



## Cover Memorandum/Staff Report

File #: 25-1100

Agenda Date: 9/15/2025

Item #: 7.D.

**TO:** Mayor and Commissioners  
**FROM:** Jeffrey L. Oris, CEcD, Assistant City Manager  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** September 15, 2025

MOTION TO DESIGNATE CERTAIN CITY-PRODUCED EVENTS AS SERVING A PUBLIC PURPOSE AND AUTHORIZING THE CITY MANAGER TO AMEND THE SPECIAL EVENT POLICY TO REFLECT THE EVENTS DESIGNATED TO SERVE A PUBLIC PURPOSE.

### **Recommended Action:**

Motion to designate City-produced special events listed in Section 4.C. of the City's Special Event Policy as serving a Public Benefit and authorizing the City Manager to include language to this effect in the Special Event Policy and for the City Manager to create a proper reporting mechanism(s) for donations to such events in order to adhere to the requirements of Section 2-444 of the Palm Beach County Code of Ethics.

### **Background:**

The City continues to seek alternative revenues and cost efficiencies for events produced by the City that are designed to provide greater community connection and benefit to the general public. Such events often draw interest and support from local organizations, businesses, and vendors, including those who may already have, or wish to have, a business relationship with the City or whom may be seeking an approval or action by the City that may be beneficial to them. Given this, it would be beneficial to the city and its residents, businesses, and property owners to accept donations to help defray the costs of these special events however, the City and its agents must be mindful to remain in compliance with the Palm Beach County Code of Ethics and to avoid an appearance of impropriety.

Section 2-444 of the Palm Beach County Code of Ethics (attached as Exhibit A) governs the limits of donations to the City and/or its agents as generally items with a value less than \$100. The Code does recognize the need for exemption to these limits with Section 2-444(g) which includes the following provision:

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

(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;

In order to ensure that the City can accept donations in support of such publicly beneficial City events, it is recommended that the City Commission declare certain City events as serving a "public

benefit". To this end, it is recommended that the City Commission declare all of the City-produced events outlined in Section 4. Definitions, Subsection C. City Events, (events listed as numbers 2-20 below) as "serving a public purpose" to follow the compliance requirements of the Palm Beach County Code of Ethics:

1. Delray Beach Open
2. St. Patrick's Day Parade and Festival
3. Spring Fest / Egg Hunt
4. Memorial Day
5. Pride Festival and Concert
6. 4<sup>th</sup> of July Festivities
7. Delray Beach Ocean Mile Swim
8. Annual Lifeguard Competition
9. National Night Out
10. Community Resource Fair
11. Amazing Challenge
12. Kids Fest / Halloween
13. Veterans' Day
14. Turkey Trot
15. Surf Festival
16. Family Fun Day
17. 100' Christmas Tree Lighting Ceremonies and associated City events
18. Holiday Parade
19. Menorah Lighting
20. New Year's Eve Celebration
21. Green Market

Events listed as numbers 1 and 21 in the list above would not be included as they are not events produced by the City (1-The Delray Beach Open is produced by Match Point, Inc, a private entity, and number 21- Green Market is produced by the Delray Beach Community Redevelopment Agency). Should the City wish to produce any new event not already on this list, such event will be brought forth for Commission for declaration as a Public Event if appropriate.

After policy amendment, the City Manager will handle donations administratively, and create an appropriate mechanism for approval of vendors wishing to donate, to ensure donations are not accepted from an entity with business before the City or one that does not subscribe to the City's overall values. It is further recommended that the Commission authorize the City Manager to update

the Special Event Policy to reflect those events that are declared as serving a public purpose and to further include a process in the Special Event Policy to administratively approve the acceptance of donations from events declared as serving a public purpose and to include an reporting structure to ensure that the City, nor any involved employees, violate the provisions of Section 2-444 of the Palm Beach County Code of Ethics.

The need for this item was brought to the forefront by the Police Department. Several local organizations have expressed an interest in donating to the National Night Out event the Police Department will be hosting on Wednesday, October 8, 2025. They reached out to the Palm Beach County Commission on Ethics for an opinion as to this situation (attached) which recommends the steps this item will address. To date Grieco Ford of Delray Beach and The Kimmel Family Foundation have indicated they wish to sponsor this event and several others are considering such as well. If approved, the City Manager's Office will update the Special Event Policy in time for any offered donations to be legally accepted for this event.

**City Attorney Review:**

Approved as to form and sufficiency.

**Funding Source/Financial Impact:**

This item will allow the City to accept donations for events and has the potential to relieve the budget of certain expenses. Potential revenue cannot be determined at this time.

**Timing of Request:**

This item is time-sensitive in that the Police Department can not accept donations/sppnsorships for their October 8, 2025 National Night Out event unless the event is declared to serve a public purpose prior to the event date.