

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re: **Milissa Holland,**

Respondent.

Complaint No. 20-054

JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER

Respondent, Milissa Holland, and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

STIPULATED FINDINGS OF FACT

1. Respondent served as Mayor of the City of Palm Coast and therefore is subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.
2. On April 8, 2020, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent violated the Code of Ethics.
3. Pursuant to Section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and on April 15, 2020, ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated Section 112.313(6), Florida Statutes.¹ The Report of Investigation was released on May 5, 2021.
4. The allegation is:

¹ Other allegations were ultimately dismissed by the Commission at the probable cause hearing.

Respondent violated Section 112.313(6), Florida Statutes, by using her public position and/or resources to benefit herself and/or her employer regarding emails sent to the City of Orlando.

5. Respondent admits the facts as set forth in the Report of Investigation concerning the Allegation as incorporated by reference in this Joint Stipulation.

STIPULATED CONCLUSIONS OF LAW

6. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

7. The Commission on Ethics has jurisdiction over the Complaint as filed in this proceeding and over Respondent.

8. Respondent admits the allegation as set forth in paragraph four (4) of the Stipulated Findings of Fact, above.

9. Respondent violated Section 112.313(6), Florida Statutes, by using her public position and/or resources to benefit herself and/or her employer regarding emails sent to the City of Orlando.

STIPULATED RECOMMENDED ORDER

10. The Advocate accepts Respondent's admission in this proceeding.

11. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings in this cause.

12. Therefore, the parties request and the Advocate recommends that:

(a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties;

(b) The Commission on Ethics enter a Final Order and Public Report finding that Respondent violated Section 112.313(6), Florida Statutes, and recommending:

a civil penalty of \$1,000.00.

FURTHER STIPULATIONS

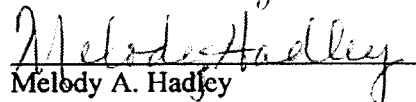
13. Respondent and the Advocate stipulate and covenant that, in consideration of the provisions of this Joint Stipulation of Fact, Law, and Recommended Order, they accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

14. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by Respondent.

15. Respondent enters into this Joint Stipulation with the understanding of the seriousness of the allegations and gives her assurance that this proceeding has affected the manner in which she conducts herself as a public official in a positive way.

16. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended Order by the Commission on Ethics, Respondent waives all time, notice, hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding.

Signed, dated and entered into:
this 18th day of August 2020.

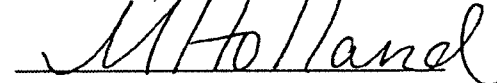


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Advocate for the Florida
Commission on Ethics
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Office of the Attorney General
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Signed, dated and entered into:
this ___ day of _____ 2020.

Mark Herron
Digitally signed by Mark Herron
DN: cn=Mark Herron, o=Messer Caparello,
ou=email-mherron@lawfla.com, c=US
Date: 2021.08.18 12:40:55 -0400

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Attorney for Respondent
Florida Bar No.: 199737
Messer Caparello
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Milissa Holland
Respondent