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PRESS RELEASE

For Immediate Release
October 25, 2023

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TALLAHASSEE—October 25, 2023—Meeting in Tallahassee on October 20th in closed session, the Florida Commission on Ethics took action on 38 matters, Chair Ashley Lukis announced today. Ten 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 against Collier County School Board Member and Mason Classical Academy Charter School Board of Directors President **KELLY LICHTER**. The Commission found probable cause on a voting conflict allegation related to a vote to file a lawsuit using taxpayer money in which she personally sought financial damages. Probable cause was also found on the same voting conflict allegation

in a complaint filed against the Treasurer for Mason Classical Academy Charter School Board of Directors, **DAVID BOLDUC**.

An ethics complaint against Florida Fish and Wildlife Division of Invasive Plants Sector Director **MATT PHILLIPS** was dismissed with a finding that there was no probable cause to believe that he misused his position to promote and advocate for herbicide chemicals produced by a particular chemical company to benefit the company.

In a complaint filed against **SEAN REISS**, Tallahassee – Leon County Senior Planner with land use division, the Commission found no probable cause on three allegations Mr. Reiss misused his public position during the review and analysis of a rezoning application. The allegations were that he provided an amended staff analysis to the requestor but not to the individuals who opposed the rezoning application, that he inaccurately advised the individuals opposing the zoning change that certain comments would not be admissible before the planning commissions, and that he emailed ideas or "talking points" to the rezoning application requestor.

The Commission rejected the finding of its advocate and found no probable cause to believe that **MICHAEL JOSEPH**, North Miami Beach Commissioner, abused his position to obtain a disproportionate benefit and misused his position when he used a city-issued credit card to purchase a lifetime membership in the Haitian Lawyers Association.

No probable cause was found to believe Brevard County Sheriff **WAYNE IVEY** misused his position when he had conversations about upcoming elections with political candidates.

Town of Havana Councilman **TIM LOUGHMILLER** was alleged to have a prohibited conflict by being employed by a company, owned by his father, which was doing business with the City. In addition, it was alleged that he had a continuing or frequently recurring conflict between his private interests and the performance of his public duties. The Commission found no probable cause on both allegations.

No probable cause was found to believe Broward County School Board Member **BRENDA FAM** abused her position to obtain a disproportionate benefit and misused her position regarding allegations of inappropriate touching at a school-related event.

City of Marathon Mayor **LUIS GONZALEZ** was alleged to have a prohibited conflict when a landscaping company, owned by Mr. Gonzalez and his brother, was doing business with the City. In addition, it was alleged that he had a continuing or frequently recurring conflict between his private interests and the performance of his public duties. Further, it is alleged that Mr. Gonzalez abused his position to obtain a disproportionate benefit and misused his position when landscaping services were provided to the City during his tenure. The Commission found no probable cause on all four allegations.

A self-initiated investigation – required by statute – to determine if **SANDRA V. BANKY**, who was employed as Miami-Dade County Public Schools Principal and is now a Miami-Dade County Public Schools Interventionist, willfully failed to file her 2018 Form 1, resulted in a finding of probable cause. However, the Commission will take no further action based on the recommendation of the Commission Advocate.

The Commission reviewed 28 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: **JENNIFER D. JENKINS**, Brevard County School Board Member; **DONNA LOVEJOY**, Fort Myers City Assistant Director of Public Works; **DENISE FINN**, Fort Myers City Procurement Department Manager; **ROSS AMBROSE**, High Springs City Commissioner; **GREGORY CARTER HARRELL**, Marion County Clerk of Courts; **ESTEBAN ALVAREZ, III**, Assistant State Attorney, 5th Judicial Circuit; **WILLIAM WOODS**, Marion County Sheriff; **JESSE L. NELSON**, Lynn Haven Mayor; **MARLON D. BOLTON**, City of Tamarac Vice-Mayor; **MAC CARPENTER**, Walton County Planning Director; **MIKE FULFORD**, Hernando County Planning and Zoning Commissioner; **JOHN ALLOCO**, Hernando County Commissioner; **STEVE CHAMPION**, Hernando County Commissioner; **ELIZABETH NARVERUD**, Hernando County Commissioner; **JEFF ROGERS**, Hernando County Administrator; **SHERRY WILSON**, Deerfield Beach Assistant Director of Parks and Recreation; **MIKE BROWN**, Deerfield Beach Ocean Rescue Chief; **MICHAEL EISNER**, Tarpon Springs City Commissioner; **SCOTT RUDACILLE**, Bradenton City Attorney; **SARA HEDGES**, Fort Pierce City Attorney; **JEFF HOLCOMB**, former Hernando County Commissioner; **MICHELLE MILLER**, Hernando County Planning Administrator; **BRIAN HAWKINS**, Hernando County Commissioner; **JERRY CAMPBELL**, Hernando County Commissioner; **BRADLEY LEA**, Cross City Police Officer; **DARBY BUTLER**, Dixie County Sheriff; **CASSANDRA ADAMS**, Tomoka Correctional Institution mailroom employee; **MICHAEL GONGORA**, Candidate for Miami Beach Mayor.

PUBLIC SESSION

During its public session meeting, the Commission took final action and adopted a Joint Stipulation, prior to a finding of probable cause, between Collier County Superintendent of Schools **LESLIE C. RICCIARDELLI** and the Commission Advocate. The Commission voted to enter a final order finding Ms. Ricciardelli violated the disclosure laws by filing an inaccurate 2021 Form 1. A total civil penalty of \$1,000 will be recommended for imposition by the Governor.

The Commission adopted a settlement agreement between the Commission Advocate and write-in candidate in the 2022 election to the Collier County Commissioner, **WILLIAM OPPENHEIMER**. The agreement finds Mr. Oppenheimer violated the Florida Constitution and Florida Statutes by filing an inaccurate 2021 Form 6. The Commission recommended a total civil penalty of \$1,500 be imposed by the Governor.

The Commission considered a settlement agreement entered into between the Commission Advocate and former Volusia County Commissioner, **HEATHER POST**. Ms. Post agreed she violated the Florida Constitution and financial disclosure laws by filing an inaccurate 2021 Form 6. A civil penalty of \$1,000 and public censure and reprimand will be recommended for imposition by the Governor.

The Commission granted the Advocate's Motion to Dismiss a case regarding a willful failure to file a 2017 Form 1 Statement of Financial Interest by Tampa Employee Retirement Board Member **STEVE KENNY**.

The Commission adopted an advisory opinion request by a County Commission member. The opinion indicates the Commissioner would not have a prohibited voting conflict if they were to lobby before the federal government, the state legislature, state

government bodies or agencies, or political subdivision of the state other than his county for compensation on behalf of municipal clients.

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 VIII. on the October 20 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.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.]