



BROWARD OFFICE OF THE INSPECTOR GENERAL

MEMORANDUM

To: Honorable John P. "Jack" Seiler, Mayor, City of Fort Lauderdale,
And Members, City of Fort Lauderdale City Commission

From: John W. Scott, Inspector General

Date: August 16, 2016

Subject: **OIG Final Report Re: *Misconduct by a City of Fort Lauderdale
Commissioner in the Handling of Campaign Funds, Ref. OIG 15-015***

Attached please find the final report of the Broward Office of the Inspector General (OIG) regarding the above-captioned matter. The OIG investigation found that during his 2015 election campaign, Commissioner Robert McKinzie accepted contributions exceeding the city's \$250 limit on fourteen occasions, refunding the only four that were the subject of a media inquiry. He also underreported excessive contributions, omitted contributions, omitted a deposit and payout of funds unrelated to the campaign, withdrew cash from the campaign treasury which he said he used to pay a campaign worker, failed to make all expenditures by check or a properly documented debit card transaction, accepted and misreported a prohibited cashier's check contribution, and apparently kept and failed to report a refund of campaign funds. In addition, the Commissioner committed other violations of Florida campaign finance law such as the failure to document the exact purpose of the expenditure on approximately 60 campaign checks, the failure to document a bank credit, the failure to keep campaign treasury accounts current, the failure to properly dispose of surplus funds, and the failure to keep all campaign treasury records.

Consistent with its charter mandate, the OIG is referring this matter to the City of Fort Lauderdale, the Florida Elections Commission, and the Broward State Attorney's Office for their independent assessment of the application of local and state ethics and criminal law.

Attachment

cc: Lee R. Feldman, City Manager
Honorable Dale V.C. Holness, Member, Broward Board of County Commissioners
Honorable Chip LaMarca, Member, Broward Board of County Commissioners
Honorable Tim Ryan, Member, Broward Board of County Commissioners
Individuals previously provided a Preliminary Report (under separate cover)

John W. Scott, *Inspector General*

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BROWARD OFFICE OF THE INSPECTOR GENERAL



FINAL REPORT

OIG 15-015
August 16, 2016

*Misconduct by a City of Fort Lauderdale Commissioner
in the Handling of Campaign Funds*



BROWARD OFFICE OF THE INSPECTOR GENERAL

FINAL REPORT RE: *MISCONDUCT BY A CITY OF FORT LAUDERDALE COMMISSIONER IN THE HANDLING OF CAMPAIGN FUNDS*

SUMMARY

The Broward Office of the Inspector General (OIG) has concluded its investigation into an allegation that, during his campaign to be elected to office in the February 10, 2015, municipal election, Robert McKinzie, Commissioner of the City of Fort Lauderdale, Florida, accepted campaign contributions in excess of the city ordinance limit of \$250 per person.

The OIG investigation substantiated the allegation. We determined that Commissioner McKinzie accepted and kept eleven excessive contributions in addition to four excessive contributions that a local newspaper asked about and the campaign thereafter returned. During the course of the investigation, we also identified that Commissioner McKinzie violated Florida state campaign finance law, both criminal and civil in nature. These violations included the filing of Campaign Treasurer's Reports (CTRs) that contained false, incorrect, or incomplete information, such as (1) three contributions that were omitted from the CTRs¹ and (2) the unreported receipt, deposit and payout of \$190 in non-campaign-related funds, each an alleged first-degree misdemeanor.

We also found that the candidate withdrew a total of \$400 in campaign treasury funds purportedly to pay a campaign worker in cash, failed to properly document seven debit card expenditures totaling approximately \$1,200 for gift cards that were reported on the CTRs as "gas," accepted a \$250 cashier's check contribution, and apparently kept and failed to report a refund of \$194.58 from Florida Power & Light (FPL). Each of these acts was another alleged first-degree misdemeanor.

In addition, the OIG discovered numerous other campaign finance violations, including the failure to properly designate a campaign treasurer, the failure to certify to the correctness of four CTRs, the failure to record the correct donor names for contributions made by checks drawn on joint checking accounts including on two occasions when correct documentation would have exposed excessive contributions, the failure to document contributor names and contribution amounts on deposit slips, the failure to specify the exact purpose on approximately 60 expenditure checks, the failure to document bank adjustments, the failure to keep campaign treasury accounts current, the failure to properly dispose of surplus funds and close the campaign account within 90 days, and the failure to keep all campaign treasury records for three years.

The OIG investigation established probable cause to believe that Commissioner McKinzie and accountant Johnnie Smith engaged in numerous acts of state and local campaign finance

¹ Two were reported on amended CTRs several months after the OIG's investigation became known to the Commissioner.

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misconduct. By way of this report, the OIG refers this matter to the City of Fort Lauderdale, the Florida Elections Commission, and the Broward State Attorney's Office for their independent assessment of the application of city and state campaign finance and state criminal law.

OIG CHARTER AUTHORITY

Section 12.01 of the Charter of Broward County empowers the Broward Office of the Inspector General to investigate misconduct and gross mismanagement within the Charter Government of Broward County and all of its municipalities. This authority extends to all elected and appointed officials, employees and all providers of goods and services to the County and the municipalities. On his own initiative, or based on a signed complaint, the Inspector General shall commence an investigation upon a finding of good cause. As part of any investigation, the Inspector General shall have the power to subpoena witnesses, administer oaths, require the production of documents and records, and audit any program, contract, and the operations of any division of the County, its municipalities and any providers.

The Broward Office of the Inspector General is also empowered to issue reports, including recommendations, and to require officials to provide reports regarding the implementation of those recommendations.

RELEVANT GOVERNING AUTHORITIES

Fort Lauderdale City Ordinance Limiting Campaign Contributions

Sec. 12-4, Campaign contribution limits and prohibited contributions, states in relevant part:

- (a) It shall be unlawful for any natural person, either directly or indirectly, to make contributions to any candidate with respect to any election for the office of mayor-commissioner or city commissioner, which, in the aggregate, exceed two hundred fifty dollars (\$250.00).
- (b) It shall be unlawful for any candidate or other natural person to knowingly accept or receive any campaign contribution prohibited by this section. ...

Sec. 12-5, Penalties, provides:

Any candidate, natural person, entity or organization who violates, permits to be violated or causes to be violated any provision of this chapter shall, upon such a finding by a court of competent jurisdiction, be assessed a civil fine in an amount not to exceed five hundred dollars (\$500.00) per violation.

Florida Campaign Financing Statutes

Florida Statutes, Chapter 106, governs municipal campaign financing including, among other matters, the appointment and duties of the campaign treasurer, the establishment of campaign accounts, CTR reporting requirements, use of campaign funds, and disposition of surplus funds. Chapter 106 authorizes the Florida Department of State, Division of Elections, to establish required filing forms and filing timelines, and to report to the Florida Elections Commission any failure to file a report or information required or any apparent violation of Chapter 106.

Relevant sections of Chapters 106 and 839 in effect in 2014 and 2015 were as follows:

Florida Statute § 106.021, Campaign treasurers; deputies; depositories:

A candidate may appoint his campaign treasurer or any deputy treasurer as provided.

A candidate may appoint himself as campaign treasurer.

Treasurer removal or resignation is not effective until written notice is given and filed.

If a treasurer is removed or resigns early, the candidate must appoint and certify a successor.

Contributions and expenditures must go through the campaign treasurer with limited exceptions.

Florida Statute § 106.023, Statement of candidate:

Each candidate must acknowledge having read and understood Chapter 106 requirements.

Florida Statute § 106.05 - Deposit of contributions; statement of campaign treasurer:

All funds received by the campaign must be filed within five business days of receipt.

All deposits must be accompanied by a deposit slip with each contributor's name and amount.

Florida Statute § 106.06 - Treasurer to keep records; inspections:

The treasurer must keep detailed accounts, within two days of a contribution or expenditure.

The treasurer must preserve accounts for the length of the term of office.

Florida Statute § 106.07 - Reports; certification and filing:

The treasurer must file regular reports of all contributions received and all expenditures made.

The contributor's name, address, occupation if over \$100, and amount must be listed.

Provide a statement of each receipt not otherwise listed.

List each payee's name and address, amount, date, and purpose of each expenditure.

List each reimbursement payee's name and address, amount, date, and purpose, and keep a receipt.

The candidate and treasurer must certify to each report's correctness.

Each person so certifying bears responsibility for the accuracy and veracity of the report.

It is a first-degree misdemeanor to willfully certify to correctness knowing it is incorrect.

Florida Statute § 106.08 - Contributions; limitations on:

No one may make a contribution through or in the name of another, directly or indirectly.

Candidates may not make expenditures of charitable donations in exchange for political support.

Candidates may pay from personal or business funds to continue membership or regular donation.

Candidates may pay from campaign funds for tickets, event admission, or advertisements.

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One violative contribution is a first-degree misdemeanor; two or more are a third-degree felony. An additional penalty is provided for, which is twice the amount contributed.

Florida Statute § 106.09 - Cash contributions and contribution by cashier's checks:

Making or accepting an aggregate cash or cashier's check contribution exceeding \$50 is prohibited.

Such a contribution is a first-degree misdemeanor.

Florida Statute § 106.11- Expenses of and expenditures by candidates:

A treasurer must make expenditures from funds on deposit and only by bank checks.

Checks must include the signature of the treasurer, exact purpose for expenditure, and payee.

Debit cards are bank checks if the authorized user does not receive cash.

Debit card receipts must be retained.

Each debit card receipt must include the user's signature and exact purpose.

The required information and signature may be added to the receipt by handwriting.

The check signer is responsible for completeness, accuracy, and ensuring it is authorized.

Post-election, funds may be spent to pay for previously obligated items and to close the campaign.

Florida Statute § 106.141 - Disposition of surplus funds by candidates:

A candidate must dispose of surplus funds and file a final report within 90 days of his election.

If a candidate receives a refund check after that, he may endorse and dispose of it per law.

A candidate must file an amended report showing the refund and its method of disposition.

Such disposition may be by donation to an IRS-designated 501(c)(3) organization.

A successful candidate may also dispose of surplus funds by transferring them to an office account.

Office accounts must be separate from any personal or other account.

Office accounts may only be used for legitimate expenses related to holding office, including

- travel expenses incurred by the officer or a staff member
- personal taxes payable on the office account
- CPA or attorney fees for preparing the official's financial disclosure form
- certain holiday card or newsletter costs
- fees or dues to a religious, civic, or charitable organization the official belongs to
- items of modest value such as flowers and greeting cards for a constituent special event
- personal expenses incurred by attending certain meetings
- costs of operating the official's office including employment of additional staff

Office account reports must be made each calendar quarter until the account is closed.

Office account reports must reflect the payee's name and address, amount, and payment purpose.

Office account reports must be certified as true and correct and filed with the qualifying officer.

The failure to properly dispose of surplus campaign funds is a first-degree misdemeanor.

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Florida Statute § 106.19 - Violations by candidates, persons connected with campaigns:

The knowing and willful violation by any person of the following is a first-degree misdemeanor:

- failure to report any contribution required to be reported
- falsely reporting or deliberately failing to include required information
- making any prohibited expenditure

Florida Statute § 839.13 - Falsifying records:

The falsification of any public document by any person is a first-degree misdemeanor.

INDIVIDUALS COVERED IN THIS REPORT

Robert McKinzie

Commissioner McKinzie was appointed on November 13, 2014, to fill a vacant seat on the city commission. He was elected to that seat on February 10, 2015, for a term of three years, in the campaign that is the subject of this report. He has run for office a total of three times, twice unsuccessfully for county commissioner before running for the city seat he now occupies.

Johnnie Smith

Mr. Smith has been providing tax and accounting services for over 28 years. He met Commissioner McKinzie in college over 30 years ago. He claims to have been the campaign treasurer for four local election campaigns, including Commissioner McKinzie's two prior runs for county commissioner in 2008 and 2011, his immediate past run in 2015 that is the subject of this report, and one for another county commission candidate in 2014. Mr. Smith has never run for public office himself.

INVESTIGATION

This investigation was predicated on information alleging that Commissioner McKinzie improperly accepted several campaign contributions in violation of the city's ordinance that limits such contributions to an aggregate of \$250 per person during a campaign. The OIG investigation substantiated the allegation. We also identified additional violations of city and Florida campaign finance law by Commissioner McKinzie and Mr. Smith. The OIG investigation established probable cause to believe that Commissioner McKinzie and Mr. Smith engaged in numerous acts of local and state campaign finance misconduct.

This investigation included the examination of substantial documentation of the Commissioner's 2015 election campaign including, but not limited to, Campaign Treasurer's Reports (CTRs), amended CTRs, and other filings; city campaign records and documentation; campaign bank account records; utility records; and Fort Lauderdale's and Florida's campaign financing law. OIG Special Agents also interviewed several individuals, including Commissioner McKinzie and Mr. Smith.

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Campaign Treasurer Designation and Control of Banking Activity

When we commenced this investigation, we ascertained that, although Commissioner McKinzie and Mr. Smith referred to Mr. Smith as the campaign treasurer, the candidate had not legally assigned the role to Mr. Smith. Instead, at the outset of the campaign, Commissioner McKinzie appointed himself treasurer or deputy treasurer and several months later designated on paper that Mr. Smith be treasurer or deputy treasurer, without the candidate formally removing himself as required by law.² In addition, both men reported to us that Mr. Smith did not do any actual banking at any time but rather merely prepared CTRs based on document copies and information that Commissioner McKinzie provided to him, often after the banking had been completed. We concluded that the Commissioner was the actual campaign treasurer at all times during this campaign.

On April 8, 2014, among other candidate filing papers, Commissioner McKinzie filed an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (DE-9), naming himself as either treasurer or deputy treasurer and Wells Fargo as the campaign depository. (Exhibit 1) Commissioner McKinzie told us that he did not want to be and never considered himself to be the campaign treasurer for the February 2015 election but rather intended his friend Mr. Smith to be the campaign treasurer.³ He said that, when he went to file his initial campaign paperwork, he noticed that Mr. Smith had not signed the DE-9 and decided to appoint himself campaign treasurer until such time as he could file an amendment.

Nine months later, on January 5, 2015 (one month prior to the election), Commissioner McKinzie filed an amended DE-9 appointing Mr. Smith as treasurer or deputy treasurer.⁴ (Exhibit 2) In order for the new appointment to be effective, Florida law required that the prior campaign treasurer either be removed or resign in writing. The Commissioner failed to do either and stated to us that he was not aware that he was required to do so.⁵

Both Mr. Smith and he informed us that, at all times during the campaign (and, Commissioner McKinzie stated, during prior campaigns), the Commissioner received all contributions, made all

² The title of treasurer or deputy treasurer would be designated by checking one of two boxes on the form DE 9. Neither box on either form was checked.

³ All contributions and expenditures in furtherance of the candidacy must be made or received directly or indirectly through the duly appointed treasurer, with limited exceptions. Candidate & Campaign Treasurer Handbook, Nov. 2013 ed. (Campaign Handbook), p. 15. The treasurer must deposit all funds by the end of the fifth business day following receipt. Campaign Handbook, pp. 16, 18, 58. Only a campaign treasurer or deputy treasurer may sign a campaign check. The treasurer who signs a campaign check is the person responsible for the completeness, accuracy, and authorization for the check. Campaign Handbook, p. 25. It is the treasurer who must file regular reports of all campaign contributions and expenditures. Campaign Handbook, p. 46.

⁴ See footnote 2, above.

⁵ "IMPORTANT: When a campaign treasurer resigns or is removed by the candidate, a copy of the letter of resignation or removal must be filed with the filing officer." Campaign Handbook, p. 17. See also Frequently Asked Questions. Campaign Handbook, p. 63. To resign, a treasurer can submit his resignation to the candidate in writing and file a copy with the filing officer, but the resignation is not effective until the copy is filed. Campaign Handbook, p. 17. To remove a treasurer, a candidate can give written notice to the treasurer and file a copy with the filing officer, but the removal is not effective until the copy of filed. Campaign Handbook, p. 17.

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expenditures, and did all the banking on the campaign treasury account at Wells Fargo Bank. He possessed the sole debit card on the account. Mr. Smith said he did not have and did not want any authority over the bank account, did not possess the checkbooks, did not write campaign expenditure checks, and did not make campaign contribution deposits, even after the deficient DE-9 form naming him was filed in January 2015. Mr. Smith did perform the general bookkeeping for the campaign treasury and prepared CTRs based on photocopies of contribution and expenditure checks, bank statements, and invoices and receipts that the candidate provided him. He said he was given online access to the bank account in January 2015, at the same time as the new DE-9 form naming him was filed.

Campaign Treasurer's Reports

The Division of Elections has promulgated four types of CTRs: Monthly Reports, Primary Reports, General Election Reports, and Termination Reports.⁶ Each type of CTR is filed in a different phase of an election campaign (pre-qualifying, between the qualifying deadline and the primary date, after the primary date up to the general election date, and after the candidate is no longer a candidate). Each report within those types has a different filing deadline and covers a specific time period as set forth in the instructions for CTRs and published by the city clerk, the statutory filing official. Between May 9, 2014, and August 31, 2015, Commissioner McKinzie certified and filed 19 CTRs with the clerk—thirteen originals and six amended reports—for the thirteen reporting periods that occurred between April 1, 2014, and May 8, 2015. We also noted that the candidate filed four CTRs without any treasurer or deputy treasurer's signature⁷ and that Mr. Smith signed nine CTRs as treasurer without being properly designated.⁸

Comporting with Florida law, each CTR form contains a certification section, which states, "It is a first degree misdemeanor for any person to falsify a public record." Most of the CTRs that Commissioner McKinzie submitted to the Clerk bore his signature as deputy treasurer, treasurer, or candidate (or some combination) below that certification, by which he also acknowledged, "I certify that I have examined this report and it is true, correct, and complete." Beginning in January 2015, Mr. Smith also signed all CTRs and amended CTRs, including on eight occasions when he checked the box labeled, "Treasurer" above his signature. Both men told the OIG that they had reviewed the Candidate and Campaign Treasurer Handbook, a publication issued by the Florida Division of Elections on the specific requirements of campaign finance law, prior to the campaign. In addition, with his initial filing documents, Commissioner McKinzie filed a signed Statement of Candidate which stated that he had read and understood the requirements of Florida Statutes Chapter 106.

⁶ A CTR is comprised of three parts: Report Summary (DS-DE 12), Itemized Contributions (DS-DE 13) and Itemized Expenditures (DS-DE 14).

⁷ The original M8, M9, M10, and M11 CTRs for August through November 2014.

⁸ The original M12 and amended M12 CTRs for December 2014, the original P1 CTR for January 1 through January 9, 2015, the original P2 CTR for January 10 through 23, 2015, the original P3 and amended P3 CTRs for January 24 through February 5, 2015, and the Termination and Amended Termination CTRs covering February 6 through May 8, 2015.

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Commissioner McKinzie Violated City Campaign Contribution Limits

The OIG's investigation was predicated on an allegation that the McKinzie campaign accepted several contributions exceeding \$250, in violation of the city ordinance.^{9, 10} Our review of the campaign's bank records substantiated the allegation.

On February 6, 2015, four days before the election, the Sun-Sentinel newspaper reported that the McKinzie campaign accepted four excessive contributions. (Exhibit 3) The article stated, "McKinzie, contacted Friday morning about the apparent campaign law violations, said he had not been aware of them and checked with his campaign treasurer, Johnnie Smith. They identified \$1,000 in contributions that aren't allowable. 'We'll be refunding those today,' Smith said."

Both Commissioner McKinzie and Mr. Smith separately told the OIG during our initial inquiry that they were aware of the city's contribution limit of \$250 per person. Mr. Smith also stated to us that he identified the four excessive contributions prior to the news story.

Campaign bank records confirmed that refunds of \$250 were made on February 6, 2015, to each of the four individuals identified in the newspaper. However, our investigation also revealed that there were eleven other excessive contributions that had been made by February 6, 2015, that Commissioner McKinzie's campaign did not refund. Four of these appeared to be deliberately underreported, as we further address below.¹¹ In total, we found \$3,300¹² in excessive contributions to the campaign that were made in violation of the city's \$250 limit, only \$1,000 of which was refunded, as shown in OIG Table 1 below.

⁹ The allegation was that A.L.M., her spouse S.M., S.P. 1, J.M., and T.M. each contributed \$250 on two separate occasions; however, Commissioner McKinzie told us that the two T.M. contributions were from a father and son with the same name and that he explained this to a Sun-Sentinel newspaper reporter.

¹⁰ The OIG takes no position on the validity of the city ordinance limiting campaign contributions to \$250 per natural person.

¹¹ From Johnnie Smith, M.B., H.J., and J.G. 1.

¹² Of this amount, the campaign did not benefit from a \$250 check returned for insufficient funds.

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OIG Table 1
Contributions Exceeding \$250 in the Aggregate per Contributor

Date	Contributor ¹³	Deposited	Reported	Refund
05/15/14	A.L.M.	\$250	\$250	
12/31/14	A.L.M.	\$250	\$250	Yes
05/15/14	S.M.	\$250	\$250	
12/31/14	S.M.	\$250	\$250	Yes
05/15/14	S.P. 1	\$250	\$250	
12/31/14	S.P. 1	\$250	\$250	Yes
05/16/14	J.M.	\$250	\$250	
10/27/14	J.M.	\$250	\$250	Yes
04/28/14	Johnnie Smith	\$250	\$250	
04/28/14	Johnnie Smith	\$250	\$250 from spouse	No
04/30/14	S.P. 2	\$250	\$250	
01/26/15	S.P. 2	\$50	\$ 50	No
05/15/14	K.M.	\$250	\$250	
12/31/14	K.M.	\$250	\$250	No
06/02/14	W.L.	\$250	\$250	
12/15/14	W.L.	\$250	\$250	No
07/03/14	M.B.	\$300	\$150 and \$150 from spouse	No
01/03/15	M.B.	\$200	\$200 from spouse	No
10/27/14	C.T.	\$250	\$250	
11/26/14	C.T.	\$250 ¹⁴	\$250	No
10/27/14	H.J.	\$250	\$250	
10/28/14	H.J.	\$250	Not reported	No
10/27/14	P.M.	\$250	\$250	
04/29/14	P.M.	\$250	\$250	No
11/26/14	R.M.	\$250	\$250	
02/05/15	R.M.	\$250	\$250	No
02/02/15	J.G. 1	\$500	\$250	No

The Commissioner acknowledged to the OIG that the campaign had accepted two contributions of \$250 each from the four individuals identified in the newspaper article. He stated that they each made their contributions during different fundraising events and that neither Mr. Smith nor he noticed the duplicate contributions.¹⁵ The Commissioner informed the OIG that he had already

¹³ Some of these checks were drawn on joint checking accounts with multiple account holders. The contributor of such a check is the individual who signed the check. Where the donor signing multiple checks contributes an aggregate amount exceeding the statutory limit, the excessive contribution(s) must be returned. Op. Div. Elec. DE 93-10 (Nov. 15, 1993). We also found another 17 contributor names incorrectly recorded on CTRs, as they did not correspond with the signer of checks drawn on joint checking accounts.

¹⁴ Although deposited into the campaign treasury, C.T.'s check was dishonored by her bank.

¹⁵ In the Frequently Asked Questions section of the Campaign Handbook is this question and answer: "Q13. Who is responsible for keeping tabs on aggregate totals of campaign contributions? The campaign treasurer is responsible for receiving and reporting all contributions." At p. 65.

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identified the overages and was refunding them, providing copies of the refund checks, which were all made on the same day the newspaper article was published.¹⁶

Mr. Smith told us that he and his wife each contributed \$250 to the campaign.¹⁷ One check was from his personal bank account and the other was from the joint account belonging to Mr. Smith and his wife. He stated that, although he signed both checks, the contribution from the joint account was a contribution from his wife. As a practice, he signs almost all of the family's checks. Commissioner McKinzie informed us that he accepted two \$250 checks, one from Mr. Smith and one from Mrs. Smith, which were drawn on separate accounts.

The Commissioner told us that in July 2014 he accepted a \$300 check from the joint account of M.B. and her husband.¹⁸ He said that she, a personal friend, told him that the check represented equal contributions of \$150 each from her and her husband. Commissioner McKinzie said he advised Mr. Smith to enter the contribution on the CTR as \$150 from each of them. Mr. Smith recalled to us that he asked the candidate about the \$300 contribution, and the candidate told him the contribution was split between the two joint account holders. The OIG identified that Commissioner McKinzie later accepted a second check of \$200 from M.B.

Of particular note is the contribution by J.G. 1. Commissioner McKinzie and Mr. Smith originally reported it as a \$500 contribution on February 2, 2015. (Exhibit 4) Bank records confirmed that a \$500 check from J.G. 1 was deposited into the campaign treasury on February 2, 2015, and that no refund was thereafter issued to him. (Exhibit 5) Nonetheless, the candidate and Mr. Smith filed an amended CTR with their signatures on February 12, 2015, deleting the \$500 contribution and adding a \$250 contribution from J.G. 1. (Exhibit 6)

When we asked the Commissioner about this, he said he did not recall receiving a \$500 contribution from J.G. 1 in February 2015. After we showed him the CTR entry and a copy of the check, he said he could not recall how the campaign came into possession of the check, he could not recall having discussions with Mr. Smith about refunding the overage, he could not recall how it was recorded on the CTR, and he could not recall why it had been deleted and re-entered as a \$250 contribution on an amended CTR. He said that, if he found an answer, he would inform the OIG. He did not get back to us on this.

Mr. Smith told us that there were over 100 contributions in the last month of the campaign, a time when he was also very busy at work, so he had an individual with no campaign experience assist him with data entry for that period. He surmised that she just entered the contributor's information and the contribution amount as written, and without further review, he could not explain the

¹⁶ Commissioner McKinzie terminated his interview before the OIG inquired about the eleven other excessive contributions.

¹⁷ The CTR for April 2014 reported a \$250 contribution from Mr. Smith by way of a check written on his personal account and another \$250 contribution from his wife by way of a check written on their joint account. Bank records showed that both checks were signed by Mr. Smith. See footnote 13, above.

¹⁸ The July 2014 CTR reported two \$150 contributions, one from M.B. and the other from her spouse, but the campaign received only one \$300 check, signed by M.B., on their joint account. See footnote 13, above.

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subsequent deletion of \$500, addition of \$250 on the amended report, or failure to refund the excess. He would again review the transaction and would advise the OIG if he could provide an explanation. He, too, did not get back to us on this.

Analysis of Campaign CTRs Revealed Numerous Violations of State Campaign Finance Law

As part of the investigation, OIG staff reviewed and compared the CTRs with other materials, including the records of the campaign bank account and documents provided by Commissioner McKinzie and Mr. Smith. The OIG review concluded that all but three of the original thirteen certified CTRs that the candidate submitted to the Clerk contained false, incorrect, or incomplete information.

Through the document comparisons and witness interviews, by the conclusion of the investigation, the OIG found the following misconduct.¹⁹

1. There Were Other Bank Deposits and Credits Not Reflected on the CTRs

On June 12, 2014, Mr. McKinzie deposited a \$190 check from S.T. made payable to him personally, with “1/2 of June mortgage” noted on the memo line, into the campaign’s bank account. (Exhibit 7) In an interview with the OIG, the Commissioner said he received a \$190 check for payment on property he owns and then inadvertently deposited it into the campaign account. Instead of returning the monies to S.T., he said he thereafter wrote himself a check for \$190 on the advice of Mr. Smith. (Exhibit 8) Mr. Smith said to us that, after the deposit of this check into the campaign bank account in June 2014, Mr. McKinzie called him and informed him that he had made the deposit but that it was not campaign related. Mr. Smith corroborated the Commissioner’s account that he advised the candidate to write a \$190 check from the campaign account to himself (Mr. McKinzie) to offset the deposit, which he did. We did not see where either transaction was recorded on any CTR, and Mr. Smith confirmed that they were not reported.²⁰

The OIG determined that Commissioner McKinzie deposited a \$250 contribution from donor J.G. 2 into the bank account on January 30, 2015 (Exhibit 9), but this transaction, also, was never recorded on any CTR. In addition, contributions of \$250 from L.T. dated October 9, 2014, and \$25 from D.W. dated October 30, 2014, were not reported until an amended CTR was filed on August 31, 2015, after the OIG investigation became known to Commissioner McKinzie and Mr. Smith.

¹⁹ The CTRs also reported 41 expenditures totaling \$6,905 as “donations” to what appeared to be non-profit entities, such as churches, schools, charities and local civic groups. An analysis of the CTR entries and the expenditure checks disclosed that of these 41 “donation” expenditures, 26 checks had no notations in the check memo section, three checks totaling \$400 included “donation” in the check memo section, and six checks included some other notation that suggested the checks were donations or for something other than the attendance or purchase of tickets to charitable events. If these donations were made in exchange for political support, they were a third-degree felony. F.S. § 106.08.

²⁰ Each report must contain a statement of each rebate, refund, or other receipt. Campaign Handbook, p. 48. Any person who knowingly and willfully falsely reports or deliberately fails to include any information required to be reported by Chapter 106, Florida Statutes, commits a first-degree misdemeanor. Campaign Handbook, p. 24.

Likewise, the campaign failed to report a bank credit of \$225 from Wells Fargo dated July 25, 2014, until Mr. Smith and Commissioner McKinzie prepared and filed the amended CTRs in August 2015, again, after the OIG's investigation became known.

2. Commissioner McKinzie Accepted and Improperly Recorded a Prohibited Contribution

A campaign contribution by cash or cashier's check in excess of \$50 is prohibited by Florida law and is a first-degree misdemeanor.

There was a \$250 cashier's check contribution to the McKinzie campaign, which was deposited into the campaign depository on June 25, 2014, and not returned. (Exhibit 10) Contrary to the CTR instructions that cashiers' check contributions be reported as cash contributions, this contribution was reported as a \$250 check.²¹ Moreover, the name and address listed on the CTR were incomplete, and as a result the OIG could not identify the contributor.

When we asked the Commissioner about this contribution, he said that he accepted and deposited it. He said he believed that all checks, including cashier's checks, were considered the same for reporting purposes. He thought that it was only money orders that were considered like cash and, as such, money order contributions were limited to \$50.²² Yet, Mr. Smith told us he was aware of the prohibition on receiving cashier's checks over \$50 and said that it was an oversight not to have noticed that this contribution was by cashier's check. He said that, had he noticed, he would have asked the candidate to return the funds.

3. Prohibited Cash Withdrawals for Unverifiable Purposes

According to Florida law, each campaign expenditure must be recorded on the CTR for that reporting period. In addition, with limited exceptions, all expenditures from a campaign's bank account must be made directly or indirectly through the treasurer²³ and must be by check. The sole exception to the check requirement, a violation of which is a first-degree misdemeanor, is the use of an established and documented petty cash fund. However, Commissioner McKinzie and Mr. Smith each told us there was no petty cash fund for the

²¹ There are ten contribution types provided in the instructions on the Campaign Treasurer's Report – Itemized Contributions form (DS-DE 13). They are: CAS (Cash or Cashier's Check), CHE (Check), COF (Carryover Funds from Previous Campaign, INK (In-Kind), INT (interest), LOA (Loan), MO (Money Order), MUC (Multiple Uniform Contributions), RCT (Other Receipts), and REF (Refund (Negative Amount Only)).

²² A candidate may not accept a contribution by means of cash or a cashier's check that exceeds \$50 per person per election. Contrary to the Commissioner's assertion, a money order or traveler's check is not considered cash. Campaign Handbook, p. 22.

²³ The exceptions to the requirement that expenditures must be made through the treasurer are: (1) use of an established and documented petty cash fund (which the McKinzie campaign did not employ); (2) reimbursements by check; (3) indirect expenditures through the treasurer for goods or services that include multiple components as part of the reported expenditure; and (4) independent or party expenditures. F.S. §§ 106.12, 106.021(3), 106.11.

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McKinzie campaign. A debit card is treated under the law as a bank check only if it meets the statutory requirements, including receipts with the last four digits of the card number, the exact amount of the expenditure, the name of the payee, the signature of the treasurer or authorized user, and the exact purpose for which the expenditure is authorized. These details may be handwritten onto the debit card receipt.

Wells Fargo records showed that, on February 5, 2015, and February 9, 2015, cash withdrawals of \$300 and \$100 were made from the McKinzie campaign's bank account. (Exhibit 11) The Commissioner and Mr. Smith both informed us that the Commissioner had possession of the only debit card on the account and that they retained no debit card receipts.^{24, 25}

Commissioner McKinzie and Mr. Smith each told us that the candidate made ATM cash withdrawals of \$300 and \$100 for the purpose of paying V.T. for campaign work.²⁶ The CTRs did not indicate that there were any cash withdrawals or payments. Instead, they reported four payments to V.T. on the Termination CTR, as follows:

OIG Table 2
Expenditures to V.T. as Reported on May 8, 2015

Expenditure Date	Sequence No.	Purpose	Expenditure Type	Amount
02/06/15	004	Canvassing	Mon	\$200.00
02/06/15	008	Canvassing	Mon	\$300.00
02/08/15	014	Canvassing	Mon	\$100.00
02/12/15	019	Canvassing	Mon	\$200.00

As expenditures could only be made by check or petty cash as explained above, the use of expenditure type "MON" would indicate that a check was issued.²⁷ However, we only observed two campaign checks to V.T. in the bank records, dated February 4 and 12, 2015, each in the amount of \$200.00 for "Canvassing."

V.T. told the OIG that he knew the candidate for many years and considered him to be a good person and politician. He said he worked for the McKinzie campaign passing out flyers and going door to door. He said he received a "few hundred dollars" for his services

²⁴ They later provided several ATM deposit receipts but no ATM withdrawal receipts.

²⁵ The treasurer must preserve all accounts for a number of years equal to the number of years of the term of office sought. Campaign Handbook, pp. 16, 59.

²⁶ Debit cards are campaign checks if they meet the statutory requirements, including that the user does not receive cash as part of or independent of any transaction for goods or services. Campaign Handbook, p. 28. A candidate shall pay all campaign expenditures by means of a check drawn on the campaign depository. Campaign Handbook, p. 25.

²⁷ The instructions on the Campaign Treasurer's Report – Itemized Expenditures form (DS-DE 14) include "MON," which is defined as "Monetary (Not to a Candidate)."

but could not recall the specific amount or if it was paid by check or both check and cash or who gave it to him.

We requested to see but were told that there were no receipts or records of any kind to document that Commissioner McKinzie paid V.T. in cash. We question the credibility of the claim that the candidate paid V.T. in cash for three more reasons. First, the Commissioner did not offer any reason why V.T. could not be paid by check and, indeed, V.T. accepted and cashed two campaign checks the same week as the cash payments were supposedly made. Second, if this explanation is to be believed, V.T.'s payments for canvassing totaled \$800 in six days, whereas no other campaign worker was paid more than once, the highest paid worker receiving a single \$350 payment.²⁸ And third, the CTR reported two payments to V.T. on the same day, February 6, 2015, one payment by check in the amount of \$200 and, if we believe Commissioner McKinzie and Mr. Smith, one by \$300 cash. We were not offered and could not conceive of a reasonable explanation why the campaign could not have written a \$500 check to V.T. instead of a \$200 check. We observe that, had the requirements of Florida law been met, there would be no question about how much V.T. was compensated for campaign work.

4. Undocumented Debit Card Purchases at Gas Stations

In reviewing other CTR entries, we saw that there were seven expenditures over a fifteen-day period totaling approximately \$1,200 to "RaceTrac" for which "gas" was listed as the purpose. Our review of the bank records uncovered that these were debit card purchases. (Exhibit 12) Commissioner McKinzie stated these were his purchases of "gas cards" and said they were given to campaign workers, but he had no documentation to establish either what kind of gift cards they were or who if anyone else received them. None of the four campaign workers we spoke to, including V.T., recalled receiving gas, a gas card, or a gift card. No explanation was offered, and we could not discern, why it was necessary to make the gift card purchases on seven different occasions in a two-week time period, six of which occurred within three days.

Commissioner McKinzie told us that he did not provide Mr. Smith with any debit card information, including receipts, other than the information reported on the bank statements. Mr. Smith claimed not to know anything about gas cards or that debit card expenditures required descriptive receipts to be retained by the treasurer.²⁹ We requested the receipts for these debit card transactions, but neither the Commissioner nor Mr. Smith provided any. Commissioner McKinzie stated to OIG agents that he may have kept debit card purchase receipts in a "campaign box" stored somewhere at his home and would inform the OIG if

²⁸ There were no campaign records provided to us that documented the hours, dates, or services rendered in exchange for campaign worker expenditures.

²⁹ All debit card receipts must include specific campaign account information, as well as the signature of the treasurer or authorized user and the exact purpose of the expenditure. Any required information, if not printed on the receipt, may be handwritten on the receipt by the user before submission to the treasurer. The user is responsible for completeness, accuracy, and authorization. Campaign Handbook, pp. 28, 58.

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he could locate those records. However, in his subsequent production of documents, there were no debit card receipts.

Because they were not properly documented by debit card receipt, each of the RaceTrac purchases was an expenditure made in violation of Florida campaign finance law and a first-degree misdemeanor. The OIG's review of bank records uncovered an additional approximately 34 occasions when Commissioner McKinzie used the campaign debit card and for which he provided no receipt.

Commissioner McKinzie Kept and Failed to Report a Refund from FPL

As discussed above, Florida law requires that all expenditures from a campaign treasury be made by check, petty cash, or debit card. In addition, a candidate may endorse a refund check received after the disposition of all surplus funds, but he must dispose of the refund in the same manner as other surplus funds, and an amended CTR must be filed reflecting the transactions.

According to records provided by FPL, Commissioner McKinzie established an account to receive electrical service at his campaign office as of December 4, 2014. The OIG investigation ascertained, and the Commissioner confirmed to us, that he opened the account.

Campaign bank account records established that the payments to FPL were made by bank transfer in violation of Florida law requiring, with limited exception not applicable here, that expenditures be made directly or indirectly through the campaign treasurer and by check. Mr. Smith told the OIG that he never received any bills related to any FPL expenditures, but believed the payments were for the Fort Lauderdale campaign headquarters. He had no discussions with the candidate regarding the payments or the account and no information about why payments were made in April 2015, two months after the election.

On May 5, 2015, FPL issued a check to Commissioner McKinzie for \$194.58 to refund a credit in the account as of April 18, 2015, the last day of service, after application of an initial deposit. FPL records showed that the Commissioner endorsed the check and cashed it on June 26, 2015, which was approximately six weeks after the campaign account had been retitled. (Exhibit 13) Neither the check nor any funds were deposited into the retitled office account, according to our review of the bank records. Nor was the refund reported and disposed of as required by law.³⁰ Commissioner McKinzie failed to report this refund on the Amended Termination Report that he filed on August 31, 2015.

Commissioner McKinzie told the OIG that when he terminated FPL electrical service at his campaign headquarters in April 2015, there was no credit on the account and that he did not receive any refund of payments or deposits.

³⁰ If a candidate receives a refund check after all the surplus funds have been disposed of, the candidate may endorse the check and then dispose of the refund as if it were surplus funds. The candidate must also file an amended termination report, signed and certified by the candidate and treasurer. Campaign Handbook, p. 51.

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There is probable cause to believe that the Commissioner kept the refund rather than disposing of it according to law, and he further violated the law when he failed to report the \$194.58 check and its disposition on an amended report.

Other Statutory Requirements for Campaign Recordkeeping Were Ignored

Florida statutes require that each deposit of contributions into a campaign bank account must be accompanied by a deposit slip listing each individual contributor's name along with the amount of the contribution(s) being deposited.

When we asked Commissioner McKinzie about campaign deposits, he informed us that he made all the contribution deposits through ATMs and therefore there were no deposit slips.³¹ Mr. Smith said the same.^{32, 33} Yet, Mr. Smith later produced copies of some deposit slips he said he obtained from the Commissioner. And, we obtained bank deposit records and observed 21 deposit slips out of the 62 occasions when deposits were made during the campaign. Of the deposit slips we observed, only five of them listed contributor names and amounts.

That ATMs do not employ deposit slips does not obviate the need to document contributor names and their contribution amounts on deposit slips and to make non-ATM deposits, especially where the deposit includes a cash contribution. The CTRs reported cash contributions totaling \$280 received from seven different contributors of between \$25 and \$50 each. The CTRs report that two were received on April 30, 2014, and five were received on December 22, 2014.³⁴ However, none of these cash contributors was identified on any deposit slips.

All campaign expenditure checks are required to include the "exact purpose for which the expenditure is authorized." Our review discovered that only 35 of the 93 checks that the Commissioner wrote on his campaign account had any notation at all in the memo line.³⁵

The date to be reported for an expenditure is the date the payment was made. We found 54 expenditures reported on the CTRs that reflected expenditure dates after the dates written on the checks, with an average of five days late. We found eight expenditures reported as occurring an average of eight days *before* the dates on the expenditure checks.³⁶

³¹ "IMPORTANT: All deposits must be accompanied by a bank deposit slip containing the name of each contributor and the amount contributed by each." Campaign Handbook, p. 18 (emphasis in original). See also p. 58.

³² We did determine that Wells Fargo Bank does not require or accept deposit slips when an account holder makes an ATM deposit. Instead, the face of each check is photocopied and becomes part of the receipt for the transaction.

³³ The Commissioner later produced a limited number of ATM deposit receipts (that included images of the checks deposited) but no deposit slip copies.

³⁴ The April 30, 2014, cash deposit was not made at an ATM; the December 22, 2014, cash deposit was.

³⁵ "IMPORTANT: When issuing checks from the campaign account, the campaign treasurer or deputy treasurer shall be responsible for the completeness and accuracy of the information on such check and for insuring that such expenditure is an authorized expenditure." Campaign checks must include, among other items, the exact purpose of the expenditure. Campaign Handbook (emphasis in original), p. 19.

³⁶ The treasurer must keep detailed accounts of all contributions received and all expenditures made, current within not more than two days after the receipt of a contribution or making of an expenditure. Campaign Handbook, pp. 16, 58.

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The date to be reported for a contribution is the date the contribution was received. With respect to the contributions, Mr. Smith informed us that he recognized that, throughout the campaign, there were disparities between the dates on the contribution checks and the receipt dates recorded on the CTRs.³⁷ He stated that, normally, he reported the contribution date on the CTR as the date of *deposit*.³⁸ Unless Commissioner McKinzie deposited each of the approximately 490 contributions on the very days he received them, Mr. Smith's methodology would constitute violations of law. We note that if these discrepancies reflect unintentional errors, they might have been avoided had the campaign treasurer, the individual in control of the banking, also been the individual keeping detailed accounts of the campaign including keeping them current within two days of receiving a contribution or making an expenditure, as required by law.

The addresses of each contributor must be reported on the corresponding CTR. We found two contributions where the contributor's address was omitted, for A.O. for a \$100 contribution, and for S.C. for a \$250 contribution, both of which were made on February 5, 2015.

The occupation (or familial relationship to the candidate) of each contributor making a contribution in excess of \$100 must also be reported. We found two contributions where the occupation was omitted: for W.H. for a \$250 contribution made on April 28, 2014, and for L.T. for a \$150 contribution made on October 9, 2014.

Commissioner McKinzie Failed to Properly Wind Down the Campaign Account

Florida law requires candidates to dispose of surplus campaign funds, to close the campaign bank account, and report the disposition of remaining funds within 90 days of their election. The disposition of surplus funds in a municipal campaign is limited to (1) returning to the candidate up to the amount he loaned to the campaign, (2) returning contributions on a pro rata basis, (3) donating to a 501(c)(3) organization, (4) donating to an affiliated political party, (5) donating to the municipality that the official was elected to serve, and (6) transferring to an office account.³⁹ The failure to properly dispose of surplus campaign funds constitutes a first-degree misdemeanor. Following the Commissioner's February 10, 2015, election, we saw two expenditures on the original Termination CTR for (1) \$150 to an apparent individual dated April 10, 2015, for "Donation," and (2) \$120 to an LLC dated April 13, 2015, for "Donation" (the memo line on the check read, "Golf Tournament"). (Exhibit 14) Yet, neither of these payees was a 501(c)(3) organization as required by law.

The Termination CTR also reported that \$2,912.25 was paid to Wells Fargo on May 8, 2015, for the purpose of "Closing Account." The Commissioner initially told OIG agents that, after the election, he closed the campaign account and transferred the funds to his office account. However,

³⁷ Instructions to the DS-DE 13 form (see footnote 21 above) require the date to be reported as "Date Contribution was RECEIVED (Month/Day/Year)" (emphasis in original).

³⁸ The treasurer must deposit all funds by the end of the fifth (5th) business day following receipt. Campaign Handbook, pp. 16, 18, 58.

³⁹ Any such office account must be established separately from any personal or other account and used only for legitimate expenses of public office. F.S. § 106.141(5).

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he later acknowledged that the account was not actually closed, but rather, at his request, Wells Fargo retitled the McKinzie campaign account to the “McKinzie Office Account,” while retaining the same account number.⁴⁰ He said that the funds were still there (in November 2015) and that Mr. Smith was not involved in the winding down of the campaign account. Mr. Smith also informed OIG agents that he believed that the surplus accounts were transferred to another account or the account name was changed to reflect an office account. He said that, as he did not manage the account or directly receive any bank statements, he did not know how the candidate chose to dispose of the surplus funds and was not involved in the closure of the campaign account or in the monitoring of the office account. He also disavowed knowing the mechanics of closing accounts because (1) he never had access to the treasury accounts in any of the campaigns he was involved in and (2) Commissioner McKinzie’s most recent election was the only time his candidate had been elected.

INTERVIEW SUMMARIES

As a part of the investigation, OIG Special Agents conducted numerous witness interviews. Significant interviews are summarized below:

1. Interviews of Robert McKinzie

Commissioner McKinzie stated he had been a candidate in three previous election cycles and was familiar with campaign filing and reporting requirements and had reviewed the Candidate & Campaign Treasurer Handbook prior to this and his other campaigns.

He told us that his friend, Fort Lauderdale accountant Johnnie Smith, had acted as his treasurer in his prior campaigns. He said that he did not want to be and never considered himself to be the campaign treasurer for the February 2015 election but rather intended Mr. Smith to be so. He stated that when he went to the city clerk’s office to file his candidate paperwork, he did not have Mr. Smith’s signature on the treasurer appointment form and so appointed himself. He said that the city clerk advised him he could make the change during the official filing period in January 2015, at which time he filed a treasurer’s appointment for Mr. Smith. The Commissioner stated that, although the paperwork failed to make the designation, it was always his intention that Mr. Smith be his treasurer. He said that he did not file a resignation for his own appointment and was not aware that he was required to do so.

He further informed us that, as was the case in his other campaigns, only he (Commissioner McKinzie) had authority over the campaign bank account and that Mr. Smith never had such authority. The Commissioner alone opened the account, had sole signatory authority

⁴⁰ A municipal candidate has 90 days following his election to dispose of surplus funds by one of more of the following methods only: return pro rata to contributors, donate to a charitable organization designated by the IRS under 501(c)(3), give up to \$25,000 to a political party to which the candidate belongs, give the funds to the municipality, or transfer the funds to an office account. Campaign Handbook, pp. 50-51. “The office account must be separate and apart from any other account, including any other type of “office account ...”. Campaign Handbook, p. 55.

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over the account, and had the only account debit card. It was Mr. Smith who handled all the campaign financial paperwork and completed the CTRs. Commissioner McKinzie said that, although he reviewed and signed the CTRs, he would not be aware of any mathematical errors that were not obvious.

The Commissioner stated that he made all the contributions deposits at an ATM but that he had no campaign deposit slips or receipts. He said he wrote all the expenditure checks. He copied the checks to be deposited, as well as expenditure checks, and provided the copies to Mr. Smith personally or by facsimile or email with notations of any information necessary for the CTRs. He also said he did not provide Mr. Smith with any debit card information, including receipts, other than the information reported on the bank statements. He provided Mr. Smith with only some invoices for goods and services purchased with campaign checks. He also stated that he may have kept some campaign records, including debit card purchase receipts, in a "campaign box" stored somewhere at his home and would inform the OIG if he could locate those records.

He advised that he and Mr. Smith were aware of the city's campaign contribution limit of \$250 per person per election, and that he was aware of his opponents' scrutiny of his campaign finance filings and the Sun-Sentinel's newspaper accounts about excess contributions. He acknowledged that the campaign had accepted two contributions of \$250 each from four individuals, S.P. 1, J.M., A.L.M., and S.M. He stated that they each made their two contributions at different fundraising events and that neither he nor Mr. Smith noticed the duplicate contributions. The Commissioner informed the OIG that he had already identified the overages and was refunding them, providing copies of the refund checks, which were all dated February 6, 2015.

Regarding several specific CTR entries and campaign bank account issues, Commissioner McKinzie stated the following:

- When OIG agents directed Commissioner McKinzie to two \$250 contributions by a particular contributor, where one CTR entry listed the contributor as "real estate" and the other listed him as "homemaker," the Commissioner advised that one was from that individual and the other was from his wife. He said he surmised that both checks had both names on them. He also explained two \$250 contribution entries under the same name as coming from two different individuals, one father and one adult son.
- In April 2014, the candidate accepted two \$250 contribution checks, one from would-be treasurer Mr. Smith and one from his wife, drawn on separate accounts.
- In July 2014, he accepted a \$300 check from M.B., a personal friend, drawn on the account she jointly holds with her husband. She told him that the check represented equal contributions of \$150 each from her and her husband. Mr. McKinzie advised Mr. Smith to enter the contribution on the CTR as \$150 from each of the two spouses.

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- He did not recall receiving a \$500 contribution check from J.G. 1 in February 2015. After reviewing the CTR entry and a copy of the check, he said he could not recall how the campaign came into possession of the check, having discussions with Mr. Smith about refunding the overage, how it was recorded on the CTR, or why it had been deleted and re-entered as a \$250 contribution on an amended CTR. If he found an answer, he would inform the OIG.
- In April 2014, shortly after opening the campaign account, he personally received a \$190 check from a married couple for payment on property he owns. The candidate inadvertently deposited the check into the campaign account. He thereafter wrote himself a check for \$190 on the advice of Mr. Smith.
- In June 2014, he accepted and deposited a \$250 cashier's check contribution. He believed all checks, including cashier's checks, were considered the same for reporting purposes. He thought that it was only money orders that were considered like cash and as such, money order contributions were limited to \$50. He was unaware that cashier's checks were considered by the election law like cash and were subject to the \$50 cash contribution limitation.
- He withdrew \$300 cash from the campaign account at an ATM and did so again on February 6, 2015, for \$100 cash. Each time was for the purpose of making cash payments to V.T. for campaign work.
- Many of the debit card transactions were related to the purchase of gas cards for campaign workers and campaign office supplies, but he did not forward the debit card receipts or related sales receipts for the purchases or any other debit card purchases to Mr. Smith and he did not think he kept them.
- He opened an FPL account in December 2014 for the campaign space at 1134 NW 6 Street, Fort Lauderdale. He continued the electric service past the election in February 2015, until he could vacate items from the building. FPL discontinued service in April 2015, but he had attempted to end it sooner. There was no credit on the account upon its closure, and he received no refund.
- Commissioner McKinzie initially told OIG special agents that after the election he closed the campaign account and transferred the funds to his office account. However, he later acknowledged that the account was not actually closed, but rather, at his request, Wells Fargo retitled the McKinzie campaign account to the McKinzie office account, while retaining the same account number. He produced a July 2015 Wells Fargo bank statement for an account titled "Robert McKinzie - Office Account," with an account number ending 5012 and a balance of \$2,237. Mr. Smith was not involved in the disposition of the campaign surplus or in retitling the account.

Before we had concluded our second interview, the Commissioner informed us that he had another appointment and could not continue.

We sought to meet with him again on June 13, 2016 to go over the matters that had been left undiscussed as well as to provide him an opportunity to answer our investigation's findings. However, when we appeared for the interview scheduled at his office, the Commissioner refused to be interviewed.

2. Interviews of Johnnie Smith

Mr. Smith stated that he met Commissioner McKinzie in college, more than 30 years earlier, and had been providing tax and accounting services for over 28 years. He said that he was the campaign treasurer for four local election campaigns, including Commissioner McKinzie's two prior runs for county commissioner in 2008 and 2011, his immediate past run for Fort Lauderdale city commissioner in 2015, and one for another county commissioner candidate in 2014. He said he last reviewed the Candidate & Campaign Treasurer Handbook sometime prior to that other county commissioner's campaign.

He said that, at the onset of McKinzie's campaign in April 2014, Mr. McKinzie was the self-appointed campaign treasurer, who opened the campaign account at Wells Fargo as the sole signatory. Mr. Smith did not have any authority over the bank account, did not possess the checkbook, did not write campaign expenditure checks, and did not make campaign contribution deposits. He said that all the bank statements went directly to Mr. McKinzie, yet, he considered himself the campaign treasurer. He said that the candidate appointed him as treasurer in January 2015. He stated that, even if the paperwork had been completed incorrectly, he was the treasurer and indicated that on most if not all of the CTRs. He reviewed the January 2015 appointment form and acknowledged Commissioner McKinzie's and his signatures. He had no explanation, other than omission, why the option of treasurer or deputy treasurer was not selected, but he reiterated that beginning with the January 2015 appointment, he was acting as the treasurer. He did not know if Commissioner McKinzie withdrew as campaign treasurer or changed his position to deputy treasurer.

He told the OIG that he prepared the CTRs based on what the candidate told him and what he received from him, that is, bank statements, contribution and expenditure check copies, and invoices and receipts. Mr. Smith said he performed the general bookkeeping necessary to complete the CTRs. If there was any information necessary to complete the CTRs that he could not glean from the checks or bank statements, he obtained it through discussions with Commissioner McKinzie. He stated that he never received any receipts for debit card expenditures and that the only record of the debit card expenditures was what was reported on the campaign bank statements. He also said that, because the candidate made campaign account deposits through Wells Fargo ATMs, there were also no deposit slips.⁴¹

⁴¹ As noted above, Wells Fargo ATMs do not require or accept deposit slips.

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In January 2015, contemporaneous with Mr. Smith's appointment as the campaign treasurer, he was granted online access to the campaign account. He stated that his lack of online access to the account prior to January 2015 was due only to him not arranging with the Commissioner to process it. Even after his appointment as treasurer and receiving online access, as previously stated, he did not assume any involvement with the handling of the campaign finances while Commissioner McKinzie retained sole authority over the campaign account. Mr. Smith stated that, even after getting online access, the candidate still faxed most of the contributions and expenditure checks as evidence of their deposit or debit from the campaign account, which he used to prepare the CTRs.⁴²

He said that Commissioner McKinzie's 2015 campaign was the only campaign where he had to manually create the CTRs. In the campaigns for county commissioner, the CTRs were completed and filed online, and many of the fields that he inadvertently left blank in the city campaign, had auto-populated when entering the information for the county campaigns (e.g. report types). Further, in the county system, if a contributor's name was entered once, an attempt to re-enter the same name would result in the field auto-completing the entry, thereby, warning that a duplicate entry was being generated.

Mr. Smith confirmed that four contributors each gave two \$250 checks as had been reported in the Sun-Sentinel, but that even before the news story was published, he had identified the extra checks and in February 2015, he refunded the excess contributions to the four contributors. He said that he and the candidate were aware that the city restricted campaign contributions to \$250 per contributor. He reiterated that only Commissioner McKinzie made the deposits, without the benefit of the system the county had in place. He said that, unless he recalled the names, he did not readily recognize that the campaign had received multiple \$250 contributions from the same contributors.

OIG special agents showed him the CTRs and some campaign account records⁴³ and together they reviewed a number of apparent errors, omissions and inaccuracies. He stated that some errors were data entry mistakes or simply oversight. Mr. Smith stated the following:

- He and his wife each contributed \$250 to the campaign.⁴⁴ One check was from his personal bank account and the other was from the joint account belonging to Mr. Smith and his wife. Although he signed both checks, the contribution from the joint account was a contribution from his wife. As a practice, he signs almost all of the family's checks.

⁴² Mr. Smith believed that Wells Fargo charged a small administrative fee to review online account deposits.

⁴³ Mr. Smith had his own access to the same record on his computer.

⁴⁴ The CTR for April 2014 reported a \$250 contribution from Mr. Smith by way of a check written on his personal account and another \$250 contribution from his wife by way of a check written on their joint account. Bank records showed that both checks were signed by Mr. Smith.

BROWARD OFFICE OF THE INSPECTOR GENERAL
FINAL REPORT RE: MISCONDUCT BY A CITY OF FORT LAUDERDALE COMMISSIONER
IN THE HANDLING OF CAMPAIGN FUNDS

- Mr. Smith questioned Mr. McKinzie about the deposit of a \$300 contribution check signed by M.B., and the candidate told him that the contribution was split equally between the two joint account holders.⁴⁵ As directed, Mr. Smith split the entry on the CTR. He pointed out to OIG special agents a corresponding notation that he made on the bank statement that noted the split.
- Shortly after the deposit of S.T.'s check into the campaign bank account in June 2014, Commissioner McKinzie called Mr. Smith and informed him that he had made the deposit but that it was not campaign related.⁴⁶ Mr. Smith advised the candidate to write a \$190 check from the campaign account to himself (Mr. McKinzie) to offset the deposit, which he did. Neither transaction was recorded on any CTR.
- Regarding the missing \$250 from J.G. 1's contribution: There were over 100 contributions in the last month of the campaign, a time when he was also very busy at work, so he had a woman assist him with data entry for that period. He surmised that this individual, who had no campaign experience, just entered J.G. 1's information and the amount as written, and without further review, he could not explain the subsequent deletion of \$500, addition on the amended report, or failure to refund the excess.⁴⁷ He would again review the transaction and would advise the OIG if he could provide an explanation.
- He recalled that Commissioner McKinzie made cash payments to V.T., a campaign worker, and identified the respective CTR entries supporting the payments to V.T.⁴⁸ Mr. Smith did not know what services the worker actually provided to the campaign.
- He never received any bills related to four expenditures to FPL, but believed the payments were for the Fort Lauderdale campaign headquarters. He had no discussions with the candidate regarding the payments or account and no information about why payments were made April 2015, two months after the election.
- He was aware of the prohibition on receiving cashier's checks over \$50 and said that it was an oversight not to have noticed that one of the contributions was by cashier's check.⁴⁹ Had he noticed, he would have asked the candidate to return the funds.

⁴⁵ The July 2014 CTR reported two \$150 contributions, one from M.B. and the other from her spouse, but the campaign received only one \$300 check, signed by M.B., on their joint account.

⁴⁶ Campaign bank account records showed that a \$190 check signed by S.T. on the joint account of S.T. and R.T. was deposited on June 2, 2014. The check included the notation "½ of June mortgage."

⁴⁷ The CTRs reported a February 2, 2015, \$500 contribution from J.G. 1 and an amended CTR for the same period showing a deletion of that contribution and in its place the addition of a \$250 contribution. The campaign account did not show a \$250 refund or any other payment to this contributor.

⁴⁸ The campaign bank account records showed that, on February 5, 2015 and February 9, 2015, Commissioner McKinzie made \$300 and \$100 debit card cash withdrawals, respectively.

⁴⁹ The CTR and account records showed that on June 25, 2014, Mr. McKinzie deposited a \$250 cashier's check that was reported by Mr. Smith on the CTR as a check contribution.

BROWARD OFFICE OF THE INSPECTOR GENERAL
FINAL REPORT RE: MISCONDUCT BY A CITY OF FORT LAUDERDALE COMMISSIONER
IN THE HANDLING OF CAMPAIGN FUNDS

- For the purposes of reporting, he believed that debit card and credit card transactions were the same. The campaign did not have any credit cards and the bank only issued a single debit card to Mr. McKinzie, who did not forward any receipts for his debit card purchases and withdrawals. The candidate used the debit card only for fuel and small office expenses. He was unaware whether the candidate retained any debit card receipts. He was not aware that debit card expenditures required descriptive receipts or that, as treasurer, he was required to maintain them.
- He recognized that throughout the campaign there were disparities between the dates on the contribution checks and the dates recorded on the CTRs. There was no way to know how long it may have been between the date the check was written by a contributor and the date the check was received by the campaign. He advised that normally he would record the contribution date as the date of deposit not the date on the contribution check.
- Since he had never had access to the campaign accounts in the previous elections he was involved in, he did not know the mechanics of closing campaign accounts. Further, since Commissioner McKinzie's most recent election was the only time his candidate had been elected, he was not familiar with the specifics of transferring campaign surplus funds to an elected candidate's office account. The surplus funds in the campaign account at the close of the McKinzie campaign went into Commissioner McKinzie's office account, but he was not involved in closing the campaign account, transferring the funds to the office account, or monitoring the office account.

Mr. Smith told us that, in preparation for his August 20, 2015, meeting with the OIG, he prepared reconciliation reports of deposits, withdrawals and debts that were not reported on the filed CTRs. He said that, after meeting with the OIG, he carefully reviewed the entire campaign account and all the CTR filings and, on August 31, 2015, he prepared and Commissioner McKinzie filed two amended CTRs for the periods from January 24 through February 5, 2015 and February 6 through May 8, 2015. He asserted that the amended CTRs should be an accurate financial accounting of the campaign account and said that the review changed the total contributions and expenditures to account for entries previously not reported by about \$4,000.⁵⁰

RESPONSES TO THE PRELIMINARY REPORT AND OIG COMMENT

In accordance with Section 12.01(D)(2)(a) of the Charter of Broward County, a preliminary copy of this report was provided to the implicated parties and the City of Fort Lauderdale for their discretionary written responses. The OIG received a response from P.M. and R.M., which are attached and incorporated herein as Appendix A and Appendix B, respectively. We appreciate receiving the responses.

⁵⁰ A review of the city's website confirmed that the amended CTRs were published.

BROWARD OFFICE OF THE INSPECTOR GENERAL
FINAL REPORT RE: MISCONDUCT BY A CITY OF FORT LAUDERDALE COMMISSIONER
IN THE HANDLING OF CAMPAIGN FUNDS

1. Response of P.M.

P.M. stated that his response was his “sincere apology” for having “improperly” written two checks for Commissioner McKinzie’s campaign. He also stated that given that both checks were on her personal bank account, he had no intention of “veiling” his contributions.

2. Response of R.M.

R.M provided correspondence which indicated that he has requested a refund check from Commissioner McKenzie.

CONCLUSIONS

The OIG investigation established probable cause to believe that Commissioner McKinzie and Mr. Smith engaged in numerous acts of state and local campaign finance misconduct.

We found probable cause that Commissioner McKinzie accepted and kept contributions in violation of a Fort Lauderdale ordinance limiting contributions in city elections to \$250 per person. We also determined that Commissioner McKinzie and Mr. Smith violated Florida state campaign finance law, including the filing of CTRs that they should have known were false, incorrect, or incomplete. Our review of campaign records revealed that the Commissioner (1) withdrew a total of \$400 of cash from campaign treasury funds, purportedly to pay a campaign worker in cash, (2) failed to properly document debit card expenditures including seven gas station purchases totaling approximately \$1,200, (3) accepted a \$250 cashier’s check contribution, and (4) apparently kept and failed to report a post-campaign refund from FPL. Each of these acts was an alleged first-degree misdemeanor. In addition, the OIG discovered numerous other state campaign finance violations that are civil in nature.

By way of this report, the OIG refers this matter to the City of Fort Lauderdale, the Florida Elections Commission, and the Broward State Attorney’s Office for their independent assessment of the application of city and state campaign finance and state criminal law.

OIG 15-015

EXHIBIT 1

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

CITY CLERK

2014 APR -8 PM 4: 54

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.
WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this 19 day of April, 2014
City Clerk

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

☒ Initial Filing of Form Re-filing to Change: ☐ Treasurer/Deputy ☐ Depository ☐ Office ☐ Party

2. Name of Candidate (in this order: First, Middle, Last)

Robert L. McKinzie

3. Address (include post office box or street, city, state, zip code)

P.O. Box 120324
Fort Lauderdale, FL 33312

4. Telephone

(954) 627-4080

5. E-mail address

rmckinzie8779@gmail.com

6. Office sought (include district, circuit, group number)

Commissioner District III

7. If a candidate for a nonpartisan office, check if applicable:

☐ My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

☐ Write-In ☒ No Party Affiliation ☐ _____ Party candidate.

9. I have appointed the following person to act as my ☐ Campaign Treasurer ☐ Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Robert L. McKinzie

11. Mailing Address

P.O. Box 120324

12. Telephone

()

13. City

Fort Lauderdale

14. County

Broward

15. State

FL

16. Zip Code

33312

17. E-mail address

rmckinzie8779@gmail.com

18. I have designated the following bank as my ☐ Primary Depository ☐ Secondary Depository

19. Name of Bank

Wells Fargo

20. Address

1191 S. University Drive

21. City

Plantation

22. County

Broward

23. State

FL

24. Zip Code

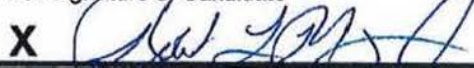
33324

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

4-8-2014

26. Signature of Candidate

X 

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Robert L. McKinzie, do hereby accept the appointment

(Please Print or Type Name)

designated above as:

☐ Campaign Treasurer ☒ Deputy Treasurer.

4-8-2014

Date

X



Signature of Campaign Treasurer or Deputy Treasurer

OIG 15-015

EXHIBIT 2

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**
(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

CITY CLERK

2015 JAN -5 PM 4: 58

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.
WILLIAMS my hand and official seal of the City of Fort Lauderdale, Florida, this 14 day of JAN 2015
City Clerk

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

☐ Initial Filing of Form Re-filing to Change: ☒ Treasurer/Deputy ☐ Depository ☐ Office ☐ Party

2. Name of Candidate (in this order: First, Middle, Last)

Robert L. Mckinzie

3. Address (include post office box or street, city, state, zip code)

P.O. Box 120324
Fort Lauderdale, FL 33312

4. Telephone

(954) 627-4080

5. E-mail address

6. Office sought (include district, circuit, group number)

City of Fort Lauderdale Commissioner District III

7. If a candidate for a nonpartisan office, check if applicable:

☐ My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

☐ Write-In ☐ No Party Affiliation ☐ _____ Party candidate.

9. I have appointed the following person to act as my ☐ Campaign Treasurer ☐ Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Johnnie Smith

11. Mailing Address

P.O. Box 120324

12. Telephone

(954) 303-5779

13. City

Fort Lauderdale

14. County

Broward

15. State

FL

16. Zip Code

33312

17. E-mail address

18. I have designated the following bank as my

☐ Primary Depository

☐ Secondary Depository

19. Name of Bank

Wells Fargo

20. Address

1191 S. University Drive

21. City

Fort Lauderdale

22. County

Broward

23. State

Florida

24. Zip Code

33324

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

January 5, 2015

26. Signature of Candidate

X

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Johnnie Smith, do hereby accept the appointment
(Please Print or Type Name)

designated above as:

☐ Campaign Treasurer

☐ Deputy Treasurer.

January 5, 2015

Date

X

Signature of Campaign Treasurer or Deputy Treasurer

OIG 15-015

EXHIBIT 3

Broward Politics

Fort Lauderdale candidate's campaign reports show illegal contributions

By **Larry Barszewski**
Sun Sentinel

FEBRUARY 6, 2015, 3:19 PM

With election day approaching Tuesday in the Fort Lauderdale District 3 commission race, some people have been scouring Commissioner Robert McKinzie's campaign reports and have found \$1,500 in individual contributions that appeared to exceed the maximum allowable.

McKinzie has raised a total of \$51,685 through Jan. 23, outpacing his next nearest competitor, Donna Guthrie, who has reported raising \$14,189 through the same period.

McKinzie, contacted Friday morning about the apparent campaign law violations, said he had not been aware of them and checked with his campaign treasurer, Johnnie Smith. They identified \$1,000 in contributions that aren't allowable.

"We'll be refunding those today," Smith said.

The maximum allowed individual contribution is \$250. There were two \$250 contributions each from John Milledge, Susan Parker, Amy Loos Mergler and Stephen Mergler. Each made a contribution in May and then again in December. It's the December checks that will be refunded.

The campaign reports showed three \$250 contributions from Thomas A. McDonald in November and December and from Thomas McDonald in April. McKinzie said these were separate contributions from a father and son, and the November contribution was erroneously reported again in December.

Anonymous complaints were also raised about rent payments not showing up on McKinzie's campaign reports for space he is leasing in a building owned by the wife of State Sen. Chris Smith, a campaign supporter. But McKinzie said the rent is being paid through checks made out to his campaign manager, Helen Hinton, who received a \$3,000 payment in the Jan. 23 report and who has since received another check for \$2,500.

As for Guthrie, McKinzie said she hasn't shown any rent payments for use of a building owned by one of her supporters, Supervisor of Elections counsel Bernadette Norris-Weeks. Guthrie said she's not renting space in the building, but has paid at least \$100 to Right Consulting for occasional use of space there.

Guthrie said her campaign headquarters is her home.

lbarszewski@tribpub.com or 954-356-4556

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OIG 15-015

EXHIBIT 4

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this

OFFICE USE ONLY

Clerk

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Robert McKinzie

Name

(2) P O Box 120324

Address (number and street)

Fort Lauderdale FL 33312

City, State, Zip Code

☐ Check here if address has changed

(3) ID Number:

(4) Check appropriate box(es):

☒ Candidate Office Sought:

City Commissioner District III Fort Lauderdale

☐ 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 01 / 24 2015 To 02 / 05 2015 Report Type:

☐ Original

☐ Amendment

☐ Special Election Report

(6) Contributions This Report

Cash & Checks \$ 26,375.00

Loans \$

Total Monetary \$

In-Kind \$

(7) Expenditures This Report

Monetary Expenditures \$ 13,144.00

Transfers to Office Account \$

Total Monetary \$

(8) Other Distributions

\$

(9) TOTAL Monetary Contributions To Date

\$ 78,060.00

(10) TOTAL Monetary Expenditures To Date

\$ 60,264.89

(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) Johnnie Smith

☐ Individual (only for IE or electioneering comm.) ☐ Treasurer ☐ Deputy Treasurer

X Signature

(Type name) Robert McKinzie

☐ Candidate ☐ Chairperson (only for PC and PTY)

X Signature

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

CERTIFICATION

be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

(1) Name Robert McKinzie

(2) I.D. Number SETH my hand and official seal of the City of Fort Lauderdale, Florida, this the 16 day of DEC, 20 15
(4) Page 500 City Clerk

(3) Cover Period 01 / 24 / 2015 through 02 / 05 / 2015

(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
01 / 30 / 2015 064	Cheryl M Perry 543 Orlan Ave 1S Ft Lauderdale FL 33304	I RE Investor	CHE			250
01 / 30 / 2015 065	Dieter Koslik 299 n riverside Dr PH5 Pompano Beach FL 33062	I RE Investor	CHE			250
01 / 30 / 2015 066	Dennis Dustin Smith 2356 NE 29th Court Lighthouse Point FL 33064	I RE Investor	CHE			100
01 / 30 / 2015 067	Matthew H Scott 1819 SE 17th St Apt 1506 FT Lauderdale FL 33316	I RE Investor	CHE			50
01 / 30 / 2015 068	Stephanie Toothaker 901 Ponce de Leon Dr Ft Lauderdale FL 33316	I RE Investor	CHE			250
02 / 02 / 2015 069	Jose Gonzalez 3200 SW 30th Ave Miami FL 33155	I RE Investor	CHE			500
02 / 02 / 2015 070	Scott A Sanders 58 Meadowhawk Lane Las Vegas NV 89135	I RE Investor	CHE			250

OIG 15-015

EXHIBIT 5

Site	Paid Date	Serial	Routing	PC	Amount	Sequence #	Ci
VIEWPOINTE	20150202	-	6310027	002146	500.00	489376162	

Jose M. Gonzalez Cary Gonzalez 3200 SW 80th Ave Miami, FL 33155-3411		2146 63-27631 FL 23485
Date <u>2-2-2015</u>		
Pay to the order of <u>Robert McKenzie Campaign</u> \$ <u>500⁰⁰</u>		
<u>Five hundred</u> <u>4/100</u> Dollars		Security Features Create on Back
Bank of America		
ACH R/T 063100277		
Memo <u>donation / Kendrick</u>		MP
10063100277		

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OIG 15-015

EXHIBIT 6

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Robert McKinzie

Name

(2) P O Box 120324

Address (number and street)

Fort Lauderdale FL 33312

City, State, Zip Code

☐ Check here if address has changed

(4) Check appropriate box(es):

☒ Candidate Office Sought: City Commissioner District III Fort Lauderdale

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

OFFICE USE ONLY CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this the 16 day of Feb, 2015

(3) ID Number: [Signature]

2015 FEB 12 PM 3:33

CITY CLERK

(5) Report Identifiers

Cover Period: From 01 / 24 2015 To 02 / 05 2015 Report Type: _____

☐ Original

☒ Amendment

☐ Special Election Report

(6) Contributions This Report

Cash & Checks \$, 26 , 425 .00

Loans \$, , .

Total Monetary \$, , .

In-Kind \$, , .

(7) Expenditures This Report

Monetary Expenditures \$, 13 , 144 .00

Transfers to Office Account \$, , .

Total Monetary \$, , .

(8) Other Distributions

\$, , .

(9) TOTAL Monetary Contributions To Date

\$, 77 , 860 .00

(10) TOTAL Monetary Expenditures To Date

\$, 60 , 264 .89

(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) Johnnie Smith

☐ Individual (only for IE or electioneering comm.) ☒ Treasurer ☐ Deputy Treasurer

X [Signature]

Signature

(Type name) Robert McKinzie

☐ Candidate ☐ Chairperson (only for PC and PTY)

X [Signature]

Signature

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this 16 day of Dec, 2015
[Signature] City Clerk

(1) Name Robert McKinzie

(2) I.D. Number _____

(3) Cover Period 01 / 24 / 2015 through 02 / 05 / 2015

(4) Page _____ of _____

(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						
01 / 30 / 2015 064	Cheryl M Perry 543 Orton Ave 1S Ft Lauderdale FL 33304	I	CHE			250
01 / 30 / 2015 065	Dieter Koslik 299 n riverside Dr PH5 Pompano Beach FL 33062	I	CHE			250
01 / 30 / 2015 066	Dennis Dustin Smith 2356 NE 29th Court Lighthouse Point FL 33064	I	CHE			100
01 / 30 / 2015 067	Matthew H Scott 1819 SE 17th St Apt 1506 FT Lauderdale FL 33316	I	CHE			50
01 / 30 / 2015 068	Stephanie Toothaker 901 Ponce de Leon Dr Ft Lauderdale FL 33316	I	CHE			250
02 / 02 / 2015 069	Jose Gonzalez 3200 SW 80th Ave Miami FL 33155	I	CHE		DEL	500
02 / 02 / 2015 070	Scott A Sanders 58 Meadowhawk Lane Las Vegas NV 89135	I	CHE			250

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this the 16 day of DEC 20 15

(1) Name Robert McKinzie

(2) I.D. Number 18 of 800 City Clerk

(3) Cover Period 01 / 24 / 2015 through 02 / 05 / 2015

(4) Page 18 of 800

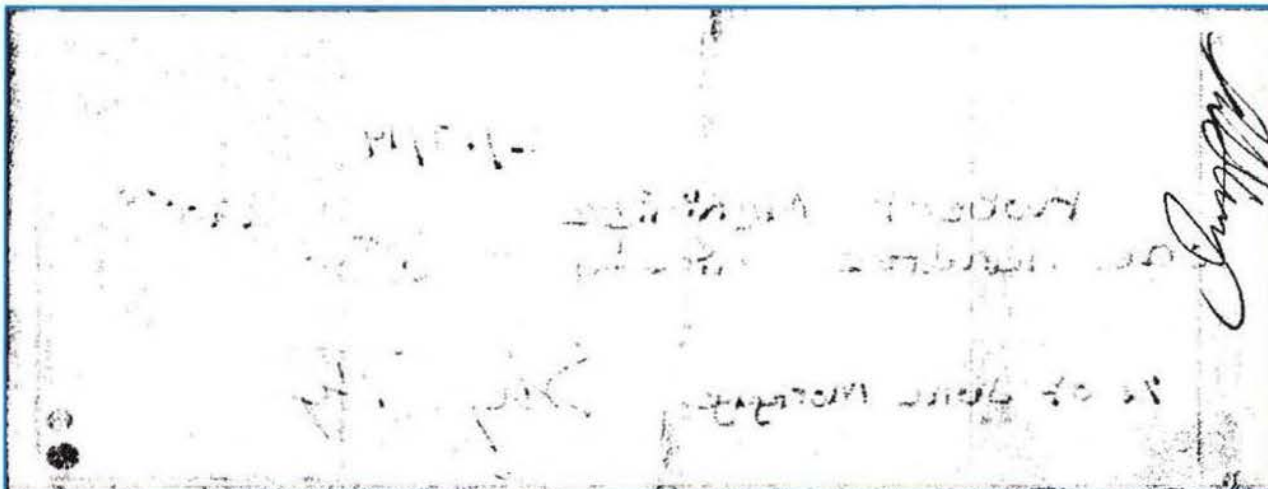
(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation	(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number						
02 / 05 / 2015 120	Scott Svirsky 3176 Saint Annes Dr Boca Raton FL 33496	I RE Advisor	CHE			250
02 / 05 / 2015 121	Lauren Svirsky 3176 Saint Annes Dr Boca Raton FL 33496	I Physical Therapist	CHE			250
02 / 05 / 2015 122	Rock Soffer 495 Brickell Ave Unit 3601 Miami FL 33131	I RE Developer	CHE			250
02 / 05 / 2015 123	Kenneth R Bernstein 550 Golden Beach Drive Golden Beach FL 33160	I Attorney	CHE			250
02 / 02 / 2015 124	Jose Gonzalez 3200 SW 89th Ave Miami FL 33155	I RE Investor	CHE		ADD	250
/ /		I	CHE			
/ /		I	CHE			

OIG 15-015

EXHIBIT 7

Site	Paid Date	Serial	Routing	PC	Amount	Sequence #	Ca
VIEWPOINTE	20140612	244	6310751	000060	190.00	484592524	

SHANIQUEA THORPE RODNEY D THORPE 436 NW 21ST TER FORT LAUDERDALE, FL 33311-7714		244 63-751/831 10845 3779061567
PAY TO THE ORDER OF <u>Robert McKinize</u>		<u>6/10/14</u> DATE
<u>one hundred ninety</u>		<u>\$ 190.00</u>
FOR <u>1/2 of June Mortgage Sh Thy</u>		DOLLARS
MICR: ⑆063107513⑆		Security Features Online at wellsfargo.com



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OIG 15-015

EXHIBIT 8

ROBERT MCKINZIE
 ROBERT MCKINZIE CAMPAIGN
 505 NW 19TH AVE
 FORT LAUDERDALE, FL 33311-8743

107

63-751/631 10888
 7628775012

6-16-2011

DATE

PAY TO THE
 ORDER OF

Robert McKinzie
One Hundred Ninety

\$190.00

DOLLARS



Security
 Features
 Details on
 Back



Wells Fargo Bank, N.A.
 Florida
 wells Fargo.com

FOR

[Signature]

MP

⑆063107513⑆

REQUEST 0000627546000000 190.00
 ROLL ECIA 20140616 000000486800195
 JOB ECIA E ACCT 2870007628775012
 REQUESTOR U417255
 14061036 11/30/2015 Research 14068089

Subpoena Processing Charlotte
 D1111-016
 Charlotte NC 28201

[Signature]

OIG 15-015

EXHIBIT 9

Site	Paid Date	Serial	Routing	Account	PC	Amount	Sequence #	Ci
VIEWPOINTE	20150130	-	26708419	[REDACTED]	000142	250.00	487843942	


JORGE GARCIA
WAGE/ BILL PAY
 2385 VISTA PKWY STE 15
 WEST PALM BEACH, FL 33411-2784

142
63-8419/2670
729

Date 1/28/15

Pay to the Order of "ROBERT MCKINZIE CAMPAIGN" \$ 250.00
TWO HUNDRED FIFTY AND 00/100 Dollars


PNC BANK
 PNC Bank, N.A. 001

For ELECTION CAMPAIGN 

⑆ 267084199⑆ [REDACTED] 0142

Harland Clarke

[REDACTED]



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OIG 15-015

EXHIBIT 10

Site	Paid Date	Serial	Routing	Account	PC	Amount	Sequence #	C:
VIEWPOINTE	20140630	6604800796	10700543		000060	250.00	484340989	

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW FOR ADDITIONAL SECURITY FEATURES SEE BACK

066648 11-24
Office AU # 1210(8)

CASHIER'S CHECK 6604800796

Operator I.D.: az692217

PAY TO THE ORDER OF ***ROBERT MCKINZIE CAMPAIGN***
RE: DONATION FROM D. WALSH

June 25, 2014

Two hundred fifty dollars and no cents

****\$250.00****

VOID IF OVER US \$ 250.00

Richard Long
CONTROLLER

WELLS FARGO BANK, N.A.
4376 N FEDERAL HWY
FORT LAUDERDALE, FL 33308
FOR INQUIRIES CALL (480) 394-3122

0132100137

06664800796

Security Features Included. Details on Back.

0132100137

Richard Long

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OIG 15-015

EXHIBIT 11

Account number: [REDACTED] ■ January 9, 2015 - February 6, 2015 ■ Page 3 of 5

**Transaction history (continued)**

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
1/30		Purchase authorized on 01/30 Racetrac865 Ft Lauderdale FL P00465030756825031 Card 7098		100.00	
1/30		Purchase authorized on 01/30 Racetrac865 Ft Lauderdale FL P00305030758035950 Card 7098		99.99	18,412.34
2/2		ATM Check Deposit on 02/02 1E Broward Blvd Ft.Lauderdale FL 0004287 ATM ID 0912Z Card 7098	1,685.00		
2/2	213	Check		200.00	
2/2	212	Check		200.00	19,697.34
2/3		ATM Check Deposit on 02/03 1E Broward Blvd Ft.Lauderdale FL 0004765 ATM ID 0912Z Card 7098	200.00		
2/3		Deposit Made In A Branch/Store	100.00		19,997.34
2/4	149	Check		4,000.00	15,997.34
2/5		ATM Check Deposit on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005639 ATM ID 0912Z Card 7098	4,500.00		
2/5		ATM Check Deposit on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005675 ATM ID 0912Z Card 7098	3,500.00		
2/5		ATM Check Deposit on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005839 ATM ID 0912Z Card 7098	2,000.00		
2/5		ATM Withdrawal authorized on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005876 ATM ID 0912Z Card 7098		300.00	
2/5	151	Check		200.00	25,497.34
2/6		Purchase authorized on 02/06 The Home Depot 249 Oakland Pk FL P00385037504732199 Card 7098		219.02	
2/6	152	Cashed Check		2,000.00	
2/6		Check		146.46	23,131.86
Ending balance on 2/6					23,131.86
Totals			\$34,705.00	\$40,879.03	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
	2/6	146.46	197	1/12	150.00	205	1/20	5,100.00
149	2/4	4,000.00	198	1/12	200.00	206	1/21	3,000.00
151 *	2/5	200.00	199	1/15	3,649.75	207	1/28	100.00
152	2/6	2,000.00	200	1/22	85.25	208	1/28	100.00
192 *	1/9	200.00	201	1/20	200.00	209	1/26	2,500.00
194 *	1/22	100.00	202	1/20	100.00	210	1/29	300.00
195	1/22	300.00	203	1/20	100.00	212 *	2/2	200.00
196	1/9	2,944.07	204	1/20	13,050.24	213	2/2	200.00

* Gap in check sequence.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 01/09/2015 - 02/06/2015	Standard monthly service fee \$9.00	You paid \$0.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
· Minimum daily balance	\$1,500.00	\$4,255.40 <input checked="" type="checkbox"/>
· Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>

Account number: [REDACTED] ■ February 7, 2015 - March 6, 2015 ■ Page 2 of 4



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
2/9		ATM Withdrawal authorized on 02/09 3990 NW 16th St Lauderhill FL 0002676 ATM ID 6934E Card 7098		100.00	
2/9	153	Check		8,000.00	
2/9	154	Check		5,000.00	
2/9	155	Check		200.00	
2/9	150	Check		200.00	9,631.86
2/10		Purchase authorized on 02/10 Publix Super Mar 3500 Ft Lauderdale FL P00585041551116648 Card 7098		23.21	
2/10	156	Cashed Check		250.00	
2/10	158	Cashed Check		545.45	8,813.20
2/11	159	Cashed Check		200.00	8,613.20
2/12	218	Cashed Check		250.00	
2/12	160	Check		200.00	8,163.20
2/13	161	Cashed Check		290.00	
2/13	220	Check		200.00	
2/13	162	Check		350.00	7,323.20
2/17	219	Check		150.00	
2/17	163	Check		290.00	6,883.20
2/19	216	Check		250.00	
2/19	217	Check		250.00	
2/19	215	Check		250.00	6,133.20
2/20	164	Check		2,500.00	3,633.20
2/26		Fpl Direct Debit Elec Pymt 02/15 8503117239 Webi Robert Lee McKenzie Jr		55.97	3,577.23
3/2	214	Check		250.00	3,327.23
Ending balance on 3/6					3,327.23
Totals			\$0.00	\$19,804.63	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
150	2/9	200.00	160	2/12	200.00	215	2/19	250.00
153 *	2/9	8,000.00	161	2/13	290.00	216	2/19	250.00
154	2/9	5,000.00	162	2/13	350.00	217	2/19	250.00
155	2/9	200.00	163	2/17	290.00	218	2/12	250.00
156	2/10	250.00	164	2/20	2,500.00	219	2/17	150.00
158 *	2/10	545.45	214 *	3/2	250.00	220	2/13	200.00
159	2/11	200.00						

* Gap in check sequence.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 02/07/2015 - 03/06/2015	Standard monthly service fee \$9.00	You paid \$0.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
• Minimum daily balance	\$1,500.00	\$3,327.23 <input checked="" type="checkbox"/>

OIG 15-015

EXHIBIT 12

Account number: [REDACTED] ■ January 9, 2015 - February 6, 2015 ■ Page 2 of 5



Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
1/9	196	Check		2,944.07	
1/9	192	Check		200.00	26,161.82
1/12		ATM Check Deposit on 01/12 1 East Broward Street Fort Lauderda FL 0000429 ATM ID 0145I Card 7098	3,605.00		
1/12	197	Cashed Check		150.00	
1/12	198	Check		200.00	29,416.82
1/14		ATM Check Deposit on 01/14 1E Broward Blvd Ft.Lauderdale FL 0006234 ATM ID 0912Z Card 7098	250.00		
1/14		Purchase authorized on 01/14 The Home Depot 249 Oakland Pk FL P00305015025752353 Card 7098		41.84	29,624.98
1/15		Purchase authorized on 01/15 Racetrac665 Ft.Lauderdal FL P00585015825645864 Card 7098		200.00	
1/15	199	Check		3,649.75	25,775.23
1/16		Purchase authorized on 01/16 The Home Depot 249 Oakland Pk FL P00305016640929801 Card 7098		6.87	25,768.36
1/20		ATM Check Deposit on 01/17 3990 NW 16th St Lauderhill FL 0002109 ATM ID 6934E Card 7098	725.00		
1/20	205	Cashed Check		5,100.00	
1/20	203	Cashed Check		100.00	
1/20	204	Check		13,050.24	
1/20	202	Check		100.00	
1/20	201	Check		200.00	7,943.12
1/21		ATM Check Deposit on 01/21 1 East Broward Street Fort Lauderda FL 0001601 ATM ID 0145I Card 7098	200.00		
1/21	206	Check		3,000.00	5,143.12
1/22		Purchase authorized on 01/22 Family Dollar #8990 Ft.Lauderda FL P00586022652222988 Card 7098		21.00	
1/22	200	Check		65.25	
1/22	194	Check		100.00	
1/22	195	Check		300.00	4,656.87
1/26		ATM Check Deposit on 01/24 3990 NW 16th St Lauderhill FL 0005086 ATM ID 6934E Card 7098	2,300.00		
1/26		Deposit Made In A Branch/Store	400.00		
1/26	209	Cashed Check		2,500.00	
1/26	208	Check		100.00	
1/26	207	Check		100.00	4,656.87
1/27		Purchase authorized on 01/27 Racetrac665 Ft.Lauderdal FL P00585027796926042 Card 7098		200.00	
1/27		Purchase authorized on 01/27 Racetrac665 Ft.Lauderdal FL P00585027798004136 Card 7098		201.47	4,255.40
1/28		ATM Check Deposit on 01/27 1E Broward Blvd Ft.Lauderdale FL 0001861 ATM ID 0912Z Card 7098	110.00		
1/28		Fpl Direct Debit Elec Pymt 01/15 8503117239 Webi Robert Lee McKenzie Jr		101.96	4,263.44
1/29		ATM Check Deposit on 01/29 50 Sw 84th Ave Plantation FL 0000167 ATM ID 0038S Card 7098	6,000.00		
1/29		Purchase authorized on 01/29 Shell Service Station Fort Lauderda FL P00465029849865865 Card 7098		38.85	
1/29		Purchase authorized on 01/29 The Home Depot 249 Oakland Pk FL P00585030014536711 Card 7098		44.26	
1/29		Purchase authorized on 01/29 Racetrac121 Oakland Park FL P00385030019140206 Card 7098		200.00	
1/29		Purchase authorized on 01/29 Racetrac121 Oakland Park FL P00465030019651665 Card 7098		200.00	
1/29	210	Check		300.00	9,482.33
1/30		ATM Check Deposit on 01/30 1E Broward Blvd Ft.Lauderdale FL 0002690 ATM ID 0912Z Card 7098	5,230.00		
1/30		ATM Check Deposit on 01/30 1E Broward Blvd Ft.Lauderdale FL 0002838 ATM ID 0912Z Card 7098	3,900.00		

Account number: [REDACTED] ■ January 9, 2015 - February 6, 2015 ■ Page 3 of 5

**Transaction history (continued)**

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
1/30		Purchase authorized on 01/30 Racetrac865 Ft Lauderdale FL P00465030756825031 Card 7098		100.00	
1/30		Purchase authorized on 01/30 Racetrac865 Ft Lauderdale FL P00305030758035950 Card 7098		99.99	18,412.34
2/2		ATM Check Deposit on 02/02 1E Broward Blvd Ft.Lauderdale FL 0004287 ATM ID 0912Z Card 7098	1,685.00		
2/2	213	Check		200.00	
2/2	212	Check		200.00	19,697.34
2/3		ATM Check Deposit on 02/03 1E Broward Blvd Ft.Lauderdale FL 0004765 ATM ID 0912Z Card 7098	200.00		
2/3		Deposit Made In A Branch/Store	100.00		19,997.34
2/4	149	Check		4,000.00	15,997.34
2/5		ATM Check Deposit on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005639 ATM ID 0912Z Card 7098	4,500.00		
2/5		ATM Check Deposit on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005675 ATM ID 0912Z Card 7098	3,500.00		
2/5		ATM Check Deposit on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005839 ATM ID 0912Z Card 7098	2,000.00		
2/5		ATM Withdrawal authorized on 02/05 1E Broward Blvd Ft.Lauderdale FL 0005676 ATM ID 0912Z Card 7098		300.00	
2/5	151	Check		200.00	25,497.34
2/6		Purchase authorized on 02/06 The Home Depot 249 Oakland Pk FL P00385037504732199 Card 7098		219.02	
2/6	152	Cashed Check		2,000.00	
2/6		Check		146.46	23,131.86
Ending balance on 2/6					23,131.86
Totals			\$34,705.00	\$40,879.03	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
	2/6	146.46	197	1/12	150.00	205	1/20	5,100.00
149	2/4	4,000.00	198	1/12	200.00	206	1/21	3,000.00
151 *	2/5	200.00	199	1/15	3,649.75	207	1/28	100.00
152	2/6	2,000.00	200	1/22	65.25	208	1/28	100.00
192 *	1/9	200.00	201	1/20	200.00	209	1/26	2,500.00
194 *	1/22	100.00	202	1/20	100.00	210	1/29	300.00
195	1/22	300.00	203	1/20	100.00	212 *	2/2	200.00
196	1/9	2,944.07	204	1/20	13,050.24	213	2/2	200.00

* Gap in check sequence.

Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to wellsfargo.com/feefaq to find answers to common questions about the monthly service fee on your account.

Fee period 01/09/2015 - 02/06/2015	Standard monthly service fee \$9.00	You paid \$0.00
How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
• Minimum daily balance	\$1,500.00	\$4,255.40 <input checked="" type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>

OIG 15-015

EXHIBIT 13

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK. HOLD AT ANGLE TO VIEW

FPL **025576** **MIAMI** **33102** **MAY 05 15** **5001745805051185**

BOX : FLA

Florida Power & Light Company
DEPOSIT REFUND ACCOUNT
64-1276
611
CHECK NUMBER

KNOW YOUR ENDORSER - REQUIRE IDENTIFICATION

VOID AFTER 6 MONTHS

Bank of America, N.A.
Atlanta, DeKalb County, Georgia

PAY TO THE ORDER OF

ROBERT LEE MCKENZIE JR

AMOUNT OF CHECK

EXACTLY ****194** DOLLARS AND **58** CENTS **\$194.58**

ADDRESS

505 NW 19TH AVE
FT LAUDERDALE

FL - 33311

ACCOUNT NUMBER

DEPOSIT RECEIPT NO. **3885380**

Paul Cuth
TREASURER

⑈3781893⑈

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

Cash only if endorser is known or fully identified.
If this check has been fraudulently negotiated, it
will be returned.

Paul Cuth

Tag	Note	Item Date	Account Number	Amount
Serial Number	Payee Name	Volume ID	ImgVolNo	
No	No	08/26/2015		194.58
3781893		15070300024701	1	

SETUP							LST CHG
SEL	DATE	TYPE	AMOUNT	FPL - CHECK - NUMBER	STATUS	DATE	
	04/27/15	FNLD	194.58	5 0019458 05051185	CASHED	06/30/15	

COMPLETE LIST
17-REFND MAINT 18-TR TO EXCR 23-DB REFUND

NEWS
FACT

OIG 15-015

EXHIBIT 14

CAMPAIGN TREASURER'S REPORT SUMMARY

2015 MAY -8 PM 4: 24

CITY CLERK

(1) Robert McKinzie

Name

(2) P O Box 120324

Address (number and street)

Fort Lauderdale FL 33312

City, State, Zip Code

☐ Check here if address has changed

CERTIFICATION
I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this the 16 day of DEC 20 15

(3) ID Number:

(4) Check appropriate box(es):

☒ Candidate Office Sought: City Commissioner District III Fort Lauderdale

☐ 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 02 / 06 /2015 To 05 / 08 /2015 Report Type: Closing

☐ Original

☐ Amendment

☐ Special Election Report

(6) Contributions This Report

Cash & Checks \$, , .

Loans \$, , .

Total Monetary \$, , .

In-Kind \$, , .

(7) Expenditures This Report

Monetary Expenditures \$, 17,595 . 11

Transfers to Office Account \$, , .

Total Monetary \$, , .

(8) Other Distributions

\$, , .

(9) TOTAL Monetary Contributions To Date

\$, 77,860 . 00

(10) TOTAL Monetary Expenditures To Date

\$, 77,860 . 00

(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) Johnnie Smith

☐ Individual (only for IE or electioneering comm.) ☒ Treasurer ☐ Deputy Treasurer

X 
Signature

(Type name) Robert McKinzie

☒ Candidate ☐ Chairperson (only for PC and PTY)

X 
Signature

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Robert McKinzie

(2) I.D. Number 15 of Dec 20 15

(3) Cover Period 02 / 06 / 2015 through 05 / 08 / 2015

(4) Page 1 of 4 City Clerk

(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
02 / 06 / 2015	Mt Calvary Baptist Church 800 NW 8th Ave Pompano Beach FL 33060	Donation	MON		200
001					
02 / 06 / 2015	Mt Herman Church 401 NW 7th Ter Ft Lauderdale FL 33311	Donation	Mon		200
002					
02 / 06 / 2015	Westside Gazette P O Box 5304 Fort Lauderdale FL 33310	Adverting	Mon		4000
003					
02 / 06 / 2015	Vincent Thorpe 436 NW 21 Ter Fort Lauderdale FL 33311	Canvassing	Mon		200
004					
02 / 06 / 2015	D W&W Minister 1381 NW 13th Court Fort Lauderdale FL 33311	Consulting	Mon		5000
005					
02 / 08 / 2015	Harris Chapel United 2351 NW 26th Street Ft Lauderdale FL 33311	Donation	MON		200
006					
02 / 08 / 2015	Ivory s Take out 2270 NW 6th Street Fort Lauderdale FL 33311	Food	Mon		200
007					
02 / 06 / 2015	Vincent Thorpe 436 NW 21 Ter Fort Lauderdale FL 33311	Canvassing	Mon		300
008					

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Robert McKinzie

(2) I.D. Number 16 day of DEC, 20 15
City Clerk

(3) Cover Period 02 / 06 / 2015 through 05 / 08 / 2015

(4) Page 2 of 4

(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
02 / 06 / 2015	Home Depot 1701 W Oakland Park Blvd Oakland Park FL 33311	Supplies	MON		212.41
009					
02 / 09 / 2015	Daryl King 11650 NW 41 Street Sunrise FL 33323	T Shirts	Mon		250
010					
02 / 09 / 2015	Devin Carter 13030 SW 268 Street Homestead FL 33032	Printing	Mon		545.45
011					
02 / 06 / 2015	Kerrick Wiggins 1731 NW 35th Ter Lauderhill FL 33319	Canvassing	Mon		200
012					
02 / 06 / 2015	Felix McGowan 612 NW 15th Way Fort Lauderdale FL 33311	Photo s	Mon		250
013					
02 / 08 / 2015	Vincent Thorpe 436 NW 21 Ter Fort Lauderdale FL 33311	Canvassing	MON		100
014					
02 / 06 / 2015	Susan Parker 1917 Cordova Road Ft Lauderdale FL 33316	Refund	Mon		250
015					
02 / 06 / 2015	Amy Loos 805 SE 10 Street Ft Lauderdale FL 33323	Refund	Mon		250
016					

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Robert McKinzie

(2) I.D. Number 16 day of Dec 20 15

(3) Cover Period 02 / 06 / 2015 through 05 / 08 / 2015

(4) Page 3 of 4 City Clerk

(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
02 / 10 / 2015	On This Rock 675 NW 22nd Road Ft Lauderdale	Donation	MON		200
017					
02 / 12 / 2015	Daryl King 11650 NW 41 Street Sunrise FL 33323	T Shirts	Mon		290
018					
02 / 12 / 2015	Vincent Thorpe 436 NW 21 Ter. Fort Lauderdale FL 33311	Canvassing	Mon		200
019					
02 / 12 / 2015	Fredrick Kennedy 421 NW 22 Terr Fort Lauderdale FL 33311	Canvassing	Mon		350
020					
02 / 12 / 2015	Johnnie Smith 3007 W. Commercial Blvd #204 Ft Lauderdale FL 33309	Accounting	Mon		150
021					
02 / 12 / 2015	Kim McMillion 736 NW 3th Ave Lauderhill FL 33311	Canvassing	MON		290
022					
02 / 06 / 2015	Steven Merges 805 SE 10th Street Fort Lauderdale FL 33316	Refund	Mon		250
023					
02 / 06 / 2015	John Milledge 200 SW 1st Ave Ste 800 Fort Lauderdale FL 33301	Refund	Mon		250
024					

CERTIFICATION

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Robert McKinzie

(2) I.D. Number 16 the 16 day of DEC, 20 15
City Clerk

(3) Cover Period 02 / 06 / 2015 through 05 / 08 / 2015

(4) Page 4 of 4

(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
// /					
// /					
04 / 10 / 2015	Shawn Skinner 5620 NW 54th Ave Tamarac FL 33319	Donation	Mon		150
025					
04 / 13 / 2015	RM Recreation Services LLC 5510 Lakeside Dr #106 Margate FL 33603	Donation	Mon		120
026					
04 / 25 / 2015	Alpha Kappa Alpha P O Box 9811 Ft Lauderdale FL 33071	Donation	Mon		75
027					
05 / 08 / 2015	Wells Fargo	Closing Account	Mon		2912.25
028					
// /					
// /					

OIG 15-015

APPENDIX A

8/8/16

John W. Scott, Inspector General
One North University Drive, Suite 111
Plantation, Florida 33324

Re: OIG Preliminary Report, Ref. No. OIG 15-015

Dear Mr. Scott,

This letter stands as my sincere apology for making two political contributions to Mr. Robert McKinzie's Campaign during his bid to become a City Commission in 2014. I was unaware I had written two checks improperly until I received a phone call from Mr. Grenier with your office. It is apparent in your findings that I had written both checks out of my personal bank account. I hope you agree this suggests I had no intention of veiling my contribution. I can elaborate further if you wish to discuss in detail please give me a call.

I am resolved to be much more careful when making any campaign contributions in the future.

Once again I apologize for my error.

Sincerely,



Patrick McTigue

OIG 15-015

APPENDIX B

From: [Chad Moss](#)
To: [InspectorGeneral](#)
Cc: rmckinzie8779@gmail.com; rmckinzie@fortlauderdale.gov; [William Davell](#)
Subject: RE: OIG 15-015 Preliminary Report
Date: Friday, July 15, 2016 3:09:40 PM
Attachments: [image001.png](#)
[Mr. Moss Notification Letter.pdf](#)
[2016-07-15 OIG 15-015 McKinzie Preliminary Report.pdf](#)

Inspector General:

Please note my attached correspondence to Commissioner McKinzie requesting a refund check if one was not already provided.

The Commissioner's people will be working with my assistant to resolve the issue.

Thank you

From: Chad Moss
Sent: Thursday, July 14, 2016 1:59 PM
To: 'rmckinzie8779@gmail.com' <rmckinzie8779@gmail.com>
Cc: Annmarie Reyes <AREyes@mosscom.com>
Subject: Duplicate donor checks

Thanks Commissioner for calling me yesterday to help sort out the issue of my duplicate donations for your reelection campaign.

Please forward this email to your accountant, and have them contact my assistant, Annmarie Reyes if we need to do anything on our end.

As stated in our phone call, your campaign may have already sent a refund check.

Please verify.

Wishing you all the best!

Chad Moss
Executive Vice President
Moss
Direct: 954.769.8189 | Office: 954.524.5678 | Cell: 954.868.4966
mosscom.com

Chad Moss
Executive Vice President

Moss

Direct: 954.769.8189 | Office: 954.524.5678 | Cell: 954.868.4966

mossbcm.com

From: InspectorGeneral [mailto:InspectorGeneral@broward.org]

Sent: Friday, July 15, 2016 8:30 AM

To: Chad Moss <CMoss@mossbcm.com>

Subject: OIG 15-015 Preliminary Report

Attached please find a copy of the Preliminary Report Re: Misconduct by a City of Fort Lauderdale Commissioner in the Handling of Campaign Funds and a notification letter.



Broward Office of the Inspector General

One North University Drive, Suite 111

Plantation, FL 33324

954-357-7873

inspectorgeneral@broward.org

www.browardig.org

REPORT FRAUD

954-357-TIPS

Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.