STATE OF FLORIDA
COMMISSION ON ETHICS

Friday, March 8, 2019

Third Floor Courtroom, First District Court of Appeal
2000 Drayton Drive
Tallahassee, Florida

PUBLIC SESSION MINUTES

At 8:32 a.m. Chair Guy Norris called the meeting to order with the following members present:

JASON BERGER
DANIEL BRADY
ANTONIO CARVAJAL
JOANNE LEZNOFF
F. SHIELDS MCMANUS
WILLIAM "WILLIE" N. MEGGS
GUY NORRIS

Commissioner Kimberly Rezanka and Commissioner Garrett Richter were absent from the meeting.

The presence of a quorum was noted.

Commissioner Berger, seconded by Commissioner Brady, moved to approve the minutes of the January 25, 2019, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 16-192, In re ELLIOT COHEN

Present were Mark Herron, Attorney for the Respondent; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed stipulation calling for a finding of violation of Sections 112.313(6), 112.313(7)(a), and 112.313(8) Florida Statutes, and a civil penalty of $4,500.

Mr. Herron was heard by the Commission.

Commissioner Brady, seconded by Commissioner McManus, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.
Complaint No. 17-053, In re RICHARD B. ROMANOFF, JR.

Present were Mark Herron, Attorney for the Respondent; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed stipulation calling for a finding of violation of Sections 112.313(3) and 112.313(7) Florida Statutes, and a civil penalty of $2,000.

Mr. Herron was heard by the Commission.

Commissioner Berger, seconded by Commissioner Leznoff, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.

Complaint No. 17-106, In re RICARDO "RIC" FERNANDEZ

Present were Emmett Mitchell, IV, Attorney for the Respondent; Erwin D. Jackson, Complainant; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed stipulation calling for a finding of violation of Sections 112.3148(3), 112.3148(4), and 112.3148(8) Florida Statutes, and recommendation of public censure and reprimand, and a civil penalty of $6,000.

Mr. Mitchell was heard by the Commission.

Commissioner Brady, seconded by Commissioner Meggs, moved to approve the proposed joint stipulation. The motion carried, with Commissioner Leznoff voting no.

Complaint No. 18-140, In re ALFREDO SANTAMARIA

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed pre-probable cause stipulation calling for a finding of violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, and recommendation of a civil penalty of $750.

Commissioner Berger, seconded by Commissioner McManus, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.
CONSIDERATION OF ADVOCATE'S MOTION TO DISMISS COMPLAINT

Complaint No. 17-047, In re JOSEPH KILSHEIMER

Present were Mark Herron, Attorney for the Respondent; and Elizabeth A. Miller, Commission Advocate.

Commissioner Carvajal disclosed that he had a professional relationship with the Respondent prior to the Respondent taking public office.

Ms. Miller summarized her recommendation for the matter to be dismissed.

Mr. Herron was heard by the Commission.

Commissioner Berger, seconded by Commissioner Leznoff, moved to grant the Advocate's Motion and dismiss the complaint. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINIONS

File 2733. POSTEMPLOYMENT RESTRICTIONS: DCF FORMER ASSISTANT SECRETARY EMPLOYED BY DCF CONTRACTOR

Rebecca Kapusta, Requestor, was present.

Attorney Deanna Rahming explained the basis of the draft advisory opinion and the rationale behind her conclusion.

Ms. Kapusta was heard by the Commission.

Commissioner Carvajal, seconded by Commissioner McManus, moved to approve the opinion as drafted. The motion carried, with Commissioner Leznoff and Commissioner Brady voting no.

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

NO HEARING

FD16-116, In re JEFFREY KEY
FD17-135, In re PEGY BOULE
FD17-136, In re JENNIFER BELLINGER
FD17-137, In re BRENDA CLEMENTS

No one was present for any of the appeals.
Commissioner Berger, seconded by Commissioner Leznoff, moved to approve the staff's recommendations regarding the above-referenced appeals. By unanimous vote, the motion carried.

CONSIDERATION OF SECOND ORDER ON REQUEST FOR EXTENSION

Extension Request 19-01, In re PEGGY QUINCE

Senior Attorney Gray Schafer explained the basis for the financial disclosure filing extension request.

Commissioner Brady, seconded by Commissioner Berger, moved to approve the proposed order. By unanimous vote, the motion carried.

CONSIDERATION OF ORDER DECLARING FINANCIAL DISCLOSURE FINE UNCOLLECTIBLE

In re Elvin McCorvey, 2016 CE Form 1

Executive Director Virlindia Doss was heard by the Commission.

Commissioner Carvajal, seconded by Commissioner Leznoff, moved to declare the fine uncollectible. By unanimous vote, the motion carried.

REPORTS

Executive Director Virlindia Doss had nothing to add to the written Executive Director's report previously provided to the Commissioners, but elaborated on the Legislative report previously provided to the Commissioners.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 9:39 a.m.

Respectfully submitted, 

Diana Westberry, Secretary

Approved:

Guy W. Norris, Chair

Date