

6E-1

Agenda Item #: _____

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

BOARD APPOINTMENT SUMMARY

Meeting Date: APRIL 5, 2011
Department: TOURIST DEVELOPMENT COUNCIL
Advisory Board: TOURIST DEVELOPMENT COUNCIL BOARD

I. EXECUTIVE BRIEF

Motion & Title: Staff recommends motion to approve:

A.) Re-appointment of one member "At Large" to the Tourist Development Council Board

<u>A.) Appoint</u>	<u>Seat #</u>	<u>Term</u>	<u>Nominated by</u>
William M. Moss	At-Large	4/5/11-4/4/15	Comm. Vana, Comm. Abrams, Comm. Aaronson, Comm. Santamaria, Comm. Taylor, Comm. Burdick

Summary:


The Tourist Development Council Board was established by Resolution No. R-81-275, adopted March 3, 1981; Chapter 125.0104 F.S. "The Levy of a Tourist Development Tax pursuant to the "LOCAL OPTION TOURIST DEVELOPMENT ACT," Ordinance No. 90-24; as amended by Ordinance No. 91-3; as amended by Ordinance No. 91-45, adopted November 19, 1991; as amended by Ordinance No. 2003-001 on January 7, 2003. This Ordinance sets up the nine (9) member Tourist Development Council Board. One member shall be the Chair of the BCC or designee who shall also serve as the Chair of the Council. Of the remaining eight (8) members appointed by the BCC; two (2) members shall be elected municipal officials, one of whom shall be from the most populous municipality in Palm Beach County. Mr. William M. Moss is a West Palm Beach City Commissioner; West Palm Beach is the most populous municipality in Palm Beach County. Commissioner Moss was re-appointed by the West Palm Beach City Commission to the Tourist Development Council on January 18, 2011. Their letter is attached. The elected official of the most populous city is an "at large" seat.

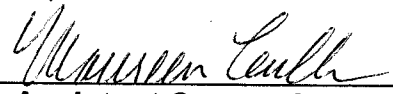
Background and Justification:

The membership of the council consists of 2 elected government officials, 3 local owners/operators of hotels, motels or other tourist accommodations subject to the tax, and 3 members with demonstrated interest in the tourism industry but not owner/operators. The Council prepares a plan for tourist development; this plan sets forth the anticipated net Tourist Development Tax revenue derived by PBC for 24 months following the levy of the tax, the tax district in which the Tourist Development Tax is proposed, lists in order of priority proposed uses of said tax revenue by special project or special use as authorized under F.S. 125.0104; the plan shall include approximate cost or expense allocation for each special project or special use. The TDC has 9 members seats currently filled and a diversity count of White: 8 (88.88%) and Black 1 (11.11%). The gender ratio (male:female) is 6:3.

Attachments:

1. Board Appointment Form
2. Letter of Re-appointment by City of West Palm Beach
3. Resume for Commissioner Moss
4. 2010 TDC Attendance Record
5. FS 125.0104 (excerpt regarding membership composition)

Recommended by:  3/24/11
Department Director Date

Legal Sufficiency:  3/24/11
Assistant County Attorney Date

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

The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.

Part I (to be filled out by Department): (Please Print)

Board Name: Tourist Development Council

At Large Appointment or District Appointment

Term of Appointment: 4 Years. From: 4/2011 ^W 4/5/2011 To: 4/2015 ^W 4/4/2015

Seat Requirement: Elected Official/Largest municipality Seat #: At-Large

*Reappointment or New Appointment

or to complete the term of _____ Due resignation other to: _____

Completion of term to expire on: _____

***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.**

1 Number of previously disclosed voting conflicts during the previous term

Part II (to be filled out and signed by Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Moss William M.
Last First Middle

Occupation/Affiliation: City Commissioner, West Palm Beach

City of West Palm Beach

Business Name: _____

401 Clematis Street

Business Address: _____

West Palm Beach, FL 33402

City & State Zip Code: _____

Residence Address: 119 Gregory Place, West Palm Beach

, West Palm Beach, FL 33405

City & State Zip Code: _____

Home Phone: (561) 588-2897 Business Phone: (561) 882-1390 Ext. _____

Cell Phone: (561) 744-0173 Fax: (561) 822-1399

Email Address: wmoss@wpb.org

Mailing Address preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No X

If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code:

- IF (Native-American Female) IM (Native-American Indian Male)
- AF (Asian-American Female) AM (Asian-American Male)
- BF (African-American Female) BM (African-American Male)
- HF (Hispanic-American Female) HM (Hispanic-American Male)
- WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: [Signature] Date: 3/10/2011

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: [Signature] Date: _____

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Last First Middle
City Commissioner, West Palm Beach

Occupation/Affiliation: City of West Palm Beach

Business Name: _____
401 Clematis Street

Business Address: _____
West Palm Beach, FL 33402

City & State Zip Code: _____
119 Gregory Place, West Palm Beach

Residence Address: _____
, West Palm Beach, FL 33405

City & State Zip Code: _____

Home Phone: (561)588-2897 Business Phone: (561)882-1390 Ext. _____
Cell Phone: (561)744-0173 Fax: (561)822-1399

Email Address: wmoss@wpb.org

Mailing Address preference: Business Residence
Have you ever been convicted of a felony: Yes _____ No X

If Yes, state the court, nature of offense, disposition of case and date: _____

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- WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: [Signature] Date: 3/10/11

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: [Signature] Date: 3/14/11

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Last First Middle
City Commissioner, West Palm Beach

Occupation/Affiliation: City of West Palm Beach

Business Name: _____

Business Address: 401 Clematis Street

City & State: West Palm Beach, FL 33402
Zip Code: _____

Residence Address: 119 Gregory Place, West Palm Beach

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

Home Phone: (561)588-2897 Business Phone: (561)882-1390 Ext.

Cell Phone: (561)744-0173 Fax: (561)822-1399

Email Address: wmoss@wpb.org

Mailing Address preference: Business Residence

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If Yes, state the court, nature of offense, disposition of case and date: _____

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- WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: *William Moss* Date: 3/10/2011

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: *Rachelle Burdick* Date: 3/16/2011



Lois J. Frankel
Mayor
P.O. Box 3366
West Palm Beach, Florida 33402
Telephone: 561/822-1400
Fax: 561/822-1424
e-mail: lfrankel@wpb.org

January 18, 2011

Mr. Roger Amidon
Executive Director
Tourist Development Council
1555 Palm Beach Lakes Boulevard, Suite 900
West Palm Beach, FL 33401

Dear Mr. Amidon:

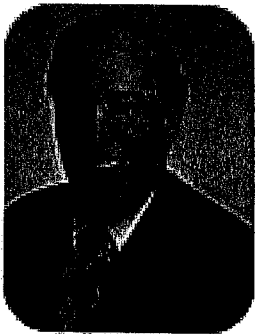
At the Mayor/Commission Work Session today, the reappointment of Commissioner William Moss to the Tourist Development Council was approved from May 1, 2011 to April 30, 2015.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Lois J. Frankel
Mayor

C: City Commission
Carol Meneely, Tourist Development Council



Commissioner William "Bill" Moss
District 5 West Palm Beach City
Commissioner

Current Community Service

District 5 2000 - Present
City Commissioner
West Palm Beach Commissioner
Term: 2010 - 2012

2010 - Present

Executive Board Member Florida League of Cities
P.O. Box 1757
Tallahassee, FL 32302
Phone: (850) 222-9684

2000 - Present

Vice Chair Palm Beach County Tourist Development Council. (TDC)
Phone: 561-233-3130

2000 - Present

Board Member Palm Beach County Metropolitan Planning Organization (MPO)
Phone: 561-684-4170

2002 - Present

Board Member and Past President
Palm Beach County League of Cities

1997 - Present

Member and Vice-Chair of Palm Beach County's Education &
Government Board (TV20)

Past Community Service

2001 - 2005

Board Member and Chairman of School Readiness Coalition of Palm Beach
County. (SRC)

2007 - 2008

Chair West Palm Beach Audit Committee 822-1399
Fax 822-1399
Contact William Moss wmoss@wpb.org

2006 - 2009
Vice Chair Governing Board of St. Mary's Medical Center

1989 - 2000
Chair, West Palm Beach Planning & Zoning Board

1998
Chaired West Palm Beach's selection committee in which "City Place" was selected to redefine the downtown of West Palm Beach

1998
Chair, West Palm Beach Charter Review Committee

1991 - 1997
Board Member, SunFest. Served on the SunFest Executive Committee as well as several years as a Committee Chair

1994
Board Member West Palm Beach Centennial Committee

1990 - 1991
Board Member Palm Beach County Land Use Advisory Board

1989
President of the Leukemia Society of America, Palm Beach Area Chapter

1987
Founded the SouthSide Neighborhood Association

Educational Background

Bachelor of Arts in Government and Communications from the University of Miami

Professional Career

1993 - Present

Managing Partner, Baldrice Advertising & Marketing
(561)683-0404

BOARD MEETING ATTENDANCE SHEET

2010

	Jan.14,10	Feb.11,10	Mar.11,10	Apr.8,10	May13,10	Jun.10,10	Cancelled Jul.8,10	Aug12,10	Sep.15,10	Oct.14,10	Nov.9,10	Cancelled Dec.9,10
Commissioner Karen Marcus (12/04/2011) Burt Aaronson	P	A	P	P	P	P	na	P	P	P	P	na
Jim Bronstien (3/13/11) Re-Appointed (3/13/07)	P	P	P	P	A	P	na	P	P	P	P	na
Mami Kisner (11/16/12) Re-appointed (10/7/08)	P	P	P	P	P	A	na	P	P	P	P	na
Cheryl Reed (3/1/12) Appointed (12/1/09)	P	P	P	P	P	P	na	P	P	P	A	na
Joel Paige (4/5/09) Appointed (1/9/07)	P	P	A	P	A	P	na	P	A	P	P	na
Commissioner Gary P. Eliopoulos (3/1/10) Appointed (9/9/08)	P	A	P	P	P	P	na	P	P	A	P	na
Dave Burke (6/30/12) Re-Appointed (7/8/08)	P	P	P	A	P	P	na	P	P	P	P	na
Commissioner Bill Moss (4/30/11) Re-Appointed (5/18/07)	P	P	P	A	P	P	na	P	P	P	P	na
Dean Turney (3/1/12) Re-Appointed (3/1/08)	P	P	P	P	P	P	na	A	A	P	P	na
STAFF												
Verdenia C. Baker, Deputy County Administrator	P	P	P	P	P	P	na	A	P	P	A	na
Maureen E. Cullen, Chief Assistant County Attorney	P	P	P	P	P	P	na	P	P	P	A	na
Rena Blades, Culture	P	P	P	P	P	P	na	P	P	P	P	na
George Linley, Sports	George Linley	P	P	P	P	P	na	P	P	P	A	na
Chuck Elder, Film & TV	P	P	P	P	P	P	na	P	P	P	P	na
Jorge Pesquera, CVB 11/07	P	P	P	P	P	P	na	P	P	P	A	na
Dan Bates, ERM	P	P	P	P	P	P	na	P	Leanne Welch	P	P	na
Roger Amidon TDC	P	P	P	P	P	P	na	P	P	P	P	na
Carol Meneely, TDC	P	P	P	P	P	P	na	P	P	P	P	na
Ernie Pena-Roque, TDC	P	P	P	P	P	P	na	P	P	P	p	na

to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2-percent tax authorized by this section shall not apply to the additional tax authorized by this paragraph in counties which levy convention development taxes pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph is the first day of the second month following approval of the ordinance by the board of county commissioners or the first day of any subsequent month specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of the ordinance.

(4) ORDINANCE LEVY TAX; PROCEDURE.—

(a) The tourist development tax shall be levied and imposed pursuant to an ordinance containing the county tourist development plan prescribed under paragraph (c), enacted by the governing board of the county. The ordinance levying and imposing the tourist development tax shall not be effective unless the electors of the county or the electors in the subcounty special district in which the tax is to be levied approve the ordinance authorizing the levy and imposition of the tax, in accordance with subsection (6). The effective date of the levy and imposition of the tax shall be the first day of the second month following approval of the ordinance by referendum, as prescribed in subsection (6), or the first day of any subsequent month as may be specified in the ordinance. A certified copy of the ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of such ordinance. The governing authority of any county levying such tax shall notify the department, within 10 days after approval of the ordinance by referendum, of the time period during which the tax will be levied.

(b) At least 60 days prior to the enactment of the ordinance levying the tax, the governing board of the county shall adopt a resolution establishing and appointing the members of the county tourist development council, as prescribed in paragraph (e), and indicating the intention of the county to consider the enactment of an ordinance levying and imposing the tourist development tax.

(c) Prior to enactment of the ordinance levying and imposing the tax, the county tourist development council shall prepare and submit to the governing board of the county for its approval a plan for tourist development. The plan shall set forth the anticipated net tourist development tax revenue to be derived by the county for the 24 months following the levy of the tax; the tax district in which the tourist development tax is proposed; and a list, in the order of priority, of the proposed uses of the tax revenue by specific project or special use as the same are authorized under subsection (5). The plan shall include the approximate cost or expense allocation for each specific project or special use.

(d) The governing board of the county shall adopt the county plan for tourist development as part of the ordinance levying the tax. After enactment of the ordinance levying and imposing the tax, the plan of tourist development may not be substantially amended except by ordinance enacted by an affirmative vote of a majority plus one additional member of the governing board.

(e) The governing board of each county which levies and imposes a tourist development tax under this section shall appoint an advisory council to be known as the “(name of county) Tourist Development Council.” The council shall be established by ordinance and composed of nine members who shall be appointed by the governing board. The chair of the governing board of the county or any other member of the governing board as designated by the chair shall serve on the council. Two members of the council shall be elected municipal officials, at least one of whom shall be from the most populous municipality in the county or subcounty special taxing district in which the tax is levied. Six members of the council shall be persons who are involved in the tourist industry and who have demonstrated an

interest in tourist development, of which members, not less than three nor more than four shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county and subject to the tax. All members of the council shall be electors of the county. The governing board of the county shall have the option of designating the chair of the council or allowing the council to elect a chair. The chair shall be appointed or elected annually and may be reelected or reappointed. The members of the council shall serve for staggered terms of 4 years. The terms of office of the original members shall be prescribed in the resolution required under paragraph (b). The council shall meet at least once each quarter and, from time to time, shall make recommendations to the county governing board for the effective operation of the special projects or for uses of the tourist development tax revenue and perform such other duties as may be prescribed by county ordinance or resolution. The council shall continuously review expenditures of revenues from the tourist development trust fund and shall receive, at least quarterly, expenditure reports from the county governing board or its designee. Expenditures which the council believes to be unauthorized shall be reported to the county governing board and the Department of Revenue. The governing board and the department shall review the findings of the council and take appropriate administrative or judicial action to ensure compliance with this section. The changes in the composition of the membership of the tourist development council mandated by chapter 86-4, Laws of Florida, and this act shall not cause the interruption of the current term of any person who is a member of a council on October 1, 1996.

(5) AUTHORIZED USES OF REVENUE.—

(a) All tax revenues received pursuant to this section by a county imposing the tourist development tax shall be used by that county for the following purposes only:

1. To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more publicly owned and operated convention centers, sports stadiums, sports arenas, coliseums, or auditoriums, or museums that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public, within the boundaries of the county or subcounty special taxing district in which the tax is levied. Tax revenues received pursuant to this section may also be used for promotion of zoological parks that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. However, these purposes may be implemented through service contracts and leases with lessees with sufficient expertise or financial capability to operate such facilities;
2. To promote and advertise tourism in the State of Florida and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event shall have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;
3. To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus as county agencies or by contract with the chambers of commerce or similar associations in the county, which may include any indirect administrative costs for services performed by the county on behalf of the promotion agency; or
4. To finance beach park facilities or beach improvement, maintenance, renourishment, restoration, and erosion control, including shoreline protection, enhancement, cleanup, or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, or inland lake or river. However, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state's Beach Management Plan, pursuant to s. 161.091, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not



TO: ADVISORY BOARD MEMBERS

FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR

RE: PALM BEACH COUNTY CODE OF ETHICS

Effective May 1, 2010, contractual relationships between Palm Beach County government and advisory board members, their employers, or businesses, are prohibited conflicts of interest as set forth in the Palm Beach County Code of Ethics, Ordinance 2009-051. This conflict of interest must be waived by an affirmative vote of five (5) members of the Board of County Commissioners upon full disclosure at a public meeting in order to accept appointment to an advisory board. In the space provided below, please identify any such contractual relationships, or verify that none exist at this time. The Ordinance (2009-051) and the training requirement can be found on the web at: <http://www.pbcgov.com/ethics/advisory.htm>

<u>Type of Contract</u>	<u>Which Department/Division</u>	<u>Effective Date</u>	<u>Term</u>
NONE AT THIS TIME			

Yes, submit a waiver to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

OR

At this time, neither I nor my employer have contract(s) with the Board of County Commissioners

As a (current or potential) advisory board member you are required to receive training on the PBC Code of Ethics and acknowledge that you have read and understand the PBC Code of Ethics Ordinance.

If you are unable to access the training and/or Ordinance on the web, please contact Carol Meneely at 233-3131 for other arrangements.

Acknowledgement of Receipt

NAME: William Moss
Print or Type

FIRM/COMPANY/ORGANIZATION: CITY OF WEST PALM BEACH

ADVISORY BOARD(S): TOURIST DEVELOPMENT COUNCIL

I acknowledge that I have taken the required training; and read and understand the Palm Beach County Code of Ethics Ordinance, the provisions of which are effective May 1, 2010. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: [Signature] Date: 2/20/11

Please sign and return this FORM to Carol Meneely, TDC, 1555 Palm Beach Lakes Boulevard, Ste. 900, West Palm Beach, FL 33401. A self-addressed envelope has been provided for your convenience.

TO: ADVISORY BOARD MEMBERS
FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR
RE: STATE GUIDE TO THE SUNSHINE AMENDMENT &
CODE OF ETHICS

As an appointee to a Palm Beach County Advisory Board, you must familiarize yourself with the State Guide to the Sunshine Amendment and Code of Ethics. The purpose of this guide is to ensure adherence to the highest standards of ethics, protect the integrity of County government and foster public confidence.

This guide addresses conflict of interest, disclosure, acceptance and reporting of gifts, use of position or property, voting conflicts, political activities, prohibition against misuse of the code, and enforcement. This Guide also addresses conflicts, prohibitions on doing business with the County or having conflicting employment or contractual relationships. The Guide can be found on the web at: <http://www.pbcgov.com/ethics/advisory.htm>

Please read and make yourself familiar with the Guide and return the acknowledgment form below to: (Insert Liaison Name) (Insert Liaison Address). If you cannot access this document on the web, please contact (Insert Liaison Name) at (Insert Liaison Telephone #) for other arrangements.

Acknowledgement of Receipt

NAME: William Moss
Print or Type

ADVISORY BOARD(S): TOURIST DEVELOPMENT COMMISSION

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: William Moss Date: 2/26/11

Please sign and return to (Insert Liaison Information) in self-addressed envelope provided.