



Florida Commission on Ethics
 P. O. Drawer 15709, Tallahassee, Florida 32317-5709
 "A Public Office is a Public Trust"

COMPLAINT

1. PERSON BRINGING COMPLAINT:

Name: Dr. Erwin D. Jackson Telephone Number: 850-566-0036
 Address: 1341 Jackson Bluff Rd
 City: Tallahassee County: Leon State: Florida Zip Code: 32304

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

Use a separate complaint form for each person you wish to complain against:
 Name: Andrew Gillum Telephone Number: 850-891-2000
 Address: 300 S. Adams Street
 City: Tallahassee County: Leon Zip Code: 32301
 Title of office or position held or sought: City of Tallahassee Mayor

3. STATEMENT OF FACTS:

Please provide a full explanation of your complaint, describing the facts and the actions of the person named above and why you believe he or she violated the law. Include relevant dates and the names and addresses of persons whom you believe may be witnesses. Please do not submit more than 15 pages, including this form. Please do not submit video or audio tapes, CDs, DVDs, flash drives or other electronic media; such material will not be considered part of the complaint and will be returned.

4. OATH

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

STATE OF _____
 COUNTY OF _____
 Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20_____, by _____ (name of person making statement)

 (Signature of Notary Public)

 SIGNATURE OF COMPLAINANT

 (Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification _____
 Type of Identification Produced: _____

3. STATEMENT OF FACTS

This complaint alleges that Tallahassee Mayor Andrew Gillum may have violated the Florida Code of Ethics by accepting gifts from a city lobbyist, a city vendor, or someone seeking to do business with the city in the form of (1) a trip to New York, (2) a ticket to a professional baseball game, (3) a ticket to a Broadway show, (4) a boat tour of the Statue of Liberty, and (5) having some or all of these same gifts provided to his brother.

A. Parties

Andrew Gillum is the mayor of the city of Tallahassee. He has been involved in elected politics his entire adult life and is subject to Florida's Code of Ethics. He was elected to the Tallahassee City Commission in 2003 at the age of twenty-three. He held that position until he was elected mayor in 2014.

At all times relevant to this complaint, Adam Corey was a lobbyist registered to lobby the city of Tallahassee. His lobbying firm is Unconventional Strategies, LLC. He is also a co-owner of The Edison restaurant and catering company, which is a vendor to the city of Tallahassee. In addition, The Edison is housed in a building owned by the city and located within the city's Cascades Park. The Edison was developed with millions of dollars of subsidies from the city. The Edison has a lease agreement with the city that allows the city to regulate it in many respects.

At all times relevant to this complaint, Mike Miller identified himself as a real estate developer interested in developing property within Tallahassee. He claimed to be the president of Southern Pines Development in Atlanta, Georgia. Miller used Corey and his lobbying firm to set up meetings with city officials, including Gillum, to discuss Miller's desire to develop an eight-acre parcel within the city. Miller also discussed the possibility of extending the boundaries of

the city's community redevelopment area so that his project could receive favorable tax treatment and other government subsidies.

Media outlets have reported that Miller was an undercover FBI agent during this time, investigating public corruption in Tallahassee. [Exhibit A] Whether this is true is irrelevant to this complaint. At all relevant times, Gillum believed Miller was a real estate developer who wanted to do business with the city.

Marcus Gillum is Mayor Andrew Gillum's brother. He lives in Chicago, Illinois.

B. Background

In August 2016, Gillum traveled to New York, New York, with Corey, Miller, and his brother. [Exhibit B] At least one picture of Gillum, Corey, and Miller on the trip exists. [Exhibit C]

While in New York, Gillum and the others attended a New York Mets baseball game, attended the Broadway show *Hamilton*, and took a boat tour to see the Statue of Liberty. Further, media reports have stated that Miller booked a block of rooms at the New York Millennium Hilton during this time. [Exhibit B] It is also safe to assume the group used an airplane to travel to New York from Tallahassee, although whether they flew private or commercial is unclear.

Gillum has refused to answer questions about the trip. Still, it is apparent that he broke some ethics laws on the trip. A thorough commission is necessary to determine precisely which laws he broke. A full investigation could answer the following:

- Who paid for Gillum's hotel room during the trip?
- Who paid for Gillum's meals and drinks on the trip?
- Who paid for Gillum's ticket to the Mets game?
- Who paid for Gillum's tickets to *Hamilton*?
- How were the tickets to *Hamilton* obtained given the show was sold out?
- Who paid for Gillum's boat tour of the Statue of Liberty?
- Who paid for Gillum's air travel to New York?
- Did Gillum receive any other gifts on the trip?

- Why has Gillum not reported any of the gifts he received on the trip?

C. Ethics Code Violations

Gillum's actions may have violated some or all of the following laws. First, as mayor, section 112.3148(4) prohibits Gillum from accepting a gift worth more than \$100 from a lobbyist or a vendor doing business with the city. Gillum knew, or should have known, that the value of many of, if not all, the gifts he received on the trip exceeded the \$100 limit. If the gifts came from Corey, they were illegal because he was a city lobbyist and city vendor. Moreover, Miller was seeking to do business with the city.

Further, section 112.3148(3) prohibits Gillum from soliciting any gift from a lobbyist who has lobbied him or the city within the past twelve months or from a vendor doing business with the city. At the time of the trip, Corey was both a lobbyist who had lobbied the city within the past twelve months and a city vendor. Additionally, Miller hoped to do business with the city.

Gillum's actions also may have violated section 112.313(2), which prohibits him from soliciting or accepting anything of value that is based on an understanding that his official action or judgment could be influenced by such a gift. Miller was a real estate developer who wanted to expand the boundaries of the city's community redevelopment area and wanted other favorable treatment from city legislation. This was his primary objective in his dealings with Gillum; therefore, the entire basis of the New York trip was to influence Gillum in his capacity as mayor.

Finally, section 112.313(6) prohibits Gillum from corruptly using his position to obtain a special benefit for himself or others. In contravention of this statute, Gillum used his position as mayor to reward himself and his brother with a trip to New York. According to the statute, "Corruptly means done with a wrongful intent and for the purpose of obtaining . . . 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.” § 112.312(9), Fla. Stat. By accepting a lavish trip to New York for himself and his brother from a lobbyist and developer seeking favorable treatment from the city, Gillum acted inconsistently with his duties as a public servant.

D. Conclusion

For all the reasons stated above, there is ample reason for the commission to find this complaint legally sufficient and to begin investigating Tallahassee Mayor Andrew Gillum.