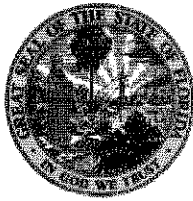


WILLIAM "BILL" EDDINS
STATE ATTORNEY



P.O. Box 12726
Pensacola, FL 32591
Telephone: (850) 595-4200
Website: <http://sa01.co.escambia.fl.us>

OFFICE OF
STATE ATTORNEY
FIRST JUDICIAL CIRCUIT OF FLORIDA

July 8, 2016

PRESS RELEASE

The Office of the State Attorney announced today that it has completed its review regarding a complaint that Escambia County Commissioner Grover Robinson violated the Florida Government in the Sunshine Law by having a conversation with Gulf Breeze Mayor Matt Dannheisser. The complaint alleged that Commissioner Robinson contacted Mayor Dannheisser to discuss a matter that was likely to come before the Florida – Alabama Transportation Planning Organization. Based upon this review, it has been determined that no violation of the Sunshine Law has been committed. These findings are set forth more fully in the letter attached to this Press Release.

For further information, please contact Greg Marcille at 850-595-4742.

WILLIAM "BILL" EDDINS
STATE ATTORNEY



P.O. Box 12726
Pensacola, FL 32591
Telephone: (850) 595-4200
Website: <http://sao1.co.escambia.fl.us>

OFFICE OF
STATE ATTORNEY
FIRST JUDICIAL CIRCUIT OF FLORIDA

July 8, 2016

Doug Underhill
Escambia County Commissioner, District 2
221 Palafox Place
Pensacola, Florida

Dear Commissioner Underhill:

This office has completed its review of your complaint alleging a possible violation of the Florida Sunshine Law by Escambia County Commissioner Grover Robinson. During the course of this review, we have interviewed numerous individuals and examined all relevant documents. Based on our review, we have determined that there is insufficient evidence to establish that any violation has occurred. For this reason we will take no further action regarding this matter.

This complaint is related to the Florida Department of Transportation's plans to replace the Three Mile Bridge between Pensacola and Gulf Breeze. The Florida-Alabama Transportation Planning Organization, a public board subject to the requirements of Florida's Government in the Sunshine Law, had been involved in this project. Both Commissioner Robinson and Gulf Breeze Mayor, Matt Dannheisser, are members of the T.P.O. At the June 8, 2016, meeting of the T.P.O. Mayor Dannheisser made a public records request to representatives of FDOT for certain documents related to the competitive bid process regarding the bridge replacement. Two days later, on June 10, 2016, representatives of FDOT advised Austin Mount, Executive Director of the West Florida Regional Planning Council, that Mayor Dannheisser's request might cause a delay to the bridge process and possibly jeopardize funding.

After receiving this information, Mr. Mount believed it was necessary that this information be provided to Commissioner Robinson as T.P.O. Chair. It was Commissioner Robinson's belief that the public records request needed to be withdrawn by close of business that day and therefor called Mayor Dannheisser to advise him of the situation. Prior to making the call, Commissioner Robinson evaluated the matter and determined that it did not constitute a violation of the Sunshine Law. The telephone conversation lasted less than two minutes and according to both Commission Robinson and Mayor Dannheisser only involved the public records request and the possible effect on the bridge project. Shortly after the telephone conversation Mayor Dannheisser sent an e-mail to FDOT withdrawing his public records request.

Doug Underhill

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The Florida Government in the Sunshine Law applies to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action. In this case the matter being discussed, the withdrawal of Mayor Dannheisser's public records request, was not a matter that would foreseeably come before the Florida-Alabama Transportation Planning Organization. Mayor Dannheisser's public records request was not made on behalf of the T.P.O. but as an individual. The fact that the request was made during a T.P.O. meeting or was related to a transportation issue does not change this result. This public records request was governed by The Florida Public Records Law and was between Mayor Dannheisser and the Florida Department of Transportation. There is no action that the T.P.O. could have taken regarding this matter.

While this conversation may have been ill-advised, it does not constitute a violation of the Florida Government in the Sunshine Law. For this reason we will take no further action regarding this matter.

Sincerely,



Gregory A. Marcille,
Chief Assistant State Attorney

GM/sc