

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

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Meeting Date:	June 5, 2012	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Regular
		<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing

Department:

Submitted By:	<u>Environmental Resources Management</u>
Submitted For:	<u>Environmental Resources Management</u>

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I. EXECUTIVE BRIEF

Motion and Title: Staff Requests Board Direction to Either:

- A) Continue to implement the Wellfield Protection Program for only those utilities electing to participate in the cost share program, or;
- B) To restore the original Countywide program with a net ad valorem impact of \$355,379 and eliminate the cost share program. Should the board decide to restore the original Countywide Program, it is requested that the direction include approval to reinstate one Environmentalist position previously eliminated from the program.

Summary: During the March 27, 2012 BCC Workshop, the Board directed staff to return in 60 days to allow time for discussions to take place with municipal officials and utility directors before the Board provides direction regarding the Wellfield Protection Program. Staff is currently talking with utility directors to determine their intended course of action if the current cost share program remains in place. That information will be updated in the Board presentation. Countywide (LB)

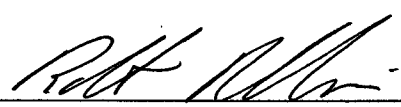
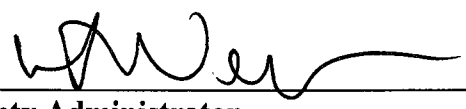
Background and Justification: ERM has implemented the Countywide Wellfield Protection Program, Unified Land Development Code (ULDC) Article 14 Chapter B, since 1988. Prior to FY2010/11, funding for the \$612,000 county-wide program was mostly ad valorem with revenue from permit fees providing approximately \$100,000. For Fiscal Year 2010/11, the Board approved a budget reduction strategy of implementing an 80% cost share program to replace \$415,000 of ad valorem funding with revenues anticipated from fourteen utilities. For Fiscal Year 2011/12, the Board approved the elimination of one Environmentalist position and anticipated cost share revenues were reduced from \$415,000 to \$297,379, of which Palm Beach County Water Utilities is contributing \$178,000. To date the City of Delray Beach, City of Lake Worth, and Town of Lantana have elected to participate in the cost share program potentially providing \$56,795. Utility Directors of Seacoast, Town of Jupiter, and City of Boca Raton have indicated that they are considering implementing a comparable program. Other utilities' responses will be updated in the presentation.

(Continued on page 3)

Attachments:

1. March 27, 2012 Workshop Agenda Item

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Recommended by:		<u>5/7/12</u>
	Department Director	Date
Approved by:		<u>5/7/12</u>
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u> *</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?	Yes _____		No _____		
Budget Account No.:	Fund _____	Department _____	Unit _____	Object _____	
	Program _____				

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

* Fiscal impact is indeterminable at this time and will depend on Board Direction. Should the board decide to restore the program to its original level, the net fiscal impact will be \$355,379.

C. Department Fiscal Review:

III. REVIEW COMMENTS

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

 OFMB 5/8 5/8/12 Contract Development and Control 5/9/12

B. Legal Sufficiency:

 Assistant County Attorney

C. Other Department Review:

 Department Director

(Continued from Page 1.)

Background and Justification:

If board direction is to continue to implement the Wellfield Protection Program at a reduced level of service, there is no fiscal impact since sufficient vacancies have been maintained to offset revenues that will not be collected from non-participating utilities. If board direction is to eliminate the cost share program and to restore the original County-wide program, it is requested that the Board approve the reinstatement of one Environmentalist position eliminated from the program in the Fiscal Year 2011/12 budget process. The fiscal impact of restoring ad valorem funding is \$355,379 which is associated with a reduction in budgeted cost share revenues (\$297,379) and the re-instatement of the Environmentalist position (\$58,000).

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Agenda Item: 10:00 AM

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERSM/B 7-0
Discussed w/pWORKSHOP SUMMARY

Meeting Date: March 27, 2012

Department: Environmental Resources Management

I. EXECUTIVE BRIEF

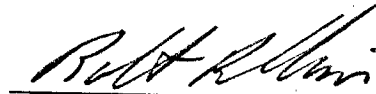
Title: Overview of the Wellfield Protection Program and request for direction regarding future Wellfield Protection Program goals, activities and funding.

Summary: Board direction is requested regarding the future scope of the program. During the January 26th BCC Zoning Hearing, the Board requested this workshop item. Two courses of action will be presented. The first option is to continue to implement the cost share program at a reduced level of service with no ad valorem dependence. The second option is to restore the original Countywide program with a net ad valorem cost of \$512,732. Countywide (LB)

Background and Policy Issues: ERM has implemented the Countywide Wellfield Protection Program, Unified Land Development Code (ULDC) Article 14 Chapter B, since 1988. Funding has been largely ad valorem with revenue from permit fees providing approximately \$100,000 of the \$612,000 cost of the program. For Fiscal Year 2010/11, the Board approved a budget reduction strategy eliminating funding for this program. Instead, staff began to implement a cost share program to recover lost ad valorem. So far, Palm Beach County Water Utilities, City of Delray Beach, City of Lake Worth, and Town of Lantana have elected to participate in the cost share program. Utility Directors of Seacoast, Town of Jupiter, and City of Boca Raton have indicated that they are considering implementing a comparable program. Other utilities have not yet expressed their intentions.

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Recommended by:

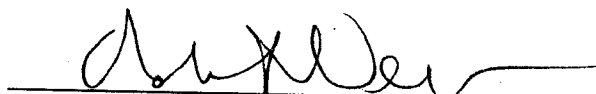


Department Director

3/27/12

Date

Approved by:



County Administrator

3/27/12

Date

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>X</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?	Yes _____		No _____		
Budget Account No.:	Fund _____	Department _____	Unit _____	Object _____	
	Program _____				

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

C. Department Fiscal Review:

AP

III. REVIEW COMMENTS

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

** Fiscal impact is indeterminable at this time and will depend on board action*
OFMB *JB 3/8/2012* *Dr. J. Swerdt 3/9/12*
3K *3/9/12* Contract Development and Control

B. Legal Sufficiency:

[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

(Continued from page 1)

Background and Policy Issues: The County formed a Water Resources Management Advisory Board in April 1985 with the intention of developing a Wellfield Protection Ordinance. The ordinance was adopted in March 1988. Since that time, Palm Beach County has operated a Wellfield Protection Program that covers the entire county. The Program protects existing and proposed wells and wellfields through the regulation of handling, storage, and production of hazardous and toxic materials within the zones of influence of the 44 wellfields in the county, thereby reducing the chance of contaminants reaching the water supply. Each regulated business pays permit fees of \$60 to \$200 per year. Some businesses also provide surety bonds to guard against the cost of cleanup of any contamination.

Once groundwater is picked up by a well and pumped to a water treatment plant, it comes under the jurisdiction of the Palm Beach County Health Department. Water treatment plants are required to monitor treated water entering the drinking water supply.

To implement the cost share program, staff convened a working group in which all public and private water utility providers with more than five wells were invited, encompassing nearly all of the County's water supply. Working group meetings were held on January 14, 2011, April 21, 2011, and July 6, 2011. The working group attempted to arrive at a cost share structure acceptable to all or nearly all utilities. While no utility preferred to pay for the program, many of the utilities represented indicated that they could recommend the proposed cost share structure. However, many of the utilities' boards of directors have not approved participation in the program.

In addition to Palm Beach County's Water Utility Department, three other municipalities have elected to participate in the cost share program. Agreements with City of Delray Beach and City of Lake Worth were executed by the Board of County Commissioners (BCC) on December 1, 2011. An agreement was approved by the Lantana Town Council on December 12, 2011. That agreement can be brought before the BCC in the near future, pending the direction given at this workshop. The participating utilities comprise approximately half of the ground water supplies in the County.