



*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@palmbeachcountyetics.com](mailto:ethics@palmbeachcountyetics.com)

**Commissioners**

Rodney G. Romano, Chair  
Michael H. Kugler, Vice Chair  
Peter L. Cruise  
Michael S. Kridel  
Danielle A. Sherriff

**Executive Director**

Christie Kelley

**General Counsel**

Rhonda Giger

**Intake & Compliance Manager**

Gina A. Levesque

**Investigator**

Abigail Irizarry

**Investigator**

Mark A. Higgs

## News Release

For immediate release:  
Contact:

December 9, 2022  
Christie Kelley, Executive Director  
(561) 355-1937

### Summary of Palm Beach County Commission on Ethics Meeting Held on December 8, 2022

The Palm Beach County Commission on Ethics (COE) took the following action at its monthly public meeting held on December 8, 2022.

One complaint was heard in executive session. The complete file is on the COE website at: <http://www.palmbeachcountyetics.com/complaints.htm>.

**C22-005:** After considering the investigative report, probable cause recommendation, and statements by the COE advocate and Respondent, the COE found that probable cause existed to believe Respondent may have violated the Palm Beach County Code of Ethics. The complaint will be set for a final hearing within 120 days.

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

**RQO 22-025:** The Director of Palm Beach County Parks and Recreations (P&R) asked if a prohibited conflict of interest exists for her if her spouse is employed by a company, which is a certified vendor for the county and participates in the actual construction of projects for the P&R Department as an employee of that company when it is sub-contracted for that specific portion of the job. She understands that the Palm Beach County Code of Ethics (Code) prohibits her from being involved in discussions or decisions to select her spouse's employer for County projects, and she must refrain from any discussion or decision making or acting as a signor or endorser of a project if her spouse's employer is ever listed as a sub-contractor as those actions would give a special financial benefit to her spouse's employer.

**The COE opined as follows:** There is no prohibited conflict of interest, per se, under the Code based solely on their spousal relationship, as long as she does not use her official position as the P&R Director, in any way, to give a special financial benefit to her spouse or her spouse's employer. The Code also prohibits her from participating in the selection process for any contract or transaction where her spouse's employer is listed as a vendor. She is also prohibited from influencing others to take some action which would give her spouse's employer a special financial benefit. However, as long as she does not improperly use her official position to give her spouse's employer a special financial benefit, a conflict of interest would not arise for her, her spouse would not be prohibited from continuing to work for that company, and the company would not be prohibited from continuing to operate as a certified-County vendor and perform sub-contracting work for other vendors of the County.

**RQO 22-026:** A County employee asked if the Code prohibits her outside business from supplying goods to Discover the Palm Beaches (DTPB), a County-funded entity.

**The COE opined as follows:** Because DTPB is a County-funded entity and County funding would be used to purchase the goods from her business, she would be prohibited from entering into such a contract or transaction with DTPB as this would create a prohibited indirect contract between her business and the County, unless an exception

applies. Under the exception found in Section 2-443(e), her business could sell its product to DTPB as long as the total amount of the contracts or transactions between her business and DTPB is \$500 or less in the aggregate per calendar year. The County employee also has an ongoing responsibility to refrain from using her official position with the County to give a special financial benefit to herself or her outside business.

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

# # #