

**OFFICIAL MEETING MINUTES  
OF THE  
PALM BEACH COUNTY COMMISSION ON ETHICS  
PALM BEACH COUNTY, FLORIDA**

**SEPTEMBER 4, 2014**

**THURSDAY  
1:30 P.M.**

**COMMISSION CHAMBERS  
GOVERNMENTAL CENTER**

- I. CALL TO ORDER**
- II. ROLL CALL**

**MEMBERS:**

Salesia V. Smith-Gordon, Chair – Absent  
Michael S. Kridel, Vice Chair  
Clevis Headley  
Michael F. Loffredo  
Carmine A. Priore – Attended by telephone

**STAFF:**

Mark E. Bannon, Commission on Ethics (COE) Senior Investigator  
Anthony C. Bennett, COE Investigator  
Steven P. Cullen, COE Executive Director  
Christie E. Kelley, COE Staff Counsel  
Gina A. Levesque, COE Intake Manager

**ADMINISTRATIVE STAFF:**

Julie Burns, Deputy Clerk, Clerk & Comptroller's Office  
Barbara Strickland, Deputy Clerk, Clerk & Comptroller's Office

- III. INTRODUCTORY REMARKS – None**

**IV. APPROVAL OF MINUTES FROM AUGUST 7, 2014**

**MOTION to approve the August 7, 2014, minutes. Motion by Carmine Priore, seconded by Clevis Headley, and carried 4-0. Salesia Smith-Gordon absent.**

**V. PROCESSED ADVISORY OPINIONS (CONSENT AGENDA)**

**V.a. Request for Opinion (RQO) 14-022**

Staff Counsel Christie Kelley said that:

- The City of Delray Beach (Delray) attorney asked whether Commissioner Al Jacquet could provide legal services in his personal capacity to someone who previously owned a Delray restaurant.
- The individual did not currently own a Delray restaurant or have any pending contracts, agreements, or applications with Delray.
- Staff submitted that:
  - Commissioner Jacquet was not prohibited from providing legal services in his personal capacity to the individual.
  - The Code of Ethics (Code) prohibited Commissioner Jacquet from using his official position to give a special financial benefit not shared with similarly situated members of the general public to a customer or client of his outside business, or to corruptly secure a special financial benefit for others.
  - If a matter before the Delray commission resulted in a special financial benefit to a customer or client of Commissioner Jacquet's outside business, he must disclose the conflict's nature, abstain from voting and participating in the matter, and complete a Conflict of Interest Form 8B.
  - The individual would be considered Commissioner Jacquet's customer or client if the commissioner's outside business supplied him with over \$10,000 in goods or services during the previous 24 months.

**V.a. – CONTINUED**

**MOTION to approve processed advisory opinion letter RQO 14-022. Motion by Carmine Priore, seconded by Clevis Headley, and carried 4-0. Salesia Smith-Gordon absent.**

**V.b. RQO 14-023**

Ms. Kelley said that:

- Delray’s attorney asked whether Deputy Vice-Mayor Jordana Jarjura could participate in a Delray commission workshop involving the All Aboard Florida (AAF) project.
- Deputy Vice-Mayor Jarjura’s client, Lauderdale Marine Center (LMC), would be financially impacted by AAF, and she asked whether she could vote on its formal resolution.
- Staff submitted that:
  - Deputy Vice-Mayor Jarjura could not participate in the workshop or vote on AAF’s formal resolution.
  - Under the Code, she needed to publicly disclose the conflict’s nature before the item was discussed by the Delray commission, abstain from participating and voting on the matter, and complete Conflict of Interest Form 8B.
  - The Code prohibited Deputy Vice-Mayor Jarjura from using her official position to give a special financial benefit not shared with similarly situated members of the general public to a customer or client of her outside business or to corruptly secure a special financial benefit for others.

**V.b. – CONTINUED**

- Deputy Vice-Mayor Jarjura supplied LMC with over \$10,000 in services during the previous 24 months; therefore, it was considered a customer or client of her outside employer or business.
- Deputy Vice-Mayor Jarjura was aware of the COE's determination before today's scheduled Delray commission workshop.

**MOTION to approve processed advisory opinion letter RQO 14-023. Motion by Michael Loffredo, seconded by Clevis Headley, and carried 4-0. Salesia Smith-Gordon absent.**

**V.c. RQO 14-024**

Ms. Kelley said that:

- The City of Boynton Beach (Boynton Beach) Human Resources and Risk Management director asked whether volunteers of the Links at Boynton Beach Golf Course could receive special privileges or perks.
- Staff submitted that:
  - Boynton Beach volunteers were not prohibited from receiving a benefit.
  - Under the Code, municipal volunteers were defined as employees; therefore, the golf course volunteers were required to comply with the gift law.
  - If the volunteers' privileges or perks exceeded \$100 in the aggregate, they were reportable in an annual gift-disclosure report filed with the COE.

**MOTION to approve processed advisory opinion letter RQO 14-024. Motion by Clevis Headley, seconded by Michael Loffredo, and carried 4-0. Salesia Smith-Gordon absent.**

**V. – CONTINUED**

**V.d. RQO 14-025**

Ms. Kelley said that:

- A Town of Palm Beach employee was also a member of the Palm Beach Economic Crime Unit Board, a not-for-profit charitable organization.
- The employee asked whether she was required to complete an annual gift disclosure report for a golf foursome package that was being donated as a raffle prize for the organization's fund-raising golf tournament.
- Staff submitted that:
  - The donation to the organization fell within the Code's charitable solicitation section.
  - The employee was not required to complete an annual gift disclosure report for the donation, but she must maintain and submit a solicitation log to the COE.
  - The log must contain the organization's name, the event for which funds were being solicited, the names of persons or entities that were contacted, and the amount of funds solicited.
  - The solicitation log must be filed with the COE within 30 days after the event or within 30 days of the solicitation if it was not related to the event.

**MOTION to approve processed advisory opinion letter RQO 14-025. Motion by Clevis Headley, seconded by Michael Loffredo, and carried 4-0. Salesia Smith-Gordon absent.**

**VI. ITEMS PULLED FROM CONSENT AGENDA – None**

## **VII. DISCUSSION RE: WORKSHOP**

Steven Cullen, Commission on Ethics (COE) Executive Director, said that:

- The COE workshop was scheduled for October 24, 2014, at 10:00 a.m. at the Vista Center.
- An agenda was being prepared, and any suggestions or changes could be made today or at the October 2, 2014, meeting.
- Staff suggested that the workshop discussion include education, training, and any proposed changes to the COE's by-laws and the Code, including the recurrent issue of a separate trial function.
  - Staff was drafting language to include the COE's Rules of Procedure in its by-laws.
  - Questions previously arose regarding what Robert's Rules of Order (Robert) language should apply to the COE's Rules of Procedure.
  - The Board of County Commissioners' Rules of Procedure contained Robert-based rules.

Commissioner Michael Kridel suggested that each COE member provide staff with agenda input before the October 2, 2014, meeting.

## **VIII. EXECUTIVE DIRECTOR COMMENTS**

### **VIII.a.**

**DISCUSSED:** Channel 20 Programming.

Mr. Cullen said that he participated in two Politically Speaking television shows produced by Legislative Affairs Director Todd Bonlarron and Channel 20. He added that the COE's Web site contained links to the programs.

## VIII. – CONTINUED

### VIII.b.

**DISCUSSED:** Ethics Training and Retraining.

Mr. Cullen commented that:

- Many municipalities under the COE's jurisdiction were undergoing ethics retraining.
- The COE's online video training was widely used.
- The County recently updated its policy and procedures manual to establish a universal date and grace period for training, and some municipalities were following a similar procedure.

### VIII.c.

**DISCUSSED:** Community Outreach.

Mr. Cullen stated that next week he would speak to the Leadership Palm Beach County members about COE operations, and that several other community presentations were scheduled.

### VIII.d.

**DISCUSSED:** Ethics Summit.

Mr. Cullen said that:

- At the August 8, 2014, Ethics Summit planning meeting, a suggestion was made to draft a document containing minimum standards for local ethics commissions.
- The COE executive director for the City of Jacksonville agreed to lead in drafting the document's language.
- Senator Joseph Abruzzo would use the draft document to continue planning for the Ethics Summit.

**VIII. – CONTINUED**

**VIII.e.**

**DISCUSSED:** Advisory Opinion Summaries.

Mr. Cullen stated that the opinion summary project was completed, and that the Web site now contained a legal headnote summary for each advisory opinion.

**IX. COMMISSION COMMENTS – None**

**X. PUBLIC COMMENTS – None**

**XI. ADJOURNMENT**

**MOTION to adjourn the meeting. Motion by Clevis Headley, seconded by Michael Loffredo, and carried 4-0. Salesia Smith-Gordon absent.**

**At 1:49 p.m., the vice chair declared the meeting adjourned.**

APPROVED:



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Chair/Vice Chair