

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, January 27, 2023

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

PUBLIC SESSION MINUTES

At 8:34 a.m. Chair John Grant called the meeting to order with the following members present:

MICHELLE ANCHORS
WILLIAM CERVONE
DON GAETZ
GLENTON GILZEAN, JR.
JOHN GRANT
WILLIAM MEGGS
ED MOORE
WENGAY NEWTON, SR.
JIM WALDMAN

The presence of a quorum was noted.

Commissioner Cervone, seconded by Commissioner Newton, moved to approve the minutes of the December 2, 2022, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint Nos. 21-039 through 21-052, 21-057, 21-059, 21-060, 21-064 (cons.), In re VANESSA BAUGH

Present were Tim Moore, Attorney for the Respondent; Vanessa Baugh, Respondent; and Elizabeth A. Miller, Commission Advocate.

Commissioner Newton disclosed that he is acquainted with the Respondent.

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

Mr. Moore and Ms. Baugh were heard by the Commission.

Commissioner Moore, seconded by Commissioner Gaetz, moved to approve the proposed joint stipulation. The motion carried, with Commissioner Gilzean and Commissioner Newton voting no.

CONSIDERATION OF FINAL ACTION – ADVOCATE'S MOTION

Complaint No. 20-063, In re HOMER BRADLEY HARVEY

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized her proposed final order calling for a finding of violation of Article II, Section 8, Florida Constitution, and Sections 112.313(6) and 112.3144, Florida Statutes, with a recommendation of public censure and reprimand, a civil penalty of \$40,000, and restitution of \$209,236.30.

Commissioner Meggs, seconded by Commissioner Gaetz, moved to approve the Advocate's Motion. Commissioner Moore, seconded by Commissioner Gaetz, amended the motion to include removal of office. By unanimous vote, the motions carried.

CONSIDERATION OF ADVISORY OPINION

File 2791. CONFLICT OF INTEREST: MEMBER OF CITY COMMISSION ENTERING INTO CONTRACTUAL RELATIONSHIP WITH CITY TO RECEIVE PROPERTY IMPROVEMENT PROGRAM FUNDS

City Attorney David Tolces and City Manager Cale Curtis were present.

Commissioner Waldman disclosed that he is acquainted with City Commissioner Arlene Schwartz.

Assistant General Counsel Gray Schafer explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Mr. Tolces and Mr. Curtis were heard by the Commission.

Commissioner Waldman, seconded by Commissioner Meggs, moved to approve the draft opinion. The motion failed, with Commissioner Cervone, Commissioner Gaetz, Commissioner Gilzean, Commissioner Moore, and Commissioner Newton voting no.

Commissioner Gaetz, seconded by Commissioner Waldman, moved to reconsider the motion. By unanimous vote, the motion carried.

Commissioner Gaetz, seconded by Commissioner Moore, moved to table the consideration of the opinion until the next Commission Meeting. By unanimous vote, the motion carried.

CONSIDERATION OF EXECUTIVE BRANCH LOBBYING FIRM FINE APPEALS

L22-001, In re KEYSTONE/GOLDEN STATE STRATEGIES – FIRST QUARTER

L22-002, In re KEYSTONE/GOLDEN STATE STRATEGIES – SECOND QUARTER

Assistant General Counsel Gray Schafer explained the draft orders waiving both appeals.

Commissioner Meggs, seconded by Commissioner Newton, moved to adopt the staff draft orders waiving the fines on both appeals. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ORDER RESCINDING FINANCIAL DISCLOSURE FINE

In re MICHELLE KLIGMAN

Assistant General Counsel Gray Schafer explained the basis of the draft final order and the rationale behind its conclusion.

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

CONSIDERATION OF ADDITIONAL LEGISLATIVE RECOMMENDATIONS

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

Commissioner Gaetz, seconded by Commissioner Moore, moved to include in its 2023 legislative recommendations the ability to find probable cause, but take no further action when considering a lobbyist audit matter. By unanimous vote, the motion carried.

Commissioner Meggs, seconded by Commissioner Gaetz, moved to not include in its 2023 legislative recommendations an increase in the gift valuation of lodging in a personal residence. By unanimous vote, the motion carried.

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

Commissioner Cervone, seconded by Commissioner Gaetz, moved to support the addition of City and County Managers to those filing Form 6 as proposed in CS/HB37. By unanimous vote, the motion carried.

CONSIDERATION OF LEASE

Executive Director Kerrie Stillman requested the authority to enter into a new office lease for the Commission's current space.

Commissioner Gaetz, seconded by Commissioner Gilzean, moved to approve the terms of the proposed lease agreement and to grant Ms. Stillman the authority to enter into the lease.

CONSIDERATION OF 2022 ANNUAL REPORT

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

SELECTION OF CHAIR AND VICE-CHAIR

Commissioner Waldman, seconded by Commissioner Anchors, moved to nominate Commissioner Glenton "Glen" Gilzean, Jr. as Commission Chair effective February 1, 2023. By unanimous vote, the motion carried.

Commissioner Anchors, seconded by Commissioner Moore, moved to nominate Commissioner Don Gaetz as Commission Vice-Chair effective February 1, 2023. By unanimous vote, the motion carried.

Vice Chair Gilzean presented Commissioner Grant with a plaque to commemorate his service as Chair.

REPORTS

The Chair had no report.

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

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

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:47 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Glenton "Glen" Gilzean, Jr., *Chair*

Date