



*Honesty - Integrity - Character*

**Palm Beach County  
Commission on Ethics**

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# News Release

For immediate release:  
Contact:

June 7, 2019  
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## Summary of Palm Beach County Commission on Ethics Meeting Held on June 6, 2019

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on June 6, 2019.

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

**RQO 19-008:** A Delray Beach Historic Preservation Board (HPB) member asked:

(1) If she could discuss and vote on an application coming before the HPB which seeks to list the Carver High School buildings on the city of Delray Beach's Register of Historic Places when she is the director of the Carver High School Historical Preservation Society, Inc. (Carver Preservation Society), a nonprofit organization which supports having Carver High School listed on both the local and national Register of Historic Places.

(2) If the Palm Beach County Code of Ethics prohibit her from discussing and voting on an application before the HPB that is supported by or opposed by the Delray Beach Preservation Trust (Trust), a 501(c)(3) nonprofit organization, if the Trust provides financial support to the Carver Preservation Society or becomes a fiscal sponsor of the Carver Preservation Society.

**The COE opined as follows:**

(1) It is remote and speculative as to whether her vote on an application seeking to list Carver High School on the city's Register of Historic Places would result in a special financial benefit being given to the Carver Preservation Society. Because there is no direct causal relationship between this vote and a special financial benefit being given to the Carver Preservation Society, any discussion or vote by her on an application seeking to list Carver High School buildings on the city's Register of Historic Place would not violate the code.

(2) As long as she does not use her official position as a member of the HPB in any way, including participating in or voting on a matter, to give a special financial benefit to any of the prohibited persons or entities listed in §2-443(a) of the code, and further provided there is no "quid pro quo" or other benefit offered or accepted in exchange for the financial support from the Trust, the code would not prohibit her from voting on an application before the HPB that the Trust supports or opposes.

**RQO 19-0010:** An advisory board member for the town of Jupiter asked if it would violate the code if he solicits or accepts donations, on behalf of the Taras Oceanographic Foundation (TOF), a 501(c)(3) nonprofit organization of which he is an officer or director, from businesses that are vendors of the town.

**The COE opined as follows:** He is prohibited from using his official position as a member of the Environmental Task Force to give a special financial benefit to TOF or to corruptly secure a special benefit of any kind for TOF. Any solicitation, including letters sent to solicit donations, on behalf of TOF can only include his name as long as there is no reference to his official position as a member of the Environmental Task Force. If he solicits donations in excess of \$100 from any vendor, lobbyist, or principal or employer of a lobbyist who lobbies the Environmental Task Force or any town department that is subject to the Environmental Task Force's authority, influence, or advice, then he, or TOF if solicitations are made in his name, must maintain a record of any solicitations from these town vendors, lobbyists, principals or employers of lobbyists, and submit a solicitation log to the COE within 30 days of the solicitation or within 30 days of a fundraising event held.

**RQO 19-0011:** The attorney for the town of Juno Beach asked if a voting conflict would arise for a town councilmember if the councilmember votes on the installation of a “no outlet” sign at the entrance to a street on which she owns a home and resides. **The COE opined as follows:** It is remote and speculative as to whether her vote regarding the installation of a “no outlet” sign would result in a special financial benefit being given to herself or her husband as property owners. Although the installation of the sign may reduce misdirected traffic from driving down that road, any impact the sign would have on the value of the property is remote and speculative at best. Because there is no direct causal relationship between this vote and a special financial benefit being given to the councilmember or her husband, any discussion or vote by her on this matter would not be a violation of either §2-443(a), Misuse of public office or employment, or §2-443(c), Disclosure of voting conflicts.

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

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