

**PALM BEACH COUNTY**  
**BOARD of COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: 05/06/2008

Consent  Regular  
 Public Hearing

Department:

Submitted By: Internal Auditor's Office

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve:

- A) Amendment No. 4 to the contract (R2004-1796) with Joseph Bergeron, Internal Auditor; extending said contract for one additional year ending on August 16, 2011; and
- B) Recommendations of the Audit Committee for salary adjustment for the period August 17, 2008 through August 16, 2009.

**Summary:** The Audit Committee, at its March 12, 2008 meeting, unanimously approved recommending a 5% salary adjustment, the same percentage increase provided to other County employees for FY 2008 and a one year extension of the Internal Auditor's contract. The Audit Committee's recommendations result in a salary of \$142,447 and a contract expiration date of August 16, 2011. This item is presented to the Board at this time to comply with the 90 day notice requirement of the contract. Countywide (PFK)

**Background and Policy Issues:**

The Audit Committee conducted an evaluation of the Internal Auditor at its March 12, 2008 meeting covering calendar year 2007. All seven members submitted evaluations. Four evaluations gave an "exceeds expectations" rating and three evaluations gave a "meets expectations" rating. Copies of the evaluations are attached to this agenda item. Future performance evaluations will be conducted each March for the calendar year just ended.

The Audit Committee unanimously approved recommending a 5% salary adjustment and an extension of the contract for another year with a new expiration date of August 16, 2011. The 5% salary increase is the same as the Countywide salary increases included in the FY 2008 budget for base salary and merit.

**Attachments:**

- Amendment No. 4 to contract (R2004-1796)
- Annual Performance Evaluations (7)

Recommended by: Joseph F. Bergeron  
Internal Auditor

4-8-08  
Date

Recommended by: [Signature]  
County Administrator

4/24/08  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures					
Operating Costs	18,092	138,705			
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT					
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included In Current Budget?      Yes X    No  
Budget Account No.: Fund 0001 Agency 500 Org. 5000 Object VARIOUS  
   Program Number \_\_\_\_\_ Revenue Source

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

Contract Element	Current	Proposed	Change
Salary (5% increase)	135,664	142,447	6,783

Department Fiscal Review:

Fiscal impact shown in Section A above includes deferred compensation and auto allowances which are unchanged in this amendment.

**III. REVIEW COMMENTS:**

**A. OFMB Fiscal and/or Contract Administration Comments:**

Jim Dink 4/14/08  
Budget/OFMB      CW 4/9/08  
4-11-08      4/14/08

Don J. Speer 4/15/08  
Contract Administration  
Done 4/15/08

**B. Legal Sufficiency:**

**This amendment complies with our review requirements.**

Paul J. ... 4/16/08  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

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

**Amendment No. 4 to Contract Between  
Palm Beach County  
And  
Joseph Bergeron, Internal Auditor**

**This amendment No. 4** dated May 6, 2008 to the contract dated August 17, 2004 (R2004-1796 as amended by R2005-1030 (5/17/05), R2006-0801 (5/2/06), and R2007-0818 (5/15/07) between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and Joseph Bergeron, hereinafter referred to as "Internal Auditor", an individual residing at 13689 Exotica Lane, Wellington, Florida 33414.

**Witnesseth:**

**Whereas**, the parties hereto have previously entered into an employment contract dated August 17, 2004 (R2004-1796 as amended by R2005-1030 (5/17/05), R2006-0801 (5/2/06) and R2007-0818 (5/15/07); and

**Whereas**, the contract will automatically renew under the same terms and conditions unless terminated by either party in accordance with Section 5 of the employment contract; and

**Whereas**, the parties hereto desire to amend the contract to reflect these changes.

**Now therefore**, in consideration of the mutual covenants hereinafter set forth and for other such good and valuable consideration, the receipt of which the parties hereto expressly acknowledge, the parties agree as follows:

1. Section 1 of the employment contract is amended to read:  
The County shall employ Joseph Bergeron (hereinafter "Internal Auditor") as the Internal Auditor of Palm Beach County pursuant to the Charter of Palm Beach County for a period of three (3) years beginning August 17, 2008. The County shall pay the Internal Auditor a salary of \$142,447 per year, payable biweekly and a continuing contribution on behalf of the Internal Auditor into the NACO Deferred Compensation Program amount of 50% of the maximum basic contribution allowed by law exclusive of any catch-up provisions allowed by law. In addition, the County shall pay the Internal Auditor a car allowance of \$550.00 per month. This Agreement shall continue on the same terms and conditions as herein provided for additional one year periods, unless terminated by either party in accordance with Section 5 of this Agreement.

2. All other terms and conditions of the employment contract shall remain in full force and effect.

This amendment shall be effective following execution hereof by the parties hereto.

**In witness whereof**, the parties hereto have set their hands and seal on the day set forth above.

Attest:

Sharon R. Bock, Clerk & Comptroller

Palm Beach County, Florida

By Its Board of County

Commissioners

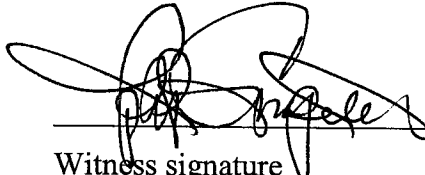
By: \_\_\_\_\_


\_\_\_\_\_


Addie L. Greene, Chair

Witness for Internal Auditor

Internal Auditor

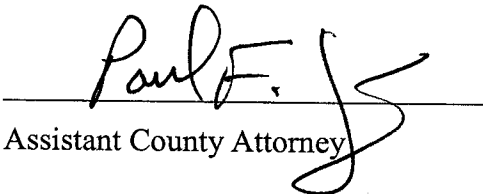
  
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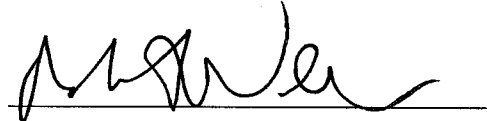
  
\_\_\_\_\_  
Joseph E. Bergeron

  
\_\_\_\_\_  
Witness printed name

Approved as to form and legal sufficiency

Approved as to form and content

  
\_\_\_\_\_  
Assistant County Attorney

  
\_\_\_\_\_  
County Administrator

**Annual Performance Evaluation  
Palm Beach County Internal Auditor  
Joseph Bergeron  
For the Calendar Year Ended December 31, 2007**

**Overall Evaluation of Performance**

(See "Considerations for the Internal Auditor's Annual Performance Review" which are attached.)

- Exceeds Expectations  \_\_\_\_\_
- Meets Expectations \_\_\_\_\_
- Needs Improvements \_\_\_\_\_ (must provide explanatory comments)

Evaluator: Normy Lottano  
Signature

Date: 3/10/2008

**Comments (optional, unless Needs Improvement selected)**

Auditor and staff work under certain  
resistances by clients and other public comments  
from non commission elected officers of Palm Beach City.  
Regardless of these "Distructions" The  
department's accomplishments are extremely satisfactory.  
Would higher authority grant as as citizen's  
comparable results from the bulence of  
departments within our spheres of responsibilities.  
Respectfully submitted,  
N. J.















**Joe Bergeron**  
**Annual Performance Evaluation Comments**  
**Calendar Year Ended December 31, 2007**

**Overall Evaluation:** Meets Expectations

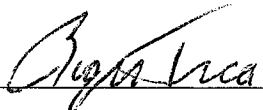
**Comments:**

Quarterly audit work plan updates to the Audit Committee are organized and effective.

Positive results were received from the Peer Review completed in November 2007 by the Association of Local Government Auditors (ALGA). The Peer Review indicated that the Office of Internal Audit was in satisfactory compliance with Government Auditing Standards, except for two areas (audit manual was not complete, audit staff did not complete statements prior to January 2006 attesting to their independence).

The Internal Auditor Office focuses on limited scope reviews, which in turn limits the content and value of the audit reports.

Evaluator:



Date:

3/12/08