

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, November 21, 2013 2:03 PM
To: 'Pepe, Thomas F.'
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Gift re Commissioner and CRA Member (INQ 13-301)

Mr. Pepe,

A City Commissioner may accept a gift from a person he has voted to appoint and, in the future, reappoint to the South Miami Community Redevelopment Agency (SMCRA) as long as no *quid pro quo* arrangement has been arranged or implied.

Specifically, the Commissioner cannot solicit or accept a gift in exchange for an official public action taken or to be taken, or which could be taken; a legal duty performed or to be performed, or which could be performed; or a legal duty violated or to be violated, or which could be violated. *See* the Miami-Dade County Ethics Code at Sec. 2-11.1 (e)(3).

As long as the gift of technical assistance was not arranged in violation of the subsection referenced above, the Commissioner may accept the gift. You are correct that if the value of the gift exceeds \$100, state law requires that the Commissioner disclose the gift in the quarter following the quarter in which it was received.

If you have further questions about the County Ethics Code, please contact Joe Centorino, Executive Director, or Gilma Diaz-Greco, Staff Attorney, at the Miami-Dade Ethics Commission.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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Main Number: 305 579-2594
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From: Pepe, Thomas F. [<mailto:TPepe@southmiamifl.gov>]
Sent: Monday, November 18, 2013 6:45 PM
To: Frigo, Victoria (COE)
Subject: Commissioner and CRA Member

The South Miami Community Redevelopment Agency ("SMCRA") is made up of 5 members who are also members of the City Commission and 2 members who are citizens of the City.

Is it unethical for a member of the city commission, who votes on the appointment of two non-ex officio members of the South Miami Community Redevelopment Agency ("SMCRA"), to accept technical help from one of the non-ex officio members of the SMCRA since he may be

called upon to reappoint the SMCRA member in question to the SMCRA for a second or third term.

I also understand that the technical help has a monetary value that may need to be disclosed.

Very truly yours,

Thomas F. Pepe

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