STATE OF FLORIDA
COMMISSION ON ETHICS

Friday, September 13, 2019

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

PUBLIC SESSION MINUTES

At 9:02 a.m. Chair Kimberly Rezanka called the meeting to order with the following members present:

    JASON BERGER
    DANIEL BRADY
    GLENTON GILZEAN, JR.
    JOANNE LEZNOFF
    WILLIAM MEGGS
    KIMBERLY REZANKA

Commissioner Antonio Carvajal, Commissioner John Grant, and Commissioner F. Shields McManus were absent from the meeting.

The presence of a quorum was noted.

Chair Rezanka introduced new Commission Member, Glenton Gilzean, Jr.

Commissioner Berger, seconded by Commissioner Brady, moved to approve the minutes of the July 26, 2019, Public Session meeting, with one correction made. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 17-064, In re CATHERINE DREW

Present were Timothy R. Qualls, Attorney for the Respondent; Catherine Drew, Respondent; and Melody A. Hadley, Commission Advocate.

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

Mr. Qualls was heard by the Commission.

Commissioner Brady, seconded by Commissioner Leznoff, moved to approve the proposed stipulation. By unanimous vote, the motion carried.
Complaint No. 18-128, In re ADAM POLLACK

Present were Ronald G. Meyer, Attorney for the Respondent; and 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 a civil penalty of $250.

Commissioner Berger, seconded by Commissioner Brady, moved to approve the proposed pre-probable cause stipulation. The motion carried, with Commissioner Rezanka voting no.

Referral No. 15-002R, In re MATT SHIRK

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Sections 112.313(6), and 112.313(8), Florida Statutes, and recommendation of public censure and reprimand, and a civil penalty of $6,000.

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

Complaint No. 18-134, In re ROBERT M. LANGE

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed stipulation calling for a finding of violation of Section 112.3145(2)(b), Florida Statutes, and a civil penalty of $750.

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

Complaint No. 18-170, In re BRUCE GREENLEE

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed stipulation calling for a finding of violation of Section 112.313(6), Florida Statutes, and recommendation of public censure and reprimand, and a civil penalty of $4,000.

Commissioner Brady, seconded by Commissioner Berger, moved to approve the proposed stipulation. By unanimous vote, the motion carried.
CONSIDERATION OF ADVISORY OPINIONS

File 2740. GIFT PROHIBITIONS; MISUSE OF PUBLIC POSITION; CONFLICT OF INTEREST: CITY POLICE CHIEF AFFILIATED WITH NONPROFIT ACCEPTING DONATIONS FROM POLICE DEPARTMENT LOBBYISTS/VENDORS AND ENGAGING IN FUNDRAISING ACTIVITIES

Commissioner Berger disclosed he is on two non-profit boards that have police chiefs and sheriffs on them, but that are not related to the Requestor's city.

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

Commissioner Brady, seconded by Commissioner Meggs, moved to approve the opinion as drafted, but with amended language. The motion carried, with Commissioner Leznoff voting no.

File 2741. GIFT ACCEPTANCE AND DISCLOSURE: CITY OFFICIALS AND EMPLOYEES ACCEPTING THINGS OF VALUE FROM VARIOUS DONORS

Senior Attorney Caroline Klancke explained the basis of the draft advisory opinion and the rationale behind her conclusion.

Commissioner Brady, seconded by Commissioner Leznoff, moved to approve the opinion as drafted. Both the motion and the second were then withdrawn.

Commissioner Gilzean, seconded by Commissioner Brady, moved to table the opinion until the October meeting. By unanimous vote, the motion carried.

File 2744. CONFLICT OF INTEREST: CITY EMPLOYEES PARTICIPATING IN HOME PURCHASE ASSISTANCE PROGRAM

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

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

File 2745. FINANCIAL DISCLOSURE: APPLICABILITY OF STATUTORY FINANCIAL DISCLOSURE LAW TO ATTORNEY ROUTINELY PROVIDING MORE LEGAL SERVICES TO TOWN THAN ANY OTHER ATTORNEY

Senior Attorney Gray Schafer explained the basis of the draft advisory opinion and the rationale behind his conclusion.
Commissioner Leznoff, seconded by Commissioner Gilzean, moved to approve the opinion as drafted. The motion carried, with Commissioner Rezanka voting no.

**File 2746. VOTING CONFLICT; CONFLICT OF INTEREST: CITY COMMISSIONER'S FEDERAL GOVERNMENT EMPLOYMENT SUPERVISOR APPLICANT FOR CITY MANAGER POSITION**

Executive Director Christopher Anderson explained the basis of the draft advisory opinion and the rationale behind his conclusion.

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

**CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS**

**NO HEARING**

FD17-141, In re ARNOLD ANDERSON  
FD17-142, In re DEBBIE PERSHING  
FD17-143, In re JEFFREY GIBSON  
FD18-051, In re CYNTHIA PORTER  
FD18-070, In re EDIRISINGHE AMITIRIGALA  
FD18-080, In re JOHN KEARNEY

No one was present for any of the appeals.

Commissioner Brady, seconded by Commissioner Berger, 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 19-06, In re PETER PIKE  
Extension Request 19-07, In re TERRENCE ANTHONY GORMAN

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

**CONSIDERATION OF ORDER DECLARING FINANCIAL DISCLOSURE FINE UNCOLLECTIBLE (RUTH CAMPBELL)**

Commissioner Leznoff, seconded by Commissioner Berger, moved to declare the fine uncollectible. By unanimous vote, the motion carried.
CONSIDERATION OF 2020 LEGISLATIVE RECOMMENDATIONS

Executive Director Chris Anderson explained that the Commission is statutorily required to make recommendations for legislation, and gave a brief explanation of the memo provided the Members.

The Chair asked whether there was anyone present who wished to be heard as to proposed legislation. Mark Herron was heard by the Commission.

There was discussion on each of the items described in the Executive Director's memorandum.

Commissioner Brady, seconded by Leznoff, moved to adopt proposal 1 – Conflict of Interest. By unanimous vote, the motion carried.

Commissioner Berger, seconded by Brady, moved to withdraw proposal 2 – Attorney Fees. By unanimous vote, the motion carried.

Commissioner Brady, seconded by Berger, moved to adopt proposal 3 – Voting Conflicts Law. By unanimous vote, the motion carried.

Commissioner Brady, seconded by Leznoff, moved to adopt proposal 4 – Appearances Before Boards by a Board Member's Firm Colleague. By unanimous vote, the motion carried.

Commissioner Brady, seconded by Berger, moved to adopt proposal 5 – Enhanced Financial Disclosure for Elected Municipal Officers. By unanimous vote, the motion carried.

Commissioner Meggs offered his assistance with above legislation.

CONSIDERATION OF EXPENDITURES

Executive Director Chris Anderson asked the Commissioner's approval on one item. Mr. Anderson explained his spending authority is limited to $10,000 and requested the approval of a build-out of what is now a cubicle into a walled office for a future Investigator position.

The Chair asked whether there was anyone present who wished to be heard as to proposed expenditure; there was no one.

Commissioner Brady, seconded by Commissioner Gilzean, moved to approve the requested spending authority up to $18,000.

REPORTS

The Chair had no report.
Deputy Executive Director Kerrie Stillman updated the Commission on the Electronic Financial Disclosure System.

Executive Director Chris Anderson elaborated on his written report previously provided to the Commissioners. He updated the Commission on the status of Rule 34-18.001.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 12:05 p.m.

Respectfully submitted,

Diana Westberry, Secretary

Approved:

Kimberly B. Rezanka, Chair

Date
Pursuant to Section 286.0114, Florida Statutes, members of the public have the opportunity to have input on proposals before the Commission other than determinations on complaints and opinions. If you wish to be heard on anything on today's agenda other than an opinion or a complaint, please complete this form and return it to a member of the Commission's staff.

NAME: [Signature]

ORGANIZATION (if applicable):

ADDRESS: P.O. Box 1701, Tallahassee, FL 32302

PERSON SPEAKING ON YOUR BEHALF (if applicable):

AGENDA ITEM: Legislative Recommendations

☑ SUPPORT
☑ OPPOSE
☑ NEUTRAL