

Leon County Research and Development Authority

Policy No. 11-11

Title: Code of Ethics
Date Adopted: August 2, 2011
Effective Date: August 2, 2011

1. PURPOSE

The proper operation of the Authority requires that the Board of Governors be independent and impartial so that the public has confidence in the integrity of the Authority. The purpose of Policy No. 11-11, “Code of Ethics” is to provide to the Leon County Research and Development Authority’s (hereinafter referred to as the “Authority”) Board of Governors, committee members, and employees with guidelines on behavior that inspire public confidence and avoid actions which create the appearance of using their position to obtain a personal benefit.

2. SCOPE

This Policy shall apply to the members of the Authority’s Board of Governors and its employees, as well as to all members of appointed boards and committees that have been created by the Authority. The Authority’s Board, committee members and employees are governed by the requirements of the Florida Code of Ethics in Sections 112.311-112.326, Florida Statutes. Particular adherence is required to the requirements in Section 112.313, Florida Statutes, as it relates to: solicitation or acceptance of gifts; doing business with one’s agency; unauthorized compensation; salary and expense; misuse of public position; conflicting employment or contractual relationship; and disclosure or use of certain information.

3. CONFLICTS BETWEEN THIS POLICY AND FLORIDA STATUTES

It is the purpose of this policy to supplement and implement the statutory requirements. The Florida Statutes shall apply in the event of any conflict between this adopted policy and the Florida Statutes.

4. INTERPRETATION

When in doubt as to the applicability and interpretation of the Authority's Code of Ethics, a Board member may request an opinion letter from the Authority's General Counsel. The General Counsel shall keep a file, open to the public, of all written opinions issued and submit a copy of each opinion rendered to every Board member. Any Board member may request a review of the opinion letter by the full Board of Governors within thirty (30) days of its issuance or it shall become final. A majority vote of the Board shall be the final determination of said opinion.

5. DEFINITIONS

As used in this Policy, the following terms shall have the following meanings:

- a. "Breach of the public trust" means a violation of a provision of the State Constitution, the Florida Code of Ethics, or this policy which establishes a standard of ethical conduct, a disclosure requirement, or a prohibition applicable to public officers or employees in order to avoid conflicts between public duties and private interests, including, without limitation, a violation of s. 8, Art. II of the State Constitution or of this part.
- b. "Conflict" or "conflict of interest" means a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.
- c. "Family Member" includes: spouse, parents, siblings, aunts/uncles, children, domestic partner, and any person residing in a person's household.
- d. A "Business Associate" means any person any person or entity engaged in or carrying on a business enterprise with the person as a partner, joint venture, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property.
- e. "Business Associated" with a person means an organization, corporation, partnership, joint venture, proprietorship or other entity or associate(s) with respect to which either the individual or Family Member:

- i. Receives compensation or has any contractual right to future income, investment or savings income, retirement or insurance benefits, rents or alimony, or non-financial consideration and benefits;
 - ii. Serves as an officer, director, partner, or employee; or
 - iii. Holds a foreseeable financial interest, which may result from an individual's official authority as a member of the Committee or Board.
- f. "Gift," for purposes of ethics in government and financial disclosure required by law, means that which is accepted by a donee or by another on the donee's behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee's benefit or by any other means, for which equal or greater consideration is not given within 90 days, including:
 - i. Real property.
 - ii. The use of real property.
 - iii. Tangible or intangible personal property.
 - iv. The use of tangible or intangible personal property.
 - v. A preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin.
 - vi. Forgiveness of indebtedness.
 - vii. Transportation, other than that provided to a public officer or employee by an agency in relation to officially approved governmental business, lodging, or parking.
 - viii. Food or beverage.
 - ix. Membership dues.
 - x. Entrance fees, admission fees, or tickets to events, performances, or facilities.
 - xi. Plants, flowers, or floral arrangements.
 - xii. Services provided by persons pursuant to a professional license or certificate.
 - xiii. Other personal services for which a fee is normally charged by the person providing the services.

- xiv. Any other similar service or thing having an attributable value not already provided for in this section.

6. GUIDELINES

- a. Use of Office for Political Campaigns or Personal Matters. Use of Authority resources, including but not limited to material goods and the use of office staff and/or Authority personnel, for either political campaign purposes or other personal matters, is strictly forbidden.
- b. Conflict of Interest. An Employee, Board member or Committee member has a conflict of interest whenever the employee or member, or family member or business associate thereof has an existing or potential financial/personal interest in a matter pending before the Authority. Any potential conflicts of interest or uncertainty regarding a conflict shall be brought to the immediate attention of the Chair of the Board. Committee and Board members with a Conflict of Interest shall not vote on matters before the Committee or Board.
- c. Solicitation or Acceptance of Gifts. No Board member, Committee member or Employee shall solicit or accept anything of value to the recipient, including a gift, loan, and reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the Board member, Committee member, or Employee would be influenced thereby.
- d. Investigation and Prosecution of Alleged Violation of Code of Ethics. The investigation and prosecution of any alleged violation of this Code of Ethics shall be in accordance with the Florida Statutes or local ordinances.