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PRESS RELEASE

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TALLAHASSEE—June 14, 2023—Meeting in Tallahassee on June 9th in closed session, the Florida Commission on Ethics took action on 47 matters, Chair Glenton "Glen" Gilzean, Jr. announced today. 9 of those matters were complaints considered for probable cause. 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 a complaint filed against former University of Central Florida employee **MARTIN P. WANIELISTA**, finding no probable cause on three allegations that he violated ethics laws. The allegations were: that he abused his position to obtain a disproportionate benefit for himself or business; misused his position; and that he had an employment or contractual relationship that conflicted with his public duties when he helped with the research, development, and license of a

filtration media used to remove nutrients from stormwater while employed by the University of Central Florida, and later used and profited from the patented technology at a company where he had an ownership interest.

In a complaint filed against Osceola County School Board Member **JON ARGUELLO**, the Commission rejected the recommendation of its Advocate and found no probable cause to believe Mr. Arguello misused his position when he solicited campaign funds for his sister's campaign and used school board letterhead on a press release that included his personal opinion.

No probable cause was found to believe that **L. DIANE KELLEY**, Okaloosa County School Board Member, abused her position to obtain a disproportionate benefit, misused her public position, or used information only available to her and gained by reason of her official position when she obtained and shared with members of the press investigative reports regarding a teacher showing portions of a rated R movie to students.

In a complaint filed against **CHRISTINE "CHRISTI" FRAGA**, former Miami-Dade County School Board member, the Commission found no probable cause on allegations she abused her position to obtain a disproportionate benefit and misused her position regarding a request for volunteers for her campaign that was posted to the school district's social media page.

The Commission considered a complaint filed against write-in candidate for Collier County Commission **WILLIAM OPPENHEIMER**. Probable cause was found on allegations he failed to file an accurate 2021 Form 6 disclosure.

The Commission rejected the finding of their advocate and found no probable cause to believe that **LAUREN KEY**, Neptune Beach City Council Member, abused her

position to obtain a disproportionate benefit and misused her position when she escalated a dispute with a city parking attendant and pushed for discipline.

No probable cause was found to believe **RANDY JORGENSON**, City of Milton City Manager, misused his position when he was driven by a city employee in a city vehicle to engage in political discussion during work hours.

A self-initiated investigation – required by statute – to determine if **JAN HOPKINS**, member of the Taylor County Planning Board, willfully failed to file her 2019 Form 1, resulted in a finding of no probable cause.

After reviewing the results of a self-initiated investigation – required by statute – the Commission found no probable cause to believe **PAUL DAVIS COOPER, 2nd** Judicial Nominating Commission, willfully failed to file his 2019 Form 1 disclosure.

The Commission granted a request by the complainant to withdraw three complaints he filed against **JOEL FOREMAN**, Columbia County Attorney, **RONALD WILLIAMS** and **ROBBY HOLLINGWORTH**, Columbia County Commissioners.

A complaint filed against former Town of Redington Shores Commissioner **WILLIAM J. KRAJEWSKI** was dismissed due to his death.

The Commission reviewed 34 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 WARD**, Monroe County State Attorney; **NAHSHON LAMIR NICKS**, Candidate for Jacksonville City Council; **N. OVITT**, Polk County Jail Detention

Detective; **RUSSELL PICHE**, Polk County Sheriff's Office Deputy; **BRANDON NEWSOM**, Holmes County Commissioner and Vice Chair; **STEVEN NEIL**, Polk County Sheriff's Office Deputy; **MARLISA DEMOND**, Polk County Assistant Public Defender; **DOUGLAS F. ANDREWS**, Madeira Beach Vice Mayor; **ROBIN I. GOMEZ**, Madeira Beach City Manager; **CYNTHIA MCINTYRE**, Cory Lake Isles Community Development District Supervisor; **JERRY L. DEMINGS**, Orange County Mayor; **CECIL SMITH**, Sanford Chief of Police; **MICHAEL ILCZYSZYN**, Cape Coral City Manager; **CURTIS JOHNSON, JR.**, Fort Pierce City Commissioner; **ARNOLD S. GAINES**, Fort Pierce City Commissioner; **TANYA EARLEY**, Fort Pierce City Attorney; **KENDRAH WILKERSON**, Havana Town Manager; the following Havana Councilmembers: **DWIGHT VICKERS**, **JENNIFER STONE**, **NICK BERT**, **DECORKUS ALLEN**, **JANICE HART**, **EDDIE BASS**; **LARRY PATRICK**, Okaloosa County Planning Commission Chair; **KATHRYN STARKEY**, Pasco County Commission; **BRIAN C. RODGERS**, Alachua County Assistant State Attorney; **JOHN LYON BROLING**, Alachua County Assistant Regional Conflict Counsel; **MATTHEW LANDSMAN**, Alachua County Assistant Public Defender; **EDGAR JONES, III**, Alachua County Sheriff's Office Court Security Officer/Bailiff; **CELESTE RUTLEDGE**, Alachua County Sheriff's Office Sergeant; **JAMES BECK**, Alachua County Sheriff's Office Captain; **LT. CALHOUN**, Alachua County Sheriff's Office Lieutenant; **LANCE YAEGER**, Alachua County Sheriff's Office Detective; **RON DESANTIS**, Governor of the State of Florida.

PUBLIC SESSION

During its public session meeting, the Commission adopted a Joint Stipulation between Florida Department of Education Specialist IV **JUSTIN DAVID FELLER** and the Commission Advocate. The Commission voted to enter a final order finding Mr.

Feller violated the constitutional amendment prohibiting abuse of a public position to obtain a disproportionate benefit and misused his position by keeping Florida Department of Education equipment at his home during the pandemic that he used in his personal capacity and by obtaining gift cards intended for the purchase of educational training and using them to make personal purchases, as well as requesting payment and reimbursement for training he never provided. A total civil penalty of \$2,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission took final action on a complaint against **MELODY JURADO**, Mayor of Temple Terrace. The Commission adopted a final order finding Ms. Jurado misused her position to permit or direct City staff to publish inaccurate or embellished educational credentials for her biography on the City's website. A civil penalty of \$10,000 and public censure and reprimand were recommended to the Governor for imposition.

The Commission took final action on a complaint against **JOHN CAPPS**, Orange County Firefighter. The Commission adopted a final order finding Mr. Capps misused his position to be paid for time he did not actually work. A civil penalty of \$5,000, restitution to Orange County Rescue Department in the amount of \$195.21, and public censure and reprimand, was recommended to the Governor for imposition.

The Commission dismissed a Petition for Costs & Attorney Fees filed by **TERESSA CERVERA**, candidate for Circuit Court Judge in the 11th Circuit, against Juan-Carlos Planas, the complainant in a previously dismissed complaint filed against her. The petition was dismissed because attorney's fees provisions are limited to complaints filed

against public officers and employees. When the complaint was filed Ms. Cervera was a nonincumbent candidate for circuit court judge.

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.¹

¹ Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]