

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

DECEMBER 14, 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
Mark. A. Higgs, COE Investigator II
Abigail Irizarry, COE Investigator II
Christie E. Kelley, COE Director III
Gina A. Levesque, COE Intake and Compliance Manager
S. Lizabeth Martin, COE Communication and Education Manager

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

Danielle Freeman, Deputy Clerk
Jillian Zalewska, Deputy Clerk

I. CALL TO ORDER

(CLERK'S NOTE: Vice Chair Vara-Garcia served as chair in Chair Kugler's absence.)

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

II. PLEDGE OF ALLEGIANCE

Commissioner Cruise led the Pledge of Allegiance.

III. INTRODUCTORY REMARKS

No introductory remarks were made.

IV. ROLL CALL

Present: Vice Chair Vara-Garcia, Commissioner Peter L. Cruise, Commissioner Michael S. Kridel, and Commissioner Rodney G. Romano

Absent: Chair Michael H. Kugler

V. APPROVAL OF MINUTES FROM OCTOBER 5, 2023, & NOVEMBER 2, 2023

MOTION to approve the October 5, 2023, and November 2, 2023, meeting minutes. Motion by Commissioner Cruise, seconded by Commissioner Romano, and carried 4-0.

VI. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

- a. RQO 23-028
- b. RQO 23-029

MOTION to approve the consent agenda. Motion by Commissioner Romano, Commissioner Cruise, second 4-0.

VII. ITEMS PULLED FROM CONSENT AGENDA

- a. No items were pulled from consent.

VIII. EXECUTIVE SESSION

RECESS

At 1:32 p.m., the chair declared the meeting recessed for an executive session.

RECONVENE

At 3:46 p.m., the meeting reconvened with Vice Chair Vara-Garcia, Commissioner Cruise, Commissioner Kridel, and Commissioner Romano present.

- a. C23-003
- b. C23-010
- c. C22-004
- d. C23-006

Commissioner Romano read the following Public Reports and Final Orders:

In Re: Robert Long

COMMISSION ON ETHICS

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C23-003

DECEMBER 14, 2023

Complainant, Christopher Davey, filed the above referenced complaint, alleging that Respondent, Robert Long, used his position on the City of Delray Beach Planning and Zoning Board to bring about a special financial benefit to prohibited entity, in violation of Section 2-443(a), *Misuse of public office or employment*, and/or Section 2-443 (b), *Corrupt misuse of official position*, and/or Section 2-443(c), Disclosure of voting conflicts, of the Palm Beach County Code of Ethics.

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. On December 14, 2023, the Commission conducted a probable cause hearing and reviewed the Report of Investigation and the Probable Cause Recommendation submitted by COE staff. After an oral statement by the Advocate, the Commission concluded that probable cause does not exist because there was no evidence that Respondent took any action that violated the Palm Beach County Code of Ethics.

Therefore it is:

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

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on December 14, 2023.

By: _____
Kristin Vara-Garcia, Vice Chair

Commissioner Cruise read the following Public Reports and Final Orders:

In Re: Robert Shorr

C23-004

Christie Kelley, Executive Director of the Palm Beach County Commission on Ethics (COE), filed the above-referenced complaint against Respondent, Robert Shorr, former Mayor of the Town of Loxahatchee Groves. In Counts 1 and 2, the complaint alleges that Respondent used his official position or office, or any property or resource which may have been within his trust, to corruptly secure or attempt to secure a special privilege, benefit, or exemption for himself or others, in violation of Section 2-443(b), *Corrupt misuse of official position*, of the Palm Beach County Code of Ethics. ¹

¹ For the purposes of this subsection, "corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of an official or employee which is inconsistent with the proper performance of his or her public duties.

Pursuant to Section 2-258(a) 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. On December 14, 2023, the Commission conducted a probable cause hearing and reviewed the Report of Investigation, the Probable Cause Recommendation submitted by the Advocate, and the Response to the Advocate's Recommendation submitted by Respondent. After an oral statement by the Advocate and Respondent's attorney, the Commission determined that probable cause exists to believe that the Respondent may have violated Section 2-443(b) of the Palm Beach County Code of Ethics.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Robert Shorr, will be set for final hearing within 120 days to be coordinated between the parties.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on December 14, 2023.

By: _____

Kristin Vara-Garcia, Vice Chair

Vice Chair Vara-Garcia read the following Public Reports and Final Orders:

In Re: Robert Shorr

C23-006

Christie Kelley, Executive Director of the Palm Beach County Commission on Ethics (COE), filed the above-referenced complaint against Respondent, Robert Shorr, former Mayor of the Town of Loxahatchee Groves. In Count 1, the complaint alleges that Respondent used or attempted to use his official position or office in a manner that may have resulted in a special financial benefit to a prohibited entity in violation of Section 2-443(a) of the Palm Beach County Code of Ethics, *Misuse of public office or employment*. In Count 2, the complaint alleges Respondent violated Section 2-443(c) of the Palm Beach County Code of Ethics, Disclosure of voting conflicts, by voting on or participating in matters that may have resulted in a special benefit to a prohibited entity.

Pursuant to Section 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.

On December 14, 2023, the Commission conducted a probable cause hearing and reviewed the Report of Investigation, the Probable Cause of Recommendation submitted by the Advocate, and the Response to the Advocate's Recommendation submitted by Respondent. After an oral statement by the Advocate and Respondent's attorney, the Commission determined that, pursuant to Section 2-260.3, of the Palm Beach County

Commission on Ethics Ordinance, public interest would not be served by proceeding further and dismissed the complaint.

Therefore it is:

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

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on December 14, 2023.

By: _____

Kristin Vara-Garcia, Vice Chair

Commissioner Kridel read the following Public Reports and Final Orders.

In Re: Keith James

C23-010

Complainant, Rodney Mayo, filed the above referenced complaint alleging that Respondent, Keith James, Mayor of West Palm Beach, engaged in retaliatory behavior directed at Complainant and/or his business in violation of Section 2-443(a), Misuse of public office or employment, or Section 2-443(b), Corrupt misuse of official position, of the Palm Beach County Code of Ethics.

Pursuant to Section 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. On December 14, 2023, the Commission conducted a probable cause hearing. After reviewing the Report of Investigation and the Probable Cause Recommendation and listening to statements by the Advocate and Respondent, the Commission concluded that probable cause does not exist because there was no evidence that Respondent took any action that violated the Palm Beach County Code of Ethics.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Keith James, is hereby **DISMISSED**.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on December 14, 2023.

By: _____

Kristin Vara-Garcia, Vice Chair

IX. EXECUTIVE DIRECTOR

1.

Ms. Kelley stated that the COE community bulletin PSAs were being aired on Channel 20, and she provided the airtimes. She thanked Channel 20 for working with Ms. Martin, who oversaw the project.

2.

Ms. Martin represented the COE office at the Junior Achievement Career Fair. Ms. Martin and Commissioner Cruise had presented to the Palm Beach Rotary Club. Additionally, Ms. Martin and Ms. Levesque attended the Mangonia Park Mayors Luncheon.

3.

Ms. Kelley reminded everyone that the next COE meeting would be held on January 11, 2023, and she wished everyone a happy new year.

X. COMMISSION COMMENTS

1.

Commissioner Romano expressed gratitude for being a part of the COE, and he thanked Ms. Kelley and her team for their efforts.

2.

Commissioner Cruise echoed Commissioner Romano's sentiments regarding the staff. He also shared remarks on his experience at the event, thanked Ms. Martin for her attendance, and invited everyone to attend future events.

3.

Commissioner Kridel and Vice Chair Vara-Garcia wished everyone a happy and safe holiday.

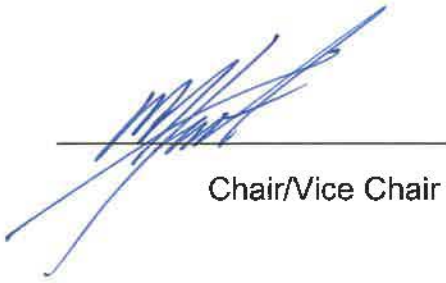
XI. Public Comments

There were no public comments.

X. Adjournment

At 3:58 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair