

Honesty - Integrity - Character

Agenda

July 6, 2026 – 1:30 p.m.
Governmental Center,
301 North Olive Avenue, 6th Floor
Commissioners Chambers

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

Commissioners

Rodney G. Romano
Alan I. Blass
Peter L. Cruise
Michael H. Kugler
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

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Introductory Remarks
- V. Approval of Minutes from June 4, 2026
- VI. Processed Advisory Opinions (Consent Agenda)
 - a. RQO 26-012
- 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**

JUNE 4, 2026

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

**COMMISSION CHAMBERS
WEISMAN GOVERNMENTAL CENTER**

MEMBERS:

Rodney G. Romano, Chair
Alan I. Blass, Vice Chair
Peter L. Cruise
Michael H. Kugler
Kristin A. Vara-Garcia

COMMISSION ON ETHICS STAFF PRESENT:

Abigail Irizarry, COE Investigator II
Christie E. Kelley, COE Director III
Gina A. Levesque, COE Intake and Compliance Manager
S. Lizbeth Martin, COE Communication and Education Manager

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

Samantha Giarratana, Board Meetings Specialist

I. Call to Order

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

II. Pledge of Allegiance

The commissioners recited the Pledge of Allegiance.

III. Roll Call

All members were present.

IV. Introductory Remarks

No introductory remarks were made.

V. Approval of Minutes

- a. April 16, 2026
- b. May 7, 2026

MOTION to approve the minutes. Motion by Commissioner Kugler, seconded by Commissioner Cruise, and carried 5-0.

VI. Processed Advisory Opinions (Consent Agenda)

- a. RQO 26-011
- b. RQO 26-012

MOTION to approve the consent agenda. Motion by Vice Chair Blass, seconded by Commissioner Cruise, and carried 5-0.

VII. Items Pulled from Consent Agenda

No items were pulled from the consent agenda.

VIII. Executive Director Comments

Ms. Kelley reported the following updates:

1.

Staff remained busy with outreach and training activities.

2.

Staff delivered presentations at various municipalities and commissions.

3.

Staff conducted in-person ethics training for elected officials in the City of Belle Glade.

4.

Staff completed five training compliance reviews to ensure that the municipalities were following their policies.

5.

Ms. Levesque was recognized and thanked for her 16 years of service with the COE.

6.

The next COE meeting will be held on Thursday, July 9th.

7.

Ms. Kelley wished everyone a good Juneteenth and Happy Fourth of July.

IX. Commission Comments

Commissioner Cruise informed the commissioners that the Inspector General (IG) contract had been completed.

X. Public Comments

Norman Ostrau requested that Commissioner Cruise engage his contacts at Florida Atlantic University (FAU) to determine available resources for training elected state officials in recognizing, identifying, and reporting potential foreign influence campaigns.

Discussion ensued.

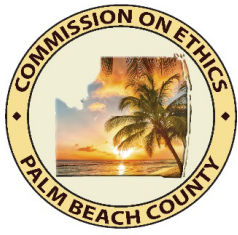
Commissioner Cruise stated that his department would contact him.

XI. Adjournment

At 1:38 p.m., the chair declared the meeting adjourned.

APPROVED:

Chair/Vice Chair



Palm Beach County Commission on Ethics

Commissioners
Rodney G. Romano, Chair
Alan I. Blass, Vice Chair
Peter L. Cruise
Michael H. Kugler
Kristin A. Vara-Garcia

Executive Director
Christie Kelley

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July 1, 2026

Javatis Midget, District Chief
Palm Beach County Fire Rescue
405 Pike Road
West Palm Beach, FL 33411

Re: RQO 26-012

Dear District Chief Midget,

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:

As a Palm Beach County Fire Rescue (PBCFR) employee, would your services as an unpaid founding member of a new nonprofit organization whose mission is to prepare students for the workforce create a conflict of interest under the Palm Beach County Code of Ethics (Code)?

BRIEF ANSWER:

No. Based on the facts presented, your service as an unpaid founding member of a new nonprofit organization would not create a conflict of interest under the Code.

FACTS:

You are the District Chief of Administration for PBCFR. In your role with PBCFR, your primary duties are to oversee department-wide policy development and implementation, candidate recruitment, and employee retention initiatives. As a part of these duties, you interact with middle and high schools, colleges, and fire academies.

You have been asked to serve as a founding member of a newly created nonprofit organization, CareerReady Council (CRC). CRC is a Palm Beach County-based workforce development initiative that endeavors to bring together employers, educators, and community leaders to support career readiness for high school students. CRC is an employer advisory council, not a governing board. Members will serve as industry leaders who help better prepare students for the workforce. You will not serve on CRC's board of directors or hold any officer position.

Your role as a founding member in CRC would include attendance at approximately four meetings per year, sharing workforce trends and hiring needs within your profession, providing feedback on the skills students need to be career-ready, participation in

activities such as mock interviews, career panels, or networking events (as your schedule allows), and helping to locate internship, job shadowing, or career exposure opportunities for students in the county. You will receive no compensation for your service on CRC. Your membership on the CRC does not include participation in any fundraising efforts nor will you solicit donations on CRC's behalf. Further, neither you nor your department play a role in determining how county grants or other possible financial support is allocated as it relates to CRC.

While CRC collaborates with many public and private partners, including school districts, municipalities, and employers, CRC members participate only as workforce advisors representing their respective employers. Your participation does not include authority to act or make decisions on behalf of PBCFR. Additionally, CRC is an independent 501(c)(3) nonprofit organization and is not a county vendor.¹ Your role with CRC would not involve county procurement or contracting matters. CRC works with a variety of corporations, foundations, governmental entities, and community partners to support their mission; however, they do not receive any funding from the county.

You want to ensure that your participation with CRC will not present a conflict of interest or raise any ethical concerns.

ANSWER:

Section 2-443(a) of the Code prohibits public employees and officials from using their official positions to give a special financial benefit, not shared with similarly situated members of the general public, to themselves or specified persons or entities, including an organization of which they are an officer or director.² Accordingly, if you were to serve as an officer or director of CRC, then you would be prohibited from using your official position with PBCFR to give the organization a special financial benefit. However, based on the facts presented, your role with CRC is limited to serving as an unpaid member; you will not serve as an officer or director. Accordingly, because CRC is not an organization of which you are an officer or director, that provision of the Code does not apply to your proposed service. Further, nothing in the facts presented indicates that serving as a founding member of CRC, including identifying yourself by your official title with PBCFR for informational purposes or to show support for CRC, would violate the Code.

Although you stated that your duties with CRC will not include fundraising or solicitation activities, the following guidance is provided should those circumstances change. If in the future, you were to solicit donations on behalf of CRC, it should be noted that the Code generally prohibits you, or any other person or entity on your behalf, from soliciting or accepting any gift with a value greater than \$100 in the aggregate per calendar year, from a vendor, lobbyist, or any principal or employer of a lobbyist who lobbies the county. However, the Code has a limited exception for charitable solicitations. Under Section

¹ CRC does not anticipate that its vendor status with Palm Beach County will change.

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

2-444(h), the Code allows you to solicit or accept donations over \$100, directly or indirectly, on behalf of a non-profit organization from anyone, including a vendor, lobbyist, or any principal or employer of a lobbyist, as long as there is no quid pro quo or other special consideration given and the person or entity solicited does not have a pending application or award of any nature before the public entity the official or employee serves.

If this exception is used, a record of any solicitations or any donations from any county vendor or a lobbyist or principal or employer of a lobbyist who lobbies the county must be maintained and submitted to the COE within 30 days of the event or if not solicited or donated for an event, then within 30 days of the solicitation or donation.³ The charitable solicitation log must list the county vendor, lobbyist, or principal of the lobbyist solicited, and the amount donated to CRC. A copy of the solicitation log can be found on our website: www.palmbeachcountyethics.com/pdf/Forms/Solicitation%20Log.pdf.

Finally, although your proposed service on CRC does not create a conflict under the facts provided, your ongoing obligations under the Code remain unchanged and the following guidance is provided as a general reminder. 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.⁴ You are also reminded that public officials and employees are prohibited from using their official positions to corruptly secure or attempt to secure a special privilege, benefit, or exemption for themselves or others, including CRC.⁵ 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.⁶

LEGAL BASIS:

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

(7) A civic group, union, social, charitable, or religious organization, or other organization of which he or she (or his or her spouse or domestic partner) is an officer or director. However, this sub-section shall not apply to any official or employee who is required to serve on the board of directors of any organization solely based on his or her official position (ex-officio), regardless of whether he or

³ Sec. 2-444(h)(2), Solicitation of contributions on behalf of a non-profit charitable organization.

⁴ Sec. 2-444(e), Gift law.

⁵ Sec. 2-443(b), Corrupt misuse of official position

⁶ Id.

she has voting rights on the board, and who receives no financial compensation for such service on the board of directors, and otherwise has no personal ownership interest in the organization.

(h) Solicitation of contributions on behalf of a non-profit charitable organization.

- (1) Notwithstanding the prohibition on gifts as outlined in subsections (a) and (b), the solicitation of funds by a county or municipal official or employee for a non-profit charitable organization, as defined under the Internal Revenue Code, is permissible so long as there is no quid pro quo or other special consideration, including any direct or indirect special financial benefit to the official or employee or to the person or entity being solicited. The solicitation by an official or employee as contemplated herein, is expressly prohibited if made to any person or entity with a pending application for approval or award of any nature before the county or municipality as applicable.
- (2) To promote the full and complete transparency of any such solicitation, officials and employees shall disclose, on a form provided by the commission on ethics, the name of the charitable organization, the event for which the funds were solicited, the name of any person or entity that was contacted regarding a solicitation or pledge by the official or employee, and the amount of the funds solicited or pledged if known. The form shall be completed legibly and shall be filed with the commission on ethics. The form shall be filed within thirty (30) days from the occurrence of the event for which the solicitation was made, or if no event, within thirty (30) days from the occurrence of the solicitation.
- (3) Officials and employees may not use county or municipal staff or other county or municipal resources in the solicitation of charitable contributions described in this subsection.

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.

Sincerely,


Christie Kelley,
Executive Director

RG/gl