

REPORT OF INVESTIGATION

K #: 09-029 CUTLER BAY/ SUNSHINE

Date Opened: March 30, 2009

Date Closed: April 1, 2009

Name of investigator: Karl Ross
.....

Allegation:

Pursuant to an a tip on the ethics hotline, the above COE investigator attended a Cutler Bay Town Council workshop and special meeting on March 30 to determine whether town officials were acting in violation of state public meeting law. Specifically it was alleged there would be possible violations of Florida's Government in the Sunshine Law, F.S. 286.11, sections (1) *meetings of public boards or commissions must be open to the public* and (2) *reasonable notice of such meetings must be given ...*

Investigation:

The COE investigator attended the workshop and subsequent special meeting, and filed a report via e-mail with the Miami-Dade County State Attorney's Office the following morning. For specifics, please see March 31 e-mail from Investigator Karl Ross to Joe Centorino, chief of public corruption at SAO. The e-mail details apparent violation or violations of the Sunshine law. Mr. Centorino subsequently advised that he had been in touch with Cutler Bay Town Attorney Mitchell Bierman, and that Bierman stated that town officials "acknowledged the need to rectify the situation."

CONCLUSION:

The investigation established that Cutler Bay officials did not take sufficient measures to ensure public access to the special meeting in question. The matter has been successfully referred to the SAO Public Corruption section for follow-up.