

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, April 22, 2022

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

PUBLIC SESSION MINUTES

At 8:32 a.m. Chair John Grant called the meeting to order with the following members present:

MICHELLE ANCHORS
ANTONIO CARVAJAL
DON GAETZ
GLENTON GILZEAN, JR.
JOHN GRANT
JOANNE LEZNOFF
WILLIAM MEGGS
JIM WALDMAN

The presence of a quorum was noted.

Commissioner Gaetz, seconded by Commissioner Leznoff, moved to approve the minutes of the March 4, 2022, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – DOAH RECOMMENDED ORDER

Complaint Nos. 20-083, 20-093, 20-172, 20-226 (cons.), In re CARMINE MARCENO

Present were R. Wayne Evans, Attorney for the Respondent; and Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the draft final order of the Administrative Law Judge.

Mr. Evans was heard by the Commission.

Commissioner Anchors, seconded by Commissioner Waldman, moved to approve the draft final order. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – PRE-PROBABLE CAUSE JOINT STIPULATION

Complaint No. 21-113, In re DENNIS WARD

Present were Buddy Jacobs, Attorney for the Respondent; Dennis Ward, Respondent; and Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed pre-probable cause joint stipulation calling for a finding of violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, with a total recommended civil penalty of \$2,000.

Mr. Jacobs was heard by the Commission.

Commissioner Gaetz, seconded by Commissioner Meggs, moved to approve the proposed pre-probable cause joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF COMPLAINT DISMISSAL

Complaint No. 19-180, In re KEITH JAMES

Present were Ron Meyer, Attorney for the Respondent; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized her Motion to Dismiss the complaint.

Mr. Meyer was heard by the Commission.

Commissioner Waldman, seconded by Commissioner Meggs, moved to approve the Advocate's Motion to Dismiss Complaint. The motion failed, with Commissioner Gaetz, Commissioner Gilzean, Commissioner Grant, and Commissioner Leznoff voting no.

Commissioner Gaetz, seconded by Gilzean, moved for the case to go back for further investigation. Commissioner Gaetz withdrew his motion. Commissioner Gilzean withdrew his second.

Complaint No. 21-184, In re CYNTHIA LYNN HOWARD

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized her recommendation calling for the complaint to be dismissed for lack of jurisdiction.

Commissioner Leznoff, seconded by Commissioner Anchors, moved to approve the Advocate's Motion to Dismiss Complaint for Lack of Jurisdiction. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINIONS

**File 2785. GIFT ACCEPTANCE AND DISCLOSURE: SCHOOL DISTRICT PAYING SALARIES OF SCHOOL BOARD MEMBERS WITH FUNDS FROM VARIOUS SOURCES
NOTE: STATUS UPDATE AND WITHDRAWAL REQUEST ONLY.**

General Counsel Steven Zuilkowski updated the Commission and explained the basis of the request to withdraw the advisory opinion.

Commissioner Meggs, seconded by Commissioner Gaetz, moved to grant the withdrawal request. By unanimous vote, the motion carried.

File 2788. POST-EMPLOYMENT RESTRICTIONS: FORMER JACKSONVILLE TRANSPORTATION AUTHORITY EMPLOYEE

Andrew C. Rogers, P.E., Requestor, was present.

Staff Attorney Suhail Chhabra explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Commissioner Meggs, seconded by Commissioner Carvajal, moved to approve the draft opinion. By unanimous vote, the motion carried.

File 2789. CONFLICT OF INTEREST: DEVELOPMENT COMPANY DONATING LAND TO FLORIDA'S TURNPIKE ENTERPRISE

General Counsel Steven Zuilkowski explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Commissioner Gaetz, seconded by Commissioner Leznoff, moved to table the draft opinion for review/revision for the next meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

NO HEARING

No one was present for any of the appeals.

**FD19-085, In re FELICIA V. M. STEWART
FD19-090, In re BARRY RADOLAN
FD20-032, In re ROBERT COLLINS
FD20-038, In re ALEXANDRA NICOLE COLBERT
FD20-043, In re NATALIE CIMADEVILLA**

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

REPORTS

The Chair had no report.

Executive Director Kerrie Stillman elaborated on her written report previously provided to the Commissioners. She mentioned that Caroline Klancke has left the Commission on Ethics, and introduced Steven Zuilkowski as the new Deputy Executive Director and General Counsel. She also introduced new Commission Investigator Brian Durham.

Executive Director Kerrie Stillman elaborated on the legislative report previously provided to the Commissioners.

Executive Director Kerrie Stillman updated the Commission on the e-filing system.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:40 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

John Grant, *Chair*

Date