



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**

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News Release

For immediate release:
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November 7, 2019
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Summary of Palm Beach County Commission on Ethics Meeting Held on November 7, 2019

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on November 7, 2019.

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

RQO 19-016: A member of a municipal planning & zoning board (PZB) asked if it would violate the Palm Beach County Code of Ethics (code) if he were to vote on a building project submitted by Crocker Partners, LLC (Crocker) when it comes before the PZB for approval, where his outside realty business manages the common areas of an office park where Crocker owns a building through a subsidiary, and where Crocker pays an amount equal to \$4,492.40 per year through an association toward the annual fee his realty company receives for managing this office park. **The COE opined as follows:** While Crocker does indirectly pay Realty Partners through the association for managing the office park, it would not violate the code for him to vote on this project as a PZB board member because Crocker does not meet the code's definition of "customer or client." The annual amount paid by Crocker to his outside realty business does not meet the requisite \$10,000 monetary threshold for the previous 24 months to be considered a customer or client. Crocker paid \$8,984.40 in a 24-month period to Realty Partners.

RQO 19-018: The attorney for the village of Tequesta (village) asked if any of the code provisions are implicated if elected officials of the village serve on the college scholarship selection committee for a nonprofit organization where scholarships are awarded to children of village employees and where one or more of the nonprofit organization's board members own commercial property within the village and may appear before the Village Council? **The COE opined as follows:** The code would not prohibit a local business owner from establishing a nonprofit organization for the purpose of awarding college scholarship funds to the children of village employees even where he may appear before the Village Council on occasion. It would also not prohibit the elected officials from serving on the selection committee for award of these funds, so long as neither the officials nor the employees of the village use their official positions improperly.

RQO 19-019: A county employee asked if the code prohibits her from working as a consultant in her private capacity during nonwork hours where none of her consulting work would involve applications that would need approval from the county. **The COE opined as follows:** As long as she and her outside business do not enter into any contract or other transaction for goods or services with the county, directly or indirectly, and she operates her business outside of her county work hours, she will not be in violation of the prohibited contractual relationships provision of the code. She is also prohibited from using her position with the county to influence another person to take some action which would give a special financial benefit to her customers or clients, soliciting business during her county work hours, and identifying herself as a county employee on any written or verbal communication to attempt to obtain a customer.

RQO 19-020: A county employee asked if the code prohibits him from serving as an unpaid technical advisor for a nationally syndicated television program. **The COE opined as follows:** Because he is volunteering his services as a technical advisor, he is not receiving any compensation for his services, and he did not use his official position to solicit or otherwise approach anyone about retaining this position, he would not be in violation of the misuse of public office or employment section of the code.

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

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