

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, October 04, 2016 9:39 AM
To: Sanchez, Rodzandra (COE)
Subject: Javier Gonzalez, Member, Miami-Dade County Selection Committee (Cone of Silence)
INQ 16-223

INQ 16-223 Gonzalez

From: Javier [mailto:javiergonzalezpa@bellsouth.net]
Sent: Monday, October 03, 2016 4:38 PM
To: Ethics (COE) <ethics@miamidade.gov>
Cc: RadiaTuray@gmail.com; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>
Subject: RE: INQ 16-223 Javier Gonzalez, Member, Miami-Dade County Selection Committee (Cone of Silence)

Mr. Centorino,

I agree with your last statement completely; if I would have known the limitations imposed by the rules I would not have accepted the appointment.

Thank you for the explanation, I truly appreciate your time.
Javier

From: Ethics (COE) [<mailto:ethics@miamidade.gov>]
Sent: Monday, October 03, 2016 3:24 PM
To: 'Javier'; Ethics (COE)
Cc: RadiaTuray@gmail.com; Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO); Kirtley, Eddie (CAO)
Subject: RE: INQ 16-223 Javier Gonzalez, Member, Miami-Dade County Selection Committee (Cone of Silence)

Mr. Gonzalez:

There is no exception in the Cone of Silence for a Selection Committee Member who also sits as a public official on an elected public board, in which capacity he or she may be called upon by constituents to speak on a pending procurement matter while the Cone is in force. However, there is an exception under Section 2-11.1(c) of the Code for communications made in publicly-noticed meetings. I would suggest, therefore, that you confine your remarks regarding this solicitation to either publicly-noticed meetings of the Coconut Grove Village Council, or that you arrange with your clerk to provide appropriate public notice for any special meeting that is held by you with constituents.

In the future, you may wish to reconsider whether it is prudent to accept a position on a County selection committee where it will limit your ability to communicate freely with your constituents.

Sincerely,

Joseph M. Centorino
Executive Director and General Counsel

Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
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From: Javier [<mailto:javiergonzalezpa@bellsouth.net>]
Sent: Monday, October 03, 2016 1:00 PM
To: Ethics (COE) <ethics@miamidade.gov>
Cc: RadiaTuray@gmail.com; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>
Subject: RE: INQ 16-223 Javier Gonzalez, Member, Miami-Dade County Selection Committee (Cone of Silence)

Mr. Centorino,

Thank you for the quick reply, and I do have a follow up Question.

As Vice Chair (former Chair) of the Coconut Grove Village Council (an open elected body), does the opinion below not put me at odds (conflict) with residents who feel that as an elected official for their communities has the duties to discuss their concerns?

Javier

From: Ethics (COE) [<mailto:ethics@miamidade.gov>]
Sent: Monday, October 03, 2016 12:07 PM
To: 'Javier'
Cc: RadiaTuray@gmail.com; Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO); Kirtley, Eddie (CAO)
Subject: INQ 16-223 Javier Gonzalez, Member, Miami-Dade County Selection Committee (Cone of Silence)

Dear Mr. Gonzalez:

You have inquired, in your capacity as an appointed member to a Miami-Dade County Selection Committee for a county project (Frankie Shannon Rolle Building), regarding whether you may respond to questions about the project from individuals within the community, who may be reacting to initiatives by the principals involved in the procurement process to gain community support. As a member of a County selection committee, you are under the County Cone of Silence in Section 2-11.1(t) of the County Ethics Code. You should not engage in conversations about the selection process with interested parties, including communications with any potential service provider or contractor, lobbyists, County staff or elected officials. While the Cone does not specifically mention communications with members of the public, the requested communications mentioned by you, which you have reason to believe were triggered by community outreach efforts of principals' engaged in the process, should be avoided by you while the Cone is in place. The Cone, which is imposed beginning with the advertisement of the project, continues in effect until the Mayor makes

a written recommendation to the Board of County Commissioners on the project. Until the Cone is lifted at that time, you are advised to avoid engaging in any conversations about the recommendation with anyone inquiring about it. Until the lifting of the Cone at that time, your response to such questions should simply state that, due to the Cone of Silence, you are prohibited from engaging in such communications while the Cone is in effect.

Sincerely,

Joseph M. Centorino

Executive Director and General Counsel
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From: Javier [<mailto:javiergonzalezpa@bellsouth.net>]

Sent: Monday, October 03, 2016 9:06 AM

To: Ethics (COE) <ethics@miamidade.gov>

Subject: Cone of Silence question

Hello,

I served (or still serve, I have no clue) on a selection committee for a county project (Frankie Shannon Rolle Building) and wanted to know how long would the "cone of silence" last?

The project has been awarded and now the principles are coming into the neighborhood looking for support (I have been informed by residents) and questions are being asked of me as my leadership role within the community.

What can I say or discuss with residents?

Thank you,

Jav

Javier Gonzalez P.A.

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