



Matthew F. Carlucci
Chair

Michelle Anchors
Vice Chair

Jason David Berger

Daniel Brady, Ph.D.

Matthew J. Carson

Michael Cox

Guy W. Norris

Kimberly Bonder Rezanka

Stanley M. Weston

Virlindia Doss
Executive Director

C. Christopher Anderson, III
*General Counsel/
Deputy Executive Director*

State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

(850) 488-7864 Phone

(850) 488-3077 (FAX)

www.ethics.state.fl.us

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

"A Public Office is a Public Trust"

PRESS RELEASE

For Immediate Release
March 15, 2017

CONTACT PERSON:

Virlindia Doss or
Kerrie J. Stillman
850.488.7864

May be accessed on the Internet at www.ethics.state.fl.us

TALLAHASSEE—March 15, 2017— Meeting in Tallahassee on March 10th in closed session, the Florida Commission on Ethics took action on 16 matters, Chairman Matthew F. Carlucci 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 evaluated the results of an investigation into Palm Beach County Sheriff **RIC BRADSHAW**. No probable cause was found to believe that he misused his position to initiate an investigation against a possible candidate for Sheriff or others, in order benefit himself, his agenda, or another person. The Commission also found no probable cause to believe that he used or disclosed inside information for his personal benefit or for the benefit of another. In related complaints, the Commission

found no probable cause to believe that Palm Beach County Chief Deputy Sheriff **MICHAEL GAUGER** misused his position to direct an investigation of a candidate or expected candidate for Sheriff and to recommend the filing of criminal charges against him. No probable cause also was found to believe that he investigated others in Palm Beach County. Similarly, no probable cause was found to believe that Detective **KENNETH MARK LEWIS** misused his position to participate in such investigations.

The Commission found no probable cause to believe **LARRY KIKER**, Lee County Commissioner, solicited or accepted a broker's commission for the sale of property based on an understanding that his vote, official action or judgment would be influenced. Similarly, an allegation that he accepted the commission when he knew or should have known that it was provided to influence his vote or other official action was dismissed with a finding of no probable cause. An allegation that he misused his position to benefit himself or someone else with respect to the sale of the property also was dismissed with a finding of no probable cause, and the Commission found no probable cause to believe that his contractual relationship with the real estate company created a frequently recurring conflict or impeded the full and faithful discharge of his public duties.

The Commission found no probable cause to believe that **SCOTT ADAMS**, former Citrus County Commissioner, misused his position to misappropriate and/or attempt to misappropriate Citrus County funds and resources.

No probable cause was found on five allegations in a complaint filed against Eatonville Interim Mayor **EDWARD COLE**. The allegations were that he had solicited and/or accepted a monetary donation for a nonprofit organization for which he serves as

a paid officer; accepted legal representation in a lawsuit involving the Town of Eatonville and/or a monetary donation for a nonprofit organization for which he serves as a paid officer; assisted a company owned by an individual with whom he has a personal and/or business relationship in an attempt to purchase properties owned by the Town of Eatonville; and, that he had a conflicting employment or contractual relationship with a business entity or agency that creates a continuing or frequently recurring conflict between his private interests and public duties or impedes the full and faithful discharge of his public duties.

The Commission found probable cause to believe that **JEFFREY "DOC" SOLOMON**, as a candidate for the Florida House of Representatives, failed to properly complete the assets portion of his 2015 Form 6 disclosure when he qualified for office.

Probable cause was found that **LARRY THOMPSON**, member of the North Miami Beach Planning and Zoning Board, and **CARMEN GARCIA**, member of the Miami-Dade County Board of Rules and Appeals, willfully failed to file their 2014 Form 1 disclosures.

The Commission reviewed the results of a random audit of a compensation report filed by the lobbying firm of **MITCHELL J. RUBIN**. No probable cause was found to believe that there was an inaccurate reporting of compensation received from a principal during the fourth quarter of 2014.

Due to the death of **PATRICIA SHONTZ**, former Vice Mayor of Madeira Beach, the Commission dismissed a complaint that had been filed against her.

The Commission voted to dismiss a self-initiated complaint concerning **NEHEMIAH DAVIS**, former Miami-Dade County Community Council member after it

determined Mr. Davis no longer holds public office or public employment, the holding of which is necessary to maintain jurisdiction in such a matter.

The Commission also voted to dismiss a self-initiated complaint concerning **RICHARD FIMBEL**, Ft. Myers Firemen's Pension Fund Board member. Based on facts revealed during the investigation, the Commission had previously waived the assessed \$1500 automatic fine after determining that Mr. Fimbel failed to receive proper notice of his obligation to file the 2014 CE Form 1. As a result the Commission would no longer have jurisdiction in the matter.

The Commission reviewed three 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: **MICHAEL ILCZYSZYN**, Assistant City Manager of Cape Coral; **BEVERLY M. WILLIAMS**, City Commissioner Lauderdale Lakes; and **NANCY OAKLEY**, former Commissioner Madeira Beach.

PUBLIC SESSION

The Commission voted to adopt a joint stipulation between the Commission Advocate and Washington County Commissioner **TODD ABBOTT**. The agreement finds that he violated the ethics laws by having a conflicting contractual relationship regarding cleaning DOC offices while DOC had a lease for the office space with the County and by voting on a

February 26, 2015, measure concerning the lease. A total civil penalty of \$3,500 for the two violations will be recommended for imposition by the Governor.

The Commission adopted the Recommended Order of an Administrative Law Judge of the Division of Administrative Hearings, finding that **STEPHAN CARTER**, former General Counsel to the Orange County Clerk of Courts, misused his position to obtain a severance package while still employed by the Clerk of Courts. For the violation, the Commission will recommend to the Governor a civil penalty of \$10,000 in addition to the public censure and reprimand recommended by the Administrative Law Judge.

The Commission dismissed a complaint against Maderia Beach City Commissioner **ELAINE POE** for lack of legal sufficiency. The review is 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 allegation of the complaint. The matter was considered during public session because Ms. Poe previously filed a confidentiality waiver with the Commission.

The Commission issued an advisory opinion that a former Department of Revenue Selected Exempt Service employee (Senior Attorney) would be prohibited for two years, upon leaving his Department position, from representing another person or entity for compensation before the Department.

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. On the March 10th 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.