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PRESS RELEASE

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TALLAHASSEE—June 12, 2019—Meeting in Tallahassee on June 7 in closed session, the Florida Commission on Ethics took action on 46 matters, Chair Guy Norris 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.

No probable cause was found to believe former Florida Representative **LAKE G. RAY** violated Florida's ethics law regarding his employment with First Coast Manufacturers Association through his business Lake Ray and Associates. The allegations were: he received compensation for his role as president of the association when he knew or should have known it was given to influence his action as a Representative; he had a conflicting employment relationship that impeded the

discharge of his public duties; he voted on legislation he knew would inure to his or the association's special private gain or loss; he represented the association for compensation before the Florida Department of Environmental Protection while a member of the Florida House; and he failed to register as an Executive Branch Lobbyist while being compensated for association activities which included lobbying the Executive Branch.

In a complaint filed against Hillsborough County School Board Member **SUSAN L. VALDES**, the Commission voted to find no probable cause to believe she misused her position for her grandson to attend a county childcare program for free. No probable cause also was found on allegations she misused her position to benefit a technology provider who contributed to her campaign and used inside information not available to the public to secure a benefit for herself or another person.

The Commission considered a complaint filed against DeFuniak Springs Mayor **BOB CAMPBELL**. No probable cause was found to believe he misused his position to arrange for the sale of public and private property without the authorization of City Council. The Commission also found no probable cause also was found to believe he had a conflicting contractual relationship with a real estate company or an individual subject to the regulation of, or doing business with the City. An allegation he used inside information for his own benefit or that of another also was dismissed with a finding of no probable cause.

No probable cause was found in a complaint filed against **CAROL McCORMACK**, Palm Shores Mayor and Council Member. She was alleged to have had

a prohibited business relationship, misused her position, engaged in prohibited dual employment, and held employment with the City while being a City official.

The Commission considered a complaint filed against **DOROTHY MILES**, Chair of the Board of Supervisors of the Coquina Water Control District. Probable cause was found to believe she misused her position to obtain a variety of unauthorized payments and additional compensation as a board member. Probable cause also was found to believe she was doing business with the District when she billed it for accounting services, and had a conflicting employment or contractual relationship.

Probable cause was found to believe **JARED BRICE REDDICK**, a write-in Candidate for Marion County Commission, filed an inaccurate or incomplete 2017 Form 6 when he qualified to run for office.

The Commission found probable cause to believe Ft. Myers Finance Director **ROBERT M. LANGE** failed to file a Form 1 Statement of Financial Interests within 30 days of his appointment to the position.

The Commission voted to dismiss a complaint filed against former Broward County Commission Candidate **RYAN ROSS** because the public interest would not be served by further proceedings. Mr. Ross was alleged to have failed to disclose a source of income on the 2017 Form 6 he filed when he qualified for office.

Probable cause was found to believe Lake County Teacher and Candidate for Orange County School Board **ERIC SCHWALBACH** filed an incomplete 2017 Form 6 when he qualified for office. However, the Commission will take no further action on the allegation unless Mr. Schwalbach requests a hearing. No probable cause was found to

believe he misused school resources to create a video after hours or used inside information for the benefit of his campaign.

The Commission found probable cause to believe **BRUCE GREENLEE**, former Director of Transportation for the Levy County School District, misused his position by exhibiting inappropriate behavior toward a subordinate female staff member.

Probable cause was found to believe **KURT KRAFT**, as a Candidate for Duval County Tax Collector, filed an inaccurate or incomplete 2017 Form 6 when he qualified for office. However, the Commission voted to take no further action on the allegation unless Mr. Kraft requests a hearing.

The Commission voted to dismiss a statutorily required, self-initiated investigation concerning a willful failure to file a 2016 Form 1 disclosure by **DREW PITTMAN**, member of the Stuart Community Redevelopment Board. The investigation revealed Mr. Pittman resigned from the board in March 2019. Since holding public office or employment is a required to maintain jurisdiction under the statute, the Commission no longer possesses jurisdiction in the matter.

The Commission reviewed 33 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: **LINETTE MATHENY**, St. Cloud City Council Member & Assistant County Engineer for Osceola County; **DAVID SHOAR**, St. Johns County Sheriff; nine

employees of the St. Johns County Sheriff's Office: **SHAWN LEE, JOHN FLOYD, HENRY CRAFTON, JAY LAWING, JR., MATT THOMAS, JOE BOLANTE, RYAN SMITH, JIM PRIESTER, DONATO SANTORO,** and **BRUCE BOGAN & MELISSA SYDOW**, Attorneys for the St. Johns County Sheriff's Office; **KEITH A. JAMES**, West Palm Beach Mayor-Elect & City Commissioner; **BEN RICH**, Assistant State Attorney, 7th Judicial Circuit; **CARLOS LOPEZ-CANTERA**, Chair of the Florida Federal Judicial Nominating Commission; **JACK SCHOFIELD**, Yankeetown Mayor; **LAWRENCE LUNN**, Mayor of Treasure Island; **TYLER PAYNE** and **DEBORAH TOTH**, Yankeetown City Commissioners; **TOM HARMER**, Martin County Clerk of Court Employee; **WILLIAM DAVID SEVILLE**, Candidate for Zephyrhills City Council; **SHERRI F. MYERS, JARED MOORE, GERALD WINGATE, ANN HILL,** and **JEWEL CANNADA-WYNN**, Pensacola City Council Members; **DANIEL E. OATES**, Yankeetown Special Master; **WANDA RANGE** and **SAMUEL STEVENS**, Midway City Council Members; **MARSHA MATSON**, Palmetto Bay Village Council Member; **RALPH KELLER**, Melbourne Code Enforcement Officer; **GARY ROBERTS**, Quincy Interim City Attorney; and **RONTE HARRIS**, Quincy City Commissioner.

PUBLIC SESSION

The Commission adopted a Joint Stipulation between the Commission Advocate and **JANET McDONALD**, Flagler County School Board Member. The Commission voted to enter a final order finding Ms. McDonald violated the law by filing inaccurate 2013 and 2014 Form 6 disclosures. The Commission recommended the Governor impose a civil penalty of \$500.

The Commission rejected a settlement agreement between the Commission Advocate and **DENNIS McDONALD**, Candidate for Flagler County Commission and the Florida Senate, regarding his failure to disclose assets on the 2011 and 2013 Form 6 disclosures he filed when he qualified for office. The settlement will be renegotiated or the case will be set for an evidentiary hearing before the Division of Administrative Hearings.

In another stipulation adopted by the Commission, Midway Mayor Pro Tem/Council Member **SAM STEVENS** violated Florida's anti-nepotism law when his relative was appointed to a City position. A civil penalty of \$500 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission adopted a settlement agreement between the Commission Advocate and former Tallahassee Mayor and Candidate for Governor **ANDREW GILLUM**. Mr. Gillum violated Florida's gift laws when he accepted prohibited gift(s) valued at more than \$100 from a lobbyist or lobbyist principal of the City. Allegations he solicited gifts in exchange for his official action or accepted gifts when he knew or should have known they were given to influence him, as well as allegations he misused his office and failed to report gifts were dismissed. The Commission recommended a civil penalty of \$5,000 be imposed by the Governor.

The Commission considered a stipulation in a complaint filed against **THOMAS McQUEEN**, Member of the East Lake Tarpon Special Fire Control District. The agreement, adopted by the Commission, finds Mr. McQueen was doing business with his agency in violation of the ethics laws. He also had a conflicting contractual

relationship with an entity doing business with the District. A civil penalty of \$2,000 for the violations was recommended for imposition by the Governor.

A settlement agreement entered into prior to consideration of probable cause, between former Florida Senate candidate **JOSH SANTOS** and the Commission Advocate also was adopted by the Commission. The agreement finds Mr. Santos violated disclosure laws by failing to accurately report assets on his 2017 Form 6, which resulted in an inaccurate value of his net worth reflected on the form. A civil penalty of \$250 will be recommended for imposition by the Governor.

The Commission granted the Advocate's Motion to Dismiss in a statutorily required, self-initiated investigation of Miramar Firefighters Pension Board Member **ULISES CARMONA**. The matter was dismissed because Mr. Carmona left office in March of 2019, thereby depriving the Commission of jurisdiction under the statute concerning willful failure to file annual disclosure forms.

The Commission adopted an advisory opinion indicating a prohibited conflict of interest would be created were a corporation employing a County Commissioner to contract with the County to provide services associated with a performing arts center. However, no prohibited conflict would be created if the contracts were secured through sealed, competitive bid or if the corporation provided services to a municipality located within the County.

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 VII. on the June 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.