

# MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST



In Re: Anthony DeFillipo

C 20-17-04 (C)

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## PUBLIC REPORT AND FINAL ORDER

Complainant José Rosario, Jr. (Rosario) filed this complaint against Anthony DeFillipo (DeFillipo), Mayor of North Miami Beach (NMB), former City Attorney of North Miami Beach (NMB), alleging that DeFillipo violated Section 2-11.1(t) of the County Ethics Code (Cone of Silence), when he contacted Rosario to purportedly discourage him from attending a commission meeting and further, by advocating from the *dais* for the selection of the top ranked firm for City Attorney services (RFQ 10-094 DR) pursuant to Resolution 2020-19.

Legal sufficiency exists where there is an allegation of a violation of an ordinance within the jurisdiction of the Ethics Commission, purportedly committed by an individual within the authority of the Ethics Commission and filed with the Ethics Commission within three years of the alleged violation.

Rosario is not a bidder, proposer, lobbyist or consultant in the subject RFQ therefore, DeFillipo was not prohibited from contacting him. In addition, the Cone of Silence prohibitions terminate at the time the City Manager makes a recommendation to the Commission, hence, the Cone terminated before DeFillipo called Rosario. Alternatively, duly noticed commission meetings are exempt from Cone of Silence restrictions so that, comments or statements from the *dais* are not prohibited.

On June 10, 2020, the Ethics Commission found the complaint to be not legally sufficient and dismissed it.

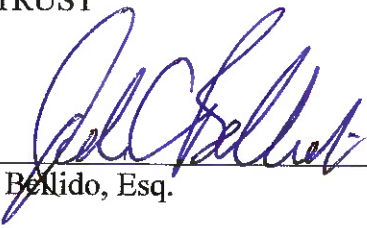
Wherefore it is:

**ORDERED AND ADJUDGED** that COMPLAINT C20-17-04 C against Respondent Anthony DeFillipo is hereby dismissed.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session at the virtual meeting held on June 10, 2020.

MIAMI-DADE COUNTY COMMISSION ON ETHICS &  
PUBLIC TRUST

By:

  
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Nelson C. Bellido, Esq.  
Chairman

Signed on

4/22/2020