



*Honesty - Integrity - Character*

**Palm Beach County**

**Commission on Ethics**

300 North Dixie Highway, Ste 450

West Palm Beach, FL 33401

561.355.1915

**Hotline: 877.766.5920**

**E-mail: [ethics@pbcgov.org](mailto:ethics@pbcgov.org)**

**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***

February 5, 2026 – 1:30 p.m.

Governmental Center,

301 North Olive Avenue, 6<sup>th</sup> Floor

Commissioners Chambers

**Meeting will begin at 1:30pm**  
**Executive Session will begin at 1:40pm**  
**Regular Agenda will resume immediately**  
**following the Executive Session**

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Introductory Remarks
- V. Approval of Minutes from January 8, 2026
- VI. Processed Advisory Opinions (Consent Agenda)
  - a. RQO 26-004
  - b. RQO 26-005
- VII. Items Pulled from Consent Agenda
  - a.
- VIII. Executive Session C25-011
- IX. Executive Director Comments
- X. Commission Comments
- XI. Public Comments
- XII. 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  
JANUARY 8, 2026**

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

**WEISMAN GOVERNMENTAL CENTER  
COMMISSION CHAMBERS**

**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:**

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. Elizabeth Martin, COE Communication and Education Manager

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

Danielle Freeman, Deputy Clerk

**I. Call to Order**

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

**II. Pledge of Allegiance**

Commissioner Vara-Garcia led the Pledge of Allegiance.

**III. Roll Call**

Present: Vice Chair Peter L. Cruise, Commissioner Michael H. Kugler,  
Commissioner Rodney G. Romano, and Commissioner Kristin A.  
Vara-Garcia

Absent: Chair Michael S. Kridel

**IV. Introductory Remarks**

No introductory remarks were made.

**V. Approval of Minutes from December 5, 2024**

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

**VI. Processed Advisory Opinions (Consent Agenda)**

- a. RQO 26-001
- b. RQO 26-002
- c. RQO 26-003

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

**VII. Items Pulled from Consent Agenda**

- a.

No items were pulled from the consent agenda.

**VIII. 2025 Annual Report Overview Presentation**

Ms. Kelley provided a slideshow presentation of the 2025 Annual Report, which included an overview of the mission and strategic plan; education and outreach events; achievements; COE trainings; and upcoming projects for 2026.

Ms. Kelley expressed appreciation to the Public Affairs Department for their support with the 2025 Annual Report and to COE staff for their efforts throughout the year.

Commissioner Romano thanked COE staff and noted it was a pleasure working with everyone.

Commissioner Romano asked whether a metric existed to track complaints submitted to the COE that could not be addressed due to HB1957. Ms. Kelley explained that the pre-inquiry check process allowed staff to review and monitor complaints to determine which could be addressed.

Commissioner Vara-Garcia stated that she looked forward to reading the annual report in its entirety.

Commissioner Kugler echoed the sentiments expressed by his colleagues. He also asked if there was a plan to educate the public more regarding the COE.

Ms. Kelley said Ms. Martin continued to look for ways to bring awareness to the COE with her outreach efforts.

#### **IX. Executive Director Comments**

Ms. Kelley reported the following updates:

- More than 500 attendees visited the COE's booth at a recent job fair.
- Trainings were conducted at various municipalities.
- Ms. Martin had attended the COGEL conference in Atlanta, Georgia, where she learned about different tools to implement in her education and outreach events.
- An update on Mr. Book's appeal was provided, and more information would be forthcoming.

Ms. Kelley wished everyone a happy new year.

#### **X. Commission Comments**

No comments were made.

#### **XII. Public Comments**

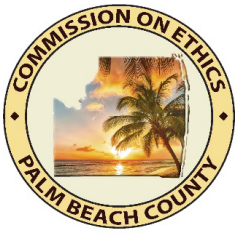
There were no public comments.

#### **XIII. Adjournment**

**At 1:47 p.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

January 20, 2026

Theresa Lawrence, Deputy Chief of Staff  
Palm Beach County Commission, District 7  
301 N. Olive Avenue, 12th Floor  
West Palm Beach, FL 33401

Re: RQO 26-004  
Conflict of interest/political activities

Dear Ms. Lawrence,

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 volunteering for a political campaign when the candidate is running for an office with the Palm Beach County Board of County Commissioners (BCC)?

**BRIEF ANSWER:**

The Code does not prohibit a county employee's participation in a political campaign as long as county resources are not used and the guidance provided in this opinion is carefully followed.

**FACTS:**

You are employed with Palm Beach County as Deputy Chief of Staff to Commissioner Bobby Powell Jr. Your sister intends to run for the office of BCC District 2 County Commissioner. You wish to volunteer for her campaign. Your volunteer work will include staffing phone banks, answering questions, conducting meet and greet sessions, canvassing neighborhoods, and any other duties that may arise. Your volunteer work will only occur outside of your normal working hours with the county.

**ANSWER:**

Public employees and officials are prohibited from using their official position to give a special financial benefit, not shared with similarly situated members of the general public, to specified persons or entities, including a sibling or the sibling's employer or business.<sup>1</sup> Accordingly, you must ensure that you do not use your position with the county in any manner that results in your sister or her campaign receiving a special financial benefit.

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<sup>1</sup> Sec. 2-443(a)(1-7), Misuse of public office or employment

Therefore, you must not use your official title as Deputy Chief of Staff in connection with the campaign, including on campaign materials or when speaking or acting in support of your sister's campaign. You also may not use any county resources to perform campaign-related activities.

Although you did not mention that you would be soliciting donations on behalf of your sister's campaign, were you to do so, the Code would not limit that activity. Soliciting or accepting gifts from certain entities is restricted by the Code.<sup>2</sup> However, political contributions authorized by state and federal law are exceptions and are not considered gifts under the Code.<sup>3</sup>

Additionally, when previously addressing the issue of campaign contributions the commission stated:

The rationale for exempting campaign contributions from the gift laws can be found in both state and federal law. It is well established that supporting a political candidate financially is speech and represents political expression at the core of the electoral process.<sup>4</sup> Any law that burdens the right of association and free speech may be upheld only if it serves a compelling government interest and is narrowly tailored to serve that interest.<sup>5</sup>

Thus, as long as the political contributions are specifically authorized by state or federal law, the Code would not restrict you from soliciting campaign contributions in this scenario.

Additionally, in some situations the Code limits certain types of secondary employment.<sup>6</sup> Here, because you will be working on your sister's campaign on a volunteer basis, neither she nor her campaign are considered your outside employer; thus, this provision of the Code also does not apply.

Finally, while the Code does not restrict your actions in this factual scenario, you must remember that as a public employee, no quid pro quo or any other benefit may ever be given for an official act or the past, present, or future performance of a public duty.<sup>7</sup> You are also reminded that public officials are prohibited from using their official position to corruptly secure or attempt to secure a special privilege, benefit, or exemption for themselves or others.<sup>8</sup> Corruptly means done with a wrongful intent and for the purpose

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<sup>2</sup> Sec. 2-444

<sup>3</sup> Sec. 2-444(g)(1)

<sup>4</sup> *State v. Dodd*, 561 So. 2d 263 (Fla. 1990)(citing *Austin v. Michigan Chamber of Commerce*, 494 U.S. 652 (1990))

<sup>5</sup> *State by Butterworth v. Republican Party of Florida*, 604 So. 2d 477 (Fla. 1992)(citing *EU v. San Francisco County Central Democratic Committee*, 489 U.S. 214 (1989))

<sup>6</sup> Sec. 2-443(d)

<sup>7</sup> Sec. 2-444(e), Gift law.

<sup>8</sup> Sec. 2-443(b), Corrupt misuse of official position

of obtaining any benefit resulting from some act which is inconsistent with the proper performance of the official's duties.<sup>9</sup>

**LEGAL BASIS:**

The legal basis for this opinion is found in Sec. 2-443(a) and Sec. 2-444(g) 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, 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:

(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;

**Sec. 2-444. Gift law.**

(g) Exceptions. For the purposes of this section, the following shall not be considered a gift:

(1) Political contributions specifically authorized by state or federal law;

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

Please feel free to contact me at 561-355-1915 if you need further assistance in this matter.

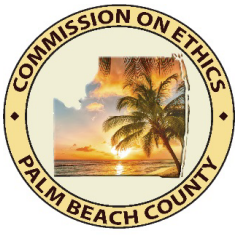
Sincerely,

Christie Kelley,  
Executive Director

RG/gl

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<sup>9</sup> Id.



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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

January 27, 2026

Peggy Wheeler, Mayor  
Town of Juno Beach  
340 Ocean Drive  
Juno Beach, FL 33408

Re: RQO 26-005  
Voting conflict/Conflict of interest

Dear Mayor Wheeler,

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 a conflict arise under the Palm Beach County Code of Ethics (Code) by your participation and vote on three proposed zoning ordinances, considering you are associated with several businesses registered with the State of Florida?

**BRIEF ANSWER:**

The Code does not prohibit you from voting on or participating in discussions on these zoning ordinances because neither you nor the business entities you are associated with would receive a special financial benefit as a result of your participation or vote.

**FACTS:**

You are the Mayor of the Town of Juno Beach (Town). Your residence is the only property you own within the Town. You are associated with a variety of business entities, all registered with the State of Florida. In an upcoming Town council meeting, there will be a discussion and vote on three ordinances, all related to property and zoning.<sup>1</sup>

A citizen contacted the Council via email and raised a concern about the potential of a voting conflict based on the perceived nature of the ordinances and the potential benefits to your businesses. In response to this communication, you have disclosed the related activities and the general nature of each entity registered under your name. The entities are noted as follows:

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<sup>1</sup> Agenda for January 28, 2026 Council meeting notes Ordinances 795, 796, and 797 each address site plan, the scope of review, the shifting of review and enforcement, and other property and zoning topics. The agenda packet can be found at [1/28 Agenda Packet](#) – ordinance outlines begin at page 257.



1. Ocean Properties Florida Inc., formed in March of 2017. Currently inactive and dissolved in 2021. The entity was used for estate planning and never conducted any business.
2. Oceanside Enterprises of Florida LLC formed in March of 2017. Currently inactive and dissolved in 2017. The entity was used for estate planning and never conducted any business.
3. Cambrian LLC formed in February of 2004. The entity is active but used only for estate planning. The entity does not conduct any business activities and files an annual report.
4. Exclusive Real Estate Consulting LLC formed in December of 2020. Currently inactive because it was converted from an LLC to an incorporation in May of 2024. While the entity was active, it has conducted no business and files an annual report solely to preserve the business name.
5. Ocean Side Inc. formed in May of 2025 (converted from Ocean Side LLC). Entity is active but the last related business activity was in 2021 and was related to the sale of a home (previously owned by Ms. Wheeler). Since then, it has conducted no business and files an annual report solely to preserve the business name.
6. Ocean Side LLC originally formed in 2004 and converted to Ocean Side Inc. in May of 2025. Entity is currently inactive, and the only business activity is noted above under Ocean Side Inc. There has been no business activity since the home sale in 2021.
7. Exclusive Real Estate Consulting Inc. formed in May of 2025 (converted from an LLC to an incorporation – see entity 4) and is currently active. The entity has never conducted any business and files an annual report solely to preserve the business name.

You have reported to the COE that none of the entities listed above are connected to Town business. Additionally, none of the entities own property within the Town, thus will not benefit, either directly or indirectly, from any matter before the Council. You have also indicated that three of the entities were formed decades ago and were used solely for personal estate-planning purposes and have either been administratively dissolved or are inactive and maintained solely for estate-planning reasons. You have stated that none of the entities listed currently engage in any business activity, and that only one entity has ever had a reportable business activity, which concluded five years ago with the sale of a home.

You do not believe a conflict exists and feel your participation and vote on these issues is allowed by the Code.

**ANSWER:**

The Code prohibits public officials from using their official position in any manner which would result in a special financial benefit, not shared with similarly situated members of the general public, to certain persons or entities, including themselves.<sup>2</sup> Similarly, the Code also prohibits public officials from voting on an issue or participating in any matter

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<sup>2</sup> Section 2-443(a), *Misuse of official position or employment*.

coming before their board that would result in a special financial benefit to themselves or to their outside business.<sup>3</sup>

In the context of the Code, financial benefit constitutes economic gain or loss.<sup>4</sup> In determining whether an action would result in a special financial benefit being given to a person or entity, the COE has held that any such financial benefit must be direct and immediate, rather than remote and speculative.<sup>5</sup> Similarly, the Florida Commission on Ethics has also determined that where there is uncertainty at the time of a vote as to whether a measure directly affects a person or entity, any private gain or loss based on the vote is remote and speculative, thus the official will not be precluded from casting such vote.<sup>6</sup>

Here, based on the facts provided, because your registered business entities do not conduct any business within the Town, any economic gain or loss related to the proposed Town ordinances will have no greater impact on you than on any other Town resident. Thus, it is remote and speculative as to whether a vote related to the proposed zoning ordinances would result in you or your outside businesses receiving a special financial benefit.

Further, nothing in the provided factual scenario indicates that your specific property ownership within the Town provides a unique circumstance wherein your personal gain or loss related to these proposed ordinances would significantly exceed that of other residents. Additionally, because you have stated that neither you nor your registered entities conduct any business within the Town, there appears to be no risk of a prohibited entity receiving a special financial benefit. Applying the above facts, nothing in the Code would prohibit your participation and vote on the noted ordinances.

Additionally, as a general reminder, Sec. 2-443(b), *Corrupt misuse of official position* prohibits public officials from using their official position to corruptly secure or attempt to secure a special privilege, benefit or exemption for themselves or others. Corruptly means done with a wrongful intent and for the purpose of obtaining any benefit resulting from some act which is inconsistent with the proper performance of the official's duties. Therefore, you must ensure you do not use your position as an elected official to take an action that would corruptly secure a special privilege, benefit, or exemption for yourself or anyone else.

Finally, 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.<sup>7</sup> You are also reminded that if any of the relied upon facts were to change, you should contact the COE for an updated opinion.

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<sup>3</sup> Section 2-443(c), *Disclosure of voting conflicts*.

<sup>4</sup> RQO 10-013

<sup>5</sup> RQO 12-063

<sup>6</sup> CEO 85-77CEO 05-15; CEO 91-61; CEO 12-19

<sup>7</sup> Section 2-444(e), *Gift law*.

**LEGAL BASIS:**

The legal basis for this opinion is found in Sec. 2-443(a) and Sec. 2-444(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;
  - (4) An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who is known to such official or employee to work for such outside employer or business;
- (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 term "participate" as used in this section shall be defined as: "To take any action, or to influence others to take any action, or to attempt to do any of these things, in order to affect the passage or defeat of the specific matter before the voting body in which the official is required to abstain from voting."

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

Please feel free to contact me at 561-355-1915 if you need further assistance in this matter.

Sincerely,



Christie Kelley,  
Executive Director

RG/gl