



FEB 02 2024

COMPLAINT

RECEIVED

24-024

ORIGINAL

1. PERSON BRINGING COMPLAINT:

Name: Jeremy Davis Telephone Number: 386-275-6084
 Address: 66 Perrotti Lane
 City: Palm Coast County: Flagler State: FL Zip Code: 32164

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

Use a separate complaint form for each person you wish to complain against:

Name: Edward Danko Telephone Number: _____
 Address: 56 WASSERMAN DRIVE or 160 Lake Avenue (City Hall)
 City: Palm Coast County: Flagler Zip Code: 32164
 Title of office or position held or sought: Palm Coast Deputy Mayor

3. STATEMENT OF FACTS:

Please provide a full explanation of your complaint, describing the facts and the actions of the person named above and why you believe he or she violated the law. Include relevant dates and the names and addresses of persons whom you believe may be witnesses. Please do not submit more than 15 pages, including this form. Please do not submit video or audio tapes, CDs, DVDs, flash drives or other electronic media; such material will not be considered part of the complaint and will be returned.

4. OATH

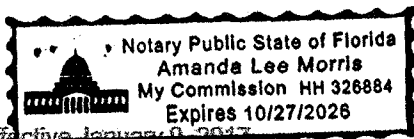
STATE OF FL
 COUNTY OF Flagler

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 23 day of January, 20 24, by Jeremy Davis (name of person making statement)

[Signature]
 SIGNATURE OF COMPLAINANT

Amanda Lee Morris
 (Signature of Notary Public)



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification
 Type of Identification Produced: D/L

Ref: Florida Commission on Ethics - Complaint
Respondent – Deputy Mayor, Edward Danko

Dear Florida Commission of Ethics,

Deputy Mayor, Edward Danko has not completed or filed any Form 8B (Memorandum of Voting conflict for County, Municipal and other Local Public Officers), which is require under Florida Statute. (Exhibit A)

I believe, he is wrongfully and unlawfully, violating Florida Statute 211.3143 – Voting Conflict. 211-3143(b), (Public Official), 211-3143(d) (Special Profit Gain or Loss – Business Associate). He refuses to follow the guidelines under, 211-3143 or 112-312(2). And possible other violations.

Deputy Mayor, Edward Danko is refusing to recognize any conflict of interest, even where he knows it may exist.

On September 19, 2023, Deputy Mayor, Edward Danko, voted on the first read of this ordinance.

1. Ordinance 2024-XX Voluntary Annexation of approximately 62.1-acre parcel, generally located on the east side of Old Kings Road, approximately 2.5 miles south of State Road 100 (Old Kings Village).

On September 25, 2023, Deputy Mayor, Edward Danko received a campaign donation, in the amount of \$1,000.00 from Geosam Capital US, 1275 West Granada Blvd, Ste 3B, Ormond Beach, FL 32174. (Exhibit B),

Geosam Capital US (Florida) LLC is the owner of the property a/k/a Old Kings Village. (Exhibit C),

On December 5, 2023, Mayor Deputy, Edward Danko, voted on a motion to continue both ordinances. Deputy Mayor, Edward Danko, did not mention any conflict of interest prior to the vote. (Exhibit D)

1. Ordinance 2023-xx A comprehensive Plan amendment from county designation of residential low density and commercial low intensity to city designation of residential and mix-use with sit specific policy to limit development on 62.3 +/- Acres (Old Kings Village).

2. Ordinance 2024 -224-XX Old Kings Village Rezoning- Application No. 5506

January 2, 2024, Deputy Mayor, Danko did not refrain from voting or mention any conflict of interest. Deputy Mayor Danko, voted to postpone to January 16, 2024. On the following ordinances. (Exhibit E)

1. Ordinance 2023-xx A comprehensive Plan amendment from county designation of residential low density and commercial low intensity to city designation of residential and mix-use with sit specific policy to limit development on 62.3 +/- Acres (Old Kings Village).

2. Ordinance 2024 -224-XX Old Kings Village Rezoning- Application No. 5506

January 16, 2024 - Agenda (Exhibit F) – Minutes aren't available yet, But you can review the video on the City of Palm Coast Council Meetings.

I went up to the podium and discussed conflict of interest and voting on items where conflict may exist.

The next item on the agenda was Old Kings Village. Whose owner, Geosam Capital donated \$1000.00 to Mr. Danko's campaign back on September 25, 2023.

Once again, Deputy Mayor did not refrain from voting or mention any conflict of interest prior. Deputy Mayor Danko, voted to approve agreement between owner and residents.

1. Ordinance 2023-xx A comprehensive Plan amendment from county designation of residential low density and commercial low intensity to city designation of residential and mix-use with sit specific policy to limit development on 62.3 +/- Acres (Old Kings Village).

2. Ordinance 2024 -224-XX Old Kings Village Rezoning- Application No. 5506.

Resource – Websites links for additional information

1. The City of Palm Coast City Council Meetings – Agenda, Minutes and Audio
<https://www.palmcoastgov.com/agendas/city-council> September 19, 2023, December 5, 2023, January 2, 2023, January 16, 2024 (minutes).
2. The City of Palm Coast Connect – Palmcoast.gov. – Public Record request -
<https://www.palmcoast.gov/connect> -. Also, to request a copy of Form B8
3. Geosam Capital US (Florida) LLC <https://dos.fl.gov/sunbiz/>
4. Flagler County Supervisor of Elections - <https://www.flaglerelections.gov/>
How to navigate -Flagler County Supervisor of Elections - To Find campaign contributions.
 1. Go to site.
 2. Click on Upcoming Elections – stroll down.
 3. View Local Candidates – click on and stroll down.
 4. County Commissioner District 5
 5. Click on Ed Dankos name.
 6. Right above picture, List all Contributions. Click on
 7. Stroll down to Geosam Capital donation.

Thank you for contacting the City of Palm Coast ref:!00D1U0qfHJ.!5005b028tLmi:ref

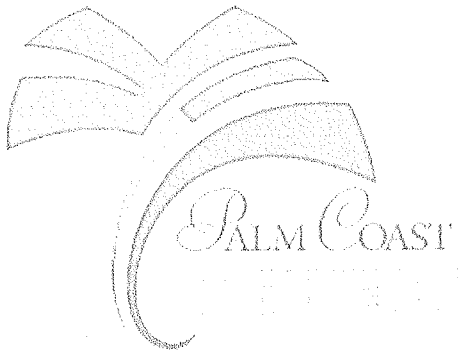
2 messages

City of Palm Coast <customer-service2@palmcoastgov.com>

Thu, Jan 18, 2024 at 9:20 AM

To: " " < "do_not_reply@palmcoastgov.com"

<do_not_reply@palmcoastgov.com>



The City of Palm Coast has completed your request.

There are no records responsive to your request. Thank you.

Good morning

There are no documents responsive to the request. Please let me know if you need any additional assistance and I would be happy to help.

Sincerely,

Kaley Cook

City Clerk

Reference Number:

00214633

Subject:
8B Form

Description:

Good morning! I am requesting to know if a 8B Form was completed by Ed Danko as of January 16, 2024, For application 5276 or Old Kings Village?

B

Candidate: Ed Danko

Office: County Commission District 5

Campaign Treasurer's Report – Itemized Contributions

Seq#	Contributor	Entity	Occupation	Cont. Type	Amount
Date			Amend		
#1	Ed Danko	Candidate	Retired	Loan	
6/12/2023	56 Wasserman Drive Palm Coast, FL 32164	to Themselves			\$1,000.00
#2	Ed Danko	Candidate	Retired	Loan	
6/13/2023	56 Wasserman Dr Palm Coast, FL 32164	to Themselves			\$24,000.00
#3	Yellow Star Holdings LLC	Business	Investment	Check	
6/13/2023	6869 W. State Highway 100 Bunnell, FL 32110				\$1,000.00
#4	MD Distribution LLC	Business	MetalRoofing	Check	
6/26/2023	186 SR 207 East Palatka, FL 32131				\$1,000.00
#5	Law Office of James Manfre	Business	Law Firm	Check	
7/1/2023	389 Palm Coast Pkwy STE 4 Palm Coast, FL 32137				\$500.00
#6	Rchard Hoover	Individual		Check	
7/7/2023	44 Boulder Rock Dr Palm Coast, FL 32137				\$100.00
#7	Kathleen Newland	Individual		Check	
7/12/2023	66 Fountain Gate LN Palm Coast, FL 32137				\$25.00

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9/16/2023	100 Bunnell, FL 32110				\$1,000.00
#29	Coastal Collections LLC	Business	RealEstate	Check	
9/16/2023	6869 W Highway 100 Bunnell, FL 32110				\$1,000.00
#30	Nina Dessner	Individual		Check	
9/22/2023	21 Barkwood Ln Palm Coast, FL 32137				\$50.00
#31	Geosam Capital US	Business	InvestmentFirm	Check	
9/25/2023	1275 West Granda Boulevard Site 3B Ormond Beach, FL 32174				\$1,000.00
#32	Martin Pham	Individual	InvestmentOfficer	Check	
9/25/2023	6658 Merryvale Ln Port Orange, FL 32128				\$1,000.00
#33	Beverly McGowan	Individual		Check	
8/28/2023	6 Curry Ct Palm Coast, FL 32137				\$25.00
#34	Florida Waterway Sales	Business	RealEstate	Check	
10/9/2023	PO Box 353460 Palm Coast, FL 32135				\$1,000.00
#35	Denise Bunch	Individual	Photographer	Check	
10/9/2023	164 W Village Dr St. Augustine, FL 32095				\$1,000.00
#36	Kenneth Belshe	Individual	Broker	Check	
10/9/2023	164 W Village Dr St. Augustine, FL 32095				\$1,000.00
#37	Keven Andersen	Individual	LandManagement	Check	
10/27/2023	4050 Gulfstream Dr Jacksonville Beach, FL 32250				\$1,000.00

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Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Foreign Limited Liability Company
GEOSAM CAPITAL US (FLORIDA) LLC

Filing Information

Document Number M20000005469
FEI/EIN Number 30-1128798
Date Filed 06/16/2020
State DE
Status ACTIVE

Principal Address

1275 W Granada Blvd
STE 3B
ORMOND BEACH, FL 32174

Changed: 11/02/2022

Mailing Address

1275 W Granada Blvd
STE 3B
ORMOND BEACH, FL 32174

Changed: 11/02/2022

Registered Agent Name & Address

COLEMAN, AMBER LYNN
1275 W. Granada Blvd., Suite 3B
Ormond Beach, FL 32174

Address Changed: 04/06/2023

Authorized Person(s) Detail

Name & Address

Title MGR

ARMOYAN, GEORGE
168 Hobsons Lake Drive, Suite 300
Halifax, NS B3S 0G4 CA

Title P



**City of Palm Coast
Minutes
COUNCIL BUSINESS
MEETING**

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

D

Tuesday, December 5, 2023

6:00 PM

COMMUNITY WING

City Staff

Denise Bevan, City Manager

Neysa Borkert, City Attorney

Kaley Cook, City Clerk

- Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- Other matters of concern may be discussed as determined by City Council.
- If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
- In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- City Council Meetings are streamed live on YouTube at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while meeting is in session.
- Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter 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.

A. CALL TO ORDER

Mayor Alfin called the meeting to order at 6 p.m.

B. PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE

C. ROLL CALL

City Clerk Kaley Cook called the roll. Council Member Klufas was absent.

D. PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council's Meeting Policies and Procedures:

- (1) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.

Motion by Vice Mayor Danko, seconded by Council Member Pontieri to approve the minutes of the November 7, 2023, Business Meeting. The motion passed unanimously.

Motion by Vice Mayor Danko, seconded by Council Member Pontieri to approve the minutes of the November 14, 2023, Workshop Meeting. The motion passed unanimously.

Motion by Council Member Pontieri, seconded by Vice Mayor Danko to approve the minutes of the November 14, 2023, Special Business Meeting. The motion passed unanimously.

Motion by Vice Mayor Danko, seconded by Council Member Pontieri to approve the minutes of the November 28, 2023, Special Workshop Meeting. The motion passed unanimously.

F. PROCLAMATIONS

2. PROCLAMATION - DECEMBER 9, 2023, AS PALM COAST HOLIDAY BOAT PARADE DAY

Mayor Alfin provided the Proclamation to Sarah Yulis, a representative of the Holiday Boat Parade.

Ms. Yulis shared comments and thanks to City staff.

City Council then moved to item 9.

G. ORDINANCES SECOND READ

3. ORDINANCE 2023-XX A COMPREHENSIVE PLAN AMENDMENT FROM COUNTY DESIGNATION OF RESIDENTIAL LOW DENSITY AND COMMERCIAL-LOW INTENSITY TO CITY DESIGNATION OF RESIDENTIAL AND MIXED-USE WITH SITE SPECIFIC POLICY TO LIMIT DEVELOPMENT ON 62.3+/- ACRES

This item was heard after item 9 on the agenda.

Attorney Borkert read the title into the record.

Ray Tyner, Deputy Chief Development Officer, provided a background of the item.

Jose Papa, Senior Planner, presented the topic to Council. Topics presented included: background, proposed Future Land Use Map Amendment, Findings, and Recommendation.

Mr. Chiumento, on behalf of the applicant, shared that there have been no changes since the first reading.

Mayor Alfin asked for an update on communications between the parties.

Mr. Chiumento shared discussions with the Homeowners Association.

Attorney Borkert provided clarification for dwelling units per acre and discussed the procedure for continuance of the item.

Pass

Motion made to continue by Vice Mayor Danko and seconded by Council Member Heighter

Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Theresa Pontieri, Council Member Cathy Heighter

4. ORDINANCE 2023-XX OLD KINGS VILLAGE REZONING - APPLICATION NO. 5506

Attorney Borkert read the title into the record and called for any ex parte communications.

Mayor Alfin asked the representatives of the Polo Club West Homeowners Association to invite their members to attend the meetings so that everyone can get to a finish line on the item.

Public Comment:

Christine Krauss, resident of Polo Club West, shared a letter from Bonnie Spillers, also a resident of Polo Club West, who could not attend the meeting and who owns the lot next to lot 34 that has been discussed during this meeting. Ms. Krauss shared the request from Ms. Spillers and the residents of Polo Club West to fence lot 34.

Council Member Pontieri shared discussion and information related to the designation of Comm-1 and Comm-2 and asked City Council to consider whether the property should be zoned to residential and Comm-1 versus residential and Comm-2.

Pass

Motion made to continue by Vice Mayor Danko and seconded by Council Member Pontieri

Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Theresa Pontieri, Council Member Cathy Heighter

5. ORDINANCE 2023-18 AMENDING CHAPTER 35, NUISANCES, OFFENSES, AND MISCELLANEOUS PROVISIONS, ARTICLE III OF THE CODE OF ORDINANCES, DIVISION 2, CONCERNING DOOR-TO-DOOR SOLICITATION LICENSES

Attorney Borkert read the title into the record and shared that there have been no updates to the item.

Public Comment:

There were none.

Pass



**City of Palm Coast
Minutes
City Council Business
Meeting**

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

**Mayor David Alfin
Vice Mayor Ed Danko
Council Member Cathy Heigher
Council Member Nick Klufas
Council Member Theresa Pontieri**

Tuesday, January 2, 2024

6:00 PM

City Hall - Community Wing

City Staff

Denise Bevan, City Manager

Neysa Borkert, City Attorney

Kaley Cook, City Clerk

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A. CALL TO ORDER

Mayor Alfin called the meeting to order at 6 p.m.

B. PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE

C. ROLL CALL

City Clerk Kaley Cook called the roll. All members were present.

D. PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council's Meeting Policies and Procedures:

Teri Vientrelli shared information from staff regarding infill lot elevation and surrounding lots and concern for rushed efforts from builders over the next few weeks.

Melissa Cavalaro, resident of Seminole Woods, discussed case numbers and flooding in her home.

Scott Schidel shared support for the action taken by Council and provided a recommendation for seeking outside expertise.

Jeremy Davis clarified the case numbers.

The motion passed unanimously.

E. MINUTES

1. MINUTES OF THE CITY COUNCIL: DECEMBER 19, 2023, BUSINESS MEETING

Pass

Motion made to approve by Vice Mayor Danko and seconded by Council Member Pontieri

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Pontieri, Council Member Cathy Heighter

F. ORDINANCES SECOND READ

2. ORDINANCE 2024-XX A COMPREHENSIVE PLAN AMENDMENT FROM COUNTY DESIGNATION OF RESIDENTIAL-LOW DENSITY AND COMMERCIAL-LOW INTENSITY TO CITY DESIGNATION OF RESIDENTIAL AND MIXED-USE WITH SITE SPECIFIC POLICY TO LIMIT DEVELOPMENT ON 62.3+/- ACRES

Attorney Garganese read the title into the record.

Jose Papa, Senior Planner, presented the topic to Council. Topics presented included: background, proposed future land use map amendment, transmittal to State agencies, findings, and Planning and Land Development Regulation Board recommendation.

Council Member Pontieri referenced Mayor Alfin's discussed concerns from prior meetings and asked if there are any remaining concerns not addressed.

Mr. Hoover, Senior Planner, provided a response regarding the history of the item, neighborhood meeting, and provided a response to concerns raised.

Michael Chiumento, on behalf of the applicant, provided details in response to questions from City Council.

City Council held discussion with Mr. Chiumento and Mr. Bayer on the outstanding items.

Council Member Pontieri discussed compatibility and preserving the original PUD.

Pass

Motion made to postpone to date certain of January 16, 2024, by Vice Mayor Danko and seconded by Council Member Pontieri

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Pontieri, Council Member Cathy Heighter

3. ORDINANCE 2024-XX OLD KINGS VILLAGE REZONING - APPLICATION NO. 5506

Attorney Garganese read the title into the record.

Mayor Alfin shared a reminder that the item accompanied the item just heard.

Public Comment:

Dennis McDonald did not support the item coming forward for consideration.

Motion made to postpone to date certain of January 16, 2024, by Vice Mayor Danko and seconded by Council Member Pontieri

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Pontieri, Council Member Cathy Heighter

4. ORDINANCE 2024-01 A FLUM AMENDMENT FOR 375+/- ACRE AREA FROM COUNTY DESIGNATION OF RESIDENTIAL LOW DENSITY/RURAL ESTATE AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF RESIDENTIAL AND CONSERVATION WITH POLICY TO LIMIT DEVELOPMENT TO 850 UNITS

Attorney Garganese read the title into the record.

Jose Papa, Senior Planner, presented the topic to Council. Topics presented included: background and item for consideration.

Council Member Pontieri asked how the land use designation legal description had changed between what was brought to the Planning and Land Development Regulation Board and to City Council for a vote.

Mr. Papa responded that there were no changes to the legal description. Additionally, Mr. Papa shared the comment and request from the applicant.

Council Member Pontieri asked Mr. Papa if the applicant's claim is that the "hook" piece, or the JTL property, was not to be included in the planning area.



**City of Palm Coast
Agenda
City Council Business
Meeting**

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

Tuesday, January 16, 2024

9:00 AM

City Hall - Community Wing

City Staff

**Denise Bevan, City Manager
Neysa Borkert, City Attorney
Kaley Cook, City Clerk**

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A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE

C. ROLL CALL

D. PROCLAMATIONS AND PRESENTATIONS

- 1. PROCLAMATION - JANUARY 2024 AS STALKING AWARENESS MONTH**
- 2. PROCLAMATION - JANUARY 2024 AS HUMAN TRAFFICKING AWARENESS MONTH**
- 3. PRESENTATION - TECHNICAL MANUAL UPDATE FOR INFILL LOTS**

E. PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council’s Meeting Policies and Procedures:

- (1) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (2) The Public may provide comments to the City Council relative to matters not on the agenda at the times indicated in this Agenda. Following any comments from the public, there may be discussion by the City Council.
- (3) When addressing the City Council on specific, enumerated Agenda items, speakers shall:
 - (a) direct all comments to the Mayor;
 - (b) make their comments concise and to the point;
 - (c) not speak more than once on the same subject;
 - (d) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;
 - (e) obey the orders of the Mayor or the City Council; and
 - (f) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.
- (4) Any person who becomes disorderly or who fails to confine his or her comments to the identified subject or business, shall be cautioned by the Mayor and thereafter must conclude his or her remarks on the subject within the remaining designated time limit.

Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

Members of the public may make comments during the public comment portion of the meeting. Please be advised that public comment will only be permitted during the public comment portions of the agenda at the times indicated by the Chair during the meeting.

F. MINUTES

- 4. **MINUTES OF THE CITY COUNCIL:**
 - JANUARY 2, 2024, BUSINESS MEETING
 - JANUARY 9, 2024, WORKSHOP MEETING

G. ORDINANCES SECOND READ

- 5. **ORDINANCE 2024-XX A COMPREHENSIVE PLAN AMENDMENT FROM COUNTY DESIGNATION OF RESIDENTIAL-LOW DENSITY AND COMMERCIAL-LOW INTENSITY TO CITY DESIGNATION OF RESIDENTIAL AND MIXED-USE WITH SITE SPECIFIC POLICY TO LIMIT DEVELOPMENT ON 62.3+/- ACRES**
- 6. **ORDINANCE 2024-XX OLD KINGS VILLAGE REZONING - APPLICATION NO. 5506**

*Dupuy
Mayor
Dunko
Voted
"YES"
on both*

*Go to City of Palm Coast
City Council meeting to view or minutes
if available*