

Palm Beach Post

Appeals court rules cities don't have to pay for IG

[Wayne Washington](#)

December 21, 2016

The 4th District Court of Appeal has ruled that area cities don't have to contribute to an inspector general program established by Palm Beach County after voters approved a referendum calling for such a program.

That referendum was approved in November 2010 by a majority of voters in the county and by a majority in each of the county's municipalities.

But after the county created the Office of Inspector General in 2011 – and required cities to help pay for it – 15 cities sued, arguing the county could not force them to pay for the program.

The county won the first legal battle when a trial court ruled that funding the program was not a discretionary budgetary decision and that the county could compel municipal payment for it.

The cities appealed, and today the 4th District Court of Appeal ruled in their favor, setting the stage for the case to go to the Florida Supreme Court.

Asked if the county will take the case to the state Supreme Court, County Attorney Denise Nieman said: “We’re exploring our options.”

Inspector General John Carey said he’s “deeply disappointed” by the ruling.

“My disappointment is that we must continue to provide the OIG oversight to the County and all municipalities at approximately half staff,” he said.

West Palm Beach Mayor Jeri Muoio said the ruling reaffirms that cities have the right to determine how municipal funding is spent.

“It can not be imposed on us by the county,” she said.

Check with <http://www.mypalmbeachpost.com> later today for more on this story.

