

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: October 5, 2010

Consent Regular
 Public Hearing

Department:

Submitted By: **ADMINISTRATION**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Resolution No. 03-2010 of the Town Council of the Town of South Palm Beach, Florida, evidencing its support for the placement of a Palm Beach County Charter Amendment on the November General Election Ballot which would require that the Board of County Commissioners established by Ordinance a Code of Ethics, a Commission on Ethics, and an independent Inspector General, all of which would be made applicable to any municipality voting in favor of such Charter Amendment.

Summary: N/A

Background and Justification: N/A

Attachments: Original Document

Recommended By: Patty Hurdle 9/17/10.
Agenda Coordinator Date

Approved By: Paul Allen 9/21/10.
Assistant County Administrator Date

RECEIVED SEP 07 2010



Town of South Palm Beach *Town Clerk's Office*
MEMORANDUM

TO: Palm Beach County Board of County Commissioners

FROM: Janet K. Whipple, Town Clerk ^{JW}

SUBJECT: Resolution No. 03-2010

DATE: 08/31/2010

Attached, please find a copy of Resolution No. 03-2010 from the Town of South Palm Beach which was adopted on August 25, 2010 by the Town of South Palm Beach Town Council. This Resolution is in support of the placement of a Palm Beach County Charter Amendment on the November General Election Ballot requiring the Board of County Commissioners establish by ordinance, a Code of Ethics, a Commission on Ethics, and an Independent Inspector General.

RESOLUTION NO. 03-2010

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTH PALM BEACH, FLORIDA, EVIDENCING ITS SUPPORT FOR THE PLACEMENT OF A PALM BEACH COUNTY CHARTER AMENDMENT ON THE NOVEMBER GENERAL ELECTION BALLOT WHICH WOULD REQUIRE THAT THE BOARD OF COUNTY COMMISSIONERS ESTABLISH BY ORDINANCE A CODE OF ETHICS, A COMMISSION ON ETHICS AND AN INDEPENDENT INSPECTOR GENERAL, ALL OF WHICH WOULD BE MADE APPLICABLE TO ANY MUNICIPALITY VOTING IN FAVOR OF SUCH CHARTER AMENDMENT; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, on May 21, 2009, the Palm Beach County Grand Jury issued a final presentment in the investigation of Palm Beach County governance and public corruption issues; and

WHEREAS, The Board of County Commissioners of Palm Beach County, in response to such presentment and findings, adopted Ordinance No's. 2009-49, 2009-50 and 2009-51 establishing respectively an Office of Inspector General, a Commission on Ethics, and a Code of Ethics which applied only to Palm Beach County elected officers and employees; and

WHEREAS, also in response to the Grand Jury presentment and findings, Palm Beach County now desires to amend its Charter so that ordinances can be authorized which will establish a Code of Ethics, A Commission on Ethics, and an Independent Inspector General which would also be applicable to any municipality which has a majority of its electors voting in favor of such Charter amendment; and

WHEREAS, Ordinance No. 2010-019 has been adopted by the Board of County Commissioners which will place on the November 2, 2010 general election ballot a County Charter amendment which would authorize the establishment of the above-referenced countywide ordinances; and

WHEREAS, the Town Council of the Town of South Palm Beach desires to support and encourage the efforts of Palm Beach County government to amend its Charter to authorize the establishment of ordinances applicable to all municipalities which indicate by their vote of approval that they desire to be subject to a Code of Ethics, Inspector General oversight and related procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTH PALM BEACH, FLORIDA, THAT:

SECTION 1: The above recitals are certified to be true and incorporated herein.

SECTION 2: The Town Council of the Town of South Palm Beach, Florida, hereby evidences its support for the Palm Beach County Charter Amendment proposed by Ordinance No. 2010-019, adopted by the Board of County Commissioners ("BCC") on July 20, 2010, which provides that the BCC establish by ordinance applicable to all municipalities approving the charter amendment the following;

a Code of Ethics; an independent Commission on Ethics funded by the County Commission; and an independent Inspector General funded by the County Commission and all other entities subject to the authority of the Inspector General.

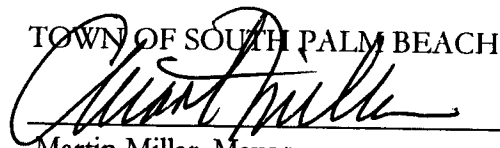
SECTION 3: The Clerk is hereby directed to send a copy of this resolution to the Palm Beach County League of Cities, Inc. and the Board of County Commissioners for Palm Beach County.

SECTION 4: This Resolution shall take effect immediately upon its adoption by the Town Council.

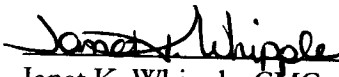
Councilor Jordan offered the foregoing Resolution, and moved its adoption. The motion was seconded by Councilor Vice-Mayor Clayman, and upon being put to a vote, the vote was as follows:

Martin Millar, Mayor	<u>aye</u>
Dr. Donald W. Clayman, Vice-Mayor	<u>aye</u>
Brian Merbler, Council Member	<u>aye</u>
Stella Gaddy Jordan, Council Member	<u>aye</u>
Susan Lillybeck, Council Member	<u>aye</u>

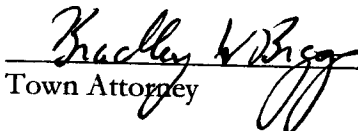
The Mayor thereupon declared this Resolution approved and adopted by the Town Council of the Town of South Palm Beach on this 25th day August, 2010.

TOWN OF SOUTH PALM BEACH, FLORIDA

Martin Millar, Mayor

Attest:


Janet K. Whipple, CMC
Town Clerk

Approved as to Legal Sufficiency


Town Attorney