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PRESS RELEASE

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TALLAHASSEE—January 24, 2018— Meeting in Tallahassee on January 19th in closed session, the Florida Commission on Ethics took action on 13 matters, Chair Michelle Anchors 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 accepted the recommendation of its Advocate, finding no probable cause on allegations regarding Pasco County Sheriff **CHRIS NOCCO**. No probable cause was found to believe he misused his position to award a no-bid contract to a company that subsequently hired his wife's employer to represent it before the Florida Legislature. The Commission also found no probable cause to believe the Sheriff solicited a contribution from the company to a charity event while he was considering awarding the contract to it.

The Commission found probable cause to believe **RANDY FOSTER**, as a Brevard County Commission candidate, filed an inaccurate 2015 Form 6 disclosure when he qualified for office.

Probable cause was found to believe **PATRICIO MORENO**, as a candidate for District 105 of the Florida House of Representatives, violated Florida's financial disclosure laws by failing to accurately disclose liabilities on his 2015 Form 6 disclosure. However, the Commission will take no further action on the allegation unless Mr. Moreno requests a hearing.

In a complaint filed against Florida House of Representatives member **RANDY FINE**, the Commission found no probable cause to believe he misused his position as a state legislator with regard to his occupancy of a condominium during a lease dispute.

The Commission considered a complaint filed against Sweetwater Mayor **ORLANDO LOPEZ**. No probable cause was found to believe he misused his position to interfere with the submission of municipal recall petitions. A related allegation that he disclosed or used information gained by reason of his position and not available to the general public regarding the recall petition also was dismissed with a finding of no probable cause.

The Commission found no probable cause on four allegations concerning Naples City Council member **SAM J. SAAD, III**. He was alleged to have a voting conflict when he voted to permit the construction of a convenience store and gas station on a property relating to a business associate. A second allegation was that he solicited or accepted legal work from a client based on an understanding it would influence his vote. A third allegation was that he accepted legal work from a client when he knew or should have

known it was given to influence his vote; and a fourth was that he misused his position to benefit his client or business associate.

No probable cause was found to believe **KRISTINE ISNARDI**, Brevard County Commissioner, misused her position to direct an employee to submit a false timesheet for another employee.

The Commission found no probable cause in a self-initiated investigation – required by statute – that Golden Beach General Employee Pension Board member **ROBERT RUGGIERO** willfully failed to file his 2014 Form 1 disclosure.

The Commission voted to dismiss a self-generated financial disclosure investigation to determine whether Oak Hill Planning & Land Development Regulation Commission member **TAMMY GRAY AMES** willfully failed to file her 2015 Form 1 disclosure. The investigation revealed Ms. Ames filed her form four days before she would have accrued the maximum fine, but the Volusia County Supervisor of Elections mistakenly reported the maximum fine had been accrued -- a necessary element for a willful investigation.

The Commission considered a referral from the State Attorney in the 9th Judicial Circuit regarding **REGINA HILL**, Orlando City Commissioner. The referral was dismissed for failure to allege a violation of the Code of Ethics or other breach of the public trust.

The Commission reviewed a number of 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: **BRECHT HEUCHAN**, member, Constitution Revision Commission; **RANDY FINE**, 53rd District Representative, Florida House of Representatives; and, **PAUL SMITH**, employee of Miami-Dade County Fire Rescue.

PUBLIC SESSION

The Commission adopted a settlement agreement between the Commission Advocate and **JODY STOROZUK**, District Manager for the Port Malabar Holiday Park Mobile Home Recreation District. The agreement finds Mr. Storozuk violated the ethics laws by misusing his office to benefit himself or his son and he violated the anti-nepotism statute by employing one or more of his relatives to work for the District. The Commission recommended a civil penalty of \$4,000 and public censure and reprimand be imposed by the Governor.

In a stipulation with the Commission Advocate adopted by the Commission, Brevard County Commissioner **JIM BARFIELD** agreed to a civil penalty of \$1,750 for his failure to file accurate Form 6 disclosures for 2014 and 2015. The penalty recommendation will be referred to the Governor for imposition.

The Commission granted the Advocate's Motion to Dismiss a complaint filed against Florida Representative **KIMBERLY DANIELS**. During the complaint process, it came to light that the complaint had been filed within 30 days of an election. By statute, the Commission may not accept complaints filed within such time period.

The Commission voted to grant the motion of its Advocate and dismiss a self-initiated investigation – required by statute – as to whether Broward County Schools

Principal **JOCELYN M. REID** willfully failed to file her 2015 Form 1 disclosure.

Information recently received from Broward County Schools indicated she should not have been placed on the list of individuals required to file.

The Commission adopted a formal opinion finding the requestor, a former employee of the Florida Housing Finance Corporation, is not subject to the two-year revolving door restriction on representing persons or entities for compensation before his former agency, nor is he subject to the additional standards for state agency employees.

Contact the Commission's office to obtain rulings on appeals of automatic fines imposed for late submission of financial disclosure reports submitted by public officers and employees. (See Item VIII. on the January 19th meeting agenda posted on the Commission's website.)

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 include removal from office or employment and fines up to \$10,000 per violation.