



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**

The Historic 1916 Courthouse
300 N. Dixie Hwy, Suite 450
West Palm Beach, FL 33401
561.355.1915
FAX: 561.355.1904
Hotline: 877.766.5920
E-mail: ethics@pbcgov.org

Commissioners

Michael H. Kugler, Chair
Danielle A. Sherriff, Vice Chair
Peter L. Cruise
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Rodney G. Romano

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Christie Kelley

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Investigator

Abigail Irizarry

Investigator

Mark A. Higgs

News Release

For immediate release:
Contact:

June 9, 2023
Christie Kelley, Executive Director
(561) 355-1937

Summary of Palm Beach County Commission on Ethics Meeting Held on June 8, 2023

The Palm Beach County Commission on Ethics (COE) took the following action at its monthly public meeting held on June 8, 2023.

One complaint was heard in executive session. The complete file is on the COE website at: <http://www.palmbeachcountyethics.com/complaints.htm>.

C23-002: After considering the investigative report, probable cause recommendation, and statements by the COE advocate and Respondent, the COE found that probable cause existed to believe Respondent may have violated the Palm Beach County Code of Ethics (Code). The complaint will be set for a final hearing within 120 days.

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

RQO 23-012: A Palm Beach County employee asked if it would violate the Code if she accepted a volunteer position on the Palm Beach State College (PBSC) advisory board.

The COE opined as follows: Although PBSC is a vendor of the County, the employee plays no role in the negotiations of County contracts or transactions involving PBSC. Additionally because the position on PBSC's advisory board is unpaid, PBSC is not considered her outside employer. She will also not be serving as an officer or director of PBSC, merely as a member of the PBSC advisory board. Because of these things, as long as all of the guidance in the advisory opinion is followed, serving on the PBSC advisory board will not violate the Code.

RQO 23-013: A Palm Beach County employee asked if it would violate the Code if he accepted a volunteer position on the Palm Beach State College (PBSC) advisory board.

The COE opined as follows: Although PBSC is a vendor of the County, the employee plays no role in the negotiations of County contracts or transactions involving PBSC. Additionally because the position on PBSC's advisory board is unpaid, PBSC is not considered his outside employer. He will also not be serving as an officer or director of PBSC, merely as a member of the PBSC advisory board. Because of these things, as long as all of the guidance in the advisory opinion is followed, serving on the PBSC advisory board will not violate the Code.

RQO 23-014: An elected official for the City of Boynton Beach (City), who also owns a short-term rental property (STR) in the City, asked if it would violate the Code if he participated in discussions or voted on matters before the City Commission concerning a proposed ordinance regarding regulations for STRs in the City.

The COE opined as follows: Although the official owns a property that is currently registered as a STR, the size of the class (the number of STR properties in the City) is large enough that the official's interest in the measured class was well below 1%. Further, there was nothing to indicate that the official's STR property provided a unique situation wherein the personal gain or loss as related to any potential ordinance would exceed significantly that of other owners of STR properties in the City. Thus, any possible economic benefit or loss surrounding a new ordinance affected a class large enough to remove any prohibited individual financial benefit. Because of this, the Code does not prohibit voting on or participating in discussions related to the proposed ordinance.

RQO 23-015: A councilmember for the City of Boca Raton (City), who owns two commercial properties in the City, asked if the Code prohibited him from participating in discussions or voting on matters before the City Council concerning a proposed "text amendment" to the City's zoning code that will effectively apply only to a single parcel.

The COE opined as follows: Even though the councilmember owns two separate commercial properties within the City that are zoned the same as the parcel that is the subject of the proposed amendment, neither of those properties are located within an area that would be affected by the proposed "text amendment." Because of this, it is remote and speculative that his vote on this matter would result in any special financial benefit to a prohibited person or entity. Thus, the Code does not prohibit voting on or participating in discussions involving the proposed amendment.

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

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