

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

MAY 6, 2021

**THURSDAY
1:30 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 – Absent

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:

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

III. INTRODUCTORY REMARKS - None

IV. APPROVAL OF MINUTES FROM APRIL 1, 2021

MOTION to approve the April 1, 2021 minutes. Motion by Carol DeGraffenreidt, seconded by Michael Kugler, and carried 4-0. Rodney Romano absent.

RECESS

At 1:31 p.m., the chair declared the meeting recessed for an executive session.

RECONVENE

At 2:06 p.m., the meeting reconvened, and at Chair Cruise's request for a roll call, Commissioners DeGraffenreidt, Kridel, and Kugler. Commissioner Romano was absent.

V. EXECUTIVE SESSION – C21-004

VI.a.

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

Mark E. Bannon, Executive Director of the Palm Beach County Commission on Ethics (COE); filed the above-referenced complaint on February 25, 2021, against Respondent, Gary Brandenburg, the former City Attorney for the city of Pahokee, alleging that Respondent gave a gift over \$100 to a city official, in violation of Section 2-444(a)(2) of the Palm Beach County Code of Ethics.

Pursuant to §2-258(a) 1 of the Palm Beach County Commission on Ethics Ordinance, the COE is empowered to enforce the Palm Beach County Code of Ethics. On May 6, 2021, the Commission conducted a hearing and reviewed the Memorandum of Inquiry, the Report of Investigation, the Probable Cause Recommendation, and the Negotiated Settlement Agreement submitted by the COE Advocate and the Respondent. After an oral statement by the Advocate and the Respondent, the Commission found that probable cause existed to believe that a violation of the Palm Beach County Code of Ethics had occurred and issued a Letter of Instruction pursuant to Section 2s260.3 of the Commission on Ethics Ordinance after determining that the violation was unintentional, inadvertent, or insubstantial.

Therefore, it is:

ORDERED AND ADJUDGED that the complaint against Respondent, Gary Brandenburg, is hereby DISMISSED and a Letter of Instruction is issued.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on May 6, 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. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)

VI.a. RQO 21-006

VI.b. RQO 21-007

VI.c. RQO 21-008

MOTION to approve the consent agenda. Motion by Michael Kugler, seconded by Michael Kridel, and carried 4-0. Rodney Romano absent.

VII. EXECUTIVE DIRECTOR COMMENTS

Mark Bannon, COE Executive Director, stated that in June the ethics ordinance changes were going before the BCC and the final hearing was scheduled on the 2nd and 3rd for Lynne Hubbard.

VIII. COMMISSION COMMENTS – None

IX. PUBLIC COMMENTS – None

X. ADJOURNMENT

At 2:15 p.m., the chair declared the meeting adjourned.

APPROVED:



Chair/Vice Chair