

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

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Meeting Date: July 10, 2012  
Department: TOURIST DEVELOPMENT COUNCIL  
Advisory Board: TOURIST DEVELOPMENT COUNCIL

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I. EXECUTIVE BRIEF

**Motion & Title:** Staff recommends motion to : Appoint a member "At-Large" to the Tourist Development Council Board to complete the remainder of the term left vacant by the unexpected passing of Commissioner Moss.

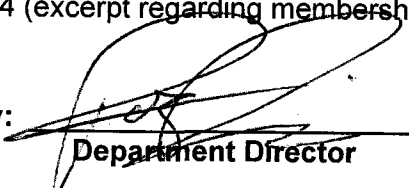
<b>A.) <u>Appointment</u></b>	<b><u>Seat #</u></b>	<b><u>Term</u></b>	<b><u>Nominated by</u></b>
Mayor Muoio	At-Large	7/10/2012-4/4/15	City of WPB

**Summary:** The Tourist Development County 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," Palm Beach County Code 117-111. This Code sets up the nine (9) member Tourist Development Council Board. One member shall be the Chair of the BCC or designee who shall serve as the Chair of the County. 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. Mayor "Jeri" Muoio is the current mayor of the City of West Palm Beach, the most populous municipality in Palm Beach County. Commissioner Moss was a City Commissioner that represented the City of West Palm Beach and was reappointed to the TDC Board on April 5, 2011 for a term that will expire on April 4, 2015. Due to the unexpected passing of Commissioner Moss the City requests his term be completed by Mayor Muoio. (TDC) Countywide (DW)

**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 8 members seats currently filled and a diversity count of White: 7 (88.88%) and Black 1 (11.12%). The gender ratio (male/female is 7:1)

**Attachments:**

1. Board Application Form
2. Mayor Muoio Bio
3. FS 125.0104 (excerpt regarding membership composition)

Recommended by:  \_\_\_\_\_ Date: 6/25/12  
Department Director

Legal Sufficiency:  \_\_\_\_\_ Date: 6/25/12  
Assistant County Attorney

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

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.**

**Section I (Department):** (Please Print)

Board Name: Palm Beach County Tourist Development Council Advisory  Not Advisory

At Large Appointment or  District Appointment /District #:  
Term of Appointment: 4 Years. From: 4/5/2011 To: 4/4/2015

Seat Requirement: Elected Official, Largest Municipality Seat #: 9

\*Reappointment or  New Appointment

or  to complete the term of Commissioner William Moss Due to:  resignation  other  
Completion of term to expire on: April 4, 2015

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: \_\_\_\_\_

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Muoio Geraldine "Jeri" T.  
Last First Middle

Occupation/Affiliation: Mayor of West Palm Beach, FL  
Owner  Employee  Officer

Business Name: City of West Palm Beach

Business Address: 401 Clematis Street

City & State: West Palm Beach, FL Zip Code: 33401

Residence Address: 7125 Eagle Terrace

City & State: West Palm Beach, FL Zip Code: 33412-3101

Home Phone: (561) Business Phone: (561) 822-1400 Ext. \_\_\_\_\_

Cell Phone: (561) Fax: (561) 822-1424

Email Address: jmuoio@wpb.org

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No   
If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Male  Female  
 Native-American  Hispanic-American  Asian-American  African-American  Caucasian

**Section II Continued:**

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR  NONE

All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

By watching the training program on the Web, DVD or VHS  
 By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature: Geraldine Mucro Printed Name: Geraldine Mucro Date: 6/7/12

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

**Return this FORM to:**  
 Carol Meneely c/o Tourist Development Council  
 1555 Palm Beach Lakes Blvd. #900, West Palm Beach, FL 33401  
[cmeneely@palmbeachfl.com](mailto:cmeneely@palmbeachfl.com)

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: 7/10/2012

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Jeri Muoio Mayor**

Jeri Muoio is the Mayor of West Palm Beach. Jeri Muoio was appointed to the West Palm Beach City Commission in 2006 and was reelected in 2007 and 2009. Jeri holds a doctorate in Education Leadership from Syracuse University and worked for many years as a school district leader.

As a Commissioner, Jeri Muoio served as Commission liaison to several City Committees including the Cultural Committee, The City Green Task Force, The Water Catchment Advisory Committee, the Education Advisory Committee and she is a member of the Metropolitan Planning Organization.

In addition Jeri serves on the Board of the PACE Center for Girls, Voices for Children, The KIND Foundation, The Forum Club, St Mary's Medical Center and Leadership Palm Beach County. Jeri has been actively involved with Leadership Palm Beach County Ethics initiative and is a proud signatory of the Ethics Pledge.

Jeri Muoio has worked to make the City of West Palm Beach a great place to live, work and raise a family. She has led the fight against the building of Roebuck Road and State Road 7 and advocated for the creation of a police district to serve the Western portions of West Palm Beach. She has been instrumental in the building of fire stations to serve the communities which were underserved and was responsible for securing family health benefits for domestic partners of employees of the City of West Palm Beach. A strong proponent of the revitalization of Downtown West Palm Beach, Jeri supported the institution of a curfew in the entertainment district and increased police presence in the area.

Jeri resides in West Palm Beach with her husband Charles and is the mother of Jessica and grandmother of Jordan, Jada and Julian.

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