

CLERK OF THE BOARD  
2010 NOV 10 PM 3:27  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1



**FILE COPY**

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

**In re: ROBERT WELSH**  
\_\_\_\_\_ /

**C 10-36**

**PUBLIC REPORT AND FINAL DISMISSAL ORDER**

Jeanette Gatto, a candidate for the office of City Commissioner, Seat 2, in the City of Sunny Isles Beach, filed the above-referenced COMPLAINT against her opponent, Robert "Bob" Welsh.

The COMPLAINT alleged violations of the County's Mandatory Fair Campaign Practices Ordinance at Secs. 2-11.1.1 (C)(1)(c) and (d), which states that workers cannot willfully damage another candidate's campaign materials or knowingly deprive candidates of their campaign materials. The COMPLAINANT also alleged violations of the Voluntary Fair Campaign Practices Ordinance at Sec. 2-11.1.1 (D)(1) 8, which limits discussions about opposing candidates to the person's record and qualifications.

Pursuant to the Code of Miami-Dade County, Sec. 2-1068, the jurisdiction of the Ethics Commission extends to any person required to comply with the Ethical Campaign Practices Ordinances. In August 2010, RESPONDENT signed the Voluntary Fair Campaign Practices form. Signatories to the voluntary pledge freely waive certain First Amendment rights to free speech and agree to be bound by the jurisdiction of the Ethics Commission for violations under this ordinance.

Because the COMPLAINT was filed within 50 days of the election, the procedure in this matter was expedited as per the County Code at Sec. 2-11.1.1 (E).



An investigation into the COMPLAINT revealed that RESPONDENT stated factual information about his opponent, *i.e.*, she had not agreed to abide by the Voluntary Fair Campaign Practices ordinance. Additionally, the investigation determined that no one associated with RESPONDENT's campaign removed COMPLAINANT's campaign literature.

On October 23, 2010, at the recommendation of the Assistant Advocate, the Hearing Examiner found **NO PROBABLE CAUSE** as to all allegations.

On October 28, 2010, the Ethics Commission affirmed the Hearing Examiner's findings and **DISMISSED** the COMPLAINT due to **LACK OF PROBABLE CAUSE**.

Therefore it is:

**ORDERED AND ADJUDGED THAT** the COMPLAINT against RESPONDENT Robert Welsh is hereby **DISMISSED**.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session on October 28, 2010.

MIAMI-DADE COUNTY COMMISSION ON  
ETHICS & PUBLIC TRUST

By:

  
Kerry E. Rosenthal, Esq.  
Chairman

Signed on this date: November 8, 2010