
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, September 23, 2014 10:40 AM
To: Sanchez, Rodzandra (COE)
Subject: Robert Switkes, Village Attorney, North Bay Village (Sunshine Law) INQ 14-225

INQ 14-225

From: Centorino, Joseph (COE)
Sent: Monday, September 22, 2014 5:41 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: INQ - Robert Switkes, Village Attorney, North Bay Village

Robert Switkes, Village Attorney for North Bay Village inquired concerning whether it would be appropriate to hold the second budget hearing scheduled for the Village Commission to take final action on the Village Budget for the upcoming fiscal year, where the notice for the meeting in the Miami Herald failed to meet the legal requirement for noticing such meetings pursuant to Section 200.065(3). What happened is that the size of the notice, required to be at least ¼ of a page pursuant to the aforesaid statute, was inadvertently made less than a quarter page by the Herald. Under the latter statute, the prescribed notice size does not apply to all meetings, only to budget meetings involving a proposed tax increase. It was supposed to have been corrected prior to the meeting by the newspaper, but that did not occur. I informed Mr. Switkes, that, although the requirement under the Sunshine Law, Section 286.011, Florida Statutes, specifies only that “reasonable” notice be provided for any given meeting, it would be difficult to justify any notice that is less than what is legally prescribed for the meeting in question. It is likely that such notice would be necessary to meet the prescribed “reasonable” notice standard under the Sunshine Law. Accordingly, I recommended that the meeting be re-noticed and held at a later time.

Joseph M. Centorino

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