

Frigo, Victoria (COE)

From: Centorino, Joseph (COE)
Sent: Tuesday, January 22, 2013 4:52 PM
To: 'Joe Graubart'; Ethics (COE); ardyth@miamidade.gov; Sibilia, Rhonda (COE); Joe Centorino
Cc: Linda Miller; Sarah Johnston
Subject: INQ - Sunshine Law Question

Commissioner Graubart:

Generally speaking, it is permissible under the Sunshine Law to place matters such as these in a memo that is circulated among all other members of the board, and made a public records by the Clerk. It is also advisable that the Clerk, rather than you, be the one to distribute it and that it specifically warn against any other board member responding to it (as you apparently already do). I also suggest that that, prior to your taking such action, you show the communication to your Town Attorney and follow his/her advice concerning the matter.

Joe Centorino
Executive Director
Miami-Dade Commission on Ethics and Public Trust

From: Joe Graubart [<mailto:jgraubart@townofsurfsidefl.gov>]
Sent: Tuesday, January 22, 2013 3:39 PM
To: Ethics (COE); ardyth@miamidade.gov; Sibilia, Rhonda (COE); Joe Centorino; Centorino, Joseph (COE)
Cc: Linda Miller; Sarah Johnston; Joe Graubart
Subject: Sunshine Law Question

Dear All:

At times I email the Town Manager, Town Attorney, Town Clerk and the Elected Officials regarding some clerical matter (emailing all at the same time). As an example, we (elected officials) submit discussion items to be placed on the upcoming monthly Commission Meeting. I have attached this for you to see.

I also put this on the email as a reminder:

ELECTED OFFICIALS PLEASE DO NOT RESPOND TO ME OR TO ONE ANOTHER REGARDING THIS CLERICAL MATTER – ONLY COMMUNICATE TO NON-ELCETED TOWN OFFICIALS (STAFF) – AND/OR WAIT UNTIL A COMMISSION MEETING TO DISCUSS - AS COMMUNICATING ABOUT THIS COULD BE A VIOLATION OF SUNSHINE LAWS.

I include elected officials to ensure that all are aware of the Agenda Discussion Item being submitted, allow time for thought, and to permit 'us' the additional opportunity to discuss item with (residents) constituents.

Here in Surfside, we are basically one dollar per year volunteers – recognizing of course that we are Elected Officials. I do not wish or want to get any of us in trouble.

Question: Is it 'ok' to email all a clerical matter(s)...newspaper article, agenda item (see above).

Please note that the Town Attorney's office was recently vacated; and that is why you do not see her being copied. However, I have copied the Interim Town Attorney and her Assistant.

Thank you for your help, guidance, and consideration.



Joe Graubart

Commissioner

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NOTE: Florida Public Records Law provides that most written communications to or from Municipal employees regarding town business are public records, available to the public and media upon request. Therefore, this e-mail message may be subject to public disclosure.