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## PRESS RELEASE

For Immediate Release

October 27, 2021

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TALLAHASSEE—October 27, 2021—Meeting in Tallahassee on October 22<sup>nd</sup> in closed session, the Florida Commission on Ethics took action on 21 matters, Vice Chair John Grant announced today. 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 former Hollywood Planning and Development Board Chairman **JOHN PASSALACQUA**. No probable cause was found to believe Mr. Passalacqua misused his position to participate in deliberations and votes regarding a variance request to install stadium lights on an athletic field and the Commission found no probable cause on two voting conflict allegations related to the variance request for stadium lights. The Commission also found no probable cause to believe he misused his position by voting on other variance matters related to his

private business interests. No probable cause also was found on two voting conflict allegations related to those other variance matters.

The Commission found probable cause on four allegations regarding former Wakulla County Property Appraiser **HOMER BRADLEY HARVEY**. Probable cause was found to believe he misused his position to receive unauthorized compensation in excess of his statutorily prescribed salary. The Commission also found probable cause to believe Mr. Harvey misused the Property Appraiser Office's credit card to make personal purchases. Probable cause also was found on two additional allegations related to underreporting of income on his 2017 and 2018 Form 6s.

The Commission considered a complaint filed against **LAMAR P. FISHER**, who serves as a member of the Broward County Commission and formerly served as the Mayor for the City of Pompano Beach and as a member of the City of Pompano Beach Community Redevelopment Agency. No probable cause was found to believe that Mr. Fisher had a voting conflict when he voted to increase the value of properties he owned or that were owned by his business partners.

No probable cause was found to believe **RICHARD G. FINDLAY**, as a member of the Board of Fire Commissioners of the Cedar Hammock Fire Control District, misused his position to solicit, direct, or engage in active campaigning while on duty.

The Commission found no probable cause to believe former City of Midway Interim City Manager **LENWOOD HERRON** misused his position to prepare a grant application for funding to build a new library, included an unauthorized City resolution with the application, and listed a company owned by him as the "building consultant" on the application.

The Commission considered a related complaint filed against former City of Midway Mayor **RONALD COLSTON**. No probable cause was found to believe that Mr. Colston was involved in submitting an unauthorized City resolution the library grant application.

No probable cause was found to believe Welaka Town Clerk **JENNIFER McDANIEL** misused her position when she, at the direction of the Mayor, loaned Town funds to a Town employee for his private legal representation.

A complaint filed against former Town of Welaka Mayor **GORDON SANDS** was dismissed due to his death.

No probable cause was found to believe former Pinellas County Commission Chairman **KENNETH TYRONE WELCH** misused his position by attempting to steer the award of a tax-funded grant to a potential employer of his wife.

A complaint filed against Riviera Beach City Council Member **JULIA BOTEL** was dismissed because the public interest would not be served by further Commission proceedings.

The Commission reviewed 11 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: **NADIA COMBS**, Hillsborough County School Board Member; **JESSICA VAUGHN**, Hillsborough County School Board Member; **TONYA K. BARROW**, City of Parker Mayor Pro Tem; **APRIL L. GIBSON**, Candidate for City of Parker City Council;

**CHRIS N. PATRICCA**, Lee County School Board Member; **KIM A. BARTON**, Alachua County Supervisor of Elections; **JAMIE HAYNES**, Volusia County School Board Member; **ELIZABETH CASWELL**, Ponce Inlet Town Council Member; **BETTY ERHARD**, City of Brooksville City Council Member; **JENNIFER JENKINS**, Brevard County School Board Member; and **PAULE VILLARD**, City of North Miami Beach City Commission Member.

### **PUBLIC SESSION**

During its public session meeting, the Commission took final action and adopted a Joint Stipulation entered into between House of Representatives member **JACKIE TOLEDO** and the Commission Advocate, entered into prior to a finding of probable cause. The Commission found Representative Toledo violated Florida's financial disclosure laws by failing to disclose profits from the sale of real estate on her 2017 Form 6 and failing to attach an addendum listing assets to her 2018 Form 6. An allegation Representative Toledo violated Florida's financial disclosure laws by failing to disclose a source of income from a business that did not exist in 2019 on her 2019 Form 6 was dismissed with a finding of no probable cause. In accordance with statute, the matter will be referred to the Speaker of the Florida House of Representatives.

The Commission adopted a settlement agreement between the Commission Advocate and **REGINALD SESSIONS**, former member of the Fort Pierce City Commission. The agreement, filed prior to a finding of probable cause, finds Mr. Sessions improperly represented an entity for compensation before the City Commission within two years of leaving the board. A civil penalty of \$1,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission rejected a proposed settlement in multiple complaints filed against former Temple Terrace Mayor **MELODY JURADO**. Ms. Jurado may choose to reach terms of another settlement agreement with the Commission Advocate or engage in a full evidentiary hearing.

The Commission adopted a settlement agreement between the Commission Advocate and **MUHAMMAD AMIN**, who ran for State Representative, District 96. Mr. Amin agreed he violated Florida's Constitution and financial disclosure law by filing an inaccurate 2019 Form 6. A civil penalty of \$1,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission considered a settlement agreement entered into between the Commission Advocate and State Representative, District 13, **TRACIE DAVIS**. Representative Davis agreed she violated the Florida Constitution and financial disclosure laws by filing an inaccurate 2019 Form 6. In accordance with statute, the matter will be referred to the Speaker of the Florida House of Representatives.

In a settlement agreement between the Commission Advocate and **ALEXIS RODRIGUEZ**, former Candidate for the Florida Senate, the Commission adopted findings that Mr. Rodriguez filing an inaccurate 2019 Form 6 and accepted money from an individual based on the understanding he would change his party affiliation, qualify to run in the 2020 Florida Senate race, and file a false Form 6. A civil penalty of \$20,000 and public censure and reprimand for the violations will be recommended for imposition by the Governor

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 VII. on the October 22 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.