

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Monday, August 05, 2013 5:00 PM
To: 'Pepe, Thomas F.'
Subject: Commissioner giving gifts to employees (INQ 13-195)

Mr. Pepe,

A city commissioner who intends to plant trees using his own money and his own personal resources (not the city's money nor the city's resources) appears to be engaged in a charitable act that does not interfere with his official duties to the city.

If city employees are the recipients of the commissioner's free trees, and the value of the trees and the installation is more than \$100, the city employees must disclose the gift of trees on a gift disclosure form. See the County Code at Sec. 2-11.1 (e)(4).

Please be advised, however, that if only city employees are benefiting from the gift of free trees, citizens may infer possible misconduct. Therefore, we encourage the city commissioner to make clear that his actions are privately funded and not funded by the city.

If I've misunderstood the facts or you have additional concerns, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: Pepe, Thomas F. [<mailto:TPepe@southmiamifl.gov>]
Sent: Friday, July 26, 2013 7:14 PM
To: Frigo, Victoria (COE)
Subject: Commissioner giving gifts to employees

May a City Commissioner, who has promoted the installation of trees in the City of South Miami, donate his time and money to install a tree or trees on property owned by a City employees in South Miami.

Thank you.

Very truly yours,

Thomas F. Pepe

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