

**Frigo, Victoria (COE)**

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**From:** Frigo, Victoria (COE)  
**Sent:** Wednesday, December 16, 2009 11:57 AM  
**To:** 'Ewan, Nicole'  
**Cc:** Thompson, Priscilla; Ramos, Miriam S. (COE); 'sam@urban-paradise.org'  
**Subject:** Samuel B. Van Leer and the website "Urban Paradise Guild," INQ 09-169, Amended, No Lobbying Requirements

Dear Ms. Ewen:

Subsequent to issuing our opinion of October 20, 2009, we've had several discussions with Samuel B. Van Leer to clarify his role as a citizen activist. We have determined that Mr. Van Leer is not required to register as a lobbyist under county and city codes because he appears before the City of Miami in his individual capacity as a citizen for the purpose of self-representation and self-expression. His circle of like-minded contacts through his website and volunteer activities does not create a bona fide community organization or public interest group as understood in the city and county lobbying ordinances. *See* Miami-Dade County Code at § 2-11.1 (s)(3)(b) and City of Miami Code at § 2-653.

It is our understanding that Mr. Van Leer has created a website under the name "Urban Paradise Guild," which provides information on environmental issues. Urban Paradise Guild does not operate like a nonprofit organization—it has no members, is not registered as a nonprofit corporation in Florida, and has not sought to obtain 501(c)(3) nonprofit status with the IRS.

When addressing city leaders, it would be helpful if Mr. Van Leer clarified his status as a citizen activist representing himself, notwithstanding that he has a following of like-minded individuals on his website and through his volunteer efforts.

I am sorry that I was not aware of some significant facts in this matter before issuing the original opinion. Please feel free to contact me if you have further questions.

Sincerely,

Victoria Frigo, Staff Attorney  
 Miami-Dade County Commission on Ethics  
 Direct Phone: 305.350.0601  
 Fax: 305.579.0273



19 West Flagler St., Suite 820  
 Miami, FL 33130

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**From:** Ewan, Nicole [mailto:newan@miamigov.com]  
**Sent:** Wednesday, December 16, 2009 9:44 AM  
**To:** Frigo, Victoria (COE)  
**Cc:** Thompson, Priscilla; Ramos, Miriam S. (COE); Ewan, Nicole  
**Subject:** FW: Van Leer\_Samuel (Unregistered Lobbying)

Good Morning Ms. Frigo:

12/16/2009

Please be advised that our office has not received a response from Mr. Van Leer regarding this matter.

Can you please advise if Mr. Van Leer's matter is still open and what is the appropriate step to take to resolve this.

Thank you,

Nicole N. Ewan  
City of Miami  
Office Of The City Clerk  
3500 Pan American Drive  
Miami, FL 33133  
Phone: 305-250-5347  
Fax : 305-858-1610  
Email: [newan@miamigov.com](mailto:newan@miamigov.com)

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**From:** Frigo, Victoria (COE) [mailto:FRIGOV@miamidade.gov]  
**Sent:** Tuesday, October 20, 2009 2:01 PM  
**To:** sam@urban-paradise.org  
**Cc:** Ewan, Nicole; Thompson, Priscilla; Hannon, Todd  
**Subject:**

Mr. Van Leer,

Attached is a copy of an ethics opinion related to lobbying in the City of Miami and in Miami-Dade County requested by Nicole Ewan, Office of the City Clerk, City of Miami, on your behalf. I will be happy to send you the original letter if you provide me with your mailing address.

Sincerely,

Victoria Frigo, Staff Attorney  
Miami-Dade County Commission on Ethics  
Direct Phone: 305.350.0601  
Fax: 305.579.0273



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Miami, FL 33130

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-----Original Message-----

From: Ewan, Nicole [mailto:newan@miamigov.com]  
Sent: Monday, October 19, 2009 4:18 PM  
To: Ramos, Miriam S. (COE)  
Cc: Thompson, Priscilla; Hannon, Todd; Ewan, Nicole  
Subject: FW: City of Miami Lobbyist Registration  
Importance: High

Good Afternoon Ms. Ramos:

Our office is requesting the Miami Dade Commission on Ethics opinion as to

12/16/2009

whether or not Mr. Van Leer is required to register as a lobbyist. Attached is the original letter sent to Mr. Van Leer requesting registration and all supporting documents. Below is Mr. Van Leer's response to the letter.

Thank you for your assistance in this matter.

Have a great day.

Nicole N. Ewan  
City of Miami  
Office Of The City Clerk  
3500 Pan American Drive  
Miami, FL 33133  
Phone: 305-250-5347  
Fax : 305-858-1610  
Email: newan@miamigov.com

-----Original Message-----

From: Thompson, Priscilla  
Sent: Friday, October 16, 2009 12:26 PM  
To: 'sam@urban-paradise.org'; Ewan, Nicole  
Cc: Ewan, Nicole; Hannon, Todd  
Subject: RE: City of Miami Lobbyist Registration  
Importance: High

Mr. Van Leer: I will inform the Miami-Dade County Commission on Ethics of your statement so that they can advise me on whether or not you are required to register as an unpaid lobbyist. I will inform you of their response.

Priscilla A. Thompson, CMC  
City Clerk  
(305) 250-5370  
fax (305) 858-1610

-----Original Message-----

From: sam@urban-paradise.org [mailto:sam@urban-paradise.org]  
Sent: Friday, October 16, 2009 12:12 PM  
To: Ewan, Nicole  
Cc: Ewan, Nicole; Thompson, Priscilla; Hannon, Todd  
Subject: RE: City of Miami Lobbyist Registration

Hi, Ms. Ewan-

Thanks for your prompt follow-up.

I've been advised that I am not subject to these requirements.  
I am a Volunteer receiving no compensation or reimbursement.

Best,

Sam Van Leer  
Executive Director  
Urban Paradise Guild  
sam@urban-paradise.org

12/16/2009

"Creating Sustainable Paradise in South Florida, one Habitat at a time."  
www.urban-paradise.org

-----Original Message-----

From: "Ewan, Nicole" <newan@miamigov.com>  
Sent: Friday, October 16, 2009 12:02pm  
To: "sam@urban-paradise.org" <sam@urban-paradise.org>  
Cc: "Ewan, Nicole" <newan@miamigov.com>, "Thompson, Priscilla"  
<PThompson@miamigov.com>, "Hannon, Todd" <thannon@miamigov.com>  
Subject: City of Miami Lobbyist Registration

Good Morning Mr. Van Leer:

On behalf of Priscilla A. Thompson, CMC this email serves as a follow-up to the conversation you had with Ms. Thompson on October 8, 2009 regarding the requirement to register as a lobbyist with the City of Miami.

Thank you for your prompt attention to this matter. Please feel free to contact me, should you have further questions regarding this matter.

Have a great day.

Nicole N. Ewan  
City of Miami  
Office Of The City Clerk  
3500 Pan American Drive  
Miami, FL 33133  
Phone: 305-250-5347  
Fax : 305-858-1610  
Email: newan@miamigov.com<mailto:newan@miamigov.com>