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PRESS RELEASE

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TALLAHASSEE—June 11—Meeting in Tallahassee on June 6 in closed session, the Florida Commission on Ethics took action on 36 matters, Chair Luis Fusté announced today. Three of those matters were probable cause hearings. 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 considered the results of three, self-initiated investigations – required by statute – to determine if there is probable cause to believe the individuals willfully failed to file their Form 1 Statement of Financial Interests. The Commission found no probable cause to believe **DAVID CLEMENTE**, former Broward County

Purchasing Manager and current Fort Lauderdale Assistant Manager of Procurement and Contracts, willfully failed to file his 2020 Form 1.

The Commission also found probable cause to believe **ROD LINCOLN**, Villages of Pasadena Hills Advisory & Planning Committee, willfully failed to file his 2021 Form 1 Statement of Financial Interest.

In a matter regarding **JOSEPH MARTIN FAGUNDES, III**, North Bay Fire Control District Commissioner, the Commission found probable cause that he willfully failed to timely file his 2020 Form 1, but the Commission will take no further action based on the circumstances of the matter.

The Commission reviewed 33 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, and are based on personal knowledge or information other than hearsay. 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: **APRIL THANOS**, Gulfport City Council Member; **PAUL MIXOM**, Okaloosa County District 1 Commissioner; **JOE MOHOLLAND**, St. Pete Beach City Commissioner; **AUGUSTO GONZALEZ**, Cocoa Code Enforcement Manager; **STOCKTON WHITTEN**, Cocoa City Manager; **LAVANDER HEARN**, **ALEX GOINS**, **LORRAINE KOSS**, Cocoa Council Members; **ANTHONY GARGANESE**, Cocoa City Attorney; **BRYAN NELSON**, Apopka Mayor; **THOMAS COX**, Palm Beach County School District Manager of the Division of Facilities and Management; **PATRICIA WEEKS**, Cocoa Council Member; **MICHAEL C.**

BLAKE, Cocoa Mayor; **JOSE ALMONTE**, Orange County Deputy Sheriff; **RICHARD “MIKE” HAMMER**, Palm Bay Councilman; **BRIAN HAWKINS**, Hernando County Commissioner; **JOHN MEEKS**, Former Levy County Commissioner; **DESIREE MILLS**, Levy County Commissioner; **JASON WHISTLER**, Levy County Property Appraiser; **RANDY RUTTER**, Levy County Assistant Property Appraiser; **BRIAN JONES**, Levy County Residential, Commercial, and Agricultural Coordinator; **MICHAEL NORRIS**, Palm Coast Mayor; **JAMES ALEXANDER GOINS**, Cocoa District 1 Councilman; **JOHN MARSHALL**, Lake Saint Charles Community Development District Supervisor and Treasurer; **T. SAINTIL**, Department of Corrections Housing Officer; **PAUL SHEFFER**, Department of Juvenile Justice Chief Probation Officer; **DAVID FRECHETTE**, South Village CDD Board Member; **SEAN WILCOX**, Coquina Water Control District Board Member; **BRIAN F. HAWKINS**, Hernando County Commissioner; **RICKY DIXON**, Department of Corrections Secretary; **JENNIFER SPAIN**, Volusia County Pollution Control and Water Quality Activity Manager; **LAURA KRAMER**, Department of Health Septic Program Coordinator; **VIRGINIA “GINNY” GIANAKOS**, Lake Saint Charles Community Development District Supervisor and Chair.

PUBLIC SESSION

During its public session meeting, the Commission took final action and adopted the Joint Stipulation entered into between Lake Butler City Commissioner **ANNETTE REDMAN** and the Commission Advocate. The Commission found Ms. Redman had a voting conflict when she voted on the proposed rezoning of an area to permit mobile homes where her sister owned property, and she misused her position when she reached

out to City staff members for assistance with the proper procedure for rezoning. A civil penalty of \$4,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission also adopted a settlement agreement between the Commission Advocate and **TAMARA GOEHLER**, Marco Island City Council Member. The agreement finds Ms. Goehler abused her position to obtain a disproportionate benefit and misused her position when she attempted to influence the content of police reports about her two dogs attacking a neighbor's dog and minor child. A civil penalty of \$5,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission adopted a formal opinion indicating that the in-office lobbying ban found in Article II, Section 8(f)(2), Florida Constitution, does not apply to an Elected Mayor who, in his private capacity, wishes to advocates on behalf of his employer, for certain policies before the Federal Government because he is not principally employed for government affairs.

A formal opinion adopted by the Commission determined that the post-public-employment provisions in the Code of Ethics would not prevent a Department of Corrections (DOC) employee from seeking employment with a vendor who is providing comprehensive healthcare for DOC inmates.

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. (Item VI. on the June 6 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 including removal from office or employment and fines up to \$20,000 per violation.