

**OFFICIAL MEETING MINUTES
OF THE
PALM BEACH COUNTY COMMISSION ON ETHICS
PALM BEACH COUNTY, FLORIDA**

JULY 12, 2018

**THURSDAY
1:30 P.M.**

**COMMISSION CHAMBERS
GOVERNMENTAL CENTER**

I. CALL TO ORDER

II. ROLL CALL

MEMBERS:

Sarah L. Shullman, Chair
Bryan Kummerlen, Vice Chair
Peter L. Cruise
Michael S. Kridel
Rodney G. Romano

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Executive Director
Anthony Bennett, COE Chief Investigator
Abigail Irizarry, COE Investigator I
Christie E. Kelley, Esq., COE General Counsel
Gina A. Levesque, COE Intake and Compliance Manager

ADMINISTRATIVE STAFF:

Leslie Dangerfield, Deputy Clerk, Clerk & Comptroller's Office

III. INTRODUCTORY REMARKS – None

IV. APPROVAL OF MINUTES FROM MAY 3, 2018

MOTION to approve the May 3, 2018 minutes. Motion by Rodney Romano, seconded by Peter Cruise, and carried 5-0.

V. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

V.a. RQO 18-009

V.b. RQO 18-010

V.c. RQO 18-011

MOTION to approve the consent agenda. Motion by Rodney Romano, seconded by Peter Cruise, and carried 5-0.

VI. ITEMS PULLED FROM CONSENT AGENDA – None

RECESS

At 1:31 p.m., the chair declared the meeting recessed for an executive session.

VII. EXECUTIVE SESSIONS

RECONVENE

At 3:22 p.m., the meeting reconvened, and at Chair Sara Shullman's request for a roll call, Vice Chair Kummerlen, and Commissioners Peter Cruise, Michael Kridel, and Rodney Romano were present.

VII. – CONTINUED

(CLERK'S NOTE: The advisory opinion letters were taken out of order.)

VII.f. C17-034

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal)

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on August 15, 2017, alleging that Respondent, Ruvi New, a principal of a lobbyist who is registered to lobby the City of Boca Raton (City), violated §2-444(a)(2) of the Palm Beach County Code of Ethics by giving a gift valued at over \$100 in the aggregate to a City official.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 12, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate, the Commission concluded no probable cause exists to believe a violation occurred. The evidence revealed that the gift was not from a prohibited source. The City official incorrectly listed the gift as having been provided by Ruvi New when the gift was in fact provided by someone else.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Ruvi New, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 12, 2018.

By: Sara L. Shullman, Chair

VII. – CONTINUED

VII.e. C17-033

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

(CLERK’S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal)

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on August 15, 2017, alleging that Respondent, Robert Weinroth, a City of Boca Raton (City) elected official, violated §2-444(a)(1) of the Palm Beach County Code of Ethics by accepting a gift valued at over \$100 in the aggregate from a person or business entity that was a principal or employer of a lobbyist who lobbied the City.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 12, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate and Respondent, the Commission concluded no probable cause exists to believe a violation occurred. The evidence revealed that the gift was not from a prohibited source. Respondent incorrectly listed the gift as coming from a person who was a principal of a lobbyist when the actual gift giver was neither a City vendor nor a lobbyist or principal or employer of a lobbyist who lobbies the City.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Robert Weinroth, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 12, 2018.

By: Sara L. Shullman, Chair

VII. – CONTINUED

VII.d. C17-017

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal)

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on May 31, 2017, alleging that Respondent, Doug Mosley, an employee of a City of Boca Raton vendor, violated §2-444(a)(2) of the Palm Beach County Code of Ethics by giving a gift with a value over \$100 in the aggregate to a City of Boca Raton elected official.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 12, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate and Respondent, the Commission determined that probable cause exists, but that the violation was unintentional, inadvertent, or insubstantial. The Commission then issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance finding that the public interest would not be served by proceeding further.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Doug Mosley, is hereby DISMISSED and a Letter of Instruction issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 12, 2018.

By: Sara L. Shullman, Chair

VII. – CONTINUED

VII.c. C17-016

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

(CLERK’S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal)

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on May 31, 2017, alleging that Respondent, Robert Weinroth, a City of Boca Raton elected official, violated §2-444(a)(1) of the Palm Beach County Code of Ethics by accepting a gift with a value over \$100 in the aggregate from a person that he knew, or should have known with the exercise of reasonable care, was a vendor of the City of Boca Raton.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 12, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate and Respondent, the Commission determined that probable cause existed but that the violation was unintentional, inadvertent, or insubstantial. The Commission then issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance finding that the public interest would not be served by proceeding further.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Robert Weinroth, is hereby DISMISSED and a Letter of Instruction is issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 12, 2018.

By: Sara L. Shullman, Chair

VII. – CONTINUED

VII.g. C17-032

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

(CLERK’S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal)

Complainant, Alfred Zucaro, Jr., filed the above referenced complaint on July 24, 2017, alleging that Respondent, Mark Guzzetta, violated §2-353(a), *Registration required*, of the Palm Beach County Lobbyist Registration Ordinance by failing to register as a lobbyist for a principal prior to engaging in lobbying efforts on behalf of that principal.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 12, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate and Respondent’s attorney, the Commission determined that probable cause existed to believe that Respondent violated §2-353(a), *Registration required*, and §2-354(a), *Contact log*, on two occasions. The Commission further determined that the violation of §2-353(a) was unintentional, inadvertent, or insubstantial because Respondent believed that the principal entity registered him as a lobbyist prior to his lobbying efforts on their behalf. The Commission also determined that the violation of §2-354(a) was unintentional, inadvertent, or insubstantial because Respondent believed his colleague entered his name on the contact logs. The Commission then issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance finding that the public interest would not be served by proceeding further.

VII.g. – CONTINUED

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Mark Guzzetta, is hereby DISMISSED and a Letter of Instruction is issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 12, 2018.

By: Sara L. Shullman, Chair

VII.a. C17-010

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on April 19, 2017, alleging that Respondent, Susan Haynie, a City of Boca Raton elected official, violated §2-444(a)(1) of the Palm Beach County Code of Ethics by accepting a gift with a value over \$100 in the aggregate from a person that she knew, or should have known with the exercise of reasonable care, was vendor of the City of Boca Raton.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 12, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate and the Response submitted by Respondent's counsel. After an oral statement by the Advocate and Respondent's counsel, the Commission determined that probable cause existed, but that the violation was unintentional, inadvertent, or insubstantial. The Commission then issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance finding that the public interest would not be served by proceeding further.

VII.a. – CONTINUED

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Susan Haynie, is hereby DISMISSED and a Letter of Instruction is issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 12, 2018.

By: Sara L. Shullman, Chair

VII.b. C17-011

Vice Chair Kummerlen read the following Public Report and Final Order of Dismissal:

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal)

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics (COE), filed the above referenced complaint on April 19, 2017, alleging that Respondent, Doug Mosley, an employee of a City of Boca Raton vendor, violated §2-444(a)(2) of the Palm Beach County Code of Ethics by giving a gift with a value over \$100 in the aggregate to a City of Boca Raton elected official.

Pursuant to §2-258(a)1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On July 12, 2018, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, and the Probable Cause Recommendation submitted by the COE Advocate. After an oral statement by the Advocate and Respondent, the Commission determined that probable cause existed but that the violation was unintentional, inadvertent, or insubstantial. The Commission then issued a Letter of Instruction pursuant to Section 2-260.3 of the Commission on Ethics Ordinance finding that the public interest would not be served by proceeding further.

VII.b. – CONTINUED

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Doug Mosley, is hereby DISMISSED and a Letter of Instruction is issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 12, 2018.

By: Sara L. Shullman, Chair

VIII. EXECUTIVE DIRECTOR COMMENTS

Mr. Bannon said that the Ron Jones case (C17-002) was having its final public hearing on Monday, July 16, 2018. He added that this was the second final hearing to ever be held by the COE and the first to use a magistrate.

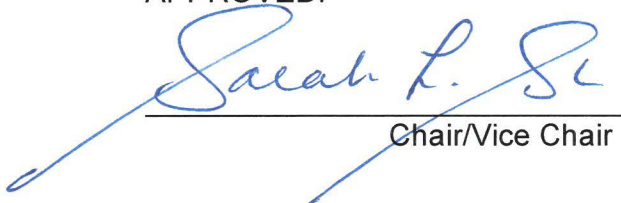
IX. COMMISSION COMMENTS - None

X. PUBLIC COMMENTS – None

XI. ADJOURNMENT

At 3:39 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair