

POLICY REVIEW AND COMPLIANCE MEMORANDUM



Honesty - Integrity - Character

To: Mark E. Bannon, Executive Director
From: Gina A. Levesque, Intake and Compliance Manager
Re: A16-008 – Boca Raton 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 officials and employees 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 officials and employees to comply with the training policy.

The scope of this review focused on the policy and acknowledgement forms for appointed officials within the City of Boca Raton (City). The delivery method of the ethics training 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. A review of the training policy, a review of appointed officials, and a review of all signed training receipts on file was performed.

- **Process**

When I arrived for the on-site review I met with Kathleen Maxwell, who is a Customer Service Specialist for Boards and Committees, for the clerk's office. Ms. Maxwell provided a copy of a printout titled "Current List of Board Members & Expiration Dates". The list contained the names of each board and the individuals appointed to the boards. Ms. Maxwell also provided a separate document for each board containing detailed information regarding the board and its members. Lastly, Ms. Maxwell provided all of the acknowledgement forms maintained by the clerk's office.

- **Findings**

The training policy for the City was issued and became effective on February 12, 2013. The policy requires the completion and submission of a training acknowledgement form to the Human Resources Department within one week of the completion of training.

It should be noted that board appointees consist of citizens and City employees, and the training acknowledgement forms maintained by the clerk's office did not include those of employees. Therefore, I was referred to human resources to obtain training information for the employees who are also appointed officials.

At the time of the compliance review, the City consisted of 255 people appointed to one of twenty-one (21) boards. Of the 255 individual appointees, there were five (5) people that did not have signed training acknowledgement forms on file. Furthermore, the five individuals are also employees with the City.

As noted in the compliance review regarding employees and elected officials, City policy states in the third paragraph that all officials shall return a signed acknowledgement form to the Human Resources Department within one week of the completion of training. However, the acknowledgement forms for appointed officials are maintained by the City Clerk's office.

- **Recommendations**

Complete policy recommendations were submitted to the City with A16-007. However, three (3) additional recommendations are suggested regarding appointed officials.

1. The contact and review for this training cycle was made through Reynea Davis, Human Resources Office Supervisor. However, when I arrived for the on-site review, I met with Kathleen Maxwell, who works in the City clerk's office. The clerk's office, through Ms. Maxwell, maintains contact with each board and its members. As all training acknowledgements for appointed officials are maintained by the Clerk, we recommend that the Clerk or designee be appointed as the contact regarding Code of Ethics training for appointed officials.
2. Although the clerk's office maintains the training acknowledgement forms for appointed officials, I was referred to Human Resources for the City to obtain the forms for appointed officials who are also city employees. The employees who are also appointed officials did not have signed acknowledgement forms on file, which resulted in the appointed officials not being in compliance with the ethics training requirement. Therefore, we recommend that a copy of all acknowledgement forms, including employees who are also appointed officials, be maintained by the clerk's office.
3. Furthermore, for practicality purposes, it is recommended that all appointed officials be required to take training within 30 days of appointment or reappointment and submit an acknowledgement form to the City Clerk within the same timeframe.

- **Conclusions**

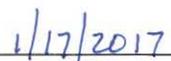
The Appointed Officials for the City of Boca Raton are not in compliance with the ethics training requirement.

Further, three (3) additional policy change recommendations are being submitted to the City for review. The recommendations are being made for practicality purposes and so that the requirements are clear.

Submitted by:



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



Date