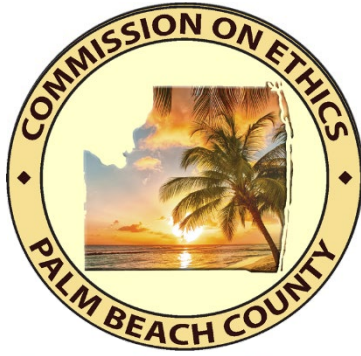




Honesty - Integrity - Character

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

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

Agenda

August 6, 2026 – 1:30 p.m.

Governmental Center,

301 North Olive Avenue, 6th Floor

Commissioners Chambers

Meeting will begin at 1:30pm
Executive Session will begin at 1:45pm
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 July 9, 2026
- VI. Processed Advisory Opinions (Consent Agenda)
 - a. RQO 26-014
 - b. RQO 26-015
 - c. RQO 26-016
- VII. Items Pulled from Consent Agenda
- VIII. Executive Session C26-001
- 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**

JULY 9, 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:

Rhonda Giger, COE General Counsel
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 from June 4, 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 26-013

MOTION to approve the consent agenda. Motion by Commissioner Vara-Garcia, seconded by Commissioner Kugler, 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 outreaches and training activities.

2.

Staff delivered presentations to various organizations and municipalities.

3.

Staff participated in the Florida Atlantic University's Leadership and Ethics Achievement Program Summer Camp.

4.

Ms. Kelley announced a joint meet-and-greet with the Office of Inspector General on July 17 at the Belle Glade Public Library from 11:00 a.m. to 1:00 p.m.

IX. Commission Comments

No comments were made.

X. Public Comments

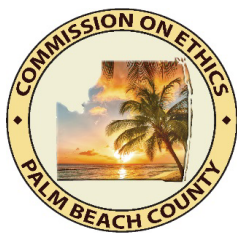
There were no public comments.

XI. Adjournment

At 1:34 p.m., the chair declared the meeting adjourned.

APPROVED:

Chair/Vice Chair



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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

July 14, 2026

Jim Knight, Board Member/Chair
Delray Beach Downtown Development Authority
85 SE 4th Ave., Unit 103
Delray Beach, FL 33483

Re: RQO 26-014

Dear Mr. Knight,

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 your service as a board member of the Delray Beach Downtown Development Authority (DDA) create a conflict of interest under the Palm Beach County Code of Ethics (Code) when your outside business represents the owner of the building in which the DDA is a tenant?

BRIEF ANSWER:

Based on the facts presented, your service as a DDA board member does not create an inherent conflict of interest when your outside business represents the owner of the building in which the DDA is a tenant.

FACTS:

You are the president of The Knight group, LLC, a commercial real estate broker based in Downtown Delray Beach. You were recently appointed to the DDA, a special taxing district in Delray Beach. Your outside business represents The Coastal Group, Inc. (CGI) as its real estate broker. CGI owns the building where the DDA is a tenant. Over six years ago, before joining the DDA Board, you negotiated the lease between the landlord and the DDA for their office location. Since that time, you have not participated in the business relationship between CGI and the DDA.

The property where the DDA is a tenant is under contract with a local developer who intends to purchase the building. Both you and your son will be paid a sales commission by the property owner if the deal closes.¹ The purchase and sale is currently in the due diligence period which will continue for a few months.² There is a possibility that the new owner of the building will maintain the lease with the DDA, however that is not a part of the negotiations. Neither you in your capacity as a DDA board member, the DDA board

¹ Your son, Tyler Knight, is also your business partner.

² The contract for the sale of the property was completed prior to your appointment to the DDA board.

in general, or the DDA employees have the capacity to influence or dictate whether the sale will ultimately be finalized.

The Executive Director of the DDA has asked you about the details and status of this transaction. You are asking for guidance surrounding what you can or cannot say in your role as a board member. You want to ensure that any discussion about the purchase and sale of the building being handled by your outside business 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 their business and/or a customer or employer of their business.³ Accordingly, in your role as a DDA board member, you are prohibited from using your official position with the DDA to give yourself or your outside business or a customer or client of your outside business a special financial benefit. However, based on the facts presented, and considering the nature of the transaction involved, there does not appear to be an identifiable conflict of interest between the purchase and sale of the building in which the DDA leases office space and your service on the DDA board.

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.⁴ Based on the facts presented, even considering the past and current business relationships between the parties involved, it is difficult to identify any financial benefit that would be realized by a prohibited person or entity as a result of your service on the DDA board. The analysis turns on the fact that no aspect of the transaction, including whether the sale of the building occurs, will come before the DDA board for review, approval, or any other official action. Although the DDA may have an interest in the potential effects of a change in ownership because it leases office space in the building, the DDA is essentially a bystander in the transaction and has no role in the transaction itself.

While the Code outlines certain restrictions related to your service as a DDA board member, those restrictions are not reciprocal to the transactions related to your outside business. Simply put, the Code governs your conduct in your capacity as a DDA board member; it does not regulate what you may disclose in connection with your private business activities. Accordingly, the Code does not prohibit you from discussing the details or status of the transaction with the DDA Executive Director. In this scenario, any confidentiality or privacy requirements will be dictated by the constraints that apply to your outside business. Additionally, nothing in the facts presented indicate that you, in your role as a DDA board member, have any influence or authority over whether the transaction occurs.

³ Sec. 2-443(a)(1-7), Misuse of public office or employment.

⁴ RQO 10-013 (For the purpose of ordinance construction, the commission finds that a financial benefit includes a private gain or loss).

Finally, although your representation of the building owner does not create a conflict under the facts provided, your ongoing obligations under the Code remain unchanged. Accordingly, the following guidance is provided as a general reminder. As an appointed official, you may not give or receive any no quid pro quo or other benefit in exchange for an official act or the past, present, or future performance of a public duty.⁵ You are also reminded that you are prohibited from using your official position to corruptly secure or attempt to secure a special privilege, benefit, or exemption for yourself or others, including your outside business and its customers or clients.⁶ 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 your public duties.⁷

LEGAL BASIS:

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

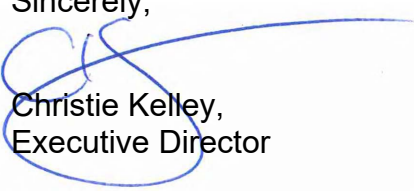
Sec. 2-443. Prohibited conduct.

(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:

- (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;
- (5) A customer or client of the official or employee's outside employer or business;

This opinion construes the Palm Beach County Code of Ethics Ordinance based solely on the facts and circumstances you have submitted. The Palm Beach County Commission on Ethics does not investigate or verify those facts and circumstances but assumes they are true for purposes of this advisory opinion. This opinion does not address potential conflicts under state law. Questions regarding the application of state ethics laws should be directed to the State of Florida Commission on Ethics.

Sincerely,



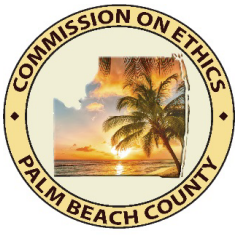
Christie Kelley,
Executive Director

RG/gl

⁵ Sec. 2-444(e), Gift law.

⁶ Sec. 2-443(b), Corrupt misuse of official position.

⁷ Id.



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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

July 14, 2026

Jason Lakow, Board Member
Delray Beach Downtown Development Authority
350 SE 1st Street
Delray Beach, FL 33483

Re: RQO 26-015

Dear Mr. Lakow,

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 serving on both the Delray Beach Downtown Development Authority (DDA) and the City of West Palm Beach Planning Board (PB)?

BRIEF ANSWER:

Based on the facts presented, the Code does not prohibit your simultaneous service on two separate municipal boards.

FACTS:

You and your business partner own and operate Tropical Smokehouse, a local barbecue restaurant with two locations - one in West Palm Beach and one in Delray Beach. You are the 1st alternate on the PB, having been appointed by the Mayor of the City of West Palm Beach. The PB makes recommendations to the City Commission on whether proposed developments and subdivisions comply with the City's Zoning and Land Development Regulations and Comprehensive Plan and reviews and considers Class A special use permits, official map amendments, and zoning code text amendments. You were recently appointed by the Delray Beach City Commission to serve on the DDA Board, which is comprised of downtown property owners, business owners, and residents and is responsible for establishing the strategic direction of the DDA. You want to confirm there is no conflict under the Code related to your dual service on each board.

ANSWER:

The Code defines an advisory board as any advisory or quasi-judicial board created by a local municipal governing body. Both the PB and the DDA fall within this definition and

are considered advisory boards.¹ The Code further defines an official as any member appointed by local municipal governing bodies to serve on any advisory, quasi-judicial, or any other board of the municipality.² Accordingly, because the mayor of West Palm Beach appoints the members of the PB, including alternates, your service on the PB makes you an official under the Code. Likewise, because the Delray Beach City Commission appoints members of the DDA, your service on that board also makes you an official under the Code.³

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 other specified persons or entities, including their outside business.⁴ Accordingly, in your respective roles as a member of the PB and the DDA Board, you are prohibited from using either position to give a special financial benefit to either yourself or your outside business. However, the Code does not prohibit an individual from serving on two separate and independent municipal boards, nor does such dual service alone create a per se conflict of interest. Rather, a conflict would arise only if you were to use your official position on either board to give a special financial benefit to any prohibited person or entity or otherwise violate another provision of the Code.

Finally, although your dual membership on these separate boards does not create a conflict under the facts provided, your ongoing obligations under the Code remain unchanged. Accordingly, the following guidance is provided as a general reminder. As an appointed official, you may not give or receive any no quid pro quo or other benefit in exchange for an official act or the past, present, or future performance of a public duty.⁵ You are also reminded that as a public official, you are prohibited from using your official position to corruptly secure or attempt to secure a special privilege, benefit, or exemption for yourself or others, including your outside business.⁶ 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 your public duties.⁷

LEGAL BASIS:

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

¹ Section 2-442

² Id.

³ Id.

⁴ Sec. 2-443(a)(1-7), Misuse of public office or employment

⁵ Sec. 2-444(e), Gift law.

⁶ Sec. 2-443(b), Corrupt misuse of official position

⁷ Id.

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;

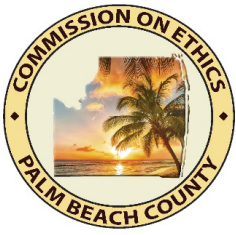
This opinion construes the Palm Beach County Code of Ethics Ordinance based solely on the facts and circumstances you have submitted. The Palm Beach County Commission on Ethics does not investigate or verify those facts and circumstances but assumes they are true for purposes of this advisory opinion. This opinion does not address potential conflicts under state law. Questions regarding the application of state ethics laws should be directed to the State of Florida Commission on Ethics.

Sincerely,



Christie Kelley,
Executive Director

RG/gl



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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

July 27, 2026

Robert Cantwell, Board Member
Delray Beach Downtown Development Authority
350 SE 1st Street
Delray Beach, FL 33483

Re: RQO 26-016

Dear Mr. Cantwell,

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:

What restrictions does the Palm Beach County Code of Ethics (Code) place on you as a board member of the Delray Beach Downtown Development Authority (DDA) when you also serve on the board of the Delray Beach Concours Foundation (CF), a local non-profit organization?

BRIEF ANSWER:

Based on the facts presented, the Code does not prohibit your simultaneous service on the boards of directors of the DDA and CF. However, the guidance provided in this opinion must be carefully followed, including abstaining from voting and filing a voting conflict form (Form 8B) where required.

FACTS:

You were recently appointed by the Delray Beach City Commission to serve on the board of the DDA, which is comprised of downtown property owners, business owners, and residents and is responsible for establishing the strategic direction of the DDA. You are also a board member for CF, which is a local non-profit foundation that is focused on youth education and first responder recognition. You have served on this board for some time and are aware that CF requests fee waivers from the DDA for the use of the Old School Square facility two times each year.

You want to confirm there is no conflict under the Code related to your dual service on each board. Additionally, because you know in advance that CF will come before the DDA board in the future, you want to confirm your responsibilities under the Code.

ANSWER:

As a DDA board member, you are considered an official under the Code. Section 2-443(a) of the Code prohibits public officials and employees from using their official positions to give themselves or specified persons or entities, including an organization of which they

are officers or directors, a special financial benefit, not shared with similarly situated members of the general public.¹ Similarly, Section 2-443(c) requires officials to abstain from voting and refrain from participating in any matter that would give a special financial benefit to those same specified persons or entities. Accordingly, as a member of the DDA, you are prohibited from using your position on the DDA, including voting on or participating in any matter, to give yourself or CF a special financial benefit. Although your service on both the DDA and CF does not, by itself, create a conflict of interest under the Code, a conflict could arise if you were to use your official position as a DDA board member to give a special financial benefit to yourself, CF, or any other prohibited person or entity, or otherwise violate another provision of the Code.

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.² Based on the facts provided, CF’s request to the DDA board for a fee waiver would constitute a financial benefit and would give rise to a voting conflict were you to participate in discussions or vote on the issue.³ In this context, “participate” means that you may not take part in any presentation or discussion regarding the matter with your fellow DDA board members. Such action would constitute a misuse of office and would create a voting conflict. When faced with such a voting conflict involving CF, the Code requires you to 1) disclose the nature of the conflict before the DDA discusses the matter; 2) abstain from any discussion or vote or otherwise participate in the matter; and 3) file a state voting conflict form (Form 8B) with the clerk and submit a copy to the COE.

Finally, apart from the voting conflict discussed above, your ongoing obligations under the Code remain unchanged. Accordingly, the following guidance is provided as a general reminder. As an member of the DDA, you may not give or receive any quid pro quo or other benefit in exchange for an official act or the past, present, or future performance of a public duty.⁴ You are also reminded that you are prohibited from using your official position with the DDA to corruptly secure or attempt to secure a special privilege, benefit, or exemption for yourself or others, including you or CF.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 your public duties.⁶

LEGAL BASIS:

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

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

² RQO 10-013 (For the purpose of ordinance construction, the commission finds that a financial benefit includes a private gain or loss).

³ Section 2-443(c), Disclosure of voting conflicts.

⁴ Sec. 2-444(e), Gift law.

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

⁶ Id.

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 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.

(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, Sec. 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 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 based solely on the facts and circumstances you have submitted. The Palm Beach County Commission on Ethics does not investigate or verify those facts and circumstances but assumes they are true for purposes of this advisory opinion. This opinion does not address potential conflicts under state law. Questions regarding the application of state ethics laws should be directed to the State of Florida Commission on Ethics.

Sincerely,



Christie Kelley,
Executive Director

RG/gl