

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

5A-3

AGENDA ITEM SUMMARY

Meeting Date: February 5, 2013 Consent Regular
Department: Administration Workshop Public Hearing

I. EXECUTIVE BRIEF

Motion and Title:

- A) Staff requests Board direction:** regarding possible modification of the Commission on Ethics (COE) ordinance, specifically as it relates to the composition of the Commission on Ethics and term limits.
B) In the event the BCC elects to amend the ordinance, staff also requests that the BCC appoint two representatives to serve on the ordinance drafting committee to review the proposed amendments.

Summary: At the December 18, 2012 BCC meeting, following comments from Commissioner Taylor, the Board of County Commissioners directed staff to bring back for Board discussion the possibility of term limits and the composition of the COE. As to composition, several options can be considered: leave as is; change the appointing entities; or increase the COE from five to seven members. As required by the Charter, all changes to the COE ordinance must first be referred to the ordinance drafting committee for its review and recommendation. This committee consists of two appointees of the BCC, two appointees of the League of Cities, an attorney representing each entity, and the Executive Director of the COE.

Background and Policy Issues: Currently, pursuant to the ordinance, the COE is comprised of five (5) members, each appointed to a four (4) year term, with no term limits. The five members with specific qualifications are appointed by various entities are described in the ordinance as follows:

1. The president of the county association of chiefs of police shall be requested to appoint a former law enforcement official with experience in investigating white collar crime or public corruption.
2. The president of the Hispanic Bar Association of Palm Beach County, the president of the F. Malcolm Cunningham, Sr. Bar Association, and the president of the county bar association shall be requested to appoint an attorney with experience in ethics regulation of public officials and employees.
3. The president of Florida Atlantic University (FAU) shall be requested to appoint a faculty member who teaches at an institution of higher education with a campus located in the county and who has taught a course in professional legal ethics or has published or performed services in the field of professional legal ethics.
4. The president of the Palm Beach Chapter of the Florida Institute of CPAs shall be requested to appoint a member who possesses at least five (5) years experience as a certified public accountant (CPA) with forensic audit experience.
5. The board of directors of the Palm Beach County League of Cities, Inc. shall be requested to appoint a person who has served as a former elected official for a governmental entity in the county.

The BCC can leave the composition as is, or change the composition by changing the appointing entities, the qualifications required of each appointee, or both. The BCC can expand the size of the COE, but should do so in multiples of two to maintain an odd number of members. One community absent from the current composition is private sector business, particularly individuals who have had prior experience doing business with local government. In a manner similar to the selection of an attorney (see #2, above), a business person experienced in local government transactions could be selected by the presidents of the Chamber of Commerce of the Palm Beaches, the Hispanic Chamber, and the Black Chamber. A seventh seat could be filled giving a second appointment to the presidents representing several bar associations (see #2, above), or to the League of Cities (see #5 above).

Attachments:

Recommended by: _____ Department Director Date
[Signature]
Approved By: _____ County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years:	2013	2014	2015	2016	2017
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT					

ADDITIONAL FTE POSITIONS (Cumulative) _____

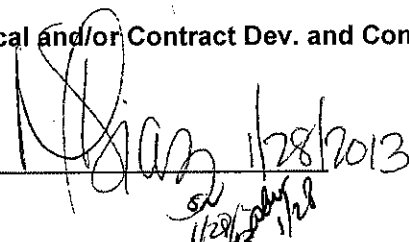
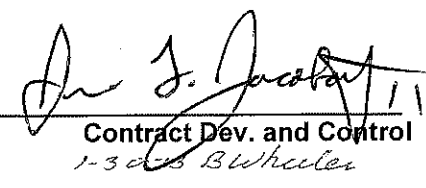
Is Item Included In Current Budget? Yes _____ No _____

Budget Account No: Fund _____ Agency _____ Org. _____ Object _____

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

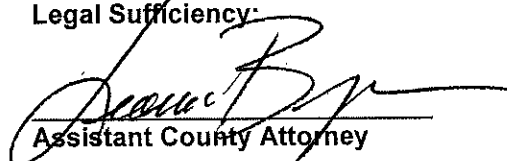
III. REVIEW COMMENTS

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

OFMB Contract Dev. and Control
1-3 cars B/Wheels

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

Department Director

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