

STATE OF FLORIDA
COMMISSION ON ETHICS

Friday, March 8, 2024

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

PUBLIC SESSION MINUTES

At 8:43 a.m. Chair Ashley Lukis called the meeting to order with the following members present:

MICHELLE ANCHORS
FREDDIE FIGGERS
LUIS FUSTÉ
ASHLEY LUKIS
WENGAY NEWTON, SR.

William Cervone and Tina Descovich were absent from the meeting.

The presence of a quorum was noted.

Commissioner Newton, seconded by Commissioner Anchors, moved to approve the minutes of the January 26, 2024, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 21-101, In re BRIAN MULLIGAN

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Sections 112.313(6) and 112.313(7)(a), Florida Statutes, and a recommended civil penalty of \$2,000.

Commissioner Fusté, seconded by Commissioner Newton, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.

Complaint Nos. 22-178, 22-185 (cons.), In re STEPHANIE BUSIN

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Article II, Section 8(h)(2), Florida Constitution, and Section 112.313(6), Florida Statutes, and a recommended penalty of public censure and reprimand, and a civil penalty of \$3,000.

Commissioner Newton, seconded by Commissioner Anchors, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION – WILLFUL FAILURE TO FILE FINANCIAL DISCLOSURE

Complaint No. 21-238, In re MARK CAGNI

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Section 112.3145(9)(c), Florida Statutes, and a recommended removal from office.

Commissioner Anchors, seconded by Commissioner Fusté, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.

Complaint No. 22-012, In re ANGELA HOUGH

Present was Elizabeth A. Miller, Commission Advocate.

Ms. Miller summarized the proposed joint stipulation calling for a finding of violation of Section 112.3145(9)(c), Florida Statutes, and a recommended removal from office.

Commissioner Anchors, seconded by Commissioner Newton, moved to approve the proposed joint stipulation. By unanimous vote, the motion carried.

CONSIDERATION OF PROBABLE CAUSE

Complaint No. 23-231, In re JONATHAN L. OWENS

Present were Dennis D. Green, Attorney for the Respondent; Jonathan L. Owens, Respondent; and Elizabeth A. Miller, Commission Advocate.

Ms. Miller recommended that the Commission find probable cause regarding the allegation that the Respondent violated Section 112.313(8), Florida Statutes.

Mr. Green was heard by the Commission.

Commissioner Anchors, seconded by Commissioner Fusté, moved to approve the Advocate's Recommendation. By unanimous vote, the motion carried.

CONSIDERATION OF ADVISORY OPINIONS

File 2810. FINANCIAL DISCLOSURE: ATTORNEY WORKING FOR MULTIPLE MUNICIPALITIES IN VARIOUS CAPACITIES

Staff Attorney Katharine Heyward explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Commissioner Fusté, seconded by Commissioner Newton, moved to approve the draft opinion. By unanimous vote, the motion carried.

File 2811. FINANCIAL DISCLOSURE: DISCLOSURE OF TRUSTS IN THE ABSENCE OF KNOWLEDGE OF THE TRUST'S HOLDINGS

Present was Mark Herron, Requestor.

General Counsel Steven Zuilkowski explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Mr. Herron was heard by the Commission.

Commissioner Anchors, seconded by Commissioner Fusté, moved to approve the draft opinion. By unanimous vote, the motion carried.

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

HEARING

No one was present for any of the appeals.

FD19-064, In re JOSEPH IANNO

Staff Attorney Joseph Burns explained the basis of the draft final order and the rationale behind its conclusion.

Commissioner Newton, seconded by Commissioner Anchors, moved to approve the staff's recommendation. By unanimous vote, the motion carried.

FD19-079, In re LEROY COLLINS III

Staff Attorney Katharine Heyward explained the basis of the draft final order and the rationale behind its conclusion.

Commissioner Fusté, seconded by Commissioner Anchors, moved to approve the staff's recommendation. By unanimous vote, the motion carried.

NO HEARING

No one was present for any of the appeals.

FD19-069, In re STEVE COLAMARINO
FD19-071, In re CAROLYN MAIMONE
FD19-075, In re IRIS GONZALEZ
FD19-077, In re DEVIN CEJAS
FD19-082, In re ALBERT COHEN
FD19-089, In re ALISON HEWITT
FD19-096, In re JESSICA SWIFT
FD22-010, In re LOUIS DASH
FD22-011, In re SHERNETTE GRANT

Commissioner Newton disclosed that he is acquainted with Iris Gonzalez.

Commissioner Anchors, seconded by Commissioner Fusté, moved to approve the staff's recommendations. By unanimous vote, the motion carried.

FD22-019, In re FREDDIE FIGGERS

This appeal was administratively continued due to lack of a quorum.

CONSIDERATION OF ORDER DECLARING FINANCIAL DISCLOSURE FINES UNCOLLECTIBLE

In re SHAWN ELTON THOMAS, 2015 CE FORM 1

Commissioner Anchors, seconded by Commissioner Newton, moved to declare this fine uncollectible. By unanimous vote, the motion carried.

CONSIDERATION OF RULEMAKING

Second Rule Hearing on amendments to Chapter 34-8, F.A.C.

Assistant General Counsel Gray Schafer explained the changes to the rule regarding the CE Form 6.

The Chair asked whether there was anyone present who wished to be heard on the proposed rule changes. There was no one.

Commissioner Anchors, seconded by Commissioner Newton, moved to approve the proposed rule amendments. By unanimous vote, the motion carried.

CONSIDERATION OF APPROVAL OF EXPENDITURE FOR LOPER V. LUKIS AND TOWN OF BRINY BREEZES V. LUKIS

Commissioner Anchors, seconded by Commissioner Newton, moved to approve the expenditure by granting Executive Director Kerrie Stillman the authority to use funds from the budget, and carry forward, if exceeded. By unanimous vote, the motion carried.

REPORTS

The Chair had no report.

Executive Director Kerrie Stillman had nothing to add to her written Executive Director's report previously provided to the Commissioners.

Executive Director Kerrie Stillman elaborated on her legislative report previously provided to the Commissioners.

Executive Director Kerrie Stillman updated the Commission on the successful relaunch of e-filing, and updated the Commission with the financial disclosure compliance numbers for the current filing year.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:22 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Ashley Lukis, *Chair*

Date