



Cover Memorandum/Staff Report

File #: 22-11 CRA

Agenda Date: 11/17/2022

Item #: 7J.

TO: CRA Board of Commissioners
FROM: Kim N. Phan, Esq., Legal Advisor
THROUGH: Renée A. Jadusingh, Executive Director
DATE: November 17, 2022

MEMORANDUM OF UNDERSTANDING BETWEEN THE DELRAY BEACH CRA AND THE PALM BEACH COUNTY COMMISSION ON ETHICS

Recommended Action:

Approve the Memorandum of Understanding between the Delray Beach Community Redevelopment Agency and the Palm Beach County Commission on Ethics, in substantially the attached form.

Background:

In response to several high-profile prosecutions of Palm Beach County and West Palm Beach City Commissioners, the Palm Beach County Board of County Commissioners adopted a county code of ethics, effective May 1, 2010. Since then, Palm Beach County voters approved a countywide referendum bringing cities and municipalities under the jurisdiction of the Palm Beach County Commission on Ethics and the ethics codes, effective June 1, 2011.

As a dependent special district, the CRA is not under the jurisdiction of the Commission on Ethics by statute or referendum. The CRA has voluntarily submitted to the jurisdiction of the Palm Beach County Commission on Ethics since 2012 through a Memorandum of Understanding (MOU) between the Delray Beach CRA and Palm Beach County Commission on Ethics. The most recent MOU was effective January 13, 2019 and expired September 30, 2022.

The Commission on Ethics staff has provided an updated MOU for the CRA's consideration and approval. The MOU authorizes the Commission on Ethics to exercise authority, functions and powers granted by the Commission on Ethics ordinance over the operations of the CRA. This includes oversight, training and advisory functions of the Commission on Ethics to the CRA Board and staff. The MOU includes a provision of fees to be paid to the Commission on Ethics in exchange for its services, based on the fee schedule included in the MOU (Section IV).

At this time, the MOU between the Delray Beach CRA and Palm Beach County Commission on Ethics, in substantially the attached form, with an effective date of October 1, 2022 and termination date of September 30, 2026, is before the Board for consideration and approval.

Attachments: Exhibit A - Memorandum of understanding between the Delray Beach CRA and Palm Beach County Commission on Ethics

CRA Attorney Review:

The CRA Attorney has reviewed the attached Memorandum of understanding between the Delray Beach CRA and Palm Beach County Commission on Ethics and approves it's form as to legal sufficiency.