

POLICY REVIEW AND COMPLIANCE MEMORANDUM



Honesty - Integrity - Character

To: Mark E. Bannon, Executive Director
From: Gina A. Levesque, Intake and Compliance Manager
Re: A16-006 – City of Belle Glade Ethics Policy Review and Training Compliance-Appointed Officials

- **Background**

The Code of Ethics (Code) states in part under Section 2-446(a) that the county or municipal administrator shall establish by policy a mandatory training schedule for all employees and elected/appointed officials, which shall include mandatory periodic follow-up sessions. Section 2-446(b) states in part that the COE shall develop and deliver training programs and ensure that the training is delivered in a timely manner.

- **Objectives and Scope**

The objectives are:

- To provide assurance that the agency has a training policy.
- To provide assurance that the training policy includes enough specific information to appointed officials that they can determine clear parameters, including initial training with deadline and grace period defined, and retraining cycle timeline with deadlines and grace periods defined.
- To provide reasonable assurance the municipality is requiring its appointed officials to comply with the training policy.

The scope of this review focused on the policy and acknowledgement forms for the appointed officials of the City of Belle Glade (City). The delivery method of the ethics training and internal tracking method of compliance was not part of the scope. It should be noted that a separate review will be completed regarding employees and elected officials.

- **Approach and Methodology**

The approach included an on-site review of a proof of training and a request for a list of the appointed officials. I reviewed the training policy, a list of appointed officials, and ethics training acknowledgements submitted by the appointed officials.

- **Findings**

The policy for the City is titled “*Conflict of Interest and Code of Ethics Policy*”, which includes a paragraph regarding training. The policy for the City was issued and became effective on February 4, 2013.

The paragraph regarding training includes the heading “**Ethics Training**” and states as follows:

“At the beginning of employment and throughout the course of City employment, employees are advised of their obligations to comply with the Palm Beach County and

State of Florida Code of Ethics. Training provided by the City is mandatory for all Covered Persons, whether initial training or follow-up training. The City provides follow-up training on the ethics obligations of Covered Persons approximately every 12-18 months.”

I met with City Clerk Debra Buff, who provided an excel spreadsheet containing information regarding each board. The information regarding each board is maintained on an individual page and includes the name of the member, appointment date, term expiration, as well as other geographical information. However, there is no information relating to ethics training.

As noted in the Compliance Memorandum issued regarding the employees and elected officials, the Conflict of Interest and Code of Ethics Policy is eight (8) pages and covers several areas in depth. The training portion of the policy is vague, requiring training at the “beginning” and “throughout the course” of employment. Additionally, said training is “required” for covered persons and offered “approximately” every 12-18 months. However, although the policy is for “covered persons”, there is no mention of appointed officials.

Taking into consideration that there is no mention of appointed officials in the training section of the policy and that the language is vague as to the timeframe aspect, I used the date of policy approval (February 4, 2013) for the training timeframe.

Ms. Buff and I reviewed each board, and the following chart outlines the information provided:

BOARD	MEMBERS	LENGTH OF TERM	BOARD STATUS	MEMBERS TRAINED
Appraisal	7 vacant	Unknown	Inactive	N/A
Board of Adjustment	1 vacant/4 current (5)	3 Year	Active	1/4
Civil Service	5 expired	3 Year	Inactive	N/A
Code Enforcement	5 vacant	3 Year	Suspended	N/A
Community Redevelopment Agency	5 Commission/2 civilians (vacant) (7)	5 Year (civilians)	Active	0/5
Economic Development	7 vacant	2 Year	Inactive	N/A
Golf Course Advisory Committee	5 vacant	1 Year	Inactive	N/A
Museum Board	7 expired	2 Year	Inactive	N/A
Nuisance Abatement	7 expired	2 Year	Inactive	N/A
General Employee Pension Board	2 expired/3 active (5)	3 Year	Active	0/3
Retired Public Safety Pension Board	6 active	2 Year	Active	3/6
Planning & Zoning/Local Land Planning	6 active	3 Year	Active	3/6
Public Safety Citizens Advisory	7 vacant	2 Year	Inactive	N/A
Recreation Advisory	4 vacant/1 active (5)	2 Year	Inactive	N/A
Civil Defense Council	4 inactive	Unknown	*Inactive-only activated for disasters	N/A
Total	63 vacant/24-active (25 appointed)			7/24

- **Recommendations**

Policy recommendations for employees and elected/appointed officials were made in policy review and compliance report A16-005.

A review of the boards listed for the City revealed there are sixty-four (64) vacant positions and twenty-four (24) active positions overall. Additionally, there are only seven (7) members of the twenty-four (24) active positions who have taken training. Lastly, as highlighted in the chart above, there are only five (5) boards that are currently "active". Therefore, I recommend that the City Commission sunset all of the boards that are inactive or suspended other than the Civil Defensive Council, which is only activated for disasters.

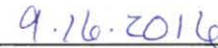
- **Conclusions**

The City of Belle Glade is not in compliance with its current training policy. Additionally, to avoid confusion and to provide clear information, policy recommendations were submitted to the City for review in A16-005. Lastly, to sunset the inactive or suspended boards as recommended above will negate unforeseen issues that could emerge due to the existence of an inactive board.

Submitted by:



Gina A. Levesque, Intake and Compliance Manager
Palm Beach County Commission on Ethics



Date