

*Honesty - Integrity - Character*

**Palm Beach County**

**Commission on Ethics**

300 North Dixie Highway  
West Palm Beach, FL 33401

561.355.1915

FAX: 561.355.1904

**Hotline: 877.766.5920**

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

**Commissioners**

Peter L. Cruise

Carol E. A. DeGraffenreidt

Michael S. Kridel

Michael H. Kugler

Rodney G. Romano

**Executive Director**

Mark E. Bannon

**Intake and Compliance Manager**

Gina A. Levesque

**General Counsel**

Christie E. Kelley

**Investigator**

Abigail Irizarry

**Investigator**

Mark A. Higgs

# *Agenda*

October 7, 2021 – 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 2:00pm  
Regular Agenda will resume at 3:30pm

- I. Call to Order
- II. Roll Call
- III. Introductory Remarks
- IV. Approval of Minutes from September 2, 2021
- V. Executive Director Applicant Update and Procedure Discussion
- VI. Executive Sessions
  - a. C21-001
  - b. C21-002
- VII. Processed Advisory Opinions (Consent Agenda)
  - a. RQO 21-014
- VIII. Items Pulled from Consent Agenda
  - a.
- IX. Proposed Advisory Opinions
  - a. RQO 2-015
- X. Executive Director Comments
- XI. Commission Comments
- XII. Public Comments
- XIII. 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  
PALM BEACH COUNTY, FLORIDA**

**SEPTEMBER 2, 2021**

**THURSDAY  
1:31 P.M.**

**COMMISSION CHAMBERS  
WEISMAN GOVERNMENTAL CENTER**

**I. CALL TO ORDER**

**II. ROLL CALL**

MEMBERS:

Peter L. Cruise, Chair  
Michael S. Kridel, Vice Chair  
Carol E. A. DeGraffenreidt  
Michael H. Kugler  
Rodney G. Romano

STAFF:

Mark E. Bannon, Commission on Ethics (COE) Executive Director  
Mark A. Higgs, COE Investigator II  
Abigail Irizarry, COE Investigator II  
Christie E. Kelley, Esq., COE General Counsel  
Gina A. Levesque, COE Intake and Compliance Manager

ADMINISTRATIVE STAFF:

Marisa Valentin, Deputy Clerk, Clerk of the Circuit Court & Comptroller's Office

**III. INTRODUCTORY REMARKS – None**

**IV. APPROVAL OF MINUTES FROM AUGUST 5, 2021**

**MOTION to approve the August 5, 2021 minutes. Motion by Carol DeGraffenreidt, seconded by Michael Kridel, and carried 5-0.**

Chair Cruise stated that there were public commenters present to speak on items scheduled for the executive session and suggested taking public comment ahead of schedule.

**MOTION to reorder the agenda. Motion by Carol DeGraffenreidt, seconded by Michael Kridel, and carried 5-0.**

(CLERK'S NOTE: Item X was taken up at this time.)

**X. PUBLIC COMMENTS**

**DISCUSSED:** Executive Session – C21-006

Michelle DePotter, stated that no violations of the County's procurement processes were committed and all proper procedures were followed.

**V. REVIEW OF EXECUTIVE DIRECTOR HIRING PROCESS**

Discussion ensued and the following points were made:

- Courtesy copies of the job posting should be sent to the various state Voluntary Bar Associations encouraging applicant diversity.
- The salary range had not increased since 2015, and a raise was recommended.
- The minimum required experience increased from 5 to 7 years.
- Wednesday September 8, 2021 was the deadline to submit any requested changes to the job description.

**RECESS**

**At 2:10 p.m., the chair declared the meeting recessed for an executive session.**

**RECONVENE**

**At 3:55 p.m., the meeting reconvened, and at Chair Cruise's request for a roll call, Commissioners DeGraffenreidt, Kridel, Kugler, and Romano were present.**

## VI. EXECUTIVE SESSION

### VI.a – C21-006

Vice Chair Kridel read the following Public Report and Final Order of Dismissal:

COMPLAINANT, Adam E. Linkhorst, Esquire, filed a COMPLAINT on April 19, 2021, alleging possible ethics violations involving RESPONDENTS, Mack Bernard, Verdenia Baker, Isami Ayala -Collazo, and Tonya Johnson.

Palm Beach County Commission on Ethics (COE) staff investigated this matter and prepared a memorandum finding no legal sufficiency. Under Rule of Procedure 4.2(d), the General Counsel determined that the complaint was legally insufficient and all supporting documents was forwarded to the COE on July 26, 2021. The COE directed the Executive Director to submit the complaint for review in executive session at the next regularly scheduled meeting. On September 2, 2021, the General Counsel presented the findings of the complaint and the COE accepted the recommendation to dismiss the complaint due to NO LEGAL SUFFICIENCY, and that the allegations were unfounded.

Therefore it is:

**ORDERED AND ADJUDGED THAT** the COMPLAINT filed against RESPONDENTS, Mack Bernard, Verdenia Baker, Isami Ayala-Collazo, and Tonya Johnson, is **DISMISSED**.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics on September 2, 2021.

By: Peter L. Cruise, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

**VI.b – C21-003**

Vice Chair Kridel read the following Public Report and Final Order

Complainant, Mark E. Bannon, Executive Director, Palm Beach County Commission on Ethics, filed the above referenced complaint on February 26, 2021, alleging Respondent, Felisia Hill, a city commissioner for the city of Pahokee, violated Section 2-444(a)(l), *Gift law*, by soliciting and accepting a gift with a value over \$100 in the aggregate for the calendar year from a vendor of the city of Pahokee.

Pursuant to §2-258(a)<sup>1</sup> 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 September 2, 2021, Respondent stipulated to Probable Cause, and Respondent and Advocate submitted a Negotiated Settlement including a Letter of Reprimand and fine of \$500 to the COE for approval. Respondent stipulates 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 admits to violating §2-444(a)(l) of the Palm Beach County Code of Ethics. Respondent agrees to accept a Letter of Reprimand and to pay a total of five hundred (\$500) dollars in fines.

Pursuant to Commission on Ethics Ordinance §2-260 .1, *Public hearing procedures*, the Commission finds that the violation was intentional and that Respondent has expressed understanding and regret for her actions. The Commission assesses a total fine of five hundred (\$500) dollars and issued a LETTER OF REPRIMAND.

Therefore it is:

**ORDERED AND ADJUDGED** this matter is concluded upon the issuance of a LETTER OF REPRIMAND and payment of a five hundred (\$500) dollar fine.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics in executive session on this 2<sup>nd</sup> day of September, 2021.

By: Peter L. Cruise, Chair

(CLERK'S NOTE: The clerk added the language as printed in the Public Report and Final Order of Dismissal.)

**VII. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)**

- a. RQO 21-012
- b. RQO 21-013

**MOTION to approve the consent agenda. Motion by Rodney Romano, seconded by Michael Kugler, and carried 5-0.**

**VIII. EXECUTIVE DIRECTOR COMMENTS - None**

**IX. COMMISSION COMMENTS - None**

**ADDITIONAL PUBLIC COMMENT**

**DISCUSSED:** Executive Session Item C21-006

Adam Linkhorst stated that he wanted to ensure that the initial complaint and all supplementary documentation was considered during the executive session.

Vice Chair Kridel confirmed that it was.

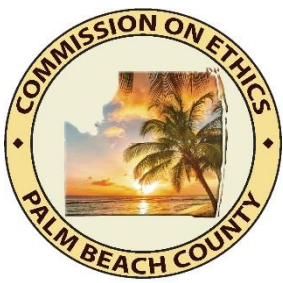
**XI. ADJOURNMENT**

**At 2:40 p.m., the chair declared the meeting adjourned.**

APPROVED:

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Chair/Vice Chair



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# Palm Beach County Commission on Ethics

## Commissioners

Peter L. Cruise, Chair  
Michael S. Kridel, Vice Chair  
Carol E.A. DeGraffenreidt  
Michael H. Kugler  
Rodney G. Romano

## Executive Director

Mark E. Bannon

September 8, 2021

Ms. Deborah Drum, Director  
Environmental Resources Management  
2300 North Jog Road - Fourth Floor  
West Palm Beach, FL 33411-2743

Re: RQO 21-014  
Gift law

Dear Ms. Drum,

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 accepting a ticket to an awards dinner?

### **BRIEF ANSWER:**

You are not prohibited from accepting the ticket as long as the gift giver is not a county vendor or a lobbyist or employer or principal of a lobbyist who lobbies the county. However, the ticket may be reportable.

### **FACTS:**

You have been invited by Chip Block and Leanna Landsmann to attend the Loggerhead Marineline Center Go Blue Dinner. Block and Landsmann sponsored a table at the event and would like you to attend as one of their guests. The Go Blue Awards recognizes individuals, youth, businesses, and nonprofit organizations that are making extraordinary contributions in ocean conservation. As Director of Palm Beach County's Environmental Resources Management (ERM), it would be a relevant attendance and supportive of continuing to establish good relationships. You advised us that neither Block nor Landsmann are vendors of the county or lobbyists or principals or employers of a lobbyist who lobbies the county. Additionally, Block and Landsmann are on the Board of Directors of Sustainable Palm Beach County, a non-profit organization which is also not a vendor, lobbyist or principal or employer of a lobbyist who lobbies the county. The tickets are not being provided by Sustainable Palm Beach County but by Block and Landsmann in their private capacity. As the Director of ERM, you are a state-reporting individual for gift reporting purposes.

### **ANSWER:**

Whether you may accept a gift is based on who is providing the gift and the value of the gift. The Code defines a gift as "the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise, or in any other form, without adequate and lawful consideration."<sup>1</sup> Public employees are prohibited from accepting, directly or indirectly, any gift valued at over \$100 in the aggregate per calendar year from any person or business entity that the employee knows or should know with the exercise of reasonable care is a vendor, lobbyist, or principal or employer of a lobbyist who lobbies, sells, or lease to their public employer.<sup>2</sup> Based on the facts provided, the ticket to the awards dinner would be considered a gift from Chip Block and Leanna Landsmann. As long as Block and Landsmann are not county vendors or lobbyists or principals or employers of a lobbyist who lobbies the county, you are not prohibited from accepting any gifts exceeding \$100 in the aggregate per calendar year from Block or Landsmann.

Although the Code does not prohibit you from accepting the ticket to the awards dinner, you must next determine whether you have to disclose the ticket on a gift form. As a state-reporting individual, state law controls whether you must report the ticket. If the gift of the ticket to the dinner is reportable, you must use the State of Florida Quarterly Gift Disclosure Form

<sup>1</sup> §2-442, Definitions.

<sup>2</sup> §2-444(a)(1), Gift law.

(Form 9).<sup>3</sup> Further, while state law controls the gift reporting requirements for state-reporting individuals, under the Code, any county official or employee who is a state-reporting individual and who is required to file a Form 9 must also file a copy of the Form 9 with the COE within 10 days of filing with the state.<sup>4</sup>

**LEGAL BASIS:**

The legal basis for this opinion is found in the §2-442, §2-444(a)(1) and §2-444(f)(1) of the Code:

**Sec. 2-442. Definitions.**

*Gift* shall refer to the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise of these, or in any other form, without adequate and lawful consideration. Food and beverages consumed at a single setting or a meal shall be considered a single gift, and the value of the food and beverage provided at that sitting or meal shall be considered the value of the gift. In determining the value of the gift, the recipient of the gift may consult, among other sources, Florida Statutes, §112.3148, and the Florida Administrative Code as may be amended.

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

- (a) (1) No county commissioner, member of a local governing body, mayor or chief executive when not a member of the governing body, or employee, or any other person or business entity on his or her behalf, shall knowingly solicit or accept, directly or indirectly, any gift with a value of greater than one hundred dollars (\$100) in the aggregate for the calendar year from any person or business entity that the recipient knows, or should know with the exercise of reasonable care, is a vendor, lobbyist, or any principal or employer of a lobbyist who lobbies, sells, or leases to the county or municipality as applicable.
  
- (f) Gift reports. Any official or employee who receives a gift in excess of one hundred dollars (\$100) shall report that gift in accordance with this section.
  - (1) Gift reports for officials and employees identified by state law as reporting individuals. Those persons required to report gifts pursuant to state law shall report those gifts in the manner provided by Florida Statutes, §112.3148, as may be amended, including, but not limited to, the state's definition of gift, exceptions thereto, and gift valuations. The county code of ethics' definition of gift and exceptions thereto shall not be used by reporting individuals to complete and file state gift reporting disclosures. When a state reporting individual files or is required to file a gift report with the state, a copy of each report shall also be filed with the county commission on ethics no later than ten (10) days after the report is filed with the state. Failure to file a State of Florida Quarterly Gift Disclosure Form with the county commission on ethics within the required timeframe shall be a violation of this section.

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 assume 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 I can be of any further assistance in this matter.

Sincerely,



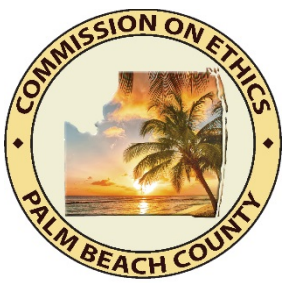
Mark E. Bannon  
Executive Director

CEK/gal

<sup>3</sup> §112.3148, Florida Statutes.

<sup>4</sup> §2-444(f)(1), Gift reports for officials and employees identified by state law as reporting individuals.





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# Palm Beach County Commission on Ethics

## Commissioners

Peter L. Cruise, Chair  
Michael S. Kridel, Vice Chair  
Carol E.A. DeGraffenreidt  
Michael H. Kugler  
Rodney G. Romano

## Executive Director

Mark E. Bannon

October 8, 2021

Ms. Marianne Miles, Councilmember  
Town of Loxahatchee Groves  
155 F Road  
Loxahatchee Groves, FL 33470

Re: RQO 21-015  
Voting Conflict

Dear Councilmember Miles,

The Palm Beach County Commission on Ethics (COE) considered your request for an advisory opinion and rendered its opinion at a public meeting on October 7, 2021.

### **QUESTION:**

- (1) Does the Palm Beach County Code of Ethics (Code) prohibit you from voting on or discussing road and drainage projects taking place along North B Road?
- (2) Does the Code prohibit you from voting on or discussing road and drainage projects taking place along South B Road?
- (3) Does the Code prohibit you from voting on financing that will cover Town projects, including projects on North or South B Road?
- (4) Does the Code prohibit you from voting on or discussing any other matters related to North B Road or South B Road?

### **BRIEF ANSWER:**

In evaluating conflict of interest under the Code, the COE considers 1) the number of persons who stand to gain from a decision and 2) whether the gain or loss is remote and speculative. Each of the questions you asked must be considered individually and are each discussed in the "ANSWER" section of this opinion.

### **FACTS:**

You are a Town Councilmember for the town of Loxahatchee Groves (Town). The Town is approximately 12.5 square miles. Most of the roads within the Town share right-of-way with the Town's canal drainage system.

You and your husband own ten acres of property within the Town. Your property is addressed on B Road, but to access the property, you must drive down B Road, and cross over a canal culvert, and drive on an access easement road, which is not separately named. One five acre lot of your property is considered to have frontage on B Road because it abuts the right-of-way for B Road. Your property is on the north portion of B Road, which runs from North Road to Okeechobee Boulevard (North B Road). The North B Road is the only road available to access your property.

Before running for elected office, you spearheaded a neighborhood effort to petition the Town to pave North B Road, which is 2.015 miles long. The south portion of B Road runs south from Okeechobee Boulevard to Southern Boulevard (South B Road) and is 1.585 miles long. South B Road is already paved.

There are 25 property owners on 28 lots with frontage directly on North B Road, not including those who use the access road but including corner lots that access their property off another road. There are 51 property owners on 59 lots with frontage along North B, including those who use the access road and corner lots that access their property off another road, and 14 more property owners on 15 lots who must use North B Road to access their property.

South B Road has 37 property owners on 43 lots with frontage along South B Road, including those who use the access road and corner lots that access their property off another road, and 43 more property owners on 48 lots who must use South B Road to access their property. Your home is approximately 1.4 miles from Okeechobee Boulevard, the beginning of South B Road.

**ANSWER:**

Section 2-443(a), *Misuse of public office or employment*, prohibits officials from using their official position to give a special financial benefit, not shared with similarly situated members of the general public, to specified entities or persons, including themselves. Similarly, Section 2-443(c), *Disclosure of voting conflicts*, requires officials abstain from voting on and not participate in any matter coming before their board which would result in a special financial benefit to specified persons or entities, including themselves. In the context of the Code, "financial benefit" constitutes any economic gain or loss.<sup>1</sup>

In evaluating conflict of interest under the Code, the COE must first consider whether the gain or loss is remote and speculative. To constitute a prohibited voting conflict, the possibility of a financial gain or loss must be direct and immediate, rather than remote and speculative.<sup>2</sup> Where an official's gain or loss would require many steps and be subject to many contingencies, any gain or loss is remote and speculative and cannot be said to inure to one's special financial benefit.<sup>3</sup>

If the financial benefit is direct and immediate, then the COE must consider the number of persons who stand to gain from a decision. The determination of whether a measure will result in a financial benefit not shared with similarly situated members of the general public turns on the size of the class of persons who stand to benefit from the measure.<sup>4</sup> As the COE has previously opined, there is no bright line in determining the number of individuals who would need to be affected to transform a personal gain or loss into a gain or loss shared with similarly situated members of the general public.<sup>5</sup> In general, where a class is large, a prohibited financial gain would result only if there are circumstances unique to the voting official which would enable him to gain more than the other members of the class. However, where the class of persons who stand to gain from a decision is small, the likelihood of prohibited financial benefit is much greater.<sup>6</sup> The general line drawn by the Florida Commission on Ethics involves situations where the interest of the public official involves 1% or less of the class. In other words, 100 or more affected persons is a sufficiently large class to transform the benefit or loss into one shared by similarly situated members of the public. While the "1% Rule" may be an arbitrary cut-off point, it provides certainty and guidance in an area of the law which otherwise lacks clarity.

**Road and Drainage Projects along North B Road**

Based on the information provided, the possibility of a financial gain through improvements to roads and drainage on North B Road to your property that is located on North B Road is direct and immediate. Your property is directly adjacent to North B Road and would be directly impacted by projects involving the road and drainage in that area.

The question then becomes, given the number of similarly situated members of the general public, whether voting on the road and drainage projects for North B Road will result in a special financial benefit to you. As such, the COE must look at the size of the class affected. Here, the class affected by any road and drainage projects along North B Road is at most 65 property owners. Therefore, your interest in the affected class is 1.53%. Because the class or persons affected is small and your interest exceeds 1.53%, the benefit is considered special and the Code prohibits you from voting on or participating in discussions on road and drainage projects taking place along North B Road. The number of persons or entities directly affected by the drainage project along North B Road is too small a class to be considered similarly situated to members of the general public and the financial benefit received would be considered special. Therefore, when these projects come before the Town Council, you must 1) publicly disclose the nature of your conflict before the Town Council discusses the matter; 2) abstain from voting and discussing or otherwise participating in the matter; and 3) file a state voting conflict form (8B) with the Town Clerk and submit a copy to the COE.<sup>7</sup>

**Road and Drainage Projects along South B Road**

Based on the information provided, any potential financial benefit to you from a vote on road and drainage projects along South B Road would be remote and speculative. Your property is not adjacent to South B Road. It is over a mile away from your property and is not the access road used to reach your property. Therefore, based on the location of your property, the potential for any financial benefit to you from a vote on road and drainage projects along South B Road would be remote and speculative at best. Because the road and drainage projects to South B Road would have no direct and immediate financial benefit to you, you are not prohibited from participating in and voting on these projects.

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<sup>1</sup> RQO 10-013

<sup>2</sup> RQO 12-063

<sup>3</sup> CEO 05-15, CEO 91-61, CEO 12-19

<sup>4</sup> RQO 14-006; RQO 31-011

<sup>5</sup> RQO 10-013

<sup>6</sup> See CEO 92-37 (two percent or eight percent of the property to be affected or 5 of 60 sites and 5 of 168 sites is of sufficient size to result in a "special" gain); CEO 93-19 (measure to construct a sidewalk affecting 40 homes would not affect enough persons in order for its effect not to be considered "special" under the voting conflicts law).

<sup>7</sup> Sec. 2-443(c)

**Vote on Financing of Town Projects, Including Projects on North B Road or South B Road**

The Code does not prohibit you from voting on the budget as a whole when it includes the financing of all Town projects.<sup>8</sup> However, if the budget is discussed "line by line" or the financing of each project is discussed separately, you must not participate in the discussions or vote on any "line-by-line" budget issue concerning the road and drainage projects along North B Road, since the financing of those projects would involve a special financial benefit to you. In order to comply with the Code, you must 1) publicly disclose the nature of the conflict before the Town Council discusses the issue, 2) abstain from participating in discussions and voting on the matter, and 3) file a state voting conflict form (8B) with the Town Clerk and submit a copy to the COE.<sup>9</sup>

**Other Matters Related to North B Road or South B Road**

Since this question is general in nature and involves speculative factual scenario, the Commission cannot opine other than to offer general guidelines under the Code. The Code prohibits you from using your position as a Town Councilmember in any way, including voting on or participating in a matter, to give a special financial to specified persons or entities.<sup>10</sup> In addition, the Code prohibits you from using your position as a Town Councilmember to corruptly secure a special benefit for yourself or others.<sup>11</sup> Each advisory opinion is based upon a unique set of facts and circumstances. Whether a matter rises to the level of a voting conflict will be based upon the facts and circumstances presented to the COE. Best practice would be to request guidance from the COE when you are unsure if you have a prohibited conflict of interest regarding a matter coming before the Town Council.

**LEGAL BASIS:**

The legal basis for this opinion is found in the §2-443(a) and §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, 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:
- (5) A customer or client of the official or employee's 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 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 88 pursuant to the requirements of Florida Statutes, §112.3143. Simultaneously with filing Form 88, 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 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 assume 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 I can be of any further assistance in this matter.

Sincerely,

Mark E. Bannon  
Executive Director

CEK/gal

<sup>8</sup> RQO 16-003

<sup>9</sup> Sec. 2. 443(c)

<sup>10</sup> Sec. 2-443(a); Sec. 2-443(c)

<sup>11</sup> Sec. 2-443(b)