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State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, Florida 32317-5709

325 John Knox Road
Building E, Suite 200
Tallahassee, Florida 32303

"A Public Office is a Public Trust"

Kerrie J. Stillman

Executive Director

Steven J. Zuilkowski

*Deputy Executive Director/
General Counsel*

(850) 488-7864 Phone

(850) 488-3077 (FAX)

www.ethics.state.fl.us

PRESS RELEASE

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CONTACT PERSON:
Lynn Blais or
Kerrie J. Stillman
850.488.7864

May be accessed online at www.ethics.state.fl.us

TALLAHASSEE—August 2, 2023—Meeting in Tallahassee on July 28th in closed session, the Florida Commission on Ethics took action on 41 matters, Chair Glenton "Glen" Gilzean, Jr. announced today. Five of those matters were complaints considered for probable cause. 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 Miami City Commission member **ALEX DIAZ DE LA PORTILLA**. The Commission found no probable cause on allegations Mr. Diaz de la Portilla misused his position or official resources when city funded t-shirts imprinted with "Team Diaz de la Portilla" were worn by volunteers campaigning for his brother, Renier Diaz de la Portilla.

In a complaint filed against former North Bay Village Mayor **BRENT WALTER LATHAM**, the Commission found probable cause to believe Mr. Latham accepted a trip from a principal of a lobbyist that would be a prohibited gift valued at more than \$100. However, the Commission will take no further action on the allegation because the investigation revealed Mr. Latham received inaccurate guidance from his agency's legal counsel before taking the trip. No probable cause was found on allegations Mr. Latham solicited gifts of travel from a prohibited donor or that he failed to disclose the receipt of a gift that exceeded \$100 in value.

Probable cause was found to believe former City of Dania Beach Public Works Utilities Manager **JOSE URTECHO** violated Florida's ethics laws by soliciting or accepting something of value, based upon an understanding that he 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. Urtecho misused his public position to benefit the entities giving him the gifts. Probable cause also was found to believe he solicited gifts from vendors of the City and that he failed to report gifts valued at more than \$100 as required by law.

In a complaint filed against **CHAD JACKSON**, Vernon City Council member, the Commission found probable cause to believe Mr. Jackson failed to complete the statutorily-required ethics training for calendar year 2022. However, the Commission elected to take no further action due to the particular circumstances of the matter. An allegation he failed to complete the required training for calendar year 2021 was dismissed with a finding of no probable cause.

After reviewing the results of a self-initiated investigation – required by statute – the Commission found probable cause to believe **UWEZO FRAZIER**, Miami-Dade County Public School Principal, willfully failed to file his 2018 Form 1 disclosure. However, the Commission elected to take no further action after Mr. Frazier filed the delinquent disclosure forms and due to the particular circumstances of the matter.

The Commission reviewed 36 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: two complaints filed against **CYNTHIA BURTON**, Crescent City Commissioner; two complaints filed against **DENNIS WARD**, State Attorney 16th Judicial Circuit; **BRENDA HARMER FAM**, Broward County School Board Member; **ALLEN ZEMAN**, Broward County School Board Member; **KATHY STARKEY**, Pasco County Commission Member; **NICHOLAS C. MIMMS**, Fort Pierce City Manager; **CLINT ERICKSON**, Holmes County Commission Member; **PATTY L. CUMMINGS**, Cape Coral City Council Member; **ANGELA EADY**, Kissimmee City Commission Member; **JOHN LEGE**, Fort Myers Assistant City Manager; **MICHELE BARNARD PINES**, Clermont City Council Member; **BRIAN KRAMER**, State Attorney 8th Judicial Circuit; **RYAN NAGEL**, Assistant State Attorney 8th Judicial Circuit; twenty complaints filed against **JAMES CALKINS**, Santa Rosa County Commissioner; and **CHRIS SPENCER**, Budget Chief, Executive Office of the Governor.

PUBLIC SESSION

During its public session meeting, the Commission considered a settlement agreement entered into between the Commission Advocate and Dorcas Fire District Commissioner and Fire Chief **JOHN POLINSKY**. The Commission adopted the agreement finding he willfully failed to timely file his 2018 Form 1. Removal from his public office will be recommended to the Governor for imposition.

A complaint filed against **PETER PANAGIOTIS KOULIAS**, Tarpon Springs City Commissioner, was dismissed for failure to constitute a legally sufficient complaint. As no factual investigation preceded the review, the Commission's conclusion does not reflect on the accuracy of the allegations made in the complaint. The complaint was considered during public session because Mr. Koulias waived confidentiality.

The Commission adopted an advisory opinion requested by the General Counsel of a State University on behalf of a State University Board of Trustees Member. The opinion indicates the Trustee would not be prohibited, in his private capacity, accepting payment for published content concerning publicly available information related to the university. Further guidance was given about soliciting donations via his online platforms while serving.

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 IX. on the July 28 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 \$20,000 per violation.¹

¹ Conduct occurring before May 11, 2023, will be subject to a recommended civil penalty of up to \$10,000. [Ch. 2023-49, Laws of Florida.]