

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, March 08, 2012 10:35 AM
To: 'Bob Welsh'
Subject: RE: INQ 12-39 Procurement and Lobbying

Based on the facts you presented, I strongly recommend that Ms. Oca register as a lobbyist before you speak to her.

Although you say you are gathering information only, it appears likely that Ms. Oca may seek another city contract in the foreseeable future because of her unique knowledge of swimming pool design.

Consequently, Ms. Oca should register as a lobbyist before you knock on her door. This provides transparency to the conversation, in the event that your discussion moves from strictly informational to persuasive. Once Ms. Oca attempts to influence your official decision-making process in any way, she is a lobbyist.

It is a violation of the ethics code to attempt to influence an official decision without registering as a lobbyist. There are often no bright-line distinctions in these matters. That is why I urge you to proceed cautiously so that you do not create an ethical problem for Ms. Oca and yourself.

Although you may have knocked on a person's door as a private citizen without giving it a second thought, you must proceed differently as an elected official.

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601
Fax: 305 579-0273



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

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From: Bob Welsh [<mailto:bobnoxious928@yahoo.com>]
Sent: Thursday, March 08, 2012 7:34 AM
To: Frigo, Victoria (COE)
Subject: Re: INQ 12-39 Procurement and Lobbying

Dear Ms. Frigo, Miren Oca was only bidding on a contract and never had an executed contract with the City in the first place. In the past, even before she entered into negotiations with the City to become our pool contractor, she has offered me her insights into things a teaching pool needs to have. I do not know if Ms Oca would try for a concession bid should the City realize a 40 year old dream and get a municipal pool built. May I knock on her door?

Sent from my iPad

On Mar 7, 2012, at 4:03 PM, "Frigo, Victoria (COE)" <FRIGOV@miamidade.gov> wrote:

Hello Commissioner Welsh,

You asked if you may meet with Miren Oca, a city contractor who you say has broken off discussions with the city. I assume this means that Ms. Oca has severed her contract with the city, is not now bidding on a contract, and will not in the near future bid or rebid on a city contract.

Under these circumstances, you may meet with Ms. Oca as long as Ms. Oca does not have a bid that is currently being evaluated by the city, your meeting is strictly informational, and she is not attempting to influence you to take any official action.

If Ms. Oca attempts to persuade you that the city should use her services now or in the near future, she is lobbying and, consequently, she must register as a lobbyist in the city and you have a duty to confirm that she has registered. The city's lobbyist ordinance can be found at Chapter 8A-5 of the City of South Miami Code of Ethics.

If you have additional questions, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

Fax: 305 579-0273

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Miami, FL 33130

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

From: Bob Welsh [<mailto:bobnoxious928@yahoo.com>]

Sent: Wednesday, March 07, 2012 6:22 AM

To: Frigo, Victoria (COE)

Subject: RQO

RQO. Request for opinion

I am the guy who introduced Ocaquatics pool operator Miren Oca to the South Miami Commission. Recently she broke off contract talks with South Miami about running the pool South Miami is contemplating building. I will be presenting my ideas for a municipal pool to the Commission. May I visit Ms. Oca who in the past has offered to give input into the pool that South Miami has been talking about building for the last 40 years?

Sent from my iPad

On Dec 28, 2011, at 10:36 AM, "Frigo, Victoria (COE)" <FRIGOV@miamidade.gov> wrote:

- > Mr. Welsh,
- > Your question about campaign contributions falls within Florida
- > Election Laws. Our Executive Director, Joe Centorino, has asked me to
- > forward your email to the Florida Division of Elections for further guidance.
- > You may also wish to call the Elections Hotline at 877 868-3737.
- > Additional contact information is available at
- > <http://election.dos.state.fl.us/contact-us/division-addresses.shtml>.
- >
- > Sincerely,
- >
- > VICTORIA FRIGO, STAFF ATTORNEY
- > Phone: 305 350-0601
- > Fax: 305 579-0273
- >
- > Miami-Dade Commission on Ethics
- > 19 West Flagler St., Suite 820
- > Miami, FL 33130
- >
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- > Florida Statutes concerning public records. E-mail messages are

> covered under such laws and thus subject to disclosure.

>

>

> -----Original Message-----

> From: Bob Welsh [mailto:bobnoxious928@yahoo.com]

> Sent: Thursday, December 22, 2011 11:47 AM

> To: Ethics (COE)

> Subject: Anonymous gift of \$1000 cash

>

> Hi, I'm Bob Welsh. I do a lot of volunteering in South Miami. I

> witnessed bogus ethics charges lobbed against Commissioner

> Beasley, Commissioner Newman and Commissioner Sellars when I came with

> other friends to testify of their good character in front of your Board.

> I have been described as South Miami's Paul Revere. I can put 3800

> flyers under the 3800 accessible doormats in six days. I suppose there

> are a lot of people associated with losing political campaigns that

> would like to shut me up. Recently, within the last week or so I came

> home and found an envelope under my door with my name on it that said,

> "Stay Active". The note had \$1,000 cash in it.

> What is the total amount of money that I may spend in each calendar

> year informing people of issues like our City Manager's desire to

> expand South Miami borders northwest to Tropical Park and southwest

> to the Palmetto and 878 WITHOUT having to become a political action committee?

> How much may I spend per calendar year advocating for one particular

> candidate or the other without having to become a political action

> committee? Can I consider any of this money reimbursement for money

- > already spent on paper and toner for advocacy already performed. RSVP
- > ASAP Thank You. "Bicycle Bob" Welsh, 7437 SW 64 Ct, S.Miami, Fl 33143
- > 3056674176 Sent from my iPad

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