

Date: April 17, 2014

To: State of Florida Commission on Ethics

From: Adrien Lucas, 2751 Valencia Drive, Sarasota, FL 34239 / 941-539-9044

Re: Complaint - Sarasota County Commissioner Joseph A. Barbutta

Attn: Morgan R. Bentley, Linda M. Robinson, Michelle Anchors, Matthew F. Carlucci, I. Martin Ford, Tom Freeman, Susan Horovitz Maurer, Stanley Weston

I am formally requesting Morgan R. Bentley to recuse himself from my submission of complaint against Sarasota County Commissioner Joseph A. Barbutta. Attorney Bentley is Mr. Barbutta's personal attorney, per Mr. Barbutta.

I attended the Sarasota County Commissioners' meeting on Tuesday, March 19, 2014. Commissioner Barbutta broke his oath that day and breached the following Florida Commission Code of Ethics for Public Officers and Employees, Item III. The Ethics Laws / A. Prohibited Actions or Conduct:

2. Unauthorized Compensation
3. Misuse of Public Position
4. Disclosure or Use of Certain Information

In addition to Mr. Barbutta lying at the 3/19/14 commission meeting, it is shown in public County Commission minutes he voted numerous times on agenda items he has a personal financial interest in as shown in the complaint below.

I. MARY KENEALY EVENTS/SANCA/BENDERSON DEVELOPMENT: Commissioner Barbutta was listed as sole manager member of Mary Kenealy Events; Mary Kenealy Events received payments of \$20,836.13 by Suncoast Aquatic Nature Center (SANCA) in 2013. I do not have complete records of SANCA Accounts Payable and think other monies may have been paid or owed to Mary Kenealy Events. Prior to the 3/18 meeting, Commissioner Barbutta had failed to recuse himself from voting on matters pertaining to the Suncoast Aquatic Nature Center (SANCA), essentially reimbursing his event's company for services rendered.

Commissioner Barbutta finally recused himself from voting at the 3/19/14 commission meeting, disclosing that Mary Kenealy Events was his "wife's business" and she had been advanced expenses for reimbursement. This is on video and witnessed by the entire Commission, myself and many others. Mr. Barbutta claimed at the 3/19/14 meeting that there had been no prior SANCA votes which is not true. His votes can be found in published public County Commission minutes and video; two of his prior SANCA votes were listed in the 3/19/14 meeting background material. After the 3/19/14 commission meeting, Mr. Barbutta removed his name as the sole manager member for Mary Kenealy Events. Suncoast Aquatic Nature Center is an entity that receives funding from Sarasota County and Benderson Development. Mr. Barbutta appears publicly to be friends with all members of the SANCA board and Benderson Development higher ups. It appears Commissioner Barbutta's event company is the only firm hired for event planning jobs on the Benderson water park project.

There were two County Commission votes regarding SANCA in August 2013 and October 2013. These two votes were listed in background material at the 3/19 meeting where Commissioner Barbutta made his false statement about his event company. SANCA depends upon our County Commission for its financial backing; SANCA is also funded by the Benderson family with their large development projects that also require County Commission approvals. Considering the client relationship between Mr. Barbutta and the board members of SANCA, is it appropriate for Mr. Barbutta to continue to vote on Benderson and/or /SANCA projects? Many in the community of Sarasota think not.

On 4/18/13, Mary Kenealy Events (owned at the time by Commissioner Barbutta) was used to produce an event in relation to the Guy Peterson / University of Florida satellite office.

Commissioner Barbutta failed to disclose ownership of Mary Kenealy Events on his 2013 financial disclosure submitted to the state. His prior financial statements are not available online.

II. PGT: On 1/29/14 Commissioner Barbutta voted in favor to approve a tax exemption for PGT. Commissioner Barbutta is a PGT stockholder. I am not certain when Mr. Barbutta obtained stock, however, I think he should have recused himself from this vote. PGT received a \$600,000 Sarasota County grant a few years ago.

It appears Commissioner Barbutta was a board member of the Sarasota County Economic Development Corporation and may have participated in the creation of the PGT grant. It appears in county commission minutes, Mr. Barbutta has voted numerous times on issues related to PGT and the PGT grant.

III. SUNOVIA/EVOLUCIA: On 3/18/14 Commissioner Barbutta voted on an issue pertaining to Sunovia/Evolucia, a company he owns stock in. Sunovia/Evolucia received a \$100,000 Sarasota County grant a few years ago. Commissioner Barbutta is a Sunovia (now Evolucia) shareholder.

It appears Commissioner Barbutta was a board member of the Sarasota County Economic Development Corporation and may have participated in the creation of the Sunovia grant. Mr. Barbutta has voted numerous times on issues related to Sunovia and the Sunovia grant and failed to recuse himself from votes related to this company.

IV. FLORIDA SHORES BANK: Currently Commissioner Barbutta owns shares of Florida Shores Bank, we have no way of knowing if Commissioner Barbutta has participated in votes related to development financed by this bank. This is an important question in light of his failure to recuse himself past votes related to his personal investments.

With the recent firing of Steve Uebelacker (who was hired to restore ethics to Sarasota County government) where do we turn? We turn to you. It is documented by the Herald Tribune that Barbutta intimidated Mr. Uebelacker when Mr. Uebelacker brought some of the subjects I have pointed out in this letter to Commissioner Barbutta. Former County Administrator Randy Reid witnessed this intimidation, he too was fired, for what some see as not acquiescing to the current Sarasota County Commission.

I respectfully request your consideration regarding my complaint against Commissioner Joseph Barbutta.

Respectfully,

Adrien Lucas

attachments:

1. Notarized Complaint
2. SANCA Check Register, pages 13, 15, 16, 17
3. 2013 Florida Limited Liability Company / Mary Kenealy Events (showing Mr. Barbutta as Member)
4. Screen Shot of 4/18/13 Guy Peterson event produced by Mary Keanealy Events
4. Witness List - Omitted from this pdf file submitted by email to SRQ Herald Tribune on (4/30 - A. Lucas public edit)