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TALLAHASSEE— June 8, 2022—Meeting in Tallahassee on June 3rd in closed session, the Florida Commission on Ethics took action on 20 matters, Chair John Grant announced today. 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 five consolidated complaints against Lake City Councilman **JAKE HILL**. No probable cause was found to believe Mr. Hill had a prohibited business relationship and a conflicting contractual relationship involving the lease of City property to an entity where he or his spouse had a material interest and his spouse sat on the board. A voting conflict allegation related to the vote on the lease also was dismissed with a finding of no probable cause. Mr. Hill also was alleged to have misused his public position and abused his office to receive a disproportionate benefit;

however the Commission found no probable cause on those allegations. The Commission also found no probable cause to believe he advocated for the City to employ his son in violation of the anti-nepotism law.

In a complaint filed against Palm Beach County Fire Rescue Battalion Chief **BRIAN MULLIGAN**, the Commission found probable cause to believe he misused his position and official resources to charge subordinate employees for classes to help them pass the Captain's promotional exam. The Commission also found probable cause to believe that the training classes created a conflicting employment or contractual relationship between his private business interests and his public duties. An allegation that Mr. Mulligan abused his position to receive a disproportionate benefit was dismissed with a finding of no probable cause because the Constitutional prohibition was not in effect at the time Mr. Mulligan engaged in the conduct at issue in the complaint.

The Commission found no probable cause on two allegations regarding Tallahassee City Manager **REESE GOAD**. Allegations that he misused his position for a personal benefit and violated the constitutional amendment prohibiting an abuse of office to obtain a disproportionate benefit by directing an employee to "stand down" and stop making public records requests to the City was dismissed with a finding of no probable cause.

The Commission adopted the recommendation of its Advocate, finding no probable cause on an allegation regarding **CAROL RENEA VINCENT**, City of Tarpon Springs Planning and Zoning Director. No probable cause was found to believe she misused her position when she recommended approval of a development variance

request made by an applicant whose attorney served as a professional reference for her on an employment application.

Probable cause was found to believe **EDDIE MARTINEZ**, Monroe County Commissioner, violated Florida's financial disclosure laws by failing to disclose assets and liabilities on his 2020 Form 6 disclosure. No probable cause was found to believe Mr. Martinez failed to complete mandatory ethics training for the calendar year 2020.

No probable cause was found to believe **MARVIS "MARK" HATCH**, Dixie County Commissioner, violated the constitutional amendment prohibiting an abuse of office to obtain a disproportionate benefit by arranging for county resources to be used to repair a friend's driveway. Similarly, no probable cause was found to believe he misused his position regarding the driveway repair.

A self-initiated investigation – required by statute – to determine if Creekside at Twin Creeks Community Development District Chair **JOHN KINSEY** willfully failed to timely file his 2018 and 2019 CE Form 1 disclosures resulted in a finding of probable cause. In another self-initiated investigation – required by statute – the Commission found probable cause to believe **ANGELA HOUGH**, Moore Haven Mosquito Control District Member, willfully failed to file her 2018 Form 1 disclosure.

The Commission dismissed a self-initiated investigation – required by statute – to determine if **FELICIA STEWART**, City of Groveland Planning and Zoning Board Member, willfully failed to timely file her 2018 Form 1 disclosure. Ms. Stewart previously filed a financial disclosure appeal with the Commission that resulted in the maximum automatic fine of \$1,500 being rescinded. The \$1,500 maximum fine is necessary to invoke and maintain the Commission's jurisdiction; therefore, the Commission on Ethics dismissed the matter based upon the lack of jurisdiction to proceed.

The Commission dismissed a self-initiated investigation involving Florida Correctional Medical Authority (CMA) Board Member **KATHERINE ELIZABETH LANGSTON**. The investigation – required by statute – was undertaken to determine whether her failure to file a 2018 Form 1, Statement of Financial Interests, was willful. Ms. Langston no longer holds a public position, a condition necessary to maintain jurisdiction in a willful investigation.

The Commission reviewed 10 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. 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: **DENNIS LEMMA**, Seminole County Sheriff; **DANIEL BECTON**, Jacksonville City Council Member; **KEITH L. TRUENOW**, State Representative; **JOSH DAVENPORT**, Esto Town Council Member; **GREGG WELLS**, Esto Town Council Member; **LAURA ROSE SAPIENZA**, Flagler County or City of Palm Coast Public Employee; **HEATHER RUTLEDGE**, Lake Helen City Commissioner; **PATRICIA "PATTY" D. ACREE**, Trails Community Development District Assistant Secretary; **COURTNEY HARRIS BARKER**, Satellite Beach City Manager; **LORRAINE KOSS**, Cocoa City Council Member.

PUBLIC SESSION

During its public session meeting, the Commission considered the Recommended Order of an Administrative Law Judge (ALJ) from the Division of Administrative Hearings in a complaint filed against **R.C. "RICK" LUSSY**, a candidate

for Collier County Property Appraiser. The Commission took final action, finding Mr. Lussy failed to list liabilities exceeding \$1,000 on his 2019 Form 6. Based upon the record of the proceeding the Commission voted to increase the \$500 civil penalty recommended by the Administrative Law Judge. A civil penalty of \$5,000 and public censure and reprimand will be recommended to the Governor for imposition.

The Commission took final action and adopted a Joint Stipulation entered into between **TRACIE DAVIS**, Florida Representative, District 13, and the Commission Advocate, prior to a finding of probable cause. The Commission found Ms. Davis violated Florida's Constitution and financial disclosure laws by incorrectly identifying the net worth date on her 2020 Form 6. In accordance with statute, the matter will be referred to the Speaker of the Florida House of Representatives.

The Commission adopted an opinion finding that the Executive Director of Florida's Turnpike Enterprise would not have a prohibited conflict of interest if a property development company that employs her husband donates land to her agency for the construction of an interchange on Florida's Turnpike, provided certain conditions are met.

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 VII. on the June 3rd 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 \$10,000 per violation.