

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

JULY 6, 2023

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

**COMMISSION CHAMBERS
WEISMAN GOVERNMENTAL CENTER**

MEMBERS:

Michael H. Kugler, Chair
Kristin A. Vara-Garcia, Vice Chair
Peter L. Cruise
Michael S. Kridel
Rodney G. Romano

COUNTY STAFF PRESENT:

Rhonda Giger, General Counsel
Abigail Irizarry, COE Investigator II
Christie E. Kelley, COE Director III
Gina A. Levesque, COE Intake and Compliance Manager

CLERK OF THE CIRCUIT COURT & COMPTROLLER'S OFFICE STAFF PRESENT:

Jillian Zalewska, Deputy Clerk

I. Call to Order

The chair called the meeting to order at 1:30 p.m.

(CLERK'S NOTE: Item IV was taken up at this time.)

IV. Swearing-in ceremony for Kristin A. Vara-Garcia, appointed by the Palm Beach County Association of Chiefs of Police. Swearing-in by Judge Sherri Collins, 15th Judicial Circuit of Florida

(CLERK'S NOTE: The order of the agenda was restored at this time.)

II. Pledge of Allegiance

Commissioner Romano led the Pledge of Allegiance.

III. Introductory Remarks

No remarks were taken up at this time.

V. Roll Call

All members were present.

VI. Introductory Remarks

The members welcomed Commissioner Kristin Vara-Garcia.

Commissioner Vara-Garcia said she was excited to join the commission and she thanked Commissioner Romano for his mentorship.

VII. Nomination and Election of new Vice Chairperson

Chair Kugler opened the floor to nominations for vice chair. Commissioner Romano recommended continuing the tradition of allowing new members to gain leadership experience by serving as chair or vice chair.

Commissioner Cruise nominated Kristin Vara-Garcia as vice chair subject to her acceptance of the position.

No other nominations were made, and the nomination passed unanimously.

VIII. Approval of minutes from June 8, 2023

MOTION to approve the June 8, 2023, meeting minutes. Motion by Commissioner Cruise, seconded by Commissioner Romano, and carried 5-0.

IX. Executive Session Re: C23-009

RECESS

At 1:36 p.m., the chair declared the meeting recessed for an executive session.

RECONVENE

At 2:17 p.m., the meeting reconvened with all members present.

Vice Chair Vara-Garcia read the following Public Report and Final Order:

In Re: Fedrick Foster

Complainant Christie Kelley, Executive Director, Palm Beach County Commission on Ethics, filed the above referenced complaint on May 10, 2023, alleging Respondent, Fedrick Foster, an employee of Palm Beach County, violated Section 2-444(e), *Gift law*, of the Palm Beach County Code of Ethics, by accepting a cash tip after performing a specific service contemplated by his employment duties.

Pursuant to §2-258(a)¹ of the Palm Beach County Commission on Ethics Ordinance, the Palm Beach County Commission on Ethics is empowered to enforce the Palm Beach County Code of Ethics. Respondent stipulated to Probable Cause, and Respondent and Advocate submitted a Negotiated Settlement including a Letter of Reprimand to the COE for approval. Respondent stipulated to the facts and circumstances as contained in the Letter of Reprimand. According to the Negotiated Settlement and based on the facts as set forth in the Letter of Reprimand, Respondent admitted to violating Section 2-444(e) of the Palm Beach County Code of Ethics and agreed to accept a Letter of Reprimand. After listening to the statements by Advocate and the Respondent, the Commission accepted the conditions of the negotiated settlement.

Pursuant to Commission on Ethics Ordinance §2-260.1, *Public hearing procedures*, the Commission found that there was clear and convincing evidence contained within the record to support a finding that the violation was intentional, and that Respondent has acknowledged that his actions violated the Palm Beach County Code of Ethics.

Therefore it is:

ORDERED AND ADJUDGED that the matter is concluded upon the issuance of a LETTER OF REPRIMAND.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in executive session on this 6th day of July, 2023.

X. Executive Director Comments

1.

Ms. Kelley reported that staff had delivered presentations at several municipality meetings since the last meeting of the COE. She also stated that Ms. Giger had conducted a successful in-person ethics training for the Delray Beach Housing Authority.

2.

Ms. Kelley welcomed Vice Chair Vara-Garcia and thanked the Palm Beach County Chiefs of Police for their efforts in filling the vacant commission seat.

XI. Commission Comments

No comments were made.

XI. Public Comments

PUBLIC COMMENT: Lia Escobar

Chair Kugler and Ms. Kelley responded to questions posed by Ms. Escobar regarding the commission's role in ongoing investigations.

XII. Adjournment

At 2:24 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair