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PRESS RELEASE

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TALLAHASSEE—April 25, 2018— Meeting in Tallahassee on April 20th in closed session, the Florida Commission on Ethics took action on 13 matters, Chair Michelle Anchors 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 accepted the recommendation of its Advocate, finding no probable cause on two allegations regarding **CYNTHIA PRATT-DESOURDY**, legal assistant in the Public Defender's Office in Perry, Florida. No probable cause was found to believe she misused her position to search restricted databases for information and then posted the information online in an attempt to retaliate against someone. An allegation that she used or disclosed non-public information she had access to by virtue

of her public employment, to benefit herself, was dismissed with a finding of no probable cause.

The Commission found probable cause to believe former Webster City Council member and candidate for Mayor **PAUL REMIS** violated the financial disclosure laws by his failure to file his financial disclosure form within 30 days of his appointment to the board and by his failure to file his Form 1F within 60 days of leaving the board. The Commission also found probable cause to believe he failed to designate on the form his manner of calculating his financial interests as required by law. Finally, probable cause was found to believe he failed to complete the statutorily-required ethics training for calendar year 2015.

Probable cause was found to believe that **NANCY OAKLEY**, Madeira Beach City Commissioner, misused her position by exhibiting inappropriate behavior toward City staff.

In a complaint filed against former State Representative **DAISY J. BAEZ**, the Commission found probable cause to believe she violated financial disclosure laws by failing to disclose a lease and/or rent obligation on her 2016 Form 6, as an asset or a liability. The Commission also found probable cause to believe she violated Florida's gift law by failing to disclose a gift of a free or reduced rate apartment. However, the Commission voted to take no further action on the allegations because she was criminally prosecuted and punished for conduct related to the matters of the complaint and has resigned from the House.

No probable cause was found to believe Mount Dora City Council Member **LAURIE TILLET** misused City resources to endorse a candidate.

The Commission found probable cause in three self-initiated investigations – required by statute – that **CHERYL L. THOMAS-HUGHES**, an employee of the Miami-Dade county Water and Sewer Department; **OMER DROR**, member of the Board of Supervisors of the Bonita Village Community Development District; and **ROB BOSARGE**, former member of the West Villages Improvement District Board of Supervisors, each willfully failed to file their 2015 Form 1 disclosure form. However, the Commission will take no further action regarding Mr. Bosarge due to the particular circumstances.

The Commission reviewed five 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: **JAY SCHWARTZ**, Pembroke Pines City Commissioner; **KEN CORNELL**, Alachua County Commissioner; **SHANE WEAVER**, Assistant Attorney General with the Department of Legal Affairs; **PAMELA BONDI**, Attorney General; and **ROLAND J. MASTANDREA**, Candidate for Orange Park Town Council.

PUBLIC SESSION

During its public session meeting, the Commission adopted a formal opinion finding no prohibited conflict of interest is created when a member of a particular city's planning and zoning board sells, through his company, goods and services to the city's community redevelopment agency. The Commission determined that because the

board member is not responsible for the approval of or the giving of advice or recommendations regarding the purchase, the business relationship would not create a prohibited conflict.

In another opinion, the Commission decided, under the circumstances presented, a prohibited conflict of interest would not be created were a candidate for a county commission seat to continue, if elected, employment with a nonprofit food bank receiving grant funding from the county. However, the commissioner would be required to comply with the voting conflicts law.

The Commission determined, in another opinion, that a person contracting with an entity is not required to register to lobby an executive branch agency when their employment or contracted duties do not involve agency policy or procurement, or attempts to gain the goodwill of an agency official or employee.

The Commission also adopted an opinion finding, under the circumstances presented, that pro bono legal services provided to a city in a lawsuit naming one of the city's commissioners in his official capacity would not be a gift to the commissioner.

An opinion about postemployment restrictions was adopted by the Commission. The opinion finds that a former career service employee of the Florida Department of Economic Opportunity (DEO) would not be subject to postemployment restrictions if she or her company contracted to work for a government entity that is a recipient of a legislative appropriation of a grant for project to be overseen by DEO. However, if she was responsible for a contract for contractual services while employed at DEO, restrictions would apply to her employment in certain circumstances.

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 V. on the April 20th 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.