

**CITY OF STAMFORD
BOARD OF ETHICS**

STIPULATED AGREEMENT

Pursuant to Sec. 19-14.D(3) of
The Stamford Municipal Code of Ethics
(the "Code")

THIS AGREEMENT, dated November 4, 2013 (this Agreement"), is entered into between the **CITY OF STAMFORD BOARD OF ETHICS** (the "BOE") and **MARY LOU RINALDI** ("Respondent").

WITNESSETH:

WHEREAS, on March 28, 2013, Joseph Tarzia filed a complaint (the "Complaint") with the BOE alleging that Respondent violated the Code;

WHEREAS, Respondent submitted a response to the Complaint (the "Response"), in which she did not dispute the underlying facts thereof, but denied violating the Code and raised a number of procedural and substantive defenses based on jurisdiction and the right to free speech under both the federal and state constitutions;

WHEREAS, an Investigating Board of the BOE (the "Investigating Board") found probable cause (the "Finding") that Respondent violated Section 19-8A of the Code;

WHEREAS, the Finding and the Response cite legal theories that are in some respects novel, and in all respects complex, and with respect to which the Code is silent;

WHEREAS, the Investigating Board determined that the Finding and the Response reveal uncertainties with respect to the procedure for public hearings in this matter under the Code;

WHEREAS, the Complaint has resulted in significant public discussion about the Complaint, which is a matter of public interest;

WHEREAS, Respondent fully understands that any intervention by a public official on behalf of an employee relative creates at least the appearance of impropriety and could equate to a violation of the Code;

WHEREAS, the BOE is fully aware of all factual and legal issues raised by the Complaint and the Response;

WHEREAS, the BOE is charged with enforcement of the Code at the most reasonable and practical level;

WHEREAS, considering the acts complained of, the publicity associated with the Finding, the high costs associated with public hearings on the novel legal theories involved, and Respondent's understanding of her obligations under the Code as publicly expressed herein, the Investigating Board believes that this Agreement will serve the public's best interest better than public hearings in this matter; and

WHEREAS, the Investigating Board has the authority to enter into this Agreement under Section 19-14.D(3)(c) of the Code.

NOW, THEREFORE, the Investigating Board and Ms. Rinaldi agree as follows:

1. Acknowledgment of Obligations. Respondent acknowledges that it is the Code's general policy to foster public confidence in the integrity of government, as well as its admonition that public office must not be used for personal gain or advantage. Respondent further acknowledges that as an elected official, she is subject to the Code. Respondent has reviewed the Code generally, and the provisions of Section 19-8A in particular, and understands and agrees to abide by the obligations imposed on elected officials thereby.

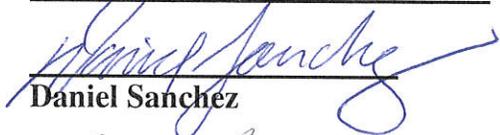
2. Agreement to Not Intervene. In furtherance of her obligations under the Code, Respondent agrees that, so long as she is subject to the Code, she will not intervene in, attempt to influence, or in any other way participate in, any personnel matter involving any of her relatives that are employed by the City.

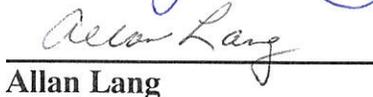
3. BOE Approval. This Agreement is subject to approval by a majority of the non-Investigating Board members of the BOE, evidenced by the signature of the Chairperson of the BOE subscribed hereon, and shall be effective as of the date of such signature. The BOE shall thereupon terminate all further proceedings in this matter, and this Agreement shall be filed with the Stamford Town Clerk as part of the BOE's public records. Such filing shall be deemed a final resolution of this matter.

4. Effect of Non-Approval. In the event that this Agreement is not approved by a majority of the non-Investigating Board members of the BOE, it shall be null and void, of no force or effect, and the BOE will proceed in this matter as appropriate under the Code. In any such further proceedings, neither BOE nor Respondent shall be bound by anything contained in this Agreement, and nothing herein shall be deemed an admission, stipulation, or other statement as to any fact or theory referenced herein.

Agreed to by:

THE INVESTIGATING BOARD:


Daniel Sanchez


Allan Lang


Sarah Summons

RESPONDENT:


Mary Lou Rinaldi

APPROVED, THE STAMFORD BOARD OF ETHICS:

By: 

Cheryl Bader
Chairperson

Date: Nov. 4, 13