



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income					
In-Kind Match (County)					
<b>NET FISCAL IMPACT</b>					

# ADDITIONAL FTE POSITIONS (Cumulative)					
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Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No.:

Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_ Program Code/Period \_\_\_\_\_

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

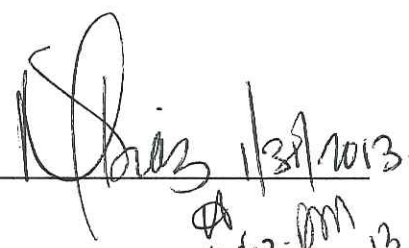
No fiscal impact at this time.


**C. Departmental Fiscal Review:**

  
 \_\_\_\_\_  
 Shairette Major, Fiscal Manager I

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development and Control Comments:**

OFMB  1/31/13  
 1/31/13 - PM  
 1-31-13  
 SC

 2/1/13  
 Contract Development and Control  
 2-1-13 (B. Wheeler)

**B. Legal Sufficiency:**

  
 \_\_\_\_\_  
 Chief Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director



LOCATION MAP



339 Jennings Avenue, Lake Worth

North





U.S. Department of Housing and Urban Development

Region IV, Miami Field Office  
Brickell Plaza Federal Building  
909 SE First Avenue, Rm. 500  
Miami, FL 33131-3042

TO: CAROL/DORINA

August 24, 2012

Mr. Edward W. Lowery, J.D., Director  
Palm Beach County Department of Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, FL 33406

Edward W. Lowery, Director  
Received 8/29/2012 JM

Subject: Request for Conflict of Interest Waiver — James Montada

Dear Mr. Lowery,

We have reviewed Palm Beach County's request regarding a conflict of interest affecting funds received by the County under the U. S. Department of Housing and Urban Development ("HUD"), HOME Investment Partnerships Program (HOME).

The conflict of interest determination being sought is for Mr. Montada, Messenger for the Palm Beach County 15<sup>th</sup> Judicial Circuit Court. Mr. Montada has applied for funding under the County's HOME program.

We have reviewed the information submitted in connection with the request for Mr. Montada. We have determined that Mr. Montada may be permitted to participate in the HOME program, provided he: **(1) meets the eligibility criteria for receipt of benefits, (2) is not granted any preferences as a County employee, (3) his application is not considered ahead of members of the general public and (4) he does not receive more benefits or different benefits than other applicants, not employed by the County, who qualify under the program.**

Be advised that this decision is conditioned upon the County's adherence to the above.

If you have questions on this matter please contact Dean Taylor, Community Planning and Development Representative, at (305) 520-5012 or e-mail [dean.m.taylor@hud.gov](mailto:dean.m.taylor@hud.gov).

Sincerely,

Maria R. Ortiz  
Director  
Office of Community Planning and Development

cc: Gail Ash Dotson, Associate Regional Counsel  
Ann D. Chavis, Program Manager

HUD's mission is to create strong, sustainable, inclusive communities and quality, affordable homes for all.  
[www.hud.gov](http://www.hud.gov) [espanoLhud.gov](http://espanoLhud.gov)

MESSENGERNATURE OF WORK

This is manual and clerical work in receiving, sorting and delivering mail, interoffice communications, and miscellaneous items.

An employee in a position allocated to this class performs routine tasks in receiving, sorting, delivering and picking up mail, interoffice communications, supplies and similar miscellaneous items. Duties include operation of vehicles for transporting personnel and messenger items, maintenance of simple clerical records and operation of postage equipment. Work is usually performed under general supervision, however, employee may make routine decisions on work methods.

EXAMPLES OF WORK

Receives, sorts, picks up and delivers U.S. Mail, interoffice communications and small packages including medical specimens, pharmaceuticals, etc., for offices, shops and buildings throughout the County; may deliver and distribute larger packages, supplies and materials.

Operates postage meter and postal scales.

Operates delivery vehicles between scheduled and unscheduled points.

May operate copy machine, duplicator and similar related office equipment.

May chauffeur individuals on long or short trips.

Performs related work as required.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

Knowledge of County organization and inter-operational relationships as they pertain to messenger service.

Knowledge of current motor vehicle operation laws and regulations.

Knowledge of postal regulations.

Ability to adhere to time schedules, and follow oral and written instructions.

Ability to read and write English, and communicate verbally.

Ability to operate vans and light trucks in conduct of messenger duties.

Skill in sorting and filing operations.

MINIMUM ENTRANCE REQUIREMENTS

Graduation from high school or an equivalent recognized certification; possession of a valid Florida Driver's license; or any equivalent combination of related training and experience.



NO.6254057R



**PUBLIC NOTICE**

**Palm Beach County's Department of Housing and Community Development (HCD)  
Disclosure of Employee Participation**

Pursuant to federal regulations governing Palm Beach County's Department of Housing and Community (HCD): HOME - 24 CFR 92.356, and CDBG/NSP - 24 CFR 570.611(c), County employees who participate in an eligible housing strategy administered by the department must be publicly disclosed.

The public is hereby notified of the following:

- Employee herein contained had submitted a request for funding through the normal submission process and had been determined eligible for funding consideration. Eligibility was based upon household income, household size, and in some instances, creditworthiness. Applicants were eligible to receive the same benefits available to eligible non-County persons.
- Palm Beach County employee James Montada has applied for assistance through one or more eligible County Housing Assistance programs.
- Palm Beach County employees Babatunde Atoki, Dexter Samuel, Natasha Jean-Louis, Es-kinder S. Degeffe, Carissa Nadeau, James Willis (retiree), James Green, Latonya Buchanan, Mary Williams, and Evelyn Henry's daughter (Tiana Balchan), had applied and received assistance through one or more eligible County Housing Assistance programs.
- Palm Beach County Clerk of the Courts (a separate governing body, apart from Palm Beach County Board of County Commissioners) employee Tracey Powell applied and received assistance through one or more eligible County Housing Assistance programs.

The Senior Assistant County Attorney and the Palm Beach County Commission of Ethics offered an official opinion that the aforementioned applicants' participation in one or more housing strategies was not a conflict of interest and did not violate State or Local Law.

For more information, please contact Carol Eaddy Langford, Mortgage & Housing Assistance Manager at (561)233-3660.

**IN ACCORDANCE WITH THE PROVISIONS OF THE ADA, THIS AD AND DOCUMENTS LISTED CAN BE REQUESTED IN AN ALTERNATE FORMAT. AUXILIARY AIDS OR SERVICES WILL BE PROVIDED UPON REQUEST WITH AT LEAST THREE DAYS NOTICE. CONTACT HCD AT (561) 233-3660.**

**Published: Palm Beach Post, September 19 and 22**





Department of Economic Sustainability

Business Housing & Investments

100 Australian Avenue - Suite #500

West Palm Beach, FL 33406

(561) 233-3660

FAX: (561) 233-3647

[www.pbcgov.com/pubinfo/hcd](http://www.pbcgov.com/pubinfo/hcd)

□

Palm Beach County Board of County Commissioners

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Priscilla Taylor, Vice Chair

Hal R. Valeche

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Shelley Vana

Mary Lou Berger

Jess R. Santamaria

County Administrator

Robert Welsman

Equal Housing Opportunity

"An Equal Opportunity Affirmative Action Employer"

December 5, 2012

Maria R. Ortiz, Director  
Community Planning and Development Division  
U.S. Department of Housing and Urban Development  
Region IV, Miami Field Office  
Brickell Plaza Federal Building  
909 SE First Avenue, Room 500  
Miami, Florida 33131-3042

RE: **Formal Request for Determination of Conflict of Interest**

Dear Ms. Ortiz:

Please accept this letter as a request for HUD to review and approve an exception to the conflict of interest requirements for an employee of Palm Beach County Board of County Commissioners to receive federal funding.

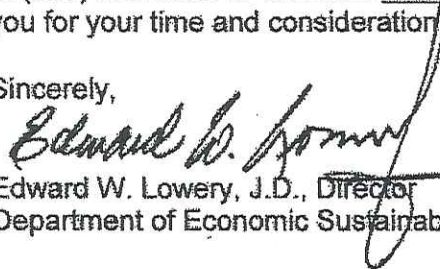
Below, and attached, please find the information required to determine if a conflict of interest exists.

Name: **James Montada**  
Position: **Messenger, Palm Beach County 15<sup>th</sup> Judicial Circuit Court of Florida**  
Job Description: **Please see attached**  
Supervisor: **Janet Leach-Ruth, Admin. Services Manager**  
Telephone No.: **(561)355-1541**  
Location: **205 N. Dixie Highway, West Palm Beach**  
Possible conflict: **Employed by Palm Beach County**

In addition, attached for your consideration is Palm Beach County Attorney's Office opinion that no local conflict exists.

Should you require additional information please feel free to contact Carol Eaddy Langford, Mortgage and Housing Assistance Manager, at (561) 233-3660 or via email [CEaddyLangford@pbcgov.org](mailto:CEaddyLangford@pbcgov.org). Thank you for your time and consideration.

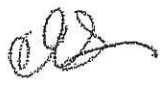
Sincerely,

  
Edward W. Lowery, J.D., Director  
Department of Economic Sustainability

/EWL

Attachment

CC: Carol Eaddy Langford, Manager  
Dean Taylor, CPD Representative





Denise M. Nieman  
County Attorney

P.O. Box 1989  
West Palm Beach, FL 33402-1989  
(561) 355-2225  
Suncom: (561) 273-2225  
FAX: (561) 355-4398  
www.pbcgov.com

**Palm Beach County  
Board of County  
Commissioners**

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Shelley Vana

Mary Lou Berger

Jess R. Santamaria

**County Administrator**

Robert Weisman

**Conflict of Interest Determination  
Opinion of the Palm Beach County Attorney's Office**

**APPLICANT'S NAME:** James Montada  
**POSITION:** Messenger for 15<sup>th</sup> Judicial Circuit Court of FL  
**FEDERAL FUNDING SOURCE:** Neighborhood Stabilization Program (NSP III)

**Florida Statutes**

The above reference applicant is employed by Palm Beach County Board of County Commissioners (BCC), Florida. Providing federal grant funds to this applicant does not create a conflict of interest or violate the provisions of Section 112.313, Fla. Stat., Standards of conduct for public officers, employees of agencies, and local government attorneys.

In addition, the Department of Economic Sustainability (DES) staff has acted in compliance with Ch. 112, Fla. Stat., and there is no misuse of public position or disclosure of certain information 112.313(6) and (8).

**Palm Beach County Ordinance**

Further, providing federal grant funds to this Palm Beach County employee is an exemption and therefore permissible under Palm Beach County's Ethics Ordinance as codified in Section 2-441-2-448 of Palm Beach County Code, adopted July 20, 2010. The Ordinance provides that a County employee or covered person is not prohibited from obtaining a Palm Beach County funded HUD loan where they are approved for the loan on the same terms as any other Palm Beach resident.


**Legal Opinion**

Based on the foregoing, it is my legal opinion that housing assistance to this applicant is not in violation of state or local law. I am therefore seeking a waiver from you authorizing (James Montada) to receive and accept federal grant funds pursuant to the requirements and restrictions of Neighborhood Stabilization Program (NSP III).

Submitted this 28th day of January, 2013.

  
Tammy K. Fields, Chief Assistant County Attorney

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Affirmative Action Employer"

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