

## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

### **AGENDA ITEM SUMMARY**

| Meeting Date: | March 9, 2010    | ( ) Consent<br>( ) Workshop | (X) Regular ( ) Public Hearing |
|---------------|------------------|-----------------------------|--------------------------------|
| Department    |                  |                             |                                |
| Submitted By  | Environmenta     | al Resources Management     |                                |
| Submitted Fo  | er: Environmenta | al Resources Management     |                                |
|               |                  | -                           |                                |

### I. EXECUTIVE BRIEF

### Motion and Title: Staff recommends motion to:

- A) authorize the Department of Environmental Resources Management (ERM) to submit a Florida Green Local Government application on behalf of the County and to advance the certification level from an expected Silver Certification to Gold Certification within 3-5 years;
- B) authorize existing ERM staff to: 1) serve in an environmental sustainability coordination role for the County; 2) lead the regional climate change initiative coordination on behalf of the County with primary support from the Water Utilities Department; 3) work cooperatively with the Office of Economic Development, Facilities Development & Operations, Planning Zoning & Building Department, the Solid Waste Authority and other County departments/agencies to formalize and expand the County's Energy Efficiency and Conservation Strategy; 4) assume responsibility for coordination of recommendations of the Green Task Force (GTF) on Environmental Sustainability & Conservation; and, 5) create interdepartmental coordinating groups or teams to implement the above;
- C) adopt a Resolution authorizing the Clerk to disburse \$38,000 from the Pollution Recovery Trust Fund (PRTF) for application and membership expenses for the County to become a Certified Florida Green Local Government for 5 years; and
- **D)** approve a \$38,000 Budget Transfer within the PRTF from reserves to the Environmental Sustainability Initiative.

Summary: The GTF Report recommends that the County establish a greenhouse gas (GHG) emission baseline from which measurable reporting of reductions can be obtained (GTF Report Recommendation #3). The Southeast Regional Climate Change Compact also committed the County to obtaining a GHG emissions baseline. Becoming a Florida Green Local Government will provide the means of establishing baseline emissions data using Clean Air and Climate Protection software. The Inventory of Environmental Sustainability Initiatives suggests that the County would qualify as Certified Silver. The PRTF, a non ad valorem source, will cover application and membership costs for 5 years. Using reallocated staff time, ERM would serve in a lead coordinative role with the necessary support from participating departments to complete the application process, advance certification, establish a GHG emissions baseline, further develop an Energy Efficiency and Conservation Strategy, address GTF recommendations and support regional climate change initiatives. Countywide (SF)

**Background and Justification:** (continued on Page 3)

### Attachments:

- 1) Resolution
- 2) Budget Transfer 1227

| Recommended by: | Rubal E-waln'y       | 2/16/20 | 10 |
|-----------------|----------------------|---------|----|
|                 | Department Director  | Date    | 44 |
| Approved by:    | Miller               | 3/2/201 | 0  |
|                 | County Administrator | Date    |    |

### II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years Capital Expe Operating Co |                            | 2010<br>38,000 | 2011             | 2012           | 2013            | 2014          |
|--|----------------------------|----------------|------------------|----------------|-----------------|---------------|
| External Rev                           | renues<br>ome (County)     |                |                  |                |                 |               |
| # ADDITIO                              |                            | 38,000         |                  | <del></del>    |                 |               |
|  |                            | Budget? Fund   | Ye<br>Department | s<br>Uni       | No X<br>tOb     | ject          |
| В.                                     | Recommende                 | d Sources o    | of Funds/Sum     | mary of Fiscal | Impact:         |               |
|  | Pollution Reco             |                |                  | etermined Coun | ty wide staff s | support as an |
| C.                                     | Department I               | iscal Revie    | w: f             |                |                 |               |
|  |                            | III. RE        | VIEW COMI        | MENTS          |                 |               |
| Α.                                     |                            | and /or Co     |                  | nd Control Co  |                 | A= (== 1)     |
| В.                                     | OFMB Legal Sufficie        | Shadio         | Co Co            | ntract Develor | ment and Co     | ntrol         |
|  | Man Assistant Cour         |                | - 3-2-10         |                |                 |               |
| C.                                     | Assistant Cou Other Depart |                |                  |                |                 |               |
|  | Health Depar               | in A           | llong            |                |                 |               |
| D.                                     | Other Review Assistant Cou | ·              | istrator         |                |                 |               |

### **Background and Justification:**

On July 13, 2007 Governor Charlie Crist signed 3 Executive Orders (07-126, 07-127, and 07-128) that establishes the state's leadership by example. These orders established the state's intent to reduce State government emissions; reduce emissions within Florida, and establish the Florida Governor's Action Team on Energy and Climate Change. On June 25, 2008, the Governor signed into law House Bill 7135, enacting the Florida Climate Protection Act which authorizes the Department of Environmental Protection to develop an electric-utility GHG capand-trade program to reduce electric sector GHG emissions. The bill also directed state departments to meet USGBC Leadership and Energy and Environmental Design (LEED) certification for new construction and to further strive for the Platinum level. As a result of the bill, the Florida Building Code was revised to include a 15% increase in energy efficiency as adopted on March 1, 2009.

The Board of County Commissioners signed the Southeast Florida Regional Climate Change Compact on October 23, 2009 and adopted with amendments on December 15, 2009. Palm Beach County, Broward, Miami-Date and Monroe Counties agreed, as a member of the regional compact, to work together to develop the Southeast Florida Regional Climate Action Plan.

The Florida Green Local Government program promotes sustainability with environmental, economic, and social benefits through regional education and certification programs. Obtaining a Florida Green Local Government designation is an opportunity to set goals for a sustainable environmental practice that can be carried out on a systematic basis. The designation allows Palm Beach County to be recognized, while at the same time assuring that the stewardship measures are significant and persistent.

The American Recovery and Reinvestment Act, provides funding opportunities to assist the County in establishing Environmental Sustainability. In October, 2009, the County received \$6,587,600 in stimulus grants from the Energy Efficiency Community Block Grants (EECBG) for which performance metrics are required and must be reported. On December 14, 2009, the County's Office of Economic Development and Department of Airports along with FPL, a non-profit for home energy weatherization assistance and FAU, applied for approximately \$50,000,000 in EECBG funding for an urban redevelopment retrofit program. This application is pending review.

An International Council for Local Environmental Initiatives membership will provide the technical support needed to effectively use the climate software. Obtaining a Florida Green Local Government designation further develops the County's Energy Efficiency and Conservation Strategy that could improve grant seeking success and further expand the culture of environmental stewardship.

### 2 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 31 32 33 34 35 36

### RESOLUTION NO. R-10-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT TO DISBURSE A PORTION OF THE POLLUTION RECOVERY TRUST FUND FOR SUPPORT OF THE ENVIRONMENTAL SUSTAINABLITY INITIATIVE FOR THE DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT TO SUBMIT ON BEHALF OF THE COUNTY AND APPICATION FOR THE COUNTY TO BECOME A CERTIFIED FLORIDA GREEN LOCAL GOVERNMENT FOR 5 YEARS, ADVANCE CERTIFICATION AS REQUIRED, COORDINATE TO ESTABLISH A GREENHOUSE GAS EMISSIONS BASELINE AND FURTHER ADVANCE THE COUNTY'S ENERGY EFFICIENCY AND CONSERVATION STRATEGY.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida (the Board), adopted Resolution No. R-89-576 on April 4, 1989, establishing the Palm Beach County Pollution Recovery Trust Fund (PRTF) to receive monies collected in

instances of environmental violations;

WHEREAS, it has been established that monies from the PRTF shall be disbursed only for enhancement of environmental resources and pollution control activities in Palm Beach County (the "County");

WHEREAS, the Palm Beach County Department of Environmental Resources Management ("ERM") is authorized to submit on behalf of the County an application for the County to become a Certified Florida Green Local Government for 5 years, advance certification as required, coordinate to establish a greenhouse gas emissions baseline, and further develop the County's Energy Efficiency and Conservation Strategy;

30

WHEREAS, the PRTF has sufficient funds derived from penalties collected as a result of environmental violations prosecuted by ERM; and

WHEREAS, the Director of ERM recommends that the Board authorize \$38,000 of the PRTF to be used for the Environmental Sustainability Initiative.

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

37

Section 1: The foregoing recitals are hereby adopted and ratified.

38

Section 2: The Board hereby authorizes the Clerk to disburse \$38,000 from the

| 1  | Pollution Recovery Trust Fund for the purpose of ERM applying on behalf of the County |  |  |  |  |  |
|----|---|--|--|--|--|--|
| 2  | to be designated as a Florida Green Local Government and advancing the certification  |  |  |  |  |  |
| 3  | level.  |  |  |  |  |  |
| 4  | The foregoing Resolution was offered by Commissioner                                  |  |  |  |  |  |
| 5  | who moved its adoption. The motion was seconded by                                    |  |  |  |  |  |
| 6  | Commissioner, and upon being put to a vote, the vote was                              |  |  |  |  |  |
| 7  | as follows:   |  |  |  |  |  |
| 8  | COMMISSIONER BURT AARONSON, Chairperson   |  |  |  |  |  |
| 9  | COMMISSIONER KAREN T. MARCUS, Vice Chair  |  |  |  |  |  |
| 10 | COMMISSIONER JEFF KOONS   |  |  |  |  |  |
| 11 | COMMISSIONER SHELLY VANA  |  |  |  |  |  |
| 12 | COMMISSIONER STEVEN L. ABRAMS   |  |  |  |  |  |
| 13 | COMMISSIONER JESS R. SANTAMARIA   |  |  |  |  |  |
| 14 | COMMISSIONER PRISCILLA A. TAYLOR  |  |  |  |  |  |
| 15 | The Chairperson thereupon declared the Resolution duly passed and adopted this        |  |  |  |  |  |
| 16 | day of, 2010.   |  |  |  |  |  |
| 17 |   |  |  |  |  |  |
| 18 |   |  |  |  |  |  |
| 19 | APPROVED AS TO FORM AND PALM BEACH COUNTY, FLORIDA, BY                                |  |  |  |  |  |
| 20 | ITS   |  |  |  |  |  |
| 21 | LEGAL SUFFICIENCY BOARD OF COUNTY COMMISSIONERS                                       |  |  |  |  |  |
| 22 |   |  |  |  |  |  |
| 23 | Sharon Bock, Clerk & Comptroller  |  |  |  |  |  |
| 24 |   |  |  |  |  |  |
| 25 | By Mon By_  |  |  |  |  |  |
| 26 | Assistant County Attorney Deputy Clerk  |  |  |  |  |  |
|    |   |  |  |  |  |  |

# 2010 - 04/3

Environmental Resources Management

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

**OFMB Department - Posted** 

### **BOARD OF COUNTY COMMISSIONERS** PALM BEACH COUNTY, FLORIDA

### **BUDGET TRANSFER**

#### **Fund 1227 Pollution Recovery Trust Fund**

| ACCOUNT NAM                     | E AND NUMBER                        | ORIGINAL<br>BUDGET | CURRENT<br>BUDGET | INCREASE | DECREASE | ADJUSTED<br>BUDGET | ENC/EXP<br>1/6/2010 | REMAINING<br>BALANCE |
|---------------------------------|-------------------------------------|--------------------|-------------------|----------|----------|--------------------|---------------------|----------------------|
| Appropriations                  |                                     |                    |                   |          |          |                    |                     |                      |
| 760-3199 Pollution Recovery Res | 9902 - Reserves                     | 1,656,621          | 1,633,306         | 0        | 38,000   | 1,595,306          | 0                   | 1,595,306            |
| 380-4005 Enviro Sustainability  | 5412 - Dues and Memberships         | 0                  | 0                 | 30,000   | 0        | 30,000             |                     |                      |
| 380-4005 Enviro Sustainability  | 5201 - Materials/Supplies Operating | 0                  | 0                 | 8,000    | 0        | 8,000              | 0                   | 0                    |
|                                 |                                     |                    |                   | 0        |          |                    |                     |                      |
|                                 |                                     |                    |                   | 38,000   | 38,000   |                    |                     |                      |
|                                 |                                     |                    |                   |          |          |                    |                     |                      |

Signatures & Dates

BY BOARD OF COUNTY COMMISSIONERS

AT MEETING OF

March 9, 2010

Deputy Clerk to the

**Board of County Commissioners**