

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

SEPTEMBER 3, 2020

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

**WEBEX TELECONFERENCE
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 – Arrived later

STAFF:

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

ADMINISTRATIVE STAFF:

Julie Burns, Deputy Clerk, Clerk & Comptroller's Office

III. INTRODUCTORY REMARKS – None

IV. APPROVAL OF MINUTES FROM AUGUST 6, 2020

MOTION to approve the August 6, 2020 minutes. Motion by Michael Kugler, seconded by Michael Kridel, and carried 4-0. Rodney Romano absent.

V. **DISCUSSION OF CANDIDATES TO BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEM TO APPOINT TWO (2) CANDIDATES TO THE REVIEW COMMITTEE FOR THE ETHICS ORDINANCES**

Mark Bannon, COE Executive Director, said that:

- The creation of a review committee was required to make changes to any COE documents.
- The Board of County Commissioners (BCC) appointed 2 candidates, the Palm Beach County League of Cities (League) appointed 2 candidates, and the remaining drafting committee members included the COE executive director and the general counsels for the League and the County Attorney's Office.
- He suggested sending the BCC the following suggested names for consideration:

(CLERK'S NOTE: Rodney Romano joined the meeting.)

- Vicki Chouris, President, Leadership Palm Beach County (Leadership); Roberta Journey, Quantum House Chief Executive Officer; David Baker, an attorney and former member of the Palm Beach County Ethics Ordinances Drafting Committee; and Jeri Muoio, former mayor for the City of West Palm Beach.
- Three of the prospective candidates were contacted about serving on the review committee, but no one has responded.

Chair Peter Cruise said that no one of color was listed as a candidate.

Commissioner Michael Kugler said that it was important to have a cross-section of the community to review COE ordinances. He asked whether any other names would be submitted to the BCC and whether the BCC could choose candidates outside of the suggested names.

Mr. Bannon said that staff from various organizations could also submit names.

Commissioner Kugler suggested submitting candidates who were African American and Hispanic.

Commissioner Carol DeGraffenreidt said that candidates should represent a broad spectrum of the community.

Vice Chair Kridel said that he concurred with the other COE members.

Commissioner Kugler suggested considering a candidate with significant connections to the western communities.

Mr. Bannon said that:

- Candidate's names could be submitted at any time before the next meeting.
- It was better to submit candidates who were more objective about the COE's Code of Ethics.

Gina Levesque, COE Intake and Compliance Manager, said that due to computer audio issues, Commissioner Romano wrote a comment to everyone that he supported and commended Chair Cruise for his proactive stance.

Mr. Bannon said that:

- COE members could email him with suggested candidates, and he would contact them to see if they were interested in becoming a member.
- COE members could also contact prospective candidates, who should be informed that only 2 candidates would be chosen.

Commissioner Kugler suggested that candidates submit their credentials.

Commissioner DeGraffenreidt said that to prevent duplication, suggested names should be sent to all COE members.

Mr. Bannon said that due to potential Sunshine Law issues, COE members should submit names to him.

Ms. Levesque suggested that potential candidates be informed as to how long they would be serving on the review committee.

Mr. Bannon said that the review committee would determine how often to meet or how many meetings were needed. He added that unlike the upcoming ordinance changes, the 2015 changes were only procedural in nature that involved hearings.

Commissioner Kugler said that the candidates should expect to meet at least twice to review and discuss the ordinance documentation.

Mr. Bannon added that the meetings would include minutes, and the COE members could submit names starting today.

VI. DISCUSSION ABOUT HOLDING OCTOBER, NOVEMBER, AND DECEMBER COE MEETINGS VIA WEBEX

Mr. Bannon said that:

- The County was still in Phase 1 regarding the COVID-19 epidemic, and a request to go to Phase 2 was sent to Governor Ron DeSantis.
- Wearing masks in public buildings would still be required if the County went to Phase 2.

Ms. Levesque said that County staff met with Governor DeSantis, and Phase 2 would begin September 8, 2020.

Commissioner Kugler supported continuing the COE meetings by video conference, but he would not oppose holding them in the commission chambers. He added that everyone should be cognizant of any commissioners with health issues that could make them more susceptible to the COVID-19 virus.

Commissioner DeGraffenreit and Vice Chair Kridel said that they supported Commissioner Kugler's suggestion.

Ms. Levesque said that Commissioner Romano sent her a text stating that he preferred video conferencing, but would attend in person if necessary because social distancing was currently in effect.

Chair Cruise said that by consensus, the October meeting would be via WebEx, and a determination would be made about the November meeting.

VII. EXECUTIVE DIRECTOR COMMENTS

VII.a.

DISCUSSED: Expression of Gratitude.

Mr. Bannon thanked everyone for their well wishes and gifts while he was ill.

VII.b.

DISCUSSED: September 16, 2020 COE Hearing.

Mr. Bannon said that:

- The September 16, 2020 WebEx COE hearing scheduled for 11:00 a.m. before Thomas Dougherty involved a motion for summary judgment regarding the Lynn Hubbard case.

- The case would not come back before the COE because it was under the earlier Code of Ethics ordinance.

VIII. COMMISSION COMMENTS

VIII.a.

DISCUSSED: Welcome.

Commissioner Kugler said that he welcomed back Mr. Bannon.

VIII.b.

DISCUSSED: Expression of Gratitude.

Ms. Levesque said that Commissioner Romano sent her a text stating that he was happy to hear that Mr. Bannon was well.

IX. PUBLIC COMMENTS – None

X. ADJOURNMENT

At 1:55 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair