

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, July 23, 2021

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

PUBLIC SESSION MINUTES

At 8:31 a.m. Chair JoAnne Leznoff called the meeting to order with the following members present:

MICHELLE ANCHORS
ANTONIO CARVAJAL
TRAVIS CUMMINGS
GLENTON GILZEAN, JR.
JOHN GRANT
JOANNE LEZNOFF
JIM WALDMAN

Don Gaetz and William Meggs were absent from the meeting.

The presence of a quorum was noted.

Commissioner Cummings, seconded by Commissioner Grant, moved to approve the minutes of the June 4, 2021, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 19-192, In re MARILYN D. SCONIONS

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed joint stipulation calling for a finding of violation of Section 112.3142(2), Florida Statutes, with a recommendation of public censure and reprimand, and a civil penalty of \$1,000.

Commissioner Grant, seconded by Commissioner Anchors, moved to approve the proposed joint stipulation as orally modified. By unanimous vote, the motion carried.

Complaint No. 20-225, In re ALEXIS P. RODRIGUEZ

Present was Elizabeth A. Miller, Commission Advocate.

Commissioner Carvajal, Commissioner Cummings, Commission Leznoff, and Commissioner Waldman made oral disclosures regarding the matter.

Ms. Miller summarized the proposed amended pre-probable cause joint stipulation calling for a finding of violation of Article II, Section 8, Florida Constitution, and Sections 112.3144 and 112.313(2), Florida Statutes, with a recommendation of public censure and reprimand, and a civil penalty of \$6,500.

Commissioner Grant, seconded by Commissioner Waldman, moved to reject the proposed joint stipulation. By unanimous vote, the motion carried.

Commissioner Grant, seconded by Commissioner Waldman, moved to find probable cause. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – DISMISSAL OF COMPLAINT

Complaint No. 19-162, In re DERRICK DIGGS

Present were George Levesque and Ty Jackson, Attorneys for the Respondent; Derrick Diggs, Respondent; and Melody A. Hadley, Commission Advocate.

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

Mr. Levesque was heard by the Commission.

Commissioner Anchors, seconded by Commissioner Gilzean, moved to approve the Advocate's Motion to Dismiss Complaint. By unanimous vote, the motion carried.

CONSIDERATION OF DISMISSAL OF PETITION FOR COSTS AND ATTORNEY FEES

Complaint No. 20-002, In re KARYN CUNNINGHAM

Present were Mark Herron, Attorney for the Respondent; and Melody A. Hadley, Commission Advocate.

Senior Attorney Caroline Klancke recommended that the petition be dismissed as both parties reached a settlement agreement in the matter.

Commissioner Carvajal, seconded by Commissioner Cummings, moved to dismiss the petition via adoption of the staff's draft Final Order. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINION

File 2782. CONFLICT OF INTEREST: BUSINESS OF MEMBER OF THE BOARD OF TRUSTEES OF A STATE UNIVERSITY APPLYING FOR A GRANT FROM THE UNIVERSITY'S DIVISION OF SPONSORED RESEARCH

Assistant General Counsel Michael Wyatt and Assistant Vice President of Research Dr. Matthew Schwartz, of UWF, were present.

Staff Attorney Steve Zuilkowski explained the basis of the draft advisory opinion and the rationale behind his conclusion.

Mr. Wyatt and Dr. Schwartz were heard by the Commission.

Commissioner Grant, seconded by Commissioner Waldman, moved to temporarily postpone the consideration of the draft opinion. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ORDER RESCINDING FINANCIAL DISCLOSURE FINE

FD18-111, In re LIZABETH VECERA

Senior Attorney Caroline Klancke explained the basis of the draft final order and the rationale behind her conclusion.

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

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

HEARING

FD20-018, In re BRANDY CARLSON FD20-020, In re KAREN GOLDBERG

No one was present for these appeals.

Commissioner Anchors, seconded by Commissioner Cummings, moved to approve the staff's recommendation, regarding the above-referenced appeals. By unanimous vote, the motion carried.

NO HEARING

FD20-003, In re MALCOLM S. JONES FD20-008, In re CHRISTINE MARIE SARDINA FD20-009, In re ESMERALDA CARDENAS FD20-017, In re THERESA WEBB FD20-019, In re LILLY ANN SANCHEZ FD20-022, In re CHRISTINA LYND FD20-027, In re EUGENE SCHAEFER FD20-028, In re SANDRENE STEVENS

No one was present for any of the appeals.

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

FD20-021, In re DEBBE HAGNER

No one was present for the appeal.

Senior Attorney Caroline Klancke explained the basis of the draft final order and the rationale behind her conclusion.

Commissioner Anchors, seconded by Commissioner Cummings, moved to approve the staff's recommendations, regarding the above-referenced appeal. The motion carried, with Commissioner Carvajal voting no.

CONSIDERATION OF ORGANIZATION AND OPERATION STATEMENT

Deputy Executive Director Kerrie Stillman elaborated on the proposed update of the statement that was previously provided to the Commissioners.

The Chair asked whether there was anyone present who wished to be heard on the proposed statement; there was no one.

Commissioner Waldman, seconded by Commissioner Cummings, moved to approve the proposal. By unanimous vote, the motion carried.

CONSIDERATION OF 2022 MEETING SCHEDULE

The Chair asked whether there was anyone present who wished to be heard on the proposed meeting schedule; there was no one.

Commissioner Waldman, seconded by Commissioner Anchors, moved to approve the proposed 2022 meeting calendar, as amended. By unanimous vote, the motion carried.

CONSIDERATION OF ADMINISTRATIVE MATTER – EXECUTIVE DIRECTOR COMPENSATION

Chair Leznoff opened the discussion of compensation for the new Executive Director. She reviewed a Summary of Salary Analysis for Executive Directors in similar positions.

There was discussion.

Commissioner Waldman, seconded by Commissioner Cummings, moved to approve the Executive Director's salary at \$128,076, then reconsider it after other salary increases within the Commission take place. By unanimous vote, the motion carried.

REPORTS

The Chair acknowledged Executive Director Chris Anderson's retirement, and presented him with a plaque.

Executive Director Chris Anderson elaborated on his written report previously provided to the Commissioners. He introduced new Commission Financial Disclosure employee Keyana Green.

ADJOURNMENT

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

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

JoAnne Leznoff, *Chair*

Date