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**MEMO**

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**To:** File  
**From:** Victoria Frigo  
**Subject:** INQ 12-194  
**Date:** November 14, 2012

On November 13, 2012, I spoke with Kevin Asher, Planning Director at the Parks Dept., regarding waiving the Cone of Silence for solicitations to develop land near Zoo Miami.

To expedite the solicitation procedure as per Fla. Stat. 125.045 (County Economic Development Powers), Mr. Asher is requesting that the Board of County Commissioners (BCC) waive the bid protest process and the local preferences proviso. Mr. Asher inquired as to whether the Cone of Silence could also be waived.

After speaking with Assistant County Attorney Gerald Sanchez, we agreed that an ordinance such as the Cone of Silence cannot be waived by the BCC.

Mr. Asher was advised that the Cone of Silence at Sec. 2-11.1 (t) of the County Code did not include a provision for waiving under the facts he presented.