



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**
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News Release

For immediate release:
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Summary of Palm Beach County Commission on Ethics Meeting Held on September 2, 2021

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on September 2, 2021.

Two complaints were heard in executive session. The complete files are on the COE website at: <http://www.palmbeachcountyetics.com/complaints.htm>.

C21-003: The COE Advocate and Respondent presented a negotiated settlement that included a stipulation of probable cause. The COE accepted the negotiated settlement, found that the violation was intentional, issued a letter of reprimand, and ordered a \$500 fine.

C21-006: After considering the recommendation for administrative dismissal and statements from the advocate and Respondents, the COE dismissed the complaint due to no legal sufficiency.

Two advisory opinions were approved. The full opinions are available at <http://www.palmbeachcountyetics.com/opinions.htm>.

RQO 21-012: A municipal employee asked if the part-time outside employment waiver applied to him as the owner of a business and what other provisions of the Palm Beach County Code of Ethics (Code) could be implicated by him operating an outside business.

The COE opined as follows: As long as his outside business does not enter into any contract or other transaction for goods or services with his municipal employer, the Code does not prohibit him from operating this business outside of his municipal work hours. His outside employment will be as an independent contractor. The part-time outside employment waiver provision cannot be used in his situation. His outside business is prohibited from working for a vendor of his municipal employer if he would be providing goods or services to the municipality through that contract. He is prohibited from soliciting business during his municipal work hours and from identifying himself as a municipal employee, including providing any written or verbal communication using his municipal title or position, to attempt to obtain a customer.

RQO 21-013: A municipal advisory board member asked if his work as a consultant for an organization, which is funded by the local Nevada and California chapters of a national electrical industry trade association and labor union, prohibits him from being able to recommend that the city commission score bidders with project labor agreements more favorably.

The COE opined as follows: Because he does not provide any goods or services to the local Florida chapters of national electrical industry trade association and labor union, then those chapters are not customers or clients of his outside business. His recommendation that the city commission score potential bidders who use project labor agreements involving the local Florida chapters more favorably would not result in a special financial benefit being given to a customer or client of his outside business. Although the local Nevada and California chapters fund the organization he works for, which are independent from the local Florida chapters, these chapters do share a common national organization in name, which could lead to an "appearance of impropriety." The COE suggests that he disclose this relationship and highlight the autonomy of each organization prior to offering his recommendation to the board.

A detailed explanation of all agenda items is available at <http://www.palmbeachcountyetics.com/meetings.htm>.

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