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## PRESS RELEASE

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TALLAHASSEE—December 11—Meeting in Tallahassee on December 6<sup>th</sup> in closed session, the Florida Commission on Ethics took action on 35 matters, Chair Luis M. Fusté announced today. Ten of those matters were probable cause hearings. 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 considered a complaint filed against **JEFF HUBBARD**, Coquina Water Control District Board of Supervisors Chair. The Commission declined to proceed further because it cannot be determined from the complaint whether this claim was based on personal information or information other than hearsay, as is now required by Section 112.324(1)(a) for a complaint to proceed.

Probable cause was found to believe that **VENNIS GILMORE**, Senior City Planner for Fort Pierce, had a conflicting contractual relationship that created a continuing or frequently recurring conflict between his private interests and the performance of his public duties when an entity of which he was a member and President was awarded a bid from the city.

The Commission considered a complaint filed against Pahokee City Manager **GREG THOMPSON**. Probable cause was found to believe Mr. Thompson abused his position to obtain a disproportionate benefit and misused his position when he directed City employees to conduct a closed bidding process for city ATVs for all city employees to participate in, and then named himself one of the winning bids with no evidence of him submitting a bid. No probable cause was found on allegations that had a conflicting contractual relationship that created a continuing or frequently recurring conflict between his private interests and the performance of his public duties.

In a complaint filed against Boca Raton Housing Authority Commissioner **ANGELA MCDONALD**, the Commission found probable cause on two allegations of violations of the ethics laws. Probable cause was found to believe that Ms. McDonald solicited gifts from vendors and lobbyists of the housing authority and failed to report receipt of gifts valued over \$100. No probable cause was found to believe that she accepted gifts from lobbyists or vendors that were valued at more than \$100.

Probable cause was found to believe **RON MUELLER**, Winter Garden City Commissioner, solicited a gift from a vendors or lobbyists of the City when he created a GoFundMe account intending to raise funds to use toward his cat's medical bills. Probable cause was also found to believe he failed to disclose donations to the

GoFundMe that exceeded \$100. An allegation he accepted gifts valued at more than \$100 from vendors or lobbyists was dismissed with a finding of no probable cause.

The Commission considered a complaint filed against City of Fort Pierce Historic Preservation Board Chairman **CHARLES HAYEK**. Probable cause was found on allegations that he filed inaccurate 2019, 2020, 2021, and 2022 Form 1 disclosures. However, the Commission elected to take no further action on the allegations due to the particular circumstances of the matter. Allegations he voted on and participated in a matter that he knew would inure to his special private gain or loss were dismissed with a finding of no probable cause.

The Commission also considered a complaint filed against **ELVIN VILLALOBOS**, Tamarac City Commission. No probable cause was found to believe he violated the constitutional amendment prohibiting abuse of office to obtain a disproportionate benefit or misused his position by receiving a car allowance while also taking home City motor pool vehicles.

The Commission considered a complaint filed against **BOWEN KOU**, Candidate for Florida Senate. Probable cause was found to believe he violated Florida's Constitution and financial disclosure laws by filing an inaccurate 2023 Form 6 disclosure.

No probable cause was found on an allegation that **TREY NICK**, Walton County Commissioner, failed to timely file his Form 6F, Final Statement of Financial Interests, within 60 days of leaving his public position.

The Commission considered a complaint filed against **LAURO ERNESTO DIAZ**, former candidate for Palm Beach County Sheriff. Probable cause was found to believe

he violated Florida's Constitution and financial disclosure laws by filing an inaccurate 2023 Form 6 disclosure.

The Commission reviewed 25 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: three complaints against **CYNTHIA MCINTYRE**, Cory Lake Isles Community Development District Board of Supervisor; **NICOLLE M. SHALLEY**, Levy County Attorney; **REENA ALEXANDER**, Havana Town Clerk; **KENDRAH WILKERSON**, Havana Town Manager; **JODY FINKLEA**, Havana Town Clerk; **JOSHUA WOSTAL**, Hillsborough County Commissioner; **KAITLIN LUSTGARTEN**, Martin County "Assistant District Attorney;" **BRIAN S. KRAMER**, State Attorney for the Sixth Judicial Circuit; **TERESA PONTIERI**, Palm Coast City Councilperson; **ALEX REY**, City of St. Pete Beach City Manager; **NADIA COMBS**, Hillsborough County School Board Member; **DANIEL M. FANCHER**, Okaloosa County Planning Mechanical & Electrical Competency Board; **JEFFEREY BRYANT DAVIDSON**, Pinellas Suncoast Fire & Rescue District Fire Chief/Chief Administrative Officer; **KAITI LENHART**, Flagler County Supervisor of Elections; **KENNY LEWIS**, Havana Chief of Police; **JERRY JOSEPH**, Sunny Isles Beach Commissioner; **EDWARD BIELARSKI**, Gainesville Regional Utilities Chief Executive Officer; **STEVE D. CHAMPION**, Hernando County Commissioner; **JAN HOUSER**, Hernando County Human Relations Director; **JEFFREY**

**ROGERS**, Hernando County Administrator; **BRAD RICHARDSON**, Florida Department of Environmental Protection Chief of the Bureau of Public Land Administration; **MELISSA W. NELSON**, State Attorney for the Fourth Judicial Circuit; and **JANINE NIXON**, State Attorney for the Fifth Judicial Circuit.

### **PUBLIC SESSION**

During its public session meeting, the Commission considered a complaint filed against **JEFF BERGOSH**, Escambia County Commission member. No probable cause was found to believe Mr. Bergosh misused his position when he brought a matter regarding paying fines and fees incurred from a complaint before the County Commission. The complaint was considered during public session because Mr. Bergosh waived confidentiality.

The Commission voted to forward a Petition for Costs and Attorney's Fees filed by **MICHELE MYERS** to the Division of Administrative Hearings for an evidentiary hearing to determine if Ms. Myers is entitled to having the attorney fees and costs incurred in defense of a previously-dismissed ethics complaint reimbursed by complainants Diane P. Sykes, Linda J. Young, Kevyn To, and Christopher "Doc" Bailey.

The Commission adopted a formal opinion that provides guidance to a Property Appraiser whose family was involved in an automobile accident. An auction website was set up where individuals could donate items for bidding and/or bid on those items and the proceeds of the auction would help to offset the cost and expenses caused by the accident. Under the opinion, the Property Appraiser may accept monetary proceeds from the auction. The opinion also gives guidance on how to properly report the donations.

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 \$20,000 per violation.