



Palm Beach County Commission on Ethics

Commissioners

Kristin Vara-Garcia, Chair
Michael S. Kridel, Vice Chair
Rodney Romano
Peter L. Cruise

Executive Director

Christie Kelley

Honesty - Integrity - Character

In Re: Richard Burgess

C23-031

LETTER OF REPRIMAND

Pursuant to a settlement agreement between you and the Advocate for the Palm Beach County Commission on Ethics to finalize this case, you have waived your right to a public final hearing and admitted to a violation of §2-443(h), *Honesty in applications for positions*, of the Palm Beach County Code of Ethics. The settlement agreement in this case provides for you to accept this letter of reprimand.

Section 2-443(h), *Honesty in applications for positions*. ***Honesty in applications for positions***. No person seeking to become an official or employee, or seeking any promotion or job reassignment within the public entity that currently employs them, or seeking to enter into a contract or otherwise seeking to provide goods or services to the county or municipality as applicable, may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with employment by or services to the county or municipality as applicable.

- **Facts**

You were a citizen applicant to a city of Delray Beach advisory board. After several people contacted Commission on Ethics staff about possible dishonesty on your application, a Commission on Ethics investigator discovered that there were multiple instances where you provided false or inaccurate information on your application. Ultimately, the investigation concluded that in order to increase your chances of appointment, you falsified the business address of "Dealers Pro Choice Charters LLC." The false address placed this business within a "tax qualified" area of the DDA and raised your odds of DDA appointment by 600%.

Your electronically signed applications which contained the following oath, "I understand the duties and responsibilities of the board(s) for which I am applying. By signing below, I warrant the truthfulness and accuracy of the information provided in this application... I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance." During the course of the application process, the tax qualified address you listed for Dealers Pro Choice Charters, LLC, was for a building in Delray Beach owned by Menin Development, Inc. While this company does rent out office space to businesses, the lease/account manager confirmed that neither you, Richard Burgess, nor your business, Pro Choice Charters, LLC, had ever been a tenant at the address you declared on your application.

- **Holding**

Your actions constituted violations of the Palm Beach County Code of Ethics.

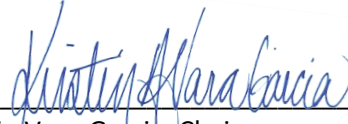
The Palm Beach County Commission on Ethics is of the strong belief that all public employees and officials are responsible for making sure their actions fully comply with the law and are beyond reproach. As an applicant for an appointment to an advisory board, you were an agent of the people and held a position for the benefit of the public. The people's confidence in their government is eroded when they perceive that official actions may be based upon private goals rather than the public welfare. Any violation of the Palm Beach County Code

of Ethics contributes to the erosion of public confidence and confirms the opinion of those who believe the worst about local government and public officials and employees.

You are hereby admonished and urged to consider the letter and spirit of the Palm Beach County Code of Ethics and apply them in all future actions as a member of a board for any county or municipality to which you may be appointed.

This Letter of Reprimand is issued by the Palm Beach County Commission on Ethics on this 7th day of March, 2024.

By:



Kristin Vara-Garcia, Chair

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