

Prkic, Christina (COE)

INQ B-65

From: Prkic, Christina (COE)
Sent: Monday, June 30, 2003 3:08 PM
To: 'Cyprof@aol.com'
Subject: RE: Palmetto Bay Bill of Rights questions

Good afternoon Mike!

Hope you're well.

First, the Ethics Commission does not render opinions regarding municipal charter questions.

However, in response to your first question, the Citizens' Bill of Rights is applicable in all municipalities within Dade County.

Kind regards,
Christina

-----Original Message-----

From: Cyprof@aol.com [mailto:Cyprof@aol.com]
Sent: Saturday, June 28, 2003 6:20 PM
To: cprkic@miamidade.gov
Subject: Palmetto Bay Bill of Rights questions

Greetings again, Christina! A few P&C questions for your expertise: within our village of Palmetto Bay charter's "Citizen's Bill of Rights," these 4 rights within the County's version of the same are NOT part of it:

13. Adequate audits.
14. Regional offices. (understandably not necessary in smaller geographic area)
15. Financial disclosure.
17. Commission on Ethics and Public Trust.

Are ALL residents of Dade County guaranteed these same rights, regardless of any municipality's own version of same? I continue to assume the Constitution is the bedrock, & all state & localized laws can build upon it, but not replace it (that's the Supreme Court's charge).

To leave these 4 (3 in reality) out is troubling to many of us now as it was when it was 1st drafted & presented, but it was also stated in the charter "If any part of this Bill of Rights shall be declared invalid, it shall not affect the validity of the remaining provisions."

Is their reduction of larger public rights an invalid clause? Is any municipality's set of rights still WITHIN the larger set of County, State, & Federal rights? I shudder to think otherwise.

Confidentially (is that an oxymoron re your position?), I'm quite concerned with their financial disclosure approach or lack thereof: back in May they reluctantly, finally gave me a copy of the village's check ledger, but then they asked me to hold on making it public to not cause "unnecessary headaches & complaints"; I obliged for a few days, then realized such a central public document of accountability should be on every street corner. Then Mayor Flinn rightfully noted at a public council meeting he'd like to see the ledger made more public, so I asked for the digital version of it to post at pbnj.biz (which has quite a loyal following locally). There was more delay & angst about it -- 6+ weeks worth. Knowing about this "Pre-Budget Public Forum" coming up, I

wanted to get the word out ch as many facts as possible; an., ledger is a great fact of not just spending, but fiscal forecasting in real-world terms, which obviously impacts income needs for any municipality via taxes, etc. That's definitely public domain.

Finally, yesterday morning, I called the village attorney's office, Earl Gallop, & left a strong & frustrated message to the effect that I feared the continued lack of such disclosure constituted a violation of ethics & public trust.

Hence, I checked on line with the county's site & called you to try to understand where they SHOULD be taking all this & must if law. I rec'd the emailed ledger & a bonus -- the petty cash log -- late yesterday afternoon/early evening, & gladly uploaded both for the public's benefit (don't know what motivated its precipitation THEN, but the timing is curious...). Our conversation & emails confirmed to me they should be doing more. Lots more. (Out of fairness to them, no council members have elected official experience, they've been setting up shop, & moving into a new office, if that's any "defense.")

Please help me be accurate & publicly effective with Constitutional rights & all of its offspring, Christina. If we all have broader rights than our charter claims, I'd like our public to know about it ASAP -- especially now as soon-to-be-formed financial templates may become a precedent -- so they can exercise their rights for the healthiest possible community. That's my goal.

Many thanks!

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