STATE OF FLORIDA
COMMISSION ON ETHICS

Friday, January 25, 2019

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

PUBLIC SESSION MINUTES

At 8:35 a.m. Chair Guy Norris called the meeting to order with the following members present:

JASON BERGER
 DANIEL BRADY
 ANTONIO CARVAJAL
 JOANNE LEZNOFF
 WILLIAM "WILLIE" N. MEGGS
 GUY NORRIS
 KIMBERLY REZANKA
 GARRETT RICHTER

Commissioner McManus was absent from the meeting.

The presence of a quorum was noted.

Commissioner Rezanka, seconded by Commissioner Brady, moved to approve the minutes of the December 7, 2018, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – DOAH RECOMMENDED ORDER

Complaint No. 17-013, In re NANCY OAKLEY

Present was Melody A. Hadley, Commission Advocate.

General Counsel Chris Anderson and Senior Attorney Gray Schafer addressed the Commission.

Commissioner Berger, seconded by Commissioner Rezanka, moved to adopt the draft Final Order proposed by Commission staff, but denying the exceptions and the Advocate's motion to strike the exceptions, and adopting the Administrative Law Judge's Recommended Order finding that the Respondent violated Section 112.313(6), and recommending public censure and reprimand, and a civil penalty of $5,000. By unanimous vote, the motion carried.

Complaint No. 17-123, In re DERRYL O'NEAL

Present were Andrew Salzman, Attorney for the Respondent; and Elizabeth A. Miller, Commission Advocate.

A handout was provided to the Commission.
Ms. Miller addressed the Commission.

Commissioner Carvajal, seconded by Commissioner Richter, moved to adopt the Joint Stipulation of Fact, Law, and Recommended Order entered into between the Respondent and the Advocate, finding that the Respondent violated Section 112.313(6), Florida Statutes, and recommending a civil penalty of $2,000 and restitution of $2,320. The motion carried, with Commissioner Rezanka voting no.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint Nos. 18-026, In re KIM DANIELS

Present were Ronald G. Meyer, Attorney for the Respondent; and Melody A. Hadley, Commission Advocate.

Commissioner Leznoff disclosed she knows the Respondent in a professional capacity.

Ms. Hadley summarized the proposed stipulation calling for a finding of violation of Section 112.3144, Florida Statutes, and Article II, Section 8, Florida Constitution. She added that as the Respondent is a sitting member of the Legislature, this matter would be forwarded to the Speaker of the House without a penalty recommendation.

Mr. Meyer was heard by the Commission.

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

CONSIDERATION OF ADVOCATE'S MOTION TO DISMISS COMPLAINT

Complaint No. 18-004, In re MICHELLE R. THAMES

Present was Melody A. Hadley, Commission Advocate.

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

CONSIDERATION OF FEES PETITION

Complaint No. 18-009, In re WILLIAM E. STURGEON

Senior Attorney Gray Schafer advised members that the petition was insufficient and recommended that it be dismissed.

Commissioner Berger, seconded by Commissioner Rezanka, moved to dismiss the petition. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINIONS
File 2729. GIFT PROHIBITIONS; CONFLICT OF INTEREST: DISTRICT SCHOOL BOARD MEMBER AFFILIATED WITH NONPROFIT THAT IS ACCEPTING DONATIONS FROM/ENTERING INTO CONTRACTS WITH DISTRICT VENDORS

Senior Attorney Gray Schafer explained the basis of the draft advisory opinion and the rationale behind his conclusion.

Commissioner Brady, seconded by Commissioner Rezanka, moved to approve the opinion as drafted. By unanimous vote, the motion carried.

File 2730. CONFLICT OF INTEREST; VOTING CONFLICT: CITY COMMISSIONER'S BUSINESS ENGAGING IN VARIOUS PURSUITS INCLUDING DOING BUSINESS WITH SHERIFF'S OFFICE THAT PROVIDES LAW ENFORCEMENT TO CITY

General Counsel Chris Anderson explained the basis of the draft advisory opinion and the rationale behind his conclusion.

Commissioner Berger, seconded by Commissioner Rezanka, moved to approve the opinion as drafted. By unanimous vote, the motion carried.

File 2731. CONFLICT OF INTEREST: DEPARTMENT OF HEALTH'S CITRUS COUNTY HEALTH ADMINISTRATOR AND HEALTH OFFICER SERVING ON BOARD OF DIRECTORS OF NONPROFIT PROVIDING GRANT TO DEPARTMENT

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

Commissioners Brady and Carvajal suggested that a footnote be added to the opinion concerning nonprofit's bylaws.

General Counsel Chris Anderson addressed the Commission.

Executive Director Virlindia Doss addressed the Commission.

Commissioner Brady, seconded by Commissioner Carvajal, moved to adopt the draft opinion as amended by the Commissioners oral comments. By unanimous vote, the motion carried.

File 2732. EXECUTIVE BRANCH LOBBYING: LOBBYING REGISTRATION

Cynthia Henderson, Requestor, was present.

Senior Attorney Caroline Klancke explained the basis of the draft advisory opinion and the rationale behind her conclusion.
Commissioner Leznoff disclosed she knows the Requestor in a professional capacity.
Commissioner Rezanka, seconded by Commissioner Carvajal, moved to approve the opinion as drafted. By unanimous vote, the motion carried.

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

HEARING

FD17-129, In re STEVEN MAYERs

No one was present for the appeal.

Commissioner Brady, seconded by Commissioner Rezanka, moved to approve the staff's recommendation regarding the above-referenced appeal. By unanimous vote, the motion carried.

NO HEARING

FD17-130, In re DOUGLAS LOBO
FD17-131, In re CHRISTOPHER GILES
FD17-132, In re ULISES CAMONA
FD17-133, In re ANDREW HARRIS

No one was present for any of the appeals.

Commissioner Berger, seconded by Commissioner Rezanka, moved to approve the staff's recommendations regarding the above-referenced appeals. By unanimous vote, the motion carried.

CONSIDERATION OF 2018 ANNUAL REPORT

Commissioner Rezanka, seconded by Commissioner Brady, moved to approve the adoption of the Annual Report. By unanimous vote, the motion carried.

IN MEMORY OF COMMISSIONER IVAN "MARTY" FORD

Former Commissioner Ford was remembered by the Commission. Executive Director Virlindia Doss gave a brief history about Commissioner Ford's life and time on the Commission.

CONSIDERATION OF NEXT EXECUTIVE DIRECTOR

After discussion, Commissioner Berger, seconded by Commissioner Brady, moved to appoint Chris Anderson as the new Executive Director upon the retirement of Virlindia Doss with a salary to be negotiated by the Chair. By unanimous vote, the motion carried.

General Counsel Chris Anderson addressed the Commission.

REPORTS
The Chair discussed ways we could celebrate outgoing Executive Director Virlandia Doss.

Executive Director Virlandia Doss added to her written report previously provided to the Commissioners that an appeal had been filed by Marcos Villanueva and that Kerrie Stillman had recently been appointed to the program committee for the Council on Governmental Ethics Laws (COGEL).

It was discussed that the April 2019 Commission meeting had been moved from April 19 to April 12 due to a scheduling conflict with Good Friday.

**ADJOURNMENT**

With no further items on the agenda, the Public Session adjourned at 10:00 a.m.

Respectfully submitted,                      Approved:

Diana Westberry, Secretary                      Guy W. Norris, Chair

Date