



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years      10\_\_\_\_ 11\_\_\_\_ 12\_\_\_\_ 13\_\_\_\_ 14\_\_\_\_

Capital Expenditures \_\_\_\_\_

Operating Costs \_\_\_\_\_

Operating Revenues \* SEE BELOW \_\_\_\_\_

Is Item Included In Current Budget?      Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org \_\_\_\_\_ Object \_\_\_\_\_

Reporting Category \_\_\_\_\_

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

*\* There is NO FISCAL IMPACT FOR THIS ITEM  
Included in Health Department's Budget*

**III. Review Comments:**

**A. OFMB Fiscal and/or Contract Administration Comments:**

*OFMB*  
*8/5/09*  
*8/24/09*

*Contract Administration*  
*8/24/09*

**B. Legal Sufficiency:**

*Assistant County Attorney*  
*8/27/09*

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

**AGENDA ITEM SUMMARY**

**Background And Justification (Continued):**

Section 320.03(6), Florida Statutes, was further amended to provide that an approved local air pollution control program is eligible to receive an additional twenty-five cents (25¢) from the fee, a total of seventy-five cents (75¢), provided the local air pollution control trust fund has an unencumbered balance not exceeding 50% of the previous year's revenue allocation. The current fund balance is close to the seventy-five cents (75¢) eligibility level. The proposed FY 2009/2010 budget will exceed revenues by approximately 7.8% and thereby reduce the balance in the Air Pollution Control Trust Fund to ensure continued funding at the 75¢ level. Future budgets beyond FY 2009/2010 for the Air Pollution Control Program will be more aligned with anticipated revenues.

RESOLUTION NO. 09-

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF PALM BEACH COUNTY,  
FLORIDA, ADOPTING THE FY 2009/2010  
BUDGET FOR THE AIR POLLUTION CONTROL  
PROGRAM.

WHEREAS, on August 21, 1984, the Board of County  
Commissioners entered into an agreement with the Palm Beach  
County Health Department to continue an Air Pollution  
Control Program and establish an Air Pollution Control  
Trust Fund pursuant to Sections 403.182 and 320.03(6),  
Florida Statutes; and

WHEREAS, the Agreement requires the Health Department  
to submit a budget to the County on an annual basis; and

WHEREAS, the projected budget for the expenditure  
of monies deposited into the Air Pollution Control Trust  
Fund for FY 2009/2010 is as follows:

<u>Program Component</u>	<u>Annual Cost</u>
(1) Personnel Salaries	\$449,949
(2) Fringe Benefits	\$175,030
(3) Travel	\$ 4,000
(4) Training	\$ 1,000
(5) Communications	\$ 6,542
(6) Utilities	\$ 26,486
(7) Postage	\$ 250
(8) Printing	\$ 1,250
(9) Contractual	\$ 3,000
(10) Supplies & Maintenance	\$ 9,000
(11) Motor Pool	\$ 24,500
(13) Office Supplies	\$ 6,000
(14) Subscriptions	\$ 200
(15) Promotional Items	\$ 800
(16) Other	\$ 88,352
(17) Division Administrative Support	\$ 48,500
(17) Legal Support	\$ 17,500
(17) Indirect Costs	\$102,309
(18) Capital Items (>\$1,000)	\$ 0
Total Cost	\$964,668

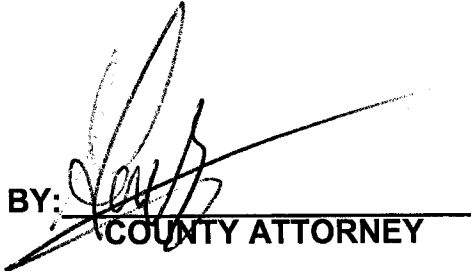
NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF  
COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that  
the projected budget of the Air Pollution Control Program  
as set forth herein is hereby adopted, subject to final  
adoption of the Palm Beach County FY 2009/2010 Budget.

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:

COMM. JOHN F. KOONS, CHAIRMAN	_____
COMM. BURT AARONSON, VICE CHAIRMAN	_____
COMM. KAREN MARCUS	_____
COMM. SHELLEY VANA	_____
COMM. STEVEN L. ABRAMS	_____
COMM. BURT AARONSON	_____
COMM. JESS R. SANTAMARIA	_____
COMM. PRISCILLA A. TAYLOR	_____

The Chair thereupon declared the Resolution duly  
passed and adopted the \_\_\_\_ day of \_\_\_\_\_,  
2009.

APPROVED AS TO FORM  
& LEGAL SUFFICIENCY:

BY:   
\_\_\_\_\_  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

SHARON BOCK, CLERK AND  
COMPTROLLER

BY: \_\_\_\_\_  
(CLERK)





PALM BEACH COUNTY BUDGET SUPPORT INFORMATION - FISCAL YEAR 2009/2010

FUND AIR POLLUTION CONTROL TRUST FUND	DEPARTMENT PALM BEACH COUNTY HEALTH DEPARTMENT	DIVISION ENVIRONMENTAL HEALTH & ENGINEERING	
OBJECT CODE	ACCOUNT TITLE	EXPLANATION	BUDGET REQUEST
	TRAVEL	Travel costs to attend meetings, conferences, and training courses; per diem and private car expenses.	\$4,000
	TRAINING	Employee development (Registration Fees).	\$1,000
	COMMUNICATIONS	Telephone, cellular phones, & pagers.	\$6,542
	UTILITIES	Electric, water and waste disposal, and building maintenance & security.	\$26,486
	POSTAGE	Mailing of correspondence, shipping & freight.	\$250
	PRINTING	Reports, brochures, visual aids, video & photography, and copying.	\$1,250
	CONTRACTUAL	Costs related to equipment maintenance, and service contracts for air monitoring trailers.	\$3,000
	SUPPLIES, MAINTENANCE & REPAIRS, AND LABORATORY SERVICES	Costs related to repairs, maintenance and replacement of air monitoring equipment, equipment used to conduct inspections, laboratory analysis for special air samples and fuel samples.	\$9,000
	MOTOR POOL	Costs for operating section vehicles, including fuel, maintenance & repair and monthly leases.	\$24,500
	OFFICE SUPPLIES	Items necessary for operation of office, laboratory and monitoring sites; office computers and computer software included.	\$6,000
		SUB-TOTAL	\$82,028



**PALM BEACH COUNTY BUDGET SUPPORT INFORMATION - FISCAL YEAR 2009/2010**

<b>FUND</b> AIR POLLUTION CONTROL TRUST FUND	<b>DEPARTMENT</b> PALM BEACH COUNTY HEALTH DEPARTMENT	<b>DIVISION</b> ENVIRONMENTAL HEALTH & ENGINEERING	
<b>OBJECT CODE</b>	<b>ACCOUNT TITLE</b>	<b>EXPLANATION</b>	<b>BUDGET REQUEST</b>
	<b>SUBSCRIPTIONS AND REFERENCE MATERIALS</b>	Costs of periodicals, professional organizations, books and reference materials.	\$200
	<b>PROMOTIONAL ITEMS</b>	Purchase of small items for public distribution to promote air quality. Purchases will be consistent with PBC Policy #PPM CW-F-019.	\$800
	<b>CAPITAL ITEMS &gt;\$1,000</b>		\$0
	<b>LEGAL SUPPORT</b>	Support from PBCHD attorney's office for permitting challenges and enforcement actions.	\$17,500
	<b>OTHER</b>	Matching money required to receive Federal air program funding for FY/10 from the U.S. Environmental Protection Agency.	\$88,352
	<b>DIVISION ADM SUPPORT</b>	Direct administrative support services for purchasing, records retention, data management and personnel actions.	\$48,500
	<b>INDIRECT COSTS</b>	Support services from Human Resources, Finance & Accounting, Data Management and Purchasing. Based on DOH/federal indirect cost agreement 16.37% of salary & fringe.	\$102,309
		<b>SUB-TOTAL</b>	\$257,661
		<b>BUDGET TOTAL</b>	\$964,668

ATTACHMENT 3  
RESOLUTION NO. R-84-1196

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA APPROVING THE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE PALM BEACH COUNTY HEALTH DEPARTMENT AND AUTHORIZING THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS TO ESTABLISH THE AIR POLLUTION CONTROL TRUST FUND PURSUANT TO FLORIDA STATUTE 320.03(5)

WHEREAS, Palm Beach County recognizes the need for the control of air pollution; and

WHEREAS, Palm Beach County currently has in effect an Environmental Control Ordinance, Ordinance No. 78-5, as amended, which provides for the adoption by reference of all State Air Pollution rules; and

WHEREAS, the Air Pollution Control Program in the Health Department is an approved and certified program in accordance with S.403.182, Florida Statutes; and

WHEREAS, Florida Statute 320.03(6) authorizes the establishment of a local Air Pollution Control Trust Fund with the monies deposited in said fund to be used only for Air Pollution Control programs relating to the control of emissions from mobile sources and toxic and odor emissions, air quality monitoring, and facility inspections pursuant to Florida Statute 320.03(6) or the Palm Beach County Environmental Control Ordinance.

WHEREAS, it is necessary for the parties to enter into a contractual agreement to delineate their responsibilities and obligations.

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

The above statements are hereby affirmed and the Palm Beach County Health Department Air Pollution Control Program is authorized to act as the local Air Pollution Control Program on behalf of Palm Beach County, and the Clerk of the Board of County Commissioners is authorized to accept and transfer funds from the Department of Environmental Regulation Air Pollution Control Trust Fund to a County Air Pollution Control Trust Fund for the support of such a program in accordance with Florida Statute 320.03(6).

Be it further resolved that the agreement between Palm Beach County and the Palm Beach County Health Department, a copy of which is attached hereto and made a part hereof, is approved and the Chairman and Clerk of the Board of County Commissioners are hereby authorized to execute said contract on behalf of Palm Beach County.

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

KEN SPILLIAS	Aye
DOROTHY WILKEN	Aye
PEGGY B. EVATT	Aye
DENNIS P. KOEHLER	Aye
BILL BAILEY	Aye

The Chairman thereupon declared the Resolution duly passed and adopted this 21st day of August 1984.

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

By: *Keith H. Compton*  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

*Alfred J. ...*  
County Attorney

AN AGREEMENT BETWEEN PALM BEACH COUNTY AND  
THE PALM BEACH COUNTY HEALTH DEPARTMENT FOR  
THE CONTROL OF AIR POLLUTION

THIS AGREEMENT, made and entered into at West Palm Beach, Florida, on this 21st day of August 1984, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida hereinafter referred to as "County", and the PALM BEACH COUNTY HEALTH DEPARTMENT, a Health Unit of the State Department of Health and Rehabilitative Services, hereinafter referred to as "Health Department".

WHEREAS, the County desires to establish an Air Pollution Control Program; and

WHEREAS, the Health Department Air Pollution Control Program is an approved program in accordance with S.403.182, Florida Statutes; and

WHEREAS, Florida Statute 320.03(6) authorizes the establishment of a local Air Pollution Control Trust Fund with the monies deposited in said fund to be used only for Air Pollution Control programs, relating to the control of emissions from mobile sources and toxic and odor emissions, air quality monitoring, and facility inspections pursuant to Florida Statute 320.03(6) or the Palm Beach County Environmental Control.

NOW THEREFORE, in consideration of the premises and the mutual premises and undertakings contained herein, and for other good and valuable consideration, the parties hereby agree as follows:

1. The County will adopt the existing Health Department Air Pollution Control Program as the approved local Air Pollution Control Program specified in Florida Statute 320.03(6)
2. The Health Department will administer said local program in accordance with the mandates set forth in Florida Statute 320.03(6); Florida Statute 403; and the Palm Beach County Environmental Control Ordinance.
3. The County shall establish a local Air Pollution Control Trust Fund in accordance with Florida Statute 320.03(6).
4. The County shall disburse monies from said Trust Fund to the Health Department, and the Health Department will utilize and account for said funds, in accordance with the provisions of

Florida Statute 320.03(6), Florida Administrative Code Chapter 17-2.820, and generally accepted accounting procedures and principles Exhibit 1 is attached hereto as a summary example of the accounting procedure to be utilized.

5. The Health Department will submit semi-annual written reports to the County setting forth the goals, objectives and accomplishments of the Local Air Pollution Control Program.

6. The Health Department shall submit a proposed budget to the County on an annual basis, the first of which is attached hereto as Exhibit 2 and made a part hereof.

7. This agreement shall become effective on the date last signed by the parties below.

8. This agreement may be terminated by either party upon 30 days written notice given by either party to the other prior to the proposed date of termination.

9. Health Department shall indemnify and hold harmless County from liability of any kind, including cost expenses for or on account of any suits, actual or threatened, or damages arising out of acts of its employees or program participants during the period of this agreement.

IN WITNESS WHEREOF, the parties have caused this two page agreement to be executed by their officials thereunto duly authorized.

PALM BEACH COUNTY HEALTH  
DEPARTMENT

BOARD OF COUNTY COMMISSIONERS  
OF PALM BEACH COUNTY, FLORIDA

BY: C. L. Brumback, M.D.  
Director  
per Julius J. [unclear]

BY: [Signature]  
Chairman

JOHN B. DUNKLE, CLERK

BY: [Signature]  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

[Signature]  
COUNTY ATTORNEY