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## PRESS RELEASE

For Immediate Release  
February 1, 2017

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TALLAHASSEE—February 1, 2017— Meeting in Tallahassee on January 27<sup>th</sup> in closed session, the Florida Commission on Ethics took action on 16 matters, Chairman Matthew F. Carlucci announced today. A finding of probable cause is not a determination that a violation has occurred. Such a determination is made only after a full evidentiary hearing on the allegations.

The Commission reviewed the results of statutorily-required investigations into the compensation reports filed by three lobbying firms. The investigations stemmed from findings in a random audit of compensation reports which found potential violations of the reporting requirements for executive branch lobbyists. Probable cause was found to believe that the firm of **DEAN MEAD** inaccurately reported compensation received from a principal for the first quarter of 2014 and that they inaccurately reported

compensation received from two principals in the third quarter of 2014. Similarly, probable cause was found to believe that the lobbying firm of **BUIGAS & ASSOCIATES** overstated compensation received in the second quarter of 2014, as well as the third quarter of 2014. Probable cause also was found to believe that **D. DARLING CONSULTANTS** overstated compensation received from a principal for the first reporting period of 2014 and failed to report compensation received from a principal for the fourth reporting period of 2014. Pursuant to statute, probable cause findings in cases of this nature are forwarded to the Governor and Cabinet. The firms have 14 days to submit a written request for hearing to the Governor and Cabinet. However, the Governor and Cabinet may, on its own motion, require a public hearing and may conduct such further investigation as it deems necessary.

The Commission found no probable cause to believe that Eatonville Mayor **ANTHONY GRANT** misused his position to direct police officers to remove an individual who was allegedly trespassing or to threaten the individual with discussing charges against him with the Office of the State Attorney.

The Commission considered a complaint filed against Caryville Town Councilmember and former Holmes County employee **TIMOTHY D. HANES**. Probable cause was found to believe that he failed to certify on his 2015 Form 1 disclosure that he had completed the required ethics training. However, no further action will be taken on the allegation unless Mr. Hanes requests a public hearing. No probable cause was found to believe that he failed to complete the training or that he misused his position to commit criminal acts while using County resources.

The Commission found no probable cause regarding two allegations made against Bradenton City Administrator and former City Clerk/Treasurer **CARL CALLAHAN**. The allegations were that he sold pens and pencils to the City and that he had an employment or contractual relationship with a business entity doing business with the City.

The Commission also dismissed a complaint filed against Emerald Coast Utilities Authority Board Member **LARRY WALKER**. No probable cause was found to believe that he misused official resources by giving away free bags of fertilizer to citizens and potential voters while campaigning for reelection to the Authority; and no probable cause was found to believe or that he misused his position to make disparaging comments about an individual to a constituent on paper that included an official Authority symbol.

The Commission initiated an investigation and voted to find probable cause to believe that **ANTONIO NICHOLS**, former Budget Director and current Finance Director for the Florida Department of Health in Duval County, violated financial disclosure laws by willfully failing to file his 2014 Form 1 financial disclosure. However, no further action will be taken on the matter unless Mr. Nichols requests a public hearing.

No probable cause was found to believe that **KRISTEN ROSEN GONZALEZ**, Miami Beach City Commissioner, misused official resources to campaign for a candidate for the Florida Senate.

The Commission dismissed two self-initiated complaints concerning whether or not **JEROME PARKER**, formerly a Commissioner serving the Greater Seminole Area Special Recreation District, and former Deerfield Beach Elementary School Principal

**JOELLEN SCOTT** willfully failed to file their 2014 Form 1 disclosure. Because the only penalty for the willful failure to file disclosure is removal from public office or employment, the Commission determined it no longer held jurisdiction in these matters because Mr. Parker and Ms. Scott no longer hold public office or public employment.

A complaint filed against former Florida Notary Public **GUSTAVO E. FRANCES** was dismissed because it was determined the public interest would not be served by further proceedings before the Commission.

The Commission reviewed four complaints for legal sufficiency. These reviews are limited to questions of jurisdiction and determinations as to whether the contents of the complaint are adequate to allege a violation of the Code of Ethics or other laws within the Commission's jurisdiction. As no factual investigation precedes the reviews, the Commission's conclusions do not reflect on the accuracy of the allegations made in these complaints. The Commission dismissed the following complaints for lack of legal sufficiency: **JIM EVERETT, MICHAEL NOBLE** and **JEFF BROWN**, Madeira Beach Planning and Zoning Board Members; **LARRY EGER**, 12<sup>th</sup> Judicial Circuit Public Defender.

### **PUBLIC SESSION**

The Commission voted to adopt a joint stipulation between the Commission Advocate and former Flagler County Commissioner **BARBARA SUE REVELS**. The agreement, entered into prior to a finding of probable cause, finds that she violated the ethics laws by failing to accurately disclose her net worth, income, and liabilities on her 2012 Form 6 disclosure, and that she failed to accurately disclose her net worth, income, assets, and liabilities on her 2013 and 2014 disclosures. A civil penalty of \$4,500 and public censure and

reprimand for the three violations will be recommended for imposition by the Governor.

Another stipulation entered into prior to a finding of probable cause concerns a complaint filed against **KATHERINE E. VAN ZANT**, former candidate for the Florida House of Representatives. The agreement, which was adopted by the Commission, finds that she violated Florida's disclosure laws by failing to properly complete the 2015 Form 6 disclosure she filed when she qualified to run for office. A civil penalty of \$500 will be recommended to the Governor for the violation.

The Commission also voted to adopt a stipulation in a complaint filed against former Florida Representative **CHARLES VAN ZANT, SR.** Mr. Van Zant was found to have violated ethics laws by failing to properly complete his Form 6 disclosure for calendar years 2012-2015. A civil penalty of \$1,750 will be recommended to the Speaker of the House for action.

The Commission voted to dismiss a self-initiated complaint against Miami-Dade County Public School Principal **WILLIAM ARISTIDE** alleging a willful failure to file financial disclosure, finding that the public interest would not be served by further proceedings.

The Commission adopted a formal opinion finding that no prohibited conflict of interest would be created if members of the board of trustees for a city employees' retirement plan also were employees of the city and members of the plan. Because a city ordinance requires members of the board to be members of the plan, the employees could serve without conflict. However, depending on circumstances, the board members may be prohibited from voting on certain matters that come before the board for consideration.

The Florida Commission on Ethics is an independent nine-member commission formed in 1974 to review complaints filed under the statutory Code of Ethics and to

answer questions from public officials about potential conflicts of interest through its issuance of advisory opinions.

If the Ethics Commission believes a violation of the law may have occurred, it may decide to hold a public hearing. If it concludes a violation has been committed, it may recommend civil penalties that include removal from office or employment and fines up to \$10,000 per violation.