



Loxahatchee Groves Ethics Training

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Office of the Town Attorney

Florida Statutes

▶ Public Records

- ▶ Chapter 119 – all records made and received regarding Town business
- ▶ Includes texts and social media posts and messages related to Town business regardless of device or account
- ▶ Don't email, text, or post anything you wouldn't say in a public meeting or want printed in the newspaper
- ▶ Retention requirements

▶ Sunshine

- ▶ Chapter 286 – prohibits discussion between Board Members regarding Town business outside a noticed public meeting
- ▶ Includes prohibition of discussion via phone, text, and social media

▶ Ethics

- ▶ Chapter 112 – regulates voting conflicts, gifts, reporting, business relationships
- ▶ Supplemented by Palm Beach County Code of Ethics, Chapter 2, Article XIII of the Palm Beach County Code of Ordinances

Palm Beach County Code of Ethics Conflicts

- ▶ Public Officials shall NOT:
 - ▶ Use the public office or position to take or fail to take any action, or influence others to take or fail to take any action, or attempt to do 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 or the listed persons or entities
 - ▶ Use or attempt to use the public office or position, 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 the public official or others
 - ▶ Enter into any contract or other transaction for goods or services with the Town
 - ▶ Includes the public official's outside employer or business and any person, agency or entity acting for the Town
 - ▶ Accept, directly or indirectly, travel expenses from a contractor, vendor, service provider, bidder or proposer
 - ▶ Agree to pay or give a contingency fee to another person
- ▶ Public Officials shall declare voting conflicts of interest, abstain from voting or participating in discussion on such matters, and file Form 8B

Palm Beach County Code of Ethics

Conflicting Relationships

- Self
- Spouse, domestic partner, household member, dependents
- Sibling, step-sibling, child, step-child, parent, step-parent, niece or nephew, uncle or aunt, grandparent, or grandchild
 - of self, spouse or domestic partner
 - or the employer or business of any of these people
- Outside employer or business of self, spouse or domestic partner or someone known to public official to work for such employer or business
- Customer or client of the public official or outside employer or business (within the last 24 months)
- Substantial debtor or creditor of public official, spouse or domestic partner
- Civic group, union, social, charitable, or religious organization, or other organization of which the public official, spouse or domestic partner is an officer or director

Palm Beach County Code of Ethics

Gifts

- ▶ Public Officials shall NOT:
 - ▶ Knowingly solicit or accept, directly or indirectly, any gift of value greater than \$100 in the aggregate for the calendar year from any person or business entity that the public official knows or should know with the exercise of reasonable care, is a vendor, lobbyist or principal or employer of a lobbyist who lobbies, sells or leases to the Town
 - ▶ Knowingly solicit a gift of any value from any person or business entity that the public official knows, or should know with the exercise of reasonable care, is a vendor, lobbyist or principal or employer of a lobbyist who lobbies, sells, or leases to the Town where the gift is for the personal benefit of the public official or any relative or household member
 - ▶ Accept or agree to accept a gift from a person or entity, because of:
 - ▶ An official public action taken or to be taken or which could be taken
 - ▶ A legal duty performed or to be performed or which could be performed
 - ▶ A legal duty violated or to be violated or which could be violated
- ▶ Public Officials shall report gifts in excess of \$100

Training

State of Florida

- <http://www.ethics.state.fl.us/Training/Training.aspx>

Palm Beach County

- http://www.pbcgov.com/_code/videos/VideoPlayer.htm?id=COE/Training/2017-FINAL_COE-Training

Town Code of Ethics

- ▶ Public Officers pledge NOT to:
 - ▶ Misuse the office or position
 - ▶ Participate in debate on any matter which may come before Town Council for decision and which may benefit a family member, client, or business associate
 - ▶ Seek or accept any personal profit or gain or unwarranted favor or privilege for himself or any relative or other person
 - ▶ Improperly influence or attempt to influence other public officers
- ▶ Public Officers shall NOT:
 - ▶ Engage in, solicit, or negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service, or business creates a conflict with the proper discharge with official duties
 - ▶ Have any contact with, in any form, nor engage in communication or discussion with applicants, petitioners, or their agents or representatives seeking action or other relief from Town Council on matters relating to a pending application or other petition
 - ▶ Invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with official duties

Town Code of Ethics

- ▶ Public Officers shall NOT:
 - ▶ Directly or indirectly solicit, accept, or receive any gift, in any form, if:
 - ▶ It could be reasonably inferred or expected the gift was intended to influence the officer's performance of official duties
 - ▶ The gift was intended to serve as an inducement for an improper action or as a reward not otherwise permitted under state law
 - ▶ Use provisions of this Code of Ethics to further frivolous claims against one another
 - ▶ Knowingly violate any federal, state, or local law, rule or regulation
 - ▶ Disclose confidential information acquired in one's capacity as a public officer or use such confidential information to further one's personal interests
 - ▶ Undermine the duties, responsibilities, and role of the Town Manager
 - ▶ Use the official position to "influence peddle" or gain favors or benefits inconsistent with Town policy or applicable law on behalf of any citizen or other person

Questions?