



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@palmbeachcountvethics.com

Commissioners

Michael S. Kridel, Chair
Cleviss Headley, Vice Chair
Michael F. Loffredo
Judy M. Pierman
Sarah L. Shullman

Executive Director

Mark E. Bannon

General Counsel

Christie E. Kelley

Intake & Compliance Manager

Gina A. Levesque

Chief Investigator

Anthony C. Bennett

Investigator

Abigail Irizarry

News Release

For Immediate Release

Contact:

January 17, 2017

Mark E. Bannon, Executive Director

(561) 355-1937

Summary of Palm Beach County Commission on Ethics Meeting Held on January 12, 2017

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on January 12, 2017.

A Status Check Discovery Hearing for Complaint 16-006 was held. The date of the final hearing was set for March 2, 2017, at 11 A.M.

Three advisory opinions were approved. The full opinions are published and available at:

<http://www.palmbeachcountyethics.com/opinions.htm>

RQO 16-028: The attorney for the village of Wellington asked if a councilman is prohibited from participating in and voting on a special use permit, where a client of the councilman's outside employer will present the permit application to the Village Council on behalf of a property owner but will not be performing any other services for the property owner after the presentation.

The COE opined as follows: Because the vote on the special use permit will not affect whether or how much the client is paid by the property owner, any financial benefit that the client may receive is remote and speculative. Because the vote has no direct and immediate financial benefit to the client of his outside employer, the councilman is not prohibited from participating in and voting on the special use permit which the client will be presenting on behalf of a property owner. However, an "appearance of impropriety" may exist.

RQO 16-029: The assistant city attorney for the city of Delray Beach asked if city public safety employees may attend an event hosted by a private country club as an expression of appreciation for the work of those employees.

The COE opined as follows: Because the country club is not a vendor, lobbyist or principal or employer of lobbyists of the city, as long as there is no "quid pro quo" or special treatment or privileges given to the country club by any city employee in exchange for hosting this event, the code does not prohibit employees from attending. However, if the value of gift to each employee exceeds \$100, then the gift must be reported.

RQO 16-030: The town attorney for the town of Palm Beach asked if a conflict of interest exists for a member of the Palm Beach Recreation Advisory Commission (RAC), where he also serves as an officer of a nonprofit organization (Palm Beach Friends of Recreation) which is raising funds for a new community center in the town

The COE opined as follows: Because he is an officer of the Palm Beach Friends of Recreation, the RAC member is prohibited from voting on or participating in any matter coming before the RAC that would result in a special financial benefit to the Friends of Recreation. He is also prohibited from using his name and official position as a RAC member on any fundraising effort on behalf of Friends of Recreation as this would per se constitute using his appointed position to give Friends of Recreation a special financial benefit. If he solicits donations, directly or indirectly, in excess of \$100 from a vendor, lobbyist, or principal or employer of a lobbyist who lobbies the RAC or any town department that is subject in any way to RAC's influence or advice, he must maintain a record of those solicitations and submit a log to the COE.

A detailed explanation of all agenda items is available at

<http://www.palmbeachcountyethics.com/meetings.htm>.

###