

**STATE OF FLORIDA
COMMISSION ON ETHICS**

Friday, January 26, 2024

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

PUBLIC SESSION MINUTES

At 8:43 a.m. Vice Chair Michelle Anchors called the meeting to order with the following members present:

MICHELLE ANCHORS
WILLIAM CERVONE
TINA DESCOVICH
FREDDIE FIGGERS
WENGAY NEWTON, SR.

Ashley Lukis and Luis Fusté were absent from the meeting.

The presence of a quorum was noted.

Commissioner Cervone, seconded by Commissioner Descovich, moved to approve the minutes of the December 1, 2023, Public Session meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINAL ACTION – JOINT STIPULATION

Complaint No. 19-007, In re FRANK KRUPPENBACHER

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

Ms. Hadley summarized the proposed joint stipulation calling for a finding of violation of Section 112.313(6), Florida Statutes, and a recommended penalty of public censure and reprimand, and a civil penalty of \$5,000.

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

Complaint No. 23-016, In re ANEALA BEACHUM

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed joint stipulation calling for a finding of violation of Section 112.313(7)(a), Florida Statutes, and a recommended penalty of public censure and reprimand, and a civil penalty of \$2,500.

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

Complaint No. 23-094, In re DAVID LAW

Present was Melody A. Hadley, Commission Advocate.

Ms. Hadley summarized the proposed joint stipulation calling for a finding of violation of Article II, Section 8(h)(2), Florida Constitution, and Sections 112.3143(3), 112.3135, and 112.313(6), Florida Statutes, and a recommended penalty of public censure and reprimand, and a civil penalty of \$4,250.

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

CONSIDERATION OF ADVISORY OPINIONS

File 2808. VOTING CONFLICT AND DISPROPORTIONATE BENEFIT: INDEPENDENT SPECIAL DISTRICT BOARD MEMBERS VOTING ON CONVERTING THE DISTRICT TO A NONPROFIT ENTITY

Present was Ty Jackson, Requestor.

Staff Attorney Joseph Burns explained the basis of the draft advisory opinion and the rationale behind its conclusion.

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

File 2809. CONFLICT OF INTEREST: APPLICATION OF SOLE SOURCE EXEMPTION TO CITY COUNCILMAN'S CONTRACTUAL RELATIONSHIP WITH THE CITY

Present were Lawsikia Hodges and Paige Johnson, on behalf of the Requestor.

Staff Attorney Joseph Burns explained the basis of the draft advisory opinion and the rationale behind its conclusion.

Commissioner Newton, seconded by Commissioner Cervone, 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 recommended that the consideration of the opinion be tabled until the next Commission meeting.

Mark Herron was heard by the Commission.

Commissioner Newton, seconded by Commissioner Descovich, moved to table the consideration of the opinion until the next Commission Meeting. By unanimous vote, the motion carried.

CONSIDERATION OF FINANCIAL DISCLOSURE APPEALS

HEARING

No one was present for any of the appeals.

FD21-007, In re ALBERT COHEN

Assistant General Counsel Gray Schafer explained the basis of the draft final order and the rationale behind its conclusion.

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

FD19-080, In re PHILIP MARRACCINI

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

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

NO HEARING

No one was present for any of the appeals.

FD20-056, In re UWEZO FRAZIER

FD21-003, In re UWEZO FRAZIER

FD22-013, In re NETANYA HOGU

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

CONSIDERATION OF RULEMAKING

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. Mark Herron was heard by the Commission.

Commissioner Cervone, seconded by Commissioner Newton, moved to table the consideration of the proposed rule amendment. By unanimous vote, the motion carried.

CONSIDERATION OF 2023 ANNUAL REPORT

Commissioner Cervone, seconded by Commissioner Newton, moved to approve the adoption of the Annual Report. 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. **Commissioner Cervone, seconded by Commissioner Descovich, moved to direct staff to submit a letter to the House and Senate affirming the decision to oppose the requirement in SB 7014 of a six-member vote. By unanimous vote, the motion carried.**

Executive Director Kerrie Stillman updated the Commission on the successful launch of e-filing for local filers and state Form 1 filers.

ADJOURNMENT

With no further items on the agenda, the Public Session adjourned at 10:56 a.m.

Respectfully submitted,

Approved:

Diana Westberry, *Secretary*

Ashley Lukis, *Chair*

Date