

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: September 12, 2006 ☐ Consent ☒ Regular
☐ Workshop ☐ Public Hearing

Department:

Submitted By: The County Attorney's Office
Submitted For: Office of Financial Management and Budget

I. EXECUTIVE BRIEF

Motion and Title: **STAFF RECOMMENDS MOTION TO ADOPT:** a resolution of the Board of County Commissioners of Palm Beach County, Florida, amending the County's Administrative Code.

Summary: The proposed resolution amends the County's Administrative Code by updating policies on Small and Minority Women Business Enterprises, reimbursable expenses, travel allowances organizational structure and reporting requirements. Countywide (TKF)

Background and Policy Issues: The specific changes to the Administrative Code proposed by this resolution include:

- Amending Section 200.02 to change the name of the M/WBE Office to the Office of Small Business Assistance and add the Offices of Economic Development and Community Revitalization.
- Amending Section 301.00 to update the reference to the Clerk as Clerk and Comptroller.
- Amending Section 304.02 to change the requirement of quarterly reporting on reserve accounts to semi-annual reporting.
- Amending Section 305.10 to make it consistent with PPM CW-F-001 which allows for interview expenses to be reimbursed for executive, administrative and professional positions.
- Amending Section 305.11 to make it consistent with PPM CW-F-012 which raised the maximum moving expense reimbursement from \$3,500 to \$5,000.
- Amending Section 305.12 to make it consistent with PPM CW-F-008 which provides for auto allowances for Commissioner Administrative Assistants.

(continue on page 3)

Attachments:

1. Proposed Resolution.

Approved By:


County Attorney


Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-

NET FISCAL IMPACT

ADDITIONAL FTE

POSITIONS (Cumulative)

Is Item Included In Current Budget? Yes No

Budget Account No.: Fund __ Agency __ Org. __ Object __ Reporting Category __

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Approval of this item will not have fiscal impact at this time. The fiscal impact will be determined on a project by project basis.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Handwritten signature] 8-22-06
OFMB mg CN 8/22/06

[Signature]
Contract Dev. and Control
8/23/06

B. Legal Sufficiency:

2/2/06 8/2/06
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

Background and Policy Issues: (continued from page 1)

- Amending Section 307.03 to allow the County Administrator to approve routine construction change orders with a cumulative value of \$200,000 or less.
- Amending Section 311.01 to allow semi-annual financial reporting rather than quarterly reporting.
- Amending Section 311.03 clarifying that reporting is required of trust funds only when applicable.
- Renaming Section 402.00 as "SBE and M/WBE" and amending the section to include reference to SBEs.
- Amending Section 406.00 to require workload and performance measure reporting to the Board of County Commissioners semi-annually rather than quarterly.

RESOLUTION NO. R-20036

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE COUNTY'S ADMINISTRATIVE CODE BY AMENDING SECTION 200.02, SEPARATE OFFICES; AMENDING SECTION 301.00, FISCAL POLICIES AND REGULATIONS, GENERAL; AMENDING SECTION 304.02, BUDGETED RESERVES; AMENDING SECTION 305.10, INTERVIEW EXPENSES; AMENDING SECTION 305.11, MOVING EXPENSES; AMENDING SECTION 305.12, AUTO ALLOWANCE; AMENDING SECTION 311.01, INTERIM REPORTS; AMENDING SECTION 311.03, TRUST FUNDS; RENAMING AND AMENDING SECTION 402.00, M/WBE, AND AMENDING SECTION 406.00, PERFORMANCE MEASURES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.87, Florida Statutes, requires the County to adopt an Administrative Code; and

WHEREAS, the Board of County Commissioners (the "Board") has previously adopted an Administrative Code on April 25, 1989, which has, from time to time, been amended by resolutions; and

WHEREAS, the Board now desires to revise the Administrative Code by updating policies on Small and Minority/Women Business Enterprises reimbursable expenses, travel allowances, organizational structure and reporting requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. Section 200.02 of the Administrative Code is amended as follows:

200.02 SEPARATE OFFICES.

200.0201 Criminal Justice Commission

200.0202 Metropolitan Planning Organization

200.0203 Office of Equal Opportunity

200.0204 Tourist Development

200.0205 MWBE Small Business Assistance

200.0206 Office of Economic Development

200.0207 Office of Community Revitalization

2. Section 301.00 of the Administrative Code is amended as follows:

301.00 GENERAL. The County's official financial records shall be maintained in the Finance Department of the Clerk and Comptroller of the Board of County Commissioners (Finance Department). Transactions shall be recorded in accordance with the laws of the State of Florida and Generally Accepted Accounting Principles (GAAP). Departments which maintain separate or subsidiary accounting records shall reconcile their records to the official accounting records on a regular basis.

3. Section 304.02 of the Administrative Code is amended as follows:

304.02 BUDGETED RESERVES. An analysis of all reserve accounts in excess of \$50,000 shall be reported semi-annually to the members of the Board of County Commissioners. This requirement shall not be applicable to debt service reserves, reserves for balances forward, or reserves for donations. The analysis shall indicate the purpose of the reserve, changes in the reserve since the last report, and any anticipated use of the reserved funds. Future projects to be funded by each reserve must be separately identified in the report.

4. Section 305.10 of the Administrative Code is amended as follows:

305.10 INTERVIEW EXPENSES. Applicants for executive, administrative and professional positions with salary ranges equal to Pay Grade 46 or higher and who reside ~~more than 100 miles from West Palm Beach~~ may be reimbursed for travel expenses for interview. Costs will be reimbursed in accordance with existing travel policies.

5. Section 305.11 of the Administrative Code is amended as follows:

305.11 MOVING EXPENSES. New employees selected for positions with salary ranges equal to Pay Grade 46 or higher may be reimbursed up to 75% of their moving expenses, not to exceed ~~\$3,500~~ \$5,000. Payment approval by the Board of County Commissioners is not required. Employees receiving reimbursement for moving expenses who, for any reason other than layoff, terminate within one year of employment must reimburse the full amount of the moving expenses paid by the County.

6. Section 305.12 of the Administrative Code is amended as follows:

305.12 AUTO ALLOWANCE. It is the policy of the Board of County Commissioners to provide a salary supplement in lieu of a 24-hour vehicle assignment to full-time employees eligible for this benefit. A monthly auto allowance not to exceed \$550 may be

paid to each County Commissioner, ~~one Administrative Assistant in each Commissioner District,~~ County Commissioner Administrative Assistants, and contractual employees of the Board if included in their employment agreements. The County Administrator is authorized to designate eligible employees to be granted a monthly auto allowance in an amount not to exceed \$550. Other County employees currently receiving a monthly auto allowance under the provisions of Countywide PPM CW-F-008 may continue to receive their current allowance until vacating their positions. Subsequent employees in those positions and any employee in an "acting" capacity will not be eligible to receive the auto allowance. Persons receiving the auto allowance are not eligible for mileage reimbursement except for travel in the performance of official duties to locations outside of Palm Beach County. Reimbursement for out-of-county travel shall be credited for the entire mileage of that trip in accordance with Section 112.061, Florida Statutes. Persons receiving the auto allowance may also be reimbursed for the reasonable cost of a rental vehicle for official duty travel to a location outside of Palm Beach County, after showing that such rental vehicle expense is less than the cost of air travel to the same location.

7. Section 307.03 of the Administrative Code is amended as follows:

307.03 CONSTRUCTION CHANGE ORDERS. The approval of routine change orders with a cumulative value of ~~\$100,000~~ \$200,000 or less is hereby delegated to the County Administrator. This authority may be further delegated within limits specified in writing by the County Administrator to a designated committee or department heads. All such approved change orders must be reported monthly to the Board of County Commissioners.

8. Section 311.01 of the Administrative Code is amended as follows:

311.01 INTERIM REPORTS. The County Administrator shall provide a ~~quarterly~~ semi-annual financial report to the members of the Board of County Commissioners within forty-five (45) days of the end of each ~~quarter~~ semi-annual period. This report shall summarize financial and performance data for the preceding ~~quarter~~ six (6) months. It shall also include detailed information on the status of all capital projects estimated to cost \$500,000 or more.

9. Section 311.03 of the Administrative Code is amended as follows:

311.03 TRUST FUNDS. The establishment of any trust fund requires the approval of the Board of County Commissioners by resolution or ordinance, which shall clearly describe the receipts to be deposited and their authorized uses. The County Administrator shall provide financial information for each trust fund to the members of the Board at least annually, if applicable.

10. Section 402.00 is renamed "SBE and M/WBE" and is amended to read as follows:

402.00 SBE AND M/WBE. The Board of County Commissioners is committed to ensuring full and equitable participation by small and minority/women business enterprises (SBE and M/WBE) in the provision of goods and services to the County. The objective is to increase the use of SBEs and M/WBEs to a level comparable to the availability of SBEs and M/WBEs which are capable of providing goods and services to the County. The County shall take all necessary, reasonable, and legal action to prevent discrimination, to ensure that all businesses, including SBEs and M/WBEs, are afforded the maximum opportunity to participate in the County's competitive purchasing process and to establish a record-keeping procedure whereby the County can monitor the participation of SBEs and M/WBEs ~~minorities and women~~ in its competitive purchasing process. The County Administrator shall ensure that all employees involved in the procurement process are familiar with the requirements of ~~Ordinance 93-28~~ Palm Beach County Code Section 2-80.21 through Section 2-80.34 and shall issue any additional procedures which may be necessary to ensure compliance with its provisions and intent.

11. Section 406.00 is amended to read as follows:

406.00 PERFORMANCE MEASURES. The County Administrator shall establish appropriate workload and performance measures for all departments, which shall be included in the information provided during the annual budget process. Actual workload and performance shall be reported ~~quarterly~~ semi-annually to the members of the Board of County Commissioners. Documentation of ~~actual~~ workload and performance measures shall be maintained and be subject to periodic audit.

12. This Resolution shall take effect upon its adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the motion passed as follows:

COMMISSIONER TONY MASILOTTI, CHAIRMAN
COMMISSIONER ADDIE L. GREENE, VICE CHAIRPERSON
COMMISSIONER KAREN T. MARCUS
COMMISSIONER JEFF KOONS
COMMISSIONER WARREN H. NEWELL
COMMISSIONER MARY McCARTY
COMMISSIONER BURT AARONSON

The Chairman thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2006.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: 
Assistant County Attorney

By: _____
Deputy Clerk

G:\WPDATA\ENG\TKF\SMALL BUSINESS OFFICE\Administrative Code Amending Resolution - 08-10-06.wpd