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MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST

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CLERK, CIRCUIT & COUNTY OFS  
MIAMI-DADE COUNTY, FLA.  
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In Re: Lorenzo Cobiella

C19-28-06

### **PUBLIC REPORT AND FINAL ORDER**

Complainant, Boris Foster (Foster), filed this complaint against Miami Lakes Deputy Town Attorney Lorenzo Cobiella (Cobiella), alleging that he violated provisions of the Citizens' Bill of Rights (CBR), including Section A (2), the provision prohibiting a municipal employee from knowingly furnishing false information on any public matter.

The Miami Lakes Special Taxing District has a committee made up of, among other people, representatives of the various Home Owners Associations (HOA's) in Miami Lakes. The committee was formed to facilitate communications between HOA's and the Town. The committee reports to the Town Council about resident concerns. The committee meetings are open to the public and are subject to the Sunshine Law.

Investigation revealed that, on or about May 9, 2019, one of the committee members sent an e-mail advising Lake Glenn Ellen HOA members, among others, of the intention of the committee to engage with citizens and have their "voice heard" by contacting committee members and expressing their concerns about the Special taxing District. Subsequently, complainant responded to the committee member via e-mail. Apparently, some other committee members were included on the e-mail chain or there was a concern that they were.

On or about May 31, 2019, Cobiella responded to the e-mail chain warning committee members that communicating via e-mail, outside of the *Sunshine*, on matters that may come before the committee, could violate the Sunshine Law. He urged all communication "with and among board members...should be done within a scheduled public meeting.

Complainant interpreted the e-mail from Cobiella to be an instruction that citizens could not communicate to their representatives unless that communication was done at a public meeting. Complainant believed that Cobiella's e-mail was a threat to silence community participation. Subsequently, Cobiella sent an e-mail to all affected parties clarifying that he was only referring to committee members when he urged them to cease and desist communications by e-mail.

On July 17, 2019, the Ethics Commission agreed with the recommendation of the Advocate that there was No Probable Cause to support the complaint and dismissed it. There was no evidence that Cobiella did anything other than act in a manner he believed was in the best interests of preventing possible violations of the Sunshine Law by committee members. Moreover, upon learning that his e-mail had been misconstrued by some to believe it meant that no citizen could communicate with their committee representative, Cobiella sent a follow-up e-mail clarifying that his warning was only directed to committee members.

Wherefore it is:

**ORDERED AND ADJUDGED** that COMPLAINT C19-28-06 is dismissed.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session on this 17<sup>th</sup> day of July, 2019.

MIAMI-DADE COUNTY COMMISSION ON  
ETHICS & PUBLIC TRUST

By:

*H. Jeffrey Cutler*

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H. Jeffrey Cutler

Chairman 07/19/2019

Signed on : \_\_\_\_\_