



*Honesty - Integrity - Character*

**Palm Beach County  
Commission on Ethics**

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## News Release

For immediate release:  
Contact:

July 8, 2022  
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### Summary of Palm Beach County Commission on Ethics Meeting Held on July 7, 2022

The Palm Beach County Commission on Ethics (COE) took the following action at its monthly public meeting held on July 7, 2022.

Danielle A. Sherriff was sworn in as a COE Commissioner by Chief Judge Glenn D. Kelley, 15<sup>th</sup> Judicial Circuit of Florida. Commissioner Sherriff was appointed by the president of the Palm Beach County Association of Chiefs of Police to complete the term of Carol E.A. DeGraffenreid, which ends 02/28/2024.

Five advisory opinions were approved. The full opinions are available at <http://www.palmbeachcountyethics.com/opinions.htm>. A summary of each opinion is listed below.

**RQO 22-011:** A municipal councilmember asked if municipal councilmembers were prohibited from holding private events to raise money, including the solicitation of donations, to benefit, for example, a town scholarship fund and/or Project 425?

**The COE opined as follows:** The Palm Beach County Code of Ethics (Code) does not prohibit councilmembers from raising or soliciting money for charitable causes. Where the organization is a non-profit charitable organization, as defined under the Internal Revenue Code, the solicitation or acceptance of a donation of over \$100 by a vendor, lobbyist, or principal or employer of a lobbyist who sells, leases, or lobbies the Town is not prohibited as long as a charitable solicitation log is maintained. Where the organization is not a non-profit charitable organization, as defined under the Internal Revenue Code, the solicitation or acceptance of a donation of over \$100 by a vendor, lobbyist, or principal or employer of a lobbyist who sells, leases, or lobbies the Town is prohibited.

**RQO 22-012:** An advisory board member asked if the Code prohibited him from representing a buyer who may petition the County and/or the city of West Palm Beach (City) for gap funding to complete a property purchase when he is a member of the County's Impact Fee Review Committee (IFRC).

**The COE opined as follows:** He is not prohibited from representing a purchaser who is seeking gap funding from the County and/or the City as long as he was not using his official position as a member of the IFRC in any way to give a special financial benefit to himself, his outside business, or to a customer or client of his outside business. Further, if an indirect contract with the County is create when the buyer applies for, and obtains, gap funding from the County or from the City, since the IFRC is purely advisory and does not exercise transactional oversight, the advisory board member would not be prohibited from representing the buyer in the noted purchase and sale as long as the existence of the subject transaction was disclosed at a duly noticed public meeting of the BCC.

**RQO 22-013:** A municipal official asked if she is prohibited from participating in and voting on the potential merger between the municipality and the Palm Beach County Sheriff's Office when her spouse works for the municipality's police department.

**The COE opined as follows:** She is not prohibited from participating in the discussions and voting on the matter because the size of the class affected is large enough and there is no indication that her spouse's personal gain or loss from the merger would exceed significantly that of other municipal police officers.

**RQO 22-014:** A municipal official asked if she is prohibited from entering into settlement discussions and voting on matters related to the pending inverse condemnation lawsuit between the municipality and the east side of North B Road.

**The COE opined as follows:** In evaluating conflict of interest under the Code, the COE considers 1) the number of persons who stand to gain from a decision and 2) whether the gain or loss is remote and speculative. Here, the number of persons affected is small and her interest in the class affected exceeds 1%. Due to the location of her home, her potential for loss or gain from this vote would not be remote or speculative. Therefore, she is prohibited from participating in discussions or votes involving the litigation or possible settlement of the lawsuit involving North B Road.

**RQO 22-015:** A municipal attorney asked if the Code prohibits a councilmember from participating in and voting on matters related to contract negotiations between the municipality and the County's Fire Rescue Department (PBCFR) when the councilmember works for PBCFR as a firefighter/paramedic.

**The COE opined as follows:** The councilmember is not prohibited from participating in the discussions and voting on the matter because the size of the class affected is large enough and there is no indication that his personal gain or loss from a change to the contract would be significantly different from that of any other firefighter/paramedic employed by PBCFR.

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

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