



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

For Immediate Release
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September 4, 2014
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Summary of Palm Beach County Commission on Ethics Meeting Held on September 4, 2014

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on September 4, 2014.

Four (4) advisory opinions were approved. The full opinions are published and available at: <http://www.palmbeachcountvethics.com/opinions.htm>

ROO 14-022: The city attorney for the City of Delray Beach asked if Commissioner Al Jacquet, in his personal capacity, could provide legal services to an individual who previously had an ownership interest in a well-known restaurant/inn located in the city but does not have an ownership interest in any business in the city or any contracts, agreements, or applications pending with the city.

The COE opined as follows: Commissioner Jacquet is not prohibited from providing legal services to the individual in his personal capacity. However, if a matter before the City Commission would result in a special financial benefit to a customer or client, the commissioner must disclose the nature of the conflict, abstain from voting and participating in the matter, and file a state voting conflict form (8B). For this individual to be considered a customer or client of the commissioner, Commissioner Jacquet's outside business must have supplied goods or services to the individual in excess of \$10,000 over the previous 24 months. Additionally, since the COE cannot speculate about potential conflicts of interest that may come before the City Commission in the future, any additional questions regarding voting conflicts would need to be resubmitted to the COE with specific facts and circumstances relative to a potential conflict.

ROO 14-023: The city attorney for the City of Delray Beach asked if Deputy Vice Mayor Jordana Jarjura could participate in a City Commission workshop involving the All Aboard Florida (AAF) project, scheduled for the evening of September 4, 2014, when her client, Lauderdale Marine Center (LMC), would be financially impacted by the AAF project, and whether she could vote on a formal resolution regarding the AAF project.

The COE opined as follows: Deputy Vice Mayor Jarjura may not vote on the formal resolution or participate in the workshop. In order to comply with the Code of Ethics, she will need to publicly disclose the nature of the conflict before the City Commission discusses the matter, abstain from participating and voting on the matter, and file a state voting conflict form (8B). The Code of Ethics prohibits an elected official from using her official position as a commissioner to give a special financial benefit, not shared with similarly situated members of the general public, to a customer or client of her outside business or employer or to corruptly secure a special benefit for any person. Since she has supplied services in excess of \$10,000 over the previous 24 months to LMC, LMC is a customer or client of the Deputy Vice Mayor's outside employer or business. Additionally, based on the information provided, the AAF project will have a financial impact on LMC. LMC's location near the drawbridge on the New River will cause a disruption to its operation and deny access to the marina and shipyard each time the drawbridge is lowered. As such, voting on the matter would constitute giving a special financial benefit to a customer or client of the deputy vice mayor's outside business or employer.

ROO 14-024: The director of Human Resources and Risk Management for the City of Boynton Beach asked if volunteers of the Links at Boynton Beach Golf Course could receive special privileges or perks for volunteering.

The COE opined as follows: The Code of Ethics does not prohibit the City of Boynton Beach from offering a benefit to its volunteers. However, under the Code of Ethics, municipal volunteers fall within the definition of an employee. As such, the golf course volunteers are required to comply with the gift law requirement. Therefore, if the value of the privileges or perks received by a volunteer exceeds \$100 in the aggregate, they are reportable gifts and must be reported in an annual gift disclosure report filed with the COE.

RQO 14-025: An employee of the Town of Palm Beach, who is also on the board of the Palm Beach Economic Crime Unit, a 501(c)(3) not-for-profit charitable organization, asked if she was required to complete an annual gift disclosure report for a golf foursome that is being donated as a raffle prize for the charitable organization's fundraiser golf tournament.

The COE opined as follows: The donation of the golf foursome to the charitable organization falls within the charitable solicitation section of the Code of Ethics. As such, she does not need to complete an annual gift disclosure report for the donation, but she must maintain and submit a solicitation log to the COE. All of her solicitations must be disclosed in a solicitation log and the log must contain the name of the nonprofit organization, the event for which the funds were solicited, the name of any person or entity that was contacted, and the amount of funds solicited. The solicitation log must be filed with the COE within 30 days after the event or within 30 days of the solicitation if it is not related to an event.

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

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