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"A Public Office is a Public Trust"

December 12, 2018

The Honorable Rick Scott
Governor, State of Florida
The Capitol, 400 S. Monroe St.
Tallahassee, Florida 32399-0001

Re: Complaint No. 17-055, In re MARCOS VILLANUEVA

Dear Governor Scott:

The Florida Commission on Ethics has completed a full and final investigation of a matter involving Mr. Marcos Villanueva, a member of the City Commission of the City of Sweetwater and a former candidate for the City Commission. Pursuant to Section 112.324(8), Florida Statutes, we are reporting our findings and recommending appropriate disciplinary action to you in this case. Enclosed are copies of our Final Order and Public Report and of our file in this matter. As we have found that Mr. Villanueva violated Section 112.3145, Florida Statutes, in the manner described by our order, we recommend that you public censure and reprimand him and impose a civil penalty upon him in the amount of \$500 (five hundred dollars). If we may be of any assistance to you in your deliberations, please do not hesitate to contact us. We would appreciate your informing us of the manner in which you dispose of this matter. For information regarding collection of the civil penalty, contact the Office of the Attorney General, Ms. Melody A. Hadley, Assistant Attorney General.

Sincerely,

Virilindia Doss

by 

Virilindia Doss
Executive Director

VAD/cca
Enclosures

cc: Mr. Jose M. Herrera, Attorney for Respondent
Ms. Melody A. Hadley, Commission Advocate
Mr. Juan-Carlos Planas, Complainant

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re MARCOS VILLANUEVA,)
)
)
)
)
Respondent.)
_____)

Complaint No. 17-055

Final Order No. 18-155

FINAL ORDER AND PUBLIC REPORT

This matter came before the State of Florida Commission on Ethics ("Commission"), meeting in public session on December 7, 2018, for a proceeding under Section 120.57(2), Florida Statutes (hearings not involving disputed issues of material fact). The issues at the proceeding were whether Marcos Villanueva (Respondent) violated Section 112.3145, Florida Statutes, by filing an incomplete 2016 CE Form 1, Statement of Financial Interests, or an incomplete CE Form 1X, Amendment to Statement of Financial Interests, for the year 2016, by not stating on the Forms a manner of calculating his reportable interests [comparative (percentage) thresholds or dollar value thresholds]. Prior to the proceeding, the Commission, the Respondent, and the Advocate were provided with the Order Closing File And Relinquishing Jurisdiction from an Administrative Law Judge (ALJ) of the Division of Administrative Hearings (DOAH) transferring the matter back to the Commission, with the Advocate's Motion To Schedule Matter, Adopt ALJ's Order, Recommend Penalty, and Render Final Order (including attached Joint Prehearing Stipulation), and with various other documents of record in this matter; and both the Respondent and the Commission's Advocate were given notice of the proceeding and counsel for the Respondent and the Advocate appeared and made argument at the proceeding.

Having reviewed the record materials provided to it, having heard the arguments of the Respondent and the Advocate, and having been fully advised, the Commission makes the following findings, conclusions, and disposition:

Findings of Fact

The Commission on Ethics accepts and incorporates into this Final Order and Public Report the undisputed facts as set forth in the Joint Prehearing Stipulation entered into by the Respondent and the Advocate. The undisputed facts show that the Respondent did not state a manner of calculating his reportable interests on his 2016 CE Form 1, Statement of Financial Interests, or on his CE Form 1X, Amendment to Statement of Financial Interests, for the year 2016.

Conclusions of Law

The Commission on Ethics concludes that the Respondent's failure to state a manner of calculating his reportable interests on his 2016 CE Form 1, Statement of Financial Interests, and on his CE Form 1X, Amendment to Statement of Financial Interests, for the year 2016, is contrary to the requirements of Section 112.3145, Florida Statutes.

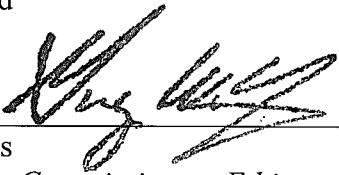
Disposition

Accordingly, having accepted jurisdiction back from the ALJ at the request of the Respondent and the Advocate, having considered the issues and conducted the proceeding as aforesaid, and having accepted the undisputed facts and made the legal conclusions as set forth above, the Commission on Ethics finds that the Respondent, as a candidate for the Sweetwater City Commission and/or as a member of the Sweetwater City Commission, violated Section 112.3145, Florida Statutes, by filing an incomplete 2016 CE Form 1, Statement of Financial Interests, and by filing an incomplete CE Form 1X, Amendment to Statement of Financial

Interests, for the year 2016, and recommends that the Governor publicly censure and reprimand the Respondent impose a civil penalty in the total amount of \$500 (five hundred dollars) upon the Respondent.

ORDERED by the State of Florida Commission on Ethics meeting in public session on December 7, 2018.

December 12, 2018
Date Rendered



Guy W. Norris
Chair, Florida Commission on Ethics

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68, AND SECTION 112.3241, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110 FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, AT EITHER 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303 OR P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709; AND BY FILING A COPY OF THE NOTICE OF APPEAL ATTACHED TO WHICH IS A CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

cc: Mr. Jose M. Herrera, Attorney for Respondent
Ms. Melody A. Hadley, Commission Advocate
Mr. Juan-Carlos Planas, Complainant