

Councilman Questioned On Votes, Land Deals

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Published: Feb 7, 2006

TEMPLE TERRACE - A city councilman's property ownership in a redevelopment area and perceived conflicts of interest are putting him under a law and ethics microscope.

It's not the first time Temple Terrace Councilman Frank Chillura's real estate holdings have been an issue. Voting records show that since taking office in 2001, he has abstained from six council votes, citing financial conflicts on issues concerning property adjacent to his own in the community redevelopment area along North 56th Street.

Now, a lawyer says a state law makes Chillura's conduct questionable with regard to votes he cast on 28 other issues pertaining to city purchases of property in the CRA, the allocation of tax money for its development and the awarding of contracts.

"This may be one situation where you have to choose between your office and your contractual obligations," said the lawyer, John Hubbard, of Dunedin, who teaches ethics for the Institute for Elected Municipal Officials. "The only way to know for sure is to contact the [Florida] Commission on Ethics."

As Chillura prepares to develop his latest acquisition in the CRA, freshman Councilwoman Glenda Venable is seeking advice from City Attorney Ted Taub and raising ethics concerns about where he is buying property and his ability to remain objective. The matter could be raised at tonight's city council meeting. Venable raised the issue after attending a class Hubbard taught in January.

Since winning a city council seat, Chillura has been both an outspoken advocate and critic of the city's efforts to revitalize the CRA, a 225-acre tract along North 56th Street that was established in December 2000. At the same time, he has remained active in his family's real estate business and has bought and sold property in the CRA.

In May, the city bought one of the parcels in the CRA, the 10,000-square-foot Beacon Plaza, at Bullard Parkway and 56th Street, for \$1.2 million. Chillura said he was forced to sell under threat of condemnation and that he charged the city a fair price. The same month, his company, La Beacon Plaza, spent \$247,740 of the proceeds to buy another property in the CRA, north of Temple Heights Road between Beverly Drive and North 56th Street, from the U.S. Postal Service. He did so through a sealed bid. Chillura said he will submit a site plan to the city to develop an office complex there.

Another of Chillura's family businesses, FMC Ventures, has owned an office complex in the CRA at 9340 N. 56th St. since 1999, according to property records.

'I Have A Clean Record'

The obvious benefit of owning property in the CRA is the potential for its value to substantially increase as the redevelopment effort takes shape, said city spokeswoman Paula MacDonald. Another possible benefit is the ability to apply for any financial incentives Temple Terrace may decide to offer owners who want to improve their properties.

Venable questions whether Chillura's buying and selling of property in the CRA, which is at the center of city business, presents a conflict of interest. She wants to know whether privileged information from city

employees has guided his investment decisions and whether he is helping friends do the same. Chillura says no.

"You should not be benefiting from the community you serve," Venable said. "Many times we do have privileged inside information before the public does. I feel there is a real serious question of ethics."

Chillura defended his record and welcomed inquiry.

"Bring it on. I have a clean record. I have never done anything to benefit myself," Chillura said. "I've earned it the hard way. These people who are making stuff up, it's just propaganda."

A Need To Clear The Air

Mayor Joe Affronti, Councilman Ken Halloway and Councilwoman Linda Shattles echoed Venable's call for a legal opinion to clear the air, but all said they know Chillura to be honest.

If asked, the ethics commission could give a formal opinion within a few months, said spokeswoman Helen Jones. The commission's 30-year-old opinion database indicates it's a common question for city government.

In September 1985, the Fort Walton Beach City Council questioned whether a council member is prohibited from voting on an ordinance providing for site-specific zoning in a redevelopment area where the member owns an acre of land. The commission determined the member could vote on matters not affecting property near the land in question.

A Florida statute states that public officials cannot vote on something in an area where they own property if it will significantly benefit or harm them financially, Hubbard said. The ethics commission would determine how much Chillura benefited from or was harmed by any of the 28 votes he cast.

"It's an ethical issue. If he has a voting conflict, he cannot vote," Hubbard said. "But there are also other issues that might apply, such as misuse of public position. There's a definite need for the commission to weigh in. It's a tremendous safeguard."

State law does allow someone in Chillura's business position to vote in an advisory capacity on a public board, such as the Temple Terrace Redevelopment Agency, that makes recommendations to the city council. Records show Chillura served on the agency board during each of its three meetings in 2005 and participated in recommendations.

Chillura said he tries to set an example for other property owners through his real estate holdings, such as the parcel at North 56th Street and Beverly Drive. In April, the council will vote on proposed design guidelines aimed at shaping the aesthetics of property in the CRA. Chillura has said he will abstain. He has, though, vowed to implement those guidelines before the vote by applying them to his office complex.

"It's going to cost me more, but I think it's good for the city and the revitalization efforts," Chillura said. "I am going to set the example with my own money."

Councilman Ron Govin said he does not see a problem with Chillura or any other council member owning property in the CRA.

"I don't see any problem as long as it's done aboveboard and in the same manner as everyone else," he said. "It's anybody's right to buy or sell."