

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

CONFIDENTIAL

In re HENRY ROSENTHAL,)
)
 Respondent.)
_____)

Complaint No. 23-168

DETERMINATION OF INVESTIGATIVE JURISDICTION
AND ORDER TO INVESTIGATE

UPON REVIEW of this complaint, I find as follows:

1. This complaint was filed by Deborah Gillis of Islamorada, Florida.
2. The Respondent, Henry Rosenthal, was allegedly a Councilman for the Village of Islamorada at the time of the alleged misconduct.
3. The complaint alleges that the Respondent attempted to purchase church property within Village limits for the purpose of converting it to a dinner theater. The location of the church property was allegedly not zoned for a dinner theater. The method for amending the applicable zoning laws to permit the dinner theater would allegedly require a lengthy and expensive process which would include public input. Allegedly, the current political climate in the Village would not be favorable to such an amendment.
4. The complaint alleges that Respondent was secretly working with a Village staff member, Dan Gulizio, to change the allowed uses of the property. Respondent allegedly met with Mr. Gulizio outside of Village Hall several times. When Mr. Gulizio was terminated by the Village Manager before the zoning change could be accomplished, Respondent allegedly approached other staff members. Respondent allegedly instructed a different staff member to administratively

change the zoning uses of the property he was purchasing. Respondent allegedly approached the new Director of Planning, Jennifer DeBoisbriand, and instructed her to poll the other four councilmembers and explain that the zoning change was inconsequential and that they should vote to approve it. One staff member allegedly reported this matter to the Village Manager, Ted Yates. Respondent allegedly instructed Mr. Yates to exclude the zoning change from the Village meeting agenda, but Mr. Yates allegedly refused. Respondent allegedly threatened to fire Mr. Yates in response. Later, at a Village Council meeting on July 6th, Respondent allegedly added an agenda item to terminate Mr. Yates's contract.

5. The allegations in paragraph 4 indicate possible violations of Section 112.313(6), Florida Statutes, and Article II, Section 8(h)(2), Florida Constitution.

WHEREFORE, staff of the Commission on Ethics shall conduct a preliminary investigation of this complaint for a probable cause determination of whether the Respondent has violated Section 112.313(6), Florida Statutes, and Article II, Section 8(h)(2),¹ Florida Constitution, as set forth in Paragraph 4 above.

September 27, 2023
Date

Kerrie J. Stillman
Kerrie J. Stillman
Executive Director
Florida Commission on Ethics

KJS/jcb

¹ On December 31, 2022, the constitutional subsection found in Article II, Section 8(g)(2), Florida Constitution, was re-designated as Article II, Section 8(h)(2), Florida Constitution.