

**MIAMI-DADE COUNTY
COMMISSION ON ETHICS AND PUBLIC TRUST**



C20-28-07

In re:

Thomas Pepe

PUBLIC REPORT AND FINAL ORDER

Horace G. Feliu (Feliu), filed this complaint against City of South Miami Attorney Thomas Pepe (Pepe) alleging that Pepe failed to provide a reply to Feliu's public records request (PRR). Feliu alleged that Pepe did not provide the requested items in a timely manner and attempted to charge a sum that exceeds the allowable cost provided by law.

Investigation determined that Feliu made a PRR on July 12, 2020. The City responded to the PRR within two days essentially advising Feliu that his request was overbroad and not specific and that researching numerous e-mails between Pepe and former Commissioner Edmond trying to find what Feliu was looking for would likely be expensive. Pepe specifically advised Feliu to provide the specific date of the Commission meeting he was referring to and pep would conduct some preliminary research.

Apparently unhappy with this response, Feliu contacted former Commissioner Edmond and obtained the document he was looking for from him. When the City was advised of the date of the memorandum in question, Pepe advised the Clerk to send Mr. Feliu the memo now that they had identified it.

The City made timely responses to Feliu regarding his PRR. They sought more concise information from him which would have aided in locating the document he was looking for. Feliu's initial PRR did not provide a specific date of the document he sought.

On September 9, 2020, the Ethics Commission agreed with the Advocate's recommendation that there was No Probable Cause to conclude that Pepe violated the Public Records provision of the Citizens' Bill of Rights.

Wherefore it is:

ORDERED AND ADJUDGED that COMPLAINT C20-28-07 against Thomas Pepe is dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on this 9th day of September 2020.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Nelson C. Bellido
Chairman

Signed on : 10/7/2020