

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 19, 2009 ☒ Consent ☐ Regular
 ☐ Workshop ☐ Public Hearing

Department

Submitted By: Administration

Submitted For: Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: Resolution amending Resolution R2008-1007 reauthorizing the Palm Beach County Green Task Force on Environmental Sustainability and Conservation for a 60-day period to allow additional time to complete and present the Task Force Final Report.

Summary: This action extends the term of the Task Force to ensure that the Task Force has adequate time to finalize their recommendations and present a final report to the Board of County Commissioners at an upcoming meeting. Without this action, the Task Force will sunset on June 2, 2009. Countywide (GB).

Background and Justification: The Palm Beach County Green Task Force on Environmental Sustainability and Conservation was created by the Board of County Commissioners on June 3, 2008, to identify actions and policies that can be implemented by the County to encourage healthier, more resource efficient and sustainable buildings, energy and natural resources conservation, and environmental sustainability. The Task Force has been meeting regularly and is currently finalizing their recommendations and preparing a report for presentation to the BCC. The Task Force was scheduled to sunset after one (1) year.

Attachments:

- 1.) Amending Resolution
- 2.) Resolution R2008-1007

Recommended by:  5/19/09
Department Director Date

Approved by:  5/19/09
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>0</u>	_____	_____	_____	_____
Operating Costs	<u>0</u>	_____	_____	_____	_____
External Revenues	<u>0</u>	_____	_____	_____	_____
Program Income (County)	<u>0</u>	_____	_____	_____	_____
In-Kind Match (County)	<u>0</u>	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u>	_____	_____	_____	_____
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Dept _____ Unit _____ Object _____
Program Code _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

John D. 5-9-09 5/11/09
OFMB Contract Dev. and Control

B. Legal Sufficiency:

Anne Helgert 5/13/09
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO. R-2009-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 10 OF RESOLUTION NO. R-2008-1007, REAUTHORIZING THE PALM BEACH COUNTY GREEN TASK FORCE ON ENVIRONMENTAL SUSTAINABILITY AND CONSERVATION FOR A 60-DAY PERIOD

Whereas, the Board of County Commissioners on June 3, 2008, approved Resolution No. R-2008-1007, creating the Palm Beach County Green Task Force on Environmental Sustainability and Conservation herein referred to as the "Task Force", and

Whereas, the Board of County of County Commissioners on August 21, 2008, approved Resolution No. R-2008-1376, deleting the LEED Accreditation requirement for two (2) Task Force member seats, and

Whereas, pursuant to Section 10 of Resolution No. R-2008-1007, the Task Force will sunset after one (1) year unless reauthorized by the Board of County Commissioners, and

Whereas, the Task Force needs an additional 60-days beyond the sunset date to complete its work and present its recommendations to the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 10: EFFECTIVE DATE AND SUNSET PROVISION of Resolution R-2008-1007 is hereby amended to read:

This Resolution shall become effective upon approval of a majority vote of the Board of County Commissioners and shall remain in effect until August 1, 2009. This Resolution, Resolutions R-2008-1007 and R-2008-1376, and the Task Force shall sunset on that date.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner John F. Koons , Chairman
Commissioner Burt Aaronson, Vice Chairman
Commissioner Karen T. Marcus
Commissioner Shelley Vana
Commissioner Steven L. Abrams
Commissioner Jess R. Santamaria
Commissioner _____, District 7

The Chairman thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2009

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

BY: Anne DelGent
for Gentry Benjamin
Assistant County Attorney

BY: _____
Deputy Clerk

RESOLUTION NO. R-2008- 1007

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE PALM BEACH COUNTY GREEN TASK FORCE ON ENVIRONMENTAL SUSTAINABILITY AND CONSERVATION.

WHEREAS, the Palm Beach County Comprehensive Plan includes a goal to preserve, protect and enhance the County's natural resources, encouraging the highest possible environmental quality and best long-term management of natural resources; and

WHEREAS, the Board of County Commissioners is committed to environmental, economic and social stewardship; and

WHEREAS, the Governor of the State of Florida, on July 13, 2007, signed Executive Orders 07-126, 07-127 and 07-128, initiating Florida's energy policy and demonstrating a commitment to reducing Florida's greenhouse gases and increasing energy efficiency; and

WHEREAS, the Board of County Commissioners supports Florida's Energy Policy and the principles of the executive orders; and

WHEREAS, the Board of County Commissioners supports additional review of the November 2007 recommendations of the Alternative Energy Task Force formed by the Palm Beach County Overall Economic Development Program Committee; and

WHEREAS, the federal government, under a 1999 Presidential Executive Order and through programs fostered within many of its key agencies, has committed to building "green;" and

WHEREAS, the Board of County Commissioners supports a similar commitment towards building green and employing green practices to conserve our natural resources and establish a sustainable community; and

WHEREAS, the United States Green Building Council has reported that green building initiatives including legislation, executive orders, resolutions, ordinances, policies, and incentives are found in 77 cities, 24 counties, 19 towns, 28 states, 12 federal agencies, 12 public school jurisdictions and 36 institutions of higher education across the United States; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, desires to establish a task force to inventory current County policies related to green building practices and environmental sustainability and to identify additional actions and policies that can be implemented to encourage healthier, more resource efficient and more sustainable buildings, energy and natural resources conservation and environmental sustainability.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:

SECTION 1: ESTABLISHMENT OF THE GREEN TASK FORCE ON ENVIRONMENTAL SUSTAINABILITY AND CONSERVATION

There is hereby established a task force to be known as the "Palm Beach County Green Task Force on Environmental Sustainability and Conservation" herein referred to as the "Task Force."

SECTION 2: MISSION

The mission of the Task Force shall be to identify actions and policies that can be implemented by the Board of County Commissioners to encourage healthier, more resource efficient and more sustainable buildings, energy and natural resources conservation and environmental sustainability.

SECTION 3: COMPOSITION

- A. The Task Force shall be comprised of 17 voting members and 3 non-voting members as follows:

Voting Members

- One (1) Member of the Board of County Commissioners serving as Chair;
- Seven (7) citizens with expertise or experience in building construction, energy management, environmental management, real estate, economic development, or community affairs, nominated by individual Commissioners (District Appointments);
- One (1) municipal representative nominated by the League of Cities;
- One (1) member of the South Florida Chapter of the United States Green Building Council nominated by the Chapter;
- Two (2) members recommended by environmental organizations registered as 501(c)(3) entities active in Palm Beach County;
- One (1) licensed professional architect, LEED Accredited;
- One (1) licensed attorney, LEED Accredited and Florida Bar certified in construction law;
- One (1) licensed professional engineer, LEED Accredited;
- One (1) licensed professional residential builder, LEED Accredited;
- One (1) licensed professional commercial builder, LEED Accredited;

Non-voting Members

Director of the County Planning, Zoning & Building Department or designee;
Director of the Department of Environmental Resources Management or designee;
Director of the Facilities Development & Operations Department or designee.

As used in this section, LEED means the Leadership in Energy and Environmental Design Green Building Rating System developed by the U.S. Green Building Council, a third-party certification program for the design, construction and operation of high-performance green buildings. LEED Accredited means accredited by the Green Building Certification Institute, an incorporated entity supported by the U.S. Green Building Council, established to administer green building practices.

SECTION 4: APPOINTMENTS, TERMS, VACANCIES

- A. All members of the Task Force shall be residents of Palm Beach County, Florida at the time of appointment and while serving on the Task Force.
- B. The maximum number of boards, commissions and task forces that an individual appointed by the Board of County Commissioners may serve on at one time shall be three (3).
- C. Task Force members shall serve until: completion of the Task Force mission; sunseting or disbandment of the Task Force; resignation; or replacement by the Board of County Commissioners.
- D. Alternate members are not permitted under this Resolution.
- E. Vacancies shall be filled by the Board of County Commissioners in a manner that maintains the composition defined in Section 3.
- F. The Board of County Commissioners may remove a member for cause or actions inconsistent with the mission and responsibilities of the Task Force.
- G. Task Force members shall not be prohibited from qualifying as a candidate for elected office.

SECTION 5: CODE OF ETHICS

Task Force members shall abide by the Palm Beach County Code of Ethics as stated in County Resolution 94-693 as may be amended.

SECTION 6: RESPONSIBILITIES

The responsibilities of the Task Force shall be the following:

- 1. To provide advice and assistance in creating an inventory of current practices, policies and programs and programs of the Board of County Commissioners that support green building and environmental sustainability concepts.

2. To provide advice, assistance and recommendations on policies related to the incorporation of environmentally sustainable practices and standards into County building programs, operations and purchasing.
3. To provide advice, assistance and recommendations on incentive-based or regulatory programs to encourage and support healthier, more resource efficient, sustainable, green building and land planning practices within the community.
4. To provide advice, assistance and recommendations on actions, policies and public education programs that can be implemented to support and promote energy and natural resources conservation and environmental sustainability.

SECTION 7: MEETINGS

- A. The Task Force shall meet as frequently as necessary to accomplish the mission. The Task Force Chair, working with Task Force members, shall establish meeting dates, times and locations. A majority of the members appointed shall constitute a quorum for the conduct of the Task Force's business. In the presence of a quorum, Task Force business shall be conducted by a vote of a majority present and be governed by Robert's Rules of Order.
- B. Reasonable public notice of all Task Force meetings shall be provided, and all such meetings shall be open to the public at all times.

SECTION 8: OFFICERS

- A. The Chair shall be a County Commissioner appointed by the Palm Beach County Board of County Commissioners.
 1. Duties of the Chair:
 - a. Call and set the agenda for Task Force meetings;
 - b. Preside at Task Force meetings;
 - c. Establish committees, appoint committee chairs and charge committees with specific tasks; and
 - d. Perform other functions as the Task Force may assign by rule or order.
 2. If a vacancy occurs in the office of the Chair, the Palm Beach County Board of County Commissioners shall appoint a replacement.
- B. The Vice Chair shall be elected by a majority vote of the Task Force and shall serve until replaced.
 1. The Vice Chair shall perform the duties of the Chair in the Chair's absence, and such other duties as the Chair may assign.
 2. If a vacancy occurs in the office of the Vice Chair, the Task Force will elect another member to fill the position.

SECTION 9: REMOVAL FOR LACK OF ATTENDANCE

Members of the Task Force shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or failure to attend at least two-thirds of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall constitute lack of attendance. Members removed under this paragraph shall not continue to serve until a new appointment is made and removal shall create a vacancy.

SECTION 10: EFFECTIVE DATE and SUNSET PROVISION

This Resolution shall become effective upon approval by a majority vote of the Board of County Commissioners, Palm Beach County, Florida, and shall remain in effect for a period of one (1) year. The Resolution and Task Force shall sunset after one (1) year unless reauthorized by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner Robert Kanjian, who moved its adoption. The motion was seconded by Commissioner McCarty, and upon being put to a vote, the vote was as follows:

KAREN T. MARCUS, Commissioner, District 1	-	Aye
JEFF KOONS, Vice Chair, Commissioner, District 2	-	Aye
ROBERT J. KANJIAN, Commissioner, District 3	-	Aye
MARY McCARTY, Commissioner, District 4	-	Aye
BURT AARONSON, Commissioner, District 5	-	Aye
JESS R. SANTAMARIA, Commissioner, District 6	-	Aye
ADDIE L. GREENE, Chairperson, Commissioner, District 7	-	Aye

The Chairperson thereupon declared the Resolution duly passed and adopted this 3rd day of June, 2008.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____

Gentry Benjamin
Assistant County Attorney

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

BY: _____

Deputy Clerk

