

## Frigo, Victoria (COE)

---

**From:** Frigo, Victoria (COE)  
**Sent:** Monday, September 09, 2013 1:01 PM  
**To:** 'Pepe, Thomas F.'  
**Cc:** Steven J. Alexander; Stoddard, Philip K.; Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** Architects on review boards (INQ 13-217)

Mr. Pepe,

In response to your question below, an architect has no conflicts of interest under the County or City ethics codes to serve on a review board under the following circumstances:

- the architect, through his architectural firm, has a subcontract with a developer that is building a project in the city, but
- the project by the developer has already received final approval from the review board in question and thus will not go before that board again.

Because the developer has no matters that will come before the review board in the future, a conflict will not be created between the architect's private interests (through the subcontract with the developer) and the public interest. See Miami-Dade County Ethics Code at Sec. 2-11.1 (l) and South Miami Code of Ethics at Sec. 8A-1 (k).

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

*Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.*

---

**From:** Pepe, Thomas F. [<mailto:TPepe@southmiamifl.gov>]  
**Sent:** Friday, August 30, 2013 10:56 AM  
**To:** Frigo, Victoria (COE)  
**Cc:** Steven J. Alexander; Stoddard, Philip K.  
**Subject:** Conflict of Review Board Member and Re-appointment

It is difficult to find experienced and licensed architects, including landscape architects, who are able and willing to serve on the city's review boards. Therefore, it is with deep regret that these architects are forced to resign when they obtain a job with an entity that is building in the city.

Can an architect accept an appointment by the City Commission to a review board, or be re-appointed after resigning because of a potential conflict, if:

1) the architect, or a firm in which the architect has a financial interest, has a subcontract with company X, which is building a project in the city, and

2) the project by company X has already received final approval from review board in question and thus will not go back before that board again.

Thank you.

Very truly yours,

*Thomas F. Pepe*

City Attorney  
City of South Miami  
1450 Madruga Avenue, Ste 202,  
Coral Gables, Florida 33146  
Tel: (305) 667-2564  
Fax: (305) 341-0584  
E-mail: [tpepe@southmiamifl.gov](mailto:tpepe@southmiamifl.gov)

ATTENTION: This e-mail may contains PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the addressee named above. If you are not the intended receiver, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone, call collect if outside of your area code and delete this e-mail. We will reimburse you for the cost of your long distance call. Thank you. Please also note: All e-mails to and from this e-mail site are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time pursuant to Florida Statutes, ch. 119.