



## Legislation Details (With Text)

<b>File #:</b>	18-2594	<b>Name:</b>	REQUEST FOR REIMBURSEMENT OF LEGAL FEES INCURRED BY MAYOR ANNE GERWIG RELATING TO SUCCESSFUL DEFENSE OF ETHICS COMPLAINTS
<b>Type:</b>	Discussion Item	<b>In control:</b>	Village Council
<b>On agenda:</b>	1/8/2019	<b>Final action:</b>	
<b>Title:</b>	REQUEST FOR REIMBURSEMENT OF LEGAL FEES INCURRED BY MAYOR ANNE GERWIG RELATING TO SUCCESSFUL DEFENSE OF ETHICS COMPLAINTS		
<b>Code sections:</b>			
<b>Attachments:</b>	1. R2015-73, 2. Gerwig Notice of Retaining Counsel, 3. 2. Cominsky w-Invoices and Final Order, 4. Gerwig E-mail		

Date	Ver.	Action By	Action	Result
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### **ITEM: REQUEST FOR REIMBURSEMENT OF LEGAL FEES INCURRED BY MAYOR ANNE GERWIG RELATING TO SUCCESSFUL DEFENSE OF ETHICS COMPLAINTS**

**REQUEST:** Approval of reimbursement of legal fees in the amount of \$6,750.00 incurred by Mayor Anne Gerwig in successfully defending Ethics Complaints.

**EXPLANATION:** On September 24, 2015, the Village Council passed Resolution No. 2015-73 adopting a policy for reimbursement of attorney's fees and costs incurred by City Officials, Advisory Board Members and Employees in successfully defending ethics complaints.

Beginning in July, 2016 through May 19, 2017, two ethics complaints were filed against Mayor Gerwig alleging misuse of public office, conflicting employment or contractual relationship, and voting conflict of interest. On October 24, 2018, the Florida Commission on Ethics issued its Public Report finding no probable cause as to any of the allegations in the complaints.

Mayor Gerwig retained the Coates Law Firm to represent her in defending the complaints. The total fees paid by the Mayor to the Coates Law Firm were \$6,750.00.

In accordance with the Village's Reimbursement Policy, a claim in the amount of \$6,750.00 was submitted to the Florida League of Cities for reimbursement under the Village's insurance policy. The insurance policy provides for a fifty (50%) percent reimbursement for legal fees incurred in successfully defending an ethics complaint. The amount of \$3,415.63 has been paid by FMIT to the Village of Wellington. These funds must be paid to the Mayor as partial reimbursement for fees she has already paid.

Based upon the foregoing, the balance of the legal fees incurred by Mayor Gerwig in the amount of \$3,334.37 in successfully defending the allegations contained in the ethics complaints is reimbursable under the Village's Reimbursement Policy.

**BUDGET AMENDMENT REQUIRED:** No - Funds for the reimbursement are available in Risk Management Budget

**PUBLIC HEARING:** NO

**QUASI-JUDICIAL:**

**FIRST READING:**

**SECOND READING:**

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** \$6,750.00

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Approval of reimbursement of legal fees in the amount of \$6,750.00, \$3,415.63 of which has already been paid to the Village by FMIT, and the balance of \$3,334.37 to be paid from previously budgeted risk management funds.