

## Frigo, Victoria (COE)

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**From:** Ramos, Miriam S. (COE)  
**Sent:** Monday, September 16, 2013 4:34 PM  
**To:** Liu, Patra (OIG)  
**Cc:** Frigo, Victoria (COE); Ceden, Rachele (COE)  
**Subject:** INQ 13-228  
**Attachments:** INQ 13-59 Kuper.pdf

Patra,

I have discussed your question internally with both Victoria and Joe and we all agree with the following interpretation of the “in writing” exception to the Cone of Silence:

Section 2-11.1(t)(1)(c)(i) states, “[t]he provisions of this ordinance shall not apply to...communications in writing at any time with any County employee, *official* or members of the Board of County Commissioners...The bidder or proposer shall file a copy of any written communication with the Clerk of the Board.”

We have always interpreted this section to include members of the selection committee. In fact, we train assuming they are included. Although typically selection committee members are County employees and therefore clearly included, we are of the opinion that any person serving on a Miami-Dade County selection committee is a County “official.”

I have attached a related INQ where we told the Executive Director of the League of Cities that his appointment to a selection committee in the City of Miami was comparable to an appointment to an advisory board. Consequently, he was told he was subject to all provisions of the Miami-Dade Ethics Code. Conversely, we feel that all selection committees are in some sense County officials and therefore included in the above-referenced exception.

Sincerely,

*Miriam S. Ramos, Esq.*  
Deputy General Counsel



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