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BY

EXHIBIT C

EXHIBIT C

Alain Espinosa

From: Alison A. Rogers <aarogers@co.escambia.fl.us>
Sent: Friday, September 22, 2017 2:26 PM
To: Doug Underhill
Cc: Jonathan L. Owens; Dianne C. Simpson
Subject: FW: CEOs 09-21; 13-3; 98-8 and s 112.3148, Fla. Stat.
Attachments: CEO 09-21.pdf; CEO 13-3.pdf; CEO 98-8.pdf; s. 112.3148, Fla. Stat..pdf

Importance: High

Doug,

After review of Commission on Ethics Opinions, we located CEO 98-8, attached, which provides that it is within the bounds of ch. 112 ethical provisions to have a legal defense fund. The case has been cited as recently at 2013 (see CEO 13-3, attached) and it is still considered an active opinion of the Commission. The important thing to note is that it is the elected official's obligation to comply with the gift law requirements of ch. 112. I cannot stress this enough. This means that you may not solicit a gift from any vendor or lobbyist of the County; you may not accept a gift of more than \$100 from a lobbyist or vendor of the County; you must report every gift you receive from a non-lobbyist or non-vendor on your quarterly gift reporting form. IF you accidentally receive a gift from a lobbyist or vendor, such as by check, that exceeds the limit and that check is deposited, that is a de facto acceptance of a prohibited gift under ch. 112. The definitions of vendor and lobbyist are attached, but if in doubt, please check with our office or the Commission on Ethics or the Commission on Ethics Opinions which are found on their website as to whether someone qualifies as a vendor or lobbyist. Gift disclosure forms are required to be filed quarterly for any quarter within which you received a reportable gift.

To doubly ensure that CEO 98-8 was still an active decision of the Commission and to verify that no additional written opinion was needed, we contacted the duty attorney, John Knight, today at the General Counsel's Office at the Commission on Ethics. He confirmed that the case is still good law, but warned that the gift law must be diligently followed. Also, I note that in the event of an extraordinary gift, you may want to confirm that this still falls within the intent of the decision by contacting the Commission.

I note that we are not able to provide advice on how to establish such an account, possible federal tax implications, how this may affect your campaign finances or campaign reporting requirements, and any other overlay with your personal finances.

Also, it should go without saying, but you can never do something or promise to do something as a commissioner in return for any donation to a legal defense fund, regardless of how small the request may seem.

If you are not familiar with the quarterly gift reporting forms, please get with my office or the Commission on Ethics website.

Best,
Alison P. Rogers
County Attorney
Escambia County Board of County Commissioners
221 Palafox Place, Suite 430
Pensacola, Florida 32502
Phone: (850) 595-4970
Fax: (850) 595-4979

EXHIBIT D

EXHIBIT D

Processed 256137

FLORIDA
COMMISSION ON ETHICS
APR 30 2020

Form 9		QUARTERLY GIFT DISCLOSURE		COMMISSION ON ETHICS	
		(GIFTS OVER \$100)			
LAST NAME -- FIRST NAME -- MIDDLE NAME: Underhill, Douglas B			NAME OF AGENCY: Escambia County BOCC		
MAILING ADDRESS: 221 South Palafox			OFFICE OR POSITION HELD: Commissioner		
CITY: Pensacola	ZIP: 32505	COUNTY: Escambia	FOR QUARTER ENDING (CHECK ONE):		YEAR
			<input type="checkbox"/> MARCH <input type="checkbox"/> JUNE <input type="checkbox"/> SEPTEMBER <input checked="" type="checkbox"/> DECEMBER		2019

PART A — STATEMENT OF GIFTS

Please list below each gift, the value of which you believe to exceed \$100, accepted by you during the calendar quarter for which this statement is being filed. You are required to describe the gift and state the monetary value of the gift, the name and address of the person making the gift, and the date(s) the gift was received. If any of these facts, other than the gift description, are unknown or not applicable, you should so state on the form. As explained more fully in the instructions on the reverse side of the form, you are not required to disclose gifts from relatives or certain other gifts. You are not required to file this statement for any calendar quarter during which you did not receive a reportable gift.

DATE RECEIVED	DESCRIPTION OF GIFT	MONETARY VALUE	NAME OF PERSON MAKING THE GIFT	ADDRESS OF PERSON MAKING THE GIFT
26-Nov-19	GoFundMe Donation	\$250	William Griffin	38 S. Blue Angel Pkwy #195 Pensacola, FL 32506
26-Nov-19	GoFundMe Donation	\$100	Brent Smith	5709 Cacica Street Pensacola, FL 32507
26-Nov-19	GoFundMe Donation	\$100	Kyle McGhie	5072 Chandelle Drive Pensacola, FL 32507
27-Nov-19	GoFundMe Donation	\$175	Jonathan Dent	5626 Forest Glen Drive Grove City, OH 43123

CHECK HERE IF CONTINUED ON SEPARATE SHEET

PART B — RECEIPT PROVIDED BY PERSON MAKING THE GIFT

If any receipt for a gift listed above was provided to you by the person making the gift, you are required to attach a copy of that receipt to this form. You may attach an explanation of any differences between the information disclosed on this form and the information on the receipt.

CHECK HERE IF A RECEIPT IS ATTACHED TO THIS FORM

PART C — OATH

I, the person whose name appears at the beginning of this form, do
depose on oath or affirmation and say that the information disclosed
herein and on any attachments made by me constitutes a true accurate,
and total listing of all gifts required to be reported by Section 112.3148,
Florida Statutes.

STATE OF FLORIDA
COUNTY OF ESCAMBIA
Sworn to (or affirmed) and subscribed before me by means of
 physical presence or online notarization, this
27th day of APRIL, 2020

by DOUGLAS UNDERHILL
Angela Crawley
(Signature of Notary Public-State of Florida)
Angela Crawley
(Print, Type, or Stamp Commissioned Name of Notary Public)
Personally Known OR Produced Identification
Type of Identification Produced _____

SIGNATURE OF REPORTING OFFICIAL

Angela Crawley
Notary Public
State of Florida
My Commission Expires 07/28/2023
Commission No. GG 345573

PART D — FILING INSTRUCTIONS

This form, when duly signed and notarized, must be filed with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, Florida 32303. The form must be filed no later than the last day of the calendar quarter that follows the calendar quarter for which this form is filed (For example, if a gift is received in March, it should be disclosed by June 30.)

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