



Honesty - Integrity - Character

Palm Beach County

Commission on Ethics

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West Palm Beach, FL 33401

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Commissioners

Michael S. Kridel

Peter L. Cruise

Michael H. Kugler

Rodney G. Romano

Kristin A. Vara-Garcia

Executive Director

Christie Kelley

General Counsel

Rhonda Giger

Intake & Compliance Manager

Gina A. Levesque

Education & Communications Manager

S. Lizabeth Martin

Investigator

Mark A. Higgs

Investigator

Abigail Irizarry

Agenda

August 7, 2025 – 1:30 p.m.

Governmental Center,

301 North Olive Avenue, 6th Floor

Commissioners Chambers

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Introductory Remarks
- V. Approval of Minutes from July 10, 2025
- VI. Processed Advisory Opinions (Consent Agenda)
 - a. RQO 25-007
- VII. Items Pulled from Consent Agenda
 - a.
- VIII. Executive Director Comments
- IX. Commission Comments
- X. Public Comments
- XI. Adjournment

If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, (s)he will need a record of the proceedings, and that, for such purpose, (s)he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

JULY 10, 2025

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

**COMMISSION CHAMBERS
WEISMAN GOVERNMENTAL CENTER**

MEMBERS:

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

COMMISSION ON ETHICS STAFF PRESENT:

Rhonda Giger, General Counsel
Mark Higgs, COE Investigator II
Abigail Irizarry, COE Investigator II
Christie E. Kelley, COE Director III
Gina A. Levesque, COE Intake and Compliance Manager
S. Lizbeth Martin, Education and Communications Manager

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

Danielle Freeman, Deputy Clerk
Karla Perez, Board Meetings Specialist

I. Call to Order

The chair called the meeting to order at 1:31 p.m.

II. Pledge of Allegiance

The commissioners recited the Pledge of Allegiance.

III. Roll Call

Present: Chair Kridel, Commissioner Kugler, Commissioner Romano, and
Commissioner Vara-Garcia

Absent: Vice Chair Cruise

IV. Introductory Remarks

No comments were made.

V. Approval of Minutes from June 5, 2025

MOTION to approve the minutes. Motion by Commissioner Kugler, seconded by Commissioner Vara-Garcia, and carried 4-0.

VI. Executive Sessions

RECESS

At 1:33 p.m., the chair declared the meeting recessed for executive sessions.

RECONVENE

At 2:11 p.m., the meeting reconvened with Chair Kridel, Commissioner Kugler, Commissioner Romano, and Commissioner Vara-Garcia present.

a. C24-013

Commissioner Kugler read the following final order into the record:

In re: Edward Hocevar

C24-013

Complaint was filed in the above-referenced case alleging that Respondent, Edward Hocevar former Mayor for Jupiter Inlet Colony, used his official position in a manner that may have violated the Palm Beach County Code of Ethics.

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.¹ On July 10, 2025, the Commission conducted a probable cause hearing. After reviewing the Report of Investigation and the Probable Cause Recommendation and considering statements by COE staff, the Commission concluded that there was insufficient evidence to support a finding of probable cause that Respondent, Edward Hocevar, violated a provision of the Code of Ethics.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Edward Hocevar, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 10, 2025.

b. C24-014

In re: Milton Block

C24-014

A Complaint was filed in the above-referenced case alleging that Respondent, Milton Block former Mayor for Jupiter Inlet Colony, used his official position in a manner that may have violated the Palm Beach County Code of Ethics.

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.¹ On July 10, 2025, the Commission conducted a probable cause hearing. After reviewing the Report of Investigation and the Probable Cause Recommendation and considering statements by COE staff and Respondent, the Commission concluded that there was insufficient evidence to support a finding of probable cause that Respondent, Milton Block, violated a provision of the Code of Ethics.

Therefore it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Milton Block, is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on July 10, 2025.

VII. Processed Advisory Opinions (Consent Agenda)

a.

There were no items on the consent agenda.

VIII. Items Pulled from Consent Agenda

a.

There were no items pulled from the consent agenda.

IX. Executive Director Comments

Ms. Kelley reported that staff had conducted several training courses with various municipalities in June.

X. Commission Comments

No comments were made

XI. Public Comments

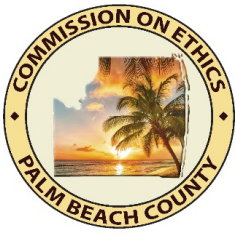
There were no public comments.

XII. Adjournment

At 2:14p.m., the chair declared the meeting adjourned.

APPROVED:

Chair/Vice Chair



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Palm Beach County Commission on Ethics

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

Executive Director
Christie Kelley

July 29, 2025

Thomas Carney, Mayor
City of Delray Beach
100 NW First Avenue,
Delray Beach, FL 33444

Re: RQO 25-007
Voting conflict; Conflict of interest

Dear Mayor Carney,

Your request for an advisory opinion to the Palm Beach County Commission on Ethics (COE) has been received and reviewed. The opinion rendered is as follows:

QUESTION:

Does the Palm Beach County Code of Ethics (Code) prohibit you from participating in discussions or voting on whether to grant variance and waiver relief related to a matter coming before the Delray Beach City Commission when the project's property owner is a customer or client of your sibling's outside business?

BRIEF ANSWER:

You are not prohibited from participating in discussions or voting on this matter because the facts as provided do not indicate that a prohibited entity will receive a special financial benefit.

FACTS:

You are the Mayor of the city of Delray Beach (City). You are also a licensed attorney and chairman and employee of the law firm Carney Stanton (CS). Your sibling, Peter Carney, is an attorney and employee of the same law firm.¹ Peter also owns and operates Crystal Title and Escrow Company (CTEC). You previously had a proprietary interest in CTEC, until November of 2023, when you divested yourself of all ownership.

The project (Project) in question involves the renovation and elevation of a home located in the City's historical district. The property is legally owned by 46 Marine LLC. The individuals associated with this address and Project are Catherine and Daniel Edwards. The Edwardses are also the registered agents and authorized person for 46 Marine LLC.² According to City documents, the Project is before the Commission "for consideration of a Certificate of Appropriateness, Relocation, Variances, & Waivers (2024-133) in association with the vertical relocation and alteration of the existing contributing structures (1,328 two-story main structure & 296 sq. ft. one-story guest cottage – 1,644 sq. ft. overall), and construction of additions containing 3,814 sq. ft. (5,457 sq. ft. overall building) for the property located at 46 Marine Way,

¹ For clarity, Peter Carney will be referred to as Peter. No disrespect is intended with the informal nature of the use.

² 2025 Florida Limited Liability Annual Report

Marina Historic District.”³ Essentially, the raising and expansion of a private residence.

Over two years ago, in your capacity as an attorney, you represented Daniel Edwards in a matter involving an unrelated property. Currently, neither Catherine Edwards nor Daniel Edwards is a client of your law firm. Neither you nor CS has any professional or personal association with the Project.

CTEC has an established client relationship with Catherine and/or Daniel Edwards. While the historical transactions were in performance of standard title work, CTEC is currently acting as an independent escrow agent in a transaction involving the Edwardses’, which is unrelated to the Project proposal coming before the City. CTEC’s role in this transaction is simply to hold funds for a group of 7 homeowners (including the Edwardses) who are in the process of relocating overhead power lines and poles below the ground. This project is ongoing. CTEC’s sole function in this transaction is to hold the funds until the undergrounding is complete at which time final payment will be submitted by CTEC to Florida Power and Light. CTEC does not have any involvement in the Project.

Currently, the named business entities associated with the 46 Marine Way project are Affinity Architects, Modern House & Building Movers, and Richardson Engineering.⁴ At present, CS and CTEC do not have an established customer/client relationship with any of the above-listed businesses.

ANSWER:

The Code prohibits public officials from using their official position in any manner that would result in a special financial benefit to certain persons or entities, including to themselves, their employer or outside business, a customer or client of their outside employer or business, or to a sibling or the sibling’s employer or outside business.⁵ Similarly, the Code also prohibits public officials from voting on an issue or participating in any matter coming before their board that would result in a special financial benefit to themselves, their outside employer or business, a customer or client of their outside employer or business, or to a sibling or the sibling’s employer or outside business.⁶

Whether a matter rises to the level of a prohibited conflict of interest depends on whether a prohibited entity will receive any special financial benefit. The COE has previously opined that “financial benefit” constitutes economic gain or loss.⁷ Looking at the facts as presented, even considering the former and present business relationships between the parties involved, it is difficult to identify a financial benefit that would be realized by a prohibited entity. The Project, in its simplest terms, is a home renovation, albeit on a large scale, and one that requires action from the Commission; however, that does not change the analysis. The salient factor is that a vote, either for or against the Project, does not appear to involve a prohibited financial benefit being given to a prohibited entity. Because the Edwardses are not customers or clients of your outside business and neither you, your outside business, your sibling, nor your sibling’s outside business will receive a special financial benefit from this vote, you are not prohibited from voting on or participating in this matter.

Additionally, when analyzing whether an action would result in a prohibited entity receiving a special financial benefit, the COE has held that any such financial benefit must be direct and immediate, rather

³ 25-819 Staff Report on project for July 25, 2025 City Commission meeting.

⁴ June 17, 2025 City Commission meeting agenda, item 6.N.1, File 25-463, 3. HPB (6-4) 46 Marine Way.

⁵ Section 2-443(a), *Misuse of official position or employment*.

⁶ Section 2-443(c), *Disclosure of voting conflicts*.

⁷ RQO 10-013 (For the purpose of ordinance construction, the commission finds that a financial benefit includes a private gain or loss).

than remote and speculative.⁸ Similarly, the Florida Commission on Ethics has also determined that when uncertainty exists at the time of a vote as to whether a measure directly affects a person or entity, any gain or loss from the vote is remote and speculative, and the official would not be precluded from voting.⁹

Here, based on the facts presented, there does not seem to be any direct nexus between a vote on the project and any potential economic gain or loss to a prohibited entity. Therefore, considering the facts as provided, the Code does not prohibit you from voting on or participating in discussions involving this project as long as your participation does not result in a special financial benefit to any of the prohibited persons or entities listed in Section 2-443(a).

The COE is aware that there is no way to assess or predict any future transactions between the business entities referenced in this opinion. Because of this, while the Code does not restrict your participation and vote as long as the guidance in this opinion is followed, you must be mindful that as a public official, no quid pro quo or other benefit may be given for an official act or the past, present, or future performance of a public duty.¹⁰ Additionally, as a general reminder, the Code prohibits anyone from using his or her official position to corruptly secure a special benefit of any kind for anyone, including an outside business or employer, a sibling, or the sibling's outside employer or business..¹¹

LEGAL BASIS:

The legal basis for this opinion is found in Sec. 2-443(a) and Sec. 2-443(c) of the Code:

Sec. 2-443. Prohibited conduct.

- (a) ***Misuse of public office or employment.*** An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, or attempt to do any of these things, in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities:
- (1) Himself or herself;
 - (3) A sibling or step-sibling, child or step-child, parent or step-parent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;
 - (4) An outside employer or business of his or hers;
- (c) ***Disclosure of voting conflicts.*** County and municipal officials as applicable shall abstain from voting and not participate in any matter that will result in a special financial benefit as set forth in subsections (a)(1) through (7) above. The official shall publicly disclose the nature of the conflict and when abstaining from the vote, shall complete and file a State of Florida Commission on Ethics Conflict Form 8B pursuant to the requirements of Florida Statutes, §112.3143. Simultaneously with filing Form 8B, the official shall submit a copy of the completed form to the county commission on ethics. Officials who abstain and disclose a voting conflict as set forth herein, shall not be in violation of subsection (a), provided the official does not otherwise use his or her office to take or fail to take any action, or influence others to take or fail to take any action, in any other manner which he or she knows or

⁸ RQO 12-063

⁹ CEO 85-77CEO 05-15; CEO 91-61; CEO 12-19

¹⁰ Sec. 2-444(e)

¹¹ Sec. 2-443(b)

should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, as set forth in subsections (a)(1) through (7).

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. The COE does not investigate the facts and circumstances submitted but assume they are true for purposes of this advisory opinion. This opinion is not applicable to any conflict under state law, or with any relevant provision within the rules of The Florida Bar. Inquiries regarding possible conflicts under state law or bar rules should be directed to the State of Florida Commission on Ethics or The Florida Bar.

Please feel free to contact me at 561-355-1915 if I can be of any further assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'CK', with a long horizontal flourish extending to the right.

Christie Kelley,
Executive Director

RG/gl