

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY**

Meeting Date: May 21, 2013
Department: TOURIST DEVELOPMENT COUNCIL
Advisory Board: TOURIST DEVELOPMENT COUNCIL

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 Mayor Jeri Muoio.

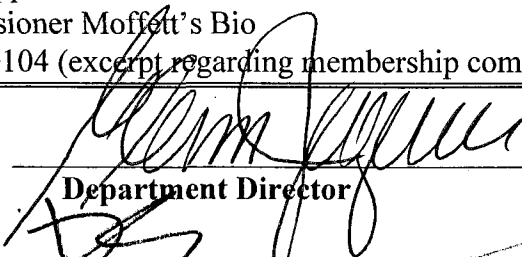
<u>A.) Appointment</u>	<u>Seat #</u>	<u>Term</u>	<u>Nominated by</u>
Commissioner Sylvia Moffett	At-Large	5/21/13-4/4/15	City of WPB

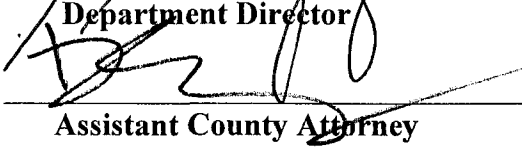
Summary: The Tourist Development Council Board was established by Resolution NO. R-81-275, adopted March 3, 1981; Chapter 125.0104 F.S. "The Levy of a Tourist Development Tax pursuant to the "LOCAL OPTION TOURIST DEVELOPMENT ACT," Palm Beach County Code 117-111. This Code sets up the nine (9) member Tourist Development Council Board. One member shall be the Chair of the BCC or designee who shall serve as the Chair of the 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. Sylvia Moffett is a current commissioner of the City of West Palm Beach, the most populous municipality in Palm Beach County. Commissioner Sylvia Moffett represents District 1 in West Palm Beach and has been selected to serve on the Tourist Development Council and represent the City of West Palm Beach to complete Mayor Muoio's term expiring on April 4, 2015. (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 county of White: 7 (88.88%) and Black 1 (11.11%). The gender ratio (male/female) is 6 male and 2 female.

Attachments:

1. Board Application Form
2. Commissioner Moffett's Bio
3. FS 125.0104 (excerpt regarding membership composition)

Recommended by:  5/8/13
 Department Director Date

Legal Sufficiency:  5/9/13
 Assistant County Attorney Date

**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: _____ Years. From: _____ To: _____

Seat Requirement: Elected Official, Largest Municipality Seat #: 9
 *Reappointment or New Appointment

or to complete the term of Mayor Jeri T. Muoio Due to: resignation other
 Completion of term to expire on: 04/04/2015

*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: Moffett Sylvia NA
 Last First Middle

Occupation/Affiliation: City Commissioner
 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: 513-35th Street

City & State: West Palm Beach, FL Zip Code: 33407

Home Phone: (561) 848-9674 Business Phone: (561) 822-1390 Ext. 1393

Cell Phone: (561) 319-6279 Fax: (561) 822-1399

Email Address: smoffett@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>
<u>Ex: (R#XX-XXXX/PO XXX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/11-09/30/12</u>
_____	_____	_____	_____
_____	_____	_____	_____

(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, DYD or VHS
- By attending a live presentation given on 7/28, 2011

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: Sylvia Mallett Printed Name: Sylvia Mallett Date: 4/29/13

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 or contact us via email at ethics@palmbeachcountyethics.com or (561) 233-0724.

Return this FORM to:
Carol A. Meneely, Palm Beach County Tourist Development Council
1555 Palm Beach Lakes, Suite 900, West Palm Beach, FL 33401

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: 5/21/2013

Commissioner's Signature: _____ Date: _____

Sylvia Moffett
513 35th Street, West Palm Beach, FL 33407
Home: 561-848-9674, Cell: 561-319-6279
Email: sylviamo@earthlink.net

Experience and Skills

West Palm Beach, Florida: 1999 - present.

- *Elected to City Commission, March 2012. Currently serve on the MPO, Member of the League of Cities, West Palm Beach Parks and Rec Advisory Board, and the Coleman Task Force. Formerly appointed Commissioner, April 2011.
- *Appointed member of the City of West Palm Beach's Charter Review Committee: Served from December 2010 - April 2011.
- *Norton Gallery of Art Docent: May 2010 to present.
- *Old Northwood Steering Committee: Chair: March 2006 - April 2008. Vice Chair, March 2005 - March 2006. Writer and editor of Old Northwood News March 2005 to April 2011.
- *Member of the West Palm Beach Library Advisory Board: June 2007 - fall 2008.
- *Vice Chair of Friends of the West Palm Beach Public Library fall of 2008 - April 2011.
- *Reader for West Palm Beach Library's Let's Read Program: September 2004 - April 2011.
- *Elected Democratic Committeewoman for Precinct 7050: Fall of 2008 to April 2011.

Tallahassee, Florida: 1992-1998.

- *Secretary of International Baccalaureate Coordinating Council: co-chaired Community Support and International Baccalaureate Plus Days. Secretary of Raa Middle School Parents' Auxilliary. Created and chaired the Beautification Committee at two Tallahassee schools. Editor/Contributing photographer of Gilchrist Elementary School's Yearbook. Coordinator, Gilchrist Elementary School's Odyssey of the Mind. Editor of Tallahassee Newcomers' monthly newsletter and the James S. Rickards International Baccalaureate Newsletter where Quark Express was used to generate, edit and publish newsletters each month.

Libertyville, Illinois: 1986-1992. Registrar, Greater Libertyville Soccer Association, Libertyville, Illinois. Registered players, recruited coaches and commissioners. While a member of the Board of Directors, contributed in the bid, selection, contract award process and fund-raising efforts associated with building a two million dollar state-of-the-arts soccer complex. Odyssey of the Mind: Regional Judge 1991 and 1992. Coordinated and revamped Rockland Elementary School's Art Smart Program (formerly Picture Lady Program). Trained parents to present art to grades K-5.

Relevant Work History

- *Arlington County Public Schools, Arlington, Virginia. 1978-1980: Coordinator of the Gifted and Talented Program for Visual and Performing Arts. Managed a budget of \$50,000 which was used to connect gifted students with master classes, workshops and mentors. Also developed a lecture series.
- *Assistant Supervisor of Visual Arts, Arlington Virginia. 1977-1978: Directed the Volunteer Program. Planned arts classes throughout Arlington County, which were taught by my recruited and trained volunteers. Also administered a program promoting local artists.
- *Protestant School Board of Greater Montreal: Montreal, Quebec, Canada. 1973-1975: Established West Hill High School's first full-time crafts program.

Education

Wesleyan University, Middletown, Connecticut: M.A.L.S., 1976. Merit scholar.
Maryland Institute, College of Art, Baltimore, Maryland, 1972. Graduated with honors. Merit scholar.
Majored in Art Education with a minor in Printmaking.

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