

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Thursday, July 18, 2013 12:11 PM  
**To:** 'BarbaraMKramer@comcast.net'  
**Cc:** Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** Doing business in your city (INQ 13-177)

Councilwoman Kramer,

As an elected official in the City of North Miami Beach, you asked if your husband's company could enter into contracts with the owners/developers of the TECO Brownfield site in the City of North Miami Beach. Based on the facts you presented, your husband's company is not prevented under the County Ethics Code from contracting with the owners/developers as long as no *quid pro quo* arrangement is intended or implied. See the Miami-Dade County Code at Sec. 2-11.1 (e)(3).

You stated that the City Council recently passed a resolution designating the TECO property as a Brownfield site. The City does not own the property nor does the City have any contractual relationship with the owners/developers of the property.

The Brownfield designation allows the owners/developers to seek tax incentives and related incentives through the Florida Department of Environmental Protection and the U.S. Environmental Protection Agency to clean up contamination in order to redevelop the property.

Under these facts, your husband may sell products that clean polluted land to the owners/developers of the TECO site.

We caution you, however, that an appearance of impropriety could be created if you or your husband were to be doing business with developers in the City near to a time in which they might be seeking benefits from the City--such as zoning variances. It is unlikely that an appearance issue would be created if you were to provide window treatments, through your privately owned company, to individual tenants or condominium owners within the development.

If you have additional questions, please feel free to contact me.

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:** Barbara Kramer [mailto:BarbaraMKramer@comcast.net]  
**Sent:** Thursday, July 18, 2013 10:47 AM  
**To:** Frigo, Victoria (COE)  
**Subject:** Re: Re your ethics question

Hi Victoria,

Our city attorney, Darcee Siegel stated that NMB has no contracts with TECO. An attorney that was involved in designating the TECO site a as Brownsfield for TECO has been hired by the city for assistance with one of the city's properties and the possibility of designating that property/park a Brownsfield.

Thank you for helping me clarify some of these concerns and I look forward to any response you can provide.

Barbara

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**From:** "Victoria Frigo (COE)" <[FRIGOV@miamidade.gov](mailto:FRIGOV@miamidade.gov)>  
**To:** "[BarbaraMKramer@comcast.net](mailto:BarbaraMKramer@comcast.net)" <[BarbaraMKramer@comcast.net](mailto:BarbaraMKramer@comcast.net)>  
**Sent:** Thursday, July 18, 2013 9:45:01 AM  
**Subject:** Re your ethics question

Commissioner Kramer,

Your question has been forwarded to me for a response. I would appreciate obtaining some additional facts before offering an opinion.

Could you please call me at my direct number, below, at your convenience?

Thank you,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

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



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**From:** Barbara Kramer [<mailto:BarbaraMKramer@comcast.net>]  
**Sent:** Monday, July 15, 2013 10:11 AM  
**To:** Ethics (COE)  
**Subject:** Question

Hello,

I'm an elected official in the City of North Miami Beach, and I have a question regarding my husband contacting a company that is doing work in our city. My husband is associated with a green company and he has met someone through his business that represents a product that cleans polluted land and it is a green product as well. This representative asked my husband if he knew of companies that do this type of work and if so would he like to carry his product or represent it. We weren't sure if it was okay to contact the business that has started to do the clean-up on the TECO site which is a Brownsfield in our city. The vote to make this site a Brownsfield was made many, many months ago and way before my husband met this representative (which was just last week).

What are the ethics rules involved in this situation and any type of situation in which my husband or I can do business with a business or development in our city? One of my colleagues is a Realtor for instance, is she allowed to sell apartments and receive commissions on sales of condos in a building that the city had to approve? Would I be able to bid a job if one of these developments or businesses that came before the council contacted me afterwards for window treatments which is my family business? None of this has yet to happen, but with the economy changing and new business is arising I don't know where this leaves us and will my family business suffer if I can't bid on anything because it came in front of council.

Thank you so much,

Barbara Kramer