

JAN 31 2022

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**BEFORE THE  
STATE OF FLORIDA  
COMMISSION ON ETHICS**

**CONFIDENTIAL**

**In re: Chandler Williamson,**

**Respondent.**

**Complaint No. 20-116**

**ADVOCATE'S RECOMMENDATION**

The undersigned Advocate, after reviewing the Complaint and Report of Investigation filed in this matter, submits this Recommendation in accordance with Rule 34-5.006(3), F.A.C.

**RESPONDENT/COMPLAINANT**

Respondent, Chandler Williamson, served as the City of Pahokee City Manager. Complainant is John Carey, who is employed as the Palm Beach County Inspector General, of West Palm Beach, Florida.

**JURISDICTION**

The Executive Director of the Commission on Ethics determined that the Complaint was legally sufficient and ordered a preliminary investigation for a probable cause determination as to whether Respondent violated Section 112.313(6), Florida Statutes. The Commission on Ethics has jurisdiction over this matter pursuant to Section 112.322, Florida Statutes.

The Report of Investigation was released on January 10, 2022.

## **ALLEGATION**

Respondent is alleged to have violated Section 112.313(6), Florida Statutes, by using the City-issued credit card for his own private benefit, or the benefit of others, in violation of the City's credit card policies and directives, the City's travel policy, the City's rules and regulations, and State of Florida laws.

## **APPLICABLE LAW**

Section 112.313(6), Florida Statutes, provides as follows:

**MISUSE OF PUBLIC POSITION.** No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others. This section shall not be construed to conflict with s. 104.31.

The term "corruptly" is defined by Section 112.312(9), Florida Statutes, as follows:

"Corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties.

In order to establish a violation of Section 112.313(6), Florida Statutes, the following elements must be proved:

1. Respondent must have been a public officer or employee.
2. Respondent must have:
  - a) used or attempted to use his or her official position or any property or resources within his or her trust,  
or
  - b) performed his or her official duties.
3. Respondent's actions must have been taken to secure a special privilege, benefit or exemption for him- or herself or others.

4. Respondent must have acted corruptly, that is, with wrongful intent and for the purpose of benefiting him- or herself or another person from some act or omission which was inconsistent with the proper performance of public duties.

### **ANALYSIS**

Respondent was employed as Pahokee's City (City) Manager beginning in May 2015, until his resignation in March 2021. (ROI 1, 17) To summarize, the Palm Beach County Inspector General's Office (OIG) released an investigative report concluding that Respondent improperly used his city-issued credit card for almost \$6,000 worth of personal flights, car rentals, and hotel stays over four years. (ROI 1-63) The OIG identified almost \$16,000 Respondent spent on his city-issued credit card without providing proper documentation. (ROI 5, 47) It was recommended that Respondent repay \$5,840.92. (ROI 12) Respondent disagreed with that assessment and reimbursed the City \$5,000 on June 25, 2020. (ROI 46)

### **INVESTIGATIVE FINDINGS**

Beginning on May 21, 2015, the City credit card policy changed to allow City Commissioners, the City Clerk, the Finance Director, and the City Manager access to the City's credit cards. (ROI 6) However, the City Manager was the only person allowed to possess a City credit card at all times. (ROI 6) With the exception of the City Manager's credit card, all City credit cards are locked in a safe in the Finance Department and only the City Manager and Finance Director have access to the safe. (ROI 6)

The City has charge accounts with Home Depot, Staples, and PNC Bank. (ROI 6) Finance Director Batista Francis said that the PNC credit card may be used for City business-related travel in accordance with the City's credit card and travel policies. (ROI 6) Finance Director Francis reported that, although City employees must submit a Travel Request Form, which is

ultimately approved by the City Manager, the City Manager and the City Commissioners manage their own travel arrangements. (ROI 6)

In May 2019, the Office of Inspector General received a complaint alleging that between June 2015 and May 2019, Respondent made personal purchases with a City-issued credit card. (ROI 5) An investigation was conducted that resulted in a finding that Respondent used the City credit card for expenses not related to City business. (ROI 5) The OIG interviewed Respondent twice and Respondent provided a written response to the OIG's findings. (ROI 13, Attachment A, OIG Investigative Report) However, numerous attempts were made to contact Respondent by the Commission's Investigators to discuss the instant complaint, but Respondent never responded to telephone calls, emails, or a letter. (ROI 14)

The OIG divided the inappropriate expenses into two categories: 1) 16 instances of "Identifiable Costs," totaling \$5,840.92; and 2) "Questionable Costs," totaling \$15,941.08. (ROI 5, 44)

"Identifiable costs" were described by the OIG as:

[C]osts that have been identified to be dollars that have the potential of being returned to the entity to offset the taxpayer's burden.

(ROI 5)

For four years, Respondent charged the City for flights from West Palm Beach to Atlanta where he rented a car and drove approximately 436 miles to his alma mater, Benedict College in Columbia South Carolina, for homecoming weekend. (ROI 8) The OIG identified these charges to the City credit card as not related to City business and determined that Respondent should reimburse the City \$4,505.44. (ROI 12) Those expenses are as follows:

**"IDENTIFIED COSTS"**

DATE	PURCHASE	COST TO CITY	ADD. INFO.	PURPOSE	ADD. INFO.
Oct. 14, 2015	1-way ticket on Delta from WPB to ATL	\$123.10	553 miles driven	Attend Benedict College homecoming weekend	
Oct. 15 - 18, 2015	Avis car rental in ATL	\$169.95			
Oct. 20 - 23, 2016	RT ticket from/to WPB to ATL	\$784.20		Attend Benedict College homecoming weekend	
	Rental Car	\$168.49			
Oct. 12 - 15, 2017	RT ticket from/to WPB to ATL	\$657.60		Attend Benedict College homecoming weekend	
	Car rental	\$287.17			
	hotel	\$599.94			
Oct. 17-21, 2018	RT ticket from/to WPB to ATL	\$796.60		Attend Benedict College homecoming weekend	
	Car Rental	\$226.39			
	Hotel	\$692			
<b>TOTAL</b>	<b>Flights</b>	<b>\$2,361.50</b>			
<b>TOTAL</b>	<b>Car rentals</b>	<b>\$852</b>			
<b>TOTAL</b>	<b>Hotels</b>	<b>\$1,291.94</b>			
July 2-3, 2015	Car rental in Atlanta	\$60.04	This occurred outside the COE's 5-year statute of limitations (7/14/2015)		
Oct. 8-9, 2015	Car rental in Atlanta	\$50.88	No documentation in the City's records to justify this expense	Respondent could not remember any City business in ATL at this time	
Nov. 23-27, 2016 (Thanksgiving weekend)	Car rental in WPB	\$441.27	1,994 miles driven  Pahokee to Key Largo is 142 miles  Respondent's personal credit card had charges in Wellington, FL, Georgia, & South	Respondent submitted an "Absence Request" for 11/23/16 (3 hrs.) - 11/25/16 for "Economic Development Meetings" & "Meeting Career forum Development/Franchise Owner Meetings Key Largo"	OIG concluded Respondent drove roundtrip from WPB to Georgia and South Carolina

			Carolina on these dates		
Nov. 21-25, 2018	1 <sup>st</sup> class RT flight from WPB to Atlanta	\$963.90	Respondent reimbursed the City on 11/12/2019 (356 days after the flight and a month after the OIG Investigators interviewed him.	Respondent told the OIG Investigators that he mistakenly used the wrong card.	
Dec. 21-23, 2018	Car rental in ATL	\$274.66	Respondent reimbursed the City 2 days before the public release of a negative OIG report against Respondent on other matters. <sup>1</sup>	Respondent told the City Finance Director he used the wrong card for this expense. He reimbursed the City 136 day after the rental and 98 days after the City Finance Director inquired, "...what is this for?"	
May 17-18, 2019	Non-host hotel room in Las Vegas for conference	\$515.20 per night (\$1,030.40 total)	These were not conference dates but Respondent billed to City	R&R for Respondent	
May 19-20, 2019	Host hotel in Las Vegas for conference	\$351.48 per night (\$702.96 total)	Conference dates charged to Respondent's personal credit card		
May 21, 2019	Host hotel in Las Vegas for conference	\$352.56	Conference date charged to City credit card		OIG reported Respondent owes the City \$327.44 (\$1,030.40 - \$702.96) <sup>2</sup>
Mar. 10, 2017	Hotel stay in TLH	\$101.13 which included "County and Sales Taxes")		Respondent blames hotel for adding taxes when the City is tax-exempt; blames City Finance Dept. for not getting a refund for tax charge	Respondent refuses to repay the City for taxes charged. He claims to have no control if taxes are charged

<sup>1</sup> Another OIG Investigative Report found that Respondent inappropriately awarded time-off and bonuses to City employees. (ROI 32) The OIG Investigators inferred that Respondent reimbursed the City as a result of the Investigative Report. (ROI 32) Respondent denies that the release of this report was the catalyst for his reimbursement. (ROI 33) He claimed that he does not react to media reports and the timing was probably coincidental. (ROI 33)

<sup>2</sup> Respondent claims he paid the difference in the hotel rates but did not reimburse the City. (ROI 41) He explained by stating he had the hotel split the bill between his personal credit card and the City credit card and he paid his personal portion of the hotel bill "up front." (ROI 41) Respondent blamed the hotel for not having the correct dates on the credit card receipts. (ROI 41)

Aug. 18, 2018	Hotel stay in Hollywood, FL	Upgrades totaled \$234 and taxes totaled \$99.72		Respondent said he had bed bugs in bed and changed rooms. He cannot explain the upgrade charges	
	Rafiki Tiki Bar in Riviera Beach	\$21 for alcoholic beverages <sup>3</sup>		He forgot to check the bill to remove this charge from the City credit card. Respondent said he reimbursed this.	Respondent can check the bill for alcoholic beverages inappropriately charged but claims he has no control if a hotel charges taxes
TOTAL TO BE REIMBURSED PER CIG	\$5,840.92				
TOTAL TO BE REIMBURSED PER COE	\$5,780.99 <sup>4</sup>				

(ROI 8, 9, 10, 11, 12, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, Complaint p. 15)

Respondent suggested that the trips to his alma mater were for City-related business because he had been invited as a "forum speaker" and participated in an event titled "Annual Alumni Career Day" held during homecoming weekend. (ROI 18)

Respondent said that during his attendance at the "career days" event, he is recruiting candidates for employment with the City of Pahokee to bring talent back to local government even though City staff only consists of 40 employees, there are not many job openings, and he never recruited anyone for employment. (ROI 18) Respondent claimed that he has steered students to other South Florida organizations. (ROI 18) If that explanation fails to justify the City's payment for these trips, he considers these trips professional development. (ROI 18)

Although he claimed to be invited to attend career day as a speaker, Respondent could not name anyone from the College who invited him, and he could not produce any type of invitation

<sup>3</sup> The City policy prohibits charging alcoholic beverages to its credit card. (ROI 42)

<sup>4</sup> One purchase/charge to the City occurred outside the Commission's statute of limitations. (ROI 44)

to confirm his statement. (ROI 19) He received a formal invitation once and characterized other attendance as having an "open invitation." (ROI 19) Respondent further explained that he has made presentations during this event both formally, in either a classroom or auditorium, or informally, in the form of socializing. (ROI 19) He recalled making formal presentations during this event along with seven or eight other co-presenters, but he could not name any of the other participants. (ROI 19)

Sonya Johnson, Benedict College Career Development Coordinator, confirmed that there is an annual alumni career day during the College's annual homecoming events. (ROI 21) Each alumni guest speaker, as well as other participants, are typically not individually informed of the event but the event is advertised and guest speakers and participants are openly invited through the College's website and newsletter, as well as through social media platforms. (ROI 21) In the past couple of years she also emailed invitations to past speakers and presenters to make sure they were aware of that year's event. (ROI 21) She agreed to research her records<sup>5</sup> to ascertain if Respondent was involved in the event as an alumnus but she had not responded to the Commission's Investigator by the completion date of the Report of Investigation. (ROI 22)

In addition to the hotel expenses related to Respondent's travel to his alma mater in South Carolina, the OIG Investigators found charges on the City credit card that were related to "up charges" of a hotel room at a convention Respondent attended in Las Vegas. (ROI 36)

According to the OIG Report, Respondent and Pahokee Mayor Keith Babb attended the International Council of Shopping Centers (ICSC) Conference in Las Vegas that was scheduled from Sunday, May 19 through Wednesday, May 22, 2019, with an early check-in date of Saturday, May 18, 2019. (ROI 37) Respondent flew to Las Vegas two days earlier than the conference began

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<sup>5</sup> These records are not kept electronically and archived records must be hand search, (ROI 22)



for "R&R" and charged the City credit card \$1,382.96 for three nights at a non-host hotel and charged \$702.96 on his personal credit card for two nights. (ROI 37) Mayor Babb stayed at the conference host hotel for four nights for a total cost of \$630.40 (\$157.60 per night). (ROI 37)

The OIG Investigators contend that Respondent did not use the City credit card for the nights that correspond with conference-related room rates. (ROI 38) The OIG determined that Respondent used the City credit card to purchase two nights in the hotel *prior* to the hotel dropping its room rate for the conference (\$515.20 per night for a total of \$1,030.40), and that he used his personal credit card to pay for two nights in the hotel *after* the hotel dropped its room rate during the conference (\$351.48 per night for a total of \$702.96). (ROI 38) The room cost for the final night of the conference was \$352.56 and was charged to the City credit card. (ROI 38)

The OIG recommended that the City Commission seek reimbursement of the "identified costs" for charges on the City credit card that were not related to City business. (ROI 45) Some charges have been reimbursed, such as an alcoholic beverage purchase and some car rental charges. (ROI 45) Respondent reviewed the reimbursement items and wrote:

The City Manager realizes there is an understanding by the Inspector General's Office through their review of what is considered professional development, city business, and other external travel versus how the City Manager interprets as professional development and purposes for travel. In review of the \$5,840.92, Mr. Williamson has strong misgivings about the assessment of reimbursing, but in the spirit of transparency he agrees to offer \$4,998.00 to reimbursed (sic). This reimbursement will be executed and completed by June 30, 2020.

On June 25, 2020, Respondent reimbursed the City \$5,000 for "Refund for Travel Expenses." (ROI 46)

### ***"QUESTIONED COSTS"***

The OIG determined that some costs charged on the City credit card by Respondent were "questionable costs," which were described as:

[C]osts or financial obligations that are questioned by the OIG because of an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, other agreement, policies and procedures, or document governing the expenditure of funds; a finding that, at the time of the OIG activity, such cost or financial obligation is not supported by adequate documentation; or, a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable. As such, not all questioned costs are indicative of potential fraud or waste.

(ROI 5)

These charges might be questioned as inappropriate, but the OIG wrote that it does not mean that the charges were not allowed. (ROI 47) The charges were questioned by the OIG Investigators because the charges did not have sufficient documentation to justify the expense, such as:

the travel expenses were not at the most economical rate;  
some charges included taxes;  
some charges included upgrades; and  
Some retail charges had no backup receipts to justify the purchases.

(ROI 47)

These questioned charges totaled \$15,941.08.<sup>6</sup>

The OIG Investigative Report cited Section 112.061, Florida Statutes, (Travel Expenses) which provides that, in the event of transportation other than the most economical class as approved by the agency head, the charges in excess of the most economical class shall be refunded by the traveler to the agency charged with the transportation costs. (ROI 48)

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<sup>6</sup> One purchase/charge occurred outside the Commission's statute of limitations, thus the adjusted amount for COE's purposes totals \$15,528.43. (ROI 47)

Further, the City's credit card policy provides that the card should be used with a tax-exempt form so that any sales tax charged on the City credit card will be charged back to the employee, and the credit card holder is required to submit receipts, and a tally sheet, within two days after use. (ROI 48) The City policy also prohibits the City credit card from being used to purchase alcoholic beverages. (ROI 48)

The "City credit card policy" states:

The City Manager will have the final approval authority on credit card issuance for department heads. The Finance Director will be responsible for verifying reconciliation of credit card usage and charges pursuant to this policy and the City's travel policy.  
(ROI 48, Exhibit A1)

The "City of Pahokee Travel Policy" states:

The Travel Request form, along with the Request for Payment form and backup documentation, is sent to the Finance Department for review and approval. The employee will then have the Department Director/Department Head review and approve the travel request. The City Manager must approve travel requests for Department Directors/Heads....  
(ROI 49, Exhibit B3)

There is no mention of who approves the City Manager's travel or credit card expenses. (ROI 49)

The "City of Pahokee Purchasing Policy" states:

Credit card use shall be restricted to travel and authorized spending by the City Manager. Typical travel expenditures include hotels, flight reservations, car rentals, and meals. In addition, the City Manager has the authority to approve additional credit card use for special events, activities, programs, and day to day [sic] operations pertaining to city business.  
(ROI 50)

The OIG Investigators identified the following credit card charges for air travel that were not supported by a Travel Request Form or other necessary back-up documents. (ROI 51)

DATE	AIRLINE	DESTINATION	QUESTIONED COST
Oct. 14, 2015	Delta	PBI to ATL	\$0 <sup>7</sup>
Oct. 30, 2015	Delta	PBI to TLH	\$539.30
Jan. 8, 2016	Delta	PBI to TLH	\$599.20
Jan. 29, 2016	Delta	PBI to TLH	\$731.20
Oct. 16, 2016	Delta	PBI to CAE	\$0
Jan. 23, 2016	Southwest	FLL to DAL	\$431.88
Mar. 3, 2017	Delta	PBI to DCA	\$671.10
Oct. 3, 2017	Delta	PBI to CAE	\$0
Jan. 29, 2018	Delta	PBI to TLA	\$558.00
Mar. 2, 2018	Delta	PBI to DCA	\$515
Oct. 1, 2018	Delta	PBI to CAE	\$0
Oct. 23, 2018	Delta	PBI to LAX	\$698.10
Jan. 31, 2019	Delta	PBI to TLH	\$1,549
Feb. 18, 2019	Delta	PBI to DCA	\$750
Mar. 12, 2019	Delta	DCA to PBI	\$75
Mar. 30, 2019	Delta	PBI to LAS	\$1,595
<b>TOTAL</b>			<b>\$8,712.68</b>

Respondent claimed that each of the charges, excluding the previously mentioned "identified charges," were all City-related business expenses. (ROI 52) He said the purpose of the travel was to attend, for example, Palm Beach County Days and legislative lobbying business in Tallahassee, congressional lobbying in Washington, D.C., Florida League of Cities committee meetings and conferences, and National League of Cities conferences and committee meetings. (ROI 52)

Respondent acknowledged that some of the costs are not economical, and he attributed those costs to last minute decisions to attend an event, which resulted in an increased cost to fly. (ROI 52) For example, he justified the cost of one last-minute flight to Tallahassee as being "economical" because the achievements made during the meetings benefitted the City. (ROI 52)

The OIG Investigators identified the following credit card charges for car rentals that were not supported by a Travel Request Form or other necessary back-up documents. (ROI 53)

<sup>7</sup> The \$0 costs in each chart were previously addressed as an "Identified Cost" that should be reimbursed by Respondent. (ROI 51)

DATES	VENDOR	LOCATION	COST
June 16-20, 2015	Avis	WPB	\$412.65
July 2-3, 2015	Avis	ATL	\$0
Aug. 3-4, 2015	Avis	TLH	\$58.50
Oct. 8-9, 2015	Avis	ATL	\$0
Oct. 15-18, 2015	Avis	ATL	\$0
Nov. 1-2, 2015	Avis	ATL	\$0
Jan. 10-14, 2016	Avis	TLH	\$628.03
Jan. 12-14, 2016 <sup>8</sup>	Avis	TLH	\$93.04
Feb. 1-4, 2016	Avis	TLH	\$139.57
Aug. 4-5, 2016	Avis	TLH	\$221.49
Oct. 20-23, 2016	Avis	Columbia, SC	\$0
Oct. 12-15, 2017	Avis	Columbia, SC	\$0
Jan. 30-31, 2018	Avis	TLH	\$64.42
Oct. 17-21, 2018	Avis	Columbia, SC	\$0
Feb. 5, 2019	Avis	TLH	\$124.22
<b>TOTAL</b>			<b>\$1,971.54</b>

(ROI 54, Complaint pp. 31-32)

The only car rental Respondent could not recall was the rental on June 16 through June 20, 2015, for \$412.65. (ROI 54) He surmised that, because there was no City car available for his use, he rented a car. (ROI 54) This car rental occurred outside the Commission's statute of limitations that began July 14, 2015. (ROI 54) He said the other car rentals were either for City-related business in Tallahassee or to attend a Florida League of Cities Convention. (ROI 54)

The OIG Investigators identified the following credit card charges for hotels that were not supported by a Travel Request Form or other necessary back-up documents. (ROI 51)

DATE	HOTEL	COST	ADD. INFO.
June 28, 2016	Hilton Resort	\$728	
June 28, 2016	Hilton Resort	\$728	
June 28, 2016	Hilton Resort	\$728	The OIG Inv. did not question Respondent about these 3 charges on the same date and City staff could not explain them.
Mar. 10, 2017	Residence Inn	\$821	
August 18, 2018	Hilton Diplomat Resort	\$627 Respondent changed rooms because of bed bugs.	This amount included \$99.72 om taxes & \$234 om upgrades that were considered "identified costs." The OIG Investigators counted this

<sup>8</sup> Not a duplication.

			as a "questionable cost" because Respondent's total hotel stay cost was higher than others from the City who attended the same conference
<b>TOTAL</b>		<b>\$3,632</b>	

(ROI 53, 56, Complaint pp. 31-32)

Finance Director Francis reported to the OIG Investigators that she does not know where Respondent travels for conferences because Respondent does not complete Travel Request Forms. (ROI 57) She confirmed that he usually turns in receipts when he returns from a trip. (ROI 57) Finance Director Francis explained that the Travel Request Form is used to compare the receipts submitted by the traveler to confirm the costs are for City-related business. (ROI 57) In Respondent's case, because he does not complete a Travel Request Form, the receipts he submits at the conclusion of his travel are used as backup documents for specific trips. (ROI 57) Finance Director Francis noted that all City employees are required to complete a Travel Request Form, and the form must be approved by Respondent before any travel arrangements are made. (ROI 57)

The OIG Investigators identified the following credit card charges for retail purchases that were not supported by receipts. (ROI 51)

DATE	VENDOR	CHARGE AMOUNT
July 16, 2015	Red Lobster	\$55.41
Feb. 15, 2016	Burlington	\$31.79
Feb. 15, 2017	Walmart	\$14.69
Feb. 5, 2017	T-Mobile	\$155
Mar. 24, 2017	T-Mobile	\$222.85
Mar. 25, 2017	Ubreakifix	\$160.69
Mar. 4, 2018	T-Mobile	\$232.30
Mar. 4, 2018	T-Mobile	\$131.57
<b>TOTAL</b>		<b>\$1,004.30</b>
2016	Sirius/XM radio subscription for Respondent's assigned City-owned vehicle	\$114.20
2017		\$214.53
2018		\$258
<b>TOTAL</b>		<b>\$620.56</b>

(ROI 58, 60, Complaint p. 32)

During his interview with the OIG Investigators, Respondent was reminded of the City policy that requires credit card users to submit receipts and a tally sheet within two days after the use of the credit card. (ROI 59) Upon discussion of the charges in question, Respondent stated that he tries to adhere to the City policy; however, in these eight instances, he did not have an explanation as to why there were no receipts associated with these charges. (ROI 59) He did not know if the receipts were misplaced or possibly lost. (ROI 59)

In regard to the Sirius/XM radio subscription, Respondent told the OIG Investigators that he approved the Sirius/XM subscription for use in City fleet buses, and for the use on an indoor/outdoor speaker at the marina pool, conference room, breakroom, and campground. (ROI 61) He said his City vehicle is the master holder for the subscription. (ROI 61)

The OIG Investigators spoke with Public Works Director Alvin Johnson to confirm Respondent's explanation. (ROI 62) Director Johnson stated that there is a radio system installed at the City Marina and that he and another employee turn on the system daily. (ROI 62) He has never heard Sirius/XM played at the Marina, but he normally turns on the system to a free radio station. (ROI 62) Finance Director Francis informed the OIG Investigators that the radio subscription was for radio service in Respondent's assigned City vehicle, and she had no knowledge of the service being used elsewhere in the City. (ROI 62) Due to not being able to confirm any City use of the subscription radio program, other than for Respondent's benefit, the OIG Investigators considered this \$620.56 radio subscription cost questionable. (ROI 63)

A public servant's use of a City-issued credit card for any type of expense other than a City business expense is a misapplication of City property and violates law. Respondent did not use the credit card in accordance with any authorized use policies.


Therefore, based upon the evidence before the Commission, I recommend that the Commission find probable cause to believe that Respondent violated Section 112.313(6), Florida Statutes.

### RECOMMENDATION

It is my recommendation that:

There is probable cause to believe that Respondent violated Section 112.313(6), Florida Statutes, by using the City-issued credit card for his own private benefit, or the benefit of others, in violation of the City's credit card policies and directives, the City's travel policy, the City's rules and regulations, and State of Florida laws.

Respectfully submitted this 31st day of January, 2022.

  
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