

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

MARCH 7, 2024

**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

COMMISSION ON ETHICS 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:

Alyssa Berg, Board Meetings Specialist
Danielle Freeman, Deputy Clerk

I. CALL TO ORDER

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

(CLERK'S NOTE: The roll call was conducted at this time.)

IV. ROLL CALL

All members were present.

II. PLEDGE OF ALLEGIANCE

Commissioner Kridel led the Pledge of Allegiance.

III. SWEARING IN CEREMONY BY JUDGE DANIELLE SHERRIFF

Judge Danielle Sherriff performed the swearing-in for Vice Chair Kristin Vara-Garcia.

V. NOMINATION AND ELECTION OF NEW CHAIRPERSON (to begin presiding over meeting immediately upon election)

Ms. Kelley opened the floor for the nomination of chairperson.

Commissioner Romano nominated Vice Chair Vara-Garcia as Chair, and Commissioner Cruise seconded.

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

Vice Chair Vara-Garcia was appointed as Chair for the term of one year.

VI. NOMINATION AND ELECTION OF NEW VICE CHAIR

Chair Vara-Garcia opened the floor for the nomination of vice chair.

Commissioner Cruise nominated Commissioner Kridel as Vice Chair, and Commissioner Romano seconded it.

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

VII. INTORDUCTORY REMARKS

Commissioner Romano congratulated the newly appointed chair and vice chair and said he looked forward to a great year.

Commissioner Cruise echoed Commissioner Romano's sentiments and congratulated the newly appointed chair and vice chair.

Vice Chair Kridel discussed his service as vice chair.

Chair Vara-Garcia stated that she was excited to work with everyone.

VIII. APPROVAL OF MINUTES

- a. JANUARY 11, 2024**
- b. FEBRUARY 1, 2024**

MOTION to approve the January 11, 2024, and February 1, 2024, minutes. Motion by Vice Chair Kridel, seconded by Commissioner Romano, and carried 4-0.

IX. EXECUTIVE SESSION

a. C23-026

b. C23-031

RECESS

At 1:37 p.m., the chair declared the meeting recessed.

RECONVENE

At 2:21 p.m., the meeting reconvened with all members present.

RE: C23-026

Vice Chair Kridel read the final order for the record:

Christie Kelley, Executive Director of the Palm Beach County Commission on Ethics (COE), filed the above-referenced complaint against Respondent, Laura Danowski, Mayor of the Town of Loxahatchee Groves. In count 1, the complaint alleges that Respondent used or attempted to use her 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 financial benefit to a prohibited entity.

Pursuant to Sec. 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 March 7, 2024, the Commission conducted a probable cause hearing and reviewed the Report of Investigation, the Probable Cause Recommendation and response submitted by the Advocate, and the Response to the Advocate's Recommendation submitted by Respondent. After an oral statement by the Advocate, 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, Laura Danowski, is hereby **DISMISSED**.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on March 7, 2024.

RE: C23-031

Vice Chair Kridel read the final order for the record:

Complainant, Mavis Benson, filed the above referenced complaint alleging a possible ethics violation involving Respondent, Richard Burgess, who had applied for, and was ultimately appointed to, the advisory board of the Delray Beach Downtown Development Authority (DDA). The information Respondent provided on his application is the subject of this complaint and investigation. The complaint alleges that Respondent falsified information on his DDA application in violation of §2-443(h), *Honesty in applications for positions*.

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 2-443(h) 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 this 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 7th day of March, 2024.

X. EXECUTIVE DIRECTOR COMMENTS

Ms. Kelley reported the following updates:

1. On March 6, 2024, the Florida House and Senate passed SB 7014, which prohibited the COE office from self-initiating complaints, and the next step in the process would be for the governor to sign off on the bill. Staff would review the language and discuss the potential impacts on the COE office.
2. On February 21, 2024, COE Intake and Compliance Manager Gina Levesque provided an overview presentation of the COE office to the Palm Beach County Municipal Clerk's Association, and positive feedback was received.
3. At a recent BCC meeting, March 2024 was declared Ethics Awareness Month. It was a joint recognition alongside the Office of Inspector General (OIG), Florida Atlantic University Ethics Academy, and the State Attorney's Public Corruption Unit. She thanked the commissioners that were in attendance and stated that it provided a nice opportunity to remind the public of the commission's role and purpose. A joint meet and greet was held with the OIG outside the governmental center.
4. The City of Lake Worth Beach presented the COE office with a proclamation declaring March Ethics Awareness Month.
5. Staff presented at the Rotary Club of Boca Raton, and they also participated in the Junior Achievement Career Day at Emerald Cove Middle School.
6. Staff had resumed meetings at various municipalities.

XI. COMMISSION COMMENTS

1. Responding to a question posed by Commissioner Romano, Ms. Kelley and Ms. Giger provided clarification on the "1 percent" rule regarding the determination of special benefits for public employees and public officials.

Discussion ensued.

2. Commissioner Cruise thanked Ms. Kelley for the proactive steps she took to inform the commission of the legislative changes, and he spoke with some members of the Legislative Delegation regarding the passage of SB 7014.
3. Vice Chair Kridel thanked staff for their work.
4. Chair Vara-Garcia elaborated on the discussion concerning the "1 percent" rule.

XII. PUBLIC COMMENTS

No comments were made.

XIII. ADJOURNMENT

At 2:42 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair