STATE OF FLORIDA
COMMISSION ON ETHICS

Friday, January 24, 2020

First Floor Hearing Room, Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, Florida

PUBLIC SESSION MINUTES

At 8:30 a.m. Chair Kimberly Rezanka called the meeting to order with the following members present:

JASON BERGER
ANTONIO CARVAJAL
GLENTON GILZEAN, JR.
JOHN GRANT
JOANNE LEZNOFF
F. SHIELDS MCMANUS
WILLIAM MEGGS
KIMBERLY REZANKA

Daniel Brady was absent from the meeting.

The presence of a quorum was noted.

Commissioner Berger, seconded by Commissioner Grant, moved to approve the minutes of the December 6, 2019, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – RECOMMENDED ORDER

Complaint Nos. 17-113, 17-127, 18-034, 18-076, 18-080 (cons.), In re WANDA RANGE

Present were Mark Herron, Attorney for the Complainant; and Melody A. Hadley, Commission Advocate.

Ms. Hadley recommended that the Commission find a violation of Section 112.3135, Florida Statutes, pursuant to the Recommended Order of the ALJ, and recommend public censure and reprimand, and a civil penalty of $1,500, to the Governor.

Mr. Herron was heard by the Commission.

Commissioner Grant, seconded by Commissioner McManus, moved to approve the draft Final Order prepared by staff, in order to adopt the Recommended Order of the ALJ, but reduce the civil penalty in the draft Final Order to $500. The motion failed, with Commissioner Gilzean, Commissioner Leznoff, Commissioner Meggs, and Commissioner Rezanka voting no.
Commissioner Meggs, seconded by Commissioner Gilzean, moved to approve the draft Final Order prepared by staff, in order to adopt the Recommended Order of the ALJ. The motion carried, with Commissioner Berger and Commissioner Grant voting no.

CONSIDERATION OF ADVISORY OPINION

File 2757. CONFLICT OF INTEREST: LIMITED LIABILITY COMPANY OF CITY COUNCIL MEMBER SELLING SOLE-SOURCE REAL PROPERTY TO THE CITY

Present were Scott Noethlich and John Shoop.

Two handouts were provided to the Commission.

Staff Attorney Steven Zuilkowski explained the basis of the draft advisory opinion and the rationale behind his conclusion.

Mr. Noethlich and Mr. Shoop were heard by the Commission.

Commissioner Grant, seconded by Commissioner Carvajal, moved to approve the opinion as drafted, but with facts, and an emphasis as to the particular circumstances of the opinion, added. The motion carried, with Commissioner Gilzean and Commissioner Leznoff voting no.

CONSIDERATION OF FINAL ORDER RESCINDING FINANCIAL DISCLOSURE FINE

FD17-145, In Re JOHN GERSTNER

Senior Attorney Gray Schafer explained the basis of the draft final order and the rationale behind his conclusion.

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

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

HEARING

FD18-099, In Re CHARLES SHANE

No one was present for the appeal.

Senior Attorney Gray Schafer explained the basis of the draft final order and the rationale behind his conclusion.
Commissioner Leznoff, seconded by Commissioner Grant, moved to approve the staff's recommendation regarding the above-referenced appeal. The motion carried, with Commissioner Carvajal and Commissioner McManus voting no.

NO HEARING

FD18-102, In re JEFF BURTON
FD18-104, In re JOHN GERSTNER
FD18-105, In re DAVID PARRISH

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 2019 ANNUAL REPORT

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

REPORTS

The Chair had no report.

Executive Director Chris Anderson elaborated on his written report previously provided to the Commissioners. He also recognized Commission Investigators Keith Powell and Beau Jackson.

Executive Director Chris Anderson and Deputy Executive Director Kerrie Stillman elaborated on the legislative update previously provided to the Commissioners.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:18 a.m.

Respectfully submitted,

[Signature]

Approved:

[Signature]

Diana Westberry, Secretary

Kimberly B. Rezanka, Chair

Date