

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, July 25, 2013 2:07 PM
To: 'cleonkreps@nbvillage.com'
Cc: Boniske, Nina; Richard Chervony (rchervony@hotmail.com); 'rchervony@nbvillage.com'; Penichet, Breno P. (COE); Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Sunshine Law (INQ 13-184)
Attachments: FL_AG_July_2_1997.pdf

Mayor Leon-Kreps,

You asked about possible ethics violations resulting from North Bay Village Commissioners corresponding with each other outside of public meetings on matters that are likely to come before the Commission.

This issue is best addressed under the Florida Sunshine Law at Fla .Stat. 286.011. The Florida Attorney General has opined on several occasions that any interaction between commissioners via written correspondence or computers on matters that will foreseeably come before their commission violates the Sunshine Law. (See the July 2, 1997, AG Informal Opinion, attached; also AGO 90-3 (1990), prohibiting the circulation of reports among board members for comments with comments being provided to other members; and AGO 89-39 (1989), prohibiting the use of computers by board members to communicate among themselves.)

Through copies of this email, I am sharing your concerns with Village Attorney, Nina Boniski, and Commissioner Chervony.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

Direct Phone: 305 350-0601
Main Number: 305 579-2594
Fax: 305 579-0273



19 West Flagler St., Suite 820
Miami, FL 33130

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From: Connie Leon-Kreps [<mailto:cleonkreps@nbvillage.com>]
Sent: Thursday, July 25, 2013 8:42 AM
To: Penichet, Breno P. (COE)
Subject: FW: Special Commission Meeting of 8/31

Good morning Breno,
I need your opinion on this.

Commissioner Chervony insists in copying to all (see below)
This is risky because of the potential to respond without intent.

I do not get any copies of emails from any other member of the commission RE: village items nor do I copy to them when communicating with city manager, village clerk or village atty.

I am certain the legal dept has advised him because I have repeatedly asked them to counsel him on this but it appears that this is not understood or not taken seriously as to potential effect.

I will await your opinion,

Connie Leon-Kreps, Mayor
City of North Bay Village
1700 Kennedy Causeway, Suite 132
North Bay Village, FL 33141
305-756-7171 Office
786-877-1163 Cell

"Success is simple. Do what's right, the right way, at the right time."
Arnold H Glasgow.



**Do your part in keeping our planet "Green", minimize paper usage.
Thank you! - North Bay Village.**

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-----Original Message-----

From: Richard Chervony
Sent: Thu 7/25/2013 8:09 AM
To: Yvonne Hamilton; Frank Rollason; Jenice Rosado; Bert Wrains
Cc: All Commissioners ; Nina Boniske; Kathy Mehaffey; Robert Daniels
Subject: Special Commission Meeting of 8/31

Good morning,

As I feared and advised since this meeting was announced in early June, I will not be in attendance at the Special Commission Meeting of July 31st, as I will be out of town.

I ask that all items sponsored by me in this Agenda as well as all corresponding items that are tied into my items be delayed until the first regular meeting of September. My interest is in being present for all Advisory Board Actions that the Commission may take.

Two more items that I would like to bring up for everyone's attention and possible action:

1.) The Miami Dade County Commission where the final budget will be approved with a possible cut to Fire Station 27 will take place on Tuesday September 10th. Please consider changing the date of our meeting so that a large presence can be felt at the County Meeting from residents of North Bay Village.

2.) I requested a Workshop for Cost Recovery so that we can all understand it and if necessary act on it. It is imperative to have this workshop towards the end of August or early September before we enter into our budget hearings and final meeting on the budget where we will set the millage. I ask that this be scheduled.

Thank you for your cooperation,

Richard Chervony
North Bay Island Commissioner
rchervony@nbvillage.com
(c) 786-999-3732

"WHERE'S THE PRIDE?"