

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Rob Robinson

Case No.: FEC 19-516

TO: Fred Reilly, Esquire
Reilly International Law Firm, P.A.
Post Office Box 2039
Haines City, FL 33845

Jennifer S. Blohm, Esquire
Meyer, Brooks, Blohm & Hearn, P.A.
131 North Gadsden Street
Tallahassee, FL 32301

NOTICE OF HEARING (OTHER MOTIONS: REVIEW PETITION FOR ATTORNEY'S FEES AND COSTS)

A hearing will be held in this case before the Florida Elections Commission on, **December 1, 2020 at 8:30 AM**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 9, 2019

Please refer to the information below for further instructions related to your particular hearing:

This **Motion or Petition for Attorney's Fees** will be conducted pursuant to Section 106.265(6), Florida Statutes, and Chapter 28 and Commission Rule 2B-1.0045, Florida Administrative Code. The Commission will determine whether the petition contains sufficient facts to support a claim for costs and attorney's fees and, if so, the Commission will order a hearing involving disputed issues of material fact (formal hearing) before the Commission, a Commissioner or Commissioners designated by the Commission, or the Division of Administrative Hearings.

If the Commission determines that there are not sufficient facts to support a claim, the motion or petition will be denied or dismissed.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Rob Robinson

Case No.: FEC 19-516

TO: Fred Reilly, Esquire
Reilly International Law Firm, P.A.
Post Office Box 2039
Haines City, FL 33845

Jennifer S. Blohm, Esquire
Meyer, Brooks, Blohm and Hearn, P.A.
131 North Gadsden Street
Tallahassee, FL 32301

NOTICE OF CANCELLATION OF HEARING
(OTHER MOTIONS: REVIEW PETITION FOR ATTORNEY'S FEES AND COSTS)

You are hereby notified that the previously scheduled hearing for March 24-25, 2020 is cancelled. It is anticipated that your case will be heard at the next regularly scheduled meeting, which is currently set for May 2020. A Notice of Hearing will be mailed approximately 14 days prior to the hearing date indicating the exact date, time, and location.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 12, 2020

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: **Rob Robinson**

Case No.: **FEC 19-516**

TO: Fred Reilly, Esquire
Reilly International Law Firm, P.A.
Post Office Box 2039
Haines City, FL 33845

Jennifer S. Blohm, Esquire
Meyer, Brooks, Blohm and Hearn, P.A.
131 North Gadsden Street
Tallahassee, FL 32301

NOTICE OF HEARING (OTHER MOTIONS: REVIEW PETITION FOR ATTORNEY'S FEES AND COSTS)

A hearing will be held in this case before the Florida Elections Commission on, **March 24, 2020 at 1:00 PM, or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 404 South Monroe Street, Room 28-H, Tallahassee, Florida 32399. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 9, 2019



Responses to Amended Motions for Attorney's Fees Jennifer S. Blohm to:
 'fec@myfloridalegal.com' 03/09/2020 11:07 AM
 Cc: "donna.malphurs@myfloridalegal.com", "Timothy.Vaccaro@myfloridalegal.com",
 "fredreilly@attorney-solicitor.com"
 From: "Jennifer S. Blohm" <JBlohm@meyerbrookslaw.com>
 To: "'fec@myfloridalegal.com'" <fec@myfloridalegal.com>
 Cc: "donna.malphurs@myfloridalegal.com" <donna.malphurs@myfloridalegal.com>,
 "Timothy.Vaccaro@myfloridalegal.com" <Timothy.Vaccaro@myfloridalegal.com>,
 "fredreilly@attorney-solicitor.com" <fredreilly@attorney-solicitor.com>

3 Attachments



Response to Amended Motion for Attorney's Fees-FEC 19-514.pdf



Response to Amended Motion for Attorney's Fees-FEC 19-515 and 19-518.pdf



Response to Amended Motion for Attorney's Fees- FEC 19-516 and 19-519.pdf

Donna,

I have attached Mr. Lepley's and Ms. Bradley's responses to the amended motions for attorney's fees. Please do not hesitate to contact me if you have any questions.

Sincerely,
 Jennifer

Jennifer S. Blohm
 Meyer, Brooks, Blohm and Hearn, P.A.
 131 North Gadsden Street (32301)
 Post Office Box 1547 (32302)
 Tallahassee, Florida
www.meyerbrookslaw.com
 (850) 878-5212
 (850) 656-6750 (Facsimile)

Confidential Note:

The information contained in this transmission is legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you received this communication in error, please notify us immediately by calling us at (888) 848-5212 and then deleting the message. Thank you.

Donna Malphurs

From: Jennifer S. Blohm <JBlohm@meyerbrookslaw.com>
Sent: Monday, March 9, 2020 11:06 AM
To: Florida Elections Commission
Cc: Donna Malphurs; Timothy Vaccaro; fredreilly@attorney-solicitor.com
Subject: Responses to Amended Motions for Attorney's Fees
Attachments: Response to Amended Motion for Attorney's Fees-FEC 19-514.pdf; Response to Amended Motion for Attorney's Fees-FEC 19-515 and 19-518.pdf; Response to Amended Motion for Attorney's Fees- FEC 19-516 and 19-519.pdf

Donna,

I have attached Mr. Lepley's and Ms. Bradley's responses to the amended motions for attorney's fees. Please do not hesitate to contact me if you have any questions.

Sincerely,
Jennifer

Jennifer S. Blohm
Meyer, Brooks, Blohm and Hearn, P.A.
131 North Gadsden Street (32301)
Post Office Box 1547 (32302)
Tallahassee, Florida
www.meyerbrookslaw.com
(850) 878-5212
(850) 656-6750 (Facsimile)

Confidential Note:

The information contained in this transmission is legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you received this communication in error, please notify us immediately by calling us at (888) 848-5212 and then deleting the message. Thank you.

MEYER, BROOKS, BLOHM AND HEARN, P.A.
ATTORNEYS AT LAW

131 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301
www.meyerbrookslaw.com
850/878-5212

MAILING ADDRESS:
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302

FAX: 850/656-6750
EMAIL: jblohm@meyerbrookslaw.com

LYNN T. THOMAS, FRP
PARALEGAL

RONALD G. MEYER
THOMAS W. BROOKS, RETIRED
JENNIFER S. BLOHM
LYNN C. HEARN
ADAM W. WOOD

ALEX VILLALOBOS
OF COUNSEL

March 9, 2020

VIA E-MAIL – fec@myfloridalegal.com

Chair and Members
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050

Re: Complainant's Response to Respondent's Amended Motion for Attorney's Fees –
FEC 19-516 and FEC 19-519; Respondent Rob Robinson

Dear Commissioners:

This firm represents the Complainant, Darlene Bradley, in the above-referenced matter. On September 9, 2019, Ms. Bradley submitted a complaint against the Respondent, Rob Robinson, who was a candidate for Davenport Mayor. Ms. Bradley also was a candidate for Davenport Mayor. On October 8, 2019, the complaint was dismissed as legally insufficient. The Respondent filed a motion for attorney's fees on December 1, 2019.¹ Ms. Bradley filed a response to the motion on February 28, 2020. The Respondent then filed an amended motion for attorney's fees on March 4, 2020.

Ms. Bradley relies on her initial response to the Respondent's motion and files this supplemental response simply to address the Respondent's attempts in the amended motion to fix the insufficiencies in that motion. Respondent's second attempt also fails to state a legally sufficient motion for fees and therefore, should be dismissed pursuant to Rule 2B-1.0045, Florida Administrative Code.

¹ Ms. Bradley is not sure why there are two FEC case numbers (FEC 19-516 and FEC 19-519) for this complaint. She only filed one complaint against the Respondent Robinson. She believes that the FEC decided a statement in the complaint was a request to expedite and that the FEC gave the complaint a new case number when it expedited the complaint. Ms. Bradley was not aware of this until she received an additional dismissal under the new case number on October 29, 2019.

The motion for fees was filed pursuant to section 106.265(6), Florida Statutes, which authorizes an award of fees if the respondent can prove that the complaint was filed "with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains **false allegations of fact material** to a violation of this chapter or chapter 104." (emphasis added). Rule 2B-1.0045, Florida Administrative Code, governs the award of attorney's fees. The rule requires the petition for attorney's fees to "state with particularity the facts and grounds that prove entitlement to costs and attorney's fees." At a hearing, the Florida Elections Commission shall determine the sufficiency of the petition and if the Commission finds the petition insufficient, it will dismiss the petition.

The Respondent tries to assign malicious intent by Ms. Bradley because she asked for hefty fines and removal from office if the Respondent violated the Election Code and filed her complaint close to when Respondent was sworn in as President of the Ridge League of Cities. Neither of these allegations rises to the level of particularity needed for a sufficient motion for attorney's fees. Had the Respondent been found to have violated the Election Code, he would have been subject to penalties. Ms. Bradley stating those in her complaint is not malicious intent and to find that it was would subject almost every complainant to an attorney's fees award. Additionally, Ms. Bradley did not publicize her complaint or otherwise interfere in Respondent's assumption to the presidency of the Ridge League of Cities. Respondent has not alleged any particular facts in the original motion or the amended motion that Ms. Bradley attempted to injure his reputation by the filing of the complaint.

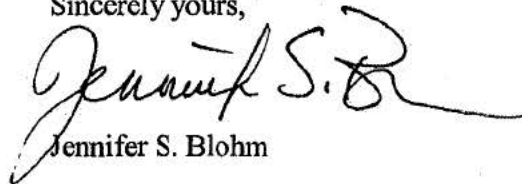
The Respondent attempts to fix his original motion by now adding a conclusory statement that Ms. Bradley's factual statements in Counts 4 and 6 were false, but in reality, the Respondent's claims remain that Ms. Bradley misinterpreted section 106.08(5), Florida Statutes and section 106.15, Florida Statutes. Respondent is not truly alleging that her factual statements are false, but that she misinterpreted the law. Ms. Bradley in the complaint stated that the Respondent had received several contributions from a developer and his companies that all shared the same address and felt that this violated the prohibition against giving in the name of another. She also stated that the Respondent held TV interviews about his campaign in a government building which she believed violated section 106.15. The factual statements in these allegations are not false and the Respondent does not argue that they are. Instead, in his motion for fees, the Respondent argues that he is entitled to fees because she misinterpreted the law and did not allege legally sufficient violations of the law. Therefore, the Respondent's claims in the motion for attorney's fees are legally insufficient since they fail to allege that Ms. Bradley's factual statements were false. *See Hadeed v. State*, 208 So. 3d 782 (Fla. 1st DCA 2016)(affirming the Commission on Ethics' denial of fees because the complaint did not contain false allegations of fact material to a violation of the Code).

A grant of attorney's fees is reserved for those cases where the complainant provides

Florida Elections Commission
March 9, 2020
Page Two

false factual allegations that are material to a violation of Chapter 104 or Chapter 106. *See Yates; Hadeed*. It is not for cases such as this one where the complainant submits truthful factual allegations, but misinterprets the law. Such a holding would chill speech and preclude lay citizens from utilizing the complaint process. Accordingly, Ms. Bradley respectfully requests that the FEC dismiss the motion for attorney's fees filed against her by the Respondent.

Sincerely yours,



Jennifer S. Blohm

cc: Mr. Tim Vaccaro, Executive Director (*via email*)
Ms. Donna Malphurs, Agency Clerk (*via email*)
Mr. Fred Reilly, Esquire (*via email*)

Donna Malphurs

From: Fred Reilly <fredreilly@attorney-solicitor.com>
Sent: Wednesday, March 4, 2020 10:51 PM
To: Donna Malphurs; jblohm@meyerbrookslaw.com
Subject: FEC Cases 19-514, 19-515, 19-516, 19-518 and 19-519
Attachments: Lynch AmendedMotionLepley03042020.pdf; Robinson AmendedMotionLepley 19 515 03042020.pdf; Robinson AmendedMotionBradley 19 516 03042020.pdf; Robinson AmendedMotionLepley 19 518 03042020.pdf; Robinson AmendedMotionBradley 19 519 03042020.pdf

Re: FEC Cases 19-514, 19-515, 19-516, 19-518 and 19-519

Hi Donna,

Attached to this email please find the Amended Motion for Attorney's Fees in relation to FEC Cases 19-514, 19-515, 19-516, 19-518 and 19-519.

I respectfully request that these Amended Motions be included in the Agenda packet for the next Commission meeting.

Please contact me if you have any questions. Thanks.

Very truly yours,

Fred Reilly*
Reilly International Law Firm, P. A..
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Fax. (863) 439-5077
Skype: fred.reilly
Email: fredreilly@attorney-solicitor.com
Website: www.attorney-solicitor.com

*Licensed to practice in California, Florida and as an English Solicitor. Admitted to practice before the United States Supreme Court and the United States Court of International Trade. Awarded Masters degree (LL.M. in International Business Law) from The London School of Economics and Political Science.

IMPORTANT NOTICE: This transmission contains legal advice that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, photocopying or distribution of the contents is unauthorized and prohibited. If you have received this in error, please notify the sender immediately and destroy all copies.

FLORIDA ELECTIONS COMMISSION

COMPLAINANT: DARLENE BRADLEY

RESPONDENT: H.B. "ROB" ROBINSON

CASE NO. FEC 19-516

AMENDED MOTION FOR ATTORNEY'S FEES

COMES NOW, the Respondent, H. B. "ROB" ROBINSON, by and through his undersigned attorney, files this Amended Motion for Attorney's Fees pursuant to Section 106.265(6), Florida Statutes, against the Complainant, Darlene Bradley, and states as follows:

Preliminary Matters

- A. The Complainant, Darlene Bradley shall be referred to as "Bradley" in this Response.
- B. The Respondent, H. B. "Rob" Robinson shall be referred to as "Robinson" in this Response.
- C. The Florida Elections Commission Complaint No. 19-516 filed by Bradley against Robinson (dated September 9, 2019) shall be referred to as the "Complaint" in this Response.
- D. Robinson filed a Response to the Complaint on September 29, 2019.
- E. The Florida Elections Commission determined that (all counts in) Complaint No. 19-516 were "Legally Insufficient" and the case has been closed.

Legal Basis for Amended Motion

The Respondent, H. B. "Rob" Robinson, respectfully requests a finding against Darlene Bradley pursuant to Section 106.265 (6), Florida Statutes, and that Darlene Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, and states as follows:

A. Section 106.265 (6), Florida Statutes, states as follows:

In any case in which the commission determines that a person has filed a complaint against another person with a malicious intent to injure the reputation of the person complained against by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of this chapter or chapter 104, the complainant shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees. If the complainant fails to pay such costs and fees voluntarily within 30 days following such finding by the commission, the commission shall forward such information to the Department of Legal Affairs, which shall bring a civil action in a court of competent jurisdiction to recover the amount of such costs and fees awarded by the commission.

B. The Respondent's Amended Motion provides a legally sufficient basis under Section 106.265(6), Florida Statutes, and Rule 2B-1.0045, F.A.C. The elements required (by *Brown v. State*, 969 So. 2d 553, 560 (Fla. 1st DCA 2007)) to prove an entitlement to attorney's fees are:

- (1) The complaint was made with a malicious intent to injure the official's reputation:
- (2) the person filing the complaint knew that the statements made about the official were false or made the statements about the official with reckless disregard for the truth; and
- (3) the statements were material.

Factual Basis for Amended Motion

C. Malicious Intent to Injure the Official's Reputation.

In the Complainant's Response to Respondent's Motion for Attorney's Fees,

Complainant's counsel states:

"...there was no malicious intent on Ms. Bradley's part. Ms. Bradley did not publicize the filing of the complaint, but kept it confidential. She has not spoken publicly about the complaint and has not tried to use it for any type of political advantage. She brought the complaint in good faith based on inaccuracies and violations she felt existed in the Respondent's campaign advertising and campaign practices."

Bradley's Complaint was filed on or about September 9, 2019. The City of Davenport's municipal election was held on April 2, 2019. The Complaint was obviously not used by Bradley for an advantage in the April 2, 2019 municipal election, but the timing of the Complaint is crucial to determining whether there was a malicious intent to injure Robinson's reputation.

In the Complaint, Bradley asserted that Robinson violated provisions of Chapter 104 and 106, Bradley expressly referred to third degree felony penalties that would result in a person being "disqualified to hold office," and Bradley specifically stated: "Florida Statutes penalize these violations with hefty fines and removal from office." Coincidentally, Robinson was sworn in as President of the Ridge League of Cities in early September 2019 and Robinson would be obligated to relinquish this position if he was subsequently disqualified to hold office.

Bradley's stated desire for "hefty fines and removal from office" is clear evidence of Bradley's malicious intent to injure the reputation of Robinson.

D. Statements were false or made with reckless disregard for the truth.

The Complaint filed by Bradley was clearly intended to injure the reputation of Robinson. Bradley's Complaint included the following statements:

i. Count 3(i) of the Complaint - Allegation that Robinson violated Section 104.271 by stating that "Darlene Bradley charged with 2 felonies and a misdemeanor." Bradley was in fact charged with two (2) felonies and a misdemeanor. Therefore, Robinson's statement was factually accurate. The allegation by Bradley that Robinson's factually accurate statement violated Section 104.271 is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 104.

ii. Count 4 of the Complaint - Allegation that Robinson violated Section 106.08 (5).

Bradley alleged that Robinson violated Section 106.08(5):

"Rennie Heath (Developer) gave \$5,000 in campaign donations to Rob Robinson as reported in his campaign financial report M2 for period 3/2 – 3/15/19. Attachment K. Mr. Robinson listed 5 different entities for Mr. Rennie Heath with the same address listing \$1,000 contribution for each entity, exceeding the amount allowed in a municipal election."

This allegation by Bradley is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 106 because a corporation or limited liability company constitutes a "person" (as defined by Section 106.011 (14), Florida Statutes),

iii. Count 6 of the Complaint - Allegation that Robinson violated Section 106.15, Florida Statutes, by "Campaigning in government facilities."

Section 106.15(4) prohibits solicitation of or accepting any political contribution in a government building. Subsection (4) states:

No person shall make and no person shall solicit or knowingly accept any political contribution in a building owned by a governmental entity. For purposes of this subsection, "accept" means to receive a contribution by personal hand delivery from a contributor or the contributor's agent. This subsection shall not apply when a government-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund raiser.

Bradley's alleged that Robinson was "campaigning in government facilities" in violation of Section 106.15 when he "commandeered the Davenport Commission Chambers during normal business hours to conduct two (2) tv interviews to promote his campaign, "integrity"." Bradley's allegation is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 106 because Robinson conducting tv interviews in a government facility is clearly not a violation of Section 106.15(4).

E. Statements were material.

Bradley's statements in the Complaint that Robinson violated Sections 104.271, 106.08(5), and 106.15(4) were false or made with reckless disregard for the truth and are material to the issues raised by the Complaint.

Conclusion

Robinson retained legal counsel to defend his sterling reputation in the community against the allegations of Bradley's Complaint. Section 106.265(6) expressly authorizes a claim for attorney's fees and costs in any case in which the commission determines that a person has filed a complaint against another person with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of chapter 106 or chapter 104. This Amended Motion presents a prima facie basis for such relief based on Section 106.265(6).

WHEREFORE, H.B. "Rob" Robinson respectfully requests that the Commission make a finding against Darlene Bradley pursuant to Section 106.265(6), Florida Statutes, and that Darlene Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of Robinson.

Respectfully submitted this 4th day of March, 2020.

Fred Reilly

Fred Reilly, Esquire
Florida Bar No. 607800
Reilly International Law Firm, P.A.
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Email: fredreilly@attorney-solicitor.com
Attorney for H. B. "Rob" Robinson

CERTIFICATION

I hereby certify that a true and correct copy of this Amended Motion for Attorney's Fees was sent to the Florida Elections Commission via email (fec@myfloridalegal.com) and Jennifer Blohm, Esquire via email (jblohm@meyerbrooks.com) this 4th day of March, 2019.

Fred Reilly

Fred Reilly, Esquire

Donna Malphurs

From: Donna Malphurs
Sent: Monday, March 2, 2020 1:11 PM
To: Fred Reilly
Subject: RE: FEC 19-514; 19-515; 19-516; 19-518 and 19-519

Please submit your responses no later than Wednesday. Thanks.

Thanks,
Donna

From: Fred Reilly <fredreilly@attorney-solicitor.com>
Sent: Sunday, March 1, 2020 4:41 PM
To: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>
Cc: Linda Robinson <myhcwcd@gmail.com>; rconstruction16@aol.com
Subject: Fw: FEC 19-514; 19-515; 19-516; 19-518 and 19-519

RE: FEC 19-514; 19-515; 19-516; 19-518 and 19-519

Hi Donna,

Since these documents were provided to me after 5:00 P.M. on Friday, February 28, 2020, am I able to provide Amended Petitions for Attorney's Fees on Monday, March 2, 2020 which would be included in the Agenda package for the Committee members? Please let me know. Thanks.

Very truly yours,

Fred Reilly*
Reilly International Law Firm, P. A..
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Fax. (863) 439-5077
Skype: fred.reilly
Email: fredreilly@attorney-solicitor.com
Website: www.attorney-solicitor.com

*Licensed to practice in California, Florida and as an English Solicitor. Admitted to practice before the United States Supreme Court and the United States Court of International Trade. Awarded Masters degree (LL.M. in International Business Law) from The London School of Economics and Political Science.

IMPORTANT NOTICE: This transmission contains legal advice that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, photocopying or distribution of the contents is unauthorized and prohibited. If you have received this in error, please notify the sender immediately and destroy all copies.

From: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>

Sent: Friday, February 28, 2020 5:46 PM

To: Fred Reilly <fredreilly@attorney-solicitor.com>

Subject: FEC 19-514; 19-515; 19-516; 19-518 and 19-519

Dear Mr. Reilly,

The Florida Elections Commission received responses from attorney Jennifer S. Blohm to your petitions for fees and costs in the above noted cases. Attached is a copy of her responses for your review. A copy was also mailed to you today.

If you have any questions, please let me know.

Sincerely,

Donna Ann Malphurs

Agency Clerk/Public Information Officer

Florida Elections Commission

Main line: 850-922-4539

Direct Dial: 850-404-5609



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



February 28, 2020

Fred Reilly
Reilly International Law Firm, P.A.
Post Office Box 2039
Haines City, FL 33845

RE: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Mr. Reilly:

The Florida Elections Commission received a notice of appearance from Jennifer S. Blohm and her response to your Petition for Attorney's Fees and Costs in this case. A copy of Ms. Blohm's notice and response is enclosed for your review.

If you have any questions, please contact the Florida Elections Commission at fec@myfloridalegal.com.

Sincerely,

Donna Ann Malphurs

Agency Clerk

/dam

Enclosure: Notice of Appearance and Response to Petition for Fees
cc: Jennifer S. Blohm, Attorney for Complainant (w/out encl.)

MEYER, BROOKS, BLOHM AND HEARN, P.A.
ATTORNEYS AT LAW

131 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301
www.meyerbrookslaw.com
850/878-5212

RONALD G. MEYER
THOMAS W. BROOKS, RETIRED
JENNIFER S. BLOHM
LYNN C. HEARN
ADAM W. WOOD

ALEX VILLALOBOS
OF COUNSEL

MAILING ADDRESS:
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302

FAX: 850/656-6750
EMAIL: jblohm@meyerbrookslaw.com

LYNN T. THOMAS, FRP
PARALEGAL

REC'D: FL ELECTIONS COM
28 FEB '20 PMS:18

February 28, 2020

VIA HAND DELIVERY AND E-MAIL – fec@myfloridalegal.com

Chair and Members
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050

Re: Complainant's Response to Respondent's Motion for Attorney's Fees – FEC 19-516 and FEC 19-519; Respondent Rob Robinson

Dear Commissioners:

This firm represents the Complainant, Darlene Bradley, in the above-referenced matter. On September 9, 2019, Ms. Bradley submitted a complaint against the Respondent, Rob Robinson, who was a candidate for Davenport Mayor. Ms. Bradley also was a candidate for a Davenport Mayor. On October 8, 2019, the complaint was dismissed as legally insufficient. The Respondent filed a motion for attorney's fees on December 1, 2019.¹

The motion for fees was filed pursuant to section 106.265(6), Florida Statutes, which authorizes an award of fees if the respondent can prove that the complaint was filed "with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains **false allegations of fact material** to a violation of this chapter or chapter 104." (emphasis added). Rule 2B-1.0045, Florida Administrative Code, governs the award of attorney's fees. The rule requires the petition for attorney's fees to "state with particularity the facts and grounds that prove entitlement to costs and attorney's fees." At a hearing, the Florida Elections Commission shall determine the sufficiency of the petition and if the Commission finds the petition insufficient, it will dismiss the petition.

¹ Ms. Bradley is not sure why there are two FEC case numbers (FEC 19-516 and FEC 19-519) for this complaint. She only filed one complaint against the Respondent Robinson. She believes that the FEC decided a statement in the complaint was a request to expedite and that the FEC gave the complaint a new case number when it expedited the complaint. Ms. Bradley was not aware of this until she received an additional dismissal under the new case number on October 29, 2019.

The Respondent's motion does not provide a legally sufficient basis under rule 2B-1.0045 or section 106.265(6). Because the attorney's fee provision under the Code of Ethics is nearly identical to section 106.265(6), cases interpreting the ethics provision are used in interpreting section 106.265(6). See *Yates v. Shure*, FEC 16-362, DOAH 17-1593F, FO 17-358W (FEC Dec. 15, 2017). In *Brown v. State*, 969 So. 2d 553, 560 (Fla. 1st DCA 2007), the court set forth the elements required to prove an entitlement to attorney's fees: "(1) the complaint was made with a malicious intent to injure the official's reputation; (2) the person filing the complaint knew that the statements made about the official were false or made the statements about the official with reckless disregard for the truth; and (3) the statements were material." The Respondent has not met any of these elements. Other than a conclusory statement that Ms. Bradley made the complaint with malicious intent to injure Respondent's reputation, he does not state with particularity the facts and grounds supporting the conclusion. This is because there was no malicious intent on Ms. Bradley's part. Ms. Bradley did not publicize the filing of the complaint, but kept it confidential. She has not publicly spoken about the complaint or tried to use it for any type of political advantage. She brought the complaint in good faith based on inaccuracies and violations she felt existed in the Respondent's campaign advertising and campaign practices.

Davenport is a small city where everyone knows each other. Ms. Bradley and the Respondent have known each other for years. Because of this familiarity, the Respondent's statement in advertising that Ms. Bradley was charged with two felonies and a misdemeanor struck her as a clear attempt to falsely misrepresent her record to the voters. It is for this reason that she alleged in her complaint that the Respondent's statement was false and a violation of section 104.271, Florida Statutes. Ms. Bradley knew that the Respondent was well aware that although she was charged with two felonies and a misdemeanor, those charges were dropped and she paid a \$250 fine for using a handicap placard. To state in advertising only that she was charged and not also state that the charges were dropped was a false statement to Ms. Bradley. It was especially hard to take since Respondent was aware that Ms. Bradley had been car jacked which led to her fear of parking far away from a building at night and her use of the handicap placard. While a half-truth may be insufficient to establish a violation of section 104.271, Ms. Bradley who is not an attorney should not be forced to pay attorney's fees for legitimately believing that the failure to tell the whole truth is a malicious and false statement against an opponent.

The Respondent's remaining bases for attorney fees are that Ms. Bradley misinterpreted section 106.08(5), Florida Statutes and section 106.15, Florida Statutes. Respondent is not alleging that her factual statements are false, but that she misinterpreted the law. Ms. Bradley in the complaint stated that the Respondent had received several contributions from a developer and his companies that all shared the same address and felt that this violated the prohibition against giving in the name of another. She also stated that the Respondent held TV interviews about his campaign in a government building which she believed violated section 106.15. The factual

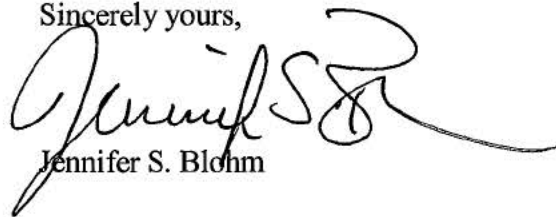
Florida Elections Commission
February 28, 2020
Page Two

statements in these allegations are not false and the Respondent does not argue that they are. Instead, in his motion for fees, the Respondent argues that he is entitled to fees because she misinterpreted the law and did not allege legally sufficient violations of the law. Therefore, the Respondent's claims in the motion for attorney's fees are legally insufficient since they fail to allege that Ms. Bradley's factual statements were false. *See Hadeed v. State*, 208 So. 3d 782 (Fla. 1st DCA 2016)(affirming the Commission on Ethics' denial of fees because the complaint did not contain false allegations of fact material to a violation of the Code).

Ms. Bradley is not a lawyer and although she has run for office, she is not an expert in election law. She did not file the complaint to obtain an advantage over the Respondent or to publicize the complaint and injure the Respondent's reputation. She filed it because she was concerned about what she saw as wrongful campaign practices and which she believed were violative of the Election Code. She believed that the complaint process specifically existed for this purpose.

A grant of attorney's fees is reserved for those cases where the complainant provides false factual allegations that are material to a violation of Chapter 104 or Chapter 106. *See Yates; Hadeed*. It is not for cases such as this one where the complainant submits truthful factual allegations, but misinterprets the law. Such a holding would chill speech and preclude lay citizens from utilizing the complaint process. Accordingly, Ms. Bradley respectfully requests that the FEC dismiss the motion for attorney's fees filed against her by the Respondent.

Sincerely yours,



Jennifer S. Blohm

cc: Mr. Tim Vaccaro, Executive Director (*via email*)
Ms. Donna Malphurs, Agency Clerk (*via email*)

Donna Malphurs

From: Jennifer S. Blohm <JBlohm@meyerbrookslaw.com>
Sent: Friday, February 28, 2020 3:00 PM
To: Florida Elections Commission
Cc: Timothy Vaccaro; Donna Malphurs
Subject: Response to Motion for Attorney's Fees in Case Numbers FEC 19-516/FEC 19-519
Attachments: Response to Motion for Attorney's Fees- FEC 19-516 and 19-519.pdf

Dear Mr. Vaccaro and Ms. Malphurs,

I have attached the complainant's, Darlene Bradley's, response to the Respondent's Motion for Attorney's Fees. The motion is scheduled for the March 24-25 meeting of the Commission. Please do not hesitate to contact me if you have any questions. Thank you.

Sincerely,
Jennifer

Jennifer S. Blohm
Meyer, Brooks, Blohm and Hearn, P.A.
131 North Gadsden Street (32301)
Post Office Box 1547 (32302)
Tallahassee, Florida
www.meyerbrookslaw.com
(850) 878-5212
(850) 656-6750 (Facsimile)

Confidential Note:

The information contained in this transmission is legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you received this communication in error, please notify us immediately by calling us at (888) 848-5212 and then deleting the message. Thank you.

MEYER, BROOKS, BLOHM AND HEARN, P.A.
ATTORNEYS AT LAW

131 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301
www.meyerbrookslaw.com
850/878-5212

RONALD G. MEYER
THOMAS W. BROOKS, RETIRED
JENNIFER S. BLOHM
LYNN C. HEARN
ADAM W. WOOD

ALEX VILLALOBOS
OF COUNSEL

MAILING ADDRESS:
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302

FAX: 850/656-6750
EMAIL: jblohm@meyerbrookslaw.com

LYNN T. THOMAS, FRP
PARALEGAL

February 28, 2020

VIA HAND DELIVERY AND E-MAIL – fec@myfloridalegal.com

Chair and Members
Florida Elections Commission
107 West Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050

Re: Complainant's Response to Respondent's Motion for Attorney's Fees – FEC 19-516 and FEC 19-519; Respondent Rob Robinson

Dear Commissioners:

This firm represents the Complainant, Darlene Bradley, in the above-referenced matter. On September 9, 2019, Ms. Bradley submitted a complaint against the Respondent, Rob Robinson, who was a candidate for Davenport Mayor. Ms. Bradley also was a candidate for a Davenport Mayor. On October 8, 2019, the complaint was dismissed as legally insufficient. The Respondent filed a motion for attorney's fees on December 1, 2019.¹

The motion for fees was filed pursuant to section 106.265(6), Florida Statutes, which authorizes an award of fees if the respondent can prove that the complaint was filed "with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains **false allegations of fact material** to a violation of this chapter or chapter 104." (emphasis added). Rule 2B-1.0045, Florida Administrative Code, governs the award of attorney's fees. The rule requires the petition for attorney's fees to "state with particularity the facts and grounds that prove entitlement to costs and attorney's fees." At a hearing, the Florida Elections Commission shall determine the sufficiency of the petition and if the Commission finds the petition insufficient, it will dismiss the petition.

¹ Ms. Bradley is not sure why there are two FEC case numbers (FEC 19-516 and FEC 19-519) for this complaint. She only filed one complaint against the Respondent Robinson. She believes that the FEC decided a statement in the complaint was a request to expedite and that the FEC gave the complaint a new case number when it expedited the complaint. Ms. Bradley was not aware of this until she received an additional dismissal under the new case number on October 29, 2019.

The Respondent's motion does not provide a legally sufficient basis under rule 2B-1.0045 or section 106.265(6). Because the attorney's fee provision under the Code of Ethics is nearly identical to section 106.265(6), cases interpreting the ethics provision are used in interpreting section 106.265(6). See *Yates v. Shure*, FEC 16-362, DOAH 17-1593F, FO 17-358W (FEC Dec. 15, 2017). In *Brown v. State*, 969 So. 2d 553, 560 (Fla. 1st DCA 2007), the court set forth the elements required to prove an entitlement to attorney's fees: "(1) the complaint was made with a malicious intent to injure the official's reputation; (2) the person filing the complaint knew that the statements made about the official were false or made the statements about the official with reckless disregard for the truth; and (3) the statements were material." The Respondent has not met any of these elements. Other than a conclusory statement that Ms. Bradley made the complaint with malicious intent to injure Respondent's reputation, he does not state with particularity the facts and grounds supporting the conclusion. This is because there was no malicious intent on Ms. Bradley's part. Ms. Bradley did not publicize the filing of the complaint, but kept it confidential. She has not publicly spoken about the complaint or tried to use it for any type of political advantage. She brought the complaint in good faith based on inaccuracies and violations she felt existed in the Respondent's campaign advertising and campaign practices.

Davenport is a small city where everyone knows each other. Ms. Bradley and the Respondent have known each other for years. Because of this familiarity, the Respondent's statement in advertising that Ms. Bradley was charged with two felonies and a misdemeanor struck her as a clear attempt to falsely misrepresent her record to the voters. It is for this reason that she alleged in her complaint that the Respondent's statement was false and a violation of section 104.271, Florida Statutes. Ms. Bradley knew that the Respondent was well aware that although she was charged with two felonies and a misdemeanor, those charges were dropped and she paid a \$250 fine for using a handicap placard. To state in advertising only that she was charged and not also state that the charges were dropped was a false statement to Ms. Bradley. It was especially hard to take since Respondent was aware that Ms. Bradley had been car jacked which led to her fear of parking far away from a building at night and her use of the handicap placard. While a half-truth may be insufficient to establish a violation of section 104.271, Ms. Bradley who is not an attorney should not be forced to pay attorney's fees for legitimately believing that the failure to tell the whole truth is a malicious and false statement against an opponent.

The Respondent's remaining bases for attorney fees are that Ms. Bradley misinterpreted section 106.08(5), Florida Statutes and section 106.15, Florida Statutes. Respondent is not alleging that her factual statements are false, but that she misinterpreted the law. Ms. Bradley in the complaint stated that the Respondent had received several contributions from a developer and his companies that all shared the same address and felt that this violated the prohibition against giving in the name of another. She also stated that the Respondent held TV interviews about his campaign in a government building which she believed violated section 106.15. The factual

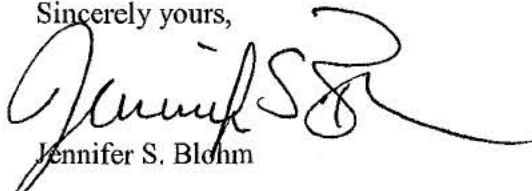
Florida Elections Commission
February 28, 2020
Page Two

statements in these allegations are not false and the Respondent does not argue that they are. Instead, in his motion for fees, the Respondent argues that he is entitled to fees because she misinterpreted the law and did not allege legally sufficient violations of the law. Therefore, the Respondent's claims in the motion for attorney's fees are legally insufficient since they fail to allege that Ms. Bradley's factual statements were false. *See Hadeed v. State*, 208 So. 3d 782 (Fla. 1st DCA 2016)(affirming the Commission on Ethics' denial of fees because the complaint did not contain false allegations of fact material to a violation of the Code).

Ms. Bradley is not a lawyer and although she has run for office, she is not an expert in election law. She did not file the complaint to obtain an advantage over the Respondent or to publicize the complaint and injure the Respondent's reputation. She filed it because she was concerned about what she saw as wrongful campaign practices and which she believed were violative of the Election Code. She believed that the complaint process specifically existed for this purpose.

A grant of attorney's fees is reserved for those cases where the complainant provides false factual allegations that are material to a violation of Chapter 104 or Chapter 106. *See Yates; Hadeed*. It is not for cases such as this one where the complainant submits truthful factual allegations, but misinterprets the law. Such a holding would chill speech and preclude lay citizens from utilizing the complaint process. Accordingly, Ms. Bradley respectfully requests that the FEC dismiss the motion for attorney's fees filed against her by the Respondent.

Sincerely yours,



Jennifer S. Blohm

cc: Mr. Tim Vaccaro, Executive Director (via email)
Ms. Donna Malphurs, Agency Clerk (via email)



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



December 3, 2019

CERTIFIED MAIL # 92148969009997901631253558

Darlene Bradley
PO Box 2791
Davenport, FL 33836

RE: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Ms. Bradley:

The Florida Elections Commission received a Petition for Attorney's Fees and Costs in this case. Pursuant to Rule 2B-1.0045, Florida Administrative Code, a copy of the Petition is enclosed for your review.

At its next regularly scheduled meeting, **currently set for March 24-25, 2020, in Tallahassee, Florida**, the Commission will review the Petition and determine whether it states "a prima facie case for costs and attorney's fees." A notice of hearing will be provided at the appropriate time.

If you have any questions concerning the Petition, please contact the Florida Elections Commission at fec@myfloridalegal.com.

Sincerely,

Donna Ann Malphurs

Agency Clerk

/dam

Enclosure: Petition for Attorney's Fees and Costs
cc: Fred Reilly, Attorney for Respondent



Bradley v. Robinson (FEC No. 19-516) - Motion for Attorney's Fees
Fred Reilly to: Florida
Elections Commission 12/01/2019 09:15 PM
From: "Fred Reilly" <fredreilly@attorney-solicitor.com>
To: "Florida Elections Commission" <fec@myfloridalegal.com>
History: This message has been replied to.

1 Attachment



RobinsonMotionBradley 19 516 12012019.docx

Re: Bradley v. Robinson (FEC No. 19-516) - Motion for Attorney's Fees

ATTN: Donna Malphurs

Hi Donna,

Attached please find the Motion for Attorney's Fees in regards to the above-captioned case.

Please contact me if you have any questions. Thanks.

Very truly yours,

Fred Reilly*
Reilly International Law Firm, P. A..
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Fax. (863) 439-5077
Skype: fred.reilly
Email: fredreilly@attorney-solicitor.com
Website: www.attorney-solicitor.com

*Licensed to practice in California, Florida and as an English Solicitor. Admitted to practice before the United States Supreme Court and the United States Court of International Trade. Awarded Masters degree (LL.M. in International Business Law) from The London School of Economics and Political Science.

IMPORTANT NOTICE: This transmission contains legal advice that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, photocopying or distribution of the contents is unauthorized and prohibited. If you have received this in error, please notify the sender immediately and destroy all copies.

FLORIDA ELECTIONS COMMISSION

COMPLAINANT: DARLENE BRADLEY

RESPONDENT: H.B. "ROB" ROBINSON

CASE NO. FEC 19-516

MOTION FOR ATTORNEY'S FEES

COMES NOW, the Respondent, H. B. "ROB" ROBINSON, by and through his undersigned attorney, files this Motion for Attorney's Fees pursuant to Section 106.265(6), Florida Statutes, against the Complainant, Darlene Bradley, and states as follows:

Preliminary Matters

- A. The Complainant, Darlene Bradley shall be referred to as "Bradley" in this Response.
- B. The Respondent, H. B. "Rob" Robinson shall be referred to as "Robinson" in this Response.
- C. The Florida Elections Commission Complaint No. 19-516 filed by Bradley against Robinson (dated September 9, 2019) shall be referred to as the "Complaint" in this Response.
- D. Robinson filed a Response to the Complaint on September 29, 2019.
- E. The Florida Elections Commission determined that (all counts in) Complaint No. 19-516 were "Legally Insufficient" and the case has been closed.

Basis for Motion

The Respondent, H. B. "Rob" Robinson, respectfully requests a finding against Darlene Bradley pursuant to Section 106.265 (6), Florida Statutes, and that Darlene Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, and states as follows:

A. Section 106.265 (6), Florida Statutes, states as follows:

In any case in which the commission determines that a person has filed a complaint against another person with a malicious intent to injure the reputation of the person complained against by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of this chapter or chapter 104, the complainant shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees. If the complainant fails to pay such costs and fees voluntarily within 30 days following such finding by the commission, the commission shall forward such information to the Department of Legal Affairs, which shall bring a civil action in a court of competent jurisdiction to recover the amount of such costs and fees awarded by the commission.

B. Robinson respectfully requests that the Commission make a finding that:

i. Bradley filed the Complaint against Robinson with a malicious intent to injure Robinson's reputation by filing the Complaint with knowledge that the Complaint contains one or more false allegations or with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of this chapter or chapter 104, and

ii. Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees.

C. The Complaint filed by Bradley was clearly intended to injure the reputation of Robinson. Bradley's Complaint included the following statements:

i. Count 3(i) of the Complaint - Allegation that Robinson violated Section 104.271 by stating that "Darlene Bradley charged with 2 felonies and a misdemeanor." Since there is unequivocal evidence that Bradley was in fact charged with two (2) felonies and a misdemeanor, this allegation by Bradley is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 104.

ii. Count 4 of the Complaint - Allegation that Robinson violated Section 106.08 (5). Since there is unequivocal evidence that (i) Robinson fully complied with Section 106.08 (5), and (ii) the plain words of Bradley's allegation fundamentally disregard the fact that a corporation or limited liability company constitutes a "person" (as defined by Section 106.011 (14), Florida Statutes), this allegation by Bradley is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 106.

iii. Count 6 of the Complaint - Allegation that Robinson violated Section 106.15. Since there is unequivocal evidence that (i) Robinson fully complied with Section 106.15, and (ii) the plain words of Bradley's allegation flagrantly misinterpret Section 106.15, Florida Statutes, this allegation by Bradley is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 106.

iv. "Mr. Robinson will stand for re-election at the beginning of 2020. The election is held the first Tuesday in April 2020. Resolution of this affidavit of complaint is urgent and crucial so that the citizens are not forced into either a special election of the commission appointing their own mayor."

WHEREFORE, H.B. "Rob" Robinson respectfully requests that the Commission make a finding against Darlene Bradley pursuant to Section 106.265 (6), Florida Statutes, and that Darlene Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of Robinson.

Respectfully submitted this 1st day of December, 2019.

Fred Reilly

Fred Reilly, Esquire
Florida Bar No. 607800
Reilly International Law Firm, P.A.
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Email: fredreilly@attorney-solicitor.com
Attorney for H. B. "Rob" Robinson

CERTIFICATION

I hereby certify that a true and correct copy of this Motion for Attorney's Fees was sent to the Florida Elections Commission via email (fec@myfloridalegal.com) this 1st day of December, 2019.

Fred Reilly

Fred Reilly, Esquire



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



October 29, 2019

Darlene Bradley
P.O. Box 2791
Davenport, FL 33836

RE: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Ms. Bradley:

The Florida Elections Commission has received your amended complaint, including any additional information you provided, alleging violation(s) of Florida's election laws.

I have reviewed your amended complaint and still find it to be Legally Insufficient.

In the amended complaint, Complainant essentially realleges that Respondent made false, malicious statements against Complainant. Section 104.271(2), F.S., prohibits a candidate from making or causing to be made, with malice, any statement about an opposing candidate which is false. Pursuant to Rule 2B-1.0041, Florida Administrative Code, an alleged violation of Section 104.271(2), F.S., requires an expedited review. Other allegations, if any, are processed as a separate complaint and do not require an expedited process.

Complainant specifically takes issue with four statements printed in a joint political advertisement mailer paid for by Respondent and Bobby Lynch, candidate for Davenport Commission, Seat 3, which also referenced John Lepley, candidate for Davenport Commission, Seat 3, and Complainant's husband. Complainant reargues in her amended complaint that Respondent knew his statements were false. She also asserts that the Executive Director misinterpreted certain documents provided by, and statements made by, Complainant in her initial complaint. Nevertheless, the amended complaint fails to correct the stated grounds of insufficiency set forth in the Executive Director's October 8, 2019, letter.

As previously addressed, The United States Supreme Court established the standard that a candidate for public office must meet before her opposing candidate can be held accountable for making a false statement against her in *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964). The Court reminded us of the, "profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." *Id.* at 270. The Court said that neither erroneous statements nor statements injuring an official's reputation forfeit the First Amendment protection, which should provide "breathing space" for freedom of expression. The Court held that "actual malice" requires a showing that the person making the

Darlene Bradley
October 29, 2019
Page 2
FEC 19-516

defamatory statement made it with knowledge that the statement was false or with reckless disregard of whether the statement was true or false.

Each of Respondent's statements at issue is readdressed below, based upon the amended complaint.

"She [Complainant] was charged with two felonies and a misdemeanor." Complainant argues that the Executive Director misinterpreted a Polk County document regarding the crime to which Complainant pled. Nevertheless, Respondent's statement did not assert that Complainant was convicted of any crime, merely that she was charged. The document provided by Complainant referenced multiple "charges." As the Executive Director noted, Respondent provided a police department record in which an officer concluded that the facts supported probable cause that Complainant violated three statutes, one of which was a second-degree misdemeanor; the other two of which were third-degree felonies. Therefore, it appeared that Respondent's statement was sufficiently grounded in fact and, as such, did not rise to the level of a false statement made with actual malice.

Complainant asserts that Respondent's other three statements lied about her accomplishments during her service as Mayor of the City of Davenport. As noted in the October 8, 2019, letter of legal insufficiency, those statements appear to be opinions and generalizations about character that are part of the robust debate permitted on political issues, as outlined in the *New York Times Co.* case. However, each statement and Complainant's additional comments are considered below.

"Contrary to their brochures, neither of them (Complainant and Lepley) initiated the Fourth of July celebration..." Complainant provided a copy of her political advertisement in which she stated, "I instituted a new city tradition for July 4th..." The plain language of that statement suggested that Complainant, alone, initiated the event. However, Complainant asserted in her initial complaint that she volunteered to "assist" groups and individuals to "initiate, create, obtain" sponsors, guest speakers, and readers and to "coordinate" the event. Therefore, it appeared that Respondent's statement was sufficiently grounded in fact and, as such, did not rise to the level of a false statement made with actual malice. Complainant argues in the amended complaint that, "I made it happen. I initiated it." This appears to contradict Complainant's earlier statements and does not correct the stated grounds of insufficiency set forth in the Executive Director's October 8, 2019, letter.

"Contrary to their brochures...neither (Complainant and Lepley) brokered a deal with a primary developer..." In her amended complaint, Complainant asserted that a meeting took place at a restaurant in May of 2017, attended by Complainant, her husband, a former state senator, and a developer. She indicated that the purpose of the meeting was for the developer to apologize to John Lepley for "threatening him at a commission meeting." She indicated that the developer

Darlene Bradley
October 29, 2019
Page 3
FEC 19-516

offered to give the City \$1,000 per each house he sold. Complainant asserts that the Executive Director mistakenly concluded that the offer took place during a publicly noticed meeting. Nevertheless, Complainant indicated that the developer "offered" to pay the \$1,000 per home at a meeting arranged to provide her husband an apology; not that she herself brokered an agreement. Therefore, it appeared that Respondent's statement was sufficiently grounded in fact and, as such, did not rise to the level of a false statement made with actual malice.

"Contrary to their brochures...neither (Complainant and Lepley) stopped a \$5,000 lien on our homes for sewer as the amount was never established." Complainant argues in the amended complaint that her objection to the statement was not related to the amount of the lien, but that, "he implied I lied about a lien." Section 104.271(2), F.S., prohibits a candidate from making a false, malicious statement against an opponent. Complainant's assertion that Respondent "implied" that she lied about a lien does not correct the stated ground of insufficiency in the initial complaint.

This case is now closed. If you have any questions, please contact us at fec@myfloridalegal.com.

Sincerely,



Tim Vaccaro
Executive Director

TV/med

cc: Fred Reilly, Attorney for Respondent



Re: FEC 19-516 Amended Complaint Received
Fred Reilly to: Florida Elections Commission, Linda Robinson

10/28/2019 10:04 AM

From: "Fred Reilly" <fredreilly@attorney-solicitor.com>
To: "Florida Elections Commission" <fec@myfloridalegal.com>, "Linda Robinson" <lmrobinson1949@gmail.com>

Re: FEC 19-516 - Bradley v. Robinson

ATTN: Molly Donovan,

Hi Mrs. Donovan,

On behalf of my client, H. B. "Rob" Robinson, attached please find the Response to Additional Complaint Information in FEC 19-516.

Please let me know if you have any questions. Thanks in advance.

Very truly yours,

Fred Reilly*
Reilly International Law Firm, P. A..
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Fax. (863) 439-5077
Skype: fred.reilly
Email: fredreilly@attorney-solicitor.com
Website: www.attorney-solicitor.com

*Licensed to practice in California, Florida and as an English Solicitor. Admitted to practice before the United States Supreme Court and the United States Court of International Trade. Awarded Masters degree (LL.M. in International Business Law) from The London School of Economics and Political Science.

IMPORTANT NOTICE: This transmission contains legal advice that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, photocopying or distribution of the contents is unauthorized and prohibited. If you have received this in error, please notify the sender immediately and destroy all copies.

From: Molly Donovan <Molly.Donovan@myfloridalegal.com> on behalf of Florida Elections Commission <fec@myfloridalegal.com>
Sent: Tuesday, October 22, 2019 12:48 PM
To: Fred Reilly <fredreilly@attorney-solicitor.com>
Subject: FEC 19-516 Amended Complaint Received

Dear Mr. Reilly:

The Florida Elections Commission has received an amended complaint from Ms. Darlene Bradley for case FEC 19-516. Per your request, we are emailing you a copy of the amended complaint and its corresponding cover letter. We are also sending these documents to you via mail.

Please confirm receipt of this email and its attachments so that we may ensure a timely review.

(See attached file: 2019-10-22_2nd 14 day ltr w AMD Complaint.pdf)(See attached file: 2019-10-22_AMD Complaint.pdf)

Regards,

Molly Donovan



Complaint Coordinator RobinsonResponseAdditionalComplaintInformation 10282019 Signed.pdf

FLORIDA ELECTIONS COMMISSION

COMPLAINANT: DARLENE BRADLEY
RESPONDENT: H.B. "ROB" ROBINSON
CASE NO. FEC 19-516

RESPONSE TO ADDITIONAL COMPLAINT INFORMATION
FILED BY DARLENE BRADLEY

COMES NOW, the Respondent, H. B. "Rob" Robinson, by and through his undersigned attorney, files this Response to the Additional Complaint Information filed by the Complainant, Darlene Bradley, and states as follows:

Preliminary Matters

- A. The Complainant, Darlene Bradley shall be referred to as "Bradley" in this Response.
- B. The Respondent, H. B. "Rob" Robinson shall be referred to as "Robinson" in this Response.
- C. The Florida Elections Commission Complaint No. 19-516 filed by Bradley against Robinson (dated September 9, 2019) shall be referred to as the "Complaint" in this Response.
- D. The Additional Complaint Information was filed by Bradley on October 22, 2019 and shall be referred to as the "Additional Complaint Information" in this Response.

Responses to Allegations Set Forth in the Additional Complaint Information

- A. The Florida Elections Commission ("FEC") letter to Bradley (dated October 8, 2019) addressed the violation allegations made by Bradley against Robinson based on Section

104.271(2), Florida Statutes, and made the determination that the Complaint was Legally Insufficient.

B. In the Additional Complaint Information, Bradley (i) reasserts her violation allegations based on Section 104.271(2), and (ii) reasserts previously stated arguments related to alleged FEC violations based on statutory provisions other than Section 104.271(2).

C. The alleged FEC violations based on statutory provisions other than Section 104.271(2) will be addressed by the Florida Elections Commission in a separate and distinct case (FEC 19-519). Robinson has previously filed a Response in FEC 19-519.

D. The United States Supreme Court established the standard that a candidate for public office must meet before her opposing candidate can be held accountable for making a false statement against her in *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964).

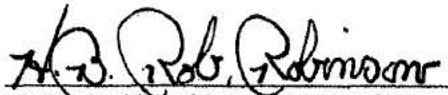
E. In the Additional Complaint Information, Bradley did not provide any new information or evidence that establish a legally sufficient basis for her previously asserted (Section 104.271(2) violation) allegations to proceed.


F. The additional arguments made by Bradley in the Additional Complaint Information do not provide a basis to determine that Bradley's allegations are now legally sufficient. Robinson's statements were sufficiently grounded in fact and were not false statements made with actual malice. The finding that the Complaint was Legally Insufficient was consistent with the application of the *Sullivan* standard and the same standard should be applied to Bradley's arguments in the Additional Complaint Information.

G. Bradley's Additional Complaint Information does not provide a basis for the Florida Elections Commission to now modify the previous finding that the Complaint was Legally Insufficient. Accordingly, this case should be closed.

WHEREFORE, H.B. "Rob" Robinson respectfully requests that the Commission make the determination that the Complaint filed by Darlene Bradley, as supplemented by the Additional Complaint Information, is not legally sufficient to establish probable cause and therefore this case should be closed.

Respectfully submitted this 28 day of October, 2019.


H. B. "Rob" Robinson, Respondent


Fred Reilly, Esquire
Florida Bar No. 607800
Reilly International Law Firm, P.A.
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Email: fredreilly@attorney-solicitor.com
Attorney for H. B. "Rob" Robinson



FEC 19-516 Amended Complaint Received
Florida Elections Commission to: fredreilly
Sent by: Molly Donovan

10/22/2019 12:48 PM

Dear Mr. Reilly:

The Florida Elections Commission has received an amended complaint from Ms. Darlene Bradley for case FEC 19-516. Per your request, we are emailing you a copy of the amended complaint and its corresponding cover letter. We are also sending these documents to you via mail.

Please confirm receipt of this email and its attachments so that we may ensure a timely review.



2019-10-22_2nd 14 day ltr w AMD Complaint.pdf 2019-10-22_AMD Complaint.pdf

Regards,

Molly Donovan
Complaint Coordinator



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



October 22, 2019

Fred Reilly
Reilly International Law Firm, P.A.
PO Box 2039
Haines City, FL 33845

RE: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Mr. Reilly:

On October 22, 2019, the Florida Elections Commission received the enclosed amended letter of information/complaint alleging that your client violated Florida's election laws.

Section 106.25(2), Florida Statutes, states:

The respondent shall have 14 days *after receipt* of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period.

Should you choose to file a response to the amended complaint, please send it to my attention at the address listed above. To ensure we receive your response in a timely manner, you may also respond via e-mail to my attention at fec@myfloridalegal.com. You will be notified by letter whether the amended complaint is determined to be legally sufficient.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Under Section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. Confidentiality does apply to your client, unless waived in writing.

Sincerely,

Donna Ann Malphurs

Donna Ann Malphurs
Agency Clerk

/med

Enclosure: Amended complaint

REC'D: FL ELECTIONS COM
22 OCT 19 AM 10:55

FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 224,
Tallahassee, FL 32399-1050

ADDITIONAL COMPLAINT INFORMATION

Case Number: FEC 19-516

Pursuant to Rule 2B-1.0025, Florida Administrative Code, if you have additional information to correct the ground(s) of legal insufficiency stated in the attached letter, please explain in a concise narrative statement. Attach the statement and any relevant documentation to this form:

STATE OF FLORIDA
COUNTY OF Orange

I swear or affirm that the information in the attached statement is true and correct to the best of my knowledge.

J. Marlene Bradley
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 21st day of October, 2019.

Julia Ann Brown
Signature of Officer Authorized to Administer

Oaths or Notary Public



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

Personally Known X Or Produced Identification _____

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

October 20, 2019

Mr. Tim Vaccaro
Executive Director
Florida Elections Commission
107 West Gaines Street
Suite 224
Tallahassee, FL 32399-1050

Re: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Mr. Vaccaro:

I received your judgement on Saturday 10/12/19 and I am very disappointed that you obviously did not read my submittal.

The court case that you cited states: *"The Court held that "actual malice" requires a showing that the person making the defamatory statement made it with knowledge that the statement was false or with reckless disregard of whether the statement was true or false."*

My submittal dated 9/9/19 includes **70 pages of evidence of malicious, false, willful statements** made by Mr. Robinson. He sent numerous mailings to each resident repeating the same lies about me and my accomplishments, knowing they were false and malicious statements.

Your judgement also states erroneous facts stating I pled guilty to criminal use of the personal identification of a deceased person and knowingly possessing an altered/counterfeit decal. Obviously, you did not read the documents I sent showing these charges were dropped immediately....it clearly states "no bill" for these charges on the Polk County Clerk of Courts document I provided. I pled to the **unlawful use of a handicap placard and paid a \$250 parking ticket with adjudication withheld**, signed by State Attorney Brian Haas on 12/15/17. Mr. Robinson's facebook also states all 3 were my "violations"; which is false. **(Attachment F)**

Mr. Robinson knows those charges were dropped, yet he has "reckless disregard of whether the statements he made was true or false" when he included this in his campaign literature, flyers, letters, post cards and postings on his facebook.

I **DID** initiate the Fourth of July Celebration in Davenport in 2015. When Mr. Bob Avery came to me and told me it was his dream to have a public reading of The Constitution and Declaration of Independence, I made it happen, I **"initiated"** it. First, I got permission to host this event at the city's gazebo, then I created the program and obtained volunteers/speakers/sponsors for this event. Before this event, there had never been any type of celebration for Independence Day ever

in Davenport. This was the FIRST time ever a July 4th celebration occurred in Davenport and I initiated it and Mr. Robinson knows that I initiated it. This can be verified with Mr. Bob Avery (863) 852-7545. **(Attachment G)**

Mr. Robinson's took the accomplishments listed in my campaign brochure and created a flier denying everything that I listed that I accomplished as Mayor. I have provided 70 pages of evidence to you in my submittal that Mr. Robinson knowingly willfully lied about my accomplishments.

On 6/3/17, Kelly Callihan, City Manager, arranged a meeting with Rennie Heath, Fmr. Senator JD Alexander, John Lepley and myself **at Southern Dunes Restaurant in Haines City**. The purpose of this meeting was for Rennie Heath to apologize to Mr. Lepley for threatening him at a commission meeting in May, 2017. It was at this meeting where Rennie Heath offered to myself and Mr. Lepley to give the City of Davenport \$1,000/house he sells for the proposed Davenport community center. Rennie Heath signed his name agreeing to his promise and Fmr. Senator JD Alexander provided his cell number and made a promise to backup whatever commitments Rennie Heath had made to the city regarding a recreation area for a new subdivision in Highland Homes. Mr. Heath signed his name to this promise on a spiral notebook that I had with me. I have the original document Mr. Heath signed promising to give \$1,000/house that he sells, which I have provided a copy to you. **Your conclusion summary states this meeting took place at a commission meeting, which confirms you did not read my submittal.** On 2/5/2018 at a city commission meeting, two months after I resigned as Mayor of Davenport, Rennie Heath reiterated once again and confirmed his promise he had made earlier to me and Mr. Lepley that he would donate \$1,000/home to the city that he sells in Davenport to go towards building the Davenport Community Center. **(Attachments H and I)**

Mr. Robinson's flyer implied that I lied about the cost of a \$5,000 lien on citizens homes...that the amount was never established. The POINT is, not the amount, as I provided proof to you that the amount was verified with city documents; but that he implied I lied about a lien. Mr. Robinson knew his statement was false and malicious. Commission minutes from 10/29/2007 confirms Mr. Robinson's discussed a lien on citizen's home/property for a sewer. **(Attachments E and J)**

Retired Police Chief Robinson is fully aware and very knowledgeable about: (1) how the court system works (2) is next door neighbors to Mr. Avery and fully aware of the birth of the 4th of July startup (3) Mr. Robinson was a major sponsor of the efforts to stop the sewer efforts and a commissioner at the time the lien was brought to the fore. Mr. Robinson is not an innocent nor naïve candidate.

The complaint form instructions state this form is for violations of FS 104 and 106; yet you did not address any of Mr. Robinson's campaign/finance violations related to FS 106 that I submitted:

1. You did not address voting conflicts when Mr. Robinson accepted \$5,000 donations from Rennie Heath and then voted in favor of his projects the next day. Mr. Robinson never abstain/recused himself from voting on his projects after accepting his campaign donations. In my submittal are commission minutes verifying Mr. Robinson voted in favor of Mr. Heath's and Mr. McKnight's projects upon receiving campaign donations from them. (**Attachments L, M, N, O, P and Q**).
2. The campaign Flyer "*Legacy: Something that is a part of you that remains*" created and distributed jointly by Mr. Robinson and Mr. Lynch; yet not listed on his finance campaign reports as paying 50% for printing/mailing expenses. (**Attachment E**)
3. The most someone can donate in a municipality election is \$1,000. Yet Mr. Robinson accepted \$5,000 from Rennie Heath. His finance reports M1 and M2 are **Attachment K**. Our City Clerk/Election Supervisor said that was the most money ever donated in a Davenport campaign.
4. You did not address two campaign post cards which **did not** include a disclaimer "paid for by" and was not listed on his finance campaign reports as "in kind" or not. (**Attachments R and S**)
5. You did not address Linda Robinson, his campaign treasurer, who took my literature out of the door jamb of a citizen's home because she said she knows what's best for who they vote for. Isn't this voter suppression/intimidation? (**Attachment C**)
6. You did not address Mr. Robinson campaigning in Davenport City Commission Chambers; i.e. tv interview during normal business hours in city hall. (**Link for the tv interview in city hall – Item 6.**)

I listed a few of my accomplishments as Mayor in my campaign brochure and Mr. Robinson's campaign literature intentionally lied and said these were not true. So what part of "false" "intentional" "malicious" statements he made does not meet FEC violations?

I read the violations for FS Chapter 104 and 106 and I provided the hard facts evidence of Mr. Robinson's violations. FS Chapters 104 and 106 doesn't state "half truths" or "white lies" are acceptable, it says "false, intentional, malicious statements" are violations.

Complainant: Bradley  Respondent: Robinson 

I am asking that you reread my submittals and pass it on to the Florida Elections Commission for their review. I find it hard to believe that you don't see the false, intentional, malicious statements he made in his campaign literature, mailings, social media, and post cards. Especially since you ignored so many areas submitted to you without comment. Not even dismissals.

I find it hard to believe that Fred Reilly, city attorney of Haines City & Belleair Beach caused you to summarily reject out of hand, hard evidence presented to the commission. Candidate Bobby Lynch whom co-paid for the joint advertisements with Mr. Robinson is an employee for City of Haines City. Fred Reilly is the Haines City attorney whose legal efforts for the city may have a direct effect on Mr. Lynch and/or his employment. Is this not either a recognizable conflict of interest nor conflict of ethical standards and requirements?

The speed at which your conclusions were reached is astounding in the history of the FEC. We know of NO FEC case, especially one so voluminous, dealt with by the FEC in less than a week. You received mine and Mr. Lepley's cases on 9/11 and you sent your rejection on 10/8. Considering there was a 5 business day response period, followed by a 14 business day response period – that left you less than a week to reach a determination. That is, unless you prejudged these complaints beforehand and without reading the 70 pages of evidence I submitted.

In FEC Case 17-094 which you received 3/9/17 and was of limited scope and volume – yet it took your office until 5/22/18 to finalize resolution. That's 14 months.

Yet my complaints which were so voluminous that a hard binder was necessary to present it – is resolved in less than a week. Really? Hard to believe isn't it? Especially since your response showed that much of my submittal was not read. Plus many individual complaints were not even addressed in your dismissal. I've included the attachments for the sections not addressed.

I respectfully ask you to reconsider your judgement and reopen your investigation and give it the full effort of your offices attention that we as citizens deserve.

I look forward to your assistance.

Thank you,

Darlene Bradley

Attachments

A



Community Involvement

Mayor

City of Davenport

**Host/Organizer Davenport
2nd Saturday Cruise-In**

**2008 Davenport Chamber
Presidents Award Honoree**

**Host/Organizer 2008/9 Davenport
WinterFest & Christmas Parade**

**Polk Leadership Institute
Valedictorian**

RCHS Sigma Honorary Member

Mayor Darlene – Promises kept:

As I promised you in 2013, I do not take a salary as Mayor.

I was able to persuade **Duke Energy** to replace the **street lights** from 100 to 250 watts at all intersections in Davenport...[at no cost] I persuaded them to add street lights on CR547 too. You asked me – it's done

I contacted **Polk County Sheriff's** office & saved us \$80,000 a year with free jail workers. Free is much better don't you think?

I instituted a new city tradition for **July 4th** with the reading of the **Constitution** and **Declaration of Independence**. What did you think of the **new fireworks** we did for you this year – sponsors paid for it all.

I requested **FDOT** to add a left turn signal on the street light at **Bay Street & 17-92** & they did...Then I asked for a fix for the **17-92 & South St interchange** - wow are they great or what? [at no cost to you.]

Adair Park – redone with Lowes Heroes
Lewis Mathews completely redone with partnership with Haines City. **Jamestown Park** – refurbished with new bathrooms.

All our sidewalks are fixed to top-notch shape. Saved us \$38 million on our **new Sewer Plant** that was paid for by developer impact fees.

Our new **Event/Community Center** is in progress - with a special agreement I made with a very special developer that covers \$4 million of the cost. It will have a gym, exercise area, convention center, entertainment center & even a crafting area. The best in NE Polk!

Elect

Darlene

Bradley

For

MAYOR

VOTE

April 2nd

Paid Pol. Adv. for Darlene Bradley for Mayor
Campaign - PO Box 2791, Davenport, FI 33836

Proudly, I want you to know that it has been an honor to represent you, my neighbors & the citizens of Davenport as your Mayor for the last few years. I would like the privilege to serve another term & ask for your vote on April 2nd. I want to thank you for taking a chance on me.

I ran for Mayor in 2013 without any political experience - after our last mayor told you to your face - that he didnt care what the citizens wanted. You deserved someone that had your best interests at heart. I had the passion and ambition to work hard to make our city better. With leadership, hard work, research & creating partnerships, we were able to accomplish a lot in the last few years. I want you to be proud to call Davenport your home! I think our transformation is something you may just want to brag about - & we're just getting started.

I kept my promise when elected to be accessible, to listen, and represent you. I established a "**Chat with the Mayor**" monthly event by meeting with citizens on the 4th **Saturday** of every month at the gazebo on Bay Street and created a "**Mayor's Corner**" newsletter on the city's website to keep you abreast of ongoing and completed projects.

Most importantly, when I was first elected I made it a priority to change the commission forum to allow citizens to speak on any item not on the agenda before the meeting starts and again on any agenda item. It was a tremendous fight, but it is now your right. It is **YOUR** city - Your voice needs to be heard.

On the next page is a recap of promises I made to you & other projects, initiatives and accomplishments I've done on your behalf over these last few years. You'll find I am "hands on" & a "get 'er done" kind of Mayor.

You see, it's my city too!

Every year I proudly tell you in my **State of the City** address, which lists of projects, achievements & our goals we accomplished or have on tap for the future.

So I think from this list of promises kept, you can see I've been working very hard for you & I try to be as responsive to you as I can - considering I work 12 hour days in Winter Park. So if you need to get in touch with me - you can always email me at davenportmayor@gmail.com & I will answer you as soon as I can.

I need your help & strength to continue the transformation of our

city back into first class shape and into the 21st century. We are starting to look pretty good. Much, much more though needs to be done. Are you ready?

What do you say? Lets keep going. Together we can make Davenport great.

Lets work together to insure the Davenport of tomorrow is the wholesome, friendly town as is the Davenport we love today.

Every month, our visitors tell us how much they enjoy our events because we are such a warm and friendly place with that sense of hometown I've mentioned before.

We are like a diamond in the rough that just needs a little polishing.

Let's sparkle together!

**I am asking for
your vote on
April 2nd**

Thank you so much

B

KEEP YOUR RIGHT TO VOTE on APRIL 2ND

CHARTER BALLOT QUESTION CITY OF DAVENPORT, FLORIDA REFERENDUM ELECTION

ELECTION OF CITY MAYOR BY CITY COMMISSION FROM AMONG ITS MEMBERS

The Charter of the City of Davenport should be amended to reclassify and renumber the Mayor Seat as Commission Seat No. 5 and require the City Commission to elect the City's Mayor from among the members of the City Commission on an annual basis at the City Commissions first regular meeting in May, following the conclusion of the 2017-2020 term of the Mayor Seat.

_____ Yes (for adoption)

_____ **No (Against Adoption)**

C

On Mon, Jan 28, 2019 at 5:04 PM Rachel Castillo <rcastillo@mydavenport.org> wrote:
Darlene,

In response to your email received today. Contact was made to Linda Robinson. She advises that she read the brochure. She took pictures of it with her phone and did not keep it but put it back in the door jamb. She did inform the Meyer's of what she had done.

She extended an apology to you and John.

Rachel Castillo Young, City Clerk
City of Davenport
1 South Allapaha Avenue
Davenport, FL 33837
(863) 419-3300 ext. 125
(863) 419-3302 – fax

Please visit us at www.mydavenport.org

No trees were harmed in the sending of this message. However, a large number of electrons were inconvenienced.

Disclaimer: Under Florida law, e-mail and other personal information is public record and must be made available to the public and media upon request, unless otherwise exempt by the Public Records Law. If you do not want your e-mail released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: D Bradley [<mailto:davenportmayor@gmail.com>]
Sent: Saturday, January 26, 2019 9:11 PM
To: Rachel Castillo
Subject: Campaign Theft Violation Complaint

Rachel,

Today, 1/26/19, at approximately 2:15 pm, I was parked directly in front of Paul & Mary Meyer's house, 108 E. Palmetto. They were not home, so I slid one of my flyers inside their door with it barely sticking out.

I have my campaign magnets displayed on my truck; so it was obvious I was campaigning.

I went back to my truck to update my walking list on which homes had received a flyer when Linda Robinson drove very slowly around my truck then parked in Paul & Mary's driveway.

Mrs. Robinson carefully looked around to see if anyone was looking while she went up to their door and took my campaign flyer out of the Meyers' door.

I got out of my truck and asked her "Do you want a flyer"?

She said "No, she had  life now". 

I asked, "So did you just take their flyer?"

She replied, "Mary does not need it, she votes for Robbie".

She took the flyer and then went to her car where she made a phone call.

Isn't removing campaign materials/signs a violation of elections tampering ethics law? Not to mention "stealing" someone's mail?

It would be unfortunate if incidents such as this were to continue during this election season, especially from the Robinson campaign and we look forward to your guidance and forthcoming resolution.

In addition one of my campaign signs was removed from Mr. Leon Higdon's property, 102 E. Lemon Street since yesterday. Please advise if someone brought it to City Hall...or possibly someone stole it.

Should I forward this incident to Chief Holden? Should I call the police if I witness in the future?

Thank you

Darlene

D



HB Rob Robinson

March 31

Below is a Re-Post of a Note that I placed on my "Mayor" Facebook page earlier today:

A LETTER FROM YOUR MAYOR H. B. "ROB" ROBINSON (Please Share)

Well, Folks, here it is! With 2 days to election day, Bradley-Lepley have now sent, via email, the long awaited "re-cycled" personal attacks and lies that is Bradley-Lepley's trademark of previous campaigns against rival candidates. While it should not come as a surprise to me, I am astonished and offended at the viciousness of their lies and personal attacks against me, Commissioner Bobby Lynch, and Commissioner Tom Fellows.

It should not have caught me off guard, because it was not that long ago that John Lepley warned me that I could not win an election because I would not lie ... that I was above lying. He also told me that he and his wife, Darlene Bradley, would win because they would lie. They have no regard for the law. Florida Statute 104.271 states, "A candidate may not, with actual malice, make any false statement about an opposing candidate."

Please remember the past arrest records of Bradley-Lepley. Ex-mayor Bradley resigned in disgrace. She made Davenport the laughing stock of the Nation, [See: YouTube "Davenport Mayor Donkey of the Day" from New York]. She has no one to blame but herself that she is no longer mayor! Bradley and her husband John Lepley are the ones who committed the criminal acts of stealing, altering a handicapped parking placard, and identity theft of a deceased altering a handicapped parking placard, and identity theft of a deceased woman whose husband is a friend and neighbor. While serving as a commissioner, John Lepley was arrested for a road rage incident involving battery on a young man. He pled to a reduced charge and was ordered to community service. I don't see much trust in either of their actions.

I ask you to compare their past history in office with those who they have maligned (Robinson, Lynch and Fellows) in their vicious email; and join me and your fellow citizens in sending Bradley-Lepley back behind their "No Trespass" fence.

Please do not allow any further lies and embarrassment to our City of Davenport. Vote to keep Mayor H. B. "Rob" Robinson and Commissioner Bobby Lynch.

Rob Robinson

Davenport Mayor

Post 3/28/2019

ONLY 5 MORE DAYS 'TIL ELECTION DAY IN DAVENPORT

Ex-mayor Bradley-Lepley and husband, John Lepley, are now criticizing the decision to close Suwannee Ave. The decision to close Suwannee was made so that the school board could expand and re-open the historical Davenport Elementary School campus. Much thought and debate were given to this issue by the City Commissioners. Initially, I was against closing Suwannee. However, I have come to the realization that with the many new families moving into Davenport it is imperative that this school is re-opened. Never having had children perhaps Bradley & Lepley cannot appreciate the need for, nor understand the value of, a neighborhood elementary school.

Bradley & Lepley say that Suwannee Ave. should not be closed because it is the main thoroughfare through town. We all know that US Highway 17-92 is the primary north-south roadway. Suwannee is a cut-through road extending from US 17-92 to South Boulevard, and has become a convenient route for drivers passing through town. I travel Suwannee frequently and will have to change my travel route, too. As we all know, changes to traffic patterns are based on the needs of the community.

Post 3/27/2019

ONLY 6 DAYS 'TIL ELECTION DAY IN DAVENPORT.

The voters of Davenport certainly have heard different and conflicting stories this election cycle. The Bradley-Lepley team have done what they do best ... spread fear and confusion; and they have attempted to pilfer credit for the good work that the current City Commission has accomplished over the past year-and-three-months since Bradley was forced to resign from office. Bradley & Lepley maintain that I, as the mayor, am taking away a person's right to vote. This is one of Bradley's untruthful spins which shows her lack of knowledge. I have supported, and will always support, an elected mayor by the people's vote and will always support the people's right to choose. Bradley & Lepley maintain that I, as the mayor, do not allow people to speak at our City Commission meetings. Another untruthful spin which speaks to Bradley's lack of knowledge of the Florida Statutes. The Florida Statutes demand that the public has the right and must be afforded the opportunity to speak and be heard before their elected officials on any item or anything. I adhere to the Statutes. The need for strong leadership that can be trusted is essential as the City of Davenport moves forward. The definition of legacy is "something that is a part of us that remains". It has always been my goal to leave a legacy of integrity and loyalty to community through my lifetime of service Army, law enforcement, a former Davenport police chief, interim city manager, city commissioner, vice mayor and now mayor. The legacy we leave is the quality of our lives ... The differences in candidates are clear. I appreciate your vote on April 2 to re-elect me as your mayor!

Post 1/29/2019

ALERT: As the Mayor of Davenport my email address is rrobinson@mydavenport.org. Feel free to email me with any questions or comments about the City of Davenport, or you may email City Hall directly by contacting City Clerk Rachel Castillo Young at rcastillo@mydavenport.org. Darlene Bradley is distributing brochures that gives her email address as davenportmayor@gmail.com. This is NOT my email address nor the email address for Davenport City Hall. I am concerned about her doing this; she could possibly circumvent the day-to-day business of the City.

Post 4/1/2019

TUESDAY, APRIL 2, IS ELECTION DAY IN DAVENPORT (Please Share)

Over the last several days, I, as well as Commissioner Bobby Lynch, have been the victims of the Bradley-Lepley rancid tongue. We are not alone in this. There are many of us who have seen and been victims of Bradley-Lepley's malicious comments. The extent to which they have taken their lies in this election is appalling. Neighbors -- The choice is yours to make. Make it count for the good of Davenport:

Mayoral candidate H. B. "Rob" Robinson - Army Honorable Discharge; North Miami Police Department; former Davenport Police Chief; interim city manager for Davenport and Dundee; Davenport City Commissioner - Vice Mayor - current Mayor.

Mayoral candidate Darlene Bradley-Lepley - Ex-mayor who resigned in disgrace. She was arrested on 2 felony charges and 1 misdemeanor; plead "no contest" to the misdemeanor. Her actions were not a mistake; she intentionally used the handicap placard over and over again. Nor was it just a parking violation. Just imagine if the parking placard had belonged to your deceased wife, mother, or grandmother? The placard did, in fact, belong to the wife of one of your long-time Davenport neighbors. Each time the news media mentioned the "dead woman's handicapped parking placard", your neighbor, George Letterman, re-lived the day his wife died.

Violations

Use Possess Personal ID of Deceased (FELONY)

Counterfeit License Plates Validation Stickers, Etc. (FELONY)

Unlawful Use Disabled Parking Permit (MISDEMEANOR)

Post 3/31/2019

A LETTER FROM YOUR MAYOR H. B. "ROB" ROBINSON (Please Share)

Well, Folks, here it is! With 2 days to election day, Bradley-Lepley have now sent, via email, the long awaited "re-cycled" personal attacks and lies that is Bradley-Lepley's trademark of previous campaigns against rival candidates. While it should not come as a surprise to me, I am astonished and offended at the viciousness of their lies and personal attacks against me, Commissioner Bobby Lynch, and Commissioner Tom Fellows.

It should not have caught me off guard, because it was not that long ago that John Lepley warned me that I could not win an election because I would not lie ... that I was above lying. He also told me that he and his wife, Darlene Bradley, would win because they would lie. They have no regard for the law. Florida Statute 104.271 states, "A candidate may not, with actual malice, make any false statement about an opposing candidate."

Please remember the past arrest records of Bradley-Lepley. Ex-mayor Bradley was forced to resign in disgrace per a plea bargain to avoid trial and possibility of jail time. She made Davenport the laughing stock of the Nation, [See: YouTube "Davenport Mayor Donkey of the Day" from New York]. She has no one to blame but herself that she is no longer mayor! Bradley and her husband John Lepley are the ones who committed the criminal acts of stealing, altering a handicapped parking placard, and identity theft of a deceased woman whose husband is a friend and neighbor. While serving as a commissioner, John Lepley was arrested for a road rage incident involving battery on a young man. He pled to a reduced charge and was ordered to community service. I don't see much trust in either of their actions.

I ask you to compare their past history in office with those who they have maligned (Robinson, Lynch and Fellows) in their vicious email; and join me and your fellow citizens in sending Bradley-Lepley back behind their "No Trespass" fence.

Please do not allow any further lies and embarrassment to our City of Davenport. Vote to keep Mayor H. B. "Rob" Robinson and Commissioner Bobby Lynch.

Rob Robinson
Davenport Mayor



HB Rob Robinson Davenport Mayor

- Home
- About
- Photos
- Reviews
- Posts**
- Community

Like Follow Share

April 4

ELECTION DAY IN DAVENPORT WAS APRIL 2.
It was a great day for the H. B. "Rob" Robinson and Bobby Lynch campaigns!

Thank you, Voters, for re-electing me as yo...
[See More](#)

9

1 Comment

Like Comment Share

Most Relevant



Write a comment...



Gillian Jean Wolfe Congratulations

Like · Reply · 7w



HB Rob Robinson Davenport Mayor

April 1 ·



BRADLEY, TERESA DARLENE

Booking Number: 2017-047567

Race/Sex: W/F

Height: 503

Booking Date: 12/5/2017

Location: BOOKING

Inmate Status: Released

Bond Eligible:

Ready for Bond:

HB Rob Robinson

April 1

TUESDAY, APRIL 2, IS ELECTION DAY IN DAVENPORT (Please Share)

Over the last several days, I, as well as Commissioner Bobby Lynch, have been the victims of the Bradley-Lepley rancid tongue. We are not alone in this. There are many of us who have seen and been victims of Bradley-Lepley's malicious comments. The extent to which they have taken their lies in this election is appalling.
Neighbors – The choice is yours to make. Make it count for the good of Davenport.

Mayoral candidate H. B. "Rob" Robinson – Army Honorable Discharge; North Miami Police Department; former Davenport Police Chief; interim city manager for Davenport and Dundee; Davenport City Commissioner – Vice Mayor – current Mayor.

Mayoral candidate Darlene Bradley-Lepley – Ex-mayor who resigned in disgrace. She was arrested on 2 felony charges and 1 misdemeanor; plead "no contest" to the misdemeanor. Her actions were not a mistake; she intentionally used the handicap placard over and over again. Nor was it just a parking violation. Just imagine if the parking placard had belonged to your deceased wife, mother, or grandmother? The placard did, in fact, belong to the wife of one of your long-time Davenport neighbors. Each time the news media mentioned the "dead woman's handicapped parking placard", your neighbor, George Letterman, re-lived the day his wife died.

Violations

Use Possess Personal ID of Deceased (FELONY)

Counterfeit License Plates Validation Stickers, Etc. (FELONY)

Unlawful Use Disabled Parking Permit (MISDEMEANOR)

2

1 Share

Like Comment Share



Write a comment...



- Mashell Kirchoff
- Sheila Baskins
- Tony Cassetty
- Bailey Lakin
- Wes Matlock
- Jonna Darlynn Barrett
- James Meade 47m
- Derek Wilham 18m
- Sheila Haley 17h

Be the first to add a p

Create Post

English (US) · Español · Português
Français (France) · Deutsch

GROUP CONVERSATIONS

Create New Group

Privacy · Terms · Advertising · Ad C
Cookies · More
Facebook © 2019

Search

E

LEGACY: Something that is a part of you that remains (Webster condensed)

You have certainly heard many different stories this election cycle. This election is your opportunity to send a strong message as we re-elect current Mayor Rob Robinson and Commissioner Bobby Lynch. John Lepley and ex-Mayor Teresa Darlene Bradley-Lepley are both members and/or founders of "Davenport Concerned Citizens" the group that lied to you about the sewer system in 2013, both are candidates, both have criminal backgrounds. She was charged with two felonies and a misdemeanor; he with a felony misdemeanor of assault and battery. Two members of the same household on the Commission = opportunity to violate the Sunshine Law (the real definition of INSANITY.) Contrary to their brochures, neither of them initiated the Fourth of July celebration; neither brokered a deal with a primary developer; neither saved the city \$38 million on a new sewer plant; and in 2013 neither stopped a \$5,000 lien on our homes for sewer as the amount was never established.

Mayor Robinson and Commissioner Lynch have never been arrested or charged with a crime. Here are a few of the things they HAVE done.

Mayor HB "Rob" Robinson

Commissioner Bobby Lynch

Current Vice President Ridge League of Cities

Oversight of second well plant

Championed the new fire station on West Side

Assisted in removal/replacement of city sidewalks

Pursued accreditation of Police Department

Approval of hiring new City Manager

Coordinate Toys for Tots

Approved renovations to City Hall

Participates in Mayors/City Mgrs, Coalition

Continual oversight of budget and millage

Negotiate with School Board for schools

Review and assist with grant for city water lines

The Bradley/Lepley camp thrive on spreading fear, chaos and confusion. Don't let that happen. Need honest answers? Call the City Manager, City Clerk, or other Commission members.

No individual can take credit for the accomplishments in our city. They are the result of the combined efforts of the entire Commission working with city staff. We have great projects ahead of us including a new community center. The need for strong leadership that can be trusted as we move forward is essential.

The legacy we leave is the quality of our livesThe differences in candidates is clear....

**VOTE TO RE-ELECT MAYOR H. B. "ROB" ROBINSON AND
COMMISSIONER BOBBY LYNCH.**

Paid political advertisement paid for and approved by HB Rob Robinson Candidate for Mayor
And Bobby Lynch Candidate for City Commission Seat 3

F

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

STATE OF FLORIDA

CASE #: 53-2017-CF-010703-A000-XX

AGENCY CASE #: PCSO 2017-050907

VS

DIVISION: F5

TERESA DARLENE BRADLEY

TO THE CLERK OF THE ABOVE STYLED COURT:

THE STATE hereby announces a No Bill of the following charges:

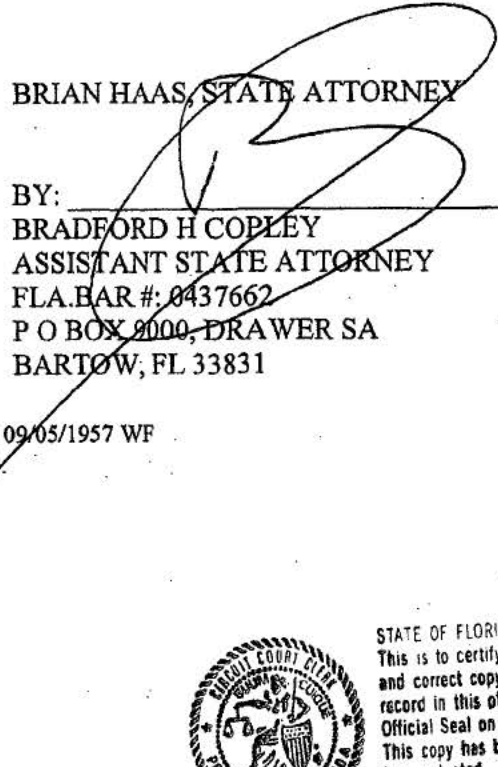
**CRIMINAL USE OF PERSONAL IDENTIFICATION OF A DECEASED
PERSON**

**KNOWINGLY POSSESS ALTERED/COUNTERFEIT DECAL
(VALIDATION STICKER).**

The State requests that the above defendant be discharged from custody only on the charges appearing above. The defendant has pled to Unlawful Use of Handicapped Placard.

DATED THIS December 15, 2017.


BRIAN HAAS, STATE ATTORNEY

BY: 
BRADFORD H COPLEY
ASSISTANT STATE ATTORNEY
FLA.BAR #: 0437662
P O BOX 9000, DRAWER SA
BARTOW, FL 33831

cc:

Jail - TERESA DARLENE BRADLEY DOB: 09/05/1957 WF
Warrants
PTR
PCSO 2017-050907



STATE OF FLORIDA, COUNTY OF POLK
This is to certify that the foregoing is a true
and correct copy of the document now of
record in this office. Witness my hand and
Official Seal on 12/19/17
This copy has been reviewed, and if required by
law, redacted.
STACY M. BUTTERFIELD, CLERK CIRCUIT COURT
By  D.C.

G



Celebrate July 4th 2015

Join us in the public reading of the

Constitution of the United States

Town Gazebo

Market Street, Davenport, FL 33837

12 pm Noon

Admission Free

Bring a lawn chair, a flag and wear red-white-blue or your military uniform to show your pride in our Nation.

Invite your friends and neighbors and become part of this new Annual Tradition!

All attendees will receive a personal copy of the Constitution of the United States.

Happy July 4th



Welcome	Mayor Darlene Bradley
National Anthem	Aikel Coffie
Pledge of Allegiance	Boy Scouts Troop 528
Prayer for our Country	Pastor Utterback
Declaration of Independence	Polk County Sheriff Grady Judd
God Bless America	Nia Amaro
The Constitution, Section 1	Pete Rust
The Constitution, Section 2	Al Snipes
The Constitution, Section 3	Brynn Summerlin
The Constitution, Section 4	Deborah Adams
The Constitution, Section 5	Polk County Commissioner Ed Smith
The Constitution, Section 6	Delores Wilson
The Constitution, Section 7	Commissioner Crystal Williams
The Constitution, Section 8	Rick Achuff
The Constitution, Section 9	Donna Fellows & Lisa Coffey
The Constitution, Section 10	Larry Sinibaldi, Shavonn Davis, Sara Marfo, & Esther Lubin

A copy of The Constitution and an American Flag will be provided for all attendees.

Appreciation of Support/Sponsors: City of Davenport, Davenport Fire Department, Mayor Bradley, Vice Mayor Bobby Lynch, Brynn Summerlin, Ridge Community High School, Cremation Services of Mid Florida, George Letterman and Boy Scout Troops 528.

Special thanks to Bob Avery for his idea of the public reading of our national documents.



July 4th, 2015 Celebration



In Kind Donations

Brynn Summerlin donated sound system
 News Leader free advertising of event
 City of Davenport - bottle water, tents, tables, chairs
 Boy Scouts Troop 528 - presenting the colors
 Ridge Community High School - Sigma Students
 Congressman Alan Grayson - 50 Constitution booklets
 Fellows Trucking - 200 Flags
 City of Davenport Fire Dept. grilled hotdogs

Monetary Donations

\$690.00

Expenses

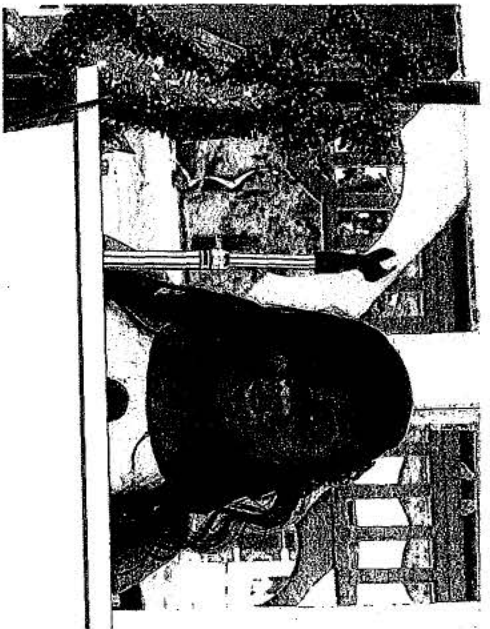
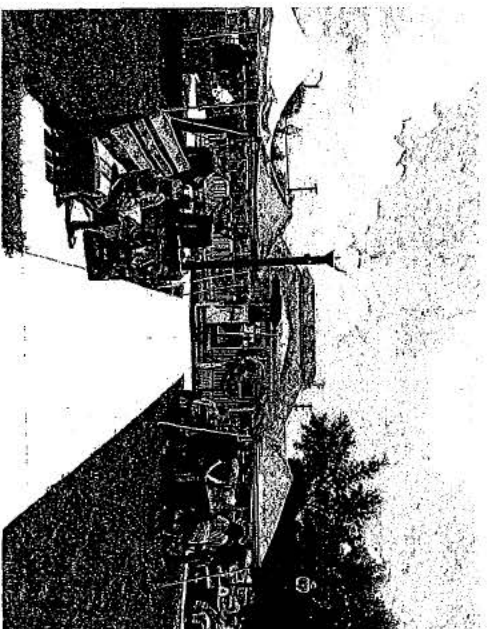
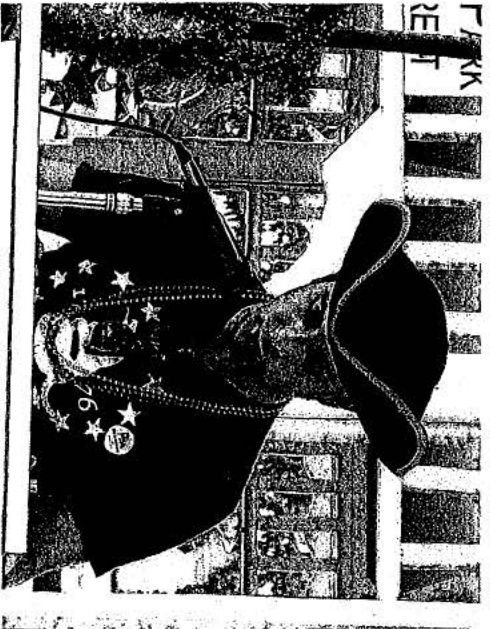
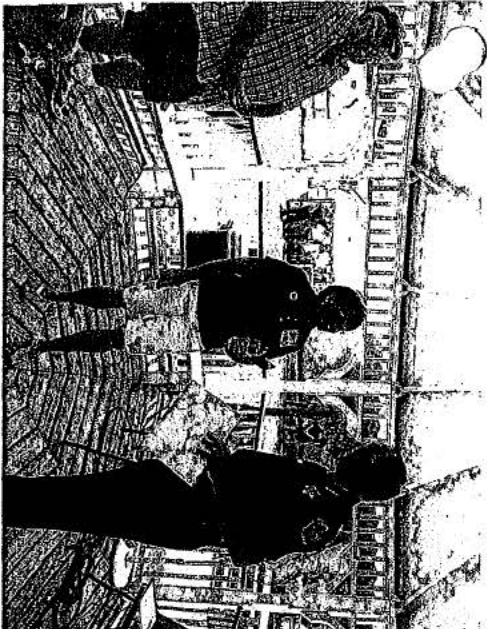
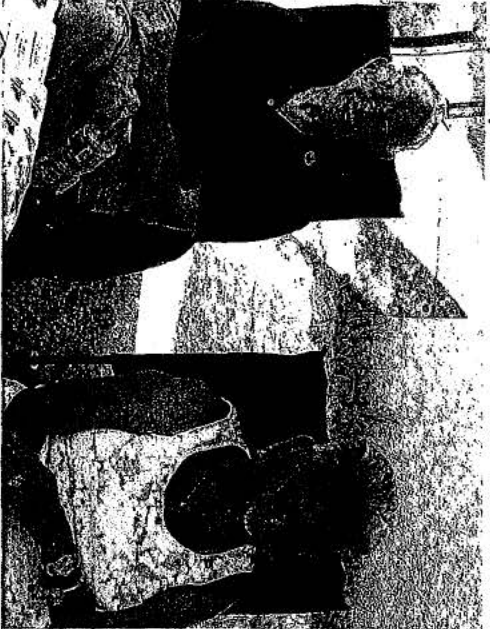
200 Copies Constitution Booklets	\$214.00
Staples Sign	\$ 18.18
Dry Ice for popsicles	\$ 69.25
Publix Ice Cream	\$ 47.50
Stickers - I read The Constitution	\$ 34.98
Banner	\$ 15.00
Hotdogs, Buns, Napkins	\$121.45
Cookies/Brownies for volunteers	\$ 81.88
Mustard, Ketchup, Relish	\$ 10.00
Decorations for gazebo & table cloths	\$ 25.00
Fuel - 2 round trips to Lakeland for Dry Ice	\$ 30.00
Fliers, handouts, toner	<u>\$ 40.00</u>

Total

\$707.24

Registrants (not all attendees registered)

Davenport	117
Haines City	16
Lake Alfred	2
Winter Haven	8
Orlando	1
Lakeland	1
Clermont	6
Altamonte Springs	1
	<u>152</u>



Davenport's July 4 Celebration

Published: Saturday, July 11, 2015 at 12:01 a.m.

On July 4, the city of Davenport commemorated Independence Day with a public reading of the Declaration of Independence and the U.S. Constitution.

Mayor Darlene Bradley did a fantastic job involving members from all across the community, including the Davenport Fire Department cooking hotdogs, the Boy Scouts Color Guard and some very talented local students who inspired us with their singing.

Sheriff Grady Judd delivered the Declaration of Independence, and various public leaders and citizens read sections of the Constitution.

Thank you, Mayor Bradley, and all who participated for the opportunity to celebrate the real meaning of Independence Day.

CHAD DAVIS
Winter Haven

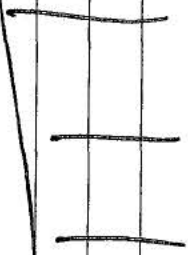


H

Unbid - 50' lots

6/13/17

same FWD → 00' lots except Civic Isle
30' lots



Parking 4 to 5 through
Common/Open Space

7,000 / home added
to parks impact fees

405
308
 833

Government ~~to~~ to
connect to street
up amenities

JD said he would

know wherever was offered — Government for bike-trail
road

in 2014 re: Government
Center - add on to Cabana.

Do Crossing Signals

R.A.

JD Alexander 863-528-4272

henriheath@gmail.com

Call # 863. 412 - 5360



APPROVAL OF ORDER OF BUSINESS

Motion made by Commissioner Summerlin and seconded by Commissioner Fellows to approve the order of business.

With no further discussion, Mayor HB Robinson called for the vote. Motion carried unanimously.

PUBLIC COMMENT

Darlene Zeanwick of 4 West Lemon Street and also the Chair for the Recreation Advisory Committee, reported the resignation of Robert Avery. Mrs. Zeanwick requested the appointment of Pastor Jeremy Clark to be placed on the next Agenda so that the Committee would be complete in time for the March 14th Open Forum.

Rennie Heath reminded the Commission that several months ago he had made a commitment to their previous Mayor in trying to be a good neighbor and a good developer. As a result, the builder would pay an additional \$1,000 per house as a park improvement fee.

Jennifer Codo-Salisbury with Central Florida Regional Planning Council (CFRPC) announced the next Community Workshop for February 27th 6:30 p.m. at the First Baptist Church.

Wayne Benner of 312 E. Bay Street asked the possibility of a bus stop in town and getting natural gas on east side of town.

The Mayor asked that the City Manager look into this.

Brenda Dolan of 2289 Grantham Avenue and also representing the Davenport Historical Society asked for assistance in storing their items during the renovations.

Discussion ensued with Commissioner Fellows voicing that he felt that the City should step up and help cover these costs and Commissioner Summerlin questioning the insurance coverage cost based on value and what value had they placed on the historical items. He also questioned if the unit would be big enough. Mrs. Dolan responded that the monthly insurance fee would be \$166.58 and the unit size would be big enough.

Commissioner Lynch agreed that they should step up and help the Davenport Historical Society.

The City Manager advised that he would place this on the next agenda upon confirmation of costs.

Commissioner Gonzales asked if they had taken into consideration a company for transporting the items. Mrs. Dolan responded that a family was donating the transportation of the items this week.

J

Mr. Robinson recollected discussion on placing liens on property and the ability to serve charge. The Attorney advised that he did recommend the ability to serve charge.

Mr. Warren further added that as far as liens, the City could put a lien on the home or property,



City of Davenport

POST OFFICE BOX 125
DAVENPORT, FLORIDA 33836

CITY CLERK'S OFFICE

Tel: (863) 419-3300

Fax: (863) 419-3302

January 31, 2008

TO: Mayor and City Council
Amy E. Arrington, City Manager
FROM: Raquel Castillo, City Clerk
SUBJ: Research of Minutes

As instructed at the last meeting, I have researched the minutes relating to the WWTP in relation to Council's concerns and inquiries and found the following information.

There were several meetings where the sewer project was discussed, but these meetings in particular related to the hookup fees/costs.

January 22, 2007 – Regular Meeting

At this meeting the Scope of Services for Phase III of the Wastewater Treatment Plant was presented to Council for approval.

At the meeting Mr. Lepley voiced his concern that before the City paid anymore money that the issue of hookup costs should be resolved. Council's consensus was the need to approve the scope of services and talk about hookup fees at a later time.

October 29, 2007 – Workshop

Robert mentioned the following in his presentation on the WWTP.

Incentive to citizen (offset of cost to connect)

\$3,500 impact fee waiver

\$1,500 Assistance for septic tank

K

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name H. B. "ROB" ROBINSON

(2) I.D. Number M2

(3) Cover Period 03 / 02 / 2019 through 03 / 15 / 2019 (4) Page 1 of 1


(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
		Type	Occupation				
03 / 02 / 19 1	Harriet Rewis Rust 1830 Pawnee Trail Lakeland, FL 33803	I	Retired	CHE			\$150.00
03 / 04 / 19 2	Cassidy Holdings Group 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 3	Winter Haven Manage- ment Services LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 4	Lakeville Partners LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 5	Heath Construction & Management LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 6	CAS Holdings LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
/ /							

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name H. B. "ROB" ROBINSON

(2) I.D. Number M1

(3) Cover Period 02 / 01 / 2019 through 03 / 01 / 2019 (4) Page 1 of 2

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description		Amount
02 / 04 / 19 1	George Letterman 312 Cypress St. East Davenport, FL 33837	I	Retired	CHE			\$500.00
02 / 08 / 19 2	Warren McKnight 59 B Moore Road Haines City, FL 33844	I	Citrus Industry	CHE			\$200.00
02 / 08 / 19 3	Holly Hill Fruit Products PO Box 708 Davenport, FL 33836	B	Citrus Industry	CHE			\$200.00
02 / 12 / 19 4	Howard and Fatima Gill PO Box 764 Davenport, FL 33845	I		CHE			\$100.00
02 / 14 / 19 5	Abelardo Gonzales 8 Cypress Street East Davenport, FL 33837	I		CHE			\$50.00
02 / 14 / 19 6	Linda Robinson 	I		CHE			\$100.00
02 / 16 / 19 7	Deborah Burress 118 East Bay Street Davenport, FL 33837	I	Retired	CHE			\$150.00

L

The Mayor opened and closed the Public Hearing with no public comment.

There being no discussion, the Mayor called for the vote. Motion carried unanimously.

OLD BUSINESS

1. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 876 REGARDING VOLUNTARY ANNEXATION OF A PARCEL OF LAND. (OWNER: ASTORIA PROPERTIES, LLC - GENERAL LOCATION: NORTH OF NORTH BOULEVARD E, EAST OF US 17/92)**

At this time the Attorney was instructed to read Ordinance No. 876 by title.

City Planner Raymond Perez explained that this was second reading of the Ordinance. Raymond noted that the metes and bound legal description was included in the Ordinance.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Lynch and seconded by Commissioner Kneeld to approve Ordinance No. 876 on its second reading. Motion carried unanimously with no discussion.

2. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 877 TO APPROVE A SMALL SCALE LAND USE PLAN MAP AMENDMENT (LUPA) FROM POLK COUNTY RESIDENTIAL MEDIUM EXTRA (RMX) TO RESIDENTIAL MEDIUM (RM). (OWNER: ASTORIA PROPERTIES, LLC - GENERAL LOCATION: NORTH OF NORTH BOULEVARD E, EAST OF US 17/92)**

At this time the Attorney was instructed to read Ordinance No. 877 by title.

City Planner Raymond Perez explained that this was second reading of the Ordinance and there were no changes since first reading.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 877 on its second and final reading. Motion carried unanimously with no discussion.

3. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 878 TO REZONE A PARCEL OF LAND FROM MULTI-FAMILY 3 (MF-3) AND POLK COUNTY RESIDENTIAL MEDIUM (RMX) TO PLANNED UNIT DEVELOPMENT (PUD). (OWNER: ASTORIA PROPERTIES LLC - GENERAL LOCATION: NORTH OF NORTH BOULEVARD E, EAST OF US 17/92)**

At this time the Attorney was instructed to read Ordinance No. 878 by title.

City Planner Raymond Perez explained that this was second reading of the Ordinance and no changes have been made since first reading. Raymond further detailed that the total acreage of this PUD consisted of 70.80 acres.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to approve Ordinance No. 878 on its second reading. Motion carried unanimously with no discussion.

Directing his question to developer Rennie Heath, Vice-Mayor Summerlin questioned when were they looking at annexing the adjacent unincorporated piece to the east of this property? Mr. Heath of the Cassidy Group, 346 E. Central Avenue, Winter Haven answered that their goal was to annex this plus another parcel to the north but could not pinpoint a timeframe.

4. PUBLIC HEARING AND SECOND READING OF ORDINANCE 882 TO REZONE A PARCEL OF LAND FROM RESIDENTIAL ESTATE 1 (RE-1) TO RESIDENTIAL ESTATE 2 (RE-2). (OWNER: MARK F. BANJAK - GENERAL LOCATION: 327 NORTH BOULEVARD WEST)

At this time the Attorney was instructed to read Ordinance 882 by title.

City Planner Raymond Perez explained that this ordinance was also being presented for second reading and rezoned the parcel from RE-1 to RE-2.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Fellows and seconded by Commissioner Kneeld to approve Ordinance No. 882 on its second reading. Motion carried unanimously with no discussion.

5. PUBLIC HEARING AND SECOND READING OF ORDINANCE 883 TO REZONE TWO PARCELS OF LAND FOR SOUTHERN CROSSINGS SUBDIVISION FROM RESIDENTIAL 1 (R-1) TO PLANNED UNIT DEVELOPMENT (PUD). (OWNER: HOLLY HILL FRUIT PRODUCTS CO. INC./CIRCUS INN INC. - GENERAL LOCATION: SOUTH BOULEVARD WEST)

At this time the Attorney was instructed to read Ordinance No. 883 by title.

City Planner Raymond Perez explained that this was second reading of the ordinance and there were no changes since its first reading.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Lynch and seconded by Commissioner Kneeld to approve Ordinance No. 883 on its second reading. Motion carried unanimously with no discussion.

NEW BUSINESS

2. REQUEST TO APPROVE THE SELECTION OF THE TOP FIVE CONSULTANTS FROM THE REQUEST FOR QUALIFICATIONS FOR CONTINUING ENGINEERING SERVICES #18/19-02 ADVERTISED ON JANUARY 4, 2019

Utilities Director Mike Stripling explained that Staff had gone out for proposals. Said proposals had been reviewed by selected staff and the top five firms were being presented for approval.

The Mayor opened and closed the Public Hearing with no public comment.

M

He also felt that the primary problem with the appointed Mayor was that it would be substantially more difficult to get him or her out because the voters would have to wait till off cycles. Mr. Zaharee also questioned if there was a term limit for the Mayor.

The City Commission responded that the Mayor was a Commissioner and was up for election every three years. Commissioner Kneeld further added that the appointed Mayor would be accountable annually because they would be appoint by the Commission annually.

In answer to Mr. Zaharee's question, Commissioner Kneeld provided that he had initially suggested the ordinance to the City Commission.

Mr. Zaharee further voiced that they all cared about the city and he respected this. He wasn't judging any motives but he felt that they should have publicized this a little longer than the 2 months.

In closing, he questioned Commissioner Lynch if he had voted for the Ordinance, to which Mr. Lynch responded that he had not. (881 - Amendment 1)

There being no one else the Mayor closed the Public Hearing.

CONSENT AGENDA

At this time the Mayor opened and closed the Public Hearing with no public input.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the Consent Agenda which included the Minutes of the March 4, 2019 Regular Meeting. Motion carried unanimously with no discussion.

OLD BUSINESS - None

NEW BUSINESS

1. **PUBLIC HEARING AND REQUEST FOR A PRELIMINARY PLAT APPROVAL FOR "SOUTHERN CROSSINGS SUBDIVISION" - GENERAL LOCATION: SOUTH OF SOUTH BOULEVARD. (PROPERTY OWNER: HOLLY HILL FRUIT PRODUCT CO. INC & CIRCUS INN INC.)**

City Planner Raymond Perez announced that this was a request for a preliminary plat for Southern Crossing. The property consisted of a 93 lot single family subdivision, located in the PUD zoning district. Raymond further explained that the Planning Commission had recommended approval earlier in the evening.

At this time the Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Kneeld to approve the preliminary plat for Southern Crossings.

Brief discussion ensued with the Vice-Mayor reiterating his comments from the Planning Commission regarding a second entrance.

There being no other discussion, the Mayor called for the vote. Motion carried unanimously.

CITY MANAGER REPORT

The City Manager thanked the Staff members that had attended the Relay for Life event Friday on behalf of the City.

He also announced that the City had received a check for \$322,000 for the School Board's portion for the sewer line project.

CITY ATTORNEY REPORT – Nothing to report

CITY CLERK REPORT – Nothing to report

CITY COMMISSION COMMENTS

The Vice-Mayor announced that he was unable to attend the Relay for Life event, however he had attended an event in Tenoroc with Sheriff Grady Judd and had the privilege of working with about 20 cadets from the Summerlin Academy in Bartow. He had been so impressed by them that he just had to share with them.

Commissioner Kneeld also thanked all the staff that had worked on the Relay for Life event.

Mayor Robinson expressed that he also had attended and had given the opening address at the event. Mayor Robinson added that next year he would like to see Davenport have their own tent at the event.

There being no further business, a motion to adjourn was made by Commissioner Lynch and seconded by Commissioner Kneeld.

Meeting adjourned at 7:25 p.m.

I HEREBY CERTIFY that the foregoing Minutes are true and correct.

Raquel Castillo, City Clerk

N

Marissa Barmby with the Central Florida Regional Planning Council announced that his was first reading of the Ordinance adopting the Land Development Regulations which also included zoning map changes related to combining zoning districts and rezoning the impacted properties.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Lynch and seconded by Commissioner Fellows to approve Ordinance No. 874 on its first reading. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 885 APPROVING A FINAL PLAT FOR "CITRUS POINTE SUBDIVISION" – GENERAL LOCATION: EAST OF HOLLY HILL ROAD, SOUTH OF NORTH BOULEVARD WEST. (PROPERTY OWNER: HHR EAST, LLC)

At this time the Attorney was instructed to read Ordinance No. 885 by title.

City Planner Raymond Perez announced that this was a request to approve a final plat for Citrus Pointe subdivision. Raymond further noted that this was a 100 lot subdivision.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Kneeld to approve Ordinance No. 885 as read. Motion carried unanimously with no discussion.

4. REQUEST TO APPROVE RESOLUTION 408-19 APPROVING AN APPLICATION WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND FOR PHASE ONE WASTEWATER TREATMENT FACILITIES LOAN NUMBER WW 53071

At this time the Attorney was instructed to read Resolution No. 408-19 by title.

Utilities Director Mike Stripling explained that this was the loan application for the phase one upgrades for the wastewater treatment plant with a principal forgiveness of \$504,200.

Mike noted a change to the application in Section III, which should reflect revenue pledges from both water and wastewater revenues.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by both Commissioners Lynch and Kneeld to approve Resolution No. 408-19.

Discussion ensued with the Vice-Mayor questioning the content of the project. Mike responded that it consisted of the gravity system to the school, headworks at the WWTP

O

There being no further discussion, Commissioner Kneeld amended the motion on the table to approve the LDR's but with the change back to 1,500 sf as they were read on April 1st. The second was provided by Commissioner Lynch and carried unanimously.

As a point of order, the Mayor called for the vote on the original motion. Motion carried unanimously.

2. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 885 APPROVING A FINAL PLAT FOR "CITRUS POINTE SUBDIVISION" – GENERAL LOCATION: EAST OF HOLLY HILL ROAD, SOUTH OF NORTH BOULEVARD WEST. (PROPERTY OWNER: HHR EAST, LLC)

At this time the Attorney was instructed to read Ordinance 885 by title.

City Planner Raymond Perez explained that this was second reading of the Final Plat for Citrus Pointe and there had been no changes since first reading.

The Public Hearing was opened and closed with no public input.

Motion by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance 885 as read. Motion carried unanimously with no discussion.

NEW BUSINESS

1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 884 APPROVING A FINAL PLAT FOR "HIGHLAND COVE SUBDIVISION" – GENERAL LOCATION: EAST OF HOLLY HILL ROAD, NORTH OF NORTH BOULEVARD. (PROPERTY OWNER: ROOKS, LLC)

At this time the Attorney was instructed to read Ordinance 884 by title.

City Planner Raymond Perez advised that this was approval for the final plat for Highland Cove subdivision and recommended for approval by the Planning Commission earlier in the evening. He further provided that Staff recommended approval with the change of the minimum living square footage from 1,300 to 1,500.

The Mayor opened the Public Hearing.

Douglas Stamm of 592 Cantabria Drive – Dell Web Community accepted and provided that his home bordered on this subdivision and questioned if the builder was going to do anything to replace the trees that were removed in the right-of-way and asked why had the city approved the removal of the trees.

Raymond provided that he would be glad to meet with Mr. Stamm and the engineer on this project, however this project had met all the requirements of the LDR's.

Rennie Heath with Heath Construction & Management LLC and representative of 4 Rooks LLC asked for clarification from Raymond that he was recommending approval of this final plat with the change from 1,300 sf to 1,500 sf. Raymond responded that he was and the reason for this was because of the Commission's decision to keep the R3 minimum living area of 1,500 sf.

There being no one else, the Mayor closed the Public Hearing.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the final plat for Highland Cove subdivision.

Discussion ensued with the Commission questioning if the right-of-way was a road right-of-way or a utilities right-of-way and had it been closed. Raymond responded that it was a road right-of-way and it had been closed.

Brief discussion ensued on the ownership of the abutting property of the right-of-way and Raymond was asked to look into this.

There being no further discussion, the Mayor called for the vote. Motion carried unanimously.

2. REQUEST TO APPROVE THE FY 19/20 STATE HIGHWAY LIGHTING MAINTENANCE AND COMPENSATION AGREEMENT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)

The City Manager explained that this was an annual agreement with a slight increase of \$152 from last year.

At this time the Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Vice-Mayor Summerlin to approve the 19/20 State Highway Lighting Agreement with Florida Department of Transportation. Motion carried unanimously with no discussion.

3. APPROVE AN AGREEMENT WITH THE POLK COUNTY TAX COLLECTOR FOR THE UNIFORM COLLECTION OF A NON-AD-VALOREM ASSESSMENT FOR STORMWATER MANAGEMENT

The Public Hearing was opened and closed with no public input.

Utilities Director Mike Stripling explained that this agreement would establish the terms and conditions in which the Tax Collector would collect and enforce the collection of this assessment. This would be assessed on an annual basis on the tax bill.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve the Agreement with the Polk County Tax Collector for the collection of a non-ad-valorem assessment for stormwater management. Motion carried unanimously with no discussion.

P

CONSENT AGENDA

Motion by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve the Consent Agenda which consisted of the Minutes of the April 15, 2019 Planning Commission and the April 15, 2019 Regular Meeting. Motion carried unanimously with no discussion.

At this time the Mayor opened and closed the Public Hearing with no public input.

OLD BUSINESS

1. **PUBLIC HEARING AND SECOND READING OF ORDINANCE 879 TO APPROVE A LAND USE PLAN AMENDMENT (LUPA) OF TWO SEPARATE SUBDIVISIONS FROM RESIDENTIAL SUBURBAN EXTRA (RSX) TO RESIDENTIAL LOW (RL). (OWNERS: MYSTERIOUS PINK APARTMENTS, LLC AND NVR INC. - GENERAL LOCATION: MYSTERY HOUSE ROAD, WEST OF PINK APARTMENT ROAD)**

At this time the Attorney was instructed to read Ordinance No. 879 by title.

City Planner Raymond Perez provided that this was the LUPA of 19.26 acre parcels along Mystery House Road (Pleasant Hill Estates) and staff recommended approval.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve Ordinance No. 879 as read. Motion carried unanimously with no discussion.

2. **PUBLIC HEARING AND SECOND READING OF ORDINANCE 880 FOR THE REZONING OF TWO SEPARATE SUBDIVISIONS FROM RESIDENTIAL SUBURBAN EXTRA (RSX) TO PLANNED UNIT DEVELOPMENT PUD. (OWNERS: MYSTERIOUS PINK APARTMENTS, LLC AND NVR INC. - GENERAL LOCATION: MYSTERY HOUSE ROAD, WEST OF PINK APARTMENT ROAD)**

At this time the Attorney was instructed to read Ordinance No. 880 by title.

Raymond explained that this was for the rezoning of the same parcel.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Commissioner Fellows to approve Ordinance No. 880 as read. Motion carried unanimously with Commissioner Kneeld questioning if there were any changes since the last hearing to which Raymond responded that nothing had changed.

3. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 884 APPROVING A FINAL PLAT FOR "HIGHLAND COVE SUBDIVISION" – GENERAL LOCATION: EAST OF HOLLY HILL ROAD, NORTH OF NORTH BOULEVARD. (PROPERTY OWNER: 4 ROOKS, LLC)**

At this time the Attorney was instructed to read Ordinance No. 884 by title.

Raymond provided that this was for the final plat of the Highland Cove subdivision. The R-3 zoning in this subdivision required a minimum living area of 1,500 sq.ft. Raymond advised that there had been no changes since the last hearing and recommended approval.

The Mayor opened the Public Hearing.

Bill Blake of 580 Cantabria Drive accepted and questioned why the trees had been removed and what the intention was to restore the property. Mr. Blake further added that the trees had provided a nice barrier to all the abutting residences.

Raymond responded that the Developer had complied with all the Land Development Regulation requirements. The engineer was present in the audience to provide any further comments or information on this.

Rodney Gadd with GADD & Associates located at 1925 US 98 South, Lakeland added that the 30' was a public right-of-way and half was in the County and the other half was in the City. It was their intention to have this right-of-way vacated. The right-of-way in general didn't by default leave a vegetative buffer between two developments. They were seeking the subdivision of land for the improvements and if any trees were taken down outside of anything that wasn't allowed would be a Code Enforcement issue. They could definitely attempt to get the contractor to make it right however anything that was removed would have been approved by Staff.

Commissioner Kneeld noted that they had discussed this in length at their last meeting but looking at the map, the County ROW was closed and given to Del Webb and the other was closed for this new development so both properties were abutting directly up against each other.

Vice-Mayor Summerlin questioned when they had abandoned their portion. Commissioner Kneeld responded that it had been done when they had approved this development. Mr. Gadd interjected and added that what they were approving tonight would abandon the east portion abutting the property however the remaining portion that went out to Forest Lake Drive would not be and would be used for utilities and a partial roadway.

Mr. Blake took the floor again and corrected the record by pointing out that the strip of land was not owned by anybody. His position would be that they not approve the plat until this issue was resolved. He believed that it was important not to vacate public land without the right conditions set on it and the conditions should be that the developer and landowners agree on a replacement of the trees or some barrier to replace what was taken down.

There being no other public input, the Mayor closed the Public Hearing and entertained a motion.

Motion by Commissioner Kneeld and seconded by Commissioner Fellows to approve Ordinance No. 884 approving the final plat for Highland Cove Subdivision.

The Mayor questioned Raymond if the city had met all the rules and regulations and laws of the State, the County and the City. Raymond responded that it had and the City had complied with the City's Land Development Regulations.

Vice-Mayor Summerlin further voiced his concerns with the abandonment of the right-of-way. The City Manager explained that the portion that would be abandoned ran into the Marbella Subdivision and this was where the right-of-way stopped and didn't go any further. In answer to the Vice-Mayor's next question, he answered that there would not be any need for the City to use this piece of property since everything was already developed in the area.

He understood Mr. Blake's concern with the buffer but if the city didn't own the piece of property it wasn't up to the City to say whether or not the trees could be removed or replaced. This would be between the County and the developer. He wanted to go on record by stating that any utility right-of-way that they now had they had to maintain because they may need it in the future; and if there was a possibility that they may need it, he didn't want to give it away.

Commissioner Kneeld added that this was an excellent point and this is was something to take into consideration going forward and hoped that staff would point it out to them.

The City Manager asked Mr. Gadd if he could talk to the developer to see if they could replace some of the trees or place some kind of buffer. Mr. Gadd responded that he couldn't speak for the developer but he would ask.

Commissioner Lynch further noted that he had questioned ownership of the property and wanted to be absolutely sure. Mr. Gadd shared that a title search had been done and reviewed by all parties.

Commissioner Fellows felt that they need to extend the good neighbor policy.

Before voting, Vice-Mayor Summerlin pointed out that no trees would be placed in utility easements anyways.

There being no further discussion, the Mayor called for the vote. Motion carried unanimously.

NEW BUSINESS

1. APPOINTMENT OF VICE-MAYOR

The Mayor opened the floor for nominations for Vice-Mayor.

Commissioner Fellows motioned to reappoint Brynn Summerlin as Vice-Mayor. The seconded was provided by Commissioner Lynch.

Q

2. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 891 ADDRESSING TRAFFIC CONTROL ON ESCAMBIA AVENUE AND MIAMI AVENUE

At this time the Attorney was instructed to read Ordinance No. 891 by title.

Chief Holden advised that there were no changes since the last meeting and proceeded to briefly identify the locations involved.

The Mayor opened the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Commissioner Lynch to approve Ordinance No. 891.

Discussion ensued with Vice-Summerlin asking when they were going to do an evaluation to add more and further added the needed to set a specific timeframe to reevaluate the need.

Mayor Robinson opposed this idea and voiced that he personally did not like it. They had enough heartburn without adding stop signs at every intersection.

Commissioner Kneeld asked if Staff was still pursuing the school board about changing the bus stop from Lemon Street to Palmetto Street. Staff responded that they had not but would be talking to them at the May 28th meeting at the Community Center.

He also questioned why the stop signs were put up before second reading of the Ordinance. The City Manager responded that staff felt that it was an emergency situation because of the complaints the City had received. In addition, they wanted to know what kind of feedback it would get before second reading. There had been negative comments but the majority were positive.

There being no further discussion, the Mayor called for the vote. Motion carried unanimously.

NEW BUSINESS

1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 889 AMENDING THE BOUNDARIES OF THE HIGHLAND MEADOWS II CDD

At this time the Attorney was instructed to read Ordinance No. 889 by title.

The Attorney advised that there was statutory criteria that should be considered when granting or denying a petition. In addition, whenever there was an expansion or contraction, the State required them to consider these criteria as well.

City Planner Raymond Perez explained that this was a request to amend the District and had been recommended for approval by the Planning Commission earlier in the evening. Raymond further advised that he would be including the Petition at second reading of the Ordinance.

Roy VanWyk with Hopping Green & Sams located at 119 South Monroe Street, Tallahassee took the floor and explained that they were there tonight to expand the District by approximately 44 acres. He noted that the Petition had been filed with both Haines City and Polk County prior to tonight. In addition, he was providing the following for inclusion into the record.

- Affidavits of Pre-filed Testimony
- Affidavit of Publication of Public Hearing

Mr. VanWyk asked for approval of the Ordinance on its first reading and stood for questions.

Vice-Mayor Summerlin noted that to his knowledge they had not had any issues with the CDD since its establishment. Staff confirmed that there weren't any.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Vice-Mayor Summerlin and seconded by both Commissioner Kneeld and Lynch to approve Ordinance No. 889 on its first reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND 1ST READING OF ORDINANCE NO. 890 REZONING A PARCEL OF LAND FROM R-3 (RESIDENTIAL-3) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE HIGHLAND COVE SUBDIVISION LOCATED EAST OF HOLLY HILL ROAD AND NORTH OF NORTH BOULEVARD (PROPERTY OWNERS: 4 ROOKS, LLC)

At this time the Attorney was instructed to read Ordinance No. 890 by title.

City Planner Raymond Perez advised that this had not been recommended for approval by the Planning Commission. This request was for a zoning change from R-3 to PUD and a reduction of the minimum living area from 1,500 sq. ft. to 1,300 sq. ft.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Vice-Mayor Summerlin to deny the zoning request. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND APPROVAL OF RESOLUTION NO. 412-19 APPROVING THE FINAL PLAT FOR THE CHAMPION TOWNHOME SUBDIVISION LOCATED NORTH OF CR 547 (DAVENPORT BOULEVARD) AND EAST OF HIGHWAY 27

At this time the Attorney was instructed to read Resolution No. 412-19 by title.

City Planner Raymond Perez explained that this was for approval of a final plat for Champion Townhome Subdivision. This encompassed an area of 13.759 acres and no changes had been made since the preliminary plan. Raymond further added that this request had been reviewed by Staff and found to be consistent with the policies and goals of the City's Land Development Regulations and the Comprehensive Plan and recommended approval.

The Mayor opened the Public Hearing.

Sharon Garrett of Carl Boozer Road and owner of the adjacent property to the east accepted the invitation and proceeded to voice the challenge of keeping debris off her property. In addition, there was no fence between this subdivision and her property and the kids were constantly using her property as a playground. The City had incorporated fences all around yet there wasn't one at this development and asked why.

R

A MESSAGE TO THE RESIDENTS OF DAVENPORT

It's election time again and the fearmongers and naysayers are hard at work. Don't be misled by the half-truths, innuendos, and flat-out lies that are being spread all over town.

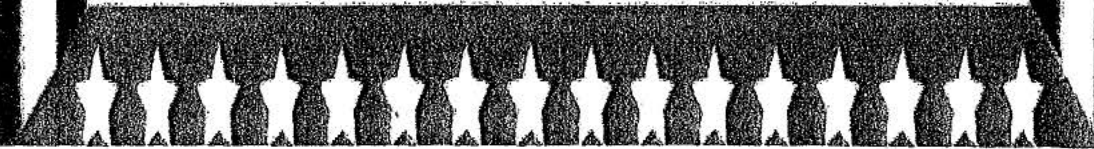
You were misled a few years ago regarding the sewer. Now it's becoming increasingly clear that we will have to address this issue again. Before, we had a grant to pay for it; now it will be at the residents' expense.

You are being told that the current commission is trying to take your right to vote for mayor away. This is simply not true. Amendment 1 gives you, the voter, the choice.

The constant criticism of the current administration by a disgruntled few is unwarranted and untrue. The details above are just a few examples, but you get the picture. In short, beware of messengers that walk all over town spreading lies and half-truths who then use the handicap parking space at City Hall.

If you have questions concerning our great city, please reach out to Mayor Robinson, our City Commission or City Manager Kelly Callihan to have your questions accurately and appropriately answered.

GOD BLESS DAVENPORT



**Davenport is one of the fastest growing cities in Florida.
It needs strong and proven leadership.**

**Here are a few examples of what the
current administration has accomplished:**

- 1) Fully-accredited Police Department, one of only a handful statewide, making for a safer community
- 2) First-class Fire Department with an ISO rating of 2, resulting in lower insurance rates for the residents
- 3) An aggressive plan for repair and replacement of sidewalks and repairing of streets for all of Davenport
- 4) Department of Public Works that has been awarded the funding (\$10,000,000) to replace our water lines
- 5) Parks and Recreation Department that puts on some of the best events in Polk County
- 6) A fiscally-responsible staff that has provided a balanced budget and a healthy reserve balance without raising taxes
- 7) Full-time Professional Planning Department to help Davenport manage our tremendous growth and potential

**Davenport has come a long way and the future is bright.
Working together and in the spirit of cooperation has proven
to be a better way. Let's not go back to the divisive and
confrontational politics of our past.**

Your choice is clear.

5*6*****AUTO**ALL FOR AADC 342 0003932
T Darlene Bradley
PO Box 3318
Haines City FL 33845-3318

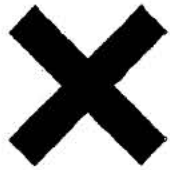


Presorted
Standard
U.S. Postage
PAID
Lakeland, FL
Permit No. 1205

S

By now you have heard all the pros & cons about the upcoming election.

The question is —
are you going to be misled again?



The challengers offer you lies, half-truths, innuendos, conflict and controversy.



The incumbents give you honesty, integrity, proven leadership and results.

VOTE

More Progress

Less Embarrassment

Keep Davenport Moving Forward



Protect Our Integrity



Your Choices are Clear

contras de las próximas elecciones..

La pregunta es
¿vas a ser engañado de nuevo?

X Los retadores te ofrecen
mentiras, verdades a medias,
insinuaciones, conflicto y controversia.

☑ Los titulares te dan
honestidad, integridad, probado
Liderazgo y resultados.

VOTE

Más progreso

Menos vergüenza

Mantenga a Davenport avanzando

Proteger nuestra integridad

Sus opciones son claras



1*1*****ECRWSH**R 018 000283
DAVENPORT FL 33837-4134

Presorted
Standard
U.S. Postage
PAID
Lakeland, Fl.
Permit No. 1205



T

Both campaigns (Robinson and Lynch) assembling, stuffing, mailing their flyer "A legacy a part of you that remains", a malicious flyer with false statements that was paid for by both parties; but not mentioned on either campaign's financial reports.

In attendance: From Left Linda Robinson, Treasurer for Robinson Campaign, Robert "Bob" Lynch, Candidate Seat 3 Commissioner, on far right is Denise Lynch, Treasurer for Lynch Campaign.

Posted on Robinson's Facebook:

www.facebook.com/HB-Rob-Robinson-Davenport-Mayor-105141444933457



U

A life dedicated to service Veteran-Police Officer-Public Servant

- Voluntary Enlistment-US Army/
Honorable Discharge
- 53 Years municipal government
experience. 19 of these years was
service to the residents of of
Davenport as your chief, city
manager, city commissioner/vice
mayor, and now your MAYOR
- Current Vice President, Ridge
League of Cities
- Member, Florida League of
Mayors
- Life Member - Polk County Police
Chiefs Association, Florida Police
Chiefs Association, FBI National
Academy Associates

Personal

- Resident of Davenport since
May, 1992
- Deacon, First Baptist Church
of Davenport
- 4th Generation Floridian
- Bachelor of Science Degree from
Florida International University
- Attended FBI National Academy
for Law Enforcement.
- Attended Florida League of Cities
Institutes for elected officials
- Married to my wife, Linda, for
(soon-to-be) 48 years. We have 2
children and 4 grandchildren.

Political advertisement paid for and approved by
H.B. "ROB" ROBINSON Candidate for Mayor,
PO Box 1257, Davenport, FL 33836

H. B. "ROB" ROBINSON
CAMPAIGN FOR MAYOR
PO BOX 1257
DAVENPORT, FL 33836

PRESORT STANDARD
U.S. POSTAGE
PAID
PERMIT #1403
ORLANDO, FL

T Darlene Bradley
PO Box 3318
Haines City FL 33845-3318

Vote

ROBINSON for Mayor on April 2nd



H.B. "Rob"
ROBINSON

FOR MAYOR
City of Davenport

A Better Future for our City
A Better City for Our Future

"The supreme quality for leadership is unquestionably integrity. Without it, no real success is possible, no matter whether it is on a section gang, a football field, in an army, or in office." President Dwight D. Eisenhower

Vote for integrity Re-Elect H.B. "Rob" Robinson as your Mayor

Above all else, *I believe in honest and integrity.* I do not make misleading or ambiguous statements and promises. I have **never** been **arrested** for a misdemeanor or a felony.

I am very proud to be your Mayor. My term in office has been very productive.

As your Mayor, the teamwork between the City Commission and City staff has produced outstanding results with moving the City forward to meet current and future needs of our residents.

As your Mayor and former Vice Mayor, my voting record has always been for all citizens of Davenport. **My voting record speaks for itself... it is the truth!**

As your Mayor, the integrity and good standing of the Mayor's Office within this community has been restored.

As your Mayor, I will continue to represent all residents of Davenport and continue to make sure that services are enhanced and inline with our growth.

As your Mayor, I am proud to see that we have a **City Commission** that is cohesive and works together to foster relationships for the betterment of the City.

As your Mayor, I worked to make Davenport a city to be proud of. I have represented the City at meetings throughout Polk county, the State of Florida and in Tallahassee.

As your Mayor, I participate in a Mayors/City Managers Coalition with other cities along the US 27 corridor to achieve common goals and to provide better services for our residents.

As your Mayor, I will continue to monitor the manner in which your tax dollars are spent.

Achievements as your Mayor working with City Commission and Staff (as a TEAM) include:

Recognizing a need, I championed for a new fire station on the west side of the City; which is currently moving forward.

I was proud to **coordinate the Toys for Tots Program in Davenport** with the assistance of Davenport Historical Society, First Baptist Church, and City Staff. This program netted 20,000 overall contributions for families throughout Polk County.

Transformation of the overall appearance of the City. *DR*

Support and Encourage development of a commercial district. *DR*

Increase Police Department to provide better services to our residents.

As a former Police Chief, I recognized the need for and was a strong **proponent** of State accreditation of our Police Department.

Develop and approve plans for the new Community Center. *DR*

Cooperation with the Polk County School Board for the renovation and re-opening of the historical school building. *DR*

Completion of new construction and renovations to City Hall buildings. *DR*

Continue to review policies and benefit programs for City employees.

Expansion and repair of City utilities, such as our water plant, sewer plant, streets, and sidewalks. *DR*

Expansion of city boundaries.

V

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, _____,

candidate for the office of _____;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X

Signature of Candidate

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).



Public
Information
Office

Board of County Commissioners

330 W. Church St.
P.O. Box 9005
Bartow, FL 33831
(941) 534-6090
Fax (941) 534-6055

DATE: April 23, 1997
TO: Barbara Osthoff, Supervisor of Elections Office
FROM: Sara Cheney, ^{SPC} Public Information Office
SUBJECT: Campaigning in Government Facilities

As we discussed, County policy prohibits campaign solicitation in government facilities. Attached is a memo recently sent to all Board of County Commissioners' department and division directors reminding them of the policy.

Please include this information in the packets you provide to candidates. Since candidates coming to your office may be unaware of this policy, we want to ensure that everyone is aware of the rules in order to prevent violations from occurring. I am also requesting that you make sure that any candidates who have already qualified receive this information as well.

Thanks for your help.

Attachment

xc: Jim Keene, County Manager

JIM W. KEENE
County Manager


JIM RODEN, JR.
Deputy County Manager



Board of County Commissioners

330 W. Church Street
Drawer CA01
Post Office Box 9005
Bartow, FL 33831-9005
(941) 534-6444
Fax (941) 534-7069

MEMORANDUM

DATE: April 15, 1997
TO: Department/Division Directors
FROM:  Jim W. Keene, County Manager
SUBJECT: CAMPAIGNING IN GOVERNMENT FACILITIES

Pursuant to the Facility Physical Security Standard Operating Procedures (SOP), approved by the Board on March 11, 1997, I would like to remind all Department and Division Directors that this SOP governs the appropriate use of all County facilities. One of the building rules and regulations outlined in the SOP is:

Soliciting, panhandling or petitioning is prohibited.

This regulation applies to candidates campaigning for elected office. Staff is instructed to intercede whenever a violation of the rules contained in the Standard Operating Procedure is noted.

Should you have any questions, please contact Mark Donald, Facilities Management Director at 534-0340.

Thank you for your attention to this matter.

JPF/mcd

FedEx. FedEx. FedEx.

Mr. Tim Vaccaro
Executive Director
Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-1050

FEC Case 19-516
Complainant: Bradley, Respondent: Robinson



Re: FEC Case No. 19-516; Complainant: Darlene Bradley Respondent: Rob Robinson
 Bradley to: Florida Elections Commission 10/21/2019 10:30 AM
 From: "D Bradley" <davenportmayor@gmail.com>
 To: "Florida Elections Commission" <fec@myfloridalegal.com>

Thank you for the reply. It will be in your office at 10:30 AM tomorrow, 10/22/19, via Federal Express Tracking # 776765765420.

On Mon, Oct 21, 2019 at 9:19 AM Florida Elections Commission <fec@myfloridalegal.com> wrote:

Dear Ms. Bradley,

We are in receipt of your email copy of FEC Form 2, amending the complaint you filed against Rob Robinson. However, we do not accept email submissions of complaints and or complaint amendments. You indicated that you have also sent the original via Federal Express but unless it is received in our office by close of business on the 25th, it will not be received timely.

Sincerely,

Donna Ann Malphurs
 Agency Clerk/Public Information Officer

"D Bradley" ---10/21/2019 07:35:14 AM---Mr. Tim Vaccaro, I received your certified letter on Saturday, 10/12/19. The attachments

From: "D Bradley" <davenportmayor@gmail.com>
 To: fec@myfloridalegal.com
 Date: 10/21/2019 07:35 AM
 Subject: FEC Case No. 19-516; Complainant: Darlene Bradley Respondent: Rob Robinson

Mr. Tim Vaccaro,

I received your certified letter on Saturday, 10/12/19. The attachments are in response to your judgement/conclusion.

I have attached one additional piece of evidence that Mr. Rennie Heath and Mr. J D Alexander provided their personal cell number and contact info at the meeting held on 6/3/17 at Southern Dunes Restaurant in Haines City. This is where Mr. Heath offered to give the city of Davenport \$1,000/home he sells for the proposed Davenport Community Center.

The attachments are also being sent to you via Federal Express to your attention.

--

Darlene Bradley

[attachment "fec 19-516 additional info.pdf" deleted by Donna Malphurs/OAG]

Elect

Darlene Bradley

for

Mayor

Vote April 2, 2019



Re: FEC Case No. 19-516; Complainant: Darlene Bradley Respondent: Rob Robinson

Florida Elections Commission to: D Bradley
Sent by: Donna Malphurs

10/21/2019 09:19 AM

From: Florida Elections Commission/OAG
To: "D Bradley" <davenportmayor@gmail.com>

Dear Ms. Bradley,

We are in receipt of your email copy of FEC Form 2, amending the complaint you filed against Rob Robinson. However, we do not accept email submissions of complaints and or complaint amendments. You indicated that you have also sent the original via Federal Express but unless is is received in our office by close of business on the 25th, it will not be received timely.

Sincerely,

Donna Ann Malphurs
Agency Clerk/Public Information Officer

"D Bradley"

Mr. Tim Vaccaro, I received your certified letter...

10/21/2019 07:35:14 AM

From: "D Bradley" <davenportmayor@gmail.com>
To: fec@myfloridalegal.com
Date: 10/21/2019 07:35 AM
Subject: FEC Case No. 19-516; Complainant: Darlene Bradley Respondent: Rob Robinson

Mr. Tim Vaccaro,

I received your certified letter on Saturday, 10/12/19. The attachments are in response to your judgement/conclusion.

I have attached one additional piece of evidence that Mr. Rennie Heath and Mr. J D Alexander provided their personal cell number and contact info at the meeting held on 6/3/17 at Southern Dunes Restaurant in Haines City. This is where Mr. Heath offered to give the city of Davenport \$1,000/home he sells for the proposed Davenport Community Center.

The attachments are also being sent to you via Federal Express to your attention.

--

Darlene Bradley

Donna Ann Malphurs
Agency Clerk/Public Information Officer



FEC Case No. 19-516; Complainant: Darlene Bradley Respondent: Rob RobinsonD Bradley
to: fec 10/21/2019 07:35 AM
From: "D Bradley" <davenportmayor@gmail.com>
To: fec@myfloridalegal.com

1 Attachment



fec 19-516 additional info.pdf

Mr. Tim Vaccaro,

I received your certified letter on Saturday, 10/12/19. The attachments are in response to your judgement/conclusion.

I have attached one additional piece of evidence that Mr. Rennie Heath and Mr. J D Alexander provided their personal cell number and contact info at the meeting held on 6/3/17 at Southern Dunes Restaurant in Haines City. This is where Mr. Heath offered to give the city of Davenport \$1,000/home he sells for the proposed Davenport Community Center.

The attachments are also being sent to you via Federal Express to your attention.

--

Darlene Bradley

FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 224,
Tallahassee, FL 32399-1050

ADDITIONAL COMPLAINT INFORMATION

Case Number: FEC 19-516

Pursuant to Rule 2B-1.0025, Florida Administrative Code, if you have additional information to correct the ground(s) of legal insufficiency stated in the attached letter, please explain in a concise narrative statement. Attach the statement and any relevant documentation to this form:

STATE OF FLORIDA

COUNTY OF Orange

I swear or affirm that the information in the attached statement is true and correct to the best of my knowledge.

J. Marlene Bradley
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 21st day of October, 20 19.

Julia Ann Brown
Signature of Officer Authorized to Administer

Oaths or Notary Public



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

Personally Known X Or Produced Identification _____

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

October 20, 2019

Mr. Tim Vaccaro
Executive Director
Florida Elections Commission
107 West Gaines Street
Suite 224
Tallahassee, FL 32399-1050

Re: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Mr. Vaccaro:

I received your judgement on Saturday 10/12/19 and I am very disappointed that you obviously did not read my submittal.

The court case that you cited states: *“The Court held that “actual malice” requires a showing that the person making the defamatory statement made it with knowledge that the statement was false or with reckless disregard of whether the statement was true or false.”*

My submittal dated 9/9/19 includes **70 pages of evidence of malicious, false, willful statements** made by Mr. Robinson. He sent numerous mailings to each resident repeating the same lies about me and my accomplishments, knowing they were false and malicious statements.

Your judgement also states erroneous facts stating I pled guilty to criminal use of the personal identification of a deceased person and knowingly possessing an altered/counterfeit decal. Obviously, you did not read the documents I sent showing these charges were dropped immediately...it clearly states **“no bill”** for these charges on the Polk County Clerk of Courts document I provided. I pled to the **unlawful use of a handicap placard and paid a \$250 parking ticket with adjudication withheld**, signed by State Attorney Brian Haas on 12/15/17. Mr. Robinson’s facebook also states all 3 were my “violations”; which is false. **(Attachment F)**

Mr. Robinson knows those charges were dropped, yet he has “reckless disregard of whether the statements he made was true or false” when he included this in his campaign literature, flyers, letters, post cards and postings on his facebook.

I **DID** initiate the Fourth of July Celebration in Davenport in 2015. When Mr. Bob Avery came to me and told me it was his dream to have a public reading of The Constitution and Declaration of Independence, I made it happen, I **“initiated”** it. First, I got permission to host this event at the city’s gazebo, then I created the program and obtained volunteers/speakers/sponsors for this event. Before this event, there had never been any type of celebration for Independence Day ever

Complainant: Bradley

Respondent: Robinson

in Davenport. This was the FIRST time ever a July 4th celebration occurred in Davenport and I initiated it and Mr. Robinson knows that I initiated it. This can be verified with Mr. Bob Avery (863) 852-7545. **(Attachment G)**

Mr. Robinson's took the accomplishments listed in my campaign brochure and created a flier denying everything that I listed that I accomplished as Mayor. I have provided 70 pages of evidence to you in my submittal that Mr. Robinson knowingly willfully lied about my accomplishments.

On 6/3/17, Kelly Callihan, City Manager, arranged a meeting with Rennie Heath, Fmr. Senator JD Alexander, John Lepley and myself **at Southern Dunes Restaurant in Haines City**. The purpose of this meeting was for Rennie Heath to apologize to Mr. Lepley for threatening him at a commission meeting in May, 2017. It was at this meeting where Rennie Heath offered to myself and Mr. Lepley to give the City of Davenport \$1,000/house he sells for the proposed Davenport community center. Rennie Heath signed his name agreeing to his promise and Fmr. Senator JD Alexander provided his cell number and made a promise to backup whatever commitments Rennie Heath had made to the city regarding a recreation area for a new subdivision in Highland Homes. Mr. Heath signed his name to this promise on a spiral notebook that I had with me. I have the original document Mr. Heath signed promising to give \$1,000/house that he sells, which I have provided a copy to you. **Your conclusion summary states this meeting took place at a commission meeting, which confirms you did not read my submittal.** On 2/5/2018 at a city commission meeting, two months after I resigned as Mayor of Davenport, Rennie Heath reiterated once again and confirmed his promise he had made earlier to me and Mr. Lepley that he would donate \$1,000/home to the city that he sells in Davenport to go towards building the Davenport Community Center. **(Attachments H and I)**

Mr. Robinson's flyer implied that I lied about the cost of a \$5,000 lien on citizens homes...that the amount was never established. The POINT is, not the amount, as I provided proof to you that the amount was verified with city documents; but that he implied I lied about a lien. Mr. Robinson knew his statement was false and malicious. Commission minutes from 10/29/2007 confirms Mr. Robinson's discussed a lien on citizen's home/property for a sewer. **(Attachments E and J)**

Retired Police Chief Robinson is fully aware and very knowledgeable about: (1) how the court system works (2) is next door neighbors to Mr. Avery and fully aware of the birth of the 4th of July startup (3) Mr. Robinson was a major sponsor of the efforts to stop the sewer efforts and a commissioner at the time the lien was brought to the fore. Mr. Robinson is not an innocent nor naïve candidate.

Complainant: Bradley Respondent: Robinson

The complaint form instructions state this form is for violations of FS 104 and 106; yet you did not address any of Mr. Robinson's campaign/finance violations related to FS 106 that I submitted:

1. You did not address voting conflicts when Mr. Robinson accepted \$5,000 donations from Rennie Heath and then voted in favor of his projects the next day. Mr. Robinson never abstain/recused himself from voting on his projects after accepting his campaign donations. In my submittal are commission minutes verifying Mr. Robinson voted in favor of Mr. Heath's and Mr. McKnight's projects upon receiving campaign donations from them. (**Attachments L, M, N, O, P and Q**).
2. The campaign Flyer "*Legacy: Something that is a part of you that remains*" created and distributed jointly by Mr. Robinson and Mr. Lynch; yet not listed on his finance campaign reports as paying 50% for printing/mailing expenses. (**Attachment E**)
3. The most someone can donate in a municipality election is \$1,000. Yet Mr. Robinson accepted \$5,000 from Rennie Heath. His finance reports M1 and M2 are **Attachment K**. Our City Clerk/Election Supervisor said that was the most money ever donated in a Davenport campaign.
4. You did not address two campaign post cards which **did not** include a disclaimer "paid for by" and was not listed on his finance campaign reports as "in kind" or not. (**Attachments R and S**)
5. You did not address Linda Robinson, his campaign treasurer, who took my literature out of the door jamb of a citizen's home because she said she knows what's best for who they vote for. Isn't this voter suppression/intimidation? (**Attachment C**)
6. You did not address Mr. Robinson campaigning in Davenport City Commission Chambers; i.e. tv interview during normal business hours in city hall. (**Link for the tv interview in city hall – Item 6.**)

I listed a few of my accomplishments as Mayor in my campaign brochure and Mr. Robinson's campaign literature intentionally lied and said these were not true. So what part of "false" "intentional" "malicious" statements he made does not meet FEC violations?

I read the violations for FS Chapter 104 and 106 and I provided the hard facts evidence of Mr. Robinson's violations. FS Chapters 104 and 106 doesn't state "half truths" or "white lies" are acceptable, it says "false, intentional, malicious statements" are violations.

Complainant: Bradley Respondent: Robinson

I am asking that you reread my submittals and pass it on to the Florida Elections Commission for their review. I find it hard to believe that you don't see the false, intentional, malicious statements he made in his campaign literature, mailings, social media, and post cards. Especially since you ignored so many areas submitted to you without comment. Not even dismissals.

I find it hard to believe that Fred Reilly, city attorney of Haines City & Belleair Beach caused you to summarily reject out of hand, hard evidence presented to the commission. Candidate Bobby Lynch whom co-paid for the joint advertisements with Mr. Robinson is an employee for City of Haines City. Fred Reilly is the Haines City attorney whose legal efforts for the city may have a direct effect on Mr. Lynch and/or his employment. Is this not either a recognizable conflict of interest nor conflict of ethical standards and requirements?

The speed at which your conclusions were reached is astounding in the history of the FEC. We know of NO FEC case, especially one so voluminous, dealt with by the FEC in less than a week. You received mine and Mr. Lepley's cases on 9/11 and you sent your rejection on 10/8. Considering there was a 5 business day response period, followed by a 14 business day response period – that left you less than a week to reach a determination. That is, unless you prejudged these complaints beforehand and without reading the 70 pages of evidence I submitted.

In FEC Case 17-094 which you received 3/9/17 and was of limited scope and volume – yet it took your office until 5/22/18 to finalize resolution. That's 14 months.

Yet my complaints which were so voluminous that a hard binder was necessary to present it – is resolved in less than a week. Really? Hard to believe isn't it? Especially since your response showed that much of my submittal was not read. Plus many individual complaints were not even addressed in your dismissal. I've included the attachments for the sections not addressed.

I respectfully ask you to reconsider your judgement and reopen your investigation and give it the full effort of your offices attention that we as citizens deserve.

I look forward to your assistance.

Thank you,

Darlenc Bradley

Attachments

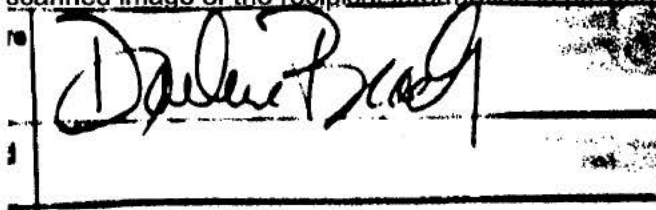


Date Produced: 10/14/2019

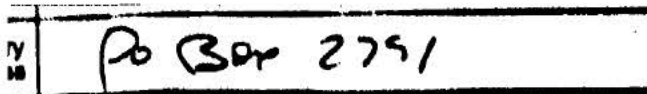
Florida Elections Commission:

The following is the delivery information for Certified Mail™/RRE item number 9214 8969 0099 9790 1630 3154 93. Our records indicate that this item was delivered on 10/12/2019 at 11:09 a.m. in DAVENPORT, FL 33837. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 19-516 EXP LI

Amended due 10/26



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



October 8, 2019

CERTIFIED MAIL 9214 8969 0099 9790 1630 3154 93

Darlene Bradley
P.O. Box 2791
Davenport, FL 33836

RE: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Ms. Bradley:

The Florida Elections Commission has received your complaint alleging violation of Florida's election laws.

Complainant essentially alleged that Respondent made false, malicious statements against Complainant. Section 104.271(2), F.S., prohibits a candidate from making or causing to be made, with malice, any statement about an opposing candidate which is false.

The United States Supreme Court established the standard that a candidate for public office must meet before her opposing candidate can be held accountable for making a false statement against her in *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964). The Court reminded us of the, "profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." *Id.* at 270. The Court said that neither erroneous statements nor statements injuring an official's reputation forfeit the First Amendment protection, which should provide "breathing space" for freedom of expression. The Court held that "actual malice" requires a showing that the person making the defamatory statement made it with knowledge that the statement was false or with reckless disregard of whether the statement was true or false.

Most of the statements with which Complainant took issue were printed in a joint political advertisement mailer paid for by Respondent and Bobby Lynch, candidate for Davenport Commission, Seat 3, which also referenced John Lepley, candidate for Davenport Commission, Seat 3 and Complainant's husband. Each statement at issue is addressed below.

"She [Complainant] was charged with two felonies and a misdemeanor." Complainant stated, "these charges were dropped the very next day," adjudication was withheld, and payment of a \$250 fine was made. Complainant provided a document showing she pled to criminal use of the personal identification of a deceased person, and knowingly possessing an altered/counterfeit

Darlene Bradley
October 8, 2019
Page 2
FEC 19-516

decal. Respondent provided a police department record in which an officer concluded that the facts supported probable cause that Complainant violated three statutes, one of which was a second-degree misdemeanor; the other two of which were third-degree felonies. Based upon the foregoing, it appears that Respondent's statement was sufficiently grounded in fact that it does not appear to have been a false statement made with actual malice.

"Contrary to their brochures, neither of them (Complainant and Lepley) initiated the Fourth of July celebration..." Respondent's statement on its face appears to suggest that Complainant and her husband were not the sole initiators of the event. However, Complainant provided a copy of her political advertisement in which she stated, "I instituted a new city tradition for July 4th..." Complainant indicated in her complaint that she volunteered to "assist" groups and individuals to "initiate, create, obtain" sponsors, guest speakers, and readers and to "coordinate" the event. In response to the complaint, Respondent asserted that the statement relative to the Fourth of July celebration was "factually accurate and thus did not constitute false or malicious charges." Based upon Complainant's statement in her political advertisement, versus Complainant's comments that she assisted a group, it appears that Respondent's statement was sufficiently grounded in fact that it does not appear to have been a false statement made with actual malice.

"Contrary to their brochures...neither (Complainant and Lepley) brokered a deal with a primary developer..." Complainant stated that at a Commission meeting in which she presided as then-Davenport Mayor, an agreement was reached with a developer to donate \$1,000 for every house he sold in Davenport. Complainant attached the minutes of the meeting, which indicated, in part, that the developer would honor an agreement he made with the prior Mayor. Respondent asserted that the statement relative to deal brokering was "factually accurate and thus did not constitute false or malicious charges." The documents provided by Complaint do not show that she specifically brokered the agreement. Based upon the foregoing, it appears that Respondent's statement was sufficiently grounded in fact that it does not appear to have been a false statement made with actual malice.

"Contrary to their brochures...neither (Complainant and Lepley) stopped a \$5,000 lien on our homes for sewer as the amount was never established." Complainant appears to take exception to the part of the statement claiming the amount was never established. However, that part of the statement was not about Complainant and, therefore, is not a false, malicious statement about Complainant. In response to the complaint, Respondent asserted that the statement relative to the lien was "factually accurate and thus did not constitute false or malicious charges."

Complainant also claimed Respondent posted false and malicious comments about her on his Facebook page, indicating, "i.e., he said I will lie to get elected, I stole handicap placards, I sent viciousness emails about him and personal attacks against him." She attached print-outs from Respondent's Facebook page. The comments regarding the handicap placard appear reasonably

Darlene Bradley
October 8, 2019
Page 3
FEC 19-516

based in fact, as previously addressed. The other comments, at best, appear to be opinions and generalizations about character that are part of the robust debate permitted on political issues, including unpleasantly sharp attacks, as outlined in the *New York Times Co.* case.

For these reasons, I find the complaint to be Legally Insufficient.

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If no additional information is received correcting the stated grounds of insufficiency, this case will be closed. Enclosed is the form for submitting additional information. Should you submit an additional statement containing facts, your statement must contain your notarized signature. Any additional facts submitted to the Commission must be based on either personal information or information other than hearsay.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Tim Vaccaro
Executive Director

TV/med

Enclosure: Additional Complaint Information Form 2
cc: Fred Reilly, Attorney for Respondent w/out Enclosure

FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 224,
Tallahassee, FL 32399-1050

ADDITIONAL COMPLAINT INFORMATION

Case Number: FEC 19-516

Pursuant to Rule 2B-1.0025, Florida Administrative Code, if you have additional information to correct the ground(s) of legal insufficiency stated in the attached letter, please explain in a concise narrative statement. Attach the statement and any relevant documentation to this form:

STATE OF FLORIDA

COUNTY OF _____

I swear or affirm that the information in the attached statement is true and correct to the best of my knowledge.

Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this _____ day of _____, 20_____.

Signature of Officer Authorized to Administer
Oaths or Notary Public

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

Personally Known _____ Or Produced Identification _____

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.



FEC Complaint No. 19-516 (Bradley v. Robinson) Fred Reilly to: fec@myfloridalegal.com
10/04/2019 06:56 PM
Cc: "Linda Robinson"
From: "Fred Reilly" <fredreilly@attorney-solicitor.com>
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>
Cc: "Linda Robinson" <lmrobinson1949@gmail.com>

2 Attachments



Robinson Response 19 516.pdf Robinson Exhibits A B C 19 516.pdf

FEC Complaint No. 19-516 (Bradley v. Robinson)

ATTN: Donna Malphurs

Hi Donna,

Attached please find the following in regards to the above-captioned FEC case:

- A. H.B. "Rob" Robinson's Response to Complaint.
- B. Exhibits A and B.

I had previously submitted the Notice of Appearance.

Please contact me if you have any questions. Thanks in advance.

Very truly yours,

Fred Reilly*
Reilly International Law Firm, P. A..
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Fax. (863) 439-5077
Skype: fred.reilly
Email: fredreilly@attorney-solicitor.com
Website: www.attorney-solicitor.com

*Licensed to practice in California, Florida and as an English Solicitor. Admitted to practice before the United States Supreme Court and the United States Court of International Trade. Awarded Masters degree (LL.M. in International Business Law) from The London School of Economics and Political Science.

IMPORTANT NOTICE: This transmission contains legal advice that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, photocopying or distribution of the contents is unauthorized and prohibited. If you have received this in error, please notify the sender immediately and destroy all copies.

FLORIDA ELECTIONS COMMISSION

COMPLAINANT: DARLENE BRADLEY

RESPONDENT: H.B. "ROB" ROBINSON

CASE NO. FEC 19-516

RESPONSE TO FEC COMPLAINT FILED BY DARLENE BRADLEY

COMES NOW, the Respondent, H. B. "Rob" Robinson, by and through his undersigned attorney, files this Response to the Florida Elections Commission Complaint by the Complainant, Darlene Bradley, and states as follows:

Preliminary Matters

- A. The Complainant, Darlene Bradley shall be referred to as "Bradley" in this Response.
- B. The Respondent, H. B. "Rob" Robinson shall be referred to as "Robinson" in this Response.
- C. The Florida Elections Commission Complaint No. 19-516 filed by Bradley against Robinson (dated September 9, 2019) shall be referred to as the "Complaint" in this Response.
- D. The Complaint was served on Robinson by certified mail received on September 16, 2019.

Responses to Specific Allegations Set Forth in the Complaint

1. ALLEGATION OF VOTER INTIMIDATION/SUPPRESSION VIOLATION.

Alleged Violation: Section 104.0615, Florida Statutes.

Factual Allegation:

Response:

A. Robinson did not violate Section 104.0615 and Bradley's factual allegation does not establish probable cause for such violation.

B. Section 104.0615 states three basis for voter intimidation or suppression.

C. Bradley's allegation does not state any factual basis for a charge that Rob Robinson committed a violation of Section 104.0615.

D. Bradley essentially alleges that Linda Robinson (the wife of Rob Robinson) violated Section 104.0615.

E. Robinson is not vicariously liable for any actions of another individual.

F. Bradley's allegation that Linda Robinson confirmed to the Davenport City Clerk that "she did do this in an email to Rachel Castillo" is inconsistent with the response email from Rachel Castillo to Bradley which stated:

"In response to your email received today. Contact was made to Linda Robinson. She advises that she read the brochure. She took pictures of it with her phone and did not keep it but put it back in the door jamb. She did inform the Meyer's of what she had done. She extended an apology to you and John."

G. Assuming for argument's sake that Bradley's allegation was against Linda Robinson, the allegation does not state any factual basis for a charge that Linda Robinson committed a violation of Section 104.0615. In addition, Linda Robinson has not been served with a FEC Complaint and she has the right to due process in respect to any proceeding involving potential criminal penalties.

2. ALLEGATION OF FALSE OR MALICIOUS CHARGES AGAINST OPPOSING CANDIDATE VIOLATION.

Alleged Violation: Section 104.271, Florida Statutes

Factual Allegation: False or Malicious charges against, or false statements about, opposing candidate: On 3/31/2019 Rob Robinson posted false and malicious comments about me on his facebook; i.e. he said I will lie to get elected, I stole handicap placards, I sent viciousness emails about him and personal attacks against him. All of the statements are false and malicious.

Attachment D Link: (link address)”

Response:

A. Robinson’s statement about Bradley “stealing, altering a handicapped parking placard, and identity theft of a deceased woman” was factually accurate and thus did not constitute false or malicious charges in violation of Section 104.271, Florida Statutes.

B. The Affidavit Continuation from the Polk County Sheriff’s Office (Incident No. 170050907) states in part, as follows:

“The facts above support the probable cause belief that Mayor Teresa Bradley did knowingly utilize a handicapped placard within Polk County without authorization in violation of F.S.S. 324.0848. Mayor Teresa Bradley also knowingly used the personal information (Florida DLID number) of Evelyn Klinger Letterman after her death in violation of F.S.S. 817.568 (8)(A). Mayor Teresa Bradley also knowingly possessed an altered or counterfeit decal (validation sticker) in this state in violation of F.S.S. 320.26.”

C. The violation of F.S.S. 324.0848 (7) (fraudulently obtains or unlawfully displays a disabled parking permit that belongs to another person while occupying a disabled parking space) is a second degree misdemeanor.

D. The violation of F.S.S. 817.568 (8)(a) (willfully and fraudulently uses, or possesses with intent to fraudulently use, personal identification information concerning a deceased individual) is a third degree felony.

E. The violation of F.S.S. 320.26 (counterfeiting license plates, validation stickers, mobile home stickers, cab cards, trip permits, or special temporary operational permits prohibited) is a third degree felony.

F. In one of Robinson's Facebook messages cited by Bradley, Robinson stated: "While it should not come as a surprise to me, I am astonished and offended at the viciousness of their lies and personal attacks against me, Commissioner Bobby Lynch, and Commissioner Tom Fellows." In the same Facebook message, Robinson stated: "Florida Statute 104.271 states, "A candidate may not, with actual malice, make any false statement about an opposing candidate."

3. ALLEGATION OF FALSE OR MALICIOUS CHARGES AGAINST OPPOSING CANDIDATE VIOLATION.

Alleged Violation: Section 104.271, Florida Statutes.

Factual Allegation: "False or Malicious charges against, or false statements about, opposing candidate: Rob Robinson mailed a flyer "Legacy: Something that is a part of you that remains" to everyone in Davenport with the following false and malicious statements. Attachment E.

A. "Darlene Bradley charged with 2 felonies and a misdemeanor." (Additional narrative omitted).

B. "Darlene Bradley did not initiate the Fourth of July celebration." (Additional narrative omitted).

C. "Darlene Bradley never brokered a deal with a primary developer." (Additional narrative omitted).

D. "5,000 lien on our homes for sewer as the amount was never established." (Additional narrative omitted).

Response:

A. Alleged False or Malicious Charge: "Darlene Bradley charged with 2 felonies and a misdemeanor." (Additional narrative omitted).

Response:

i. Robinson's statement that Bradley had been "charged with 2 felonies and a misdemeanor" was factually accurate and thus did not constitute false or malicious charges in violation of Section 104.271, Florida Statutes.

ii. The Affidavit Continuation from the Polk County Sheriff's Office (Incident No. 170050907) states in part, as follows:

"The facts above support the probable cause belief that Mayor Teresa Bradley did knowingly utilize a handicapped placard within Polk County without authorization in violation of F.S.S. 324.0848. Mayor Teresa Bradley also knowingly used the personal information (Florida DLID number) of Evelyn Klinger Letterman after her death in violation of F.S.S. 817.568 (8)(A). Mayor Teresa Bradley also knowingly possessed an altered or counterfeit decal (validation sticker) in this state in violation of F.S.S. 320.26."

iii. The violation of F.S.S. 324.0848 (7) (fraudulently obtains or unlawfully displays a disabled parking permit that belongs to another person while occupying a disabled parking space) is a second degree misdemeanor.

iv. The violation of F.S.S. 817.568 (8)(a) (willfully and fraudulently uses, or possesses with intent to fraudulently use, personal identification information concerning a deceased individual) is a third degree felony.

v. The violation of F.S.S. 320.26 (counterfeiting license plates, validation stickers, mobile home stickers, cab cards, trip permits, or special temporary operational permits prohibited) is a third degree felony.

B. "Darlene Bradley did not initiate the Fourth of July celebration." (Additional narrative omitted).

Response:

i. Robinson's statement that Bradley "did not initiate the Fourth of July celebration" was factually accurate and thus did not constitute false or malicious charges in violation of Section 104.271, Florida Statutes.

ii. The "question of whether the evidence supports a finding of actual malice is a question of law." Sharkey v. Florida Elections Commission, 90 So. 3d 937 (Fla. 2nd DCA 2012).

iii. Bradley's allegation does not provide clear and convincing evidence that Robinson's statement violates the standard stated in Sharkey:

The Supreme Court has explained that "reckless conduct is not measured by whether a reasonably prudent man would have published, or would have investigated before publishing." St. Amant v. Thompson, 390 U.S. 727, 731, 88 S.Ct. 1323, 20 L.Ed.2d 262 (1968). Rather, "[t]here must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication." Id. That said, a defendant would not be able to

“automatically insure a favorable verdict by testifying that he published with a belief that the statements were true.” Id. at 732. Instead, the finder of fact should resolve the issue of whether the statements were made in good faith by evaluating the source of the allegations and the probability of their correctness. The court explained:

Professions of good faith will be unlikely to prove persuasive, for example, where a story is fabricated by the defendant, is the product of his imagination, or is based wholly on an unverified anonymous telephone call. Nor will they be likely to prevail when the publisher's allegations are so inherently improbable that only a reckless man would have put them in circulation. Likewise, recklessness may be found where there are obvious reasons to doubt the veracity of the informant or the accuracy of his reports.

Id.

C. “Darlene Bradley never brokered a deal with a primary developer.” (Additional narrative omitted).

Response:

i. Robinson’s statement that Bradley “never brokered a deal with a primary developer” was factually accurate and thus did not constitute false or malicious charges in violation of Section 104.271, Florida Statutes.

ii. The “question of whether the evidence supports a finding of actual malice is a question of law.” Sharkey v. Florida Elections Commission, 90 So. 3d 937 (Fla. 2nd DCA 2012).

iii. Bradley’s allegation does not provide clear and convincing evidence that Robinson’s statement violates the standard stated in Sharkey:

The Supreme Court has explained that “reckless conduct is not measured by whether a reasonably prudent man would have published, or would have investigated before publishing.” St. Amant v. Thompson, 390 U.S. 727, 731, 88 S.Ct. 1323, 20 L.Ed.2d 262 (1968). Rather, “[t]here must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication.” Id. That said, a defendant would not be able to “automatically insure a favorable verdict by testifying that he published with a belief that the statements were true.” Id. at 732. Instead, the finder of fact should

resolve the issue of whether the statements were made in good faith by evaluating the source of the allegations and the probability of their correctness. The court explained:

Professions of good faith will be unlikely to prove persuasive, for example, where a story is fabricated by the defendant, is the product of his imagination, or is based wholly on an unverified anonymous telephone call. Nor will they be likely to prevail when the publisher's allegations are so inherently improbable that only a reckless man would have put them in circulation. Likewise, recklessness may be found where there are obvious reasons to doubt the veracity of the informant or the accuracy of his reports.

Id.

D. “5,000 lien on our homes for sewer as the amount was never established.” (Additional narrative omitted).

Response:

i. Robinson’s statement that “neither (Bradley or Lepley) stopped a \$5,000 lien on our homes for sewer as the amount was never established” was factually accurate and thus did not constitute false or malicious charges in violation of Section 104.271, Florida Statutes.

ii. The “question of whether the evidence supports a finding of actual malice is a question of law.” *Sharkey v. Florida Elections Commission*, 90 So. 3d 937 (Fla. 2nd DCA 2012).

iii. Bradley’s allegation does not provide clear and convincing evidence that Robinson’s statement violates the standard stated in Sharkey:

The Supreme Court has explained that “reckless conduct is not measured by whether a reasonably prudent man would have published, or would have investigated before publishing.” *St. Amant v. Thompson*, 390 U.S. 727, 731, 88 S.Ct. 1323, 20 L.Ed.2d 262 (1968). Rather, “[t]here must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication.” *Id.* That said, a defendant would not be able to “automatically insure a favorable verdict by testifying that he published with a belief that the statements were true.” *Id.* at 732. Instead, the finder of fact should resolve the issue of whether the statements were made in good faith by evaluating the source of the allegations and the probability of their correctness. The court explained:

Professions of good faith will be unlikely to prove persuasive, for example, where a story is fabricated by the defendant, is the product of his imagination, or is based wholly on an unverified anonymous telephone call. Nor will they be likely to prevail when the publisher's allegations are so inherently improbable that only a reckless man would have put them in circulation. Likewise, recklessness may be found where there are obvious reasons to doubt the veracity of the informant or the accuracy of his reports.

Id.

4. ALLEGATION OF CAMPAIGN DONATION VIOLATION.

Alleged Violation: Section 106.08 (5), Florida Statutes.

Factual Allegation:

In the FEC Complaint, Bradley alleged:

“Rennie Heath (Developer) gave \$5,000 in campaign donations to Rob Robinson as reported in his campaign financial report M2 for period 3/2 – 3/15/19 Attachment K. Mr. Robinson listed 5 different entities for Mr. Rennie Heath with the same address listing \$1,000 contribution for each entity, exceeding the amount allowing in a municipal election.”

Response

A. Robinson did not violate Section 106.08 (5) and Bradley’s factual allegation does not establish probable cause for such violation.

B. Section 106.08 (5)(a) states: “A person may not make any contribution through or in the name of another, directly or indirectly, in any election.”

C. Section 106.011, Florida Statutes, states, in part, as follows:

(14) “Person” means an individual or a corporation, association, firm, partnership, joint venture, joint stock company, club, organization, estate, trust, business trust, syndicate, or other combination of individuals having collective capacity. The term includes a political party, affiliated party committee, or political committee.

D. Each of the following five (5) entities made a contribution of \$1,000.00 to Robinson’s campaign and such contributions were duly reported in Robinson’s campaign reports:

1. Cassidy Holdings Group
2. Winter Haven Management Services LLC
3. Lakeville Partners LLC
4. Heath Construction & Management LLC
5. CAS Holdings LLC

Each of the entities constitute a separate and distinct “person” as defined by Section 106.011 (14), Florida Statutes.

5. ALLEGATION OF VOTING CONFLICTS VIOLATION.

Alleged Violation: Section 104.071 and 112.3143, Florida Statutes.

Factual Allegation: “FS 104.071 and FS 112.3143 Voting Conflicts Violation – Mr. Robinson did not disclose nor abstain from voting in favor of Mr. Heath’s and Mr. McKnight’s projects after receiving \$5,400 in campaign donations from these developers. (Minutes of his voting records attached.)” (List of Attachments, Dates and Ordinances omitted).

Response:

A. Robinson did not violate either Section 104.071 or Section 112.3143, and Bradley’s factual allegation does not establish probable cause for such violation.

B. Section 104.071, Florida Statutes addresses remuneration by a candidate for services or support.

C. Contrary to Bradley’s allegation, Robinson did affirmatively disclose his campaign contributions (including the campaign contributions from Cassidy Holdings Group, Winter Haven Management Services LLC, Lakeville Partners LLC, Heath Construction & Management LLC, CAS Holdings LLC in the duly filed Campaign Reports (attached hereto as Exhibit A) in compliance with Section 106.07(4), Florida Statutes.

D. Subsequent to Robinson's disclosure of campaign contributions in compliance with Section 106.07(4), Robinson performed his affirmative duty as an elected official to vote on all matters before the City Commission including those annexation, zoning and land development matters cited by Bradley. Robinson did not abstain from such votes because there was no special private gain or loss which would be the basis for his disqualification. See George v. City of Cocoa, Fla., 78 F. 3d 494 (11th Cir., 1996) at p. 496:

Florida law imposes on elected officials an affirmative duty to vote on all matters before them; abstaining from a vote is prohibited unless "there is, or appears to be, a possible conflict of interest under § 112.311, § 112.313, or § 112.3143." Fla. Stat. Ann. § 286.012 (West 1995). Section 286.012 speaks only of when a public official may abstain from voting; it does not describe the circumstances under which a public official must abstain from voting. The statutory provision dealing with mandatory abstention from city council voting is Fla. Stat. Ann. § 112.3143(3)(a) (West 1995); it provides that "[n]o county, municipal, or other local public officer shall vote in his official capacity upon any measure which would inure to his special private gain or loss...." Under § 112.3143(3)(a), the identification of a "special private gain or loss" to the city council member as a result of his or her vote is a necessary condition for disqualification.

E. Bradley's base allegation is that Robinson engaged in an illegal quid pro quo with real estate developers, but Bradley has not provided any clear and convincing evidence which establishes probable cause for such a violation.

6. ALLEGATION OF CAMPAIGNING IN GOVERNMENT FACILITIES VIOLATION.

Alleged Violation: Section 106.15, Florida Statutes.

Factual Allegation: "Rob Robinson commandeered the Davenport Commission Chambers during normal business hours to conduct two (2) tv interviews to promote his campaign, "integrity." Every candidate's packet included a memo from the Polk County Board of County Commissioners prohibiting campaigning in government facilities. Link for Bay News 9 interview on 3/8/2019: (Link)."

Response

A. Robinson did not violate Section 106.15 and Bradley's factual allegation does not establish probable cause for such violation.

B. Section 106.15, states, in part, as follows:

(4) No person shall make and no person shall solicit or knowingly accept any political contribution in a building owned by a governmental entity. For purposes of this subsection, "accept" means to receive a contribution by personal hand delivery from a contributor or the contributor's agent. This subsection shall not apply when a government-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund raiser.

C. Robinson conducting "two (2) tv interviews" in a municipal building is clearly not a violation of Section 106.15.

7. ALLEGATION OF CAMPAIGN FINANCE REPORTING VIOLATION.

Alleged Violation: Section 106.143, Florida Statutes.

Factual Allegation: "Literature does not reference "paid for by" statement nor are these expenses listed in his campaign finance reports. Mr. Robinson failed to report the printing and postage expenses for two large post cards (6" x11") in his campaign finance reports as an in-kind contribution or as an expense for the following 2 post cards:

- i. "A Message to the Residents of Davenport" Attachment R
- ii. The Question is – are you going to be misled again Attachment S"

Response

A. Robinson did not violate Section 106.143 and Bradley's factual allegation does not establish probable cause for such violation.

B. Section 106.143 sets forth standards for political advertisements paid for by a candidate, political advertisements made as in-kind contributions, political advertisements by political parties or organizations, and prohibitions related to political advertisements.

C. The two items of campaign literature (Attachment R and Attachment S of the Complaint) do not state any name (and specifically do not state that these items were sent by, paid for by, or authorized by Robinson) and therefore were anonymous communications (the “Anonymous Literature”).

D. Robinson did not pay for, authorize, approve, or have any connection whatsoever to the Anonymous Literature. The individual(s) who prepare the Anonymous Literature may have violated Section 106.143, but Robinson has no culpability for the actions of such individual(s).

8. ALLEGATION OF CAMPAIGN FINANCE REPORTING VIOLATION.

Alleged Violation: Section 106, Florida Statutes.

Factual Allegation: “FS 106 A photo posted on Rob Robinson’s face book of Linda Robinson (Treasurer), Bob Lynch (Seat 3 Candidate), Denise Lynch (Treasurer) at Rob Robinson’s house preparing a letter “Legacy: Something that is a part of you that remains”; which does state is paid for by both Rob Robinson and Bob Lynch; but is not referenced on his finance report as paying for 50% of these “shared” expenses for printing, envelopes and postage for this document. Photo of both campaigns together preparing “The Legacy” mailings at Robinson’s house – Attachment T.”

Response:

A. Robinson did not violate Chapter 106 and Bradley’s factual allegation does not establish probable cause for such violation.

B. The “standard of proof in a case seeking fines under chapter 106 is clear and convincing evidence.” Diaz de la Portilla v. Florida Elections Commission, 857 So. 3d 913, 917 (Fla. 3rd DCA 2003).

C. "There is no vicarious liability under chapter 106." Diaz de la Portilla v. Florida Elections Commission, 857 So. 3d 913, 917 (Fla. 3rd DCA 2003).

D. Contrary to Bradley's allegation, Robinson did affirmatively disclose his campaign expenditures (including the campaign expenditures to Staples for the Robinson's fifty percent (50%) share of "The Legacy" printing, envelopes and postage expenses) in the duly filed Campaign Report dated March 29, 2019, in compliance with Section 106.07(4), Florida Statutes. The Campaign Report dated March 29, 2019, and the corresponding Staples invoice are attached hereto as Exhibit B.

WHEREFORE, H.B. "Rob" Robinson respectfully requests that the Commission make the determination that none of the eight (8) counts of the Complaint filed by Darlene Bradley are legally sufficient to establish probable cause and therefore this case should be closed.

Robinson's Request that the Commission make

A Finding Against Bradley pursuant to

Section 106.265 (6), Florida Statutes

The Respondent, H. B. "Rob" Robinson, respectfully requests that that the Commission make a finding against Darlene Bradley pursuant to Section 106.265 (6), Florida Statutes, and that Darlene Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, and states as follows:

A. Section 106.265 (6), Florida Statutes, states as follows:

In any case in which the commission determines that a person has filed a complaint against another person with a malicious intent to injure the reputation of the person complained against by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for

whether the complaint contains false allegations of fact material to a violation of this chapter or chapter 104, the complainant shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees. If the complainant fails to pay such costs and fees voluntarily within 30 days following such finding by the commission, the commission shall forward such information to the Department of Legal Affairs, which shall bring a civil action in a court of competent jurisdiction to recover the amount of such costs and fees awarded by the commission.

B. Robinson respectfully requests that the Commission make a finding that:

i. Bradley filed the Complaint against Robinson with a malicious intent to injure Robinson's reputation by filing the Complaint with knowledge that the Complaint contains one or more false allegations or with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of this chapter or chapter 104, and

ii. Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees.

C. The Complaint filed by Bradley was clearly intended to injure the reputation of Robinson. Bradley's Complaint included the following statements:

i. Count 3(i) of the Complaint - Allegation that Robinson violated Section 104.271 by stating that "Darlene Bradley charged with 2 felonies and a misdemeanor." Since there is unequivocal evidence that Bradley was in fact charged with two (2) felonies and a misdemeanor, this allegation by Bradley is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 104.

ii. Count 4 of the Complaint - Allegation that Robinson violated Section 106.08 (5). Since there is unequivocal evidence that (i) Robinson fully complied with Section 106.08 (5),

and (ii) the plain words of Bradley's allegation fundamentally disregard the fact that a corporation or limited liability company constitutes a "person" (as defined by Section 106.011 (14), Florida Statutes), this allegation by Bradley is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 106.

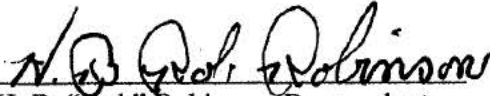
iii. Count 6 of the Complaint - Allegation that Robinson violated Section 106.15. Since there is unequivocal evidence that (i) Robinson fully complied with Section 106.15, and (ii) the plain words of Bradley's allegation flagrantly misinterpret Section 106.15, Florida Statutes, this allegation by Bradley is false or made with reckless disregard for whether the Complaint contains false allegations of fact material to a violation of chapter 106.

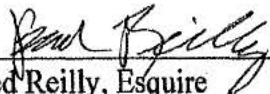
iv. "Mr. Robinson will stand for re-election at the beginning of 2020. The election is held the first Tuesday in April 2020. Resolution of this affidavit of complaint is urgent and crucial so that the citizens are not forced into either a special election of the commission appointing their own mayor."

WHEREFORE, H.B. "Rob" Robinson respectfully requests that the Commission make a finding against Darlene Bradley pursuant to Section 106.265 (6), Florida Statutes, and that Darlene Bradley shall be liable for costs and reasonable attorney's fees incurred in the defense of Robinson.

[Remainder of page intentionally blank]

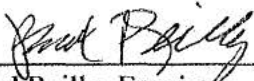
Respectfully submitted this 30th day of September, 2019.


H. B. "Rob" Robinson, Respondent


Fred Reilly, Esquire
Florida Bar No. 607800
Reilly International Law Firm, P.A.
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Email: fredreilly@attorney-solicitor.com
Attorney for H. B. "Rob" Robinson

CERTIFICATION

I hereby certify that a true and correct copy of this Response to FEC Complaint filed by
Darlene Bradley was sent to the Florida Elections Commission via email
(fec@myfloridalegal.com) this 30th day of September, 2019.


Fred Reilly, Esquire

FTV
October

FLORIDA ELECTIONS COMMISSION

COMPLAINANT: DARLENE BRADLEY

RESPONDENT: H.B. "ROB" ROBINSON

CASE NO. FEC 19-516

EXHIBIT A

SHERIFF'S OFFICE AFFIDAVIT CONTINUATION

OFFICIAL
CONTINUATION

Sheriff's

Office



STATE OF FLORIDA
F0530000

Polk County

Winter Haven, FL

INCIDENT NUMBER
170050907

COMPLAINANT:

CRIMINALITY:

STATE:

NA

LETTERMAN EVELYN

WA

NA

0000

PROBABLE CAUSE:

On 11-08-2017, information was obtained that the current City Mayor of Davenport, Teresa Bradley, and her husband, John Lepley were parking their personally owned vehicles in various handicapped parking spots at Davenport City Hall and neither party was known to have a valid reason for being issued a handicapped placard by the State of Florida.

As a result, records were obtained from the Office of the Polk County Tax Collector that confirmed neither Mayor Teresa Bradley or her husband John Lepley were issued either a disabled placard or a handicapped license plate by the State of Florida. As a result, covert surveillance was conducted on several dates following this information which revealed that Mayor Teresa Bradley was in possession of and used handicapped placard number of A7324747 with a displayed expiration date of 10-18. This placard was found to be issued to Evelyn Klinger Letterman of Davenport with a true expiration of 10-30-2013. Further research revealed that Evelyn Klinger Letterman died on 08-29-2012.

Surveillance was conducted on 11-20-2017 at the Davenport City Hall meeting believing that both Mayor Teresa Bradley and her husband John Lepley would be attending and would likely park their respective personal vehicles in the only two clearly marked handicapped parking spots and would utilize these two handicapped placards to do so. This surveillance was conducted by Sheriff's Office Detectives with the use of video and still image cameras.

At around 1745 hours, video was obtained showing Mayor Teresa Bradley driving her black Ford Crown Victoria with the attached Florida tag entering the one-way roadway identified as Williams Street before parking this vehicle in one of two clearly marked handicapped parking spots on the North side of the building. Your affiant observed no displayed placard prior to the vehicle parking in the handicapped spot. Video was also obtained of Mayor Teresa Bradley exiting the vehicle with no assistance, removing a large wheeled brief/suit case from the trunk and walking into the City Hall meeting without assistance.

*** Note ***

Each of the two described handicapped parking spots are marked properly with a clear blue painted line showing the parking location on the concrete ground and a clearly visible sign showing the parking spot is for handicapped persons with an associated violation fine.

Still images were then obtained of the properly displayed placard and with the quality of the image I was able to zoom in on the decal itself. This allowed your affiant to inspect the associated placard number and Florida DL/D number assigned to the decal (Validation Sticker). This review revealed the placard number matched the primary placard number of A7324747 and the Florida DL number of which belongs to Evelyn Klinger Letterman.

This also confirmed the decal expiration on the decal as 10-18 meaning October of 2018. Confirmation has been obtained from the Polk County Tax Collector, where this placard was issued, that this placard did in fact expire at the time of her death but on face value, 10-30-2013 thus making this decal false. The Polk County Tax Collector's Office also confirmed Mayor Teresa Bradley has never been issued a handicapped placard and is not authorized to have one.

AFFIDAVIT
CONTINUATION

Sheriff's

Office

OFFICIAL USE ONLY
17005090

Polk County



Winter Haven, FL

OFFICIAL USE ONLY
17005090

Video was also obtained of Mayor Teresa Bradley exiting the vehicle with no assistance, removing a large wheeled brief-suit case from the trunk and walking into the City Hall meeting without assistance.

Still images were obtained on the same above placard being presented hanging from the rear view mirror of the vehicle. Video was also obtained at the conclusion of the meeting showing Mayor Teresa Bradley entering her vehicle by herself and removing the posted placard before driving away from this location.

The facts above support the probable cause belief that Mayor Teresa Bradley did knowingly utilize a handicapped placard within Polk County without authorization in violation of F.S.S. 320.0848. Mayor Teresa Bradley also knowingly used the personal information (Florida DL/ID number) of Evelyn Klinger Letterman after her death in violation of F.S.S. 817.568 (8)(A). Mayor Teresa Bradley also knowingly possessed an altered or counterfeit decal (validation sticker) in this state in violation of F.S.S. 320.26.

SWORN TO AND SUBSCRIBED BEFORE ME, THE UNDERSIGNED AUTHORITY, THIS

2017 December 19

This affidavit was electronically signed

COPIE/DANIEL

0017

COPIE/KEVIN

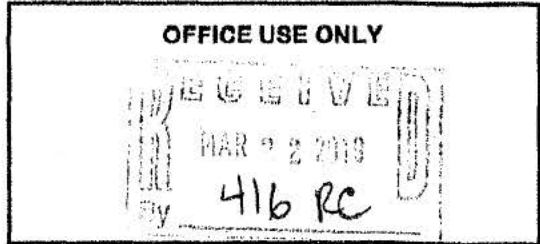
0787

DEPUTY CLERK/SOLICITOR PUBLIC DEF

OFFICIAL

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) H. B. "ROB" ROBINSON
 Name
 (2) 314 Cypress Street East (PO Box 1257 / zip 33836)
 Address (number and street)
Davenport, FL 33837
 City, State, Zip Code



Check here if address has changed

(3) ID Number: M2

(4) Check appropriate box(es):

Candidate Office Sought: Mayor, City of Davenport

Political Committee (PC)

Electioneering Communications Org. (ECO)

Party Executive Committee (PTY)

Independent Expenditure (IE) (also covers an individual making electioneering communications)

Check here if PC or ECO has disbanded

Check here if PTY has disbanded

Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 03 / 02 / 2019 To 03 / 15 / 2019 Report Type: _____

Original

Amendment

Special Election Report

(6) Contributions This Report

Cash & Checks \$, 5 , 150 . 00

Loans \$, , .

Total Monetary \$, 5 , 150 . 00

In-Kind \$, , .

(7) Expenditures This Report

Monetary Expenditures \$, 2 , 490 . 38

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, 2 , 490 . 38

(8) Other Distributions (Petty Cash Spent)

\$, , 32 . 08

(9) TOTAL Monetary Contributions To Date

\$, 8 , 000 . 00

(10) TOTAL Monetary Expenditures To Date

\$, 4 , 084 . 48

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name) Linda M. Robinson

Individual (only for IE) Treasurer Deputy Treasurer

(Type name) H. B. "Rob" Robinson

Candidate Chairperson (only for PC and PTY)

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name H. B. "ROB" ROBINSON (2) I.D. Number M2

(3) Cover Period 03 / 02 / 2019 through 03 / 15 / 2019 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number							
03 / 02 / 19 1	Harriet Rewis Rust 1830 Pawnee Trail Lakeland, FL 33803	I	Retired	CHE			\$150.00
03 / 04 / 19 2	Cassidy Holdings Group 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 3	Winter Haven Manage- ment Services LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 4	Lakeville Partners LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 5	Heath Construction & Management LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 6	CAS Holdings LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
/ /							

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name H. B. "ROB" ROBINSON

(2) I.D. Number M2

(3) Cover Period 03 / 02 / 2019 through 03 / 15 / 2019

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(8) Sequence Number					
03 / 06 / 19	Sign Depot 1100 West Colonial Dr., Unit 1 Orlando, FL 32804	Vinyl Banner Sign	CAN		\$92.00
1					
03 / 06 / 19	Allegra Print and Imaging 4498 S. Vineland Road Orlando, FL 32811	Copy and Mail Campaign Brochure	CAN		\$2,322.38
2					
03 / 07 / 19	Staples 3500 Posner Boulevard Davenport, FL 33837	Paper	PCS		\$32.08
3					
03 / 12 / 19	Bank of America VISA PO Box 851001 Dallas, TX 78285-1001	Campaign Buttons Purchased from VictoryStore.com	CAN		\$76.00
4					
/ /					
/ /					
/ /					
/ /					

FLORIDA ELECTIONS COMMISSION

COMPLAINANT: DARLENE BRADLEY

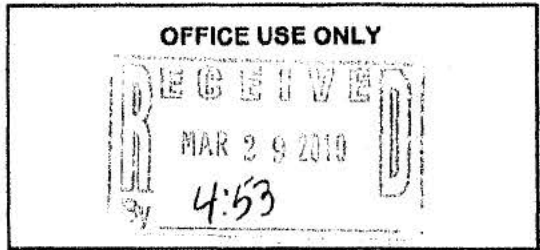
RESPONDENT: H.B. "ROB" ROBINSON

CASE NO. FEC 19-516

**EXHIBIT C
CAMPAIGN REPORT AND INVOICES**

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) H. B. "ROB" ROBINSON
 Name
 (2) 314 Cypress Street East (PO Box 1257 / zip 33836)
 Address (number and street)
Davenport, FL 33837
 City, State, Zip Code



Check here if address has changed

(3) ID Number: M3

(4) Check appropriate box(es):

- Candidate Office Sought: Mayor, City of Davenport
- Political Committee (PC)
- Electioneering Communications Org. (ECO) Check here if PC or ECO has disbanded
- Party Executive Committee (PTY) Check here if PTY has disbanded
- Independent Expenditure (IE) (also covers an individual making electioneering communications) Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 03 / 16 / 2019 To 03 / 28 / 2019 Report Type: _____

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$, , 50 . 00

Loans \$, , .

Total Monetary \$, , 50 . 00

In-Kind \$, 1 , 000 . 00

(7) Expenditures This Report

Monetary Expenditures \$, 1 , 281 . 56

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, 1 , 281 . 56

(8) Other Distributions

\$, , 0 . 00

(9) TOTAL Monetary Contributions To Date

\$, 8 , 050 . 00

(10) TOTAL Monetary Expenditures To Date

\$, 5 , 366 . 04

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name) Linda M. Robinson
 Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer

(Type name) H. B. "Rob" Robinson
 Candidate Chairperson (only for PC and PTY)

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name H. B. "ROB" ROBINSON (2) I.D. Number M3

(3) Cover Period 03 / 16 / 2019 through 03 / 28 / 2019 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description	Amendment	Amount
03 / 16 / 19 1	Ed and Nancy McCue 1301 E. Hillsboro Blvd. Apartment 302 Deerfield Bch, FL 33441	I	Retired Law Enforcement	CHK			\$50.00
03 / 18 / 19 2	John Webb 242 McLean Point Winter Haven, FL 33884	I	Realtor; Commercial Business Owner	INK	Electronic Advertisement 3/18/19 through 4/01/19		\$500.00
03 / 18 / 19 3	Kathy Webb 242 McLean Point Winter Haven, FL 33884	I	Business Consultant	INK	Electronic Advertisement 3/18/19 through 4/01/19		\$500.00

CAMPAIGN TREASURER'S REPORT -- ITEMIZED EXPENDITURES

(1) Name H. B. "ROB" ROBINSON

(2) I.D. Number M3

(3) Cover Period 03 / 16 / 2019 through 03 / 28 / 2019

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
03/16/19 1	Staples 3500 Posner Blvd. Davenport, FL 33837	Purchase Paper	CAN		\$42.78
03/21/19 2	Supervisor of Elections Winter Haven 70 Florida Citrus Blvd. Winter Haven, Florida 33880	Mail Labels Voter List	CAN		40.20
03/23/19 3	Staples 3500 Posner Blvd. Davenport, FL 33837	Paper Toner Cartridges Envelopes	CAN		\$359.33
03/26/19 4	Postmaster 1 South Boulevard East Davenport, FL 33837	Postage	CAN		\$759.00
03/26/19 5	Postmaster 1 South Boulevard East Davenport, FL 33837	Postage	CAN		\$74.25
03/26/19 6	Wells Fargo Bank, N.A. 305 Davenport Boulevard Davenport, FL 33837	Checks	CAN		\$6.00
/ /					
/ /					

Robinson's Postage Expense

DAVENPORT
1 SOUTH BLVD E
DAVENPORT
FL
33837-9998
1120700912

DAVENPORT
1 SOUTH BLVD E
DAVENPORT
FL

33837-9998
1120700912

03/26/2019 (800)275-8777 3:22 PM

03/26/2019 (800)275-8777 3:22 PM

Product Description	Sale Qty	Final Price
US Flag Coil/100	1	\$55.00
US Flag Bk1/20	1	\$11.00
Hearts Blossom	15	\$8.25
Total		\$74.25
Personal/Bus Check		\$74.25

Product Description Sale Qty Final Price

US Flag Coil/100	1	\$55.00
US Flag Bk1/20	1	\$11.00
Hearts Blossom	15	\$8.25
Total		\$74.25
Personal/Bus Check		\$74.25

Preview your Mail
Track your Packages
Sign up for FREE @
www.infuseddelivered.com

Preview your Mail
Track your Packages
Sign up for FREE @
www.infuseddelivered.com

All sales final on stamps and postage.
Refunds for non-automated services only.
Thank you for your business.

All sales final on stamps and postage.
Refunds for non-automated services only.
Thank you for your business.

HELP US SERVE YOU BETTER

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT
POSTAL EXPERIENCE

TELL US ABOUT YOUR RECENT
POSTAL EXPERIENCE

Go to:

<https://postalexperience.com/pos>

Go to:

<https://postalexperience.com/pos>

or scan this code with
your mobile device.



or call 1-800-410-7426

YOUR OPINION COUNTS

or scan this code with
your mobile device.



or call 1-800-410-7426

YOUR OPINION COUNTS

STAPLES - 3/23/19

Purchase Paper, Envelopes and Printer Toner

Robinson and Lynch shared the expense.

ITEMS PURCHASED	COST	AMOUNT DUE FROM EACH CANDIDATE
HP 410A (C/M/Y - 3 PK) (\$328.99 - 6.74 coupon)	322.25	161.14
HP 410 Black (\$156.99 - 3.22 coupon)	153.77	76.88
3 boxes envelopes (\$36.99 - 0.76 coupon)	108.69	54.34
3 boxes envelopes (\$22.19 - 0.46 coupon)	65.19	32.59
Printer Paper (One Box containing 10 reams @ \$36.99 - 0.76 coupon) (used 6 reams)	21.74	10.87
Sub-Total	671.64	335.82
Sales Tax	47.01	23.50
TOTAL	718.65	359.32

ROBINSON to pay \$359.33

LYNCH to pay \$359.32



FEC Complaint No. 19-516 (Bradley v. Robinson) Fred Reilly to: fec@myfloridalegal.com
10/02/2019 06:39 PM
Cc: "Linda Robinson"
From: "Fred Reilly" <fredreilly@attorney-solicitor.com>
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>
Cc: "Linda Robinson" <lmrobinson1949@gmail.com>

1 Attachment



NoticeOfAppearanceFEC 19 516.pdf

Re: FEC Complaint No. 19-516 (Bradley v. Robinson)

ATTN: Molly Donovan

Hi Molly,

Attached please find my Notice of Appearance for the above-captioned FEC Complaint.

Please provide me with an email confirmation of your receipt of the Notice of Appearance. Thanks in advance.

Very truly yours,

Fred Reilly*
Reilly International Law Firm, P. A..
P. O. Box 2039
Haines City, FL 33845 USA
Tel. (310) 927-3954
Fax. (863) 439-5077
Skype: fred.reilly
Email: fredreilly@attorney-solicitor.com
Website: www.attorney-solicitor.com

*Licensed to practice in California, Florida and as an English Solicitor. Admitted to practice before the United States Supreme Court and the United States Court of International Trade. Awarded Masters degree (LL.M. in International Business Law) from The London School of Economics and Political Science.

IMPORTANT NOTICE: This transmission contains legal advice that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, photocopying or distribution of the contents is unauthorized and prohibited. If you have received this in error, please notify the sender immediately and destroy all copies.

FLORIDA ELECTIONS COMMISSION

COMPLAINANT: DARLENE BRADLEY

RESPONDENT: H.B. "ROB" ROBINSON

CASE NO. FEC 19-516

**NOTICE OF APPEARANCE AND
DESIGNATION OF EMAIL ADDRESS**

COMES NOW the undersigned law firm, Reilly International Law Firm, P.A., and files this Notice of Appearance on behalf of the Respondent, H. B. "ROB" ROBINSON, in the above-styled cause as his attorney of record.

Pursuant to Florida Rule of Judicial Administration 2.516(b)(1), the undersigned law firm hereby designates the following primary email address:

Primary email: fredreilly@attorney-solicitor.com

All papers and pleadings filed in this action should be served on the undersigned at the email address set forth above.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of October, 2019, a true and correct copy of the foregoing was furnished to the Florida Elections Commission (fec@myfloridalegal.com).

REILLY INTERNATIONAL LAW FIRM, P.A.

s/ Fred Reilly

Fred Reilly, Esquire

Florida Bar No. 607800

P. O. Box 2039

Haines City, FL 33845 USA

Tel. (310) 927-3954

Primary email: fredreilly@attorney-solicitor.com



Date Produced: 09/23/2019

Florida Elections Commission:

The following is the delivery information for Certified Mail™/RRE item number 9214 8969 0099 9790 1629 8761 65. Our records indicate that this item was delivered on 09/16/2019 at 11:11 a.m. in DAVENPORT, FL 33837. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to read "H. B. Robinson".

Address of Recipient :

PO BOX 1257

DAVENPORT, FL 33836-1257

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 19-515 19-516 19-518 19-519 1

USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

Tracking Number: 92148969009997901629876165

[Remove X](#)

Your item was delivered at 11:11 am on September 16, 2019 in DAVENPORT, FL 33837.

 **Delivered**

September 16, 2019 at 11:11 am
Delivered
DAVENPORT, FL 33837

[Feedback](#)

[Get Updates](#) 

[Text & Email Updates](#) 

[Return Receipt Electronic](#) 

[Tracking History](#) 

[Product Information](#) 

[See Less](#) 

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



September 13, 2019

CERTIFIED MAIL 9214 8969 0099 9790 1629 8761 65

Bob Robinson
P.O. Box 1257
Davenport, FL 33836

RE: Case No.: FEC 19-516; Respondent: Rob Robinson

Dear Mr. Robinson:

On September 12, 2019, the Florida Elections Commission received the enclosed complaint alleging that you violated Florida's election laws. Section 106.25(2), Florida Statutes, states:

The respondent shall have 14 days **after receipt** of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period.

Should you choose to file a response to the complaint, please send it to my attention at the address listed above. You may also send it to my attention at fec@myfloridalegal.com. You will be notified by letter whether the complaint is determined to be legally sufficient.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Pursuant to section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the complainant, however, it does apply to you, the Respondent, unless you waive confidentiality in writing.

The confidentiality provision does not preclude you from seeking legal counsel. Should you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

For additional information, please refer to the Commission's website www.fec.state.fl.us.

Sincerely,

Molly Donovan

Molly Donovan
Complaint Coordinator

Enclosure: Complaint w/attachments

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail 7614 8969 0099 9790 1629 8761 65

Extra Services & Fees (check box, and fees as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ 3.50
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ 1.60
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ **0.00**

Total Postage and Fees \$ **5.600**

Electronic Return Receipt Requested

Postmark Here

Sent To **Rob Robinson**
P.O. Box 1257
Davenport, FL 33836

Street, Apt. No.,
or PO Box No.
City, State, Zip+4

9/13/2019 2:51:40PM
PS Form 3800, April 2015 See Reverse for Instructions

Code: 19-515 19-516 19-518 19-519; 1st 4 & split

COMPLAINT

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom it is brought.

1. PERSON BRINGING COMPLAINT:

Name: Darlene Bradley Work Phone: ()
Address: P. O. Box 2791 Home Phone: (407) 617-6100
City: Davenport County: Polk State: FL Zip Code: 33836

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

If you intend to name more than one individual or entity, please file multiple complaints. A person can be an individual, political committee, political party, electioneering communication organization, club, corporation, partnership, company, association, or other type of organization.

Name of individual or entity: Bob Robinson
Address: P. O. Box 1257 Phone: (803) 421-2250
City: Davenport County: Polk State: FL Zip Code: 33836

If individual is a candidate, list the office or position sought: Mayor - Davenport

Have you filed this complaint with the State Attorney's Office? (check one) Yes No

Are you alleging a violation of Section 104.271(2), F.S.? (check one) Yes No

Are you alleging a violation of Section 104.2715, F.S.? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please attach a **concise** narrative statement in which you list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

REC'D: FL ELECTIONS COM
12 SEP 19 AM 10:44

4. OATH:

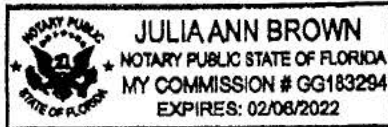
STATE OF FLORIDA
COUNTY OF Orange

I swear or affirm that the above information is true and correct to the best of my knowledge.

J. Darlene Bradley
Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 9th day of
September, 2019

Julia Ann Brown
Signature of Officer Authorized to Administer Oaths or Notary Public



(Print, Type, or Stamp Commissioned Name of Notary Public)
Personally Known X Or Produced Identification _____
Type of Identification Produced _____

5. IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:

- You **MUST submit this** completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form **for each party** you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach **copies** of attachments to **each complaint** to which they apply.
- **MAKE SURE** the alleged violation(s) of **Chapters 104 or 106** occurred within the last **2 years**.
- **MAKE SURE** your complaint is **sworn** and there is **no defect** to the **notarization** in Section 4.

FEC Complaint Attachments

Complainant: Darlene Bradley, Candidate for Mayor of Davenport
P. O. Box 2791, Davenport, FL 33836 (407) 617-6100

City of Davenport Election (3/1 – 4/2/2019)

Respondent: Rob Robinson, Candidate for Davenport Mayor
P. O. Box 1257, Davenport, FL 33836 (863) 421-2250

The following is a list of Florida Statutes 104 and 106 violations by Rob Robinson, Candidate for Mayor of Davenport:

FS 104.0615 Voter Intimidation or suppression prohibited

1. **FS 104.0615 Voter Intimidation or suppression prohibited:** On 1/26/2019, I placed my campaign literature in the door jamb of Paul & Mary Meyer's home at 108 E. Palmetto Street, Davenport. I then went back to my truck (which displayed my campaign magnets on the truck) to update my walk list, when Rob Robinson's wife and Campaign Treasurer, Linda Robinson, drove around my truck, parked in the Meyer's driveway, and walked up to their door and took my campaign literature out of their door jamb and went back to her car. I witnessed Linda doing this and I approached her and asked her did she just take my literature out of their door, she replied "Yes, because they don't need my literature, they only vote for Rob". I contacted Rachel Castillo, Davenport City Clerk to advise her of this and Linda Robinson confirmed she did do this in an email to Rachel Castillo (863-419-3300). **Attachment C is an email from Linda Robinson to the City Clerk, Rachel Castillo admitting she did this.**

2. **FS 104.271 False or Malicious charges against, or false statements about, opposing candidate:** On 3/31/2019 Rob Robinson posted **false and malicious** comments about me on his facebook; i.e. he said I will lie to get elected, I stole handicap placards, I sent viciousness emails about him and personal attacks against him. All of statements are false and malicious. **(Attachment D)**
Link: www.facebook.com/HB-Rob-Robinson-Davenport-Mayor-1051414444933457

3. **FS 104.271 False or Malicious charges against, or false statements about, opposing candidate:** Rob Robinson mailed a flyer "**Legacy: Something that is a part of you that remains**" to everyone in Davenport with the following **false and malicious** statements. **(Attachment E)**
 - i. "Darlene Bradley charged with 2 felonies and a misdemeanor". Due to the SA understanding that my previous carjacking and kidnapping left multiple perpetrators on the loose [Case 48-2012-CF-016645-O] that terrorized me from leaving city hall meetings after

dark, these charges were dropped the very next day; finalized on December 15, 2017 with adjudication withheld. I paid the \$250 Handicap parking violation. Yet, 16 months after this incident, Mr. Robinson alleges these charges are convictions, fully well knowing better. Our City Charter **does not** allow a "felon" to run for office; which is what Mr. Robinson has portrayed me as in his campaign literature, face book posts and campaign flyers, letters, and postcards, which is false, intentional and malicious. **Attachment F** is the final judgment confirming it was an "unlawful use of handicap placard" with adjudication withheld. The fine was the listed \$250 Handicap parking violation.

- ii. **"Darlene Bradley did not initiate the Fourth of July celebration."** As Mayor, I volunteered to assist the Davenport Constitution Committee, Bob Avery, Chairman for Davenport Concerned Citizens (DCC) and John Lepley (DCC) to initiate, create, obtain sponsors/guest speakers/readers, and coordinate the first ever Fourth of July celebration in Davenport in 2015 with the reading of the Constitution and Declaration of Independence. This can be verified with Bob Avery, 307 E. Maple Street, Davenport, FL (863) 852-7545. **Attachment G** is the flyer, agenda, photos and expenses prepared by me. I continued to get sponsors, speakers, readers for 2016, 2017, and 2018 events. The City of Davenport had the first ever July 4th celebration in 2017 with live entertainment and fireworks.
- iii. **"Darlene Bradley never brokered a deal with a primary developer"** On 6-3-17, I met with Rennie Heath (Developer), City Manager, Kelly Callihan, John Lepley and former Florida Senator J D Alexander. At this meeting, Mr. Heath offered a commitment to give the City of Davenport a donation of \$1,000 for every house he sells in Davenport for the proposed Community Center. **Attachment H** is a copy of the signed commitment from Mr. Heath and **Attachment I** are City Commission minutes dated 2/5/18 where Mr. Heath announced to keep his promise to me to donate \$1,000/home that he sells for our community center. Rob Robinson was also present at this commission meeting; yet he denies my involvement in his campaign literature.
- iv. **"5,000 lien on our homes for sewer as the amount was never established"** Commission Meeting Minutes dated 7/30/2012 where city attorney Kirk Warren confirms a lien would be placed on each home/property for the cost of the sewer. City of Davenport letter dated 10/29/2007 confirming the amount citizens to pay for sewer hookup will be \$5,000: \$3,500 for impact fees and \$1,500 for assistance for septic tank. The commission minutes on 10/29/2007 confirms Mr. Robinson's discussed a lien on citizen's home/property for a sewer. Both statements are listed on **Attachment J**.

4. **FS 106.08(5) Contributions, limitations on. (5) (a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election.** Rennie Heath (Developer) gave \$5,000 in campaign donations to Rob Robinson as reported in his campaign financial report M2 for period 3/2 – 3/15/19 (**Attachment K**). Mr. Robinson listed 5 different entities for Mr. Rennie Heath with the same address listing \$1,000 contribution for each entity, exceeding the amount allowed in a municipality election.
5. **FS 104.071 and FS 112.3143 Voting Conflicts Violation** - Mr. Robinson did not **disclose** nor **abstain** from voting in favor of Mr. Heath's and Mr. McKnight's projects after receiving \$5,400 in campaign donations from these developers. (Minutes of his voting records **attached**.)

Attachment	Date	
L	3/4/19	Ordinance 876 Annexation for Astoria Properties
L	3/4/19	Ordinance 878 Rezoning Astoria Properties
L	3/4/19	Ordinance 883 Rezoning Rezone Southern Crossings
M	3/18/19	Public Hearing for Plat approval Southern Crossings S/D
N	4/1/19	Ordinance 885 Final Plat approval for Citrus Pointe S/D
O	4/15/19	Ordinance 885 2 nd reading Final Plat for Citrus Pointe S/D
O	4/15/19	Ordinance 884 Final Plat for Highland Cove S/D
P	5/6/19	Ordinance 884 2 nd reading Final Plat Highland Cove S/D
Q	5/20/19	Ordinance 889 Amend boundaries Highland Meadows II
Q	5/20/19	Ordinance 890 PUD for Highland Cove S/D

6. **FS 106.15 Campaigning in government facilities:** Rob Robinson commandeered the Davenport Commission Chambers during normal business hours to conduct two (2) tv interviews to promote his campaign, "integrity". Every candidate's packet included a memo from the Polk County Board of County Commissioners prohibiting campaigning in government facilities. **Link for Bay News 9 interview on 3/8/2019:**

<https://www.baynews9.com/fl/tampa/news/2019/03/08/former-davenport-mayor-who-illegally-used-handicap-tag-to-run-again#>

7. **FS 106.143 - Literature does not reference "paid for by" statement nor are these expenses listed in his campaign finance reports.** Mr. Robinson failed to report the printing and postage expenses for two large post cards (6" x11") in his campaign finance reports as an in-kind contribution or as an expense for the following 2 post cards:

- i. "A Message to the Residents of Davenport" (**Attachment R**)
- ii. The Question is – are you going to be misled again? (**Attachment S**)

8. **FS 106** A photo posted on Rob Robinson's face book of Linda Robinson (Treasurer), Bob Lynch (Seat 3 Candidate), Denise Lynch (Treasurer) at Rob Robinson's house preparing a letter "**Legacy: Something that is a part of you that remains**"; which does state is **paid for by both Rob Robinson and Bob Lynch**; but **is not** referenced on his finance report as paying for 50% of these "shared" expenses for printing, envelopes and postage for this document. Photo of both campaigns together preparing "The Legacy" mailings at Robinson's house - Attachment T.

Mr. Robinson has over 53 years municipal government experience, a former police chief, interim city manager, commissioner for many years and serves on the Ridge League of Cities board. He is fully aware of the violations he committed willfully, intentionally and with malice. His campaign flyer is Attachment U.

I believe his false, vicious statements and personal attacks sent via emails, flyers, post cards, letters, tv interviews, personal visits to citizens, and facebook posts altered the outcome of the Mayor's election in his favor. He willfully and intentionally violated FS 104 and 106.

(3) Any person who violates any provision of this section is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, and from and after conviction shall be disqualified to hold office.

My campaign flyer outlines my promises made and kept as mayor from 2013 – 2017 and my accomplishments in 4 years. My campaign flyer is Attachment A.

My campaign flyer also informed citizens of Ordinance 881 which became Amendment 1 on the ballot. If passed, Amendment 1 would remove the Mayor's seat, create a 5th commission seat, and the commissioners would appoint a Mayor amongst themselves instead of allowing the people of Davenport to elect their mayor.

A copy of **Amendment 1** as it appeared on the ballot is Attachment B. I included a copy of Amendment 1 ballot language with my campaign flyer.

I did not send out letters, postcards or post any comments on social network about my opposing candidate. I did send out an email inviting the public to attend a town hall meet and greet the candidates; which Rob Robinson did not attend.

Mr. Robinson will stand for re-election at the beginning of 2020. The election is held the first Tuesday in April 2020. Resolution of this affidavit of complaint is urgent and crucial so that the citizens are not forced into either a special election or the commission appointing their own mayor.

Complainant: Bradley

Respondent: Robinson

Florida Statutes penalize these violations with hefty fines and removal from office. The election rules and penalties were provided to every candidate. Every candidate must acknowledge, sign and return Form DS-DE 84 (05/11) as confirmation he/she read Chapter 106 and return the form to the city clerk

The Florida Election Commission was formed to guard against these malicious and willful attacks on candidates, especially those that know better. I ask for your swift action on this complaint.

Thank you,

Darlene Bradley

FEC Complaints: FS 104 & 106

Submitted 9/10/2019

**Complainant: Darlene Bradley,
Candidate for Davenport Mayor**

April 2, 2019 * Davenport Election

**Respondent: Rob Robinson,
Candidate for Davenport Mayor**

A

Mayor Darlene – Promises kept:

As I promised you in 2013, I do not take a salary as Mayor.

I was able to persuade **Duke Energy** to replace the **street lights** from 100 to 250 watts at all intersections in Davenport....[at no cost] I persuaded them to add street lights on CR547 too. You asked me – it's done

I contacted **Polk County Sheriff's** office & saved us \$80,000 a year with free jail workers. Free is much better don't you think?

I instituted a new city tradition for **July 4th** with the reading of the **Constitution** and **Declaration of Independence**. What did you think of the **new fireworks** we did for you this year – sponsors paid for it all.

I requested **FDOT** to add a left turn signal on the street light at **Bay Street & 17-92** & they did...Then I asked for a fix for the **17-92 & South St interchange** - wow are they great or what? [at no cost to you.]

Adair Park – redone with Lowes Heroes **Lewis Mathews** completely redone with partnership with Haines City. **Jamestown Park** – refurbished with new bathrooms.

All our sidewalks are fixed to top-notch shape. Saved us \$38 million on our **new Sewer Plant** that was paid for by developer impact fees.

Our new **Event/Community Center** is in progress - with a special agreement I made with a very special developer that covers \$4 million of the cost. It will have a gym, exercise area, convention center, entertainment center & even a crafting area. The best in NE Polk!



Community Involvement

Mayor

City of Davenport

**Host/Organizer Davenport
2nd Saturday Cruise-In**

**2008 Davenport Chamber
Presidents Award Honoree**

**Host/Organizer 2008/9 Davenport
WinterFest & Christmas Parade**

**Polk Leadership Institute
Valedictorian**

RCCHS Sigma Honorary Member

Elect

Darlene

Bradley

For

MAYOR

VOTE

April 2nd

Paid Pol. Adv. for Darlene Bradley for Mayor
Campaign - PO Box 2791, Davenport, FL 33836

B

KEEP YOUR RIGHT TO VOTE on APRIL 2ND

CHARTER BALLOT QUESTION CITY OF DAVENPORT, FLORIDA REFERENDUM ELECTION

ELECTION OF CITY MAYOR BY CITY COMMISSION FROM AMONG ITS MEMBERS

The Charter of the City of Davenport should be amended to reclassify and renumber the Mayor Seat as Commission Seat No. 5 and require the City Commission to elect the City's Mayor from among the members of the City Commission on an annual basis at the City Commissions first regular meeting in May, following the conclusion of the 2017-2020 term of the Mayor Seat.

_____ Yes (for adoption)

_____ **No (Against Adoption)**

C

On Mon, Jan 28, 2019 at 5:04 PM Rachel Castillo <rcastillo@mydavenport.org> wrote:
Darlene,

In response to your email received today. Contact was made to Linda Robinson. She advises that she read the brochure. She took pictures of it with her phone and did not keep it but put it back in the door jamb. She did inform the Meyer's of what she had done.

She extended an apology to you and John.

Rachel Castillo Young, City Clerk
City of Davenport
1 South Allapaha Avenue
Davenport, FL 33837
(863) 419-3300 ext. 125
(863) 419-3302 – fax

Please visit us at www.mydavenport.org

No trees were harmed in the sending of this message. However, a large number of electrons were inconvenienced.

Disclaimer: Under Florida law, e-mail and other personal information is public record and must be made available to the public and media upon request, unless otherwise exempt by the Public Records Law. If you do not want your e-mail released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: D Bradley [<mailto:davenportmayor@gmail.com>]
Sent: Saturday, January 26, 2019 9:11 PM
To: Rachel Castillo
Subject: Campaign Theft Violation Complaint

Rachel,

Today, 1/26/19, at approximately 2:15 pm, I was parked directly in front of Paul & Mary Meyer's house, 108 E. Palmetto. They were not home, so I slid one of my flyers inside their door with it barely sticking out.

I have my campaign magnets displayed on my truck; so it was obvious I was campaigning.

I went back to my truck to update my walking list on which homes had received a flyer when Linda Robinson drove very slowly around my truck then parked in Paul & Mary's driveway.

Mrs. Robinson carefully looked around to see if anyone was looking while she went up to their door and took my campaign flyer out of the Meyers' door.

I got out of my truck and asked her "Do you want a flyer"?

She said "No, she had one now".

I asked, "So did you just take their flyer?"

She replied, "Mary does not need it, she votes for Robbie".

She took the flyer and then went to her car where she made a phone call.

Isn't removing campaign materials/signs a violation of elections tampering ethics law? Not to mention "stealing" someone's mail?

It would be unfortunate if incidents such as this were to continue during this election season, especially from the Robinson campaign and we look forward to your guidance and forthcoming resolution.

In addition one of my campaign signs was removed from Mr. Leon Higdon's property, 102 E. Lemon Street since yesterday. Please advise if someone brought it to City Hall...or possibly someone stole it.

Should I forward this incident to Chief Holden? Should I call the police if I witness in the future?

Thank you

Darlene

D



HB Rob Robinson

March 31 ·

Below is a Re-Post of a Note that I placed on my "Mayor" Facebook page earlier today:

A LETTER FROM YOUR MAYOR H. B. "ROB" ROBINSON (Please Share)

Well, Folks, here it is! With 2 days to election day, Bradley-Lepley have now sent, via email, the long awaited "re-cycled" personal attacks and lies that is Bradley-Lepley's trademark of previous campaigns against rival candidates. While it should not come as a surprise to me, I am astonished and offended at the viciousness of their lies and personal attacks against me, Commissioner Bobby Lynch, and Commissioner Tom Fellows.

It should not have caught me off guard, because it was not that long ago that John Lepley warned me that I could not win an election because I would not lie ... that I was above lying. He also told me that he and his wife, Darlene Bradley, would win because they would lie. They have no regard for the law. Florida Statute 104.271 states, "A candidate may not, with actual malice, make any false statement about an opposing candidate."

Please remember the past arrest records of Bradley-Lepley. Ex-mayor Bradley resigned in disgrace. She made Davenport the laughing stock of the Nation, [See: YouTube "Davenport Mayor Donkey of the Day" from New York]. She has no one to blame but herself that she is no longer mayor! Bradley and her husband John Lepley are the ones who committed the criminal acts of stealing, altering a handicapped parking placard, and identity theft of a deceased altering a handicapped parking placard, and identity theft of a deceased woman whose husband is a friend and neighbor. While serving as a commissioner, John Lepley was arrested for a road rage incident involving battery on a young man. He pled to a reduced charge and was ordered to community service. I don't see much trust in either of their actions.

I ask you to compare their past history in office with those who they have maligned (Robinson, Lynch and Fellows) in their vicious email; and join me and your fellow citizens in sending Bradley-Lepley back behind their "No Trespass" fence.

Please do not allow any further lies and embarrassment to our City of Davenport. Vote to keep Mayor H. B. "Rob" Robinson and Commissioner Bobby Lynch.

Rob Robinson

Davenport Mayor

<https://www.facebook.com/HB-Rob-Robinson-Davenport-Mayor-1051414444933457/>

Post 4/1/2019

TUESDAY, APRIL 2, IS ELECTION DAY IN DAVENPORT (Please Share)

Over the last several days, I, as well as Commissioner Bobby Lynch, have been the victims of the Bradley-Lepley rancid tongue. We are not alone in this. There are many of us who have seen and been victims of Bradley-Lepley's malicious comments. The extent to which they have taken their lies in this election is appalling. Neighbors -- The choice is yours to make. Make it count for the good of Davenport:

Mayoral candidate H. B. "Rob" Robinson – Army Honorable Discharge; North Miami Police Department; former Davenport Police Chief; interim city manager for Davenport and Dundee; Davenport City Commissioner – Vice Mayor – current Mayor.

Mayoral candidate Darlene Bradley-Lepley – Ex-mayor who resigned in disgrace. She was arrested on 2 felony charges and 1 misdemeanor; plead "no contest" to the misdemeanor. Her actions were not a mistake; she intentionally used the handicap placard over and over again. Nor was it just a parking violation. Just imagine if the parking placard had belonged to your deceased wife, mother, or grandmother? The placard did, in fact, belong to the wife of one of your long-time Davenport neighbors. Each time the news media mentioned the "dead woman's handicapped parking placard", your neighbor, George Letterman, re-lived the day his wife died.

Violations

Use Possess Personal ID of Deceased (FELONY)

Counterfeit License Plates Validation Stickers, Etc. (FELONY)

Unlawful Use Disabled Parking Permit (MISDEMEANOR)

Post 3/31/2019

A LETTER FROM YOUR MAYOR H. B. "ROB" ROBINSON (Please Share)

Well, Folks, here it is! With 2 days to election day, Bradley-Lepley have now sent, via email, the long awaited "re-cycled" personal attacks and lies that is Bradley-Lepley's trademark of previous campaigns against rival candidates. While it should not come as a surprise to me, I am astonished and offended at the viciousness of their lies and personal attacks against me, Commissioner Bobby Lynch, and Commissioner Tom Fellows.

It should not have caught me off guard, because it was not that long ago that John Lepley warned me that I could not win an election because I would not lie ... that I was above lying. He also told me that he and his wife, Darlene Bradley, would win because they would lie. They have no regard for the law. Florida Statute 104.271 states, "A candidate may not, with actual malice, make any false statement about an opposing candidate."

Please remember the past arrest records of Bradley-Lepley. Ex-mayor Bradley was forced to resign in disgrace per a plea bargain to avoid trial and possibility of jail time. She made Davenport the laughing stock of the Nation, [See: YouTube "Davenport Mayor Donkey of the Day" from New York]. She has no one to blame but herself that she is no longer mayor! Bradley and her husband John Lepley are the ones who committed the criminal acts of stealing, altering a handicapped parking placard, and identity theft of a deceased woman whose husband is a friend and neighbor. While serving as a commissioner, John Lepley was arrested for a road rage incident involving battery on a young man. He pled to a reduced charge and was ordered to community service. I don't see much trust in either of their actions.

I ask you to compare their past history in office with those who they have maligned (Robinson, Lynch and Fellows) in their vicious email; and join me and your fellow citizens in sending Bradley-Lepley back behind their "No Trespass" fence.

Please do not allow any further lies and embarrassment to our City of Davenport. Vote to keep Mayor H. B. "Rob" Robinson and Commissioner Bobby Lynch.

Rob Robinson
Davenport Mayor

Post 3/28/2019

ONLY 5 MORE DAYS 'TIL ELECTION DAY IN DAVENPORT

Ex-mayor Bradley-Lepley and husband, John Lepley, are now criticizing the decision to close Suwannee Ave. The decision to close Suwannee was made so that the school board could expand and re-open the historical Davenport Elementary School campus. Much thought and debate were given to this issue by the City Commissioners. Initially, I was against closing Suwannee. However, I have come to the realization that with the many new families moving into Davenport it is imperative that this school is re-opened. Never having had children perhaps Bradley & Lepley cannot appreciate the need for, nor understand the value of, a neighborhood elementary school.

Bradley & Lepley say that Suwannee Ave. should not be closed because it is the main thoroughfare through town. We all know that US Highway 17-92 is the primary north-south roadway. Suwannee is a cut-through road extending from US 17-92 to South Boulevard, and has become a convenient route for drivers passing through town. I travel Suwannee frequently and will have to change my travel route, too. As we all know, changes to traffic patterns are based on the needs of the community.

Post 3/27/2019

ONLY 6 DAYS 'TIL ELECTION DAY IN DAVENPORT.

The voters of Davenport certainly have heard different and conflicting stories this election cycle. The Bradley-Lepley team have done what they do best ... spread fear and confusion; and they have attempted to pilfer credit for the good work that the current City Commission has accomplished over the past year-and-three-months since Bradley was forced to resign from office. Bradley & Lepley maintain that I, as the mayor, am taking away a person's right to vote. This is one of Bradley's untruthful spins which shows her lack of knowledge. I have supported, and will always support, an elected mayor by the people's vote and will always support the people's right to choose. Bradley & Lepley maintain that I, as the mayor, do not allow people to speak at our City Commission meetings. Another untruthful spin which speaks to Bradley's lack of knowledge of the Florida Statutes. The Florida Statutes demand that the public has the right and must be afforded the opportunity to speak and be heard before their elected officials on any item or anything. I adhere to the Statutes. The need for strong leadership that can be trusted is essential as the City of Davenport moves forward. The definition of legacy is "something that is a part of us that remains". It has always been my goal to leave a legacy of integrity and loyalty to community through my lifetime of service Army, law enforcement, a former Davenport police chief, interim city manager, city commissioner, vice mayor and now mayor. The legacy we leave is the quality of our lives ... The differences in candidates are clear. I appreciate your vote on April 2 to re-elect me as your mayor!

Post 1/29/2019

ALERT: As the Mayor of Davenport my email address is rrobinson@mydavenport.org. Feel free to email me with any questions or comments about the City of Davenport, or you may email City Hall directly by contacting City Clerk Rachel Castillo Young at rcastillo@mydavenport.org. Darlene Bradley is distributing brochures that gives her email address as davenportmayor@gmail.com. This is NOT my email address nor the email address for Davenport City Hall. I am concerned about her doing this; she could possibly circumvent the day-to-day business of the City.



HB Rob Robinson Davenport Mayor

- Home
- About
- Photos
- Reviews
- Posts
- Community

Like Share

April 4

ELECTION DAY IN DAVENPORT WAS APRIL 2. It was a great day for the H. B. "Rob" Robinson and Bobby Lynch campaigns!

Thank you, Voters, for re-electing me as yo... See More

9

1 Comment

Like Comment Share

Most Relevant



Write a comment...



Gillian Jean Wolfe Congratulations

Like Reply · 7w



HB Rob Robinson Davenport Mayor

April 1 ·



BRADLEY, TERESA DARLENE

Booking Number: 2017-047567

Race/Sex: W/F

Height: 503

Booking Date: 12/5/2017

Location: BOOKING

Inmate Status: Released

Bond Eligible:

Ready for Bond:

HB Rob Robinson

April 1

TUESDAY, APRIL 2, IS ELECTION DAY IN DAVENPORT (Please Share) Over the last several days, I, as well as Commissioner Bobby Lynch, have been the victims of the Bradley-Lepley rancid tongue. We are not alone in this. There are many of us who have seen and been victims of Bradley-Lepley's malicious comments. The extent to which they have taken their lies in this election is appalling. Neighbors -- The choice is yours to make. Make it count for the good of Davenport:

Mayoral candidate H. B. "Rob" Robinson -- Army Honorable Discharge; North Miami Police Department; former Davenport Police Chief; interim city manager for Davenport and Dundee, Davenport City Commissioner -- Vice Mayor -- current Mayor.

Mayoral candidate Darlene Bradley-Lepley -- Ex-mayor who resigned in disgrace. She was arrested on 2 felony charges and 1 misdemeanor; plead "no contest" to the misdemeanor. Her actions were not a mistake; she intentionally used the handicap placard over and over again. Nor was it just a parking violation. Just imagine if the parking placard had belonged to your deceased wife, mother, or grandmother? The placard did, in fact, belong to the wife of one of your long-time Davenport neighbors. Each time the news media mentioned the "dead woman's handicapped parking placard", your neighbor, George Letterman, re-lived the day his wife died.

Violations

Use Possess Personal ID of Deceased (FELONY)

Counterfeit License Plates Validation Stickers, Etc. (FELONY)

Unlawful Use Disabled Parking Permit (MISDEMEANOR)

2

1 Share

Like Comment Share



Write a comment...

Visitor Posts

Send Message



Mashell Kirchoff



Sheila Baskins



Tony Cassety



Bailey Lakin



Wes Matlock



Jonna Darlynn Barrett



James Meade

47m



Derek Wilham

18m



Sheila Haley

17h

GROUP CONVERSATIONS

Create New Group

English (US) · Español · Português · Français (France) · Deutsch

Privacy · Terms · Advertising · Ad C Cookies · More Facebook © 2019

Search

E

LEGACY: Something that is a part of you that remains (Webster condensed)

You have certainly heard many different stories this election cycle. This election is your opportunity to send a strong message as we re-elect current Mayor Rob Robinson and Commissioner Bobby Lynch. John Lepley and ex-Mayor Teresa Darlene Bradley-Lepley are both members and/or founders of "Davenport Concerned Citizens" the group that lied to you about the sewer system in 2013, both are candidates, both have criminal backgrounds. She was charged with two felonies and a misdemeanor; he with a felony misdemeanor of assault and battery. Two members of the same household on the Commission = opportunity to violate the Sunshine Law (the real definition of INSANITY.) Contrary to their brochures, neither of them initiated the Fourth of July celebration; neither brokered a deal with a primary developer; neither saved the city \$38 million on a new sewer plant; and in 2013 neither stopped a \$5,000 lien on our homes for sewer as the amount was never established.

Mayor Robinson and Commissioner Lynch have never been arrested or charged with a crime. Here are a few of the things they HAVE done.

Mayor HB "Rob" Robinson

Commissioner Bobby Lynch

Current Vice President Ridge League of Cities

Oversight of second well plant

Championed the new fire station on West Side

Assisted in removal/replacement of city sidewalks

Pursued accreditation of Police Department

Approval of hiring new City Manager

Coordinate Toys for Tots

Approved renovations to City Hall

Participates in Mayors/City Mgrs, Coalition

Continual oversight of budget and millage

Negotiate with School Board for schools

Review and assist with grant for city water lines

The Bradley/Lepley camp thrive on spreading fear, chaos and confusion. Don't let that happen. Need honest answers? Call the City Manager, City Clerk, or other Commission members.

No individual can take credit for the accomplishments in our city. They are the result of the combined efforts of the entire Commission working with city staff. We have great projects ahead of us including a new community center. The need for strong leadership that can be trusted as we move forward is essential.

The legacy we leave is the quality of our livesThe differences in candidates is clear....

**VOTE TO RE-ELECT MAYOR H. B. "ROB" ROBINSON AND
COMMISSIONER BOBBY LYNCH.**

Paid political advertisement paid for and approved by HB Rob Robinson Candidate for Mayor
And Bobby Lynch Candidate for City Commission Seat 3

F

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

STATE OF FLORIDA

CASE #: 53-2017-CF-010703-A000-XX

AGENCY CASE #: PCSO 2017-050907

VS

DIVISION: F5

TERESA DARLENE BRADLEY

TO THE CLERK OF THE ABOVE STYLED COURT:

THE STATE hereby announces a No Bill of the following charges:

**CRIMINAL USE OF PERSONAL IDENTIFICATION OF A DECEASED
PERSON**

**KNOWINGLY POSSESS ALTERED/COUNTERFEIT DECAL
(VALIDATION STICKER).**

The State requests that the above defendant be discharged from custody only on the charges appearing above. The defendant has pled to Unlawful Use of Handicapped Placard.

DATED THIS December 15, 2017.

BRIAN HAAS, STATE ATTORNEY

BY:

BRADFORD H COPLEY
ASSISTANT STATE ATTORNEY
FLA.BAR #: 0437662
P O BOX 2000, DRAWER SA
BARTOW, FL 33831

cc:

Jail – TERESA DARLENE BRADLEY DOB: 09/05/1957 WF
Warrants
PTR
PCSO 2017-050907



STATE OF FLORIDA, COUNTY OF POLK
This is to certify that the foregoing is a true
and correct copy of the document now of
record in this office. Witness my hand and
Official Seal on 12/19/17
This copy has been reviewed, and if required by
law, redacted.
STACY M. BUTTERFIELD, CLERK CIRCUIT COURT
By [Signature] D.C.

G



Celebrate July 4th 2015

Join us in the public reading of the

Constitution of the United States

Town Gazebo

Market Street, Davenport, FL 33837

12 pm Noon

Admission Free

Bring a lawn chair, a flag and wear red-white-blue or your military uniform to show your pride in our Nation.

Invite your friends and neighbors and become part of this new Annual Tradition!

All attendees will receive a personal copy of the Constitution of the United States.



Happy July 4th

Welcome	Mayor Darlene Bradley
National Anthem	Aikel Coffie
Pledge of Allegiance	Boy Scouts Troop 528
Prayer for our Country	Pastor Utterback
Declaration of Independence	Polk County Sheriff Grady Judd
God Bless America	Nia Amaro
The Constitution, Section 1	Pete Rust
The Constitution, Section 2	Al Snipes
The Constitution, Section 3	Brynn Summerlin
The Constitution, Section 4	Deborah Adams
The Constitution, Section 5	Polk County Commissioner Ed Smith
The Constitution, Section 6	Delores Wilson
The Constitution, Section 7	Commissioner Crystal Williams
The Constitution, Section 8	Rick Achuff
The Constitution, Section 9	Donna Fellows & Lisa Coffey
The Constitution, Section 10	Larry Sinibaldi, Shavonn Davis, Sara Marfo, & Esther Lubin

A copy of The Constitution and an American Flag will be provided for all attendees.

Appreciation of Support/Sponsors: City of Davenport, Davenport Fire Department, Mayor Bradley, Vice Mayor Bobby Lynch, Brynn Summerlin, Ridge Community High School, Cremation Services of Mid Florida, George Letterman and Boy Scout Troops 528.

Special thanks to Bob Avery for his idea of the public reading of our national documents.

July 4th, 2015 Celebration

In Kind Donations

Brynn Summerlin donated sound system
News Leader free advertising of event
City of Davenport - bottle water, tents, tables, chairs
Boy Scouts Troop 528 - presenting the colors
Ridge Community High School - Sigma Students
Congressman Alan Grayson - 50 Constitution booklets
Fellows Trucking - 200 Flags
City of Davenport Fire Dept. grilled hotdogs

Monetary Donations

\$ 690.00

Expenses

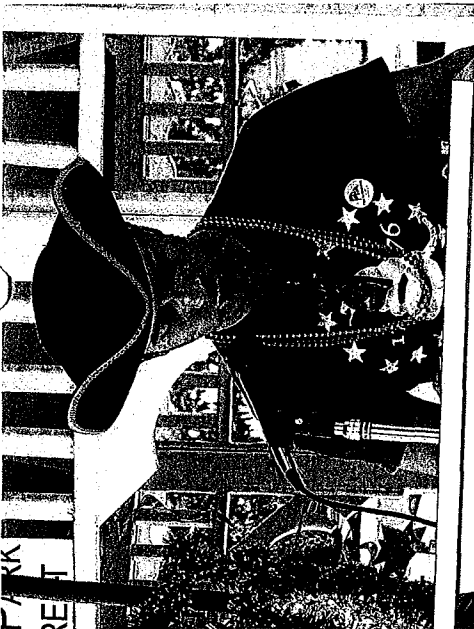
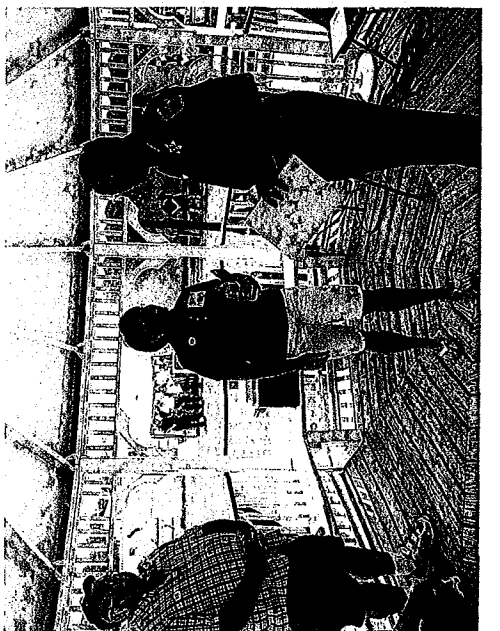
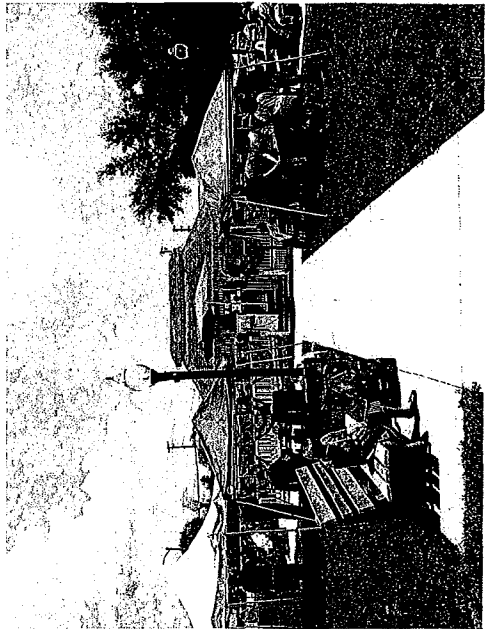
200 Copies Constitution Booklets	\$214.00
Staples Sign	\$ 18.18
Dry Ice for popsicles	\$ 69.25
Publix Ice Cream	\$ 47.50
Stickers - I read The Constitution	\$ 34.98
Banner	\$ 15.00
Hotdogs, Buns, Napkins	\$121.45
Cookies/Brownies for volunteers	\$ 81.88
Mustard, Ketchup, Relish	\$ 10.00
Decorations for gazebo & table cloths	\$ 25.00
Fuel - 2 round trips to Lakeland for Dry Ice	\$ 30.00
Fliers, handouts, toner	\$ 40.00

Total

\$ 707.24

Registrants (not all attendees registered)

Davenport	117
Haines City	16
Lake Alfred	2
Winter Haven	8
Orlando	1
Lakeland	1
Clermont	6
Altamonte Springs	1
	<hr/>
	152



Davenport's July 4 Celebration

Published: Saturday, July 11, 2015 at 12:01 a.m.

On July 4, the city of Davenport commemorated Independence Day with a public reading of the Declaration of Independence and the U.S. Constitution.

Mayor Darlene Bradley did a fantastic job involving members from all across the community, including the Davenport Fire Department cooking hotdogs, the Boy Scouts Color Guard and some very talented local students who inspired us with their singing.

Sheriff Grady Judd delivered the Declaration of Independence, and various public leaders and citizens read sections of the Constitution.

Thank you, Mayor Bradley, and all who participated for the opportunity to celebrate the real meaning of Independence Day.

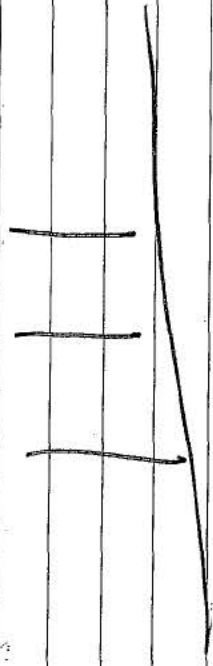
CHAD DAVIS
Winter Haven

H

Ordid - 50' wide

6/13/17

Game Field → 00' lots Except Cabana Isle
50' lots



Parking 4 to 5
Common/open space

7,000 / home added
to parks impact fees

$$\begin{array}{r}
 465 \\
 368 \\
 \hline
 833
 \end{array}$$

- Agreement to
connect to street
w/ amenities

JD said he would

know whether was offered - Agreement for bike trail
walk

in 2014 re: Community

Center - add on to Cabana.

R.A.



APPROVAL OF ORDER OF BUSINESS

Motion made by Commissioner Summerlin and seconded by Commissioner Fellows to approve the order of business.

With no further discussion, Mayor HB Robinson called for the vote. Motion carried unanimously.

PUBLIC COMMENT

Darlene Zeanwick of 4 West Lemon Street and also the Chair for the Recreation Advisory Committee, reported the resignation of Robert Avery. Mrs. Zeanwick requested the appointment of Pastor Jeremy Clark to be placed on the next Agenda so that the Committee would be complete in time for the March 14th Open Forum.

Rennie Heath reminded the Commission that several months ago he had made a commitment to their previous Mayor in trying to be a good neighbor and a good developer. As a result, the builder would pay an additional \$1,000 per house as a park improvement fee.

Jennifer Codo-Salisbury with Central Florida Regional Planning Council (CFRPC) announced the next Community Workshop for February 27th 6:30 p.m. at the First Baptist Church.

Wayne Benner of 312 E. Bay Street asked the possibility of a bus stop in town and getting natural gas on east side of town.

The Mayor asked that the City Manager look into this.

Brenda Dolan of 2289 Grantham Avenue and also representing the Davenport Historical Society asked for assistance in storing their items during the renovations.

Discussion ensued with Commissioner Fellows voicing that he felt that the City should step up and help cover these costs and Commissioner Summerlin questioning the insurance coverage cost based on value and what value had they placed on the historical items. He also questioned if the unit would be big enough. Mrs. Dolan responded that the monthly insurance fee would be \$166.58 and the unit size would be big enough.

Commissioner Lynch agreed that they should step up and help the Davenport Historical Society.

The City Manager advised that he would place this on the next agenda upon confirmation of costs.

Commissioner Gonzales asked if they had taken into consideration a company for transporting the items. Mrs. Dolan responded that a family was donating the transportation of the items this week.

J

City of Davenport Commission Minutes July 30, 2012

Mr. Robinson recollected discussion on placing liens on property and the ability to serve charge. The Attorney advised that he did recommend the ability to serve charge.

Mr. Warren further added that as far as liens, the City could put a lien on the home or property,



City of Davenport

POST OFFICE BOX 125
DAVENPORT, FLORIDA 33836

CITY CLERK'S OFFICE

Tel: (863) 419-3300

Fax: (863) 419-3302

January 31, 2008

TO: Mayor and City Council
Amy E. Arrington, City Manager
FROM: Raquel Castillo, City Clerk
SUBJ: Research of Minutes

As instructed at the last meeting, I have researched the minutes relating to the WWTP in relation to Council's concerns and inquiries and found the following information.

There were several meetings where the sewer project was discussed, but these meetings in particular related to the hookup fees/costs.

January 22, 2007 – Regular Meeting

At this meeting the Scope of Services for Phase III of the Wastewater Treatment Plant was presented to Council for approval.

At the meeting Mr. Lepley voiced his concern that before the City paid anymore money that the issue of hookup costs should be resolved. Council's consensus was the need to approve the scope of services and talk about hookup fees at a later time.

October 29, 2007 – Workshop

Robert mentioned the following in his presentation on the WWTP.

Incentive to citizen (offset of cost to connect)

\$3,500 impact fee waiver

\$1,500 Assistance for septic tank

K

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name H. B. "ROB" ROBINSON

(2) I.D. Number M2

(3) Cover Period 03 / 02 / 2019 through 03 / 15 / 2019

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description		Amount
03 / 02 / 19 1	Harriet Rewis Rust 1830 Pawnee Trail Lakeland, FL 33803	I	Retired	CHE			\$150.00
03 / 04 / 19 2	Cassidy Holdings Group 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 3	Winter Haven Manage- ment Services LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 4	Lakeville Partners LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 5	Heath Construction & Management LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
03 / 04 / 19 6	CAS Holdings LLC 346 E. Central Avenue Winter Haven, FL 33880	B	Land Develop- ment	CHE			\$1,000.00
/ /							

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name H. B. "ROB" ROBINSON

(2) I.D. Number M1

(3) Cover Period 02 / 01 / 2019 through 03 / 01 / 2019 (4) Page 1 of 2

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation				
02 / 04 / 19 1	George Letterman 312 Cypress St. East Davenport, FL 33837	I	Retired	CHE			\$500.00
02 / 08 / 19 2	Warren McKnight 59 B Moore Road Haines City, FL 33844	I	Citrus Industry	CHE			\$200.00
02 / 08 / 19 3	Holly Hill Fruit Products PO Box 708 Davenport, FL 33836	B	Citrus Industry	CHE			\$200.00
02 / 12 / 19 4	Howard and Fatima Gill PO Box 764 Davenport, FL 33845	I		CHE			\$100.00
02 / 14 / 19 5	Abelardo Gonzales 8 Cypress Street East Davenport, FL 33837	I		CHE			\$50.00
02 / 14 / 19 6	Linda Robinson [REDACTED]	I		CHE			\$100.00
02 / 16 / 19 7	Deborah Burress 118 East Bay Street Davenport, FL 33837	I	Retired	CHE			\$150.00

L

The Mayor opened and closed the Public Hearing with no public comment.

There being no discussion, the Mayor called for the vote. Motion carried unanimously.

OLD BUSINESS

1. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 876 REGARDING VOLUNTARY ANNEXATION OF A PARCEL OF LAND. (OWNER: ASTORIA PROPERTIES, LLC - GENERAL LOCATION: NORTH OF NORTH BOULEVARD E, EAST OF US 17/92)**

At this time the Attorney was instructed to read Ordinance No. 876 by title.

City Planner Raymond Perez explained that this was second reading of the Ordinance. Raymond noted that the metes and bound legal description was included in the Ordinance.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Lynch and seconded by Commissioner Kneeld to approve Ordinance No. 876 on its second reading. Motion carried unanimously with no discussion.

2. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 877 TO APPROVE A SMALL SCALE LAND USE PLAN MAP AMENDMENT (LUPA) FROM POLK COUNTY RESIDENTIAL MEDIUM EXTRA (RMX) TO RESIDENTIAL MEDIUM (RM). (OWNER: ASTORIA PROPERTIES, LLC - GENERAL LOCATION: NORTH OF NORTH BOULEVARD E, EAST OF US 17/92)**

At this time the Attorney was instructed to read Ordinance No. 877 by title.

City Planner Raymond Perez explained that this was second reading of the Ordinance and there were no changes since first reading.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 877 on its second and final reading. Motion carried unanimously with no discussion.

3. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 878 TO REZONE A PARCEL OF LAND FROM MULTI-FAMILY 3 (MF-3) AND POLK COUNTY RESIDENTIAL MEDIUM (RMX) TO PLANNED UNIT DEVELOPMENT (PUD). (OWNER: ASTORIA PROPERTIES LLC - GENERAL LOCATION: NORTH OF NORTH BOULEVARD E, EAST OF US 17/92)**

At this time the Attorney was instructed to read Ordinance No. 878 by title.

City Planner Raymond Perez explained that this was second reading of the Ordinance and no changes have been made since first reading. Raymond further detailed that the total acreage of this PUD consisted of 70.80 acres.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to approve Ordinance No. 878 on its second reading. Motion carried unanimously with no discussion.

Directing his question to developer Rennie Heath, Vice-Mayor Summerlin questioned when were they looking at annexing the adjacent unincorporated piece to the east of this property? Mr. Heath of the Cassidy Group, 346 E. Central Avenue, Winter Haven answered that their goal was to annex this plus another parcel to the north but could not pinpoint a timeframe.

4. PUBLIC HEARING AND SECOND READING OF ORDINANCE 882 TO REZONE A PARCEL OF LAND FROM RESIDENTIAL ESTATE 1 (RE-1) TO RESIDENTIAL ESTATE 2 (RE-2). (OWNER: MARK F. BANJAK - GENERAL LOCATION: 327 NORTH BOULEVARD WEST)

At this time the Attorney was instructed to read Ordinance 882 by title.

City Planner Raymond Perez explained that this ordinance was also being presented for second reading and rezoned the parcel from RE-1 to RE-2.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Fellows and seconded by Commissioner Kneeld to approve Ordinance No. 882 on its second reading. Motion carried unanimously with no discussion.

5. PUBLIC HEARING AND SECOND READING OF ORDINANCE 883 TO REZONE TWO PARCELS OF LAND FOR SOUTHERN CROSSINGS SUBDIVISION FROM RESIDENTIAL 1 (R-1) TO PLANNED UNIT DEVELOPMENT (PUD). (OWNER: HOLLY HILL FRUIT PRODUCTS CO. INC./CIRCUS INN INC. - GENERAL LOCATION: SOUTH BOULEVARD WEST)

At this time the Attorney was instructed to read Ordinance No. 883 by title.

City Planner Raymond Perez explained that this was second reading of the ordinance and there were no changes since its first reading.

The Mayor opened and closed the Public Hearing with no public comment.

Motion by Commissioner Lynch and seconded by Commissioner Kneeld to approve Ordinance No. 883 on its second reading. Motion carried unanimously with no discussion.

NEW BUSINESS

2. REQUEST TO APPROVE THE SELECTION OF THE TOP FIVE CONSULTANTS FROM THE REQUEST FOR QUALIFICATIONS FOR CONTINUING ENGINEERING SERVICES #18/19-02 ADVERTISED ON JANUARY 4, 2019

Utilities Director Mike Stripling explained that Staff had gone out for proposals. Said proposals had been reviewed by selected staff and the top five firms were being presented for approval.

The Mayor opened and closed the Public Hearing with no public comment.

M

He also felt that the primary problem with the appointed Mayor was that it would be substantially more difficult to get him or her out because the voters would have to wait till off cycles. Mr. Zaharee also questioned if there was a term limit for the Mayor.

The City Commission responded that the Mayor was a Commissioner and was up for election every three years. Commissioner Kneeld further added that the appointed Mayor would be accountable annually because they would be appoint by the Commission annually.

In answer to Mr. Zaharee's question, Commissioner Kneeld provided that he had initially suggested the ordinance to the City Commission.

Mr. Zaharee further voiced that they all cared about the city and he respected this. He wasn't judging any motives but he felt that they should have publicized this a little longer than the 2 months.

In closing, he questioned Commissioner Lynch if he had voted for the Ordinance, to which Mr. Lynch responded that he had not. (SS1 - Amendment 1)

There being no one else the Mayor closed the Public Hearing.

CONSENT AGENDA

At this time the Mayor opened and closed the Public Hearing with no public input.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the Consent Agenda which included the Minutes of the March 4, 2019 Regular Meeting. Motion carried unanimously with no discussion.

OLD BUSINESS - None

NEW BUSINESS

- 1. PUBLIC HEARING AND REQUEST FOR A PRELIMINARY PLAT APPROVAL FOR "SOUTHERN CROSSINGS SUBDIVISION" - GENERAL LOCATION: SOUTH OF SOUTH BOULEVARD. (PROPERTY OWNER: HOLLY HILL FRUIT PRODUCT CO. INC & CIRCUS INN INC.)**

City Planner Raymond Perez announced that this was a request for a preliminary plat for Southern Crossing. The property consisted of a 93 lot single family subdivision, located in the PUD zoning district. Raymond further explained that the Planning Commission had recommended approval earlier in the evening.

At this time the Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Kneeld to approve the preliminary plat for Southern Crossings.

Brief discussion ensued with the Vice-Mayor reiterating his comments from the Planning Commission regarding a second entrance.

There being no other discussion, the Mayor called for the vote. Motion carried unanimously.

CITY MANAGER REPORT

The City Manager thanked the Staff members that had attended the Relay for Life event Friday on behalf of the City.

He also announced that the City had received a check for \$322,000 for the School Board's portion for the sewer line project.

CITY ATTORNEY REPORT – Nothing to report

CITY CLERK REPORT – Nothing to report

CITY COMMISSION COMMENTS

The Vice-Mayor announced that he was unable to attend the Relay for Life event, however he had attended an event in Tenoroc with Sheriff Grady Judd and had the privilege of working with about 20 cadets from the Summerlin Academy in Bartow. He had been so impressed by them that he just had to share with them.

Commissioner Kneeld also thanked all the staff that had worked on the Relay for Life event.

Mayor Robinson expressed that he also had attended and had given the opening address at the event. Mayor Robinson added that next year he would like to see Davenport have their own tent at the event.

There being no further business, a motion to adjourn was made by Commissioner Lynch and seconded by Commissioner Kneeld.

Meeting adjourned at 7:25 p.m.

I HEREBY CERTIFY that the foregoing Minutes are true and correct.

Raquel Castillo, City Clerk

N

Marissa Barnby with the Central Florida Regional Planning Council announced that his was first reading of the Ordinance adopting the Land Development Regulations which also included zoning map changes related to combining zoning districts and rezoning the impacted properties.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Lynch and seconded by Commissioner Fellows to approve Ordinance No. 874 on its first reading. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 885 APPROVING A FINAL PLAT FOR "CITRUS POINTE SUBDIVISION" – GENERAL LOCATION: EAST OF HOLLY HILL ROAD, SOUTH OF NORTH BOULEVARD WEST. (PROPERTY OWNER: HHR EAST, LLC)

At this time the Attorney was instructed to read Ordinance No. 885 by title.

City Planner Raymond Perez announced that this was a request to approve a final plat for Citrus Pointe subdivision. Raymond further noted that this was a 100 lot subdivision.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Kneeld to approve Ordinance No. 885 as read. Motion carried unanimously with no discussion.

4. REQUEST TO APPROVE RESOLUTION 408-19 APPROVING AN APPLICATION WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND FOR PHASE ONE WASTEWATER TREATMENT FACILITIES LOAN NUMBER WW 53071

At this time the Attorney was instructed to read Resolution No. 408-19 by title.

Utilities Director Mike Stripling explained that this was the loan application for the phase one upgrades for the wastewater treatment plant with a principal forgiveness of \$504,200.

Mike noted a change to the application in Section III, which should reflect revenue pledges from both water and wastewater revenues.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by both Commissioners Lynch and Kneeld to approve Resolution No. 408-19.

Discussion ensued with the Vice-Mayor questioning the content of the project. Mike responded that it consisted of the gravity system to the school, headworks at the WWTP

O

There being no further discussion, Commissioner Kneeld amended the motion on the table to approve the LDR's but with the change back to 1,500 sf as they were read on April 1st. The second was provided by Commissioner Lynch and carried unanimously.

As a point of order, the Mayor called for the vote on the original motion. Motion carried unanimously.

2. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 885 APPROVING A FINAL PLAT FOR "CITRUS POINTE SUBDIVISION" – GENERAL LOCATION: EAST OF HOLLY HILL ROAD, SOUTH OF NORTH BOULEVARD WEST. (PROPERTY OWNER: HHR EAST, LLC)

At this time the Attorney was instructed to read Ordinance 885 by title.

City Planner Raymond Perez explained that this was second reading of the Final Plat for Citrus Pointe and there had been no changes since first reading.

The Public Hearing was opened and closed with no public input.

Motion by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance 885 as read. Motion carried unanimously with no discussion.

NEW BUSINESS

1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 884 APPROVING A FINAL PLAT FOR "HIGHLAND COVE SUBDIVISION" – GENERAL LOCATION: EAST OF HOLLY HILL ROAD, NORTH OF NORTH BOULEVARD. (PROPERTY OWNER: ROOKS, LLC)

At this time the Attorney was instructed to read Ordinance 884 by title.

City Planner Raymond Perez advised that this was approval for the final plat for Highland Cove subdivision and recommended for approval by the Planning Commission earlier in the evening. He further provided that Staff recommended approval with the change of the minimum living square footage from 1,300 to 1,500.

The Mayor opened the Public Hearing.

Douglas Stamm of 592 Cantabria Drive – Dell Web Community accepted and provided that his home bordered on this subdivision and questioned if the builder was going to do anything to replace the trees that were removed in the right-of-way and asked why had the city approved the removal of the trees.

Raymond provided that he would be glad to meet with Mr. Stamm and the engineer on this project, however this project had met all the requirements of the LDR's.

Rennie Heath with Heath Construction & Management LLC and representative of 4 Rooks LLC asked for clarification from Raymond that he was recommending approval of this final plat with the change from 1,300 sf to 1,500 sf. Raymond responded that he was and the reason for this was because of the Commission's decision to keep the R3 minimum living area of 1,500 sf.

There being no one else, the Mayor closed the Public Hearing.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the final plat for Highland Cove subdivision.

Discussion ensued with the Commission questioning if the right-of-way was a road right-of-way or a utilities right-of-way and had it been closed. Raymond responded that it was a road right-of-way and it had been closed.

Brief discussion ensued on the ownership of the abutting property of the right-of-way and Raymond was asked to look into this.

There being no further discussion, the Mayor called for the vote. Motion carried unanimously.

2. REQUEST TO APPROVE THE FY 19/20 STATE HIGHWAY LIGHTING MAINTENANCE AND COMPENSATION AGREEMENT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)

The City Manager explained that this was an annual agreement with a slight increase of \$152 from last year.

At this time the Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Vice-Mayor Summerlin to approve the 19/20 State Highway Lighting Agreement with Florida Department of Transportation. Motion carried unanimously with no discussion.

3. APPROVE AN AGREEMENT WITH THE POLK COUNTY TAX COLLECTOR FOR THE UNIFORM COLLECTION OF A NON-AD-VALOREM ASSESSMENT FOR STORMWATER MANAGEMENT

The Public Hearing was opened and closed with no public input.

Utilities Director Mike Stripling explained that this agreement would establish the terms and conditions in which the Tax Collector would collect and enforce the collection of this assessment. This would be assessed on an annual basis on the tax bill.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve the Agreement with the Polk County Tax Collector for the collection of a non-ad-valorem assessment for stormwater management. Motion carried unanimously with no discussion.

P

CONSENT AGENDA

Motion by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve the Consent Agenda which consisted of the Minutes of the April 15, 2019 Planning Commission and the April 15, 2019 Regular Meeting. Motion carried unanimously with no discussion.

At this time the Mayor opened and closed the Public Hearing with no public input.

OLD BUSINESS

1. **PUBLIC HEARING AND SECOND READING OF ORDINANCE 879 TO APPROVE A LAND USE PLAN AMENDMENT (LUPA) OF TWO SEPARATE SUBDIVISIONS FROM RESIDENTIAL SUBURBAN EXTRA (RSX) TO RESIDENTIAL LOW (RL). (OWNERS: MYSTERIOUS PINK APARTMENTS, LLC AND NVR INC. - GENERAL LOCATION: MYSTERY HOUSE ROAD, WEST OF PINK APARTMENT ROAD)**

At this time the Attorney was instructed to read Ordinance No. 879 by title.

City Planner Raymond Perez provided that this was the LUPA of 19.26 acre parcels along Mystery House Road (Pleasant Hill Estates) and staff recommended approval.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve Ordinance No. 879 as read. Motion carried unanimously with no discussion.

2. **PUBLIC HEARING AND SECOND READING OF ORDINANCE 880 FOR THE REZONING OF TWO SEPARATE SUBDIVISIONS FROM RESIDENTIAL SUBURBAN EXTRA (RSX) TO PLANNED UNIT DEVELOPMENT PUD. (OWNERS: MYSTERIOUS PINK APARTMENTS, LLC AND NVR INC. - GENERAL LOCATION: MYSTERY HOUSE ROAD, WEST OF PINK APARTMENT ROAD)**

At this time the Attorney was instructed to read Ordinance No. 880 by title.

Raymond explained that this was for the rezoning of the same parcel.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Commissioner Fellows to approve Ordinance No. 880 as read. Motion carried unanimously with Commissioner Kneeld questioning if there were any changes since the last hearing to which Raymond responded that nothing had changed.

3. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 884 APPROVING A FINAL PLAT FOR "HIGHLAND COVE SUBDIVISION" - GENERAL LOCATION: EAST OF HOLLY HILL ROAD, NORTH OF NORTH BOULEVARD. (PROPERTY OWNER: 4 ROOKS, LLC)**

At this time the Attorney was instructed to read Ordinance No. 884 by title.

Raymond provided that this was for the final plat of the Highland Cove subdivision. The R-3 zoning in this subdivision required a minimum living area of 1,500 sq.ft. Raymond advised that there had been no changes since the last hearing and recommended approval.

The Mayor opened the Public Hearing.

Bill Blake of 580 Cantabria Drive accepted and questioned why the trees had been removed and what the intention was to restore the property. Mr. Blake further added that the trees had provided a nice barrier to all the abutting residences.

Raymond responded that the Developer had complied with all the Land Development Regulation requirements. The engineer was present in the audience to provide any further comments or information on this.

Rodney Gadd with GADD & Associates located at 1925 US 98 South, Lakeland added that the 30' was a public right-of-way and half was in the County and the other half was in the City. It was their intention to have this right-of-way vacated. The right-of-way in general didn't by default leave a vegetative buffer between two developments. They were seeking the subdivision of land for the improvements and if any trees were taken down outside of anything that wasn't allowed would be a Code Enforcement issue. They could definitely attempt to get the contractor to make it right however anything that was removed would have been approved by Staff.

Commissioner Kneeld noted that they had discussed this in length at their last meeting but looking at the map, the County ROW was closed and given to Del Webb and the other was closed for this new development so both properties were abutting directly up against each other.

Vice-Mayor Summerlin questioned when they had abandoned their portion. Commissioner Kneeld responded that it had been done when they had approved this development. Mr. Gadd interjected and added that what they were approving tonight would abandon the east portion abutting the property however the remaining portion that went out to Forest Lake Drive would not be and would be used for utilities and a partial roadway.

Mr. Blake took the floor again and corrected the record by pointing out that the strip of land was not owned by anybody. His position would be that they not approve the plat until this issue was resolved. He believed that it was important not to vacate public land without the right conditions set on it and the conditions should be that the developer and landowners agree on a replacement of the trees or some barrier to replace what was taken down.

There being no other public input, the Mayor closed the Public Hearing and entertained a motion.

Motion by Commissioner Kneeld and seconded by Commissioner Fellows to approve Ordinance No. 884 approving the final plat for Highland Cove Subdivision.

The Mayor questioned Raymond if the city had met all the rules and regulations and laws of the State, the County and the City. Raymond responded that it had and the City had complied with the City's Land Development Regulations.

Vice-Mayor Summerlin further voiced his concerns with the abandonment of the right-of-way. The City Manager explained that the portion that would be abandoned ran into the Marbella Subdivision and this was where the right-of-way stopped and didn't go any further. In answer to the Vice-Mayor's next question, he answered that there would not be any need for the City to use this piece of property since everything was already developed in the area.

He understood Mr. Blake's concern with the buffer but if the city didn't own the piece of property it wasn't up to the City to say whether or not the trees could be removed or replaced. This would be between the County and the developer. He wanted to go on record by stating that any utility right-of-way that they now had they had to maintain because they may need it in the future; and if there was a possibility that they may need it, he didn't want to give it away.

Commissioner Kneeld added that this was an excellent point and this is was something to take into consideration going forward and hoped that staff would point it out to them.

The City Manager asked Mr. Gadd if he could talk to the developer to see if they could replace some of the trees or place some kind of buffer. Mr. Gadd responded that he couldn't speak for the developer but he would ask.

Commissioner Lynch further noted that he had questioned ownership of the property and wanted to be absolutely sure. Mr. Gadd shared that a title search had been done and reviewed by all parties.

Commissioner Fellows felt that they need to extend the good neighbor policy.

Before voting, Vice-Mayor Summerlin pointed out that no trees would be placed in utility easements anyways.

There being no further discussion, the Mayor called for the vote. Motion carried unanimously.

NEW BUSINESS

1. APPOINTMENT OF VICE-MAYOR

The Mayor opened the floor for nominations for Vice-Mayor.

Commissioner Fellows motioned to reappoint Brynn Summerlin as Vice-Mayor. The seconded was provided by Commissioner Lynch.

Q

2. PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 891 ADDRESSING TRAFFIC CONTROL ON ESCAMBIA AVENUE AND MIAMI AVENUE

At this time the Attorney was instructed to read Ordinance No. 891 by title.

Chief Holden advised that there were no changes since the last meeting and proceeded to briefly identify the locations involved.

The Mayor opened the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Commissioner Lynch to approve Ordinance No. 891.

Discussion ensued with Vice-Summerlin asking when they were going to do an evaluation to add more and further added the needed to set a specific timeframe to reevaluate the need.

Mayor Robinson opposed this idea and voiced that he personally did not like it. They had enough heartburn without adding stop signs at every intersection.

Commissioner Kneeld asked if Staff was still pursuing the school board about changing the bus stop from Lemon Street to Palmetto Street. Staff responded that they had not but would be talking to them at the May 28th meeting at the Community Center.

He also questioned why the stop signs were put up before second reading of the Ordinance. The City Manager responded that staff felt that it was an emergency situation because of the complaints the City had received. In addition, they wanted to know what kind of feedback it would get before second reading. There had been negative comments but the majority were positive.

There being no further discussion, the Mayor called for the vote. Motion carried unanimously.

NEW BUSINESS

1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 889 AMENDING THE BOUNDARIES OF THE HIGHLAND MEADOWS II CDD

At this time the Attorney was instructed to read Ordinance No. 889 by title.

The Attorney advised that there was statutory criteria that should be considered when granting or denying a petition. In addition, whenever there was an expansion or contraction, the State required them to consider these criteria as well.

City Planner Raymond Perez explained that this was a request to amend the District and had been recommended for approval by the Planning Commission earlier in the evening. Raymond further advised that he would be including the Petition at second reading of the Ordinance.

Roy VanWyk with Hopping Green & Sams located at 119 South Monroe Street, Tallahassee took the floor and explained that they were there tonight to expand the District by approximately 44 acres. He noted that the Petition had been filed with both Haines City and Polk County prior to tonight. In addition, he was providing the following for inclusion into the record.

- Affidavits of Pre-filed Testimony
- Affidavit of Publication of Public Hearing

Mr. VanWyk asked for approval of the Ordinance on its first reading and stood for questions.

Vice-Mayor Summerlin noted that to his knowledge they had not had any issues with the CDD since its establishment. Staff confirmed that there weren't any.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Vice-Mayor Summerlin and seconded by both Commissioner Kneeld and Lynch to approve Ordinance No. 889 on its first reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND 1ST READING OF ORDINANCE NO. 890 REZONING A PARCEL OF LAND FROM R-3 (RESIDENTIAL-3) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE HIGHLAND COVE SUBDIVISION LOCATED EAST OF HOLLY HILL ROAD AND NORTH OF NORTH BOULEVARD (PROPERTY OWNERS: 4 ROOKS, LLC)

At this time the Attorney was instructed to read Ordinance No. 890 by title.

City Planner Raymond Perez advised that this had not been recommended for approval by the Planning Commission. This request was for a zoning change from R-3 to PUD and a reduction of the minimum living area from 1,500 sq. ft. to 1,300 sq. ft.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Kneeld and seconded by Vice-Mayor Summerlin to deny the zoning request. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND APPROVAL OF RESOLUTION NO. 412-19 APPROVING THE FINAL PLAT FOR THE CHAMPION TOWNHOME SUBDIVISION LOCATED NORTH OF CR 547 (DAVENPORT BOULEVARD) AND EAST OF HIGHWAY 27

At this time the Attorney was instructed to read Resolution No. 412-19 by title.

City Planner Raymond Perez explained that this was for approval of a final plat for Champion Townhome Subdivision. This encompassed an area of 13.759 acres and no changes had been made since the preliminary plan. Raymond further added that this request had been reviewed by Staff and found to be consistent with the policies and goals of the City's Land Development Regulations and the Comprehensive Plan and recommended approval.

The Mayor opened the Public Hearing.

Sharon Garrett of Carl Boozer Road and owner of the adjacent property to the east accepted the invitation and proceeded to voice the challenge of keeping debris off her property. In addition, there was no fence between this subdivision and her property and the kids were constantly using her property as a playground. The City had incorporated fences all around yet there wasn't one at this development and asked why.

R

A MESSAGE TO THE RESIDENTS OF DAVENPORT

It's election time again and the fearmongers and naysayers are hard at work. Don't be misled by the half-truths, innuendos, and flat-out lies that are being spread all over town.

You were misled a few years ago regarding the sewer. Now it's becoming increasingly clear that we will have to address this issue again. Before, we had a grant to pay for it; now it will be at the residents' expense.

You are being told that the current commission is trying to take your right to vote for mayor away. This is simply not true. Amendment 1 gives you, the voter, the choice.

The constant criticism of the current administration by a disgruntled few is unwarranted and untrue. The details above are just a few examples, but you get the picture. In short, beware of messengers that walk all over town spreading lies and half-truths who then use the handicap parking space at City Hall.

If you have questions concerning our great city, please reach out to Mayor Robinson, our City Commission or City Manager Kelly Callihan to have your questions accurately and appropriately answered.

GOD BLESS DAVENPORT

8

8

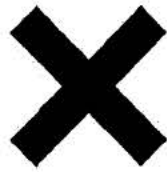
S

8

8

By now you have heard all the pros & cons about the upcoming election.

The question is —
are you going to be misled again?



The challengers offer you lies, half-truths, innuendos, conflict and controversy.



The incumbents give you honesty, integrity, proven leadership and results.

VOTE

More Progress

Less Embarrassment

Keep Davenport Moving Forward



Protect Our Integrity



Your Choices are Clear

T

Both campaigns (Robinson and Lynch) assembling, stuffing, mailing their flyer "A legacy a part of you that remains", a malicious flyer with false statements that was paid for by both parties; but not mentioned on either campaign's financial reports.

In attendance: From Left Linda Robinson, Treasurer for Robinson Campaign, Robert "Bob" Lynch, Candidate Seat 3 Commissioner, on far right is Denise Lynch, Treasurer for Lynch Campaign.

Posted on Robinson's Facebook:

www.facebook.com/HB-Rob-Robinson-Davenport-Mayor-105141444933457



n

A life dedicated to service Veteran-Police Officer-Public Servant

- Voluntary Enlistment-US Army/
Honorable Discharge
- 53 Years municipal government
experience. 19 of these years was
service to the residents of of
Davenport as your chief, city
manager, city commissioner/vice
mayor, and now your MAYOR
- Current Vice President, Ridge
League of Cities
- Member, Florida League of
Mayors
- Life Member - Polk County Police
Chiefs Association, Florida Police
Chiefs Association, FBI National
Academy Associates

Personal

- Resident of Davenport since
May, 1992
- Deacon, First Baptist Church
of Davenport
- 4th Generation Floridian
- Bachelor of Science Degree from
Florida International University
- Attended FBI National Academy
for Law Enforcement.
- Attended Florida League of Cities
Institutes for elected officials
- Married to my wife, Linda, for
(soon-to-be) 48 years. We have 2
children and 4 grandchildren.

Political advertisement paid for and approved by
H.B. "ROB" ROBINSON Candidate for Mayor,
PO Box 1257, Davenport, FL 33836

H. B. "ROB" ROBINSON
CAMPAIGN FOR MAYOR
PO BOX 1257
DAVENPORT, FL 33836

RESORT STANDARD
U.S. POSTAGE
PAID
PERMIT #1403
ORLANDO, FL

T Darlene Bradley
PO Box 3318
Haines City FL 33845-3318

Vote

ROBINSON for Mayor on April 2nd



H.B. "Rob"
Robinson

FOR MAYOR
City of Davenport

A Better Future for our City
A Better City for Our Future



V

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, _____,

candidate for the office of _____;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X

Signature of Candidate

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).



Board of County Commissioners

330 W. Church St.
P.O. Box 9005
Bartow, FL 33831
(941) 534-6090
Fax (941) 534-6055

Public
Information
Office

DATE: April 23, 1997
TO: Barbara Osthoff, Supervisor of Elections Office
FROM: Sara Cheney, ^{SC}Public Information Office
SUBJECT: Campaigning in Government Facilities

As we discussed, County policy prohibits campaign solicitation in government facilities. Attached is a memo recently sent to all Board of County Commissioners' department and division directors reminding them of the policy.

Please include this information in the packets you provide to candidates. Since candidates coming to your office may be unaware of this policy, we want to ensure that everyone is aware of the rules in order to prevent violations from occurring. I am also requesting that you make sure that any candidates who have already qualified receive this information as well.

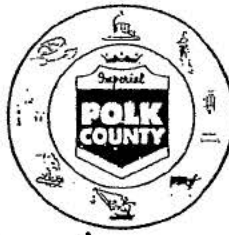
Thanks for your help.

Attachment

xc: Jim Keene, County Manager

JIM W. KEENE
County Manager

JIM RODEN, JR.
Deputy County Manager



Board of County Commissioners

330 W. Church Street
Drawer CA01
Post Office Box 9005
Bartow, FL 33831-9005
(941) 534-6444
Fax (941) 534-7069

MEMORANDUM

DATE: April 15, 1997

TO: Department/Division Directors

FROM: Jim W. Keene, County Manager

SUBJECT: CAMPAIGNING IN GOVERNMENT FACILITIES

Pursuant to the Facility Physical Security Standard Operating Procedures (SOP), approved by the Board on March 11, 1997, I would like to remind all Department and Division Directors that this SOP governs the appropriate use of all County facilities. One of the building rules and regulations outlined in the SOP is:

Soliciting, panhandling or petitioning is prohibited.

This regulation applies to candidates campaigning for elected office. Staff is instructed to intercede whenever a violation of the rules contained in the Standard Operating Procedure is noted.

Should you have any questions, please contact Mark Donald, Facilities Management Director at 534-0340.

Thank you for your attention to this matter.

JPF/mcd

Davenport Mayor Relieved By Attacker's Sentencing

By Cody Dulaney
LEDGER MEDIA GROUP

Published: Saturday, May 17, 2014 at 2:00 a.m.

WINTER PARK | **Davenport Mayor Darlene Bradley** said Friday she no longer feels the need to keep looking over her shoulder, and that's a big relief.

"I might be able to sleep at night," Bradley said. "We can all breathe easier now."

That's because the 30-year-old man who kidnapped and robbed her may spend the rest of his life in prison. An Orange County jury Thursday convicted her assailant, **Farley Curry**, and a judge sentenced him to 60 years in prison.



While **Bradley** said the sentence is a relief, she had to spend the past few days reliving the most traumatic experience of her life.

"It was scary, but I had to tell my story," Bradley said Friday of the testimony she gave.

"I must have been rocking the courthouse with how bad I was shaking in my chair."

It was a dark and rainy morning Oct. 25, 2012, **Bradley** said, when she pulled into the parking lot at **Terracon** in Winter Park, the engineering company where she works.

Before she knew what was happening, she said, a man shoved a gun in her face and forced his way into her car.

While Curry was fighting to get inside, **Bradley** was on the phone with her husband, **John Lepley**.

What started as a normal conversation, **Lepley** said, ended with Bradley screaming and shouting for his help.

Then the line went dead.

"At that point, panicking won't get you anywhere," Lepley said. "I just called 911 and told them to get down there."

Meanwhile, Curry was demanding money from **Bradley**, but she was only able to give him \$64 in cash and a \$2 winning lottery ticket.

HANDS AROUND HER NECK

Curry then drove **Bradley** to a house in Eatonville and got out to speak to a man on a bike. He left the door open, Bradley said, and she thought she had a chance to escape.

She managed to get one hand on the door and one foot out, but then Curry's hands wrapped around her neck, **Bradley** said.

He choked her and threw her down to the floor board, she said.

Curry then made **Bradley** get in the backseat while he drove down the street to another house.

There, Curry stopped at a two-story home where the **upper-level windows were blacked out.**

Four men approached the car from behind the house, **Bradley** said, and Curry shut off the engine and took the keys as he got out to speak with them.

"At that point, I thought I was going to be raped and killed," she said.

With shaking hands and a pounding heart, **Bradley** said she found a second set of keys. Then she jumped into the driver's seat, started the car and wildly sped off down the street.

She was afraid they were chasing her, **Bradley** said, but she managed to wave down a Cassleberry police officer for help.

It took six weeks for police to match Curry's DNA to the car and make an arrest.

Police said Curry had committed a similar abduction just weeks before his attack on **Bradley**. In that case, Curry is charged with carjacking **Erin Hindla** of Winter Park and forcing her to withdraw money from an ATM. No date has been set for that trial.

With a criminal history dating to 1999, Curry is no stranger to police. His record includes cases of battery, battery on a law enforcement officer and possession of drugs.

For the past 1½ years, **Bradley** said, she kept this part of her past a secret for a couple reasons — **fear of retaliation** and a **fear of public perception.**

Even though Curry was in jail awaiting trial, **Bradley** said, **she had a constant fear of the four men who were walking toward her car that morning. The thought of those men coming to find her kept her up many nights.**

During that time, **Bradley** was also preparing to run for office in the city of Davenport, and she didn't want to bring up the case.

"I wanted to be elected based on my ideas and what I wanted to do for the city," she said. *"I wasn't looking for a sympathy vote."*

WORK AS THERAPY

Getting out of your car.

Walking into a building with your hands full.

Going places by yourself.

Those are things most people take for granted every day. After Bradley's experience, however, they are everyday reminders of what happened.

"He took away my freedom, my sense of security," she said. "Everything I do now is very different."

To help cope with the events of that October morning, **Bradley** said, she talks to groups about self-defense and being prepared for anything.

She also encourages people to hide a second set of keys somewhere in their car.

*"Lucky for me I had a second set of keys," **Bradley** said. "Otherwise, I'd just be another statistic."*

Most important, however, is not making yourself an easy target, she said.

"Anything I can do to make sure no one else has to go through what I did is therapy enough for me."

Since the attack, **Lepley** said his wife has immersed herself in the city of Davenport.

"It kept her mind off the horrible events of that day," he said of her work as mayor. "Working for the city has served as therapy."

But not a day goes by in which she isn't reminded of what happened, though, **Bradley** said.

"There are good and bad people, and then there's evil people," she said. "I met the evil that day."

[Cody Dulaney can be reached at cody.dulaney@newschief.com or 863-401-6969.

<http://www.theledger.com/article/20140517/NEWS/140519364/1338/news00?Title=Davenport-Mayor-Relieved-By-Attacker-s-Sentencing>



Community Involvement

Mayor

City of Davenport

Host/Organizer Davenport
2nd Saturday Cruise-In

2008 Davenport Chamber
Presidents Award Honoree

Host/Organizer 2008/9 Davenport
WinterFest & Christmas Parade

Polk Leadership Institute
Valedictorian

RCHS Sigma Honorary Member

Mayor Darlene – Promises kept:

As I promised you in 2013, I do not take a salary as Mayor.

I was able to persuade **Duke Energy** to replace the **street lights** from 100 to 250 watts at all intersections in Davenport....[at no cost] I persuaded them to add street lights on CR547 too. You asked me – it's done

I contacted **Polk County Sheriff's** office & saved us \$80,000 a year with free jail workers. Free is much better don't you think?

I instituted a new city tradition for **July 4th** with the reading of the **Constitution** and **Declaration of Independence**. What did you think of the **new fireworks** we did for you this year – sponsors paid for it all.

I requested **FDOT** to add a left turn signal on the street light at **Bay Street & 17-92** & they did...Then I asked for a fix for the **17-92 & South St interchange** - wow are they great or what? [at no cost to you.]

Adair Park – redone with Lowes Heroes **Lewis Mathews** completely redone with partnership with Haines City. **Jamestown Park** – refurbished with new bathrooms.

All our sidewalks are fixed to top-notch shape.

Saved us \$38 million on our **new Sewer Plant** that was paid for by developer impact fees.

Our new **Event/Community Center** is in progress - with a special agreement I made with a very special developer that covers \$4 million of the cost. It will have a gym, exercise area, convention center, entertainment center & even a crafting area. The best in NE Polk!

Elect

Darlene Bradley

For

MAYOR

VOTE

April 2nd

Paid Pol. Adv. for Darlene Bradley for Mayor
Campaign - PO Box 2791, Davenport, FL 33836

FROM: (407) 740-6110
Darlene Bradley
Terracon Consultants, Inc.
1675 Lee Road

SHIP DATE: 09SEP19
ACTWGT: 1.00 LB
CAD: 9003186/INET4160

Winter Park FL 32789
US

BILL SENDER

TO
The Florida Elections Commission
107 West Gaines Street
Suite 224, Collins Building
TALLAHASSEE FL 32399
(850) 922-4539

(US) 567 J1 190040542

REF: DARLENE BRADLEY - PERSONAL

INV: DEPT:

DEPT
THE FLORIDA
STATE
ELECTIONS COM
107 WEST GAINES ST
TALLAHASSEE, FL
W 224 0719 RT-1D 2607184
32399 6528-07
118-5550
ETX-2
7/6183925457 PPR-032-Y

FedEx
Ground



J192015009401W

8392 5457

FE

32399

9622 0019 0 (000 000 0000) 0 00 7761 8392 5457



SEP 12 A 10:46

STATE OF FLORIDA
ELECTIONS COMMISSION

FedEx.

FedEx.

FedEx.

FLORIDA ELECTIONS COMMISSION

REVIEW OF COMPLAINT FOR LEGAL SUFFICIENCY			
~ PRELIMINARY INFORMATION ~			
Date Received: 10/22/19	Reviewer: Cole	Case #: 19-516	<input type="checkbox"/> ORIGINAL <input checked="" type="checkbox"/> AMENDED
Complainant: Darlene Bradley		Respondent: Rob Robinson	
Complainant:	Complainant was one of Respondent's opponents in the race for Davenport Mayor. She was defeated in the election held on 04/02/19		
Respondent:	Respondent was one of Complainant's opponents in the race for Davenport Mayor. He defeated Complainant in the election held on 04/02/19.		
Background:	This is an amended complaint in an expedited case. Complainant re-submitted attachments submitted with original. Respondent is represented by Fred Reilly, Esq.		
~ VIOLATIONS ~			
Violations in complaint:	§104.271(2)		
Reviewer's violations:	§104.271(2)		
Violations for CMS:	§104.271(2)		
~ COMPLAINT ISSUES ~			
1. Complainant alleged Respondent made false, malicious statements about Complainant.			
~ REVIEW OF COMPLAINT ISSUES ~			
1.	<p>In the amended complaint, Complainant re-asserted her allegations that the statements at issue were false, malicious statements in violation of Section 104.271(2), F.S., and she took issue with the conclusions drawn in the letter of legal insufficiency. Complainant did not provide additional evidence with the amended complaint other than a single additional page from a hand-written memo that includes the telephone numbers of two individuals.</p> <p>Below I address each statement at issue:</p> <ol style="list-style-type: none"> 1. Complainant's argument in the amended complaint pertaining to the handicap placard incident presents semantical differences of opinion that do not affect the overall conclusion that Respondent's statements were sufficiently grounded in fact. She noted that the letter of legal insufficiency claimed she had pled guilty to two offenses, whereas the document she provided indicated she pled guilty to one charge. The fact remains there was an incident involving criminal charges against her. 2. Complainant's argument in the amended complaint pertaining to the 4th of July celebration now argues that she <u>did</u> initiate the event, which is at odds with the original complaint narrative, where she stated she <u>assisted</u> others in the coordination of this event. Again, this is a difference of perception or semantics. 		

3. Complainant's argument in the amended complaint pertaining to the deal brokering with a developer presented clarification on facts that were not presented as clearly in the original complaint. She clarified that an understanding was allegedly reached with the developer at a restaurant on 06/03/17. The deal was memorialized by the hand-written memo she provided with the complaint, and it was later discussed at a public meeting when she was no longer Mayor. Therefore, it appears the minutes of the meeting that referenced a deal reached with the prior Mayor were referring to Complainant. Taken together, the memo and the minutes tend to show that Complainant played some role in reaching the understanding with the developer. However, Respondent had no way of knowing about the meeting held at the restaurant on 06/03/17 or the hand-written memo noting what was discussed. That memo does not even mention Complainant by name, and Complainant admitted that the purpose of the meeting was for the developer to apologize to John Lepley for "threatening him at a commission meeting," not to broker a development deal. She also admitted that John Lepley and former Senator J.D. Alexander were present with her at the restaurant when the understanding with the developer was allegedly reached, which acknowledges that she did not broker the deal alone.

Regardless, Complainant's example of a negotiation with a single developer distracts from the point of whether Respondent's statement was false and malicious. Respondent did not claim Complainant did not negotiate or meet with the developer mentioned by Complainant. His statement was that, "...neither [Complainant nor John Lepley] brokered a deal with a primary developer..." That statement is generic enough that it would not be reasonable to conclude that it was somehow denying that Complainant had met with the developer she mentioned or that she had any role in the \$1,000 per house deal. What Respondent meant by the statement of brokering a deal with a primary developer is open to interpretation. Complainant's single example of a time when she allegedly reached an understanding with a developer of which Respondent might have had some awareness is not a sound basis for concluding that Respondent's generalized statement about Complainant and Mr. Lepley was false and made with actual malice.

4. Complainant's argument in the amended complaint pertaining to the \$5,000 lien clarified that her objection to the statement was not related to the amount of the lien, but that, "he implied I lied about a lien." However, the statement was, "...and in 2013 neither stopped a \$5,000 lien on our homes for sewer as the amount was never established." The statement does not suggest Complainant "lied about a lien." It states that she did not stop it years earlier and claims the amount was not established.

Complainant then took issue with the fact that the letter of legal insufficiency in FEC 19-516 did not address the other allegations made in her original complaint pertaining to violations of other sections of Chapters 104 and 106, F.S. They were not addressed because those allegations were all made part of FEC 19-519, the non-expedited portion of this complaint.

In response to the amended complaint, Respondent stated Complainant has re-asserted her allegations and previously stated arguments. Respondent stated Complainant has not provided any new information or evidence that establishes a legally sufficient basis for her previously asserted allegations. Respondent stated the statements were sufficiently grounded in fact and were not false statements made with actual malice.

Complainant took issue with the alacrity with which the determination on legal sufficiency was made in FEC 19-516. However, expeditious review of complaints made under Section 104.271(2), F.S., is incumbent upon this office.

Legally Insufficient – recommend closure

~~~~ REVIEWER'S RECOMMENDATION AND COMMENTS ~~~~

I recommend the amended complaint is Legally Insufficient for the reasons set forth above. Recommend closure.

**FLORIDA ELECTIONS COMMISSION**

| <b>REVIEW OF COMPLAINT FOR LEGAL SUFFICIENCY</b>                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                 |                                                                                  |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------|
| ~ ~ ~ PRELIMINARY INFORMATION ~ ~ ~                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                 |                                                                                  |
| Date Received: 09/12/19                                                                      | Reviewer: Cole                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Case #: 19-516                  | <input checked="" type="checkbox"/> ORIGINAL<br><input type="checkbox"/> AMENDED |
| Complainant: <b>Darlene Bradley</b>                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Respondent: <b>Rob Robinson</b> |                                                                                  |
| <b>Complainant:</b>                                                                          | Complainant was one of Respondent's opponents in the race for Davenport Mayor. She was defeated in the election held on 04/02/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                 |                                                                                  |
| <b>Respondent:</b>                                                                           | Respondent was one of Complainant's opponents in the race for Davenport Mayor. He defeated Complainant in the election held on 04/02/19.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                 |                                                                                  |
| <b>Background:</b>                                                                           | <b>This is an expedited case.</b> Respondent is represented by Fred Reilly, Esq.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                 |                                                                                  |
| ~ ~ ~ VIOLATIONS ~ ~ ~                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                 |                                                                                  |
| <b>Violations in complaint:</b>                                                              | §104.271(2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                 |                                                                                  |
| <b>Reviewer's violations:</b>                                                                | §104.271(2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                 |                                                                                  |
| <b>Violations for CMS:</b>                                                                   | §104.271(2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                 |                                                                                  |
| ~ ~ ~ COMPLAINT ISSUES ~ ~ ~                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                 |                                                                                  |
| <b>1.</b> Complainant alleged Respondent made false, malicious statements about Complainant. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                 |                                                                                  |
| ~ ~ ~ REVIEW OF COMPLAINT ISSUES ~ ~ ~                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                 |                                                                                  |
| <b>1.</b>                                                                                    | <p>Complainant essentially alleged that Respondent made false, malicious statements against Complainant. Section 104.271(2), F.S., prohibits a candidate from making or causing to be made any statement about an opposing candidate which is false. Such statements must be made with actual malice.</p> <p>The United States Supreme Court established the standard that a candidate for public office must meet before her opposing candidate can be held accountable for making a false statement against her in <i>New York Times Co. v. Sullivan</i>, 376 U.S. 254 (1964). The Court reminded us of the, "profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." <i>Id.</i> at 270. The Court said that neither erroneous statements nor statements injuring an official's reputation forfeit the First Amendment protection, which should provide "breathing space" for freedom of expression. The Court held that "actual malice" requires a showing that the person making the defamatory statement made it with knowledge that the statement was false or with reckless disregard of whether the statement was true or false.</p> |                                 |                                                                                  |

Most of the statements with which Complainant took issue that were made by Respondent against Complainant were printed in a joint political advertisement mailer paid for by Respondent and Bobby Lynch, candidate for Davenport Commission, Seat 3. Complainant highlighted the statements, which all also referenced John Lepley, candidate for Davenport Commission, Seat 3:

1. "She [Complainant] was charged with two felonies and a misdemeanor." Complainant stated, "these charges were dropped the very next day," adjudication withheld and payment of \$250 fine. Complainant stated Respondent is alleging the charges are convictions, but the statement at issue did not claim that Complainant was convicted, only that she was charged with crimes. Complainant provided a document showing she pled to unlawful use of handicapped placard. Therefore, the statement in the mailer was sufficiently grounded in fact that it does not appear to have been a false statement made with actual malice. In response to the complaint, Respondent asserted that the statement relative to the handicapped placard was "factually accurate and thus did not constitute false or malicious charges." Respondent provided a police department record in which an officer concluded that the facts supported there was probable cause Complainant committed acts consistent with those referenced in the handicapped placard incident. Respondent stated the record refers to acts that could amount to a second-degree misdemeanor and third-degree felonies.
2. "Contrary to their brochures, neither of them initiated the Fourth of July celebration..." Complainant argued that she volunteered to "assist" groups and individuals to "initiate, create, obtain" sponsors, guest speakers, and readers and to "coordinate" the event. Complainant indicates that she assisted others in organizing and coordinating the event. Respondent's statement on its face appears to suggest that Complainant and her husband were not the sole initiators of the event. Complainant provided a copy of her political advertisement in which she stated, "I instituted a new city tradition for July 4<sup>th</sup>..." However, Complainant acknowledged in her complaint allegations that she, along with others, initiated, created and coordinated the event, which is contrary to her assertion in the advertisement. Respondent's statement does not appear to have been false or at the very least was sufficiently grounded in fact that it does not appear to have been a false statement made with actual malice. In response to the complaint, Respondent asserted that the statement relative to the Fourth of July celebration was "factually accurate and thus did not constitute false or malicious charges."
3. "Contrary to their brochures...neither brokered a deal with a primary developer..." Complainant stated that at a Commission meeting in which she presided as then-Davenport Mayor, an agreement was reached with a developer to donate \$1,000 for every house he sold in Davenport. Complainant attached a hand-written document that appears to memorialize the \$1,000 payment per home initialed R.H. and the minutes of the meeting on 02/05/18 noting that Rennie Heath made a public comment reminding the Commission that months ago he had made a commitment to the previous mayor in trying to be a "good neighbor and good developer," and "as a result," he would pay an additional \$1,000 per house as a park improvement fee. These documents appear to show that the understanding with the developer to provide funds to Davenport was reached with a prior mayor, not with Complainant. It may be that Complainant presided at the meeting in which the details of this understanding were finalized or memorialized, but the documents do not show that Complainant brokered the deal herself. Respondent's statement wasn't that Complainant had never participated in group negotiation with a developer. Rather, it was that Complainant had not brokered a deal with a developer. The statement as written is open to interpretation as to its precise meaning and given the facts presented by Complainant it could not be considered a false and malicious statement. In response to the complaint, Respondent asserted that the statement relative to deal brokering was "factually accurate and thus did not constitute false or malicious charges."
4. "Contrary to their brochures...neither stopped a \$5,000 lien on our homes for sewer as the amount as never established." Complainant stated lien was confirmed at a meeting on 07/30/12, and the amount was confirmed on 10/29/07. She attached a letter dated 01/31/08 noting that at a presentation, \$5,000 in fees for "offset of cost to connect" was discussed, \$1,500 of which related to

“septic tank.” Presumably, Complainant takes exception to the part of the statement claiming the amount was never established, but that part of the statement was not about Complainant and, therefore, is not a false, malicious statement about Complainant. In response to the complaint, Respondent asserted that the statement relative to the lien was “factually accurate and thus did not constitute false or malicious charges.”

Complainant also claimed Respondent posted false and malicious comments about her on his Facebook page (“i.e., he said I will lie to get elected, I stole handicap placards, I sent viciousness emails about him and personal attacks against him.”) She attached print-outs from Respondent’s Facebook page.

In a post on 03/31/19, Respondent stated, “He [John Lepley] also told me that he and his wife, Darlene Bradley [Complainant] would win because they would lie. They have no regard for the law.” This is a hearsay statement allegedly made by someone other than Respondent about Complainant and her husband and Respondent’s reaction to that alleged hearsay statement. It was in the context of claiming that Complainant and Mr. Lepley were making false statements against Respondent and even referenced Section 104.271, F.S. In the context of a political race, claiming an opponent might distort the truth and making generic statements about an opponent having no regard for the law cannot reasonably be said to amount to false statements made with actual malice. They are at best opinions and generalizations about character that should be permitted as part of the robust debate permitted on political issues, including unpleasantly sharp attacks that can injure one’s reputation.

Complainant also highlighted a section of the post stating, “Bradley and her husband John Lepley are the ones who committed the criminal acts of stealing, altering a handicapped placard, and identity theft of a deceased altering a handicapped placard, and identity theft of a deceased woman whose husband is a friend and neighbor.” It is unclear which of this list of accusations was intended to apply to Complainant, as it also referred to John Lepley, but Complainant acknowledged and provided documentation showing charges of criminal use of personal identification of a deceased person and knowingly possessing altered/counterfeit decal. Respondent’s statements are thus sufficiently grounded in fact that they could not reasonably amount to false statements made with actual malice. In response to the complaint, Respondent asserted that the statement relative to the handicapped placard incident was “factually accurate and thus did not constitute false or malicious charges.” Respondent referenced the police record discussed above.



The post on 03/31/19 made other remarks about Complainant, including the circumstances of how she left office as Mayor of Davenport, but Complainant did not highlight them or quote them in her complaint allegations. Regardless, those comments appear to be mostly opinion in nature.

Complainant alleged that Respondent claimed she sent vicious emails about him. Part of the non-highlighted text of the 03/31/19 post references a “vicious email” that apparently maligned Respondent and others. However, there were no specifics about this email. Regardless, part of normal political debate reasonably includes speech that might cast an opponent in a negative light, so claiming someone sent an email attacking a political opponent cannot reasonably amount to a false statement made with actual malice.

Complainant attached posts from 04/01/19, 03/28/19, 03/27/19, and 01/29/19. However, her allegations in the narrative specified that her issues were with the post made on 03/31/19. Except for four lines on the 04/01/19 post, Complainant did not highlight any of text of the other four posts, most of which amounted to either opinions on Complainant’s character or generalized claims regarding Complainant’s stance on local issues or personal history. The 04/01/19 post again referenced the handicap placard incident described above. The lines highlighted by Complainant was a list of “violations,” including two potential felony charges and one misdemeanor charge, all of which appear to relate to the handicap placard incident that has been acknowledged and documented by Complainant. The text did not use the word “conviction” or claim Complainant was convicted of any of the crimes, which is what Complainant appears to object to in her allegations.

|                                                                                    |                      |
|------------------------------------------------------------------------------------|----------------------|
|                                                                                    | Legally Insufficient |
| <b>~~~~ REVIEWER'S RECOMMENDATION AND COMMENTS ~~~~</b>                            |                      |
| I recommend the complaint is Legally Insufficient for the reasons set forth above. |                      |

SSN: [REDACTED] Last Name: BRADLEYLEPLEY;  
 First Name: DARLENE; Middle Name: T;

| ALL | NAME                                                                                                         | SSN                                                    | ADDRESS                                                                                                       | PHONE(S)                                                                                                                                      | INDICATORS                                                                                                                                                                                                        |
|-----|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | <u>DARLENE B LEPLEY</u><br><u>DARLENE LEPLEY</u><br><u>TERESA DARLENE BRADLEY TERESA</u>                     | SSN: [REDACTED]<br>LexID: 257779135<br>DL: [REDACTED]  | 215 BAY TER<br>HAINES CITY, FL 33844-8632<br>POLK COUNTY<br>Oct 2014 - Sep 2019<br>✓ Probable current address | 863-421-1831 - EDT<br>BRADLEY D<br>(CURRENT LISTING NAME)<br>POSSIBLE NON-DA<br>FRONTIER COMM OF FL<br>HAINES CITY, FL<br>Oct 2014 - Sep 2019 | <br>concealed weapons<br><br>people at work |
|     | <u>DARLENE BRADLEYLEPLEY</u><br><u>DARLENE T BRADLEYLEPLEY</u><br><u>DARLENE BRADLEY</u><br><u>D BRADLEY</u> | DL State: FL<br>Issue Date: Jul 09<br>Exp Date: Sep 25 | PO BOX 540643<br>ORLANDO, FL 32854-0643<br>ORANGE COUNTY<br>May 1997 - Aug 2019                               |                                                                                                                                               |                                                                                                                                                                                                                   |
|     | DOB: 9/5/1957<br>Age: 62<br>DOB: 1947<br>Age: 72<br>Gender - Female<br>*View Sources (~5)                    |                                                        | PO BOX 540693<br>ORLANDO, FL 32854-0693<br>ORANGE COUNTY<br>Aug 1987                                          |                                                                                                                                               |                                                                                                                                                                                                                   |
|     |                                                                                                              |                                                        | 215 E BAY ST<br>DAVENPORT, FL 33837-4156<br>POLK COUNTY<br>Mar 2006 - May 2015                                | 863-421-1831 - EDT<br>BRADLEY D<br>(CURRENT LISTING NAME)<br>CURRENT DA<br>FRONTIER COMM OF FL<br>HAINES CITY, FL<br>Mar 2011 - Sep 2019      |                                                                                                                                                                                                                   |
|     |                                                                                                              |                                                        | 800 POB 54064 NOBT<br>ORLANDO, FL 32854, ORANGE COUNTY<br>Oct 1996 - Jan 1997                                 |                                                                                                                                               |                                                                                                                                                                                                                   |
|     |                                                                                                              |                                                        | 807 S ORLANDO AVE APT AS<br>WINTER PARK, FL 32789-4870<br>ORANGE COUNTY<br>Sep 1992                           |                                                                                                                                               |                                                                                                                                                                                                                   |
|     |                                                                                                              |                                                        | 3460<br>HAINES CITY, FL 33844, POLK COUNTY<br>May 1989                                                        |                                                                                                                                               |                                                                                                                                                                                                                   |
|     |                                                                                                              |                                                        | 460 K RD<br>ORLANDO, FL 32854, ORANGE COUNTY<br>Aug 1987                                                      |                                                                                                                                               |                                                                                                                                                                                                                   |
|     |                                                                                                              |                                                        | PO BOX 7643A<br>ORLANDO, FL 32830, ORANGE COUNTY<br>Apr 1982                                                  |                                                                                                                                               |                                                                                                                                                                                                                   |





**Stacy M. Butterfield, CPA**  
Clerk of Courts & Comptroller  
Polk County, Florida

**Public Records Online**  
**CASE INFORMATION**

Printed as of 9/26/2019 by Public

Case Number: **2018DR007556000000**

Judge: **REINALDO J OJEDA**

Section: **13**

**Parties**

| <b>Party Type</b> | <b>Party Name</b>      | <b>Attorney</b> |
|-------------------|------------------------|-----------------|
| DEFENDANT         | ZEANWICK DARHLENE E    |                 |
| PLAINTIFF         | BRADLEY TERESA DARLENE |                 |

**Dockets**

| <b>Date</b> | <b>Action</b>                                                     | <b>Type</b> | <b>Pages</b> | <b>Sequence</b> |
|-------------|-------------------------------------------------------------------|-------------|--------------|-----------------|
| 9/12/2018   | Calendar entry added for: 09/21/2018 08:45 AM<br>Reason: NOH(KOB) | CINS        | 0            | 1               |
| 9/12/2018   | CIVIL COVER SHEET                                                 | CCS         | 2            | 2               |
| 9/12/2018   | NOTICE OF RELATED CASES                                           | NRC         | 6            | 3               |
| 9/12/2018   | PETITION FOR INJUNCTION                                           | PI          | 34           | 4               |
| 9/12/2018   | DEMOGRAPHIC INFORMATION SHEET                                     | DI          | 1            | 5               |
| 9/12/2018   | DEMOGRAPHIC INFORMATION SHEET                                     | DI          | 2            | 6               |
| 9/12/2018   | PETITIONER'S REQUEST FOR CONFIDENTIAL FILING OF ADDRESS           | RCF         | 1            | 7               |
| 9/12/2018   | ORDER SETTING HEARING                                             | OSH         | 3            | 8               |
| 9/12/2018   | INJUNCTION APPROVAL SHEET                                         | IAS         | 1            | 9               |
| 9/12/2018   | SERVICE PACKET ORDER SETTING HEARING                              | SPOSH       | 44           | 10              |
| 9/20/2018   | NOTICE OF APPEARANCE                                              | NAP         | 1            | 14              |
| 9/20/2018   | MOTION FOR CONTINUANCE AND COORDINATION OF RELATED CASES          | MCO         | 1            | 15              |
| 9/21/2018   | NOTICE OF APPEARANCE                                              | NAP         | 1            | 11              |
| 9/21/2018   | NOTICE OF HEARING/ STATUS                                         | NH          | 1            | 12              |

Public Records Online

CASE INFORMATION

Printed as of 9/26/2019 by Public

Case Number: 2018DR007556000000

Judge: REINALDO J OJEDA

Section: 13

Dockets

| Date       | Action                                                              | Type | Pages | Sequence |
|------------|---------------------------------------------------------------------|------|-------|----------|
| 9/21/2018  | Calendar entry added for: 10/19/2018 01:30 PM<br>Reason: NOH/STATUS | CINS | 0     | 13       |
| 10/2/2018  | SERVICE OF PROCESS SERVED - DARHLENE E ZEANWICK 9-18-18             | SPS  | 1     | 16       |
| 10/19/2018 | Calendar entry added for: 12/21/2018 01:30 PM<br>Reason: NOH        | CINS | 0     | 17       |
| 10/19/2018 | NOTICE OF HEARING                                                   | NH   | 1     | 18       |
| 10/26/2018 | NOTICE OF APPEARANCE                                                | NAP  | 1     | 19       |
| 12/21/2018 | NOTICE OF HEARING                                                   | NH   | 1     | 20       |
| 12/21/2018 | Calendar entry added for: 02/15/2018 01:30 PM<br>Reason: NOH        | CINS | 0     | 21       |
| 2/4/2019   | Calendar entry deleted for: 02/15/2018 01:30 PM                     | CDEL | 0     | 22       |
| 2/4/2019   | Calendar entry added for: 02/15/2019 01:30 PM<br>Reason: NOH        | CINS | 0     | 23       |
| 2/15/2019  | NOTICE OF HEARING                                                   | NH   | 1     | 24       |
| 2/18/2019  | Calendar entry added for: 03/08/2019 08:45 AM<br>Reason: NOH        | CINS | 0     | 25       |
| 3/1/2019   | AGREED MOTION (INJ.) FOR CONTINUANCE                                | MOI  | 2     | 26       |
| 3/5/2019   | Calendar entry added for: 04/12/2019 08:45 AM<br>Reason: NOH        | CINS | 0     | 27       |
| 3/5/2019   | Calendar entry deleted for: 03/08/2019 08:45 AM                     | CDEL | 0     | 28       |

Public Records Online

CASE INFORMATION

Printed as of 9/26/2019 by Public

Case Number: 2018DR007556000000

Judge: REINALDO J OJEDA

Section: 13

Dockets

| Date      | Action                                          | Type  | Pages | Sequence |
|-----------|-------------------------------------------------|-------|-------|----------|
| 3/5/2019  | AGREED MOTION FOR CONTINUANCE                   | MCO   | 2     | 29       |
| 3/6/2019  | ORDER OF CONTINUANCE                            | O     | 2     | 30       |
| 4/3/2019  | Calendar entry deleted for: 04/12/2019 08:45 AM | CDEL  | 0     | 31       |
| 4/3/2019  | Calendar entry added for: 04/26/2019 08:45 AM   | CINS  | 0     | 32       |
|           | Reason: NOH                                     |       |       |          |
| 4/5/2019  | ORDER OF CONTINUANCE                            | O     | 1     | 33       |
| 4/26/2019 | FINAL JUDGMENT OF INJUNCTION FOR PROTECTION     | FJI   | 6     | 34       |
| 4/26/2019 | SERVICE PACKET PARTY SERVED IN COURT            | SPSPS | 6     | 35       |
| 5/8/2019  | EVIDENCE REPORT                                 | EV    | 1     | 36       |
| 5/8/2019  | EVIDENCE REPORT                                 | EV    | 1     | 37       |

No Hearing Data Available

No Payment Data Available

No Disposition Data Available

**Public Records Online**

**CASE INFORMATION**

**Printed as of 9/26/2019 by Public**

Case Number: **2018DR007556000000**

Judge: **REINALDO J OJEDA**

Section: **13**

No Reopen Data Available

Select Language

Powered by Google Translate (<https://translate.google.com>)



*Lori Edwards, Polk County Supervisor of Elections*

## 2019 April Municipal Election

**Election Date: 4/2/2019**

(Website last updated at: 06/05/2019 10:16:27 PM)

|                           |               |
|---------------------------|---------------|
| <b>Registered Voters:</b> | <b>48,269</b> |
| <b>Ballots Cast:</b>      | <b>7,797</b>  |
| <b>Voter Turnout:</b>     | <b>16.15%</b> |

|                             |                            |
|-----------------------------|----------------------------|
| <b>Precincts Reporting:</b> | <b>10 / 10</b>             |
| <b>Election Day:</b>        | <b>Completely Reported</b> |
| <b>Vote By Mail:</b>        | <b>Completely Reported</b> |

## Official results.

**Summary Results**

Change View

**Vote Type View:**

Graphical

### ☆ Bartow City Commission Seat 3, North District

**Participating Precincts Reporting:**

1 / 1

| Choice               | Percent | Votes |
|----------------------|---------|-------|
| Gerald J. Cochran    | 9.70%   | 160   |
| W.H. "Billy" Simpson | 48.39%  | 798   |

**Tanya Tucker****41.90%****691****1,649**☆ **Davenport Mayor****Participating Precincts Reporting:****1 / 1**

| <b>Choice</b>              | <b>Percent</b> | <b>Votes</b> |
|----------------------------|----------------|--------------|
| <b>Darlene Bradley</b>     | <b>30.22%</b>  | <b>230</b>   |
| <b>H.B. "Rob" Robinson</b> | <b>69.78%</b>  | <b>531</b>   |
|                            |                | <b>761</b>   |

☆ **Davenport City Commissioner Seat 3****Participating Precincts Reporting:****1 / 1**

| <b>Choice</b>         | <b>Percent</b> | <b>Votes</b> |
|-----------------------|----------------|--------------|
| <b>John Lepley</b>    | <b>16.80%</b>  | <b>126</b>   |
| <b>Bobby Lynch</b>    | <b>61.73%</b>  | <b>463</b>   |
| <b>Headley Oliver</b> | <b>21.47%</b>  | <b>161</b>   |
|                       |                | <b>750</b>   |

☆ **Davenport Charter Amendment****Participating Precincts Reporting:****1 / 1**

| <b>Choice</b>                | <b>Percent</b> | <b>Votes</b> |
|------------------------------|----------------|--------------|
| <b>Yes (For Adoption)</b>    | <b>22.96%</b>  | <b>172</b>   |
| <b>No (Against Adoption)</b> | <b>77.04%</b>  | <b>577</b>   |
|                              |                | <b>749</b>   |

☆ **Fort Meade City Commission Seat 5****Participating Precincts Reporting:****1 / 1**

| <b>Choice</b>                | <b>Percent</b> | <b>Votes</b> |
|------------------------------|----------------|--------------|
| <b>Samuel Berrien</b>        | <b>52.29%</b>  | <b>433</b>   |
| <b>James M. (Mel) Parker</b> | <b>47.71%</b>  | <b>395</b>   |
|                              |                | <b>828</b>   |

☆ **Frostproof City Commission Seat 1**

Participating Precincts Reporting:

1 / 1

| Choice                 | Percent | Votes     |
|------------------------|---------|-----------|
| Michael B. Hutto       | 73.83%  | 220       |
| Michael "Mike" Woodley | 26.17%  | 78        |
|                        |         | <hr/> 298 |

☆ **Haines City Commission Seat 1**

Participating Precincts Reporting:

2 / 2

| Choice     | Percent | Votes       |
|------------|---------|-------------|
| Jayne Hall | 50.11%  | 683         |
| Don Mason  | 49.89%  | 680         |
|            |         | <hr/> 1,363 |

☆ **Lake Alfred City Commission Seats 1 and 2**

Participating Precincts Reporting:

1 / 1

| Choice            | Percent | Votes       |
|-------------------|---------|-------------|
| Brent Eden        | 29.61%  | 398         |
| Albertus Maultsby | 26.41%  | 355         |
| C. Diane Pereira  | 19.20%  | 258         |
| Edwin Van Smith   | 24.78%  | 333         |
|                   |         | <hr/> 1,344 |

☆ **Lake Wales Mayor Seat 1, At-Large**

Participating Precincts Reporting:

2 / 2

| Choice       | Percent | Votes       |
|--------------|---------|-------------|
| Eugene Fultz | 54.88%  | 995         |
| Bob Wood     | 45.12%  | 818         |
|              |         | <hr/> 1,813 |

☆ **Lake Wales Commissioner Seat 2, District 19**

Participating Precincts Reporting:

2 / 2

| Choice        | Percent | Votes       |
|---------------|---------|-------------|
| Curtis Gibson | 63.54%  | 1,110       |
| James Tucker  | 36.46%  | 637         |
|               |         | <hr/> 1,747 |

☆ **Lake Wales Charter Amendment**

Participating Precincts Reporting:

2 / 2

| Choice  | Percent | Votes       |
|---------|---------|-------------|
| FOR     | 58.91%  | 1,058       |
| AGAINST | 41.09%  | 738         |
|         |         | <hr/> 1,796 |

☆ **Polk City Charter Amendment**

Participating Precincts Reporting:

1 / 1

| Choice | Percent | Votes     |
|--------|---------|-----------|
| Yes    | 51.65%  | 172       |
| No     | 48.35%  | 161       |
|        |         | <hr/> 333 |



# Checklist for Identifying Technical Deficiencies in Complaints

## Rule 2B-1.0025

**\*\*If any of the following information is incorrect or missing upon receipt of a new complaint, DO NOT open a case in CMS. Instead, process in accordance with Rule 2B-1.0025.\*\***

- Complaint is filed on Form 1
- All information required by Form 1 is provided
- Only one Respondent is named
- Complainant's name is included (not "Anonymous")
- All exhibits and attachments referenced in the complaint are attached
- If multiple complaints are submitted, separate copies of exhibits and attachments are attached for EACH complaint
- Complaint includes an original signature
- Notary is proper:
  - Includes the **venue** stating the location of the notarization in the format, "State of Florida, County of ."
  - Includes an **oath or an acknowledgment**, evidenced by the words "sworn" or "acknowledged."
  - States that the signer **personally appeared** before the notary public at the time of the notarization.
  - Includes the exact **date** of the notarial act.
  - Includes the **name of the person** whose signature is being notarized.
  - Specifies the specific **type of identification** the notary public is relying upon in identifying the signer, either based on personal knowledge or satisfactory evidence (e.g., drivers license).
  - Includes the **notary's official signature**.
  - Includes the **notary's name**, typed, printed, or stamped below the signature.
  - Includes the **notary's official seal** affixed below or to either side of the notary's signature.
- Alleging violation of Section 104.271(2), Florida Statutes
  - Box was checked, but no allegation of this statute was made
- Alleging violation of Section 104.2715, Florida Statutes
  - Box was checked, but no allegation of this statute was made

Last revised on: 5/9/18

MD      9/12/19  
Initials      Date