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## PRESS RELEASE

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TALLAHASSEE—December 11, 2019—Meeting in Tallahassee on December 6<sup>th</sup> in closed session, the Florida Commission on Ethics took action on 22 matters, Chair Kim Rezanka announced today. A finding of probable cause is not a determination a violation has occurred. Such a determination is made only after a full evidentiary hearing on the allegations.

Probable cause was found to believe North Miami Beach City Commissioner **FRANZ PIERRE** violated Florida's ethics laws by soliciting or accepting funds or loans directly or indirectly from Dean Tyler, Platinum South, Inc. and/or Dean's Gold Club, based upon an understanding that Mr. Pierre would be influenced in his official capacity. Probable cause also was found to believe he accepted things of value when he knew, or should have known, they were given to influence him. The

Commission found probable cause to believe Mr. Pierre misused his public position to obtain the loans under the guise of a turkey giveaway, while keeping money for himself. Probable cause also was found regarding an allegation he failed to report gifts valued at more than \$100 as required by law. However, no probable cause was found to believe he solicited gifts from vendors or lobbyists of the City or that he accepted gifts valued at more than \$100 from vendors or lobbyists of the City. In addition, the Commission found no probable cause to believe he used inside information gained by virtue of his official position, for his personal benefit.

The Commission rejected the recommendation of the Advocate and found no probable cause to believe Chief Financial Officer **JIMMY PATRONIS** misused a state-owned vehicle for personal and political purposes.

The Commission found probable cause to believe Dixie County Clerk of Court and Comptroller **DANA JOHNSON** misused County resources to reproduce church bulletins and fabricated receipts in an effort to conceal the misuse. Probable cause also was found to believe she used information available to her only as a public office, for her personal benefit, when she accessed the internal office software to fabricate or alter the official master receipt documents. No probable cause was found to believe she misused her County-issued cell phone for personal communications. A second complaint filed against Ms. Johnson alleged she failed to file an accurate 2018 Form 6 disclosure. The Commission rejected the recommendation of the Advocate, finding no probable cause on the allegation.

In a complaint filed against Duval County Property Appraiser **GERALD D. HOLLAND**, the Commission found probable cause to believe he failed to file an

accurate 2014 Form 6 disclosure. However, the Commission will take no further action on the allegation based on the particular circumstances of the matter.

**JOSEPH FORTE**, as City Manager of Holly Hill, was alleged to have misused his position in his handling of code enforcement violations for the benefit the friends of the City's former police chief. The Commission voted to find no probable cause on the allegation.

No probable cause was found to believe former Brooksville City Council Member **NATALIE KAHLER** improperly represented an entity for compensation before the City Council within two years of leaving the board.

The Commission reviewed 15 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: **NATE McLAUGHLIN**, Flagler County Commissioner; **DAVID THOMASEE**, Director of Public Safety, Gulf Coast State College; **MICHELE LAZAROW**, Hallandale Beach City Commissioner; **RALF BROOKES**, City Attorney, Madeira Beach; **KATHERINE FERNANDEZ-RUNDLE**, State Attorney, 11th Judicial Circuit; two complaints filed against **RON DESANTIS**, Florida Governor; **FRED HAWKINS, JR.**, Osceola County Commissioner and Candidate for State Representative; **BARBARA KRULL**, Mayor, City of Mascotte; **BRIAN DAVID KEISACKER**, Sarasota County General Contractors Licensing & Examining Board; **ERITHA AKILE CAINION**, City Commission Candidate, St. Petersburg; **JOHN SCOTT** and **MATTHEW T. McGILL**,

Town Council Members, Howey-In-The-Hills; **MARGARET SWAIN**, Senior Management Analyst I, Florida Department of State; and **ROGER DALE COMPTON**, Trustee, Barefoot Bay Recreation District.

### **PUBLIC SESSION**

The Commission adopted an advisory opinion noting a City Councilmember will not violate Florida's anti-nepotism law when his wife receives a salary increase as the City Clerk, due to a directed appropriation from the City Council, provided the increase will not exceed the salary range authorized for the position.

Another opinion adopted by the Commission finds a prohibited conflict of interest is not created when a County Commissioner serves on the board of a non-profit where an agreement to purchase services already exists between the two entities and the County has a reserved seat on the non-profit board to which they appoint a representative. Under the particular circumstances, there exists a unity of interest between the County and the non-profit.

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. (Item V. on the December 6<sup>th</sup> 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.