



*Honesty - Integrity - Character*

**Palm Beach County  
Commission on Ethics**

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# News Release

For immediate release:

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August 4, 2023

Christie Kelley, Executive Director

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## Summary of Palm Beach County Commission on Ethics Meeting Held on August 3, 2023

The Palm Beach County Commission on Ethics (COE) took the following action at its monthly public meeting held on August 3, 2023.

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

**RQO 23-016:** The attorney for a municipality asked if a conflict of interest arose if an employee of the municipality, acting on behalf of a non-profit organization, entered into a contract with the municipality where the non-profit pays the associated fees and the municipality provides the venue and designated services during a co-sponsored fundraising event.

**The COE opined as follows:** Based on the facts provided, especially considering the terms of the proposed contract between the municipality and the non-profit closely mirror previous contracts between the municipality and other non-profit organizations, the co-sponsorship agreements would not result in a special financial benefit to the organization. Additionally, the Code prohibits the employee's outside business or employer from entering into any contract or other transaction for goods or services with his municipality. Although the employee is the president of the organization, because he serves as a volunteer and receives no compensation, it does not qualify as his outside employer or business. Therefore, the contractual relationship prohibition found in the Code does not apply.

**RQO 23-017:** The attorney for a municipality asked whether a voting conflict arose if an elected official participated in discussions or voted on an issue where a customer or client of the official's outside business had participated in and completed a preliminary component of the project prior to the project being brought before the official's board.

**The COE opined as follows:** An elected official is prohibited from participating in discussions or voting on matters that will give a special financial benefit to a client or customer of his or her outside business. Here,

the customer or client will not receive a special financial benefit from the official's vote because the possibility of any economic gain or loss is remote and speculative.

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

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