



PALM BEACH COUNTY COMMISSION ON ETHICS
300 North Dixie Highway, Suite 450, West Palm Beach, Florida 33401
Hotline: 877-766-5920 or 561-355-1915

SELF-INITIATED COMPLAINT

As a self initiated complaint, this matter is deemed as LEGALLY SUFFICIENT under Section 2-260(b)(2), Procedure on Complaints Filed, Legal sufficiency of complaints, of the PBC Commission on Ethics Ordinance.

1. Ordinance and section(s) for offense(s) alleged:

Code of Ethics

Section 2-443(d) Prohibited Conduct: Contractual Relationships

2. Complainant – Commission on Ethics Executive Director

E-Mail: ethics@palmbeachcountyethics.com

Phone No #: 561-355-1915

3. Respondent

Name: Conor Devery

E-Mail: devery@mydelraybeach.com

Address: 501 West Atlantic Avenue

City: Delray Beach

Zip Code: 33444

Home #: _____ Work #: 561-243-7400

Cell #: _____

Title/Office Held or Sought: Employee-Fire Rescue Department

3. IF KNOWN, CHECK THE BOX OR BOXES THAT APPLY

- ☒ Allegation is against person in County/Municipal Government
☐ Allegation is about County/Municipal Whistleblower Retaliation
☐ Allegation is against a Vendor, Lobbyist, or a Principal of a Lobbyist

4. STATEMENT OF FACTS ATTACHED

Exhibit 1 – Memorandum of Inquiry

Exhibit 2 – Affidavit

Exhibit 3 – Supporting Documentation

5. OATH

STATE OF FLORIDA
COUNTY OF PALM BEACH

Personally known to me and appeared before me, Mark E. Bannon, Interim Executive Director of the Palm Beach County Commission on Ethics, whose signature appears below, being duly sworn, says that the allegations set forth in this complaint are based upon facts which have been sworn to as true by a material witness or witnesses and which if true would constitute the offenses alleged and that this complaint is instituted in good faith. Signed and sworn to on this 4th day of December, 2015.



GINA LEVESQUE
MY COMMISSION # EE 207356
EXPIRES: July 17, 2016
Bonded Thru Budget Notary Services

Mark E. Bannon
Mark E. Bannon, Interim Executive Director

Gina Levesque
(Signature of Notary Public, State of Florida)

(Print, Type, or Stamp Commissioned
Name of Notary Public)

PALM BEACH COUNTY COMMISSION ON ETHICS
MEMORANDUM OF INQUIRY

To: Mark Bannon, Interim Executive Director
From: Anthony C. Bennett, Investigator
Re: AN15-025 – Conor Devery, Fire Rescue Division, City of Delray Beach

- **Background**

This matter came to the attention of the Commission on Ethics (COE) staff via a written letter from Mr. Donald Cooper (Complainant), City Manager of Delray Beach (the City), addressed to the COE Executive Director. According to the letter, the City tasked external auditors with comparing employee contact information to vendor contract information to see if there were possible employee conflicts. The audit reviewed those vendors who conducted business with the City from 2011 to present.

A separate document was attached which listed a number of names of individuals that were apparently employees of the City. City employee Conor Devery (Respondent), Delray Beach Fire Rescue Division, was listed as an employee of First Response Training, LLC, which was a company determined to be a vendor of the City from 2012 through 2014. A total of \$2,245.00 was paid to this vendor during this period. Complainant alleges due to Mr. Devery being an employee of First Response Training, LLC, he may be in violation of Section 2-443(d) of the PBC Code of Ethics Ordinance as he is also an employee of the City.

The following documents were provided with the letter and submitted to the file:

- **Documents provided by Complainant**

1. Complainant Letter outlining the allegation(s) made. (1 page)
2. Spreadsheet of City employees working as alleged vendors of the City. (13 pages)

- **Applicable Law**

The Following section of the PBC Commission on Ethics Ordinance establishes jurisdiction in this matter:

Sec. 2-254. Creation and jurisdiction.

The Palm Beach County Commission on Ethics (hereinafter "commission on ethics") is hereby established. The jurisdiction of the commission on ethics shall extend to *any person required to comply with the countywide code of ethics*, the county lobbyist registration ordinance, and the county post-employment ordinance... (Emphasis added)

The following portions of the PBC Code of Ethics ordinance are relevant to this matter:

Section 2-442. Definitions.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid. The term "*employee*" includes but is not limited to all managers, department heads and personnel of the county or the municipalities located within the county... The term "official" shall mean members of the board of county commissioners, *a mayor*, members of local municipal governing bodies, and members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity. (Emphasis added)

Vendor means any person or entity who has a pending bid proposal, or offer or request to sell goods or services, sell or lease real or personal property, or who currently sells goods or services, or sells or leases real or personal property, to the county or municipality involved in the subject contract or transaction as applicable. For the purposes of this definition a vendor entity includes an owner, director, manager or employee.

As a an employee of the City of Delray Beach within the Fire Rescue Division, Conor Devery is under the jurisdiction of the Palm Beach County Code of Ethics and the COE.

Sec. 2-443. Prohibited conduct.

- (d) **Contractual relationships.** No official or employee shall enter into any contract or other transaction for goods or services with their respective county or municipality. This prohibition extends to all contracts or transactions between the county or municipality as applicable or any person, agency or entity acting for the county or municipality as applicable, and the official or employee, directly or indirectly, or the official or employee's outside employer or business. Any such contract, agreement, or business arrangement entered into in violation of this subsection may be rescinded or declared void by the board of county commissioners pursuant to section 2-448(c) or by the local municipal governing body pursuant to local ordinance as applicable. This prohibition shall not apply to employees who enter into contracts with Palm Beach County or a municipality as part of their official duties with the county or that municipality. This prohibition also shall not apply to officials or employees who purchase goods from the county or municipality on the same terms available to all members of the public. (Emphasis added)

- **Inquiry:**

Respondent has been employed by the City of Delray Beach since 2005 within the Fire Rescue Department. This was verified by documents forwarded by Complainant which listed him as an employee. In the submitted spreadsheet, Respondent is also listed as the representative for the City vendor, First Response Training, LLC. The spreadsheet shows the following payouts to this company between the dates of June 2010 through May 2014:

P.O. Number	Vendor No.	Amount	Check Date	Check Number	Approved
	24727	\$664.00	9/28/2012	479196	
693470	24727	1,021.00	9/27/2013	490707	Sims
696056	24727	560.00	2/7/2014	494641	Shade
Total	3	\$2,245.00			

The amount totaled \$2,245.00 over the course of three (3) payments between 2012 and 2014.

I researched the business name First Response Training, LLC. on the Florida Department of State, Division of Corporations website and found that Respondent was listed as the Registered Agent of this corporation. He also signed the Articles of Incorporation on 2/27/2009 as a "Managing Member." Based on the documents submitted by the City and the Articles of Incorporation documents found on the Florida Department of State, Division of Corporations website, Respondent is a City employee and has an ownership interest in a contracted vendor of the City.

- **Documents submitted by Investigator**

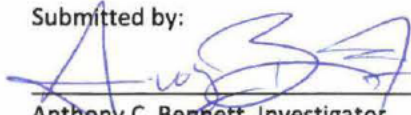
1. Articles of Incorporation – Florida Department of State Division of Corporations. (2 pages)
2. 2015 For Profit Corporation Reinstatement. (1 page)
3. Florida Department of State Division of Corporations Company Listing. (2 pages)

- **Recommendation**

After reviewing the background information, the documents submitted by Complainant, witness statements, and the applicable law, I believe that there is sufficient evidence that would indicate, Respondent may have violated PBC Code of Ethics §2-443(d), ***Contractual Relationships***.

Therefore, it is my recommendation that the COE Executive Director file a sworn complaint on Conor Devery pursuant to Section 2-260(a)(2), ***Procedure on Complaints Filed*** of the PBC Commission on Ethics Ordinance and request that a the formal investigation begin.

Submitted by:



Anthony C. Bennett, Investigator
PB County Commission on Ethics

12/1/2015
Date

Reviewed by:



(Initials)

12/1/2015
Date

PALM BEACH COUNTY COMMISSION ON ETHICS
AFFIDAVIT

Re: AN 15-025 - Conor Devery

Commission on Ethics (COE) staff received copies of various documents from Mr. Donald Cooper, City Manager of Delray Beach, alleging Conor Devery possibly violated Section 2-443(d) *Prohibited Conduct: Contractual Relationships*, of the PBC Code of Ethics.

Based on the information obtained, the City of Delray Beach (the City) tasked external auditors with comparing employee contact information to vendor contract information to see if there were possible employee conflicts. The audit reviewed those vendors who conducted business with the City dating from 2011 to the present. Names of individuals that were employees of the City included Conor Devery.

In a spreadsheet submitted by the City to COE staff, Conor Devery is listed as the employee of City vendor First Response Training, LLC. The spreadsheet shows a total of \$2,245 being paid out to this company from 2012 through 2014.

However, Section 2-260.8, Statutes of limitations, of the COE Ordinance states: *"No action may be taken on a complaint filed more than two (2) years after the violation is alleged..."* (Emphasis added). Due to the length of time in which the possible violations may have occurred, the allegations will only include the time period of December 03, 2013 through December 3, 2015.

Based on the information submitted and obtained during the Inquiry, Conor Devery is an employee of the City and an employee and/or owner of First Response Training, LLC, which was a vendor of the City during the included time period. This was based on information listed on the Florida Department of State, Division of Corporations website where Mr. Devery is listed as the Registered Agent and Managing Partner of First Response Training, LLC.

Section 2-443(d), *Prohibited Conduct: Contractual Relationships* states: *"No official or employee shall enter into any contract or other transaction for goods or services with their respective county or municipality. This prohibition extends to all contracts or transactions between the county or municipality as applicable or any person, agency or entity acting for the county or municipality as applicable, and the official or employee, directly or indirectly, or the official or employee's outside employer or business."* (Emphasis added) If true and Devery is an employee of the City while being an employee and/or owner of a vendor of the City, he would be in violation of this section of the Code of Ethics.

Therefore, substantial relevant evidence exists to show that Conor Devery, while an employee of the City of Delray Beach during 2013-2015, entered into contracts with the City as a vendor and accepted \$560 in payments for work rendered.

By:

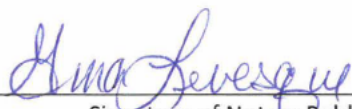

Anthony C. Bennett, Investigator
PBC Commission on Ethics

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 3rd day of December, 2015 by Anthony C. Bennett, who is personally known to me.



GINA LEVESQUE
MY COMMISSION # EE 207356
EXPIRES: July 17, 2016
Bonded Thru Budget Notary Services


Signature of Notary Public

CITY OF DELRAY BEACH



DELRAY BEACH
FLORIDA

100 NEW 1ST AVENUE

DELRAY BEACH, FLORIDA 33444

561/243-7000



All-America City May 19, 2015



1993
2001

Steven P. Cullen

Executive Director

Palm Beach County Commission on Ethics

300 North Dixie Highway, Suite 450

West Palm Beach, FL 33401

Dear Mr. Cullen:

The City of Delray Beach had requested our external auditors compare employee contact information to vendor contact information to see if there were any employee conflicts. The attached list shows vendors with the same address or similar data point as an employee who have done business with the city since 2011, in apparent violation of Palm Beach County Code of Ethics Ordinance Section 2.443(d). One of the vendors, American Traffic Products, is currently under investigation by the Public Corruption Unit of the State Attorney.

For any additional information, please contact me by phone (561-243-7015) or email (cooperd@mydelraybeach.com).

Sincerely,

Donald Cooper

City Manager, City of Delray Beach

C: D. Burfield, Office of the State Attorney (dburfield@sa15.org)

John A. Carey, Palm Beach County Inspector General (inspector@pbcgov.org)

Noel Pfeffer, City Attorney

Jack Warner, Chief Financial Officer

Last Name	First	Department	Hire Date	Vendor Name	Total	Last Date	Ethics Conflict	Common
Devery	Conor	Fire	05/31/2005	First Response Training	2,245.00	02/07/2014	Yes	Addresses the same

Vendor Name: First Response Training
Employee Name: Conor Devery
Hire Date: 5/31/2005
Department: Fire
Type: Training

P.O. Number	Vendor No	Amount	Check Date	Check Number	Approved
	24727	664.00	9/28/2012	479196	
693470	24727	1,021.00	9/27/2013	490707	Sims
696056	24727	560.00	2/7/2014	494641	Shade
Total	3	2,245.00			



FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS



Detail by Entity Name

Florida Limited Liability Company

FIRST RESPONSE TRAINING LLC

Filing Information

Document Number	L09000019977
FEI/EIN Number	26-4348575
Date Filed	02/27/2009
Effective Date	02/27/2009
State	FL
Status	ACTIVE

Principal Address

206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

Mailing Address

206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

Registered Agent Name & Address

DEVERY, CONOR P
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

Authorized Person(s) Detail

Name & Address

Title MGRM

DEVERY, FAITH A
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

Title MGRM

DEVERY, CONOR P
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

Annual Reports

Report Year	Filed Date
2013	02/18/2013
2014	04/09/2014
2015	04/20/2015

Document Images

04/20/2015 -- ANNUAL REPORT	View image in PDF format
04/09/2014 -- ANNUAL REPORT	View image in PDF format
02/18/2013 -- ANNUAL REPORT	View image in PDF format
04/11/2012 -- ANNUAL REPORT	View image in PDF format
08/28/2011 -- ANNUAL REPORT	View image in PDF format
03/30/2010 -- ANNUAL REPORT	View image in PDF format
02/27/2009 -- Florida Limited Liability	View image in PDF format

Copyright © and Privacy Policies
State of Florida, Department of State

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L09000019977
FILED 8:00 AM
February 27, 2009
Sec. Of State
gmcleod

Article I

The name of the Limited Liability Company is:
FIRST RESPONSE TRAINING LLC

Article II

The street address of the principal office of the Limited Liability Company is:
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL. US 33411

The mailing address of the Limited Liability Company is:
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL. US 33411

Article III

The purpose for which this Limited Liability Company is organized is:
MEDICAL EDUCATION

Article IV

The name and Florida street address of the registered agent is:
CONOR P DEVERY
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL. 33411

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: CONOR DEVERY

Article V

The name and address of managing members/managers are:

Title: MGRM
FAITH A DEVERY
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL. 33411 US

Title: MGRM
CONOR P DEVERY
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL. 33411 US

Article VI

The effective date for this Limited Liability Company shall be:

02/27/2009

Signature of member or an authorized representative of a member

Signature: CONOR DEVERY

L09000019977
FILED 8:00 AM
February 27, 2009
Sec. Of State
gmcleod

2015 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L09000019977

Entity Name: FIRST RESPONSE TRAINING LLC

Current Principal Place of Business:

206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

Current Mailing Address:

206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411 US

FEI Number: 26-4348575

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

DEVERY, CONOR P
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MGRM
Name DEVERY, FAITH A
Address 206 MARTIN CIRCLE
City-State-Zip: ROYAL PALM BEACH FL 33411

Title MGRM
Name DEVERY, CONOR P
Address 206 MARTIN CIRCLE
City-State-Zip: ROYAL PALM BEACH FL 33411

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: CONOR DEVERY

MGRM

04/20/2015

Electronic Signature of Signing Authorized Person(s) Detail

Date

PALM BEACH COUNTY COMMISSION ON ETHICS
REPORT OF INVESTIGATION

To: Mark E. Bannon, Executive Director
From: Anthony C. Bennett, Chief Investigator
Re: C15-030 – Conor Devery, Fire Rescue Division, City of Delray Beach

The information provided in the Memorandum of Inquiry including all documentary and other evidence from the initial inquiry completed in case number AN15-025 is incorporated by reference into this Report of Investigation.

- **Investigation**

I began this investigation by obtaining some additional background information on City of Delray Beach (City) Employee Conor Devery (Respondent). I contacted Ms. Keisha Rolle, Delray Beach Human Resources Supervisor, who advised Respondent's official job title is Firefighter/Paramedic. According to Ms. Rolle, Respondent has been a City employee for 11 years and 2 months. I reviewed Respondent's job description as found listed on the Delray Beach Human Resources website (www.agency.governmentjobs.com/delraybeach). The position does not have any job related duties that deal with procurement of contracts for goods or services.

Since the initial complaint referenced an issue with a vendor contract, I went to the Florida Department of State – Division of Corporations and conducted a search of Respondent's name in the database. The search revealed Respondent has a relationship with a company named First Response Training, LLC. (First Response). First Response registered as a limited liability company in the State of Florida with an effective date of February 27, 2009. Within First Response's Articles of Incorporation, Respondent is listed as the Registered Agent and Managing Member. Ms. Faith Devery is also listed as a Managing Member. There are no other officers listed within the documents. The purpose of the company is listed as "Medical Education."

The initial letter and support documentation forwarded to the Commission on Ethics (COE) by City Manager Donald Cooper listed First Response as a current or previous vendor of the City. The letter noted after conducting an audit, the City discovered there could be a violation of the Code due to Respondent's relationship with First Response and his status as a current City employee. To verify the letter and documentation, I contacted Mr. Cooper for an interview.

- **Interview: Donald Cooper, City Manager, Delray Beach:**

On Wednesday, February 24, 2016, at 3:08 pm, I conducted a sworn audio recorded interview with Mr. Donald Cooper, City Manager of Delray Beach at Delray Beach City Hall – 100 NW 1st Avenue, Delray Beach, FL 33444. Below are the details of that interview:

Mr. Cooper was sworn in and advised that his statement was being recorded. He acknowledged and agreed to the recording. He advised that he is the current City Manager for the City hired on January 5, 2015. He stated he supervises approximately 850 city employees in various departments, to include the Purchasing Department.

Mr. Cooper said when he became City Manager there was one individual in charge of Purchasing, which was part of the Finance Department. As of the date of this interview, Purchasing has been separated from the Finance Department and made into a stand-alone department that consists of seven (7) employees. He advised the change was made due to some procurement issues that were discovered early in his tenure with the City. He stated the Purchasing Department currently has an Interim Chief Purchasing Officer, Mr. Steven Chapman, who reports directly to him. Prior to Mr. Chapman, Ms. Holly Vath held the position for ten (10) months. Prior to Ms. Vath, someone named Ms. Nadal held the position for a long period of time. During Ms. Nadal's tenure, Purchasing was still structured within the Finance Department. Mr. Cooper stated that neither Ms. Nadal nor Ms. Vath is currently employed by the City.

Mr. Cooper advised he was familiar with the City's procurement process, which is outlined within Chapter 36 of the City's Municipal Code (A copy of the section of the City's Code has been added to the file). Mr. Cooper explained when a vendor or possible vendor wants to do business with the City the process is divided into various dollar amounts, which are as follows: Purchases valued at under \$2,500 can be approved at the department level; Purchases between \$2,501 and \$10,000 must be approved by the department supervisor, purchasing officer, and require three (3) quotes for the service or item being purchased; purchase of any goods or services valued at between \$10,001 and \$25,000 must be approved by the City Manager; and any purchase over \$25,000 must be approved by the City Commission.

Mr. Cooper stated he ordered an audit of the City's procurement process based on a comment in a report completed by the Palm Beach County Office of Inspector General (OIG) noting some discrepancies within the City's Environmental Services Department (ESD), which involved the purchasing of signs, sign posts, sign poles and other related materials. He stated it was essentially, "People doing business with themselves." As a result of that discrepancy, he ordered an external audit of all City purchasing processes to determine if there were other discrepancies.

Mr. Cooper advised the audit revealed a number of City employees had current or expired contracts to provide goods or services for the City. These employees did not disclose, or did not appear to have disclosed their employment relationship with the City while fulfilling the contracts. He went on to say that he immediately turned the information over to the COE to request a formal investigation. Mr. Cooper affirmed the audit was conducted "in-house" pursuant to his direction and began roughly February or March of 2015 and ended in April of 2015.

Mr. Cooper stated a number of issues were discovered, which included possible violations of City rules and administrative procedures, possible violations of criminal law, which were referred to the State Attorney's Office (SAO), and possible violations of the Palm Beach County Code of Ethics. In essence, there were multiple parties with multiple violations that may have been relevant to multiple oversight agencies, and he forwarded all of the information to all of the agencies.

Mr. Cooper stated the City also conducted their own investigation to discover if Administrative or City policies were violated. He stated all of the employees outlined in the audit were notified of the investigation, to include the possibility of some form of discipline if the allegation(s) had proven true. He stated this notification process was guided by City rules and union contracts.

Mr. Cooper stated he was sure that all of the employees that were highlighted by the audit had taken the Ethics training and signed an Acknowledgement Form. He stated that confirmation of training was part of audit process used to determine if a violation had occurred. Employee names were matched against signed Ethics Training Acknowledgement Forms as verification. Mr. Cooper said he took the same ethics training as the identified employees. He referenced a statement within the training which outlined, "Employees could not enter into contracts with the City that employs them." He said he is familiar with the statement and advised he signed the same Acknowledgement Form that the employees signed, so he was confident they were trained on that section. Mr. Cooper advised that the audit revealed that some of the contracts were one-time only contracts. There were also some contracts for the purchase of multiple goods or services from the same vendor or vendors on various occasions.

When asked if he was familiar with a City employee named Conor Devery, Mr. Cooper stated he was not sure if he knew him personally. When shown a copy of the Delray Beach audit report that listed several names and monetary amounts that included Respondent's name, Mr. Cooper said the document was consistent with the formal Audit Report completed by the City. He confirmed that Respondent's name appeared in the report and that the name of the vendor that Respondent worked for was listed as First Response Training. He went on to say that Respondent worked for the City Fire Rescue department and First Response was paid \$2,245 over a three (3) year period of time.

When asked if Respondent submitted an Outside Employment Request Form with the City, Mr. Cooper stated he did not directly recall; however, based on the investigation, the COE would not have received notice of a possible violation if Respondent had submitted one. During the review process prior to contract procurement, it would have been realized that Respondent was an employee, thus it would not have been approved, or should not have been approved.

Mr. Cooper stated the majority, and possibly all of the invoices paid by Finance to this individual were made by check. He said he never saw any of the checks or who endorsed them, and that requisitions for payment of invoices are made by the individual department, which then get forwarded to the Finance Department for approval and payment. Once the check is issued, Finance mails it directly to the vendor.

In review, Mr. Cooper reiterated that the practice of employees contracting with the City has been an ongoing problem occurring for approximately ten (10) years and included various employees in different departments within the City. He advised when an employee is hired, in addition to ethics training, employees receive additional introduction training by the Human Resources Department. Since he became City Manager, he has placed more emphasis on contractual issues with the City during the training in an attempt to ensure no more violations occur. The information is also available in an employee handbook.

Additionally, the problem includes a lack of awareness of County and State laws, and City ordinances and procedures by senior management relevant to this issue. He also said that past practices were relied on improperly when it came to this type of behavior. In many instances, the approver only consisted of one person who reconfirmed that they were not properly trained regarding procedures, and just tried to give the employee what they wanted so they signed anything.

The interview was concluded at 3:33 pm

The statement provided by Mr. Cooper was consistent with the documents submitted from the City. In those documents, Respondent is listed as the representative for the vendor, First Response Training, LLC. The spreadsheet below lists the payments within the jurisdiction of the COE made to First Response in February 2014:

P.O. Number	Vendor No.	Amount	Check Date	Check Number	Approved
696056	24727	\$560	2/7/2014	494641	Shade
Total	3	\$2,245			

Due to the Statute of Limitations, the COE only has jurisdiction regarding the check issued in 2014 that totaled \$560. The total amount of \$2,245 paid to First Response by the City was consistent with Mr. Cooper's statement as that is the total amount paid during the contractual relationship between the City and First Response between 2012 and 2014.

On March 30, 2016, I sent a Record's Request to the City asking for copies of the following information for **Conor Devery – First Response Training**:

1. *Any contracts/agreements between the City of Delray Beach and the below listed persons/vendors/companies. If it was electronically submitted, please include the electronic signature(s) used if applicable/available.*
2. *Please provide copies of all checks and/or invoices that were made out to the below listed companies, listed individuals, or persons representing those companies. If you have a check number and date(s) of payment, that would be great as well. Also, if you have copies of "canceled" (signature affixed) checks, please provide those as well.*

On April 1, 2016, the City's Chief Financial Officer Jack Wagner responded to the request and had his assistant forward copies of invoices, purchase orders, cashed checks and email exchanges between the City and First Response. The forwarded documentation included the following, which has been added to the file:

1. Purchase Order 696056 between First Response and the City for services rendered in the amount of \$560. This packet included invoices, estimate sheets, check request forms, bid memorandums, email exchanges, cashed check information. (3 pages)
2. City Check (Number 494641) written to First Response in the amount \$560. (1 page)

3. Purchase Order 693470 between First Response and the City for services rendered in the amount of \$1,021. This packet included invoices, estimate sheets, and cashed check information. (5 pages)
4. City Check (Number 490707) written to First Response in the amount \$1,021. (1 page)

A review of the documents revealed that the amount paid to First Response by the City totals \$2,245. However, due to the statute of limitations, the COE only has jurisdiction regarding the transactions between First Response and the City in 2014 that totals \$560.

Prior to interviewing the Respondent, I reviewed the City's Human Resources Department website and downloaded a copy of the Human Resources Policy Manual. Section 205 of the manual covers the necessary guidelines to allow for City employees to have outside employment. Inside the body of **Section 205 - Outside Employment** it states:

"Application forms for Outside Employment shall be provided by the City, and approval of such shall be for a maximum period of 12 months, renewable January 1st of each year. Should an employee, who has been approved for outside employment, change a position or employer listed on the approved Outside Employment form, such employee must resubmit for approval of the new position or employer. Outside employment shall be deemed to include, but shall not be limited to, actual employment by an outside person or entity, ownership or part-ownership of a business, as well as, independent contracts by employees to provide labor, services or materials."

To verify if Respondent received the proper Ethics training, I went to the COE training website and downloaded the Training Power Point presentation that is used by COE staff when conducting Code of Ethics training. I made copies of the relevant information to show Respondent during his interview.

I also received a copy of the **"Acknowledgement of Receipt Palm Beach County Code of Ethics Training for Municipal Employees and Officials"** that was signed by Respondent as an acknowledgement that he read the Code of Ethics and received Ethics training on September 15, 2011, May 22, 2013, June 10, 2015 and June 10, 2016.

On Tuesday, June 28, 2016, at 9:10 am, I conducted a sworn audio recorded interview with Mr. Conor Devery (Respondent) at the COE Conference Room – 300 North Dixie Highway Suite 447, West Palm Beach, FL 33401. Below are the details of that interview:

Respondent was sworn in and advised that his statement was being recorded. He acknowledged and agreed to being recorded. He is currently employed as a Fire Fighter for the City of Delray Beach located at 501 West Atlantic Avenue, Delray Beach FL 33444.

Respondent advised he is both a Fire Fighter and Paramedic and has been employed with the City since 2005. He stated his daily duties consist of running emergency 911 calls, and his usual work hours are 24 hours on and 48 hours off, working every third day.

Respondent stated he did not recall if he had new hire orientation when he started with the City in 2005, but knows it is currently given to new hires. He went on to say that he could not recall receiving any training during new hire orientation that reviewed contracts or contracted employees either.

Respondent recalled taking Ethics Training a few different times, and said the last time was a couple of months ago, but could not remember the exact date. He did remember that the last training was a live presentation. When Respondent was shown a power point slide from the live training given by COE staff which covered "Contractual Relationships", he stated he did not remember ever seeing the slide or the contents of the slide. However, when Respondent was shown a signed ethics training form from June 2015, he verified the signature on the form was his.

Respondent said he never received the Delray Beach Human Resources Manual. Furthermore, after being shown the section of the manual that covered outside employment, he stated he did not recall it, but if it had been given to him he would have signed for it and we would have a copy. He advised he has completed an outside employment form every year, and never really reads the form before filling it out and moving on with his life.

Respondent advised that he owns a business (First Response) that offers Paramedic courses or American Heart Association courses and has taught for several companies. He also said he previously taught at Palm Beach State College and Florida Atlantic University.

Respondent stated he has owned the business since February of 2009 jointly with his wife "Faith." Respondent was shown a series of documents from the Florida Department of State and identified the documents as records and annual reports filed for the state for his business. He also said his name was listed on the documents as one of the managers or a 50/50 owner.

Respondent advised his company primarily teaches American Heart Association Training Courses and does not have a website. He also stated he still actively works for the company, and that some of the entities he serves include "anyone that wants a CPR class." He stated some of the work comes through contract while others are just spur of the moment with no contract. He advised he does the training, and he and his wife both perform administrative and financial duties for the company.

Respondent stated he does not solicit business. Someone calls and ask if he would teach a class. He advised that the company has done work for the City of Delray Beach, but that he never taught and only supplied CPR cards. He stated he was asked by someone in the Delray Beach Fire Rescue Training Department to submit a bid to the City to supply the cards. Further, after being asked by someone in Fire Rescue, he submitted the bid, was selected and supplied the cards. He could not recall who asked him to submit the initial bid. He stated it was 2014 and 2015. He stated he did not have a copy of the bid and did not believe he had it in his records anywhere. He stated he set up the contract bid, but again could not remember for how much. He advised it was a onetime, non-renewable contract.

Respondent advised he has only completed two (2) jobs for the City. He did one job for the Fire Department (the CPR cards) and one for the Police Department, but could not recall how the City paid him for the services. The Police Department job was to transition their instructors from Red Cross to the American Heart Association.

I presented all of the documents received from the City on April 1, 2016 to the Respondent, and he identified each of them as being accurate to the best of his recollection. However, he did not recall when he cashed the checks, but said if he did receive them, they were definitely cashed by him. Furthermore, Respondent said he has not received any other payment for work or services rendered to the city other than the checks identified during the interview, and had no other information to offer.

The interview was concluded at 09:35 am

- **Summary of the allegations in the Complaint**

Complainant alleges that Respondent, an employee of the City since 2005 in the Fire Rescue Department, may have acted in violation of §2-443(d), *Contractual relationships*, by being an employee of the City and working for First Response as an independent contractor or employee. This information was discovered when the City tasked external auditors to comparing City employee contact information to City vendor contract information to determine if there were possible employee conflicts.

The audit indicated City employee Conor Devery was an employee of First Response, a company determined to be a vendor of the City from 2013 through 2014, and that the company received total amount of \$2,245 during that time. However, further information revealed that Conor Devery is actually an owner of First Response.

- **Additional documents submitted to the File**

1. Delray Beach job description: Paramedic. (3 pages)
2. Delray Beach job description: Fire Fighter. (3 pages)
3. COE Ethics Training Power Point Slide: Contractual Relationships. (1 page)
4. Ethics Training Receipts: 9/15/2011, 5/22/2013, 6/10/2015 and 6/10/2016. (4 pages)
5. Purchase Order 696056 between First Response and the City for services rendered in the amount of \$560. This packet included invoices, estimate sheets, check request forms, bid memorandums, email exchanges, cashed check information. (3 pages)

6. City Check (Number 494641) written to First Response in the amount \$560. (1 page)
7. Purchase Order 693470 between First Response and the City for services rendered in the amount of \$1,021. This packet included invoices, estimate sheets, and cashed check information. (3 pages)
8. City Check (Number 490707) written to First Response in the amount \$1,021. (1 page)
9. Delray Beach Human Resources Policy Manual: Pages 12-13. (3 pages)
10. COE Sworn Interview Form (Respondent) – 5/10/2016. (1 page)
11. Email correspondence and documentation from the City Purchasing Department. (4 pages)

- **Summary of Investigation findings**

Based on the information provided by Complainant and information revealed during the Investigation, the facts support a violation of §2-443(d), *Contractual relationships* by Respondent. While the audit conducted by the City found information indicating Respondent is employed by First Response Training, LLC., additional information I found indicates Respondent is not only employed by First Response Training, LLC, but also shares a 50% ownership interest in the company along with his wife.

Respondent, who is a verified employee of the City, is listed as the Registered Agent and a Managing Member for First Response within the Articles of Incorporation filed with the Florida Department of State. His wife, Faith Devery, is also listed as having an ownership interest in this company. Together, Respondent and his wife have a 100% ownership interest in First Response. In addition, the principal business office address is Respondent's home address. This information was verified by Respondent during his sworn interview conducted on June 28, 2016.

Section 2-443(d), *Contractual relationships* states: *No official or employee shall enter into any contract or other transaction for goods or services with their respective county or municipality.* Further, under Section 2-442, *Definitions*, "Outside employer or business includes: (2) Any entity located within the county or which does business with or is regulated by the county of municipality as applicable, in which the official or employee has an ownership interest. For purposes of this definition, an 'ownership interest' shall mean at least five (5) percent of the total assets or common stock owned by the official or employee or any combination of then official' or employee's household members, spouse..."

Respondent also stated he conducts all training provided, handles the materials provided, and handles administrative and financial duties along with his wife for First Response. Those duties included arranging contractual documents, assisting in company financial matters, having access to the company bank accounts and other administrative type duties. The evidence gathered, including Respondent's statements under oath, established that he and his wife own 100% of First Response, thus supporting a violation of the Code.

Respondent also stated during his interview, he was approached by Fire Department training officials specifically requesting services from his company. He admitted submitting a bid for jobs with the City and getting paid for those jobs by the City. Evidence was provided in the form of City invoices and checks between the two entities, of which Respondent advised he did cash. All contractual jobs performed by First Response as a vendor of the City that are within the jurisdiction of the COE total \$560.

Therefore, there are reasonably trustworthy facts and circumstances to conclude that the Respondent, Conor Devery, violated §2-443(d), *Contractual relationships*, of the Palm Beach County Code of Ethics in this instance.

End of Investigation.

Submitted by:


 Anthony C. Bennett, Chief Investigator
 PB County Commission on Ethics


 Date

Reviewed by:


 (Initials)


 Date

PALM BEACH COUNTY COMMISSION ON ETHICS
PROBABLE CAUSE RECOMMENDATION

To: Commission on Ethics
From: Christie E. Kelley, Advocate
Re: C15-030 – Conor Devery, Fire Rescue Division, City of Delray Beach

All background information and facts from the Memorandum of Inquiry, Affidavit, Report of Investigation, and supporting documents are adopted by reference into this Probable Cause Recommendation.

- **Recommendation**

A finding of **PROBABLE CAUSE** should be entered in the above captioned matter as to one (1) count of a violation of Section 2-443(d) (Contractual Relationships).

Probable Cause exists where there are reasonably trustworthy facts and circumstances for the Commission on Ethics (COE) to conclude that the Respondent, Conor Devery, violated the Palm Beach County Code of Ethics.

- **Jurisdiction**

The COE has jurisdiction pursuant to Chapter 2, Article V, Division 8, section 2-258(a) of the Palm Beach County Commission on Ethics Ordinance which states in pertinent part:

Article V, Division 8, Section 2-258. *Powers and duties.* (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions, and enforce the:

- (1) Countywide Code of Ethics;
- (2) County Post-Employment Ordinance, and
- (3) County Lobbyist Registration Ordinance.

- **Analysis**

The investigation revealed that there is sufficient evidence which proves that Respondent, an employee of the City of Delray Beach (City), violated §2-443(d), *Contractual relationships*, of the Palm Beach County Code of Ethics (Code) by entering into contracts with the City through his outside business when his outside business did not meet any of the exceptions to the contractual relationships provision.

Section 2-443(d) prohibits an employee from entering into any contract or other transaction for goods or services with their respective county or municipality. This prohibition extends to all contracts or transactions between the county or municipality as applicable and the employee, directly or indirectly, or the employee's outside employer or outside business. An "outside business" is defined as any entity in which the employee has an ownership interest. Under the Code, "ownership interest" means at least five (5) percent of the total assets or common stock is owned by the employee or any combination of the employee's household members, spouse, or certain family members.

First, to prove that Respondent violated §2-443(d), the evidence must show that Respondent had an ownership interest in First Response Training, LLC. Here, the investigation revealed that Respondent and his wife share a 100% ownership interest in First Response Training, LLC. The company's Articles of Incorporation list Respondent as the Registered Agent and a Managing Member for First Response Training, LLC. Respondent's wife is also listed as having an ownership interest in this company. No other officers were listed within the Articles of Incorporation documents. During his sworn statement, Respondent confirmed that he and his wife have a 100% ownership interest in First Response Training, LLC. Since Respondent and his wife have a 100% ownership interest in the business, First Response Training, LLC is Respondent's outside business.

Next, to prove that Respondent violated §2-443(d), the evidence must show that Respondent's outside business entered into a contract or other transaction for services with his public employer (the City). Here, the investigation revealed that First Response Training, LLC had contracts with the City. Sworn statements from Respondent and the City Manager as well as invoices from the City show that First Response Training, LLC was a vendor of the City. Respondent stated that he was approached by training officials from the City's Fire Department who specifically requested services from his company. He admitted he submitted bids for multiple jobs with the City and was paid for those jobs. Invoices provided by the City show that First Response Training, LLC was a vendor of the City and received a total of \$2,245 in payments from the City over a three year period. However, due to the statute of limitations, the COE only has jurisdiction on the February 7, 2014 payment for services rendered in the amount of \$560.

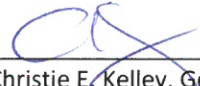
Further, the evidence also showed that Respondent did not meet any of the exceptions to the contractual relationships provision. The evidence showed that the contract was not awarded under a system of sealed, competitive bidding to the lowest bidder. The evidence also shows that Respondent's outside business, which provides CPR training, was neither the "sole source" provider of the services nor used to make an emergency purchase. In addition, the total amount of the contract between Respondent's outside business and the City exceeded \$500, making that exception not applicable. Finally, as an owner of First Response Training, LLC, Respondent was not eligible for an outside employment conflict of interest waiver.

Additional documentation shows that Respondent knew or should have known the potential of the violation as he signed acknowledgements of completing the Code of Ethics training on September 15, 2011; May 22, 2013; June 10, 2015; and June 10, 2016.

- **Conclusion**

Based on the facts and circumstances, there is **PROBABLE CAUSE** to believe that Respondent violated §2-443(d), *Contractual relationships*, of the Palm Beach County Code of Ethics when his outside business entered into a contract with his public employer.

By:


Christie E. Kelley, General Counsel
Florida Bar No. 072565

9-2-16
Date

Anthony Bennett

From: Cooper, Donald [cooperd@mydelraybeach.com]
Sent: Monday, April 11, 2016 4:59 PM
To: Anthony Bennett
Subject: RE: Records Request from Commission on Ethics

Welcome.

From: Anthony Bennett [mailto:ABennett@pbcgov.org]
Sent: Monday, April 11, 2016 4:58 PM
To: Cooper, Donald
Subject: RE: Records Request from Commission on Ethics

Just got word Ms. Czencz that I will have the information by this Wednesday. Mr. Warner stepped in to make sure I got what was asked for. I appreciate your assistance.

Anthony C. Bennett

Chief Investigator

Palm Beach County Commission on Ethics

The Historic 1916 Palm Beach County Courthouse
300 North Dixie Highway, Suite 450
West Palm Beach, FL 33401

Ph 561-355-1956

Fx 561-355-1904

C 561-951-8139

www.palmbeachcountyethics.com



"Honesty, Integrity, Character"

From: Cooper, Donald [mailto:cooperd@mydelraybeach.com]
Sent: Monday, April 11, 2016 4:57 PM
To: Anthony Bennett
Subject: RE: Records Request from Commission on Ethics

Did you get what was requested?

From: Anthony Bennett [mailto:ABennett@pbcgov.org]
Sent: Friday, April 01, 2016 2:35 PM
To: Cooper, Donald
Cc: Mark Bannon E.; Christie Kelley E.
Subject: FW: Records Request from Commission on Ethics

Good Afternoon Mr. Cooper,

Please read below. Any assistance with Mr. Snyder would be greatly appreciated.

Thank you Sir...

Anthony C. Bennett

Chief Investigator

Palm Beach County Commission on Ethics

The Historic 1916 Palm Beach County Courthouse

300 North Dixie Highway, Suite 450

West Palm Beach, FL 33401

Ph 561-355-1956

Fx 561-355-1904

C 561-951-8139

www.palmbeachcountyethics.com



"Honesty, Integrity, Character"

From: Snyder, Jeff [<mailto:SnyderJ@mydelraybeach.com>]

Sent: Friday, April 01, 2016 12:25 PM

To: Warner, Jack; Czencz, Lauren; Nubin, Chevelle; Wynn, Kimberly

Cc: Carlson, Barbara; Pfeffer, Noel; Anthony Bennett

Subject: RE: Records Request from Commission on Ethics

I am wondering if the ethics commission understands that we have already been gigged by the OIG for these issues and the root cause has been corrected?

From: Warner, Jack

Sent: Friday, April 01, 2016 9:45 AM

To: Czencz, Lauren; Nubin, Chevelle; Wynn, Kimberly

Cc: Snyder, Jeff; Carlson, Barbara; Pfeffer, Noel; 'ABennett@pbcgov.org'

Subject: RE: Records Request from Commission on Ethics

Lauren -

I discussed with COE investigator Mr. Bennett. He suggested leaving Irizarry and Serrano off the immediate response until their State Attorney investigation completes.

Pls send what we have on the others. I know that our original document search was some time ago; pls update to catch anything that has occurred since then.

Thanks

Jack Warner, Chief Financial Officer
City of Delray Beach
100 NW First Avenue
Delray Beach, FL 33444
(561) 243 - 7117
warner@mydelraybeach.com

From: Anthony Bennett [<mailto:ABennett@pbcgov.org>]
Sent: Wednesday, March 30, 2016 3:31 PM
To: Czencz, Lauren
Subject: Records Request from Commission on Ethics

Good Afternoon Ms. Czencz,

I am currently investigating a few issues within your City. Based on statements given and information received from various sources, I am in need a few items that will assist me with this process. I have listed those items below...

1. Any contracts/agreements between the City of Delray Beach and the below listed persons/vendors/companies. If it was electronically submitted, please include the electronic signature(s) used if applicable/available.
2. Please provide copies of all checks and/or invoices that were made out to the below listed companies, listed individuals, or persons representing those companies. If you have a check number and date(s) of payment, that would be great as well. Also, if you have copies of "canceled" (signature affixed) checks, please provide those as well.

- ~~Debra Lancaster - Phoenix Pressure Cleaning LLC~~
- ~~Joseph Lang - Long First Response CPR Services~~
- ~~Cesar Inizary - American Traffic Products Services Inc.~~
- ~~Steven Swanson - Delray's Finest Signs & Graphics, LLC~~
- ~~Conor Devery - First Response Training~~
- ~~William Eaton - Tropical Landscapers Inc.~~
- ~~Orlando Serrano - American Traffic Products Services Inc.~~

I am not in a major hurry, so as soon as practical for you would be fine in getting me those items. The items could be scanned or mailed, which ever works better for you and your staff. Also, if you need clarification on anything, please contact me directly. I thank you in advance for your assistance...

Anthony C. Bennett
Chief Investigator
Palm Beach County Commission on Ethics
The Historic 1916 Palm Beach County Courthouse
300 North Dixie Highway, Suite 450
West Palm Beach, FL 33401

Ph 561-355-1956
Fx 561-355-1904

www.palmbeachcountyethics.com



"Honesty, Integrity, Character"

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

ADDRESS: 206 MARTIN CIRCLE ROYAL PALM BEACH FL 33411

Ref. No. G 895200226

RE 185820
PO 1696056

INVOICE

OK
CS

Date: 1/15/2014
Invoice # 14-0115

First Response Training, LLC
206 Martin Circle
Royal Palm Beach, FL 33411
(561) 459-0221
Fax (888) 495-6105
firstresponsetraining@gmail.com

**City of Delray Beach
(Delray Beach Fire Rescue)**

501 W. Atlantic Avenue
Delray Beach, FL 33444

Qty	Description	Unit Price	Line Total
American Heart Association BLS Recertification			February 2014
140	AHA BLS Cards	4.00	560.00
	BLS Written Tests	No Charge	0.00
	CPR Manikins	No Charge	0.00

RECEIVED

JAN 30 2014

FINANCE

"We Come to You"



Subtotal \$560.00
Sales Tax 0.00
TOTAL **\$560.00**

Thank you for your business!

PAID
FEB 07 2014

PURCHASE ORDER

DATE: 01/24/14

City of Delray Beach

PURCHASING DIVISION
100 NW FIRST AVENUE
DELRAY BEACH, FLORIDA 33444
561/243-7115

P.O. NUMBER	PAGE
696056	1

THIS NUMBER MUST APPEAR ON ALL
INVOICES, PACKING LISTS, LABELS, BILLS
OF LADING AND CORRESPONDENCE

VENDOR:

FIRST RESPONSE TRAINING LLC
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

SHIP TO:

City Of Delray Beach Florida
FIRE DEPT. HEADQUARTERS
501 W. ATLANTIC AVENUE
DELRAY BEACH, FL 33444

VENDOR		DATE NEEDED		FOB		CONFIRM TO		
24727		01/17/14						
REQUISITIONED BY			REQ. NO.			TERMS		
TILGHMAN CONFIRM			185820			NET		
LINE NO.	QUANTITY	UOM	DESCRIPTION				UNIT PRICE	TOTAL PRICE
1	140.00	EA	ACCOUNT: 00123155265430 ***** * * CONFIRMATION COPY * * DO NOT DUPLICATE * * ***** PRINTING: AHA BLS CARDS-CPR TRAINING INV# 14-0115. DATED				4.000	560.00
							SUB-TOTAL	560.00
							TOTAL	560.00

AP

BILL TO:
CITY OF DELRAY BEACH
ACCOUNTS PAYABLE
100 NW 1ST AVENUE
DELRAY BEACH, FL 33444

APPROVED:

FLORIDA STATE SALES TAX EXEMPTION
CERTIFICATE NO. 85-8012621559C-4
EXPIRATION DATE 08/31/2017


Milena L. Walinski

AUTHORIZED SIGNATURE

ORDER SUBJECT TO TERMS AND CONDITIONS AS ON REVERSE OR ATTACHED.

Amount: \$560.00 Sequence Number: 8492558970
 Account: [REDACTED] Capture Date: 02/25/2014
 Bank Number: [REDACTED] Check Number: 494641

ORIGINAL CHECK (PRINTED ON CHEMICAL REACTIVE PAPER)



City of Delray Beach
 100 N.W. 1st Avenue
 Delray Beach, Florida 33444
 (561) 243-7115

Bank of America
 Jacksonville, Florida
 63-4/630

CHECK NUMBER
494641

CHECK DATE
02/07/2014

CHECK AMOUNT
*******560.00**

VOID AFTER 90 DAYS

FIVE HUNDRED SIXTY AND 00/100 DOLLARS

PAY
 VENDOR NO. 24727
 PAY TO THE ORDER OF
 FIRST RESPONSE TRAINING LLC
 206 MARTIN CIRCLE
 ROYAL PALM BEACH FL 33411

Amé Chagnon, Jr.
Melissa L. Walinski

AUTHORIZED SIGNATURE

JPMorgan Chase Bank 022002 141774 942500631395

CREDITED TO ACCOUNT OF
 WITHIN NAMED PAYEE
 FOR DEPOSIT ONLY
 JPMorgan Chase Bank, N.A.

Carla

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
02/25/2014	9180572953	[REDACTED]	Rtn Loc/BOFD	Y		JPMORGAN CHASE BANK,
02/25/2014	008492558970	[REDACTED]	Pay Bank	N		BANK OF AMERICA, NA

ADDRESS: 206 MARTIN CIRCLE ROYAL PALM BEACH FL 33411

DATE	PO NO.	ACCOUNT NUMBER	INVOICE NUMBER	PROJECT	AMOUNT
06/20/2013	693470	001-2111-521.54-30	13-0620A		1,021.00
					\$*****1,021.00

INVOICE

First Response Training, LLC
 206 Martin Circle
 Royal Palm Beach, FL 33411
 (561) 459-0221
 firstresponsetraining@gmail.com

Handwritten: 183000
 9/10/13
 2111.54.30

Date: 6/20/2013
 Invoice # 13-0620a

Delray Beach Police Department
 Seacrest Training Center
 2350 Seacrest Blvd.
 Delray Beach, FL 33444-4200
 Attn: Ofc Noel Rusczyk

Handwritten: 63470

			Job
			CPR

Qty	Description	Unit Price	Line Total
American Heart Association Heartsaver Instructor Course			
5	Participants Core Instructor (online + Textbook)	18.00	90.00
	Instructor Course (Classroom)	75.00	375.00
	Instructor Manual	58.00	290.00
American Heart Association Heartsaver Course Supplies			
1	AHA Heartsaver First Aid and CPR / AED DVD	165.00	165.00
3	AHA Heartsaver First Aid and CPR/AED Workbook	19.00	57.00
Heartsaver CPR/ AED Course (Dispatch)			
22	Participants Completion cards	2.00	44.00

Subtotal \$1,021.00
 Tax 0.00
TOTAL \$1,021.00

"We Come to You"



Thank you for your business!

RECEIVED
 SEP 19 2013

ACCOUNTS PAYABLE

PURCHASE ORDER

DATE: 09/17/13

City of Delray Beach

PURCHASING DIVISION
100 NW FIRST AVENUE
DELRAY BEACH, FLORIDA 33444
561/243-7115

P.O. NUMBER	PAGE
693470	1

THIS NUMBER MUST APPEAR ON ALL
INVOICES, PACKING LISTS, LABELS, BILLS
OF LADING AND CORRESPONDENCE.

VENDOR:

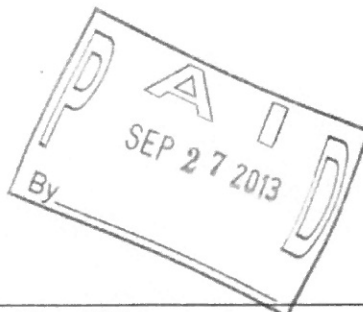
FIRST RESPONSE TRAINING LLC
206 MARTIN CIRCLE
ROYAL PALM BEACH, FL 33411

SHIP TO:

City Of Delray Beach Florida
POLICE DEPARTMENT
300 W. ATLANTIC AVENUE
DELRAY BEACH, FL 33444

PVCOPY

VENDOR		DATE NEEDED	FOB	CONFIRM TO	
24727		09/16/13			
REQUISITIONED BY			REQ. NO.	TERMS	
MCBRINN/QUOTE			183260	NET	
LINE NO.	QUANTITY	UOM	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	1.00	JOB	ACCOUNT: 00121115215430 CORE INSTRUCTOR.ONLINE AND TEXTBOOKS INSTRUCTOR COURSE. CLASSROOM MANUAL, AHA HEARTSAVER FIRST AID CPR / AED DVD AHA HEARTSAVER FIRST AID AND CPR/AED WORKBOOKS HEARTSAVER COURSE/ DISPATCH COMPLETION CARDS (22) *QUOTE 13-0620A, DATED 06.20.2013 PVCOPY FAX:	1021.000	1021.00
				SUB-TOTAL	1021.00
				TOTAL	1021.00



AP

BILL TO:
CITY OF DELRAY BEACH
ACCOUNTS PAYABLE
100 NW 1ST AVENUE
DELRAY BEACH, FL 33444

APPROVED:

FLORIDA STATE SALES TAX EXEMPTION
CERTIFICATE NO. 85-8012621559C-4
EXPIRATION DATE 08/31/2012

David Boyd
AUTHORIZED SIGNATURE

ORDER SUBJECT TO TERMS AND CONDITIONS AS ON REVERSE OR ATTACHED.

Amount: \$1,021.00


Sequence Number: 9392499291

Account: [REDACTED]

Capture Date: 10/28/2013

Bank Number: 63100277

Check Number: 490707

ORIGINAL CHECK IS PRINTED ON CHEMICAL REACTIVE PAPER	
	City of Delray Beach 100 N.W. 1st Avenue Delray Beach, Florida 33444 (561) 243-7115
	Bank of America Jacksonville, Florida 63-4/630
CHECK NUMBER 490707	
CHECK DATE 09/27/2013	CHECK AMOUNT \$*****1,021.00
VOID AFTER 90 DAYS	
PAY ONE THOUSAND TWENTY ONE AND 00/100 DOLLARS	
VENDOR NO. 24727	
PAY TO THE ORDER OF FIRST RESPONSE TRAINING LLC 206 MARTIN CIRCLE ROYAL PALM BEACH FL 33411	
<i>David Bayal</i> AUTHORIZED SIGNATURE	

ENDORSE HERE
David Bayal
CREDITED TO ACCOUNT OF
WITHIN NAMED PAYEE
FOR DEPOSIT ONLY
JPMorgan Chase Bank, N.A.

Electronic Endorsements:

Date	Sequence	Bank #	Endrs Type	TRN	RRC	Bank Name
10/28/2013	009192499291	[REDACTED]	Pay Bank	N		BANK OF AMERICA, NA
10/28/2013	5160732281	[REDACTED]	Rtn Lcc/BOFD	Y		JPMORGAN CHASE BANK,



CITY OF DELRAY BEACH
Revision Date: May 4, 2016

Paramedic

Class Code:
00220

Bargaining Unit: International Association of
Firefighters

SALARY RANGE

\$23.79 - \$40.50 Hourly
\$49,491.00 - \$84,230.00 Annually

JOB DESCRIPTION:

Veterans' Preference Applies

• EEO Statement

The City of Delray Beach does not discriminate on the basis of race, color, national origin, sex, religion, age or disability, marital status, family status or sexual orientation in employment or the provision of services

• Non-Smoking

The City will not consider applicants who have used tobacco products for a period of at least one year prior to application for employment. The definition of "tobacco products" shall include, but is not limited to, cigarettes, e-cigarettes, cigars, chewing tobacco, pipes and snuff.

Skilled technical work in the field of fire suppression, prevention and emergency medical services. Fulfill duties of employment as outlined in the CBA. Work is performed under the general direction of a Captain

ESSENTIAL JOB DUTIES:

1. Perform all duties in the Fire Fighter job description.
2. Respond to all calls for service. Implement the Incident Management System (IMS) when appropriate and direct emergency operations until relieved by a superior officer.
3. Follow published department EMS Protocols, SOG's and administer basic and advanced life support to patients.
4. Ensure apparatus and equipment are in a constant state of operational readiness.

(These essential job functions are not to be construed as a complete statement of all duties performed. Employees will be required to perform other job related marginal duties as required.)

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

- Knowledge of the positions of fire fighter and driver engineer and the skills to perform the duties of each.
- Knowledge of the geography of the City with respect to streets, hydrants and building access information.
- Knowledge of the location and layout of all high risk and special hazard occupancies, and the problems encountered with each.

- Knowledge of the strategy and tactics of handling fire, rescue and medical emergencies and the ability to analyze and respond effectively under stress to each.
- Knowledge of the record management system in use, the components of the system, and the functions of each.
- Knowledge of paramedic principles, practices and techniques and how they are used in medical emergency operations.
- Knowledge of and adherence to City, Department and Division's policies, rules and regulations, SOG's and protocols.
- Ability to perform essential job functions effectively.

MINIMUM QUALIFICATIONS:

High school diploma or possession of an acceptable equivalency diploma. Must be 18 years or older.

LICENSES, CERTIFICATIONS OR REGISTRATIONS:

State of Florida Paramedic Certification. State of Florida Firefighter Certification. Protocol Certification issued by Department Medical Director. State of Florida Class E Drivers License. State of Florida Bureau of EMS recognized Emergency Vehicle Operators Course. (EVOC)

SUPPLEMENTAL INFORMATION:

- Meet physical requirements as indicated for State certification.
- Must endure sustained acts of physical exhaustion and endure periods of duty under unfavorable and life threatening situations.
- Driving heavy vehicles and equipment.
- Heavy (45 pounds and over) lifting and carrying
- Reaching
- Acceptable eyesight (with or without correction)
- Acceptable smelling
- Acceptable hearing (with or without hearing aid)
- Ability to communicate both orally and in writing.
- Climbing (including ladders)
- Pulling, pushing, balancing, throwing, reaching
- Walking, standing, crawling, kneeling, bending, stooping, jumping, running
- Driving

Pass basic water safety

Must pass swimming component within the conditional job offer time limits

Treading water for 5 minutes

Swim one lap 25 yards under water

Swim four laps 100 yards-untimes

Retrieve 10 pound brick in 12 feet of water.

ENVIRONMENTAL CONDITIONS:

- Hazardous conditions: flames, fire, chemicals, smoke, heat, gases, moving vehicles, falling structures and debris, electricity, poor ventilation, poor lighting and related hazards.
- Stressful situations
- Bio-hazard infectious disease

(Reasonable accommodations will be made for otherwise qualified individuals with a disability.)





CITY OF DELRAY BEACH
Established Date: Oct 25, 2011
Revision Date: Jun 8, 2016

Firefighter

Class Code:
00221

Bargaining Unit: International Association of
Firefighters

SALARY RANGE

\$20.34 - \$32.63 Hourly
\$42,308.00 - \$67,872.00 Annually

JOB DESCRIPTION:

Veterans' Preference Applies

EEO Statement

The City of Delray Beach does not discriminate on the basis of race, color, national origin, sex, religion, age or disability, marital status, family status or sexual orientation in employment or the provision of services

Non-Smoking

The City will not consider applicants who have used tobacco products for a period of at least one year prior to application for employment. The definition of "tobacco products" shall include, but is not limited to, cigarettes, e-cigarettes, cigars, chewing tobacco, pipes and snuff.

Skilled technical work in the field of fire suppression, prevention and emergency medical services. Fulfill duties of employment as outlined in the CBA. Work is performed under the general direction of a Captain.

ESSENTIAL JOB DUTIES:

1. Lay, connect and place hose line in operation. Raise and climb ladders. Enter building and other fire involved areas. Use extinguisher, bars, hooks, lines, axes, and other hand equipment. Ventilate burning buildings and structures. Throws salvage covers and remove debris.
1. Assist with delivery of emergency medical services and participates in rescue operations by carrying individuals from danger.
1. Make regular inspections of apparatus and equipment and notify supervisor of defects. Assist Driver-Engineer with routine maintenance and apparatus checkout as required. Ensure apparatus and equipment is in a constant state of operational readiness.
1. Make visual and physical fire inspections of buildings to locate fire hazards.

1. Attend and participate in drills and training sessions.

1. Follow published department EMS Protocols, SOG's and administer basic life support to patients.

(These essential job functions are not to be construed as a complete statement of all duties performed. Employees will be required to perform other job related marginal duties as required.)

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

- Knowledge of the positions of fire fighter and driver engineer and the skills to perform the duties of each.
- Knowledge of the geography of the City with respect to streets, hydrants and building access information.
- Knowledge of the location and layout of all high risk and special hazard occupancies, and the problems encountered with each.
- Knowledge of the strategy and tactics of handling fire, rescue and medical emergencies and the ability to analyze and respond effectively under stress to each.
- Knowledge of the record management system in use, the components of the system, and the functions of each.
- Knowledge of paramedic principles, practices and techniques and how they are used in medical emergency operations.
- Knowledge of and adherence to City, Department and Division's policies, rules and regulations, SOG's and protocols.
- Ability to perform essential job functions effectively.

MINIMUM QUALIFICATIONS:

High school diploma or possession of an acceptable equivalency diploma. Must be 18 years or older.

LICENSES, CERTIFICATIONS OR REGISTRATIONS:

State of Florida EMT Certification. State of Florida Firefighter Certification. State of Florida Class E Drivers License. State of Florida Bureau of EMS recognized Emergency Vehicle Operators Course. (EVOC)

SUPPLEMENTAL INFORMATION:

- Meet physical requirements as indicated for State certification.
- Must endure sustained acts of physical exhaustion and endure periods of duty under unfavorable

and life threatening situations.

- Driving heavy vehicles and equipment.
- Heavy (45 pounds and over) lifting and carrying
- Reaching
- Acceptable eyesight (with or without correction)
- Acceptable smelling
- Acceptable hearing (with or without hearing aid)
- Ability to communicate both orally and in writing.

- Climbing (including ladders)
- Pulling, pushing, balancing, throwing, reaching
- Walking, standing, crawling, kneeling, bending, stooping, jumping, running
- Driving
- Must pass swimming component

- Treading water for 5 minutes
- Swim one lap 25 yards under water
- Swim four laps 100 yards-untimed
- Retrieve 10 pound brick in 12 feet of water

OTHER REQUIREMENTS:**ENVIRONMENTAL CONDITIONS:**

- Hazardous conditions: flames, fire, chemicals, smoke, heat, gases, moving vehicles, falling structures and debris, electricity, poor ventilation, poor lighting and related hazards.
- Stressful situations
- Bio-hazard infectious disease

(Reasonable accommodations will be made for otherwise qualified individuals with a disability.)



HUMAN RESOURCES POLICY MANUAL

This document is not intended to create any type of independent employment contract.

Approved by:

David T. Harden
City Manager

Date: _____

SECTION 205**OUTSIDE EMPLOYMENT**

No employee of the City may hold outside employment unless such is recommended by the Department Head and approved by the Human Resources Director and/or the City Manager. The granting of such approval depends upon the following:

- Assurance that the employee's City position is of primary importance;
- Consideration of the effect the outside employment may have upon the efficiency of the requesting employee; and,
- Determination that the outside employment will not interfere with performance of City duties, will not create a conflict of interest, will not create a potential risk of liability on the part of the City, or otherwise be incompatible with the employee's City position.

Application forms for Outside Employment shall be provided by the City, and approval of such shall be for a maximum period of 12 months, renewable January 1st of each year. Should an employee, who has been approved for outside employment, change a position or employer listed on the approved Outside Employment form, such employee must resubmit for approval of the new position or employer. Outside employment shall be deemed to include, but shall not be limited to, actual employment by an outside person or entity, ownership or part-ownership of a business, as well as, independent contracts by employees to provide labor, services or materials.

SECTION 206**PERFORMANCE REVIEWS**

Each performance review should be a positive and interactive process. Both the supervisor and the employee being reviewed, shall discuss his/her success in meeting the responsibilities of the job, and the supervisor can recognize the strengths and weaknesses of the employee. A performance review will be conducted of every employee during the initial third, sixth, ninth and twelfth month of employment, and annually thereafter.

An employee should receive his/her first Performance Appraisal increase in pay after the twelfth month of employment and annually thereafter.

Every effort will be made on the part of the supervisor to provide the performance review to the employee in a timely manner. However, if the supervisor is late in completing the performance review, it does not mean that the employee has completed the probationary period.



**ACKNOWLEDGEMENT OF RECEIPT
PALM BEACH COUNTY CODE OF ETHICS
TRAINING FOR MUNICIPAL
EMPLOYEES AND OFFICIALS***

Check those items that apply

I acknowledge that I have read a copy of the Palm Beach County Code of Ethics (printed or posted on the intranet/internet) and completed additional training by:

- ☒ Watching the Code of Ethics Training Program on the Intranet/Internet.
☐ Watching the Code of Ethics Training Program on DVD.
☐ Attending a live presentation given on _____, 20__.

I understand that I am responsible for understanding and abiding by the Palm Beach County Code of Ethics as I conduct my assigned duties during my term of employment. I also understand that the information in this policy is subject to change. Policy changes will be communicated to me by my supervisor or through official notices.

CORR VEVEY
(Clearly Print Your Legal Name)

[Signature]
(Legal Signature)

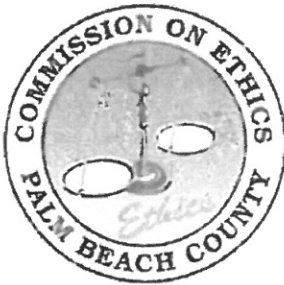
DELRAY BEACH FIRE RESCUE
(Clearly Print the Name of Your Department)

9/15/11
(Date)

*Employees: Submit signed form to your Department Head
Department Heads: Submit signed forms to Records, Human Resources
Advisory Board Members: Submit signed forms to appropriate municipal representative*

***This Form is for Municipal Employees and
Elected/Appointed Officials**

2633 Vista Parkway, West Palm Beach, FL 33411 561.233.0724 FAX: 561.233.0735
Hotline: 877.766.5920 E-mail: ethics@palmbeachcountyethics.com
Website: www.palmbeachcountyethics.com



**ACKNOWLEDGEMENT OF RECEIPT
PALM BEACH COUNTY CODE OF ETHICS
TRAINING FOR MUNICIPAL
EMPLOYEES AND OFFICIALS***

Check those items that apply

I acknowledge that I have read a copy of the Palm Beach County Code of Ethics (printed or posted on the intranet/internet) and completed additional training by:

☐ Watching the Code of Ethics Training Program on the Intranet/Internet.

☐ Watching the Code of Ethics Training Program on DVD.

☒ Attending a live presentation given on 5/22, 2013

I understand that I am responsible for understanding and abiding by the Palm Beach County Code of Ethics as I conduct my assigned duties during my term of employment. I also understand that the information in this policy is subject to change. Policy changes will be communicated to me by my supervisor or through official notices.

CONOR JEWELLY
(Clearly Print Your Legal Name)

[Signature]
(Legal Signature)

PALM BEACH FIRE RESCUE
(Clearly Print the Name of Your Department)

5/22/13
(Date)

*Employees: Submit signed form to your Department Head
Department Heads: Submit signed forms to Records, Human Resources
Advisory Board Members: Submit signed forms to appropriate municipal representative*

***This Form is for Municipal Employees and
Elected/Appointed Officials**



**ACKNOWLEDGEMENT OF RECEIPT
PALM BEACH COUNTY CODE OF ETHICS
TRAINING FOR MUNICIPAL
EMPLOYEES AND OFFICIALS***

Check those items that apply

I acknowledge that I have read a copy of the Palm Beach County Code of Ethics (printed or posted on the intranet/internet) and completed additional training by:

- ☐ Watching the Code of Ethics Training Program on the Intranet/Internet.
☐ Watching the Code of Ethics Training Program on DVD.
☒ Attending a live presentation given on 6/10, 2015.

I understand that I am responsible for understanding and abiding by the Palm Beach County Code of Ethics as I conduct my assigned duties during my term of employment. I also understand that the information in this policy is subject to change. Policy changes will be communicated to me by my supervisor or through official notices.

CONOR DEWEY
(Clearly Print Your Legal Name)

FIRE (DELAIR BEACH)
(Clearly Print the Name of Your Department)

[Signature]
(Legal Signature)

6/10/15
(Date)

Employees: Submit signed form to your Department Head

Department Heads: Submit signed forms to Records, Human Resources

Advisory Board Members: Submit signed forms to appropriate municipal representative

***This Form is for Municipal Employees and
Elected/Appointed Officials**



**ACKNOWLEDGEMENT OF RECEIPT
PALM BEACH COUNTY CODE OF ETHICS
TRAINING FOR MUNICIPAL
EMPLOYEES AND OFFICIALS***

Check those items that apply

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- ☐ Watching the Code of Ethics Training Program on the Intranet/Internet.
☐ Watching the Code of Ethics Training Program on DVD.
☒ Attending a live presentation given on 6/10, 2015.

I understand that I am responsible for understanding and abiding by the Palm Beach County Code of Ethics as I conduct my assigned duties during my term of employment. I also understand that the information in this policy is subject to change. Policy changes will be communicated to me by my supervisor or through official notices.

CONOR DEVERLY
(Clearly Print Your Legal Name)

FIRE (DELRAY BEACH)
(Clearly Print the Name of Your Department)

[Signature]
(Legal Signature)

6/10/15
(Date)

Employees: Submit signed form to your Department Head

Department Heads: Submit signed forms to Records, Human Resources

Advisory Board Members: Submit signed forms to appropriate municipal representative

***This Form is for Municipal Employees and
Elected/Appointed Officials**

CONTRACTUAL RELATIONSHIPS

- ❖ In general, employees and officials are prohibited from entering into a contract with the public entity they serve.
- ❖ The Code of Ethics regulates contracts you enter into in your **private** capacity, **because** of your **public** employment or position.
- ❖ This **includes** contracts between the public entity you serve, and.....
 - ...You
 - ...Your outside employer
 -Any business you may own (5% Rule)

COE Sworn Interview Form

This is Cornea Devery Anthony Bennett, Investigator with the Palm Beach County Commission on Ethics

This will be an interview with Cornea Devery

Conducted in reference to COE case # C15-030

Today's date is 6/28/2016

The time by my watch is 3:00 PM DIXIE HWY SW 450 WEST PALM BEACH 33401

The location of this interview is: _____

Please state:

- ☒ Your Full Name
- ☒ Your Occupation/ Title, and the Public Entity you serve
- ☒ Your Work Address
- ☒ Your Work Phone Number
- ☒ An Email Address that you wish to use for COE contact

Oath

Please raise your right hand:

Do you swear or affirm that during this interview you will tell the truth, the whole truth and nothing but the truth?

- Do you understand that you are under oath?
- ☒ • Do you agree that this interview is being conducted voluntarily, and that no threats or promises have been made to compel you to talk with me today?
- ☒ • Do you understand that this conversation is being audio recorded?