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PRESS RELEASE

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TALLAHASSEE—September 17, 2014— Meeting in Tallahassee on September 12th in closed session, the Florida Commission on Ethics took action on seventeen complaints, Chair Linda Robison announced today.

Probable cause was found to believe that JOHN GREENE, Wellington Village Councilmember, accepted a prohibited gift from a lobbyist or the principal of a lobbyist, but the Commission took no further action because of the difficulty Mr. Greene would have had in knowing the donor of the gift was a lobbyist or principal. The Commission found no probable cause to believe that he failed to properly report other gifts he received that were not prohibited, or that he solicited or accepted a gift or employment based upon an understanding that his vote or other official action would be influenced. No probable cause also was found on an allegation that he knew or should have known

a gift was given to influence his official action. The Commission found no probable cause to believe that he solicited a gift from the principal of a lobbyist. The Commission ruled there was no probable cause to believe that Mr. Greene had a voting conflict when he voted in May and July 2012 on matters that inured to his special private gain or loss. An allegation that he misused his position with regard to the alleged gifts also was dismissed with a finding of no probable cause.

No probable cause was found regarding allegations that Hardee County Commissioner RICK KNIGHT misused his position to engage in a course of conduct to benefit himself or others with regard to the Hardee County Industrial Development Authority (IDA). Further, no probable cause was found to believe that he had a voting conflict when he voted on measures to appoint individuals to the IDA while his son was an employee of a company that had a contract with the IDA.

The Commission voted to dismiss a complaint filed against Jacksonville Mayor ALVIN BROWN, finding that the public interest would not be served by further proceedings because the complaint was filed after Mr. Brown sought an opinion from the Commission seeking to comply with the law. The allegations were that he failed to timely disclose gifts as well as honorarium event related expenses, and that he accepted a prohibited gift from the principal of a lobbyist.

Probable cause was found to believe that Florida Notary Public MELISSA SHIPP misused her position to improperly notarize a signature on a document.

The Commission found no probable cause to believe that WILLIAM KEEL, Commissioner of Plant City, misused his position to dissuade a witness from testifying in an investigation.

The Commission found probable cause to believe that DANIEL CALABRIA, Mayor of South Pasadena, misused his position for the benefit of candidates that he supported in an election.

The Commission found no probable cause to believe that Holly Hill City Manager JIM McCROSKY misused his office by using his city credit card in a manner inconsistent with the proper performance of his public duties.

The Commission dismissed the following complaints for lack of legal sufficiency: JEAN ROBB, Mayor of Deerfield Beach; DERRICK ELIAS, Quincy City Commissioner; DANIEL CALABRIA, Mayor of South Pasadena; JEANNE DOZIER, Lee County School Board Member; RYAN FREDERICK, Marathon Code Compliance Board Member; MICHAEL SCHNEIDER, General Counsel for the Judicial Qualifications Commission; DAPHNE CAMPBELL, Florida Representative, District 108; JOANN CARTER, Broward County Schools Police Department; CAROL STUDDARD, Clay County School Board Member; and BRUCE BICKNER, Clay County School Board Attorney.

The Commission's reviews for legal sufficiency are limited to questions of jurisdiction and determinations as to whether the contents of the complaint are adequate to allege a violation of the Code of Ethics or other laws within its jurisdiction. As no factual investigation precedes the reviews, the Commission's conclusions do not reflect on the accuracy of the allegations made in these complaints.

PUBLIC SESSION

In public session, the Commission adopted a settlement agreement between the Commission Advocate and State Representative REGINALD FULLWOOD finding that Mr. Fullwood violated disclosure laws by failing to properly list addresses for assets and

liabilities on his 2011 Form 6. The case will be referred to the Speaker of the House for determination of the appropriate resolution of the violation.

In another settlement agreement adopted by the Commission, Wellington Mayor ROBERT SAUL MARGOLIS was found to have violated the gift law by accepting a prohibited gift given by a lobbyist or the principal of a lobbyist. The Commission recommended the Governor impose a civil penalty of \$2,500 for the violation. Also in the agreement, no probable cause was found to believe that he solicited and accepted a thing of value in exchange for his official action. No probable cause was found to believe that he knew or should have known that the gift was given to influence his official action. The Commission also found no probable cause to believe that Mr. Margolis solicited a gift from a lobbyist or lobbyist principal. Additionally, no probable cause was found to believe that he misused his position with regard to his actions concerning gifts.

A stipulation was adopted between the Commission Advocate and ANTHONY GRANT, Mayor of Eatonville. The agreement stipulates that he violated Florida's financial disclosure laws by failing to properly disclose assets and liabilities on his 2011 Form 1 disclosure form. The Commission recommended the Governor impose a \$1,000 civil penalty.

Representative HEATHER FITZENHAGEN entered into a Joint Stipulation finding that she violated disclosure laws by failing to properly list assets and liabilities on her 2011 and 2012 Form 6 disclosure forms. The matter will be referred to the Speaker of the House of Representatives for determination of the appropriate resolution of the violation.

The Commission considered a Recommended Order from the Division of Administrative Hearings (DOAH) filed in a complaint against former State Representative DAVID RIVERA. The Commission voted to remand the case back to DOAH for a recommendation on the appropriate penalty for the violations of Florida's ethics laws.

The Commission dismissed a Petition for Attorney Fees and Costs filed by Broward County School District Principal KRISTA HERRARA against Sebastian Cabanas, who had filed an ethics complaint against her. The Commission also dismissed a Petition for Attorney Fees and Costs filed by Broward County School District Assistant Principal DORYS PALACIO against Mr. Cabanas.

In a formal opinion, the Commission determined that under the circumstances presented, a prohibited conflict of interest would be created were an individual to become an Agency for Persons with Disabilities (APD) employee when he owns and operates a company enrolled to provide services administered by the APD and works at a private facility serving APD clients.

In another opinion, the Commission determined that no prohibited conflict would be created under the circumstances presented, were a county employee to enter into a post-employment consulting agreement with the county.

In a financial disclosure opinion adopted by the Commission, it was determined that the Trustees of a voluntary employees' beneficiary association are not "local officers" subject to financial disclosure requirements.

In another opinion, the Commission also determined that, under the circumstances, a member of a city council is not prohibited under the Code of Ethics from accepting a Chamber of Commerce designation of the councilmember's business as an "endorsed vendor" of a particular insurance product as long as such designation is offered absent any understanding or intent that it would influence the councilmember's votes or other official actions.

Contact the Commission office to obtain rulings on appeals of automatic fines imposed for late submission of financial disclosure reports submitted by public officers and employees. (See Item IX. on the September 12th meeting agenda posted on the Commission's website.)

The Florida Commission on Ethics is an independent nine-member commission formed in 1974 to review complaints filed under the statutory Code of Ethics and to answer questions from public officials about potential conflicts of interest through its issuance of advisory opinions.

If the Ethics Commission believes a violation of the law may have occurred, it may decide to hold a public hearing. If it concludes a violation has been committed, it may recommend civil penalties that include removal from office or employment and fines up to \$10,000 per violation.