

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, March 21, 2017 10:54 AM
To: Sanchez, Rodzandra (COE)
Subject: Thomas Pepe, City Attorney,City of South Miami (Cone of Silence) INQ 17-80

INQ 17-80 Pepe

From: Pepe, Thomas F. [mailto:TPepe@southmiamifl.gov]
Sent: Tuesday, March 21, 2017 10:53 AM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Payne, Nkenga <NPayne@southmiamifl.gov>; Cedeno, Rachele (COE) <Rachele.Cedeno@miamidade.gov>; Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>; Ethics (COE) <ethics@miamidade.gov>
Cc: Menendez, Maria M. <MMenendez@southmiamifl.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Steven J. Alexander <SAlexander@southmiamifl.gov>
Subject: RE: INQ 17-80 Thomas Pepe, City Attorney,City of South Miami (Cone of Silence)

Thank you.
Very truly yours,

Thomas F. Pepe

City Attorney, Board Certified by the Fla. Bar
in City, County and Local Government Law.
City of South Miami
1450 Madruga Avenue, Ste 202,
Coral Gables, Florida 33146
Tel: (305) 667-2564
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From: Centorino, Joseph (COE) [Joseph.Centorino@miamidade.gov]
Sent: Tuesday, March 21, 2017 10:51 AM
To: Pepe, Thomas F.; Payne, Nkenga; Cedeno, Rachele (COE); Sanchez, Rodzandra (COE); Ethics (COE)
Cc: Menendez, Maria M.; Turay, Radia (COE); Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE)
Subject: INQ 17-80 Thomas Pepe, City Attorney,City of South Miami (Cone of Silence)

Mr. Pepe:

You have inquired regarding the procedure for a municipality to opt out of the County Cone of Silence in Section 2-11.1(t) of the County Code of Ethics. Subsection 2-11.1(t)4. of that ordinance provides that a municipality may opt out of the Cone of Silence by adopting "an ordinance providing that the Cone of Silence shall not apply to that municipality," and by providing the Ethics Commission with a copy of the ordinance. Therefore, a municipality may opt out simply by

adopting an ordinance stating that the municipality opts out of the County Cone, or by adopting an ordinance providing that it both opts out and also adopts its own Cone of Silence provision.

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
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From: Pepe, Thomas F. [<mailto:TPepe@southmiamifl.gov>]
Sent: Tuesday, March 21, 2017 9:53 AM
To: Payne, Nkenga <NPayne@southmiamifl.gov>; Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Ceden, Rachele (COE) <Rachele.Ceden@miamidade.gov>; Sanchez, Rodzandra (COE) <Rodzandra.Sanchez@miamidade.gov>; Ethics (COE) <ethics@miamidade.gov>
Cc: Menendez, Maria M. <MMenendez@southmiamifl.gov>
Subject: RE: Cone of Silence Ordinance

It is my understanding, from a reading of the County's cone of silence ordinance, that a City may opt out of the applicability of the ordinance by enacting its own ordinance and by providing the County with a copy of the ordinance. Is that correct?

Thank you.
Very truly yours,

Thomas F. Pepe

City Attorney, Board Certified by the Fla. Bar
in City, County and Local Government Law.
City of South Miami
1450 Madruga Avenue, Ste 202,
Coral Gables, Florida 33146
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From: Payne, Nkenga
Sent: Thursday, March 02, 2017 11:17 AM
To: centori@miamidade.gov; cedeno@miamidade.gov; rodzand@miamidade.gov; ethics@miamidade.gov
Cc: Menendez, Maria M.; Pepe, Thomas F.
Subject: Cone of Silence Ordinance

Good Morning,

The City of South Miami City Commission adopted Ordinance No. 03-17-2273 on February 17, 2017 (attached). This ordinance is for the purpose of regulating communication during certain phases of competitive solicitation and to establish a Cone of Silence. With this ordinance, the City of South Miami desire to opt out of the requirements of section 2-11.1(t) of the Miami-Dade County Cone of Silence ordinance. Please accept this email as our request to opt of Miami-Dade County's ordinance.

Thanks for your attention to this matter.

Please acknowledge receipt of this email.

Best regards,

*Nkenga "Nikki" Payne, CMC
Deputy City Clerk
City of South Miami
6130 Sunset Drive
South Miami, FL 33143
(305)663-6340 office
(305)663-6348 fax
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