



Palm Beach County Commission on Ethics

Commissioners
Edward Rodgers, Chair
Manuel Farach, Vice Chair
Robin N. Fiore
Ronald E. Harbison
Bruce E. Reinhart

Executive Director
Alan S. Johnson

In Re: Jose Rodriguez

C11-011

Public Report and Final Order of Dismissal

COMPLAINANT, David Floering, filed the above-referenced COMPLAINT on June 6, 2011, alleging a possible ethics violation involving RESPONDENT Jose Rodriguez, the elected mayor of Boynton Beach.

The COMPLAINT alleges that Mayor Rodriguez, misused his position and authority, obtaining a special financial benefit, by having residential property owned by a Florida corporation of which he is an officer and director, assessed below the "actual use" value of the property by the Palm Beach County Property Appraiser's Office, resulting in an improper property tax rate for this property.

Pursuant to Chapter 2, Article V, Division 8, Section 2-258(a)¹ of the Palm Beach County Code, the Commission on Ethics is empowered to enforce the county code of ethics. Misuse of public office for financial benefit is prohibited pursuant to Article XIII, sec. 2-443(a)(7) of the Palm Beach County Code.²

¹ Article V, Division 8, section 2-258. Powers and duties. (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions and enforce the;

- (1) County Code of Ethics;
- (2) County Post-Employment Ordinance, and
- (3) County Lobbyist Registration Ordinance.

² Article XIII, sec.2-443. Prohibited conduct.

- (a) Misuse of public office or employment. An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities.

On July 26, 2011, after initial inquiry into the matter, the COMPLAINT was determined by staff to be LEGALLY INSUFFICIENT, and presented to the Commission on Ethics on August 4, 2011 with a recommendation of dismissal as LEGALLY INSUFFICIENT.

The Commission on Ethics reviewed the memorandum of inquiry and determined that the COMPLAINANT has no personal knowledge that the RESPONDENT, Jose Rodriguez, used his official position to obtain a special financial benefit in violation of sec. 2-443(a) of the Palm Beach County Code of Ethics and DISMISSED the COMPLAINT on August 4, 2011, due to NO LEGAL SUFFICIENCY.


Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT against RESPONDENT Jose Rodriguez is hereby DISMISSED.

DONE AND ORDERED by the Palm Beach County Commission on Ethics in public session on August 4, 2011.

Palm Beach County Commission on Ethics

By:


Edward Rodgers, Chair

exercise of reasonable care will result in a financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities.

- (4) An outside employer or business of his, hers, or of his or her spouse of domestic partner, or someone who is known to such official or employee to work for such outside employer or business.

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