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PRESS RELEASE

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TALLAHASSEE—December 12, 2018— Meeting in Tallahassee on December 7th in closed session, the Florida Commission on Ethics took action on 32 matters, Chair Guy Norris announced today. A finding of probable cause is not a determination that a violation has occurred. Such a determination is made only after a full evidentiary hearing on the allegations.

The Commission found no probable cause to believe Caryville Town Council Member **RANSOM WORKS** misused his position to conceal town finances involving missing funds, destroy documents relating to the Town's timber sale, or he failed to properly publicize a Town election. No probable cause also was found on two allegations regarding his personal sale of a mower deck to the Town because the amount of the sale fell within a statutory exemption.

No probable cause was found on another Caryville official, Council Chair **HENRY CHAMBERS**, regarding misuse allegations similar to those filed against Mr. Works. Additionally, no probable cause was found on two allegations regarding the Council purchasing flowers from a business owned by Mr. Chambers' spouse because the amount of the sale fell within a statutory exemption.

A complaint filed against Caryville Town Clerk **SHAKAYLA EVERETTE** resulted in the Commission finding no probable cause to believe she misused her position to benefit herself or a family member.

Probable cause was found to believe Flagler County School Board Member **JANET McDONALD** filed inaccurate 2013 and 2014 Form 6 annual disclosure forms.

The Commission found probable cause to believe **DENNIS McDONALD**, as a candidate for Flagler County Commission and later as a candidate for the Florida Senate, failed to make required disclosures for assets and primary sources of income on his 2011 and 2013 Form 6 disclosure forms.

Probable cause was found to believe Wakulla Property Appraiser **HOMER BRADLEY HARVEY**, while serving as Deputy Property Appraiser, had a conflicting contractual relationship and a prohibited business relationship because his private company contracted with the Property Appraiser's office for cleaning services; however, the Commission decided to take no further action based on the circumstances of the matter.

The Commission found probable cause to believe **ELLIOT COHEN**, former West Palm Beach Director of Communications, violated three ethics laws regarding his private publicity company. Probable cause was found to believe he misused his public

position and used inside information acquired in his official capacity to solicit business for his private firm. The Commission also found probable cause to believe his private firm had a contract with a company doing business with the City.

Probable cause was found to believe **RICHARD B. ROMANOFF, JR.**, Chairman of the Board of Supervisors for the University Place Community Development District, had a prohibited business relationship because of his service as an officer, stockholder, or employee with Electro Mechanical South, Inc. while a service agreement was in place between the company and the district. Because of the company's contract with the district, the Commission also found probable cause to believe Mr. Romanoff had a conflicting employment or contractual relationship.

The Commission also considered a complaint filed against **YADIS CABRERA**, the Director of the Hialeah Housing Authority Child Day Care Center. No probable cause was found to believe she violated the anti-nepotism law or misused her position to with regard to the employment of her mother-in-law at the day care center.

Similarly, a complaint against Hialeah Housing Authority Special Projects Administrator **YOSSELIN OLIVA** was dismissed with a finding of no probable cause on allegations she misused her position and violated the anti-nepotism law regarding the employment of her mother.

In a complaint filed against **JULIO PONCE**, Executive Director of the Hialeah Housing Authority, the Commission found no probable cause to believe he misused his position to give preference to authority employees when assigning apartments.

The Commission rejected the recommendation of its Advocate and found no probable cause to believe **DAVID BRUCE BUTCHER**, Town Council Member and

former member of the local planning agency of Ft. Myers Beach, failed to disclose intangible personal properties on his Form 1 annual disclosure form for the years 2014, 2015, 2016, and 2017.

In a self-initiated investigation – required by statute – of whether former Haines City Planning Commissioner **DEENA V. TYLER** willfully failed to timely file her 2016 Form 1 disclosure form. The Commission found probable cause Ms. Tyler willfully failed to file her form, but will take no further action.

In another such investigation, probable cause was found to believe former Lee County Construction Licensing Board Member **MICHAEL L. ANTONE** willfully failed to timely file his 2016 disclosure form, but will take no further action.

The Commission also considered the results of an investigation required due to the findings of a random audit of **CAPITOL INSIGHT, LLC.**, an Executive Branch Lobbying Firm. Rejecting the recommendation of its Advocate, the Commission found no probable cause to believe the firm understated compensation received from Worldwide Interactive Network on its first quarter compensation report for 2016. No probable cause also was found to believe the firm overstated compensation received from the Leon County School Board on its 2016 second quarter lobbying compensation report.

The Commission dismissed a self-initiated investigation – required by statute – of former Hallandale Beach Nuisance Abatement Board member **JACKIE CESPEDES** to determine whether her failure to timely file her 2016 Form 1 disclosure was willful. The investigation revealed Ms. Cespedes no longer held public office or public employment,

resulting in the loss of the Commission's investigatory jurisdiction in this particular type of matter.

The Commission reviewed sixteen complaints for legal sufficiency. These reviews 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 the Commission's 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. The Commission dismissed the following complaints for lack of legal sufficiency: **BOB BROWN**, City Manager, Perry; **HENRY ZUBA**, Chair, Ft. Myers Beach Local Planning Agency; two complaints against **JAMES CAMPO**, former Commissioner, Sewall's Point; **PAMELA MAC'KIE WALKER**, Town Manager, Sewall's Point; **BOB GUALTIERI**, Sheriff, Pinellas County; **PAULA D. WRIGHT** Chair, Duval County School Board; **DANA YOUNG**, Former Senator, District 18 ; **RICHARD RANIZE**, Commissioner, Fruitland Park; **BILLY TOWNSEND**, Board Member, Polk County School Board; **DAVID SINGER**, Council Member, Palmetto Bay; **KEVIN FOGARTY**, Chair, Florida Board of Chiropractic Medicine; **ABRAHAM RICHARD THORNBURG**, Assistant State Attorney, 20th Judicial Circuit; **LARRY D. JUSTHAM**, 20th Circuit Court Division Head, Office of the State Attorney; **MIKE HARRISON**, Sheriff, Gulf County; and **STEPHEN B. RUSSELL**, State Attorney, 20th Judicial Circuit.

PUBLIC SESSION

During its public session meeting, the Commission considered a Recommended Order of the Administrative Law Judge (ALJ) in a complaint regarding **CHERYL**

THOMAS-HUGHES, purchasing specialist with the Miami-Dade Water and Sewer Department. Ms. Thomas-Hughes was found to have willfully failed to file her 2015 Form 1 disclosure. The Commission adopted exceptions filed by the Advocate and will recommend the Governor remove Ms. Thomas-Hughes from her public position, which is the only available penalty under the statute.

The Commission adopted a Joint Stipulation entered into between the Commission Advocate and **SHANE CRAWFORD**, former Madeira Beach City Manager. Mr. Crawford was found to have violated the gift law by accepting prohibited gifts from lobbyists. He also was found to have a conflicting contractual relationship with a developer. The Commission recommended a civil penalty of \$2,000 be imposed by the Governor.

A Stipulation between Starke City Clerk **RICKY THOMPSON** and the Commission Advocate, prior to consideration of probable cause, was adopted by the Commission. Mr. Thompson was found to have misused his position to interfere with the supervision of another public official's subordinate and/or obtaining inappropriate benefits for the subordinate. The Commission recommended the Governor impose a civil penalty of \$1,000 for the violation, and public censure and reprimand.

An Amended Joint Stipulation between Auburndale Planning Commissioner **JERE STAMBAUGH** and the Commission Advocate also was adopted by the Commission. The agreement finds Mr. Stambaugh violated the ethics laws by failing to publicly disclose a voting conflict and by participating in the matter without first disclosing his conflict. An allegation he misused his position in relation to the vote was dismissed with a finding of no probable cause. The Commission recommended the

Governor impose a civil penalty of \$2,000 for the violations, and public censure and reprimand.

The Commission held an informal hearing in a complaint filed against Sweetwater City Commissioner **MARCOS VILLANUEVA**. The Commission found Mr. Villanueva violated the law by failing to designate the manner used to calculate his disclosable financial interests on his 2016 Form 1 and his 2016 Form 1X, as required by law. The Commission will recommend the Governor impose a civil penalty of \$500 and public censure and reprimand.

The Commission adopted a formal opinion finding, under the circumstances provided, a county economic development director's attendance at economic development events paid for or reimbursed by the local economic development corporation would not be a prohibited or reportable gift.

In another formal opinion the Commission adopted, a sole source exemption was applied to a city council member whose company contracted with a community redevelopment agency for electronic advertisement.

Under the circumstances presented, the Commission adopted a formal opinion stating the anti-nepotism law would not be violated were the son of the chair of a municipal utility board to be hired to a position with the board. According to the authority's charter, all power regarding hiring rests with the board's general manager and the board had no involvement with the advertising, interviewing, or hiring of the employee.

The Commission also adopted a formal opinion finding a former employee of the Florida Department of Transportation is not prohibited from being employed by an FDOT contractor, under the employee's particular public agency work history.

Contact the Commission's 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 VIII. and IX. on the December 7th 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 including removal from office or employment and fines up to \$10,000 per violation.