she attends the luncheon in view of any possible inappropriate appearance that she feels might result from her attendance.

Sincerely,
Joe Centorino

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