

## Frigo, Victoria (COE)

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**From:** Centorino, Joseph (COE)  
**Sent:** Thursday, November 07, 2013 2:14 PM  
**To:** Annunziato, Alex C. (DIST13)  
**Cc:** estebanbovojr@aol.com; Garcia, Alina (DIST13); Frigo, Victoria (COE); Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)  
**Subject:** INQ - Commissioner Esteban Bovo (Hialeah Race Track)

Mr. Annunziato:

You have inquired into whether Commissioner Esteban Bovo would have a prohibited conflict of interest in voting on or otherwise participating in the BCC's consideration of a RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO PROVIDE A REPORT TO THE BOARD REGARDING EXISTING SLOT MACHINE AGREEMENTS WITH PARIMUTUELS IN MIAMI-DADE COUNTY. This request is made in light of Commissioner Bovo's employment as an independent contractor with Hialeah Race Track, providing regulatory consulting services to that entity.

Section 2-11.1 (d) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance provides, in part, that no member of the Board of County Commissioners "shall vote on or participate in any way in any matter presented to the Board of County Commissioners if said person has any of the following relationships with any of the persons or entities which would be or might be directly or indirectly affected by any action of the Board of County Commissioners: (i) officer, director, partner, of counsel, **consultant**, employee, fiduciary or creditor..." (emphasis added)

Based upon the information you have provided, I find that the Hialeah Race Track, which operates slot machines and is a licensed pari-mutuel facility in the County, is an entity that would be affected by action of the Board of County Commissioners regarding resolution to provide a report to be made to the Board on existing slot machine agreements with the County, where that report will involve an analysis of the rights, duties and obligations of pari-mutuel facilities under those agreements as well as the revenues generated from the agreements those facilities have with the County. Also, as a consultant to the Hialeah Race Track, Commissioner Bovo has one of the prohibited relationships that would prevent him from voting on or otherwise participating in the discussion of this item before the Board of County Commissioners.

Accordingly, Commissioner Bovo should, when this item is before either a committee on which he sits or the full County Commission, 1) publicly announce that he has a conflict on this matter; 2) leave the chamber during any discussion or vote on the matter; 3) file the appropriate public disclosure of the conflict on the proper form within 15 days of the vote.

Please call me at 305-579-2594 if you or Commissioner Bovo would like to discuss this matter further.

Sincerely,

Joseph M. Centorino  
Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust

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**From:** Annunziato, Alex C. (DIST13)  
**Sent:** Thursday, November 07, 2013 11:30 AM  
**To:** Centorino, Joseph (COE)  
**Cc:** estebanbovojr@aol.com; Garcia, Alina (DIST13)  
**Subject:** Commissioner Bovo - Conflict/opinion request - Finance committee

Mr. Centorino:

Please feel free to forward this request to the appropriate attorney on your staff. As you may know, Commissioner Bovo chair's the commission's finance committee. Prior to each regularly scheduled finance committee meeting, Commissioner Bovo meets with the various department heads and their respective staff to discuss items appearing on the upcoming agenda. During this review, Commissioner Bovo directed my attention to agenda item 2A (reproduced below) and expressed concerns over a potential personal conflict of interest he may have:

**2A**

**132103**

**Resolution**

**Bruno A. Barreiro, Prime Sponsor**

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO PROVIDE A REPORT TO THE BOARD REGARDING EXISTING SLOT MACHINE AGREEMENTS WITH PARIMUTUELS IN MIAMI-DADE COUNTY

 [PDF](#)

The commissioner is currently employed, as an independent contractor, by the owners of the Hialeah Race Track to provide regulatory consulting services. In every day parlance, the commissioner gives the track owners advice regarding political and policy issues that the track may be facing. The Commissioner, however, does NOT lobby or otherwise advocate on behalf of Hialeah Race Track and/or its principals or appear before any governmental entity as an advocate. Commissioner Bovo would like your opinion regarding any potential conflict he may have voting or otherwise participating in the deliberations regarding the above referenced item. Hialeah Park currently operates slot machines and is a licensed pari-mutuel facility. The matter is scheduled to be heard on Tuesday, November 12, 2013. If you have any questions, please feel free to call me at my desk 305 375 1678 or on my cell. I'll be in and out of my office today, so my cell may be your best option. Thank you, in advance, for taking the time to respond to this inquiry.

Respectfully,

Alex Annunziato

On behalf of

Commissioner Esteban Bovo, Jr.



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*Stay connected with Commissioner Bovo!*

