

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, February 20, 2018 10:35 AM
To: Sanchez, Rodzandra (COE)
Subject: Rebeca Sosa, Miami-Dade County Commissioner (DIST6) (Sunshine Law) INQ 18-48

INQ 18-48 Aguirre

From: Centorino, Joseph (COE)
Sent: Friday, February 16, 2018 5:15 PM
To: Aguirre, Betty (DIST6) <Betty.Aguirre@miamidade.gov>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@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: INQ 18-48 Rebeca Sosa, Miami-Dade County Commissioner (DIST6) (Sunshine Law)

Ms. Aguirre:

You have inquired on behalf of Commissioner Rebeca Sosa regarding whether she may attend a luncheon sponsored by the Latin Builders Association, at which Commission Chairperson Esteban Bovo will be the featured speaker. It is anticipated that Chairman Bovo will speak our various County issues, in particular transit, and discuss his views about future plans/policies that the County will be pursuing in the future.

The Sunshine Law, Section 112.286, Florida Statutes applies generally to any meeting of any public board in the State of Florida at which matters are discussed which may foreseeably come before the board as a whole. The law applies to discussions between two members of any given board and also applies to any casual or social meeting, including a luncheon meeting by a private organization where two or more members of a public board are present. See AGO 92-79.

Although it is apparent that Chairman Bovo and Commissioner Sosa are not attending the meeting for the purpose of communicating with one another, but rather due to the fact that the Latin Builders Association is an important group in the County with an interest in many County issues, I would recommend against her attending the meeting during the time that Chairman Bovo is speaking. It is likely, under these circumstances, that Chairman Bovo will be referencing issues that are likely to be considered at some point by the BCC. Additionally, one-way communications, i.e., communications by one board member that are not in the context of a person-to-person discussion between two board members, but to which a second board member will be hearing, could violate the Sunshine Law even though the comments are not responded to by the other member.

While I see no reason why Commission Sosa could not attend the non-speaking portion of the luncheon, I would recommend that she not be present in the room while Chairman Bovo is making his remarks.

Sincerely,

Joe Centorino

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