

**STATE OF FLORIDA  
COMMISSION ON ETHICS**

**Friday, January 27, 2017**

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

**PUBLIC SESSION MINUTES**

At 8:35 a.m. Chair Matt Carlucci called the meeting to order with the following members present:

DANIEL BRADY  
MATTHEW CARLUCCI  
MATTHEW CARSON  
GUY NORRIS  
KIMBERLY REZANKA  
STAN WESTON

Commissioner Michelle Anchors, Commissioner Michael Cox, and Commissioner Tom Freeman were absent from the meeting.

The presence of a quorum was noted.

**Commissioner Weston, seconded by Commissioner Brady, moved to approve the minutes of the December 9, 2016, Public Session meeting. By unanimous vote, the motion carried.**

**CONSIDERATION OF FINAL ACTION – JOINT STIPULATION**

**Complaint No. 15-126, In re BARBARA SUE REVELS**

Present were Mark Herron, Attorney for the Respondent, and Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed pre-probable cause joint stipulation calling for the finding of violations of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, and recommendation of public censure and reprimand and a civil penalty of \$4,500.

Mr. Herron was heard by the Commission.

**Commissioner Brady, seconded by Commissioner Norris, moved to approve the pre-probable cause joint stipulation. By unanimous vote, the motion carried.**

**Complaint No. 16-141, In re KATHERINE VAN ZANT**

Present were Emmett Mitchell, IV, Attorney for the Respondent, and Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed pre-probable cause joint stipulation calling for the finding of a violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, and recommendation of a civil penalty of \$500.

Mr. Mitchell was heard by the Commission.

**Commissioner Weston, seconded by Commissioner Brady, moved to approve the pre-probable cause joint stipulation. By unanimous vote, the motion carried.**

**Complaint Nos. 16-142, 16-146 (cons.), In re CHARLES VAN ZANT, SR.**

Present were Emmett Mitchell, IV, Attorney for the Respondent, and Melody A. Hadley, Commission Advocate.

Commissioner Carson recused himself from the consideration of this matter.

A handout was provided to the Commission.

Ms. Hadley summarized the proposed pre-probable cause joint stipulation calling for the finding of violations of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, and recommendation of a civil penalty totaling \$1,750.

**Commissioner Weston, seconded by Commissioner Brady, moved to approve the pre-probable cause joint stipulation. The motion carried, with Commissioner Rezanka voting no.**

**CONSIDERATION OF ORDER OF REMAND**

**Complaint No. 15-092, In re WILLIAM ARISTIDE**

Present were Michael R. Band, Attorney for the Respondent, William Aristide, Respondent, and Melody A. Hadley, Commission Advocate.

A handout was provided to the Commission.

Senior Attorney Gray Schafer summarized the background of the matter, including the Recommended Order from the DOAH ALJ, a draft staff order of remand to the ALJ, and a motion to dismiss the matter.

**Commissioner Norris moved that the Commission handle the DOAH matter first. Chair Carlucci ruled it out of order and heard from the attorney for the Respondent.**

Mr. Band and Mr. Aristide were both heard by the Commission. There was discussion by the Commission and the Commission heard from its General Counsel.

**Commissioner Norris, seconded by Commissioner Rezanka, moved to dismiss the complaint under the Rudd Amendment. By unanimous vote, the motion carried.**

#### **CONSIDERATION OF ADVISORY OPINIONS**

**File 2687. CONFLICT OF INTEREST: BOARD MEMBERS OF CITY EMPLOYEES' RETIREMENT PLAN ALSO CITY EMPLOYEES AND PLAN MEMBERS**

Present was Mark Herron, Requestor.

Senior Attorney Betsy Daley explained the basis of the draft advisory opinion and the rationale behind her conclusion.

Mr. Herron was heard by the Commission.

**Commissioner Brady, seconded by Commissioner Rezanka, moved to approve the opinion as drafted. By unanimous vote, the motion carried.**

#### **RECONSIDERATION: PROPOSED ORDER RESCINDING COLLECTIONS AND WAIVING FINANCIAL DISCLOSURE FINE**

**FD15-105, In re RICHARD FIMBEL  
FD15-106, In re PATRICIA SIMES**

**Commissioner Rezanka, seconded by Commissioner Weston, moved to approve the proposed orders. By unanimous vote, the motion carried.**

#### **CONSIDERATION OF ORDER DECLARING FINANCIAL DISCLOSURE FINE UNCOLLECTIBLE (In re BRIAN MILLER)**

**Commissioner Weston, seconded by Commissioner Norris, moved to declare the fine uncollectible. By unanimous vote, the motion carried.**

#### **CONSIDERATION OF 2016 ANNUAL REPORT**

Chair Carlucci read his message aloud.

Members pointed out typographical errors for correction.

**Commissioner Rezanka, seconded by Commissioner Norris, moved to approve the adoption of the Annual Report. By unanimous vote, the motion carried.**

## REPORTS

The Chair had no report.

Executive Director Virlindia Doss elaborated on her written report previously provided to the Commissioners. She highlighted that Commission Senior Attorney Gray Schafer received honorable mention for Government Lawyer of the Year.

Executive Director Virlindia Doss elaborated on the legislative update previously provided to the Commissioners.

## ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:55 a.m.

Respectfully submitted,

Approved:

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Diana Westberry, *Secretary*

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Matthew F. Carlucci, *Chair*

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Date