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3 **ARTICLE XII. INSPECTOR GENERAL**  
4

5 **Sec.2-421. Title and Applicability.**  
6

7 (1) This article shall be titled the “Office of Inspector General, Palm Beach County,  
8 Florida Ordinance.”

9 (2) The Office of Inspector General, Palm Beach County, Florida Ordinance shall apply  
10 to the following:

11 a. The board of county commissioners (hereinafter “the board”) and all county  
12 departments;

13 b. The thirty eight (38) municipalities that approved the charter amendment in the  
14 countywide referendum held November 2, 2010;

15 c. Any other public entity that elects to be bound by this article by entering into a  
16 memorandum of understanding or other agreement in accordance with section 2-423(9);  
17 and

18 d. Any municipality formed after January 1, 2011, except to the extent that an ordinance  
19 adopted by that municipality at any time conflicts with this ordinance.

20  
21 **Sec. 2-422. Office created and established.**

22 There is hereby established the office of inspector general which is created in order to  
23 promote economy, efficiency, and effectiveness in the administration of and, as its priority, to  
24 prevent and detect fraud and abuse in programs and operations administered or financed by the  
25 county or municipal agencies. The inspector general shall initiate, conduct, supervise and  
26 coordinate investigations designed to detect, deter, prevent and eradicate fraud, waste,  
27 mismanagement, misconduct, and other abuses by elected and appointed county and municipal  
28 officials and employees, county and municipal agencies and instrumentalities, contractors, their  
29 subcontractors and lower tier subcontractors, and other parties doing business with the county or  
30 a municipality and/or receiving county or municipal funds. The inspector general shall head the  
31 office of inspector general. The organization and administration of the office of inspector general  
32 shall be independent to assure that no interference or influence external to the office of inspector  
33 general adversely affects the independence and objectivity of the inspector general.  
34

35 **Sec. 2-423. Functions, authority and powers.**

36 (1) The inspector general shall have the authority to: (a) make investigations of county or  
37 municipal matters and publish the results of such investigations; (b) review and audit past,  
38 present and proposed county or municipal programs, accounts, records, contracts, change orders  
39 and transactions; and (c) prepare reports and recommendations to the board, or the subject  
40 municipality, or participating entities subject to section 2-421 (2) based on such audits or  
41 investigations. All elected and appointed county and municipal officials and employees, county

42 and municipal agencies and instrumentalities, contractors, their subcontractors and lower tier  
43 subcontractors, and other parties doing business with the county or a municipality and/or  
44 receiving county or municipal funds shall fully cooperate with the inspector general in the  
45 exercise of the inspector general's functions, authority and powers. Such cooperation shall  
46 include, but not be limited to providing statements, documents, records and other information,  
47 during the course of an investigation, audit or review. The inspector general may obtain sworn  
48 statements, in accordance with Florida Statutes, of all persons identified in this subsection as  
49 well as other witnesses relevant to an investigation, audit or review. Such audits shall be  
50 conducted in accordance with the current International Standards for the Professional Practice of  
51 Internal Auditing as published by the Institute of Internal Auditors, Inc., or where appropriate, in  
52 accordance with generally accepted governmental auditing standards. Such investigations will  
53 comply with the General Principles and Standards for Offices of Inspector General as published  
54 and revised by the Association of Inspectors General. The office of inspector general shall  
55 develop and adhere to written policies in accordance with the accreditation standards set forth by  
56 the Commission on Florida Law Enforcement Accreditation, Inc.

57 (2) The inspector general shall have the power to conduct audits of, require production of  
58 documents from, and receive full and unrestricted access to the records of the board, each  
59 municipality, county administrator, city administrator, city manager or other municipal  
60 executive, all elected and appointed county and municipal officials and employees, county and  
61 municipal departments, divisions, agencies and instrumentalities, contractors, their  
62 subcontractors and lower tier subcontractors, and other persons and entities doing business with  
63 the county or a municipality and/or receiving county or municipal funds regarding any such  
64 contracts or transactions with the county or a municipality. Except as otherwise limited in this  
65 subsection (2), the inspector general's jurisdiction includes but shall not be limited to all projects,  
66 programs, contracts or transactions that are funded in whole or in part by the county or any  
67 municipality. The inspector general may contract with outside entities deemed necessary to  
68 perform the functions of that office. Any such contract is subject to final approval by the board,  
69 but such approval shall not be unreasonably withheld. The inspector general may conduct  
70 investigations and audits, issue reports, and make recommendations regarding collective  
71 bargaining agreements. The inspector general shall conduct investigations and audits in  
72 accordance with applicable laws, rules, regulations, policies and past practices. The inspector  
73 general shall not interfere with collective bargaining negotiations.

74 (3) As provided in subsection (1), the inspector general can: require all county and municipal  
75 officials and employees, contractors, their subcontractors and lower tier subcontractors, and other  
76 persons and entities doing business with the county or a municipality and/or receiving county or  
77 municipal funds to provide statements; administer oaths; and, require the production of  
78 documents, records and other information. In the case of a refusal by an official, employee or  
79 other person to obey a request by the inspector general for documents or for an interview, the  
80 inspector general shall have the power to subpoena witnesses, administer oaths, and require the  
81 production of documents. Seventy-two (72) hours prior to serving a subpoena, the inspector  
82 general shall provide written notice to the state attorney and the U.S. Attorney for the Southern  
83 District of Florida. The inspector general shall not interfere with any ongoing criminal  
84 investigation or prosecution of the state attorney or the U.S. Attorney for the Southern District of  
85 Florida. When the state attorney or the U.S. Attorney for the Southern District of Florida has  
86 explicitly notified the inspector general in writing that the inspector general's investigation is  
87 interfering with an ongoing criminal investigation or prosecution, the inspector general shall

88 suspend service of subpoena, examination of witnesses, or other investigative activities as set  
89 forth in the notice. In the case of a refusal to obey a subpoena served to any person, the inspector  
90 general may make application to any circuit court of this state which shall have jurisdiction to  
91 order the witness to appear before the inspector general and to produce evidence if so ordered, or  
92 to give testimony relevant to the matter in question.

93 (4) Where the inspector general suspects a possible violation of any state, federal, or local law,  
94 he or she shall notify the appropriate law enforcement agencies. The county administrator and  
95 each municipal manager, or administrator, or mayor where the mayor serves as chief executive  
96 officer, shall promptly notify the inspector general of possible mismanagement of a contract  
97 (misuse or loss exceeding \$5,000 in public funds), fraud, theft, bribery, or other violation of law  
98 which appears to fall within the jurisdiction of the inspector general, and may notify the  
99 inspector general of any other conduct which may fall within the inspector general's jurisdiction.  
100 The county administrator and each municipal manager, or administrator, or mayor where the  
101 mayor serves as chief executive officer, shall coordinate with the inspector general to develop  
102 reporting procedures for notification to the inspector general.

103 (5)The inspector general shall have the power without limitation to audit, investigate, monitor,  
104 inspect and review the operations, activities, performance, and procurement processes including,  
105 but not limited to, bid specifications, bid submittals, activities of the contractor, their  
106 subcontractors and lower tier subcontractors, its officers, agents and employees, lobbyists,  
107 county and municipal staff and officials, in order to ensure compliance with contract  
108 specifications and detect corruption and fraud.

109 (6)The inspector general shall have the power to receive, review and investigate any complaints  
110 regarding any municipal or county-funded projects, programs, contracts or transactions. The  
111 inspector general shall establish a "hotline" to receive complaints, from either anonymous or  
112 identified persons.

113 (7)The inspector general may exercise any of the powers contained in this article upon his or her  
114 own initiative.

115 (8)The inspector general shall be notified in writing prior to any duly noticed public meeting of a  
116 procurement selection committee where any matter relating to the procurement of goods or  
117 services by the county or any municipality is to be discussed. The notice required by this  
118 subsection shall be given to the inspector general as soon as possible after a meeting has been  
119 scheduled. The inspector general may, at his or her discretion, attend all duly noticed county or  
120 municipal meetings relating to the procurement of goods or services as provided herein, and may  
121 pose questions and raise concerns consistent with the functions, authority and powers of the  
122 inspector general. The failure by the county or municipality to give written notice required by  
123 this section does not constitute grounds for a protest regarding such procurement and shall not be  
124 the cause for the stay of any procurement, and shall not be the basis to overturn the award of a  
125 contract.

126 (9) It is anticipated that special districts and other public officials and entities will recognize and  
127 desire to benefit from the services of the county office of inspector general. The inspector  
128 general may negotiate agreements or memoranda of understanding with other public entities  
129 which would authorize the inspector general to provide independent oversight of any or all of the  
130 public entity's transactions, projects and operations, and to exercise any and all authority,  
131 functions and powers set forth in this article for the benefit of such public entity. The  
132 memorandum of understanding or agreement shall include a provision for fees to be paid to the  
133 inspector general from the public entity in exchange for such benefits. Such fees shall be based

134 on a rate established by the inspector general to cover the cost of such benefits and shall include,  
135 but not be limited to, one quarter of one percent of the contracts as described in section 2-429(2)  
136 (hereafter the "funding base") subject to inspector general review under the agreement. The  
137 funding base shall be subject to adjustment as set forth in section 2-429.1. Any such agreement  
138 or memorandum of understanding is subject to final approval of the board, but such approval  
139 shall not be unreasonably withheld. For the purposes of the removal procedure set forth in  
140 section 2-430, a "funding entity" shall mean a public entity that has entered into an agreement or  
141 memorandum of understanding to receive services of the inspector general, and has provided  
142 funding in exchange for such services equal to at least twenty-five (25) percent of the total  
143 annual budget of the inspector general for the county's fiscal year immediately preceding the  
144 fiscal year in which the removal procedure takes place.

145 (10) The inspector general's records related to active audits, investigations and reviews are  
146 confidential and exempt from disclosure, as provided by §112.3188(2) and Chapter 119, Florida  
147 Statutes.

148 (11)The inspector general is considered "an appropriate local official" of the county and of any  
149 municipality for purposes of whistleblower protection provided by §112.3188(1), Florida  
150 Statutes.

151 (12)The inspector general may recommend remedial actions and may provide prevention and  
152 training services to county and municipal officials, employees, and any other persons covered by  
153 this article. The inspector general may follow up to determine whether recommended remedial  
154 actions have been taken.

155 (13)The inspector general shall establish policies and procedures and monitor the costs of  
156 investigations undertaken. The inspector general shall cooperate with other governmental  
157 agencies to recover such costs from other entities involved in willful misconduct in regard to  
158 county or municipal funds.

159 (14)Nothing herein shall abridge employees' constitutional right to collective bargaining.

160

161 **Sec. 2-423.1. Outreach.**

162 The inspector general will coordinate with the county administrator and municipal  
163 manager or administrator to develop public awareness strategies to inform government officials  
164 and employees, as well as the general public, of the authority and responsibilities of the office of  
165 the inspector general. Such strategies shall include but not be limited to inclusion in the  
166 government's web page with a link to the office of inspector general website, publication of  
167 notices in the government's newsletters, and posting information about the office of inspector  
168 general in government employee break rooms and other common meeting areas. The inspector  
169 general shall provide on its website examples that illustrate fraud, waste, mismanagement,  
170 misconduct and abuse.

171

172 **Sec. 2-424. Minimum qualifications, selection and term of office.**

173 (1) *Minimum qualifications.* The inspector general shall be a person who:

174 a. Has at least ten (10) years of experience in any one (1) or a combination of the following  
175 fields:

176 1. As a federal, state or local law enforcement officer/official;

177 2. As a federal or state court judge;

178 3. As a federal, state or local government attorney with expertise in investigating fraud,  
179 mismanagement and corruption;

180 4. As an inspector general, certified public accountant, or internal auditor;  
181 5. As a person with progressive supervisory and managerial experience in an investigative  
182 public agency similar to an inspector general's office;  
183 b. Has managed and completed complex investigations involving allegations of fraud, theft,  
184 deception or conspiracy;  
185 c. Has demonstrated the ability to work with local, state and federal law enforcement agencies  
186 and the judiciary;  
187 d. Has a four-year degree from an accredited institution of higher learning;  
188 e. Has not been employed by the county, any municipality or any other governmental entity  
189 subject to the authority of the inspector general office during the two-year period immediately  
190 prior to selection, unless such employment has been with the Office of Inspector General, Palm  
191 Beach County, Florida.  
192 f. Highly qualified candidates will also have audit-related skills and/or hold one (1) or more of  
193 the following professional certifications at the time of selection: certified inspector general  
194 (CIG), certified inspector general investigator (CIGI), certified inspector general auditor (CIGA),  
195 certified public accountant (CPA), certified internal auditor (CIA), or certified fraud examiner  
196 (CFE).  
197 (2) *Selection.* No official or employee of any governmental entity subject to the authority of the  
198 office of inspector general shall participate on the inspector general committee. Responsibility  
199 for selecting the inspector general shall be vested solely with the inspector general committee.  
200 The inspector general committee shall be comprised of the commission on ethics as established  
201 in section 2-254 et seq. of this Code, the state attorney for the Fifteenth Judicial Circuit or his or  
202 her designee, and the public defender for the Fifteenth Judicial Circuit or his or her designee. The  
203 chairperson of the inspector general committee shall be chairperson of the commission on ethics.  
204 After thoroughly reviewing qualifications, background information, and personal and  
205 professional referrals, the inspector general committee shall notify the county attorney of its  
206 selection. The county attorney shall promptly notify the board that a selection has been made.  
207 (3) *Staffing of inspector general committee.* The county human resources department shall  
208 provide staff to the inspector general committee and as necessary will advertise the acceptance of  
209 resumes for the position of inspector general. All resumes received by the human resources  
210 department will be forwarded to the inspector general committee for consideration. The human  
211 resources department shall contract with an appropriate entity to ensure that background checks  
212 are conducted on the candidates selected for interview by the inspector general committee. The  
213 results of the background checks shall be provided to the inspector general committee prior to  
214 the interview of candidates. Following the initial selection of the inspector general, the inspector  
215 general committee, for future selection processes as described in subsection (2) above, may  
216 continue to employ the services of the human resources department or may utilize its own staff to  
217 solicit candidates for inspector general. All advertisements for the acceptance of resumes for  
218 inspector general shall include a salary range commensurate with public officials of like  
219 experience and expertise.  
220 (4) *Term.* The inspector general shall serve for a term of four (4) years. At least six (6) months  
221 prior to the end of each contract term, the inspector general committee will determine whether or  
222 not to renew the contract for an additional term of four (4) years, and shall promptly notify the  
223 inspector general of its decision. In the event the inspector general committee elects not to renew  
224 the contract, the inspector general committee shall promptly convene as necessary to solicit  
225 candidates for and to select a new inspector general in the same manner as described in

226 subsection (2) above. The incumbent inspector general may submit his or her name as a  
227 candidate to be considered for selection. The incumbent inspector general shall serve until a  
228 successor is selected and assumes office.

229 (5) *Vacancy*. In case of a vacancy in the position of inspector general, the inspector general  
230 committee may appoint a member of the inspector general's office as interim inspector general  
231 within ten (10) days of the vacancy occurring, until such time as a successor inspector general is  
232 selected and assumes office. A successor inspector general shall be selected in the same manner  
233 as described in subsection (2) above, except for the following specific time constraints: (a)  
234 solicitation for qualified candidates for selection should be published within twenty (20) days,  
235 but no later than forty (40) days of the date the vacancy occurs; and (b) the inspector general  
236 committee must in good faith endeavor to convene and select an inspector general within ninety  
237 (90) days of the date the vacancy occurs.

238  
239 **Sec. 2-425. Contract.**

240 A designee from the commission on ethics, with the assistance of the county's human  
241 resources department and the county attorney's office, shall negotiate a contract of employment  
242 with the inspector general substantially consistent with the terms included in contracts of other  
243 contractual employees of the county. For the purposes of contract negotiations, such designation  
244 by the commission on ethics shall not be deemed a delegation of the commission on ethics'  
245 decision making authority. The inspector general shall be paid at a rate commensurate with  
246 public officials of like experience and expertise. Before any contract shall become effective, the  
247 contract must be approved by a majority of the board present at a regularly scheduled board  
248 meeting. The contract will cover the entire four-year term subject to the removal provisions in  
249 section 2-430. The contract will include a provision requiring the inspector general committee to  
250 provide notice of its decision to renew or not to renew the contract at least six (6) months prior to  
251 the termination of the contract. The contract shall provide that the inspector general may not  
252 represent a political party or be on any executive committee thereof, or seek public office during  
253 his or her term of service, and shall not seek public office or employment with any public entity  
254 subject to the jurisdiction of the inspector general for four (4) years thereafter. That limitation  
255 does not include seeking selection as inspector general for a subsequent term. The contract shall  
256 further provide that the inspector general may not be a lobbyist, as defined in section 2-352 of  
257 this Code, for two (2) years after term of service.

258  
259 **Sec. 2-426. Physical facilities and staff.**

260 (1) The county shall provide the office of inspector general with appropriately located office  
261 space and sufficient physical facilities together with necessary office equipment and furnishings  
262 to enable the inspector general to perform his or her functions.

263 (2) The inspector general shall have the power to appoint, employ, and remove such assistants,  
264 employees and personnel, and establish personnel procedures as deemed necessary for the  
265 efficient and effective administration of the activities of the office of inspector general.

266  
267 **Sec. 2-427. Procedure for finalization of reports and recommendations which make**  
268 **findings as to the person or entity being reviewed or inspected.**

269 The inspector general shall publish and deliver finalized reports and recommendations to  
270 the board or the appropriate municipality, and to the county commission on ethics.  
271 Notwithstanding any other provision of this article, whenever the inspector general determines

272 that it is appropriate to publish and deliver a report or recommendation which contains findings  
273 as to the person or entity being reported on or who is the subject of the recommendation, the  
274 inspector general shall provide the affected person or entity a copy of the findings. Such person  
275 or entity, who is the subject of a finding or recommendation resulting from an investigation or  
276 review, shall have ten (10) calendar days to submit a written explanation or rebuttal of the  
277 findings before the report or recommendation is finalized. In the case of an audit, such person or  
278 entity shall have twenty (20) calendar days to submit a written explanation or rebuttal of the  
279 audit findings or before the report or recommendation is finalized. The inspector general shall  
280 grant reasonable extensions of time for providing a written explanation or rebuttal upon written  
281 request. Such timely submitted written explanation or rebuttal shall be attached to the finalized  
282 report or recommendation. The requirements of this subsection shall not apply in matters subject  
283 to the State of Florida's Whistle-blower's Act, or when the inspector general, in conjunction with  
284 the state attorney or U.S. Attorney, determines that supplying the affected person or entity with  
285 such report will jeopardize a pending criminal investigation.

286

287 **Sec. 2-428. Reporting.**

288 (1) Not later than December 31 of each year, the Inspector General shall prepare and publish a  
289 written annual report summarizing the activities of the office during the immediately preceding  
290 fiscal year ended September 30. The report shall be furnished to the inspector general  
291 committee, the county administrator and the Palm Beach County League of Cities, Inc., and  
292 posted on the inspector general's website. The report shall include, but need not be limited to: a  
293 description of significant abuses and deficiencies relating to the administration of programs and  
294 operations disclosed by investigations, audits, reviews, or other activities during the reporting  
295 period; a description of the recommendations for corrective action made by the inspector general  
296 during the reporting period with respect to significant problems, abuses, or deficiencies  
297 identified; identification of each significant recommendation described in previous annual  
298 reports on which corrective action has not been completed; and a summary of each audit and  
299 investigation completed during the reporting period.

300 (2) The inspector general committee will meet with the inspector general every six months to  
301 review the previous six month's activities and the inspector general's plans and objectives for the  
302 upcoming six month.

303 **Sec. 2-429. Financial support and budgeting.**

304 (1) Pursuant to their annual budgeting processes, the county and each municipality shall  
305 provide sufficient financial support for the inspector general's office to fulfill its duties as set  
306 forth in this article. The county and municipalities shall fund the inspector general's office  
307 proportionately, based on the actual expenses of each governmental entity as recorded in the  
308 most recent audited year and reported in the Florida Department of Financial Services Local  
309 Government Electronic Reporting system (LOGER), pursuant to section 218.32, Florida Statutes,  
310 as may be amended.

311 (2) The county and each municipality's proportionate share shall be based on each  
312 entity's actual expenses as defined in the then current Uniform Accounting System Manual,  
313 published by the State of Florida, Department of Financial Services, Bureau of Local  
314 Government, and shall include the following Object Categories: 30 - Operating  
315 Expenditures/Expenses; 60 - Capital Outlay; and 80 - Grants and Aids. Notwithstanding the  
316 above, however, law enforcement, pension funds, electric utility services, fire control, and  
317 intergovernmental transfer costs shall not be included in the proportionate share calculation.

318 Nothing contained herein shall in any way limit the powers of the inspector general provided for  
319 in this Ordinance to perform audits, inspections, reviews and investigations on all county and  
320 municipal contracts.

321 (3) The inspector general shall establish and maintain a fiscal year which coincides with  
322 that of the county. Beginning May 1, 2011, and every May 1 thereafter, the inspector general  
323 shall deliver to the board a budget request including a reasonable estimate of operating and  
324 capital expenditures and shall also include, but not be limited to, anticipated revenues from  
325 sources other than the county and municipalities, and funds estimated to be received but not  
326 expended in the current fiscal year. No later than April 1 of every year, the inspector general  
327 shall deliver a preliminary budget request to the Palm Beach County League of Cities, Inc., and  
328 be available to discuss the budget request with the League of Cities membership prior to May 1  
329 of every year. The board shall meet with a delegation selected by the Palm Beach County League  
330 of Cities, Inc., to discuss the budget request for each fiscal year. The county shall endeavor to  
331 place the matter on a board agenda prior to June 15 of each year, but in no event later than June  
332 30. The parties attending this meeting shall acknowledge the provisions of section 2-429.1(1).

333 (4) No later than the fifth business day in July of each year, the Office of the Clerk and  
334 Comptroller shall prepare an allocation schedule based on the most current LOGER system data.  
335 The proportionate share to be paid by the county and each municipality shall be reduced  
336 proportionately by the anticipated revenues from sources other than the county and  
337 municipalities and the amount of funds estimated to be received but not expended by the  
338 inspector general in the current fiscal year.

339 (5) In the event the county or a municipality does not submit the most recent fiscal year  
340 data in the LOGER system, the proportionate share for that municipality shall be based upon its  
341 last LOGER system submittal, subject to an escalator for each year the submittal was not made.  
342 The escalator shall be based on the Consumer Price Index for All Urban Consumers, U.S. City  
343 Average, as set forth in section 193.155, Florida Statutes, as may be amended.

344 (6) The budget of the inspector general shall be subject to final approval of the board.  
345 No later than September 30 of each year, the board shall set the inspector general budget for the  
346 coming fiscal year and adjust the proportionate share of the county and each municipality  
347 accordingly as described in this section.

348 (7) The Office of the Clerk and Comptroller shall invoice the county and each  
349 municipality one-fourth of the proportionate share as adjusted on October 10, January 10, April  
350 10 and July 10 of each year. Payment shall be submitted to the board and due no later than thirty  
351 (30) days from the date of the invoice. Upon receipt, all funds shall be placed in the Office of  
352 Inspector General, Palm Beach County, Florida Special Revenue Fund. In the event payment is  
353 not timely received, the county or any municipality in compliance with this section may pursue  
354 any available legal remedy.

355 (8) The county and each municipality's proportionate share for the period of June 1, 2011  
356 through September 30, 2011 shall be as set forth in Exhibit A which is attached hereto and  
357 incorporated herein by reference. The Office of the Clerk and Comptroller shall invoice the  
358 County, upon adoption of this ordinance, \$946,764. This amount is based on the estimated  
359 expenses through June 1, 2011 of \$483,333, plus the County's proportionate share as reflected  
360 on Exhibit A. The Office of the Clerk and Comptroller shall invoice each municipality for their  
361 proportionate share as set forth in subsection (7) beginning with the first invoice on October 10,  
362 2011.

363



364 **Sec. 2-429.1 Funding Base**

365

366 (1) The funding base is a minimum level of funding, determined as a percentage of  
367 contract activity of the governmental entities subject to the authority of the inspector general.  
368 The purpose of establishing the funding base is to ensure the office is adequately funded. The  
369 funding base is currently set at an amount equal to one quarter of one percent (0.25%) of the  
370 contracts as described in section 2-429(2). Within ten (10) days following establishment of the  
371 allocation schedule as described in 2-429(4), the county will determine whether the calculated  
372 funding requirement meets the one quarter of one percent (0.25%) funding base. In the event the  
373 calculated funding requirement is less than one quarter of one percent (0.25%), but the inspector  
374 general's proposed budget is fully funded by the allocation schedule and revenues from sources  
375 other than the county and municipalities, the inspector general shall request a reduction of the  
376 funding base accordingly for that budget year. Nothing herein shall be construed to:

377 (a) Limit the calculated funding base to one quarter of one percent (0.25%), as may  
378 be required to adequately fund the Office of the Inspector General;

379 (b) Limit the inspector general's authority to request a budget that results in a  
380 calculated funding base that is less than one quarter of one percent (0.25%) at any time; or

381 (c) Prohibit the inspector general from transmitting to the county supplemental  
382 budget requests.

383 No adjustment to the calculated funding base shall occur if such adjustment results in the  
384 Office of the Inspector General not being adequately funded.

385 (2) On an annual basis the board of county commissioners may adjust the funding base  
386 percentage upon a showing of need which shall be based upon, but need not be limited to, the  
387 following criteria:

388 (a) additional expenses in a particular year necessitated by an extraordinarily large  
389 investigation or audit;

390 (b) the amount of increases or decreases in budget requests by the inspector general in  
391 prior years;

392 (c) the amount and frequency of supplemental budget requests made by the inspector  
393 general in prior years;

394 (d) the amount and frequency of surpluses and/or shortfalls in the inspector general's  
395 budget in prior years;

396 (e) the ability of the county and each municipality to bear an increase of the funding base  
397 percentage in a particular year.

398 The demonstration of need shall be subject to review and recommendation by the review  
399 committee as established in the Charter of Palm Beach County, section 8.3. The review  
400 committee's recommendation shall only be overruled by a supermajority vote of the board of  
401 county commissioners. In no event shall the funding base be reduced below one quarter of one  
402 percent unless such reduction is made by the inspector general.

403

404 **Sec. 2-430. Removal.**

405 The inspector general may be removed only for cause based upon specified charges of the  
406 following: neglect of duty, abuse of power or authority, discrimination, or ethical misconduct.  
407 The removal process shall be initiated at a duly noticed public hearing of either the board, the  
408 inspector general committee, or a funding entity as described in section 2-423(9). An affirmative  
409 vote of five (5) members of the board, an affirmative vote of five (5) members of the inspector

410 general committee, or an affirmative supermajority vote of a funding entity shall be required to  
411 present the inspector general with the charges and to proceed to final public hearings. The board,  
412 inspector general committee, or the initiating funding entity, as appropriate, shall transmit a copy  
413 of the charges to the inspector general at least sixty (60) days prior to all final public hearings  
414 which shall be convened by the board, all funding entities, and the inspector general committee.  
415 The inspector general shall have an opportunity to be heard in person and by counsel at the final  
416 public hearings prior to the votes being taken on his or her removal. The inspector general may  
417 only be removed upon the affirmative vote of five (5) members of the board, five (5) members of  
418 the inspector general committee, and a supermajority of all funding entities. A record of the  
419 proceedings, together with the charges and findings thereon, shall be filed with the clerk to the  
420 board. The inspector general shall be removed without a public hearing in the event the inspector  
421 general is convicted of or enters a guilty plea or *nolo contendere* plea to a state or federal  
422 felony. Based upon specified charges of neglect of duty, abuse of power or authority,  
423 discrimination, or ethical misconduct, one or more municipalities may file a petition for removal  
424 with the general counsel for the Office of Inspector General. A petition for removal must be  
425 duly authorized as a resolution outlining the specific charges and passed by a majority plus one  
426 of the governing body. The petition for removal shall be transmitted to the inspector general  
427 committee with a copy to the general counsel of the inspector general. The inspector general  
428 committee shall decide whether to initiate the removal process or dismiss based on the petition.  
429 The inspector general committee may investigate the allegations contained in the petition before  
430 deciding whether to initiate the removal process. If the inspector general committee initiates the  
431 removal process, the municipality or municipalities making the petition for removal shall have  
432 the opportunity to be heard at the final public hearings prior to the votes being taken.

433  
434 **Sec. 2-431. Enforcement.**

435 This Ordinance is enforceable by all means provided by law, including seeking injunctive  
436 relief in the Fifteenth Judicial Circuit Court in and for Palm Beach County.

437  
438 **Sec. 2-432. Penalty.**

439 Any person who:

440 (1) retaliates against, punishes, threatens, harasses, or penalizes, or attempts to retaliate  
441 against, punish, threaten, harass, or penalize any person for assisting, communicating or  
442 cooperating with the Inspector General, or

443 (2) who knowingly interferes, obstructs, impedes or attempts to interfere, obstruct or  
444 impede in any investigation conducted by the Inspector General  
445 shall be guilty of a violation of this Ordinance and punished, pursuant to section 125.69, Florida  
446 Statutes, in the same manner as a second degree misdemeanor. Any potential violation of this  
447 section shall be referred to the State Attorney for possible investigation and prosecution.

448

**Inspector General FY 2011 Cost Allocation Schedule**  
**Estimated Costs from June 1 - September 30**

	Total Expenses	CIP Adjustment		Adj. Expenses	Proportionate Share	
		FY 2008 - 4.08%	FY 2009 - .09%		%	DOBARS
County	\$ 1,003,335,667			\$ 1,003,335,667	58.56%	\$ 463,431
Atlantis	\$ 1,544,714			\$ 1,544,714	0.09%	\$ 719
Belle Glade	\$ 10,601,832			\$ 10,601,832	0.62%	\$ 4,897
Boca Raton	\$ 87,791,127			\$ 87,791,127	5.12%	\$ 40,550
Boynton Beach <sup>1</sup>	\$ 60,838,185		\$ 54,754	\$ 60,892,939	3.55%	\$ 28,126
Briny Breezes	\$ 283,710			\$ 283,710	0.02%	\$ 131
Cloud Lake	\$ 81,826			\$ 81,826	0.00%	\$ 38
Delray Beach	\$ 84,562,787			\$ 84,562,787	4.94%	\$ 39,059
Glen Ridge	\$ 37,638			\$ 37,638	0.00%	\$ 17
Golf	\$ 1,577,634			\$ 1,577,634	0.09%	\$ 729
Greenacres	\$ 5,142,025			\$ 5,142,025	0.30%	\$ 2,375
Gulf Stream	\$ 1,419,650			\$ 1,419,650	0.08%	\$ 656
Haverhill	\$ 860,512			\$ 860,512	0.05%	\$ 397
Highland Beach	\$ 4,907,298			\$ 4,907,298	0.29%	\$ 2,267
Hypoluxo	\$ 967,976			\$ 967,976	0.06%	\$ 447
Juno Beach	\$ 1,119,758			\$ 1,119,758	0.07%	\$ 537
Jupiter	\$ 29,485,504			\$ 29,485,504	1.72%	\$ 13,619
Jupiter Inlet Colony <sup>2</sup>	\$ 377,579		\$ 340	\$ 377,919	0.02%	\$ 175
Lake Clarke Shores	\$ 2,438,410			\$ 2,438,410	0.14%	\$ 1,126
Lake Park	\$ 6,881,381			\$ 6,881,381	0.40%	\$ 3,178
Lake Worth	\$ 37,483,120			\$ 37,483,120	2.19%	\$ 17,313
Lantana	\$ 6,242,288			\$ 6,242,288	0.36%	\$ 2,883
Loxahatchee Groves	\$ 1,040,871			\$ 1,040,871	0.05%	\$ 481
Manalapan	\$ 2,117,925			\$ 2,117,925	0.12%	\$ 978
Mangonia Park <sup>2</sup>	\$ 1,009,318	\$ 41,180	\$ 945	\$ 1,051,444	0.06%	\$ 486
North Palm Beach	\$ 8,925,936			\$ 8,925,936	0.52%	\$ 4,123
Ocean Ridge	\$ 1,837,819			\$ 1,837,819	0.11%	\$ 849
Pahokee <sup>2</sup>	\$ 4,356,617	\$ 177,750	\$ 4,081	\$ 4,538,448	0.26%	\$ 2,095
Palm Beach	\$ 49,908,700			\$ 49,908,700	2.91%	\$ 23,052
Palm Beach Gardens	\$ 22,964,205			\$ 22,964,205	1.34%	\$ 10,607
Palm Beach Shores	\$ 998,241			\$ 998,241	0.06%	\$ 461
Palm Springs	\$ 9,336,162			\$ 9,336,162	0.54%	\$ 4,317
Riviera Beach	\$ 36,510,490			\$ 36,510,490	2.13%	\$ 16,864
Royal Palm Beach	\$ 10,079,531			\$ 10,079,531	0.59%	\$ 4,656
South Bay	\$ 3,150,486			\$ 3,150,486	0.18%	\$ 1,455
South Palm Beach	\$ 580,349			\$ 580,349	0.03%	\$ 268
Tequesta	\$ 4,940,419			\$ 4,940,419	0.29%	\$ 2,282
Wellington	\$ 38,505,545			\$ 38,505,545	2.25%	\$ 17,785
West Palm Beach	\$ 168,716,553			\$ 168,716,553	9.85%	\$ 77,929
<b>TOTAL</b>	<b>\$ 1,712,959,839</b>	<b>\$ 218,930</b>	<b>\$ 60,121</b>	<b>\$ 1,713,238,890</b>	<b>100.00%</b>	<b>\$ 791,329</b>

<sup>1</sup> 2009 data is not available for these municipalities. 2008 data was used for this chart.

<sup>2</sup> 2009 & 2008 data is not available for these municipalities. 2007 data was used for this chart.