



April 7, 2021

Hon. Michael Davey
Mayor
Village of Key Biscayne
88 W. McIntyre St
Key Biscayne, FL 33149

Dear Mayor Davey and members of the Village Council:

We write in an effort to seek clarity on the council's expulsion of Mr. Tony Winton from the council chambers last evening April 6 and to request that you reconsider what appears to be a new and unannounced policy that bans the news media from in-person attendance of all hybrid council sessions going forward.

Mr. Winton came to cover a discussion of the highest importance to the residents of the Village - the selection of a new village manager. The meeting was held against a backdrop of public accusations of back room deals, cliques, and conspiracies. It seems, therefore, counterintuitive that a member of the media - the public watchdog -- would be prevented from directly observing the meeting. The fact that the only source of information was government-owned and government-controlled microphones and cameras certainly gives an air of secrecy. What independent witness can verify to the public whether the council members interacted before or after the meeting, or in the private break room behind the dais?

Mr. Winton was alone in the public area of the council chamber, was masked, and was ready, willing, and able to comply with all COVID-19 safety protocols. He was not permitted by you to speak before you informed him he was being ejected and he was told to wait outdoors where he was told he could dial in later to public comment.

The council, with the exception of Mr. Ignacio Segurola, then continued to deny Mr. Winton physical access to the chambers, which were empty except for five council members. Additionally, no authority was presented Tuesday that suggests the media can be excluded from a public, in-person meeting in a public place in contravention of the Florida Sunshine Law, Ch. 286, Florida statutes

While it is not our intent to be in an antagonistic or hostile relationship with the Council, we believe your actions run counter to Governor DeSantis's intent when the order allowing virtual meetings was allowed to expire on November 1, 2020.

If it is, in fact, the Village's policy to deny in-person media attendance to hybrid meetings, you would be in the minority of municipalities taking that stance. Coral Gables is being sued for it.

Mr. Winton had attended a noticed 'Sunshine' meeting in the chamber as recently as this past Monday (April 5th). He also physically attended, in person, one of the very first 'hybrid' council meetings on Nov. 17, 2020. Both of these events took place without incident or interruption and, because past is prologue, Mr. Winton had no reason to suspect or believe that you would make a sudden move to expel him on Tuesday (April 6th).

Ejecting the only member of the news media at a meeting is inconsistent with transparency and does little to counter rumors. We respectfully request clarification on your position in hopes that it will demonstrate your intent to embrace transparency and to be the beacon of light that your logo represents.

Respectfully,

The Board Of Directors Of Miami Fourth Estate, Inc D/B/A Key Biscayne Independent

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