



*Honesty - Integrity - Character*

**Palm Beach County  
Commission on Ethics**

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# News Release

For Immediate Release

Contact:

July 6, 2017

Mark E. Bannon, Executive Director

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## Summary of Palm Beach County Commission on Ethics Meeting Held on July 6, 2017

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on July 6, 2017.

Six complaints were heard in executive session. The complete files are published on the COE website at: <http://www.palmbeachcountylethics.com/complaints.htm>.

**C17-003:** The COE reviewed and considered the investigative report, the probable cause recommendation, and the statement of the COE advocate. The COE issued a Letter of Instruction and dismissed the complaint.

**C17-004:** The COE reviewed and considered the investigative report, the probable cause recommendation, and the statements of the COE advocate and respondent. The COE issued a Letter of Instruction and dismissed the complaint.

**C17-005:** The COE reviewed and considered the investigative report, the probable cause recommendation, and the statement of the COE advocate. The COE issued a Letter of Instruction and dismissed the complaint.

**C17-006:** The COE reviewed and considered the investigative report, the probable cause recommendation, and the statements of the COE advocate and respondent. The COE issued a Letter of Instruction and dismissed the complaint.

**C17-007:** The COE reviewed and considered the investigative report, the probable cause recommendation, and the statement of the COE advocate. The COE issued a Letter of Instruction and dismissed the complaint.

**C17-008:** The COE reviewed and considered the investigative report, the probable cause recommendation, and the statements of the COE advocate and respondent. The COE issued a Letter of Instruction and dismissed the complaint.

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

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

**RQO 17-010:** An employee from the town of Jupiter asked if any of the gift law provisions of the Code of Ethics would be implicated if representatives of Roger Dean Stadium solicit and accept donations for the town's Explorer Program during its National Night Out event.

**The COE opined as follows:** The code's gift law provisions do not apply to the circumstances presented. The \$100 gift limit from vendors or lobbies of the town of Jupiter would not apply because town employees are not involved in the solicitation and acceptance of donations. Further, because the donations will not be distributed to any town employees, the town would not be prohibited from accepting the donated funds from the National Night Out event.

**RQO 17-012:** The city attorney for the city of Boca Raton asked if a voting conflict would arise for Councilmember Andrea Levine O'Rourke when a client of her spouse's employer (the firm) appears before the city council on a matter unrelated to the services provided by the firm.

**The COE opined as follows:** Councilman O'Rourke will not have a voting conflict under these circumstances. The matter before the city council involving the client of Councilmember O'Rourke's spouse will not provide a financial benefit to her spouse or to the firm. The client will

be appearing on issues related to the multiple properties throughout the city of Boca Raton in which he has a financial interest. These issues are unrelated to the services provided by her spouse or the firm. Therefore, a voting conflict would not arise for Councilmember O'Rourke under Sec. 2-443(2) or Sec. 2-443(4) because neither her spouse nor her spouse's employer would receive a financial benefit from the matter before the City Council concerning the client's properties.

**RQO 17-013:** The Palm Beach County chief assistant county attorney asked if a voting conflict would arise for Mary Lou Berger, a member of the Palm Beach County Board of County Commissioners (BCC), when Burt Aaronson, a former BCC commissioner and her former supervisor, appears before the commission.

**The COE opined as follows:** Because the code does not prohibit officials from participating in and voting on a matter giving a special financial benefit to a former employer or supervisor, Commissioner Berger is not prohibited from participating in discussions and voting on matters when Mr. Aaronson appears before the BCC as long as the vote will not give a special financial benefit to any of the prohibited persons or entities listed in Sec. 2-443(a)(1-7).

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

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