

# Summary of Palm Beach County Commission on Ethics Meeting Held on October 6, 2022

The Palm Beach County Commission on Ethics (COE) took the following action at its monthly public meeting held on October 6, 2022.

The Executive Director gave an update on the 2022 Accomplishments from the 2022-2027 Strategic Plan.

The commission approved three advisory opinions. The full opinions are available at <http://www.palmbeachcountyethics.com/opinions.htm>. Below are summaries of the opinions.

**RQO 22-019**: A city council member asked if it would violate the Palm Beach County Code of Ethics (Code) if she solicits donations on behalf of two non-profit organizations.

**The COE opined as follows**: Because she is not an officer or director of either of the non-profit organizations, the Code does not prohibit her from using her official position to give a special financial benefit to the two organizations. Thus, she is not prohibited from lending her name and official title as a municipal council member to a fundraising effort on behalf of the organization.

**RQO 22-020**: A city council member asked if the Code prohibits her from participating in discussions and voting on the hiring of a specific finalist for City Manager, when that candidate, and her spouse, are both currently employed by the Boynton Beach Police Department (BBPD).

**The COE opined as follows**: The Code would prohibit her from participating in discussions or voting on this matter if facts and circumstances showed that the hiring of this candidate would provide a unique benefit to her or your spouse. However, based on the facts provided, her involvement in the hiring process, including voting on whether to hire this specific candidate as well as the ratification of the final contract, would not result in a financial benefit to either her or her spouse. Additionally, the Code would prohibit her from participating in discussions or voting on this matter if it would give a special financial benefit to someone who works for her husband's outside employer. Although the final candidate for the city manager position is employed by BBPD, where her husband also works, Section 2-442 of the Code specifically exempts local and municipal government entities from the definition of outside employer. Because

the city is a municipal government entity and BBPD is a department within the city, BBPD is exempt from the Code's definition of outside employer. As such, she is not prohibited from participating in and voting on this matter when it comes before the City Commission.

**RQO 22-021:** A county attorney asked if the Code prohibits a county employee, who serves as the Ryan White CARE Council Coordinator for the county, from working in her private capacity as an independent contractor for a company where she would co-facilitate trainings to benefit other CARE Council Coordinators, Ryan White Program Administrators, or other staff.

**The COE opined as follows:** As long as neither she nor her outside business enter into any contract or other transaction for goods or services with the county or with a county vendor, other than where an exception applies, and she performs her consulting work outside her county work hours and does not use any county resources, software, or equipment, the Code does not prohibit her from working as an independent contractor for the company.

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

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