



Honesty - Integrity - Character

**Palm Beach County
Commission on Ethics**

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News Release

For immediate release:
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May 2, 2019
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Summary of Palm Beach County Commission on Ethics Meeting Held on May 2, 2019

The Palm Beach County Commission on Ethics (COE) took the following actions at its monthly public meeting held on May 2, 2019.

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

C17-029: After considering the investigative report, probable cause recommendation, and statement of the COE advocate, the COE found probable cause did not exist and dismissed the complaint because there was no evidence that any violation had occurred.

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

RQO 19-006: A City of Palm Beach Gardens employee asked if it would violate the code of ethics if his outside business enters into a contract or transaction to provide goods to the city when he is a city employee.

The COE opined as follows: The code prohibits his outside business from entering into any contract or other transaction for goods with the city, unless an exception applies. Based on his circumstances, there are three exceptions that may apply. First, if the total amount of the contracts or transactions between his outside business and the city does not exceed \$500, in the aggregate, then the contract would not be prohibited. Second, the contract would not be prohibited if the contract is awarded under a system of sealed, competitive bidding, where his outside business is the lowest bidder. Third, the contract would not be prohibited if his outside business is the sole source of the supply needed by the city. If none of these exceptions apply, then any contract or transaction between the city and his outside employer would be prohibited.

RQO 19-007: A Palm Beach County employee asked if it would violate the code of ethics if he continues to serve as a member of the City of Riviera Beach's Planning & Zoning Board if he accepts a position as a legislative aide for a city councilperson.

The COE opined as follows: As long as he does not use his official position as a municipal advisory board member and as a city employee in any way, including participating in or voting on a matter, to give a special financial benefit to any of the prohibited persons or entities listed in §2-443(a), the code would not prohibit him from continuing to serving as a member of the city's Planning & Zoning Board while also working as a legislative aide. However, while there may be no per se conflict of interest, an appearance of impropriety may be created by his membership on the Planning & Zoning Board, where he is tasked with voting on whether to recommend matters to the city council, and his city employment as the legislative aide to a city councilperson who may vote on matters that he as a Planning & Zoning Board member recommended.

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

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