



Honesty - Integrity - Character

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

For immediate release:
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April 1, 2021
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Summary of Palm Beach County Commission on Ethics Meeting Held on April 1, 2021

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on April 1, 2021.

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

RQO 21-002: An assistant city attorney asked if a city commissioner, who owns a home located adjacent to a proposed right of way, may participate in discussions and vote on requests for appeal and land development regulation waivers regarding the proposed right of way.

The COE opined as follows: Although the developer may receive a financial benefit (gain or loss) depending on the outcome of the vote, there is uncertainty as to whether there would be any economic gain or loss to the value of the commissioner's property from this vote. An approval or denial of the appeal request would not have any direct and immediate impact of the value of the commissioner's property. Thus, any financial benefit that the commissioner may receive is remote and speculative. Because the vote has no direct and immediate financial benefit to the commissioner, the commissioner is not prohibited from participating in and voting on this request for an appeal.

RQO 21-003: A prospective county advisory board member asked if a prohibited conflict of interest exists for him if he were to serve on the county's Community Action Advisory Board (CAAB) when the Duo Center, which is both his outside employer and a non-profit of which he serves as an officer or director, participates in the county's summer camp scholarship program.

The COE opined as follows: There is no per se prohibition against him accepting this position, so long as he follows the guidelines listed in the opinion. Those guidelines include not using his official position as a CAAB member to give a special financial benefit to the Duo Center, not attempting to influence other CAAB members or county staff in any way to give a special financial benefit to the Duo Center, and not voting or participating in any matter before CAAB that will result in a special financial benefit to the Duo Center.

RQO 21-004: A county employee asked if the Palm Beach County Code of Ethics (code) prohibits her from working as a freelance graphic designer in her private capacity.

The COE opined as follows: She will not be in violation of the prohibited contractual relationships provision of the code if she works as a graphic designer in her private capacity as long as her client is not a vendor of the county, she or her outside business do not enter into any contract or other transaction for goods or services with the county, and she operates her graphic design business outside of her county work hours using her personal software and equipment. She must also take great care not to misuse her governmental employment in any way to give a special financial benefit to herself, her outside business, or any customer or client of her outside business.

RQO 21-005: A municipal employee asked if it would violate the code if a non-profit organization purchases a vehicle as a donation to the municipality and the title and registration are transferred

directly from the dealership to the municipality, or if the non-profit organization needs to have the title transferred from the dealership to the organization who then transfers the title to the municipality.

The COE opined as follows: The code does not prohibit the municipality from having the vehicle titled and registered directly from the dealership to the municipality or from having the title transferred from the dealership to the non-profit organization and then to the municipality. Because the vehicle is being purchased by the non-profit organization on behalf of the municipality, in either scenario, the non-profit organization is the source of the gift to the municipality.

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

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