

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: February 23, 2010 [X] Consent [] Regular
[] Public Hearing

Submitted By: Administration

Submitted For: Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: appointment of the following nominee to the Town of Jupiter Economic Development Advisory Board.

Nominee for Appointment

Nominated By

Peter Applefield

Commissioner Marcus
Commissioner Koons
Commissioner Taylor

Summary: The Town of Jupiter, under Resolution No. 102-07, established an Economic Development Advisory Board for the purpose of providing recommendations to the Town of Jupiter. These recommendations are related to the disbursement of funds from the \$3,000,000 Economic Development Fund, as required under their Interlocal Agreement with Palm Beach County, related to locating Scripps in North County. Under the Resolution, one (1) member must be a representative of Palm Beach County. District 1 (DW)

Background and Justification: The Board of County Commissioners approved an Interlocal Agreement with the Town of Jupiter on February 6, 2006. This Interlocal requires the establishment of an Advisory Board to oversee the disbursement of the \$3,000,000. These funds are to be used exclusively for economic development in Northern Palm Beach County and the Glades region, which may include, but is not limited to: education, job training, scholarships related to the bioscience field for those in need of financial assistance, expenditures for school equipment necessary for bioscience programs, loans or grants to start-up costs, and assistance in matching state or federal dollars and other investments to be directed at nurturing the bioscience cluster in Northern Palm Beach County. This advisory board membership has seven (7) seats currently filled and a diversity count of Asian 1 (14%), Black 1 (14%), and white 5 (71%). The gender ratio (male: female) is 4:3.

Attachments:

- 1. Board Appointment Information Forms
- 2. Town of Jupiter Resolution No. 102-07

Recommended by: Sharon R. [Signature] 2-10-10
Department Director Date

Approved By: Sharon R. [Signature] 2-10-10
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					

NET FISCAL IMPACT

No. ADDITIONAL FTE POSITIONS (Cumulative)

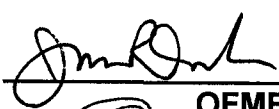
Is Item Included In Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Department _____ Unit _____
Object _____ Reporting Category _____

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

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

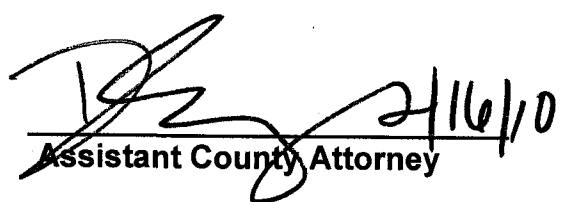
No fiscal impact.


OFMB
2/11/10



Contract Dev. and Control
2/12/10

B. Legal Sufficiency:



Assistant County Attorney
2/16/10

C. Other Department Review:

Department Director

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ADVISORY BOARD NOMINEE INFORMATION FORM**

Part I:

Board Name: Town of Jupiter Economic Development Advisory Board

At Large Appointment or District Appointment

Term of Appointment: N/A Years. From: 2010 To: _____

Seat Requirement: N/A _____ Seat No. _____

*Reappointment or New Appointment

or to complete the term of Completion of term to expire on: Andrew Duffell Due to: Resignation other _____ _____
When Economic Funds are Exhausted

Part II: **APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Applefield _____ _____ _____
 Last Peter First Middle

Occupation/Affiliation: Commercial Real Estate

Business Name: Applefield Waxman

Business Address: 2801 PGA Blvd., Suite 220

City & State Palm Beach Gardens Zip Code: 33410

Residence Address: 122 Seville Road

City & State West Palm Beach, FL Zip Code: 33405

Home Phone: (561) 547-4987 Business Phone: (561)687-5800

Cell Phone: (561) 252-2391 Fax: ()

Email Address: peter@applefieldwaxman.com

Mailing Address preference: Business Address Residence

Minority Identification Code:

- | | |
|--|---|
| <input type="checkbox"/> IF (Native-American Female) | <input type="checkbox"/> IM (Native-American Indian Male) |
| <input type="checkbox"/> AF (Asian-American Female) | <input type="checkbox"/> AM (Asian-American Male) |
| <input type="checkbox"/> BF (African-American Female) | <input type="checkbox"/> BM (African-American Male) |
| <input type="checkbox"/> HF (Hispanic-American Female) | <input type="checkbox"/> HM (Hispanic-American Male) |
| <input type="checkbox"/> WF (Caucasian Female) | <input checked="" type="checkbox"/> WM (Caucasian Male) |

Part III: COMMISSIONER COMMENTS

Appointment to be made at BCC Meeting on: February 23, 2010

***When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.**

N/A Number of previously disclosed voting conflicts during the previous term

Signature: Cindy L DeFilippo for Date: 2/1/10

Comm. Karen T. Marcus
Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

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BOARD OF COUNTY COMMISSIONERS
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*Reappointment or New Appointment

or to complete the term of _____ Andrew Duffell Due to: Resignation other

Completion of term to expire on: _____ When Economic Funds are Exhausted

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Mailing Address preference: Business Address Residence

Minority Identification Code:

- IF (Native-American Female) IM (Native-American Indian Male)
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N/A Number of previously disclosed voting conflicts during the previous term
Signature: *Peter Duffell* Date: Feb 2

PETER J. APPLEFIELD, CCIM

Applefield Waxman

2801 PGA Blvd., Suite 220, Palm Beach Gardens, FL 33410

peter@applefieldwaxman.com • (561) 687-5800 • www.applefieldwaxman.com

PROFESSIONAL PROFILE

- Over twenty-five years of experience in the South and Central Florida commercial real estate markets
- Specializes in industrial, office and investment sales

APPLEFIELD WAXMAN, INC.

- Partner and Co-founder
- Manages brokerage operation

PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS

- Certified Commercial Investment Member (CCIM)
- Realtors Commercial Society of Palm Beach County, Founding member and past President,
- Business Development Board of Palm Beach County, Director
- Palm Beach County Industrial Revenue Bond Committee, Chair
- Palm Beach County Commission on Affordable Housing, Director
- Palm Beach Day Academy, Corporate Sponsor Committee

RESOLUTION NO. 102-07

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING RESOLUTION 94-07 ESTABLISHING THE TOWN OF JUPITER ECONOMIC DEVELOPMENT ADVISORY BOARD; PROVIDING FOR THE COMPOSITION, QUALIFICATIONS AND TERM OF OFFICE FOR MEMBERS OF THE BOARD; PROVIDING FOR THE PURPOSE AND AUTHORITY THEREOF; PROVIDING FOR PUBLIC MEETINGS, RECORDS AND MINUTES; PROVIDING FOR THE ADOPTION OF RULES OF PROCEDURE; PROVIDING FOR MEETINGS ON AN AS-NEEDED BASIS; PROVIDING FOR ASSISTANCE BY THE TOWN MANAGER AND STAFF; AMENDING THE LANGUAGE RELATED TO BUSINESS REPRESENTATIVES; PROVIDING FOR COORDINATION AND NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Interlocal Agreement between the Town of Jupiter and Palm Beach County regarding the establishment of a Three Million Dollar (\$3,000,000) Economic Development Fund, the Jupiter Town Council must establish an advisory board that will provide recommendations regarding the distribution of funds from the Economic Development Fund in accordance with the criteria agreed upon by the County and the Town, and

WHEREAS, the Jupiter Town Council has also directed that an advisory board be established for the purposes of recommending policies that the Town can adopt and implement to encourage the growth of the biotech industry in the Town of Jupiter.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER FLORIDA

SECTION 1: Establishment. The Town Council hereby establishes an Advisory Board to be known as the Town of Jupiter Economic Development Advisory Board, hereinafter referred to as the "Board." The Board shall exist until such time as the Economic Development Fund is exhausted or until the amendment hereof by the further Resolution of the Jupiter Town Council.

SECTION 2: Mission. To provide recommendations to the Jupiter Town Council regarding 1) the distribution of the Economic Development Funds, 2) policies that will promote the growth of the biotech industry in the Town of Jupiter, and 3) consider and comment upon proposed revisions to the guidelines and policies regarding the distribution of the Economic Development Funds.

SECTION 3: Composition and Qualification of Membership. The Board shall be comprised of eight members.

- a. One member must be a representative of Palm Beach County per the Interlocal Agreement.

- b. One member shall be a representative of the "Paragon Foundation Board".
- c. Six members shall be representatives of the biotech or business community.
 - (1) Four members shall be residents or representatives of the biotech or business community within the Town of Jupiter.
 - (2) Two members may be residents or representatives of the biotech or business community outside of the Town of Jupiter but amongst the parties to the Interlocal Agreement (5 cities and County).

SECTION 4: Appointments. The Paragon Foundation and Palm Beach County would make recommendations to the Jupiter Town Council as to their respective representatives, approval of which would not be unreasonably withheld. The Jupiter Town Council shall appoint the remaining six members to the Board. All members of the Board shall serve at the pleasure of the Town Council.

SECTION 5: Authority. The actions, decisions and recommendations of the Board shall not be final or binding on the Town Council, but shall be advisory only. It is intended that the Board shall limit the scope of its concern to matters or affairs set forth herein. Further, the Board shall refrain from assuming responsibility for additional tasks unless specifically assigned by official action of the Town Council.

SECTION 6: Conflicts of Interest. Members of the Board shall be governed by the *Town of Jupiter Economic Development Advisory Board Policy on Conflicts of Interest, attached hereto and incorporated herein.*

SECTION 7: Compensation. Members of the Board shall serve without compensation but shall be reimbursed by the Town of Jupiter upon submission of a written request for same for any previously authorized expenses its members may incur in the performance of their duties.

SECTION 8: Public Meetings. All meetings of the Board shall be public meetings subject to Chapter 286, F.S.

SECTION 9: Minutes of Meetings. Minutes will be kept of all public meetings and proceedings held by the Board and shall include and state the vote of each member on each question. If a member is absent or abstains from voting, the minutes shall so indicate.

SECTION 10: Public Records. The Town staff shall maintain accurate records of the Board's public meetings or hearings, together with its minutes and Resolutions, and the same shall be open for public inspection at reasonable times and hours consistent with Chapter 119, F.S.

SECTION 11: Administration. The Town Manager shall provide such staff and clerical assistance as the Board may require for the reasonable performance of its duties, including a Recording Secretary.

SECTION 12: Rules of Procedures. The conduct of the Board business and holding of its meetings or hearings shall be governed by Roberts Rules of Order and such other rules of procedure as the Board may determine to be necessary. The Board shall select a chairperson and vice-chair from its membership for proper and efficient conduct of its business and affairs.

SECTION 13: Meetings or Hearings. The Board shall hold meetings or hearings on an as-needed basis.

SECTION 14: Effective Date. This resolution shall take effect immediately upon adoption.

11/26/07

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**TOWN OF JUPITER ECONOMIC DEVELOPMENT ADVISORY BOARD
POLICY ON CONFLICTS OF INTEREST**

This Policy on Conflicts of Interest is designed to help members of the ad hoc advisory board and the Town of Jupiter identify situations that present potential conflicts of interest. This policy will provide a procedure that will allow a grant or loan from the proceeds of the Town of Jupiter Economic Development Fund to be awarded even though a member of the ad hoc board has or may have a conflict of interest with respect to the award. This policy is intended to supplement, but not replace any state laws (Sec. 112.3143 F.S.) governing conflicts of interest applicable to municipal governments.

Financial Interest

Any advisory board member has a Financial Interest if circumstances are substantial enough that they would, or reasonably could, affect his/her judgment. A Financial Interest can exist if the person has, directly or indirectly, through business, investment or family:

- an ownership or investment interest in any entity with which the Town of Jupiter Economic Development Advisory Board is considering awarding a grant or loan;
- a compensation arrangement with any entity or individual with which the Town of Jupiter Economic Development Advisory Board is considering awarding a grant or loan; or
- a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Town of Jupiter Economic Development Advisory Board is considering awarding a grant or loan.

Procedure for Addressing the Conflict of Interest

In connection with any conflicts of interest, the advisory board member must disclose the existence of his or her financial interests to the Town Manager, who, with the assistance of the Town Attorney, shall determine whether there exists a conflict of interest that is subject to this policy. If a conflict of interest is found to exist, the member must disclose all material facts to the advisory board. He/she shall leave the meeting during a discussion of, and the vote to recommend, the possible grant or loan that results in the conflict of interest. Such disclosure and ineligibility to vote shall be reflected in the minutes of the meeting.

Failure to Disclose

If the advisory board or the Town Council has reasonable cause to believe that a member has failed to disclose an actual or possible conflict of interest, the Town

Manager shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose. If the Town Manager or Town Attorney determines that the member has in fact failed to disclose an actual or possible conflict of interest, the matter will be referred to the Town Council and the Council shall take appropriate corrective action, including removal from the advisory board.

Review of Policy

Each advisory board member shall annually complete a Disclosure Form identifying any relationships, positions, or circumstances in which he/she believes, could contribute to a conflict of interest. Each advisory board member shall be required to review a copy of this Policy and to acknowledge in writing that he/she has done so.

**TOWN OF JUPITER ECONOMIC DEVELOPMENT ADVISORY BOARD
CONFLICTS OF INTEREST**

Disclosure Form for the year beginning: _____

Name: _____

Position: _____

Please describe any relationships, positions or circumstances in which you are involved that could contribute a Conflict of Interest as defined in the Town of Jupiter Economic Development Advisory Board Policy on Conflicts of Interest. All information regarding business interests shall be subject to the provisions of the Sunshine Law.

- I am not aware of any potential Conflicts of Interest.
- The following relationships may constitute a Conflict of Interest:

I hereby certify that the above information is true and complete to the best of my knowledge, and agree to abide by the Town of Jupiter Economic Development Advisory Board Policy on Conflicts of Interest.

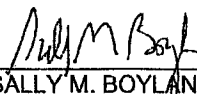
Signature: _____ Date: _____

The foregoing Resolution was offered by Vice-Mayor Robert M. Friedman, who moved its adoption. The motion was seconded by, Councilor Todd R. Wodraska, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR ROBERT M. FRIEDMAN	X	_____
COUNCILOR WENDY K. HARRISON	X	_____
COUNCILOR JIM KURETSKI	X	_____
COUNCILOR TODD R. WODRASKA	X	_____

The Mayor thereupon declared the foregoing Resolution 102-07 duly passed and adopted this 20th day of November, 2007.

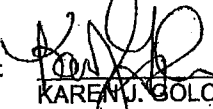
ATTEST:



 SALLY M. BOYLAN, CMC
 TOWN CLERK

(TOWN SEAL)



TOWN OF JUPITER, FLORIDA

BY: 
 KAREN J. GOLONKA
 MAYOR


 THOMAS J. BAIRD, ESQ.
 Approved as to form and
 legal sufficiency