

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: October 22, 2013       Consent       Regular  
    Workshop       Public Hearing  
Department:  
Submitted By: Administration

I. EXECUTIVE BRIEF

**Motion & Title:** Staff recommends motion to: (a) waive the Board of County Commissioner policy that limits advisory board members to eleven members under Resolution No. R2013-0913; and (b) adopt a Resolution repealing and replacing Amended Resolution R2008-1810 with the attached Resolution.

**Summary:** The Resolution that establishes the framework for the Water Resource Task Force (Resolution No. R2008-1810) is being repealed and replaced with a new Resolution that complies with the uniform policies and procedures for advisory boards adopted by the Board in Resolution No. R2013-0913. The changes include the establishment of term limits for the advisory members and alternates of the Task Force, and the creation of uniform term durations. Resolution No. 2013-0913 sets the maximum number of members of an advisory board at eleven (11) members. There are 14 members of the Task Force. The number was originally established to incorporate representatives from various cross-sections of the community (such as League of Cities, Utilities, Local Drainage Districts, farming interests, builders, and the environmental communities) to address water issues within the County. In order to accomplish that goal staff recommends that the Board waive the maximum so that the Task Force membership may remain at 14 members. Countywide (MJ)

**Background and Justification:** The Water Resource Task Force was established to identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment and reuse or reclaimed water supply opportunities that most efficient and cost effective.

**Attachments:** 1) Amended Resolution R2008-1810  
2) Proposed Water Resources Task Force Resolution

Recommended by: Benneth S. Jodd, Jr.      10/3/13  
   Department Director      Date

Legal Sufficiency: [Signature]      10/11/13  
   County Administrator      Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	X -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE	-0-	-0-	-0-	-0-	-0-
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget?      Yes \_\_\_\_\_      No \_\_\_\_\_

Budget Acct No.: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_  
 Reporting Category \_\_\_\_\_

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

X No Fiscal Impact.

C. Departmental Fiscal Review: \_\_\_\_\_

**III. REVIEW COMMENTS**

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

Susan Nelson 10/4/13  
 OFMB *HN*  
 10/4/13

Dr. J. Jacobson 10/7/13  
 Contract Dev. and Control  
 10-7-13 *Bedwell*

**B. Legal Sufficiency:**

[Signature] 10/3/13  
 Assistant County Attorney

**C. Other Department Review:**

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

This summary is not to be used as a basis for payment.

## RESOLUTION NO. R-2008- 1810

A RESOLUTION OF THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS; RECOGNIZING THE NEED FOR A COLLABORATIVE, MULTI-JURISDICTIONAL APPROACH TO ADDRESS COUNTY-WIDE WATER RESOURCES; ESTABLISHING A TASK FORCE COMPOSED OF ELECTED COUNTY AND CITY COMMISSIONERS AND OFFICIALS REPRESENTING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND WATER CONTROL DISTRICT GOVERNING BOARD; AUTHORIZING THE DESIGNATION OF A TECHNICAL/PROFESSIONAL STAFF WORKGROUP TO ADVISE THE TASK FORCE; PROVIDING FOR MEETINGS OF THE TASK FORCE AND TECHNICAL/PROFESSIONAL STAFF WORKGROUP; PROVIDING FOR STAFF SUPPORT; PROVIDING FOR REPORTING AND MAINTENANCE OF RECORDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Palm Beach County has long depended upon the Biscayne Aquifer for the County's primary source of water; and

WHEREAS, In response to efforts to restore the Everglades, in 2007 the South Florida Management District adopted Regional Water Availability Rule which restricts future withdrawals from the Biscayne Aquifer; and

WHEREAS, Palm Beach County's local government leaders recognize it is critical to address the availability of water resources within the County to protect the public health, ensure the sustainability of sensitive environmental resources and natural systems, and provide viable economic opportunities for our communities and residents; and

WHEREAS, pursuant to Senate Bill CS/CS/SB 1302 (Wastewater Discharge/Ocean Outfalls legislation) passed by the 2008 Legislature, two regional wastewater treatment providers in Palm Beach County will be required to reuse significant amounts of treated domestic wastewater currently being disposed of via ocean outfalls; and

WHEREAS, the County is facing significant and costly projected water supply needs, which cannot be met without increased demands on the Biscayne Aquifer unless appropriate measures are taken in accordance with the Regional Water Availability Rule and which will require development of alternative water supply projects such as the use of reclaimed water and/or stormwater reuse projects; and

WHEREAS, local leaders are committed to ensuring that the long-term water resource needs of all Palm Beach County water users are effectively planned for and met, including those of water providers, wholesale and retail purchasers, and their customers; and

WHEREAS, these needs may be met more efficiently and cost effectively through collaborative partnerships, evaluation of existing and planned infrastructure and by considering regional or sub-regional approaches; and

WHEREAS, there is currently no effective county-wide forum to consider these opportunities; and

WHEREAS, in 2005 the Florida Legislature enacted Chapter 2005-291, Laws of Florida, SB 444, legislation that encourages cooperation among local entities to plan for multi-jurisdictional water supply entities to maximize state funding for alternative water supply projects;

NOW, THEREFORE, BE IT RESOLVED BY THE Palm Beach County Board of County Commissioners:

Section 1. The adoption of this and companion resolutions by the Palm Beach County League of Cities and South Florida Water Management District Governing Board shall have the effect of creating the Palm Beach County Water Resources Task Force ("Task Force").

Section 2. The Task Force shall be composed of elected and appointed officials designated by the government entities identified in Section 3 of this resolution. A Technical/Professional staff ("TP Workgroup")workgroup may be designated by the entities in Section 4 to advise the Task Force on matters such as, but not limited to, water resource availability, management, facilities and infrastructure, supply and constraints, and other technical, environmental, and professional subject matters as requested by the Task Force.

Section 3. The Task Force shall be composed of representatives of the following entities:

- (a) Six (6) City elected officials appointed by the Palm Beach County League of Cities, which represent a cross section of small, medium, and large cities, one of whom shall be an elected official of a city that purchases water from another municipality or water utility. For each of the six members appointed, the Palm Beach County League of Cities shall also appoint an alternate member to serve in the appointed member's absence. Alternate members must be municipal elected officials and must be from a different similarly-sized municipality.
- (b) One (1) County Commissioner and an alternate appointed by the Palm Beach County Board of County Commissioners.

- (c) One (1) Special Independent District Water and/or Wastewater Provider official and an alternate appointed by the Board of County Commissioners.
- (d) One (1) Lake Worth Drainage District Representative and an alternate appointed by the Board of County Commissioners.
- (e) One (1) Drainage/Water Control District elected official and an alternate appointed by the Board of County Commissioners.
- (f) One (1) South Florida Water Management District Governing Board Member and an alternate appointed by the Governing Board.
- (g) One (1) Environmental Representative familiar with water resource issues in southeast Florida and an alternate appointed by the Board of County Commissioners.
- (h) One (1) Land Owner in Palm Beach County, actively farming that land to represent the agricultural interests in Palm Beach County, and an alternate appointed by the Board of County Commissioners.
- (i) The Water Resources Manager for Palm Beach County as an ex-officio non-voting member who will also chair the TP Workgroup of the Task Force.

Section 4. The following Technical/Professional staff shall be designated by the Task Force to serve on the TP Workgroup upon recommendation by the TP Workgroup Chair.

- (a) Four staff persons appointed by the League of Cities from representative municipal governments in Palm Beach County;
- (b) One (1) County Staff person from the Department of Environmental Resource Management;
- (c) One (1) County Staff Person from the Department of Water Utilities;
- (d) One (1) staff person from the Lake Worth Drainage District;
- (e) One (1) staff person from a Special Independent District Water Provider;
- (f) One (1) water management staff person from the South Florida Water Management District;
- (g) One (1) builder representative appointed by the Florida Home Builders Association;
- (h) One (1) staff person from the Florida Department of Environmental Protection;

- (i) One (1) staff person from the Florida Department of Agriculture and Consumer Services to represent agricultural interests;
- (j) One (1) person representing the public at large;
- (k) One (1) staff person from the Palm Beach County Health Department; and
- (l) One (1) grower representative appointed by the Palm Beach County Chapter of the Florida Nursery Growers and Landscape Association.

Section 5. The Task Force will identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment, and reuse or reclaimed water opportunities that are most efficient and cost effective.

Section 6. The Task Force shall serve at the pleasure of the Palm Beach County Board of County Commissioners meeting quarterly, at a minimum, following its initial organizational meeting until such time as the Palm Beach County Board of County Commissioners determines by majority vote that the services of the Task Force are no longer needed. At its organizational meeting, Members of the Task Force shall elect a Chair and Vice-Chair, adopt rules of procedure, including provisions for quorum, voting and consideration of motions and other items, and establish such standing committees as necessary to conduct the work of the Task Force.

Section 7. The Technical/Professional staff workgroup may meet as scheduled by its chair. The staff committee, following the appointments made pursuant to Section 4, shall meet for the purpose of selecting a Vice-Chair, adopting any necessary rules of procedure, appointing any standing workgroup subcommittees, and address issues identified by the Task Force for future technical evaluation by the TP Workgroup.

Section 8. Palm Beach County Water Utilities shall provide staff support to the Task Force.

Section 9. Support staff will prepare meeting notices and minutes, maintain records, coordinate or prepare draft reports, and prepare final reports containing the findings and recommendations of the Task Force.

Section 10. The governmental entities adopting this resolution recognize and agree their participation as members of the Task Force is a voluntary effort. The participating governments further recognize that any final report issued by the Task Force shall not be construed as imposing any mandates upon the participants or other government entities within Palm Beach County. It is understood and desired, rather, that the collaborative work of the Task Force serve as recommendations for state and federal agencies, Palm Beach local governments, businesses, and residents as each community moves forward with consideration and decision-making regarding future water resources planning, development, and management.

Section 11. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

ADOPTED this 7th day October, 2008

The foregoing Resolution was offered by Commissioner Marcus, who moved its adoption. The motion was seconded by Commissioner Aaronson, and upon being put to a vote, the vote was as follows:

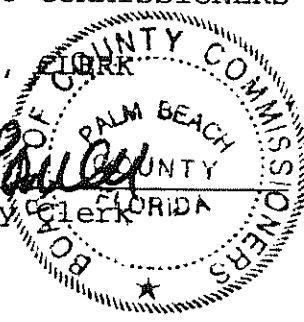
Commissioner Addie L. Greene, Chairperson	-	Nay
Commissioner John F. Koons, Vice Chair	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Robert J. Kanjian	-	Aye
Commissioner Mary McCarty	-	Aye
Commissioner Burt Aaronson	-	Nay
Commissioner Jess R. Santamaria	-	Absent.

The Chairperson thereupon declared the Resolution duly passed and adopted this 7th day of October, 2008.

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK

By: Mary Powell  
Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]  
County Attorney

**RESOLUTION NO. R-**

**RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF PALM BEACH COUNTY,  
FLORIDA, REPEALING AND REPLACING  
RESOLUTION R-2008-1810, AS AMENDED, PROVIDING  
FOR THE WATER RESOURCES TASK FORCE.**

**WHEREAS** Palm Beach County has long depended upon the Biscayne Aquifer for the County's primary source of water; and

**WHEREAS** the Board of County Commissioners of Palm Beach County, Florida, established the Water Resources Task Force on October 7, 2008; and

**WHEREAS** in response to efforts to restore the Everglades, in 2007 the South Florida Management District adopted Regional Water Availability Rule which restricts future withdrawals from the Biscayne Aquifer; and

**WHEREAS** Palm Beach County's local government leaders recognize it is critical to address the availability of water resources within the County to protect the public health, ensure the sustainability of sensitive environmental resources and natural systems, and provide viable economic opportunities for our communities and residents; and

**WHEREAS** the County is facing significant and costly projected water supply needs, which cannot be met without increased demands on the Biscayne Aquifer unless appropriate measures are taken in accordance with the Regional Water Availability Rule, and which will require development alternative water supply projects such as the use of reclaimed water and/or stormwater reuse projects; and

**WHEREAS** local leaders are committed to ensuring that the long-term water resource needs of all Palm Beach County water users are effectively planned for and met, including those of water providers, wholesale and retail purchasers, and their customers; and

**WHEREAS** these needs may be met more efficiently and cost effectively through collaborative partnerships, evaluation of existing and planned infrastructure and by considering regional or sub-regional approaches; and

**WHEREAS** the Water Resources Task force was created as a county-wide forum to consider these opportunities; and

**WHEREAS**, there is a need bring the resolution into compliance with the Board of County Commissioners' uniform policies and procedures on advisory boards as provided in Resolution R-2013-0193; and

**WHEREAS**, repealing and replacing Resolution R-2008-1810, as amended, pertaining to the Water Resources Task Force, will simplify future reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

Resolution R-2008-1810, as amended, is hereby repealed and replaced with the following:

**Section 1. Creation of the Water Resources Task Force.** There is hereby established an Advisory Committee to be known as the "Water Resources Task Force" herein referred to as the Task Force. The Task Force shall serve at the pleasure of the Palm Beach County Board of County Commissioners until such time as the Palm Beach County Board of County Commissioners determines by majority vote that the services of the Task Force are no longer needed.

**Section 2. Mission Statement.** The Task Force shall work collaboratively to identify and evaluate potential regional and sub-regional water supply strategies and solutions of appropriate water quality to meet countywide future water resource needs and water conservation goals and to meet the objectives of the enabling resolutions.



**Section 3. Roles and Responsibilities.** The Task Force will identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment, and reuse or reclaimed water opportunities that are most efficient and cost effective. The Task Force shall submit an annual narrative report to the Agenda Coordinator. The form, substance and submittal dates for annual narrative reports are established by PPM-CW-O-060.

**Section 4. Membership.** The Board of County Commissioners hereby finds that the Task Force is best served by a broad cross-section of individuals within Palm Beach County and therefore waives the maximum number of members set forth in Resolution 2013-1393. The Task Force shall be composed of representatives of the following entities:

- (a) Six (6) City elected officials appointed by the Palm Beach County League of Cities, which represent a cross section of small, medium, and large cities, one of whom shall be an elected official of a city that purchases water from another municipality or water utility. For each of the six members appointed, the Palm Beach County League of Cities shall also appoint an alternate member to serve in the appointed member's absence. Alternate members must be municipal elected officials and must be from a different similarly-sized municipality.
- (b) One (1) County Commissioner or their appointee and an alternate appointed by the Board of County Commissioners.
- (c) One (1) Special Independent District Water and/or Wastewater Provider or Utility Water and/or wastewater Provider official and an alternate appointed by the Board of County Commissioners.
- (d) One (1) Lake Worth Drainage District Representative and an alternate appointed by the Board of County Commissioners.
- (e) One (1) Drainage/Water Control District elected official and an alternate appointed by the Board of County Commissioners.
- (f) One (1) South Florida Water Management District Governing Board Member and an alternate appointed by the Governing Board.
- (g) One (1) Environmental Representative familiar with water resource issues in southeast Florida and an alternate appointed by the Board of County Commissioners.
- (h) One (1) Land Owner in Palm Beach County, actively farming that land to represent the agricultural interests in Palm Beach County, and an alternate appointed by the Board of County Commissioners
- (i) One (1) Indian Trail Improvement District representative and an alternate appointed by the Indian Trail Improvement District Board of Supervisors.

**Section 5. Appointments.** All members must reside in Palm Beach County at the time of appointment and while serving on the Task Force.

Members shall be appointed to serve for staggered terms of three (3) years with a limit of three (3) consecutive terms. The terms of those members and alternates set forth in Section 4(a) and 4(b) shall terminate on September 30, 2015. The terms of those members and alternates set forth in Section 4(c) through 4(i) shall terminate on September 30, 2016. Terms shall begin on October 1st and end on September 30th. Vacancies occurring during a term shall be filled for the unexpired portion of the term, and shall not count towards the member's term limits.

**Section 6. Conflict of Interest.** Members shall be governed by the applicable provisions of the Florida Code of Ethics for Public Officers and Employees and the applicable provisions of the Palm Beach County Code of Ethics.

**Section 7. Compensation.** Members shall receive no compensation for services, but may be entitled to travel reimbursement incurred only for travel outside Palm Beach County necessary to fulfill board member responsibilities and only when sufficient funds have been budgeted and available as set forth in PPM CW-O-038. Approval Authority for pre-authorized board member travel is designated to the County Administrator and Deputy County Administrator and shall be in accordance with PPM CW-F-009. No other expenses will be reimbursable except documented long distance telephone calls to the liaison County department.

**Section 8. Attendance.** Members shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or a failure to attend more than one-half of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Members removed pursuant to this paragraph shall not continue to serve on the Task Force and such removal shall create a vacancy.

**Section 9. Officers.** The Task Force shall elect a Chair, Vice-Chair, and a Chair Pro-Temp. The Task Force shall adopt rules of procedure, including provisions for quorum, voting and consideration of motions and other items, and establish such standing committees as necessary to conduct the work of the Task Force.

**Section 10. Meetings.** The Task Force shall meet on a regular basis. A quorum must be present for the conduct of all regular meetings. A majority of the sitting members appointed shall constitute a quorum. The chairperson may call a meeting or a meeting may be called upon the written request of three members.

**Section 11. Conduct of Meetings.** All meetings shall be governed by Robert's Rules of Order and shall comply with the Sunshine Law. Reasonable public notice of all meetings shall be provided. All meetings of the Task Force shall be open to the public at all times and minutes shall be taken at each meeting.

**Section 12.** A Technical/Professional staff workgroup ("TP Workgroup") may be designated by the entities in Section 4 to advise the Task Force on matters such as, but not limited to, water resource availability, management, facilities and infrastructure, supply and constraints, and other technical, environmental, and professional subject matters as requested by the Task Force.

**Section 13.** The following Technical/Professional staff shall be designated by the Task Force to serve on the TP Workgroup upon recommendation by the TP Workgroup Chair. The Palm Beach County Water Resources Manager will serve as the Chair of the TP Workgroup.

- (a) Four staff persons appointed by the League of Cities from representative municipal governments in Palm Beach County;
- (b) One (1) County Staff person from the Department of Environmental Resource Management;
- (c) One (1) County staff person from the Department of Water Utilities;
- (d) One (1) staff person from the Lake Worth Drainage District;
- (e) One (1) staff person from a Special Independent District Water and/or Wastewater Provider or Utility Water and/or Wastewater Provider;
- (f) One (1) water management staff person from the South Florida Water Management District;
- (g) One (1) builder representative appointed by the Florida Home Builders Association;
- (h) One (1) staff person from the Florida Department of Environmental Protection;
- (i) One (1) staff person from the Florida Department of Agricultural and Consumer Services to represent agricultural interests;
- (j) One (1) person representing the public at large;
- (k) One (1) staff person from the Palm Beach County Health Department;
- (l) One (1) grower representative appointed by the Palm Beach County Chapter of the Florida Nursery Growers and Landscape Association.

**Section 14.** The Technical/Professional staff workgroup may meet as scheduled by its chair. The TP Workgroup, following the appointments made pursuant to Section 4, shall meet for the purpose of selecting a Vice-Chair, adopting any necessary rules of procedure, appointing

any standing workgroup subcommittees, and address issues identified by the Task Force for future technical evaluation by the TP Workgroup.

**Section 15.** Palm Beach County Water Utilities Department shall provide staff support to the Task Force.

**Section 16.** Support staff will prepare meeting notices and minutes, maintain records, coordinate or prepare draft reports, and prepare final reports containing the findings and recommendations of the Task Force.

**Section 17.** The governmental entities adopting this resolution recognize and agree their participation as members of the Task Force is a voluntary effort. The participating governments further recognize that any final report issued by the Task Force shall not be construed as imposing any mandates upon the participants or other government entities within Palm Beach County. It is understood and desired, rather, that the collaborative work of the Task Force serve as recommendations for state and federal agencies, Palm Beach local governments, businesses, and residents as each community moves forward with consideration and decision-making regarding future water resources planning, development, and management.

**Section 18. Uniform Policies and Procedures of Advisory Boards.** The Committee shall be subject to the uniform policies and procedures established by the Board of County Commissioners for Advisory Boards as currently set forth in Resolution No. 2013-0193, as may be further amended by action of the Board of County Commissioners.

**Section 19. Effective Date.** The provisions of this Resolution shall become effective upon approval of the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Commissioner Steven L. Abrams, Mayor	-	_____
Commissioner Priscilla A. Taylor, Vice Mayor	-	_____
Commissioner Hal R. Valeche	-	_____
Commissioner Paulette Burdick	-	_____
Commissioner Shelley Vana	-	_____
Commissioner Mary Lou Berger	-	_____
Commissioner Jess R. Santamaria	-	_____

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

**PALM BEACH COUNTY, FLOIRDA,  
BY ITS BOARD OF COUNTY  
COMMISSIONERS**

**Sharon R. Bock, Clerk & Comptroller**

BY: \_\_\_\_\_  
**Deputy Clerk**

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: 