



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**

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News Release

For immediate release:

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Summary of Palm Beach County Commission on Ethics Meeting Held on December 14, 2023

The Palm Beach County Commission on Ethics took the following action at its monthly public meeting held on December 14, 2023.

Four complaints were heard in executive session. The complete files will be on the Commission's website within seven days at: <http://www.palmbeachcountyethics.com/complaints.htm>.

C23-003: After considering the investigative report, probable cause recommendation, and statements by Commission staff, the Palm Beach County Commission on Ethics found that probable cause did not exist and dismissed the case.

C23-010: After considering the investigative report, probable cause recommendation, and statements by Commission staff and Respondent, the Palm Beach County Commission on Ethics found that probable cause did not exist and dismissed the case.

C22-004: 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.

C23-006: After considering the investigative report, probable cause recommendation, and statements by the COE advocate and Respondent, the COE dismissed the complaint after determining that the public interest would not be served by proceeding further.

The Commission approved two advisory opinions. The full opinions are available at <http://www.palmbeachcountyethics.com/opinions.htm>.

RQO 23-028: A City employee asked if it would violate the Code if he participated in various City processes that would ultimately benefit his son's outside employer.

The COE opined as follows: Section 2-443(a) of the Code prohibits employees from using their official position in any way, including influencing others to take some action, to give a special financial benefit to specified persons and entities. A child's outside employer is among those prohibited persons or entities. Thus, any discretion exercised to benefit the child's outside employer would result in them receiving a special financial benefit and would violate Section 2-443(a) of the Code. Additionally, in situations where there is no per se prohibited conflict of interest, any input by the employee where the child's outside employer is involved, even if limited to answering questions, may create the appearance of impropriety. Ultimately, the COE recommended the employee consider not participating if the child's employer is involved.

RQO 23-029: A Palm Beach County employee asked if it would violate the Code if he were involved in various capital projects for the County when his spouse's future employer is a current County vendor that has already been awarded these projects.

The COE opined as follows: The Code prohibits the County employee from using his official position to give a special financial benefit to specified persons or entities. Among those prohibited entities are a spouse and the spouse's outside employer. Here, the employee intends to avoid any decision making authority regarding bid proposals, avoid future RFP's that involve the potential employer, ensure that there is no influence exerted on bid awards when the potential employer is involved, and avoid actions that have an affiliated cost. Based on the facts provided, as long the guidance in the opinion is followed, the Code will not be violated.

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

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