



News Release

For Immediate Release
Contact:

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Summary of Palm Beach County Commission on Ethics Meeting Held on April 2, 2015

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Commission on Ethics**
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Michael F. Loffredo
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Steven P. Cullen

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Christie E. Kelley

Intake Manager

Gina A. Levesque

Senior Investigator

Mark E. Bannon

Investigator

Anthony C. Bennett

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on April 2, 2015. Four advisory opinions were approved. The full opinions are published and available at: <http://www.palmbeachcountyetics.com/opinions.htm>

ROO 15-007: The human resources administrator for the city of Delray Beach (city) asked if a prohibited conflict of interest would exist for the special operations coordinator (SOC) of the city's fire-rescue department if the department uses Dive Gear Express as an active vendor, when the SOC's brother is an employee of that company.

The COE opined as follows: Because the SOC oversees the contracts or transactions for the purchase of equipment and has ultimate authority over the equipment procurement and sustainment, a prohibited conflict of interest would arise for the SOC if the city's fire-rescue department uses Dive Gear Express as an active vendor since the employer of the SOC's brother would be receiving a special financial benefit. The Palm Beach County Code of Ethics broadly defines "financial benefit," and the term includes any money or contract.

ROO 15-008: An elected official asked if the Palm Beach County Code of Ethics (code) prohibits him from using his official title as vice mayor of the town of Jupiter on an organization's list of sponsors.

The COE opined as follows: As long as there is no quid pro quo in exchange for the donation and none of the persons or entities listed in Sec. 2-443(a) of the code would receive a special financial benefit from your donation, the official is not prohibited from using his official title in the identification of himself as a sponsor. Under the circumstances provided, using his official title as vice mayor of the town of Jupiter on an organization's list of sponsors would not violate the misuse of office provisions of the code.

ROO 15-009: The assistant city attorney for the city of Delray Beach (city) asked if the city's fire-rescue department may solicit donations from vendors of the city to raise money for teams to compete in several advanced life support (ALS) competitions and one rapid intervention team (RIT) competition.

The COE opined as follows: The city fire department is not prohibited from soliciting and accepting donations from city vendors using city resources or staff in excess of \$100, annually in the aggregate, to raise funds for the teams to attend the training competitions as long as the competitions are determined to have a public purpose. Here, the city's fire-rescue department administration or the City Council must make a determination that solicitations for the competitions are for a public purpose.

ROO 15-010: A Palm Beach County employee, who is a member of the American Contract Compliance Association's (ACCA) board of directors and one of the co-chairs of the 2015 ACCA National Training Institute, asked what her obligations are under the code when she solicits sponsorships or donations for the 2015 ACCA National Training Institute.

The COE opined as follows: The employee may solicit donations or sponsorships on behalf of the ACCA from anyone as long as they do not have a pending application or award of any nature before the Palm Beach County Board of County Commissioners (BCC). Since the employee is a member of the ACCA's board of directors, when soliciting sponsorships and donations for the event, she must not use her position as a county employee in any way, including any other oral or written solicitations. Additionally, she may not use county staff or county resources to solicit contributions. While she is not prohibited from soliciting donations for a nonprofit organization in her personal capacity, any solicitation, pledge, or donation in excess of \$100 involving a vendor, lobbyist, or principal or employer of a lobbyist of the BCC must be disclosed on a solicitation log and filed with the COE.

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

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