

OFFICE OF THE INDEPENDENT ADVOCATE  
REPORT OF INVESTIGATION

K #:09-050

Date Opened: April 27, 2009

Date Closed: July 28, 2009

Name of investigator: Kennedy Rosario  
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**Allegation:**

Richard Pulido, a Town of Miami Lakes Councilman and Vice Mayor, pressured the Town Manager (Frank Bocanegra) into utilizing Town of Miami Lakes' funds to pay for the Miami Lakes Optimist Club's (a non profit, non government enterprise) flyers.

**Investigation:**

This inquiry is predicated on the complaint of an individual (complainant) that wishes to remain anonymous.

The complainant was interviewed by COE Investigators Breno Penichet and Kennedy Rosario and stated the following:

Complainant is very familiar with the Town of Miami Lakes (TML) Council members as well as the TML Mayor.

The complainant is bringing forth the allegation on behalf of another unknown TML resident.

In March 2009 a Miami Lakes Optimist Club flyer was circulated announcing the 'sign up information' for the Optimist Club's 2009 Flag Football season, a copy of which has been incorporated in the investigative file.

According to the complainant the flyer was produced utilizing TML funds.

The flyer was funded by the TML at the behest of TML Councilman Richard Pulido (Pulido) who has a son that is playing Optimist Club football.

The complainant categorizes Pulido as having “bullied” the new TML Town Manager Frank Bocanegra (Bocanegra) into using TML funds to pay for the production of the flyers utilizing FedEx Kinko’s, a TML vendor, at a cost of \$2-4 thousand dollars.

Pulido was subsequently interviewed by COE investigators and offered his explanation;

The flyer was a promo for the Optimist Club, of which Pulido is a volunteer.

Optimist Club League Commissioner Javier Zapata presented the flyer to Pulido requesting that the TML assist the league by sponsoring/partnering with the Optimist Club in producing the flyer.

Pulido presented the flyer to Bocanegra requesting that the flyer be copied.

According to Pulido, Bocanegra, on his own, granted the request citing that the issue is worthy of the TML sponsorship given that the Optimist Club is involved in the TML Youth and Recreation program.

The flyer does include the TML logo.

Pulido further states that he has no personal gain in the matter and he “fully” pays for his child’s participation in the Optimist Club.

The complainant also alleged that Bocanegra had used his TML credit card to pay for the flyers. COE Auditor Christina Seymour conducted an “analysis” of the TML Bank of America credit card transactions for the period February 5, 2009 through April 4, 2009 and concluded that no unauthorized TML purchases were made. The cost of the flyers was not paid via TML credit card usage for the period indicated.

Bocanegra was also interviewed by COE investigators and stated that he was not “bullied” by anyone to have the flyers funded by the TML. Bocanegra used his discretionary authorization for the flyer expense citing that the flyers was a reasonable TML expense given the relationship between the Optimist Club and TML.

**CONCLUSION:**

Based solely on the allegation, brought forward by the complainant, from an unrevealed third party, this investigation found no violation of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance. No further action is indicated.