

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Friday, June 15, 2018 3:45 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** INQ 18-146 Eddie Lim, North Bay Village Commissioner (Voting Conflict, Contracting Conflict)

INQ 18-146 Lim

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**From:** Centorino, Joseph (COE)  
**Sent:** Friday, June 15, 2018 3:21 PM  
**To:** elim@nbvillage.com  
**Cc:** Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>  
**Subject:** INQ 18-146 Eddie Lim, North Bay Village Commissioner (Voting Conflict, Contracting Conflict)

Commissioner Lim,

This is in response to your inquiry concerning whether there may be any conflict of interest issue raised under the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance in connection with your position as President of the North Bay Village Optimist Club and the Club's entering into an agreement with North Bay Village, where you are an elected Village Commissioner, whereby the Club will be permitted to be involved in the July 4 celebration sponsored by the Village. I understand that the Village conducts an annual 4th of July celebration, providing food, entertainment and activities for residents of the Village. The Optimist Club has generally been welcomed in the past to be involved in the celebration. The Club, is an established not-for-profit service organization that provides valuable resources and service to the community. Under the agreement, it would be permitted to have a presence at the celebration and to sell hot dogs and refreshments to those in attendance. The revenue from its operations will go to service the various activities of the Club. You are the current President of the Club, but receive no remuneration from it and will, in no way, profit or be enhanced by the Club's involvement. An agreement has been prepared between the Village and the Club that would be executed for the Club's involvement. Your signature would be on the agreement as the President. Since the agreement does not involve the expenditure of any Village resources, it may be approved by the Village Manager without any vote being taken by the Village Commission.

If this issue were to come before the Village Commission, you would have a voting conflict of interest under Section 2-11.1(d) of the County Ethics Code, since you hold the position of an officer of an entity that would be affected by the vote. However, as I understand that there will be no vote taken by the Commission, you will not be in a position to vote on the approval of the agreement, and, therefore, will not have a voting conflict of interest.

While the Code does have provisions (Sections 2-11.1(c) and 2-11.1(d), that would preclude you from personally contracting with the Village or doing so on behalf of another entity, these provisions would not apply where you have no financial interest in the contract or the entity involved. That being the case, these provisions would not prohibit you from executing the agreement in questions.

However, I do have concerns that any direct involvement by you in the process whereby the Optimist Club would gain some benefit by having this agreement approved by the Village could constitute or be perceived to be an Exploitation of Official Position under Section 2-11.1(g) of the Code. I have not concluded that this is the case, and it does not appear from my conversation with Ms. Ana Deleon, the Village coordinator for the festival, that your position with the Club has had any effect on its pending approval by the Village Manager or Village personnel. Nonetheless, due to appearance involved and the fact that the Village Manager is directly subordinate to the Village Commission, it is my

recommendation that you refrain from any involvement in the process of the Village's consideration and approval of the agreement. I recommend that your name not appear on the agreement, and that any interaction between the Club and the Village Manager or other Village staff regarding this matter be handled by someone representing the Club other than yourself.

Sincerely,

Joe Centorino

## *Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
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**From:** Eddie Lim [<mailto:elim@nbvillage.com>]  
**Sent:** Friday, June 15, 2018 12:14 PM  
**To:** Centorino, Joseph (COE) <[Joseph.Centorino@miamidade.gov](mailto:Joseph.Centorino@miamidade.gov)>  
**Subject:** NBV Optimist Club participation in NBV 4th July celebration

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Hi Joe

Reference our phone conversation this morning re the above and thank you for your comment and input.

FYI the board member from our club who will be in liaison with NBV is our Vice President Ms. Sondra Shumaker. I have spoken with her and she is aware of this arrangement.

Looking forward to receiving your email as discussed this morning

Eddie P. Lim  
Commissioner  
North Bay Village FL 33141  
786-877-1694



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