

Annual Report 2024



January 2025

More than 15 years ago, a group of passionate and committed individuals, driven by their dedication to public service, established and integrated a code of ethics. This code, a testament to their vision, is a constant reminder to our government officials and employees that public service is a sacred trust meant to be impartial and dedicated to the best interests of the people of Palm Beach County.

The original vision and intention of our founders are not forgotten. We remain dedicated to the values and principles the Palm Beach County Code of Ethics brings to our community. We want to express our deep gratitude to every one of our local government officials, employees, and community members for their crucial role in our mission. Their unwavering support and collaboration are the cornerstones of our success. The Palm Beach County Commission on Ethics thrives because of this close bond, and we look forward to continuing our work together.

Last year was another successful year of progress for us. Despite some challenges, we persevered, and, as you will see, 2024 marked the completion of the third year of our ambitious five-year Strategic Plan. Our achievements last year reassure us of our continuous progress and instill confidence in our future endeavors. They are a testament to our resilience and unwavering commitment to operational excellence, efficient governance, high-quality legal advice and services, educating and raising awareness of our mission in the community, and providing a solid foundation for our efforts to grow.

The energy and commitment of the commissioners and staff of the Palm Beach County Commission on Ethics have made these successes possible. We are confident that, with your continued support, we will achieve even more significant milestones.

Thank you for your continued support of the Palm Beach County Commission on Ethics. Your contributions, whether as government officials, employees, or community members, are invaluable and greatly appreciated.

Kind regards,

Christie Kelley
Executive Director



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EXECUTIVE SUMMARY

By detecting and preventing ethical conflicts of interest, the Palm Beach County Commission on Ethics plays a pivotal role in guiding local leaders and employees to make sound ethical decisions and navigate ethical challenges. The Commission's mission and impact resonate throughout the community and ensure that ethical standards, decisions, and operations uphold a trustworthy and reputable government and community of which we can all be proud. The community's collective commitment to ethical standards and behavior is vital to the success of these efforts.

This report highlights the Palm Beach County Commission on Ethics' activities and achievements in 2024, showcasing our commitment to exceptional service delivery, efficient and effective operational performance, employee well-being, education and outreach, and a steadfast focus on our customers.



The Palm Beach County Commission on Ethics monthly meeting.



PALM BEACH COUNTY COMMISSION ON ETHICS

The Palm Beach County Commission on Ethics is empowered to review, interpret, render advisory opinions, and enforce the Palm Beach County Code of Ethics. This code was enacted in 2010 to provide additional and more stringent ethics standards, as authorized by §112.326, Florida Statutes.

The Code of Ethics emphasizes and reminds government officials and employees to be mindful that public service is a public trust, intended to be impartial and dedicated to the best interest of the people of Palm Beach County. Officials and employees must conduct themselves in a manner that prioritizes public interest above their own personal interests.

The jurisdiction of the Palm Beach County Commission on Ethics extends to all county and municipal officials and employees and all other persons and entities required to comply with the Code of Ethics, the Palm Beach County Lobbyist Registration Ordinance, or the Palm Beach County Post-Employment Ordinance. It also has limited jurisdiction over all county and municipal vendors, lobbyists, and principals or employers of lobbyists who lobby the county or municipalities. The Palm Beach County Commission on Ethics enforces only local governmental ethics laws; it does not enforce any other laws, even those involving other ethical issues.

The Palm Beach County Commission on Ethics provides general and specialized training on the Palm Beach County Code of Ethics to county and municipal officials, employees, vendors, and lobbyists, and to members of the community and provides legal advice through advisory opinions to those under its jurisdiction. It also investigates complaints alleging violations of the three local ethics ordinances and takes enforcement action on violations of these ordinances.

MISSION

The Palm Beach County Commission on Ethics fosters integrity in public service, promotes the public's trust and confidence in that service, and prevents conflicts between private interests and public duties. It accomplishes this mission by providing continuous educational programs, engaging in community outreach, providing clear and timely legal advice to assist individuals in complying with the ethics codes, and fairly and impartially interpreting and enforcing conflict of interest and gift disclosure laws. In doing so, the Palm Beach County Commission on Ethics is guided by the principles of honesty, integrity, and character.

This mission remains of utmost importance and value because it guides decisions to help ensure the effective and efficient use of public resources, creates a sense of trust and unity, fosters care and cooperation in the community, and ultimately makes Palm Beach County a desirable place to live and work.

As an independent watchdog agency, the Palm Beach County Commission on Ethics is tasked with safeguarding these high ethical standards to promote the greater good and restore trust and confidence in government.



COMMISSIONERS AND STAFF

A code of ethics guides us to live in a world shaped by honesty, integrity, and character. These values are essential to building a life of mutual trust and support, which greatly enhances our relationships and communities.

– Kristin A. Vara-Garcia, Chair



*Palm Beach County Commission on Ethics Commissioners
Back row (L-R) Peter Cruise, Kristin Vara-Garcia, Rodney Romano
Front row (L-R) Michael Kridel, Michael Kugler*

Palm Beach County Commission on Ethics Commissioners oversee the organization's governance and play an essential role in providing vital service to the community. Working with staff, they build community relationships; establish ethical standards, procedures, and compliance; handle significant legal and ethical issues; and advance the mission, vision, and strategic plans of the Commission. They are committed to upholding the Commission's values and the principles of the Code of Ethics, placing a strong focus on procedural justice, responsible stewardship, accountability, and transparency.

Commissioners meet monthly to oversee the procedures governing the operation and responsibilities of the three local ethics ordinances: the Code of Ethics, the Lobbyist Registration Ordinance, and the Post-Employment Ordinance. They also make probable cause determinations on alleged ethics violations. In addition, they advise and make recommendations regarding the policies, procedures, and requirements of the local ethics ordinances.



The Palm Beach County Commission on Ethics board is comprised of five volunteer members, each appointed by different community organizations and serving staggered four-year terms. The board elects a new chair and vice-chair annually. Serving as a Palm Beach County Commission on Ethics Commissioner requires commitment and exceptional credentials. The work of the Commissioners is essential in promoting and strengthening the foundation of ethical behavior and practices in local government and the community.



Commissioner Kristin Vara-Garcia being sworn in by Judge Danielle Sherriff, a former member of the Palm Beach County Commission on Ethics.

Our Palm Beach County Commission on Ethics Commissioners:

Kristin A. Vara-Garcia, Esquire, Chair

Kristin Vara-Garcia serves as Chair of the Palm Beach County Commission on Ethics and has been a member since 2023. An experienced attorney, community volunteer, and award-nominated author, Vara-Garcia is a senior attorney for Palm Beach County School District in the Office of General Counsel. Before joining the School District, Vara-Garcia was a real estate attorney in private practice and an Assistant State Attorney in Palm Beach County. Vara-Garcia is a Palm Beach County Bar Association member and has previously served as the co-chair/moderator of the real estate/transactional section of the Palm Beach County Bench Bar. In addition to her legal work, Vara-Garcia serves as the Vice President of the Guild of Catholic Lawyers of the Diocese of Palm Beach and is a volunteer for GTS Husky Rescue. Vara-Garcia was appointed to the Palm Beach County Commission on Ethics by the Palm Beach County Association of Chiefs of Police.

Michael S. Kridel, CPA, CFF, CITP, CFC, Vice Chair

Michael Kridel has been a Palm Beach County Commission on Ethics member since 2013. Kridel is a Certified Public Accountant and Shareholder in Michael S. Kridel, C.P.A., P.A. He holds the Certified in Financial Forensics, Certified Information Technology Professional, and Certified Forensic Consultant designations, among others. Kridel has practiced public accounting for almost 50 years and is a frequent speaker and author, garnering numerous awards at national and local conferences. He facilitated an award-winning seminar, Ethical Decision Making in the Workplace and Society, for Broward County high schools, positively influencing more than 15,000 seniors. Kridel is also a certified ethics instructor for Florida's CPAs, an online forensic accounting course instructor for the University of North Carolina at Charlotte, and a guest instructor at Florida Atlantic University and other institutions. He is a longtime member of the Editorial Review Panels of the Journal of Accountancy and Florida CPA Today. Kridel has been a long-time Rotarian and is a board member



for numerous not-for-profit organizations, including the Florida Board of Accountancy Education Advisory Committee. The Palm Beach Chapter of the Association of Certified Fraud Examiners appointed Kridel to the Palm Beach County Commission on Ethics.

Peter L. Cruise, Ph.D.

Peter Cruise has been a Palm Beach County Commission on Ethics member since 2018. Cruise is the Founding Director of the LeRoy Collins Public Ethics Academy and an Affiliate Associate Professor at Florida Atlantic University. His academic and professional careers have focused on improving the ethical climate in public sector programs and organizations. Previously, Cruise successfully worked in management positions in various health and human service settings. His research interests include organizational ethics, values-based management, and ethnographic approaches in human services planning and evaluation. He has presented the results of these and other research efforts at regional, national, and international academic conferences. In addition, Cruise has published his work in numerous peer-reviewed journals. Cruise is the co-editor of *Handbook of Organization Theory and Management: The Philosophical Approach*. In 2015, Cruise was selected by the College of Design and Social Inquiry faculty at Florida Atlantic University as a Distinguished Alumnus. Florida Atlantic University appointed Cruise to serve on the Palm Beach County Commission on Ethics.

Michael H. Kugler, Esquire

Michael Kugler has been a member since 2020. Kugler has a long and successful legal career as a highly respected prosecutor and personal injury attorney. He is currently a litigation attorney at GOLDLAW. Kugler is active in the community and works with public officials, businesses, and civic leaders through his participation in numerous legal and civic organizations. Kugler was appointed to the Palm Beach County Commission on Ethics by the Hispanic Bar Association of Palm Beach County, in conjunction with the F. Malcolm Cunningham, Sr. Bar Association, and the Palm Beach County Bar Association.

Rodney G. Romano, Esquire

Rodney Romano has been a Palm Beach County Commission on Ethics member since 2018. He is a Florida Bar member and restricts his practice to dispute resolution. He served as Mayor of the City of Lake Worth. Romano founded Matrix Mediation in 2006 to offer more problem-solving approaches to the mediation field and provide clients with more support and compassion to understand their legal issues and help them determine their best solutions. Romano is a Florida Supreme Court Certified Circuit Civil Mediator and has conducted more than 8,500 circuit civil mediations in all areas of civil law. He is also the author of *Dispute Resolution Field Manual – Negotiating in the Trenches* and has lectured and written regularly on alternative dispute resolution issues. Romano is a member of the Florida Bar and the Palm Beach County Bar Association. The Palm Beach County League of Cities, Inc. appointed Romano to the Palm Beach County Commission on Ethics.



Working in close partnership with the Commissioners, the Palm Beach County Commission on Ethics staff is the unifying force that drives the Commission's success. Effective teamwork, built on trust and respect, is essential to a high-performing, cohesive team that produces results. This statement describes the Palm Beach County Commission on Ethics staff, who diligently work together to achieve organizational goals and accomplishments as a solid and unbeatable team. They also demonstrate the Commission's values, foster good relationships in the community, and actively support the mission of the Palm Beach County Commission on Ethics in a constructive and impactful manner.



*Palm Beach County Commission on Ethics Staff
Back row (L-R) Lizabeth Martin, Christie Kelley, Rhonda Giger
Front row (L-R) Gina Levesque, Abigail Irizarry, Mark Higgs*

Our Palm Beach County Commission on Ethics staff:

Christie Kelley, Esquire, Executive Director

Christie Kelley was appointed Executive Director of the Palm Beach County Commission on Ethics in 2022. Her responsibilities include creating and overseeing the Commission's Strategic Plan 2022-2027 and managing the legal, education, enforcement, and administrative functions of the Palm Beach County Commission on Ethics, including overseeing the development and implementation of training programs for public officials and employees to ensure compliance with the county's ethics ordinances, supervising the investigation of alleged violations of the ethics ordinances, and providing legal counsel to the Palm Beach County Commission on Ethics and others under the jurisdiction of the Commission. Before becoming the Executive Director, Kelley served as the Palm Beach County Commission on Ethics General Counsel for eight years. Previously, Kelley served as an Assistant State Attorney in Florida's Fifth Judicial Circuit in Marion County and as an Assistant Director in the Center for Career Development at the University of Florida Levin College of Law, where she focused on advising law students pursuing government or public interest careers and oversaw the pro bono, public interest, and community service programs. Kelley is a Florida Bar member and an active community volunteer. Kelley earned a B.A. in Business Administration (summa cum laude) from the University of Florida and a J.D. from the University of Florida Levin College of Law (cum laude).



Rhonda Giger, Esquire, General Counsel

Rhonda Giger joined the Palm Beach County Commission on Ethics staff in 2022 as General Counsel and leads the Legal Affairs Section. With 25 years of legal experience, she began her legal career as the first in-house prosecutor for the City of Bothell, Washington, serving as the lead prosecutor and police legal advisor for 18 years, before then joining the Florida Attorney General’s Office as an Assistant Attorney in the Capital Appellate Unit. As General Counsel, Giger provides legal services to the Palm Beach County Commission on Ethics and those under their jurisdiction regarding issues involving the Code of Ethics, Lobbyist Registration Ordinance, and Post Employment Ordinance. Giger also presents factual and legal analyses for legal sufficiency determinations of complaints to the Executive Director and probable cause determinations to the Commissioners. Giger earned a B.A. in Law and Justice from Central Washington University and a J.D. from Seattle University School of Law (cum laude).

Gina Levesque, Intake & Compliance Manager

Gina Levesque has served the Palm Beach County Commission on Ethics since its inception in 2010. With over 25 years of legal and law enforcement experience, Levesque oversees the daily operations of the Intake & Compliance Section, which includes duties related to Palm Beach County Commission on Ethics governance, communicating ethical standards, policies, and regulations to government officials and employees, community leaders, and the general public. Levesque also ensures the timely and thorough review of compliance matters, tracks efforts to assess effectiveness, efficiency, and service quality, and participates in Palm Beach County Commission on Ethics initiatives and associated activities. Before joining the Commission, Levesque was a law enforcement and correctional officer in Broward County and was a legal assistant in the homicide division at the Office of the State Attorney in Palm Beach County. Levesque has a B.S. in Education from Southern Illinois University, is a Certified Fraud Examiner, and is an active member of the Florida Region 7 All Hazards Incident Management Team.

S. Lizabeth Martin, Communications & Education Manager

Lizabeth Martin joined the Palm Beach County Commission on Ethics staff in 2023 as the Communications and Education Manager. With over 20 years of successful and effective communications, marketing, and journalism experience, Martin manages the day-to-day delivery of education programs, marketing projects, and internal and external communications and represents the Commission at community and education activities. Martin also oversees the Palm Beach County Commission on Ethics campaign to increase public visibility and awareness of its mission. Before joining the Commission, Martin served as a tenured professor at Palm Beach State College in the Speech Department for 11 years. Martin has also worked at the University of North Florida, Flagler College, Duval County Schools, The Florida Times-Union, and WJCT Public Broadcasting in Jacksonville. Martin earned a B.A. in Communications from Florida State University and an M.A. in Communications from the University of West Florida.



Mark Higgs, Investigator

Mark Higgs, following a 30-year career with the Chicago Police Department, joined the Palm Beach County Commission on Ethics staff in 2019. Higgs conducts confidential and time-sensitive investigations focused on alleged ethics violations and serves as a department liaison with law enforcement agencies and other institutions to foster investigation collaboration. Higgs came to the Palm Beach County Commission on Ethics with notable investigation credentials. In addition to his duties with the Chicago Police Department, Higgs served on the high-profile Joint Terrorism Task Force for the Federal Bureau of Investigation. As an advocate for law enforcement best practices, Higgs also obtained specialized training through the Department of Homeland Security, the Bureau of Justice Assistance, the Office of the Director of National Intelligence, and the Federal Bureau of Investigation. Higgs earned a B.S. in Law Enforcement Management and an M.S. in Public Safety Administration from Calumet College of St. Joseph and is a Certified Fraud Examiner and Certified Forensic Interviewer.

Abigail Irizarry, Investigator

Abigail Irizarry joined the Palm Beach County Commission on Ethics staff in 2016 after serving nine years as a respected and award-winning investigator for the State of Florida. As an Investigator for the Commission, Irizarry conducts confidential and time-sensitive investigations focused on alleged ethics violations. She also serves as a department liaison with law enforcement agencies and other institutions to foster investigation collaboration. Previous experience included a variety of investigative capacities, first for the Better Business Bureau and then becoming the lead investigator for the Florida Department of Children and Families in Lee County, specializing in human trafficking cases and other crimes. In 2015, Irizarry was named the Department of Children and Families Office of Inspector General's Investigative Star of the Year for her achievements. She was the first female investigator in the state to receive this prestigious award and honor. Irizarry earned a B.S. in Criminology from Florida State University and is a Certified Inspector General Investigator, Certified Fraud Examiner, and Certified Forensic Interviewer.



ADVOCATE PROGRAM



Flynn Bertisch, Advocate



John Cleary, Advocate

The Palm Beach County Commission on Ethics, in conjunction with the Legal Aid Society, began a pro bono volunteer advocate program in 2011 to help staff prosecute ethics complaints in Palm Beach County.

In 2021, the ordinances were amended and updated to allow for Advocates and Hearing Officers to be paid a nominal fee. Advocates contribute their valuable time and legal expertise to provide additional knowledge, skills, and litigation support for complex legal matters or cases that cannot be handled by the Palm Beach County Commission on Ethics General Counsel. Advocates and Hearing Officers generally have significant courtroom experience in criminal law practice as state prosecutors or defense attorneys.

John B. Cleary, Esquire, and **Flynn P. Bertisch**, Esquire, are highly regarded and accomplished Palm Beach County attorneys who currently serve and lend their legal expertise and litigation skills as advocates for the Palm Beach County Commission on Ethics.

FISCAL REPORT

Under the Commission on Ethics Ordinance §2-259, Palm Beach County is responsible for the financial support of the Palm Beach County Commission on Ethics. The budget is allocated from the County's General Fund Account.

As good stewards of public funds, the Palm Beach County Commission on Ethics board and staff exercise prudence and integrity in managing public funds and resources, ensuring the efficient and effective operation of the organization.

The Commission's operating budget for the fiscal year 2024 was \$914,166. Detailed budget information is available from the Palm Beach County Office of Financial Management and Budget at www.pbcgov.org/ofmb.



STRATEGIC PLAN 2022–2027

The Palm Beach County Commission on Ethics had another productive year in 2024 as we continued working on our five-year Strategic Plan. A brief review of our notable accomplishments and significant progress on the plan's five strategic priorities inspires optimism and confidence for the future.

Goal 1: Provide Exceptional Service Delivery

Objective: To manage Palm Beach County Commission on Ethics operations, priorities, and evaluation of programs, services, and projects.

The Palm Beach County Commission on Ethics continues to encourage and foster a culture of ethics and accountability as mandated by the Palm Beach County Code of Ethics. Last year, a strong focus on operations and customers continued, and all efforts were directed toward delivering exceptional service.

In 2024, the Palm Beach County Commission on Ethics reviewed its continuous improvement process in service delivery. It identified and revised processes and checklists to streamline inquiry and complaint procedures, continued tracking 28 organization-wide performance metrics, created and incorporated new methods and ways to bring awareness of our mission, and appraised the new state ethics bill for its impact on standard operating procedures.

The Palm Beach County Commission on Ethics continues to interact with legislators to encourage and support ethics legislation that advocates for and benefits local government and community needs. The Palm Beach County Commission on Ethics has collaborated with other state-wide ethics agencies to coordinate efforts to educate elected leaders on ethics policies, standards, and benefits.

Goal 2: Maintain & Motivate A Highly Skilled Agile Team

Objective: To ensure a workplace environment that welcomes and supports Palm Beach County Commission on Ethics employee engagement and development.

Personnel development, job descriptions, and staffing are continuously reviewed and updated annually to ensure employee motivation, engagement, and well-being. Employees are dedicated and firmly committed to the Palm Beach County Commission on Ethics' mission and core values, reflected in their numerous accolades and accomplishments.



Staff preparing for a Commission meeting.



Goal 3: Overhaul and Improve Commission Website

Objective: To engage and inspire individuals to support the Palm Beach County Commission on Ethics mission.

A comprehensive website redesign in collaboration with county personnel is underway. It involves significant content, structure, and visual changes that will serve and improve user experience and our educational and marketing capabilities—estimated to debut in the latter half of 2025.

Goal 4: Enhance Comprehensive Education Program

Objective: To deliver Palm Beach County Commission on Ethics training that is effective, efficient, and accessible.



Gina Levesque and Lizabeth Martin at an outreach event.

Educational training, activities, marketing, and communication campaigns are crucial for building a culture of ethics in government service and are central to nurturing a county-wide ethical culture. In 2024, we made significant progress toward strengthening our education and communication section by adding a dedicated staff member in the last quarter of 2023, which allowed us to increase and meet the demand for our programs and services. Several new creative marketing and social media awareness campaigns and training programs were created and delivered, steadily growing and meeting significant education objectives and goals. The Code of Ethics publications were also revised and updated.

Goal 5: Organization and Community Partnerships

Objective: To foster community outreach and partnerships to strengthen the Palm Beach County Commission on Ethics' presence and services.

A marketing/outreach plan was created in 2024 as a roadmap and tracking mechanism for our community outreach efforts. These efforts aim to actively engage and build new relationships and opportunities, raise awareness about our programs and services, and collaborate to promote and market our mission. New undertakings involve hosting education events, sharing content via social media platforms, and forming relationships with local organizations.



Abigail Irizarry, Rhonda Giger, and Lizabeth Martin participating in an outreach event during Ethics Awareness month.



CUSTOMER SATISFACTION

Having questions about the ethics laws answered in the moment was great.

– Town of Juno employee

It was helpful to clarify situational scenarios.

– City of Boynton Beach employee

Thank you for keeping us well informed.

– City of Boynton Beach employee

Great course!

– Town of Highland Beach employee

Providing exceptional customer service and satisfaction is a priority for the Palm Beach County Commission on Ethics. We value feedback from our customers, which includes individuals under our jurisdiction and individuals in the general public. We use our Customer Satisfaction Survey to gain insights into the needs of the public officials and employees we serve and assess how well we meet their expectations and needs.

We also want our customers to play a role in shaping their ethical behavior, feel more connected to the Palm Beach County Commission on Ethics, and succeed in making ethical decisions. Their feedback helps us build on the goals of our strategic plan, which is to create a loyal and engaged customer base. Satisfied customers are more likely to become our biggest promoters and strongest advocates and share the importance of our mission with others throughout the community.

The Palm Beach County Commission on Ethics Customer Satisfaction Survey is available for local government employees and officials to voluntarily complete after participating in the Commission's ethics training program. The survey consists of five questions with a rating scale and one open-ended question, allowing respondents to share additional suggestions and ideas. Surveys are reviewed in real time, allowing us to make immediate changes or address customers' concerns. Measuring our customers' satisfaction also provides concrete data, which may be used to develop new key performance indicators to enhance our service delivery.

Since its launch in 2022, 1,104 public service customers have voluntarily completed the survey regarding our work and programs. The feedback indicates that these customers continue to be satisfied with our performance, find the training valuable, and consider our mission important for the community.



99.8%

reported they are satisfied or very satisfied with the Palm Beach County Commission on Ethics programming they received.

99.7%

found the Palm Beach County Commission on Ethics training program helpful in understanding how to incorporate the Code of Ethics into their work.

99.0%

believe ethical instruction, knowledge, and practices are essential for community well-being.

94.5%

felt more confident in their abilities to serve the public, coworkers, and employers with honesty, integrity, and character after participating in the Palm Beach County Commission on Ethics program.

82.2%

reported they had previously heard about and were aware of the COE and its mission.

Measuring customer satisfaction is essential to monitoring our efforts, ensuring we are headed in the right direction, and delivering effective programs and services. The Commissioners and staff of the Palm Beach County Commission on Ethics are committed to maintaining quality customer service, and we will continue to focus on providing exceptional customer service in the years ahead.



Staff members attending outreach events throughout the county.



2024 ACHIEVEMENTS

Administrative

New Chair and Vice-Chair appointed

11 Commission meetings held

15 Training Policy Compliance Reviews completed

Education and Outreach

18 Training sessions held

22 Outreach events attended

48,677 Website views

42 County/Municipal/Special District meetings attended



Legal Affairs

680 Requests for assistance received

17 Advisory Opinions issued

Average Number of Days to Complete Advisory Opinions: **7**

Enforcement

37 Pre-Inquiry Reviews completed

4 Inquiries initiated

22 Complaints investigated

1,055 Gift Forms reviewed

In alignment with our Strategic Plan 2022-2027, we continuously seek opportunities to better serve our customers and community and ultimately grow in our recognition. The operational process performance review highlighted in our Strategic Plan helped us develop custom-tailored performance measurements, define adequate process measures, improve efficiency in communication, and identify ways to optimize performance, leading to many successes and accomplishments in 2024.

Sharing a few examples of the achievements in our Administrative, Education and Outreach, Legal Affairs, and Enforcement areas is the best way to demonstrate our determination to continue performing successfully year after year.



Palm Beach County Board of County Commissioners Mayor Maria Sachs presenting a proclamation declaring March 2024 as Ethics Awareness Month.



ADMINISTRATIVE

The Administrative area of the Palm Beach County Commission on Ethics manages the day-to-day business and financial operations; develops and executes both short-term and long-term strategic plans, including key performance measures; implements new policies, procedures, and programs; oversees staff hiring and development; and carries out the goals and directives set by the Commissioners.

- Held 11 Palm Beach County Commission on Ethics Meetings (the October meeting was canceled due to Hurricane Milton).
- Kristin A. Vara-Garcia appointed as Chair.
- Michael Kridel appointed as Vice Chair.
- Continued implementation of the Strategic Plan 2022-2027 goals.
- Conducted 15 training policy compliance reviews and ensured ethics training compliance through support and outreach efforts by staff.
- Managed approximately 680 requests for assistance via phone or email, using these interactions to help educate the public about the Palm Beach County Commission on Ethics and the Palm Beach County Code of Ethics.
- Continued reviewing, improving, developing, and implementing office manuals, forms, policies, and protocols for identification, prioritization, cross-training, and standard operations practices.
- Continued reviewing and monitoring customer satisfaction surveys and comments to track satisfaction levels with Palm Beach County Commission on Ethics programs and services.
- Continued monitoring improvement and performance processes.
- Employee development:
 - Continued enhancing organizational culture and communication strategies.
 - Continued working on protocols for identification, prioritization, and management of employee development and communication.
 - COE staff completed over 120 hours of professional development training.



Christie Kelley making a presentation to the Palm Beach County Board of County Commissioners during Ethics Awareness Month.



EDUCATION AND OUTREACH

Ethics training and outreach by the Palm Beach County Commission on Ethics promotes ethics awareness and emphasizes the importance of ethical practices in local government and the broader community. This training helps create a positive work environment, fosters a culture of integrity, and protects an organization's reputation.



Lizabeth Martin presenting to the Kiwanis Club of Delray Beach.

The key strategic focus and mission of the Commission is to effectively communicate the requirements of ethical behavior under the Palm Beach County Code of Ethics and help to implement that behavior in the workplace. Our education programs use customized training to teach employees about ethical standards and expectations, guide them in making ethical decisions, and encourage them to seek help in challenging situations. The Palm Beach County Commission on Ethics website also serves as a valuable resource to support and provide additional education assistance.

All county and municipal elected officials, employees, contract employees, appointed officials, members of code enforcement boards (including the Palm Beach County Commission on Ethics), and advisory board members are required to complete the Palm Beach County Code of Ethics training in accordance with their public employer's training policy.

- Delivered 18 in-person ethics training sessions to public officials and employees.
- Delivered 22 in-person outreach presentations to the general public.
- Continued evaluating the impact and effectiveness of training programs.
- Assessed program and service delivery, identified potential gaps in service delivery, reviewed surveys, and implemented any necessary changes. Reviewed current, alternative, and additional methods for enhancing training delivery and completed an evaluation of education programs, needs, and delivery methods.
- Updated Code of Ethics publications.
- Continued revising Code of Ethics training for in-person and online access by officials, employees, and others under the Palm Beach County Commission on Ethics jurisdiction.
- Implemented marketing plan to promote and raise awareness of the Palm Beach County Commission on Ethics and to inform and educate those under its jurisdiction and the general public about the Commission's principles and practices.



- Implemented outreach plan to deliver programs and services to newly identified opportunities, increase community outreach efforts to educate the public about the Palm Beach County Commission on Ethics' mission and its actions, and track and evaluate contacts, activities, partnerships, and statistics.
- Developed media and public information content, including community bulletins/public service announcements, newsletters, website and social media postings, and other resources.
- Continued reviewing customer satisfaction and current services.
- To increase the representation of the Palm Beach County Commission on Ethics in the community, staff attended at least one commission meeting in each of the 39 municipalities within Palm Beach County and the Board of County Commissioners and also attended at least one meeting of the Delray Beach Community Redevelopment Agency, the Lake Worth Beach Community Redevelopment Agency, and the Delray Beach Housing Authority which are voluntarily under the jurisdiction of the Commission on Ethics.
- The Palm Beach County Commission on Ethics Website:
 - Continued reviewing areas needing enhancement, improvement, and updates, including written materials, guides, and training resources.
 - Identified key performance indicators to evaluate the website's performance (e.g., the number of users visiting the Palm Beach County Commission on Ethics website, bounce rate, location, and the most popular pages viewed) and assessed and identified successful communication pathways or roadblocks.
 - Website statistics:
 - 48,677 page views of the website.
 - 83% of visitors were located in the United States.
 - 52% of visitors were located in Florida.



Staff members attending outreach events throughout the county.



LEGAL AFFAIRS

The Palm Beach County Commission on Ethics is dedicated to protecting the public's trust and confidence in government officials, employees, institutions, and processes. Therefore, when faced with a possible ethical dilemma or decision, public officials and employees are obligated to follow our *Ask First, Act Later* approach and request an advisory opinion.

Advisory opinions provide clarity and prevent potential ethical violations by interpreting the ordinances under the Commission's jurisdiction. An advisory opinion is a formal legal interpretation of how the local ethics ordinances apply to a specific situation and whether a particular action or conduct complies with the ordinances. This process allows the requestor to carefully consider a situation before making a decision.

Any person under the jurisdiction of the Palm Beach County Commission on Ethics may request an advisory opinion, provided the request is based on the specific facts of the requestor's situation. Staff may also provide or refer individuals to previous advisory opinions to assist the requestor with interpreting the Code of Ethics, Lobbyist Registration Ordinance, or Post Employment Ordinance.

Advisory opinions serve as a preventative measure by helping individuals make informed decisions and avoid engaging in any prohibited action. It is essential to always seek guidance and clarification from the Palm Beach County Commission on Ethics before taking any action that could raise ethical concerns or undermine transparency and accountability in decision-making.

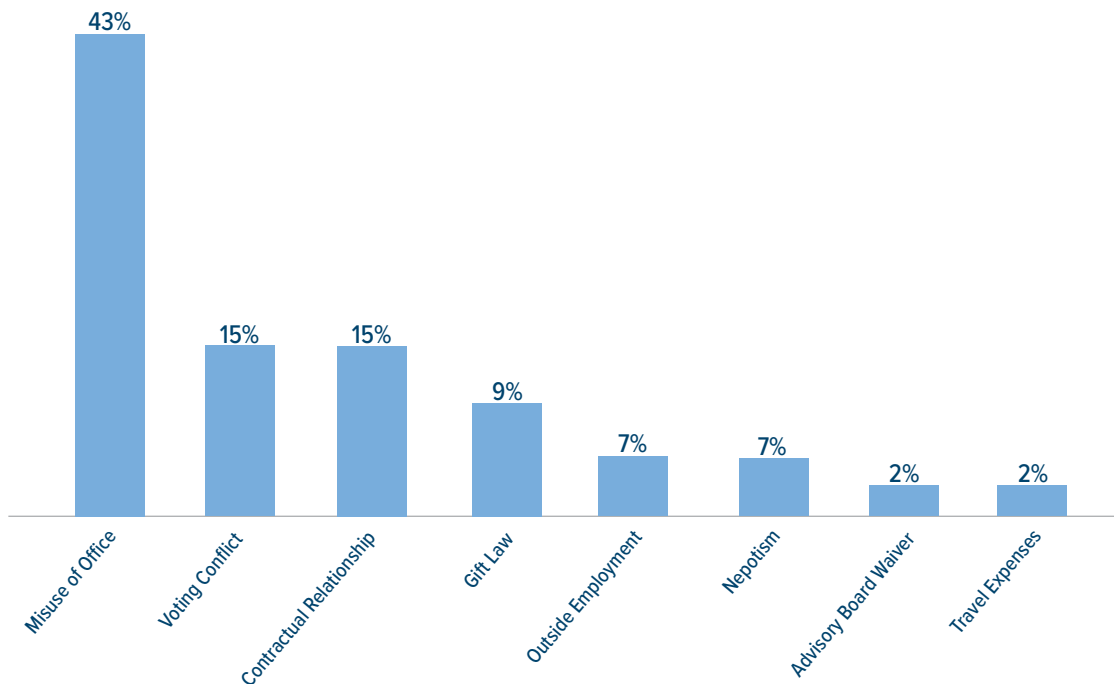
- Issued 17 new advisory opinions.
- Average number of days to complete advisory opinions: 7 days.
- Managed 39 requests for advice by referring the requesting party to prior advisory opinions.



Rhonda Giger presenting ethics training to the Delray Beach Downtown Development Authority.



2024 Advisory Opinions by Topic



ENFORCEMENT

The Palm Beach County Commission on Ethics is responsible for enforcing the Palm Beach County Code of Ethics, Palm Beach County Lobbyist Registration Ordinance, and Palm Beach County Post-Employment Ordinance. It also conducts confidential, impartial inquiries and investigations into alleged violations of these ordinances. An inquiry involves gathering preliminary information and facts to determine whether a formal investigation is warranted.

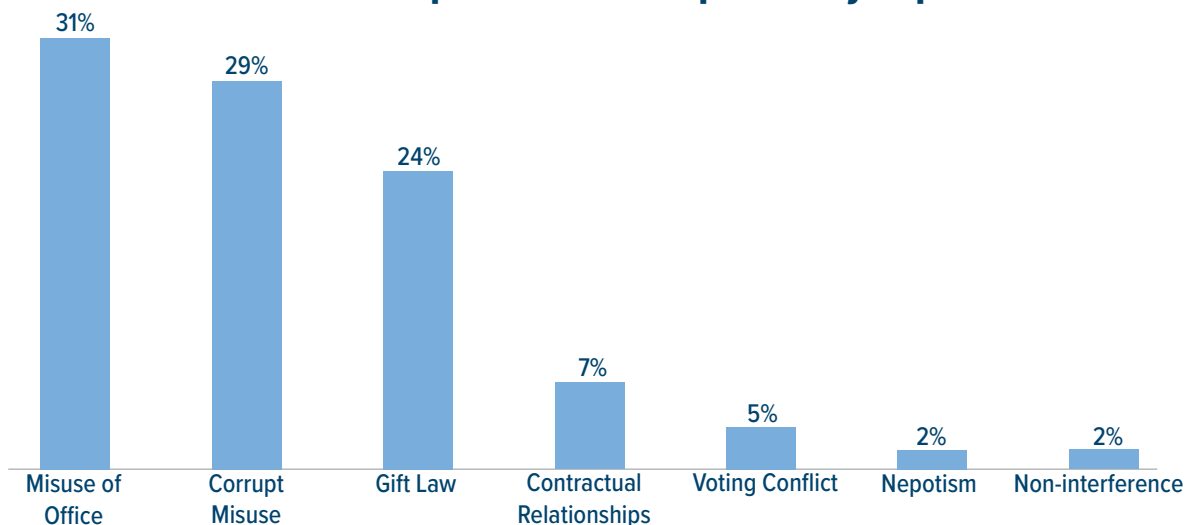
To further fulfill its mission of safeguarding the public's trust in local government, the Palm Beach County Commission on Ethics encourages and values the reporting of concerns and suspected misconduct. To support this mandate, the Commission has established policies and procedures designed to uphold integrity, impartiality, and respect to ensure effective and efficient investigations and enforcement while protecting the procedural rights of individuals.

Prompt responses and thorough, objective investigations into unethical concerns and misconduct help prevent the continuation of further harmful behaviors and actions, thereby protecting an organization's reputation and its employees' well-being. Ethics in the workplace fosters a culture of trust and respect, and employees who feel they can trust their employers and colleagues are more likely to be productive and motivated.



- Completed 37 pre-inquiry reviews.
- Initiated 4 inquiries.
 - 2 were closed due to lack of legal sufficiency.
 - 2 met legal sufficiency criteria and became self-initiated complaints.
- Investigated 16 sworn complaints.
 - 10 were administratively dismissed for lack of legal sufficiency.
 - 2 were dismissed with a finding of no probable cause.
 - 4 remain ongoing.
- Investigated 6 self-initiated complaints (were originally inquiries).
 - 1 was resolved by a Letter of Reprimand being issued.
 - 2 were resolved by a Letter of Instruction being issued.
 - 2 were dismissed with a finding of no probable cause.
 - 1 remains ongoing.
- Completed 3 ongoing inquiries from 2023.
 - 2 met legal sufficiency criteria and became self-initiated complaints.
 - 1 was closed due to lack of jurisdiction.
- Investigated 1 sworn complaint from 2023.
 - 1 was resolved by a Letter of Reprimand being issued.
- Investigated 3 self-initiated complaints from 2023.
 - 1 was dismissed for not being in the public interest to proceed further.
 - 2 were resolved by Letters of Instruction being issued.
- Reviewed 1,055 gift disclosure forms.
- Reviewed 64 voting conflict forms.
- Average number of days to complete routine inquiries: 36 days.
- Average number of days to complete routine investigations: 24 days.
- Average number of days to complete complex inquiries: 170 days.
- Average number of days to complete complex investigations: 187 days.

2024 Inquiries and Complaints by Topic





2025 PROJECTS

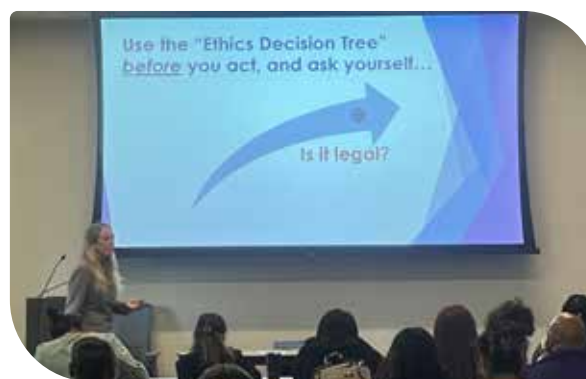
For the Palm Beach County Commission on Ethics to continue developing, growing, and succeeding, it must continuously improve to fulfill its vision. Achieving operational excellence, as outlined in our five-year Strategic Plan, requires fostering a productive and prolific environment, effective leadership, monitoring and meeting performance objectives and metrics, identifying areas for improvement, and optimizing use of resources.

As we begin the fourth year of our Strategic Plan, our 2025 projects to support continuous improvement are:

- Renew and further implement the continuous improvement process in service delivery to strengthen community engagement and reliance on the Palm Beach County Commission on Ethics' programs and services. Track, evaluate, and reassess every six months to identify any changes and improvements needed for optimum performance.
- Continue enhancing the education program by developing new and revised programs, services, and delivery that maximize the Palm Beach County Commission on Ethics' presence and impact in public services and the community, including updating the online ethics training, producing short educational video clips for the public on the most frequently asked questions about sections of the Code, and creating a continuing education program for Palm Beach County Commission on Ethics Commissioners.
- Upgrade the Palm Beach County Commission on Ethics website with new user-friendly formatting and features to expand audience reach and provide digital education, promotional, marketing, and analytical capabilities.
- Continue enhancing and implementing the Palm Beach County Commission on Ethics marketing and outreach plans to deliver programs and services to established and newly-identified groups to educate the public about the Palm Beach County Commission on Ethics' mission of promoting public trust in government.



Rhonda Giger and Lizabeth Martin at an outreach event.



Rhonda Giger presenting ethics training to employees of the City of Boynton Beach.



LOOKING AHEAD

Ethical behavior is essential for fostering respect and trust within a community. A community culture that emphasizes and upholds high ethical standards in public service plays a vital role in shaping successful collaboration, interactions, and activities across all areas of a community.

Ethical responsibility in government involves honesty, integrity, transparency, and accountability in decision-making and actions. Ethical responsibility is not complete without considering the impact of social responsibility in the workplace. In the public sector, this means ensuring that government actions benefit the community. Ethical governance strategies and a culture of integrity foster public trust, which, in turn, allows local government to experience growth and improvement to their services, programs, and community support.

The Palm Beach County Commission on Ethics is steadfastly committed to fostering integrity in public service, promoting the public's trust and confidence in those services, and preventing conflicts between private interests and public duties. Guided by our mission and our core values of honesty, integrity, and character, we remain focused on continuing our work and meeting the needs of the community and those we serve.

As we look ahead to 2025, we are excited about new opportunities to strengthen our mission and continue our positive impact on the community.



The Palm Beach Commission on Ethics commissioners and staff work together to promote ethical responsibility throughout local government in Palm Beach County.





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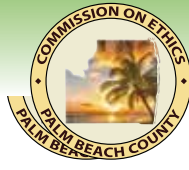
Visit: www.palmbeachcountyethics.com

Call: 561-355-1915

Email: ethics@pbc.gov

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APPENDIX

Palm Beach County Code of Ethics



CODE OF ETHICS

Effective Date: July 1, 2021

Sec. 2-441. Title; statement of purpose.

This article shall be known as the Palm Beach County Code of Ethics. This code of ethics is enacted pursuant to Florida Constitution, Article VIII, section 1(g), Florida Statutes, Ch. 125, and the Charter of Palm Beach County. The Municipalities located within Palm Beach County are subject to the provisions of this code of ethics pursuant to referendum. The purpose of this code is to provide additional and more stringent ethics standards as authorized by Florida Statutes, §112.326. This code shall not be construed to authorize or permit any conduct or activity that is in violation of Florida Statutes, Ch. 112, pt. III. This code of ethics shall be deemed additional and supplemental to any and all state and federal laws governing ethical conduct of officials and employees, as well as all local laws, rules, regulations and policies.

Officials and employees in the public service shall be conscious that public service is a public trust, shall be impartial and devoted to the best interests of the people of Palm Beach County, and shall act and conduct themselves so as not to give occasion for distrust of their impartiality.

Nothing herein shall abridge employees' constitutional right to collective bargaining.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11)

Sec. 2-442. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning, or where expressly provided herein to the contrary:

Advisory board shall mean any advisory or quasi-judicial board created by the board of county commissioners, by the local municipal governing bodies, or by the mayors who serve as chief executive officers or by mayors who are not members of local municipal governing bodies.

Customer or client means any person or entity to which an official or employee's outside employer or business has supplied goods or services during the previous twenty-four (24) months, having, in the aggregate, a value greater than ten thousand dollars (\$10,000).

Domestic partner is an adult, unrelated by blood, with whom an unmarried or separated official or employee has an exclusive committed relationship and maintains a mutual residence.

Financial benefit includes any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. This term does not include campaign contributions authorized by law.

Gift shall refer to the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise of these, or in any other form, without adequate and lawful consideration. Food and beverages consumed at a single setting or a meal shall be considered a single gift, and the value of the food and beverage provided at that sitting or meal shall be considered the value of the gift. In determining the value of the gift, the recipient of the gift may consult, among other sources, Florida Statutes, §112.3148, and the Florida Administrative Code as may be amended.

Household member includes anyone whose primary residence is in the official or employee's home, including non-relatives who are not renters or employees of the head of the household.

Inspector general shall mean the office established in article XII of this chapter.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.



Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, or who registers in the county's central lobbyist registration database or with any municipality, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

"Lobbyist" shall not include:

1. Any employee, contract employee, or independent contractor of a governmental agency or entity lobbying on behalf of that agency or entity, any elected local official when the official is lobbying on behalf of the governmental agency or entity which the official serves, or any member of the official's staff when such staff member is lobbying on an occasional basis on behalf of the governmental agency or entity by which the staff member is employed.
2. Any person who is retained or employed for the purpose of representing an employer, principal or client only during a publicly noticed quasi-judicial hearing or comprehensive plan hearing, provided the person identifies the employer, principal or client at the hearing, and providing that the person is not otherwise registered as a lobbyist in the county's central lobbyist registration database, or with any municipal lobbyist registration system when that municipality has its own lobbyist registration process.
3. Any expert witness who is retained or employed by an employer, principal or client to provide only scientific, technical or other specialized information provided in agenda materials or testimony only in public hearings, so long as the expert identifies the employer, principal or client at the hearing.
4. Any person who lobbies only in his or her individual capacity for the purpose of self-representation and without compensation.
5. Any employee, contract employee, or independent contractor of the Palm Beach County League of Cities, Inc., lobbying on behalf of that entity.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid. The term "employee" includes but is not limited to all managers, department heads, and personnel of the county or the municipalities located within the county. The term also includes volunteers of the county or the municipalities located within the county when such volunteers exercise discretionary police, fire, or parking enforcement department authority. The term "employee" also includes the chief executive officer of the county or any municipality, who is not part of the local governing body. If the county or municipality utilizes and contracts for "privatized" chief administrative officers or chief executive officers, then the person providing such services, or the officers, directors, and employees of any entity providing such services, shall be considered the employees of the county or municipality that he or she serves. However, it shall not include local government attorneys as defined in Florida Statutes § 112.313, or attorneys who render contracted services to the county or municipality that are limited in scope to a specific issue or subject, to specific litigation, or to a specific administrative proceeding. The term "official" shall mean members of the board of county commissioners, a mayor, members of local municipal governing bodies, and members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi-judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.

Outside employer or business includes:

1. Any entity, other than the county, the state, or any other federal, regional, local, or municipal government entity, of which the official or employee is a member, official, director, proprietor, partner, or employee, and from which he or she receives compensation for services rendered or goods sold or produced. For purposes of this definition, "compensation" does not include reimbursement for necessary expenses, including travel expenses; or
2. Any entity located in the county or which does business with or is regulated by the county or municipality as applicable, in which the official or employee has an ownership interest. For purposes of this definition, an "ownership interest" shall mean at least five (5) percent of the total assets or common stock owned by the official or employee or any combination of the official or employee's household members, spouse, child, step-child, brother, sister, parent or step-parent, or a person claimed as a dependent on the official or employee's latest individual federal tax return.
3. The term outside employer or business shall not apply to an employee who is employed by a certified bargaining agent solely to represent employees.



Palm Beach County Commission on Ethics means the commission established in section 2-254 et seq. to administer and enforce the ethics regulations set forth herein, and may also be referred to as the “commission on ethics” in this article.

Persons and entities shall be defined to include all natural persons, firms, associations, joint ventures, partnerships, estates, trusts, business entities, syndicates, fiduciaries, corporations, and all other organizations.

Principal shall mean the person or entity a lobbyist represents, including a lobbyist’s employer, for the purpose of lobbying.

Relative unless otherwise specified in this article, means an individual who is related to an official or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the official or employee or who otherwise holds himself or herself out as or is generally known as the person whom the official or employee intends to marry or with whom the official or employee intends to form a household, or any other natural person having the same legal residence as the official or employee.

Transaction shall refer to the purchase or sale by the county or municipality of goods or services for a consideration.

Vendor means any person or entity who has a pending bid proposal, an offer or request to sell goods or services or to sell or lease real or personal property, or who currently sells goods or services, or sells or leases real or personal property to the county or municipality involved in the subject contract or transaction as applicable. For the purposes of this definition, a vendor entity includes an owner, director, manager or employee. Currently sells goods or services shall mean the period of time of an actual transaction or contract between a vendor and the government entity if such transaction or contract exceeds \$500. Where no formal contract exists for the sale or lease of goods and services, it shall include the period of time from the point the government entity orders or otherwise agrees to purchase goods and services from a vendor, to the point that all obligations on the part of both the vendor and the government entity have been satisfied by delivery of the goods and/or services by the vendor, and payment has been received for those goods and services by the vendor, and where no other obligations by either party concerning the purchase of the goods and/or services remain unsatisfied. However, it shall not include any warranty period provided by the vendor once payment for the goods and services has been received and the goods and services have been delivered, even where an obligation to provide warranty service on the part of the vendor shall exist.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11, 4-6-21)

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, or attempt to do any of these things, in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities:
1. Himself or herself;
 2. His or her spouse or domestic partner, household member or persons claimed as dependents on the official or employee’s latest individual federal income tax return, or the employer or business of any of these people;
 3. A sibling or step-sibling, child or step-child, parent or step-parent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;
 4. An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who is known to such official or employee to work for such outside employer or business;
 5. A customer or client of the official or employee’s outside employer or business;



6. A substantial debtor or creditor of his or hers, or of his or her spouse or domestic partner— “substantial” for these purposes shall mean at least ten thousand dollars (\$10,000) and shall not include forms of indebtedness, such as a mortgage and note, or a loan between the official or employee and a financial institution;
 7. A civic group, union, social, charitable, or religious organization, or other organization of which he or she (or his or her spouse or domestic partner) is an officer or director. However, this sub-section shall not apply to any official or employee who is required to serve on the board of directors of any organization solely based on his or her official position (ex-officio), regardless of whether he or she has voting rights on the board, and who receives no financial compensation for such service on the board of directors, and otherwise has no personal ownership interest in the organization.
- B. **Corrupt misuse of official position.** An official or employee shall not use or attempt to use his or her official position or office, or any property or resource which may be within his or her trust, to corruptly secure or attempt to secure a special privilege, benefit, or exemption for himself, herself, or others. For the purposes of this subsection, “corruptly” means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of an official or employee which is inconsistent with the proper performance of his or her public duties.
- C. **Disclosure of voting conflicts.** County and municipal officials as applicable shall abstain from voting and not participate in any matter that will result in a special financial benefit as set forth in subsections (a)(1) through (7) above. The term “participate” as used in this section shall be defined as: “To take any action, or to influence others to take any action, or to attempt to do any of these things, in order to affect the passage or defeat of the specific matter before the voting body in which the official is required to abstain from voting.” The official shall publicly disclose the nature of the conflict and when abstaining from the vote, shall complete and file a State of Florida Commission on Ethics Conflict Form 8B pursuant to the requirements of Florida Statutes, §112.3143. Simultaneously with filing Form 8B, the official shall submit a copy of the completed form to the county commission on ethics. Officials who abstain and disclose a voting conflict as set forth herein, shall not be in violation of subsection (a), provided the official does not otherwise use his or her office to take or fail to take any action, or influence others to take or fail to take any action, in any other manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, as set forth in subsections (a)(1) through (7).
- D. **Contractual relationships.** No official or employee shall enter into any contract or other transaction for goods or services with his or her respective county or municipality. This prohibition extends to all contracts or transactions between the county or municipality as applicable or any person, agency or entity acting for the county or municipality as applicable, and the official or employee, directly or indirectly, or the official or employee’s outside employer or business. Any such contract, agreement, or business arrangement entered into in violation of this subsection may be rescinded or declared void by the board of county commissioners pursuant to section 2-448(c) or by the local municipal governing body pursuant to local ordinance as applicable. This prohibition shall not apply to employees who enter into contracts with Palm Beach County or a municipality as part of their official duties with the county or that municipality. This prohibition also shall not apply to officials or employees who purchase goods from the county or municipality on the same terms available to all members of the public. This prohibition shall also not apply to advisory board members provided the subject contract or transaction is disclosed at a duly noticed public meeting of the governing body and the advisory board member’s board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction.
- E. **Exceptions and waiver.** The requirements of subsection (d) above may be waived as it pertains to advisory board members where the advisory board member’s board is purely advisory and provides regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction. No waiver shall be allowed where the advisory board member’s board is not purely advisory and provides regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction. Waiver may be effected by the board of county commissioners or by the local municipal governing body as applicable upon full disclosure of the contract or transaction prior to the waiver and an affirmative vote of a majority plus one (1) of the total membership of the board of county commissioners or the local municipal governing body as applicable. In instances in which appointment to the advisory board is made by an individual, waiver may be effected, after full disclosure of the contract or transaction at a public hearing, by the appointing person. In addition, no



official or employee shall be held in violation of subsection (d) if:

1. The business is awarded under a system of sealed, competitive bidding to the lowest bidder and:
 - a. The official or employee, or his or her relative or household member, has in no way participated in the determination of the bid specifications or the determination of the lowest bidder;
 - b. The official or employee, or his or her relative or household member, has in no way used or attempted to use the official or employee's influence to persuade the agency, governmental entity or any personnel thereof to enter such a contract other than by the mere submission of the bid; and
 - c. The official or employee, prior to or at the time of the submission of the bid, has filed a statement with the supervisor of elections and the commission on ethics, disclosing the nature of the interest in the outside employer or business submitting the bid.
2. An emergency purchase or contract, which would otherwise violate a provision of subsection (d), must be made in order to protect the health, safety, or welfare of the citizens of the county or municipality as applicable.
3. The outside employer or business involved is the only source of supply within the county or municipality under applicable law or county or municipal policy, and there is full disclosure by the official or employee of his or her interest in the outside employer or business to the county or municipality as applicable and the ethics commission prior to the purchase, rental, sale, leasing, or other business being transacted.
4. The total amount of the contracts or transactions in the aggregate between the outside employer or business and the county or municipality as applicable does not exceed five hundred dollars (\$500) per calendar year.
5. Notwithstanding any provision to the contrary, subsection (d) shall not be construed to prevent an employee from seeking part-time employment with an outside employer who has entered into a contract for goods or services with the county or municipality as applicable provided that:
 - a. The employee or his or her spouse, domestic partner, household member, or relative does not work in the county or municipal department as applicable which will enforce, oversee or administer the subject contract; and
 - b. The outside employment would not interfere with or otherwise impair his or her independence of judgment or otherwise interfere with the full and faithful performance of his or her public duties to the county or municipality as applicable; and
 - c. The employee or his or her spouse, domestic partner, household member, or relative has not participated in determining the subject contract requirements or awarding the contract; and
 - d. The employee's job responsibilities and job description will not require him or her to be involved in the outside employer's contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance; and
 - e. The employee demonstrates compliance with applicable county or municipal policy regarding outside employment and obtains written permission from his or her supervisor; and
 - f. The employee has obtained a conflict of interest waiver signed by the chief administrative officer, or his or her designee, and the employee's direct supervisor, or his or her designee, based on a finding that no conflict exists. The employee shall submit the request for waiver in writing and under oath or affirmation on an approved form provided by the commission on ethics. The document shall contain written acknowledgment of compliance with the provisions of subsection (5)a. through (5)e. of this subsection, together with such pertinent facts and relevant documents that support such waiver. A waiver under this subsection must be approved by both the employee's direct supervisor and the chief administrative officer of the county or municipality or their designees. The county or municipality shall record such waiver in the employee's personnel file and shall submit a copy of the waiver and all related documents to the commission on ethics. The commission on ethics in its discretion may elect to review,



comment on, or investigate any waiver. The commission on ethics review or investigation shall not delay an employee's ability to take the part-time employment.

- g. **Official law enforcement or fire rescue overtime or extra duty details approved by the county or municipality of the employee.** The provisions of subsection (d) shall be waived for outside employment when that employment consists of a certified police agency extra duty detail or a certified firefighter or paramedic extra duty detail when contracted or administered by the police or fire rescue agency as applicable. For the purpose of this subsection, all records of external, extra duty or overtime security details, including supervisor approval, identity of contracting parties, and including time, date and manner of detail shall be maintained by the individual contracting or administering police or fire rescue agency, records of which shall be accessible to the public subject to state public records disclosure exemptions.
- F. **Accepting travel expenses.** No official or employee shall accept, directly or indirectly, any travel expenses including, but not limited to, transportation, lodging, meals, registration fees and incidentals from any county or municipal contractor, vendor, service provider, bidder or proposer as applicable. The board of county commissioners or local municipal governing body as applicable may waive the requirements of this subsection by a majority vote of the board or local municipal governing body. The provisions of this subsection shall not apply to travel expenses paid by other governmental entities or by organizations of which the county or municipality as applicable is a member if the travel is related to that membership.
- G. **Contingent fee prohibition.** No person shall, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person shall, in whole or in part, receive or agree to receive a contingency fee. As used herein, "contingency fee" means a fee, bonus, commission, or nonmonetary benefit as compensation, which is dependent on or in any way contingent on the passage, defeat, or modification of: an ordinance, resolution, action or decision of the board of county commissioners or local municipal governing body as applicable, any employee authorized to act on behalf of the board of county commissioners or local municipal governing body as applicable, the county administrator or municipal administrator as applicable, or any action or decision of an advisory board or committee. This prohibition does not apply to real estate brokers when acting in the course of their profession as regulated by Florida Statutes, §§475.001—475.5018, as may be amended. Nothing in this section may be construed to prohibit any salesperson from engaging in legitimate government business on behalf of a company from receiving compensation or commission as part of a bona fide contractual arrangement with that company provided such compensation or commission is ordinary and customary in the industry. Nothing in this section may be construed to prohibit an attorney from representing a client in a judicial proceeding or formal administrative hearing pursuant to a contingent fee arrangement if allowed by the rules of the Florida Bar.
- H. **Honesty in applications for positions.** No person seeking to become an official or employee, or seeking any promotion or job reassignment within the public entity that currently employs them, or seeking to enter into a contract or otherwise seeking to provide goods or services to the county or municipality as applicable, may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with employment by or services to the county or municipality as applicable.
- I. **Disclosure or use of certain information.** A current or former official or employee shall not disclose or use information not available to members of the general public and gained by reason of his or her official position, except for information relating exclusively to governmental practices, for his or her personal gain or benefit or for the personal gain or benefit of any other person.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11, 4-6-21)

Sec. 2-444. Gift law.

- A. 1. No county commissioner, member of a local governing body, mayor or chief executive when not a member of the governing body, or employee, or any other person or business entity on his or her behalf, shall knowingly solicit or accept directly or indirectly, any gift with a value of greater than one hundred dollars (\$100) in the aggregate for the calendar year from any person or business entity that the recipient knows, or should know with the exercise of reasonable care, is a vendor, lobbyist, or any principal or employer of a lobbyist who lobbies, sells, or leases to the county or municipality as applicable.



2. No vendor, lobbyist, or principal or employer of a lobbyist that lobbies, sells, or leases to the county or a municipality as applicable, shall knowingly give, directly or indirectly, any gift with a value greater than one hundred dollars (\$100) in the aggregate for the calendar year to a person who the vendor, lobbyist, or principal knows, or should know with the exercise of reasonable care, is an official or employee of that county or municipality. For the purposes of this subsection (a)(2), the term vendor also includes any person or entity that, because of the nature of their business, may respond to an invitation to bid, request for proposal or other procurement opportunity that has been published by the county or a municipality.
- B.
 1. No advisory board member, or any other person on his or her behalf, shall knowingly solicit or accept directly or indirectly, any gift with a value of greater than one hundred dollars (\$100) in the aggregate for the calendar year from any person or business entity that the recipient knows, or should know with the exercise of reasonable care, is a vendor, lobbyist, or any principal or employer of a lobbyist, who lobbies, sells, or leases to the recipient's advisory board or any county or municipal department as applicable that is subject in any way to the advisory board's authority, influence or advice.
 2. No vendor, lobbyist, or principal or employer of a lobbyist who lobbies, sells, or leases to an advisory board or any county or municipal department as applicable that is subject in any way to the advisory board's authority, influence or advice, shall knowingly give, directly or indirectly, any gift with a value greater than one hundred dollars (\$100) in the aggregate for the calendar year to a person who the vendor, lobbyist, or principal knows, or should know through the exercise of reasonable care, is a member of that advisory board. For the purposes of this subsection (b)(2), the term vendor also includes any person or entity that, because of the nature of their business, may respond to an invitation to bid, request for proposal or other procurement opportunity that has been published by the county or a municipality.
 - C. No county commissioner, member of a local governing body, mayor or chief executive officer when not a member of the governing body, or employee, or any other person or business entity on his or her behalf, shall knowingly solicit a gift of any value from any person or business entity that the recipient knows, or should know with the exercise of reasonable care, is a vendor, lobbyist, or any principal or employer of a lobbyist who lobbies, sells, or leases to the county or municipality as applicable, where the gift is for the personal benefit of the official or employee, another official or employee, or any relative or household member of the official or employee. No advisory board member or any other person or business entity on his or her behalf, shall knowingly solicit a gift of any value from any person or business entity that the recipient knows, or should know with the exercise of reasonable care, is a vendor, lobbyist, or any principal or employer of a lobbyist who lobbies, sells, or leases to the recipient's advisory board or any county or municipal department as applicable that is subject in any way to the advisory board's authority, influence or advice, where the gift is for the personal benefit of the advisory board member, another advisory board member, another official or employee, or any relative or household member of the official or employee.
 - D. For purposes of this section, a principal or employer of a lobbyist shall include any officer, partner or director of the principal or employer entity, or any employee of a principal or employer who is not an officer, partner or director, provided that the employee knows or should know with the exercise of reasonable care that the principal or employer employs a lobbyist.
 - E. No person or entity shall offer, give, or agree to give an official or employee a gift, and no official or employee shall accept or agree to accept a gift from a person or entity, because of:
 1. An official public action taken or to be taken, or which could be taken;
 2. A legal duty performed or to be performed or which could be performed; or
 3. A legal duty violated or to be violated, or which could be violated by any official or employee.
 - F. **Gift reports.** Any official or employee who receives a gift in excess of one hundred dollars (\$100) shall report that gift in accordance with this section.
 1. **Gift reports for officials and employees identified by state law as reporting individuals.** Those persons required to report gifts pursuant to state law shall report those gifts in the manner provided by Florida Statutes, §112.3148, as may be amended, including, but not limited to, the state's definition of gift, exceptions thereto, and gift valuations. The county code of ethics' definition of gift and exceptions thereto shall not be used by reporting individuals to complete and file state gift



reporting disclosures. When a state reporting individual files or is required to file a gift report with the state, a copy of each report shall also be filed with the county commission on ethics no later than ten (10) days after the report is filed with the state. Failure to file a State of Florida Quarterly Gift Disclosure Form with the county commission on ethics within the required timeframe shall be a violation of this section.

2. **All other officials and employees who are not reporting individuals under state law.**

a. **Personal gifts.** All officials and employees who are not reporting individuals under state law are not required to report gifts in excess of one hundred dollars (\$100) so long as those gifts are given to the official or employee by a personal friend or co-worker and the circumstances demonstrate that the motivation for the gift was the personal or social relationship rather than an attempt to obtain the goodwill or otherwise influence the official or employee in the performance of his or her official duties. Factors to be considered in determining whether a gift was motivated by a personal or social relationship may include but shall not be limited to: whether the relationship began before or after the official or employee obtained his or her office or position; the prior history of gift giving between the individuals; whether the gift was given in connection with a holiday or other special occasion; whether the donor personally paid for the gift or sought a tax deduction or business reimbursement; and whether the donor gave similar gifts to other officials or employees at or near the same time. If the personal friend or co-worker is a vendor, lobbyist or principal or employer of a lobbyist that lobbies the county or municipality as applicable, then the official or employee shall not accept a gift in excess of one hundred dollars (\$100) in accordance with subsections (a)(1) and (b)(1).

b. **All other gifts.** All officials or employees who are not reporting individuals under state law and who receive any gift in excess of one hundred dollars (\$100), which is not otherwise excluded or prohibited pursuant to this subsection, shall complete and submit an annual gift disclosure report with the county commission on ethics no later than January 31 of each year for the previous calendar year (January 1 through December 31). All officials or employees, who are not reporting individuals under state law and who do not receive a gift in excess of one hundred dollars (\$100) during a given reporting period shall not file an annual gift disclosure report. The annual gift disclosure report shall be created by the county commission on ethics and shall be in a form substantially similar in content as that required by state law. The county code of ethics' definition of gift and exceptions thereto shall be used by non-state-reporting individuals in completing and filing annual gift disclosure reports required by this section.

G. Exceptions. For the purposes of this section, the following shall not be considered a gift:

1. Political contributions specifically authorized by state or federal law;
2. Gifts from any relatives, domestic partners, and dependents named on the official's or employee's latest federal income tax return, or one's household member;
3. Awards for professional or civic achievement;
4. Materials such as books, reports, periodicals or pamphlets that are solely informational or of an advertising nature;
5. Gifts solicited or accepted by county or municipal officials or employees as applicable on behalf of the county or municipality in performance of their official duties for use solely by the county or municipality for a public purpose;
6. Publicly advertised offers for goods or services from a vendor under the same terms and conditions as are offered or made available to the general public;
7. Inheritance or other devise;
8. Registration fees and other related costs associated with educational or governmental conferences, meetings or seminars and travel expenses either properly waived or inapplicable pursuant to section 2-443(f), provided that attendance is for governmental purposes, and attendance is related to his or her duties and responsibilities as an official or employee of the county or municipality;



9. A ticket, pass or admission in connection with public events, appearances or ceremonies related to official county or municipal business, if furnished by a nonprofit sponsor organization of such public event, or if furnished pursuant to a contract between the event's non-profit sponsor and the county or municipality as applicable, provided the sponsor organization does not employ a lobbyist, and further provided the ticket, pass or admission is given by a representative of the sponsor organization who is not otherwise a lobbyist or a principal or employer of a lobbyist. Notwithstanding the exception as provided in this subsection, the ticket, pass, or admission must be disclosed in accordance with the gift law reporting requirements of subsections (f)(1) and (f)(2);
10. Expenditures made in connection with an event sponsored by a nonprofit organization funded in whole or in part with public funds whose primary function is to encourage and attract tourism or other business opportunities for the benefit of Palm Beach County or the municipalities as applicable, provided the sponsor organization does not employ a lobbyist, and further provided that the invitation to the event is made by a representative of the sponsor organization and the representative is not otherwise a lobbyist or a principal or employer of a lobbyist. Notwithstanding the exception as provided in this subsection, the expenditure must be disclosed in accordance with the gift law reporting requirements of subsections (f)(1) and (f)(2).

H. Solicitation of contributions on behalf of a non-profit charitable organization.

1. Notwithstanding the prohibition on gifts as outlined in subsections (a) and (b), the solicitation of funds by a county or municipal official or employee for a non-profit charitable organization, as defined under the Internal Revenue Code, is permissible so long as there is no quid pro quo or other special consideration, including any direct or indirect special financial benefit to the official or employee or to the person or entity being solicited. The solicitation by an official or employee as contemplated herein, is expressly prohibited if made to any person or entity with a pending application for approval or award of any nature before the county or municipality as applicable.
2. To promote the full and complete transparency of any such solicitation, officials and employees shall disclose, on a form provided by the commission on ethics, the name of the charitable organization, the event for which the funds were solicited, the name of any person or entity that was contacted regarding a solicitation or pledge by the official or employee, and the amount of the funds solicited or pledged if known. The form shall be completed legibly and shall be filed with the commission on ethics. The form shall be filed within thirty (30) days from the occurrence of the event for which the solicitation was made, or if no event, within thirty (30) days from the occurrence of the solicitation.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11, 4-6-21)

Sec. 2-445. Anti-nepotism law.

An official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement in or to a position in the county or municipality as applicable in which the official is serving or over which the official exercises jurisdiction or control, any individual who is a relative or domestic partner of the official. An individual may not be appointed, employed, promoted, or advanced in or to a position in the county or a municipality if such appointment, employment, promotion, or advancement has been advocated by an official, serving in or exercising jurisdiction or control over the county or municipality as appropriate, who is a relative or domestic partner of the individual or if such appointment, employment, promotion, or advancement is made by a collegial body of which a relative or domestic partner of the individual is a member. However, this section shall not apply to appointments to boards other than those with land-planning or zoning responsibilities in those municipalities with less than thirty-five thousand (35,000) population. This section does not apply to persons serving in a volunteer capacity who provide emergency medical, firefighting, or police services. Such persons may receive, without losing their volunteer status, reimbursements for the costs of any training they get relating to the provision of volunteer emergency medical, firefighting, or police services and payment for any incidental expenses relating to those services that they provide. Mere approval of budgets shall not be sufficient to constitute "jurisdiction or control" for the purposes of this section.

1. For the purposes of this section, "official" means any official or employee in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion,



or advancement in connection with employment in the county or municipality as applicable.

2. For the purposes of this section, “relative” means spouse, parent, child, sibling, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11, 4-6-21)

Sec. 2-446. Ethics training.

- A. Officials and employees, as public servants, are considered stewards of the public trust and should aspire to the highest level of integrity and character. Officials and employees shall be informed of their ethical responsibilities at the start of their public service, and shall receive updates and training materials on ethics issues throughout the span of their public service. The county administrator or municipal administrator, as applicable, shall establish, by policy, a mandatory training schedule for all officials, employees, and local government attorneys as defined in Florida Statutes §112.313, which shall include mandatory periodic follow-up sessions. This policy may also address ethics training for entities that receive county or municipal funds as applicable.
- B. The commission on ethics shall develop and deliver, or contract with other entities to develop and deliver, training programs. The commission on ethics shall coordinate and cooperate with all affected county or municipal entities, departments, agencies, boards, councils and commissions to ensure that effective and meaningful training experiences are delivered in a timely and efficient manner.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11, 4-6-21)

Sec. 2-447. Noninterference.

It shall be a violation of this article for any person: (a) to retaliate against, punish, threaten, harass, or penalize any person for communicating, cooperating with, or assisting the commission on ethics or the inspector general; or (b) to interfere, obstruct or attempt to interfere or obstruct without valid legal basis any investigation conducted by the commission on ethics or the inspector general.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11)

Sec. 2-448. Administration, enforcement and penalties.

- A. The commission on ethics shall be empowered to review, interpret, render advisory opinions, and enforce this code of ethics pursuant to the procedures established in the county commission on ethics ordinance. Jurisdiction of the commission on ethics with respect to advisory opinions rendered shall extend to all county and municipal officials and employees, and all other persons and entities required to comply with the provisions of this code and the county lobbyist registration ordinance, including but not limited to lobbyists, their employers and principals, and contractors and vendors and their employees.
- B. A finding by the commission on ethics of a violation of any part of this article shall subject the person or entity to public reprimand, a fine of up to five hundred dollars (\$500), or both. The commission on ethics may also order the person or entity to pay restitution when the person or entity or a third party has received a pecuniary benefit as a result of the person’s violation.
- C. Upon a finding of the commission on ethics or hearing officer that a violation of this article or the lobbyist registration ordinance resulted in a contract, grant, subsidy, license, permit, franchise, use, certificate, development order or other benefit conferred by the county or municipality as applicable, then such contract, grant, subsidy, license, permit, franchise, use, certificate, development order or other benefit may be rescinded or declared void by the board of county commissioners or the local municipal governing body as applicable.
- D. The commission on ethics may refer willful violations of sections 2-443, 2-444(a), 2-444(b), 2-444(c), 2-444(e), or 2-447 to the state attorney when deemed appropriate. Pursuant to Florida Statutes, §125.69, a person who violates the sections of the article set forth in this section 2-448(d) shall be subject to prosecution in the name of the state in the same manner as first degree misdemeanors are prosecuted, and upon conviction, such person may be punished by a fine not to exceed one thousand dollars (\$1,000), imprisonment not to exceed one (1) year, or both.

(Ord. No. 2011-011, §1(Exh. 1), 5-17-11, 4-6-21)







Honesty - Integrity - Character

300 North Dixie Highway, Suite 450
West Palm Beach, FL 33401
ethics@pbc.gov
561-355-1915