

3FF-1

Agenda Item #: \_\_\_\_\_

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

**Meeting Date:** June 4, 2019  
**Department:** TOURIST DEVELOPMENT COUNCIL  
**Advisory Board:** TOURIST DEVELOPMENT COUNCIL

**I. EXECUTIVE BRIEF**

**Motion & Title:** Staff recommends motion to approve: the appointment of an "At-Large" member to the Tourist Development Council Board to complete the remainder of the term left vacant by West Palm Beach Mayor Keith James.

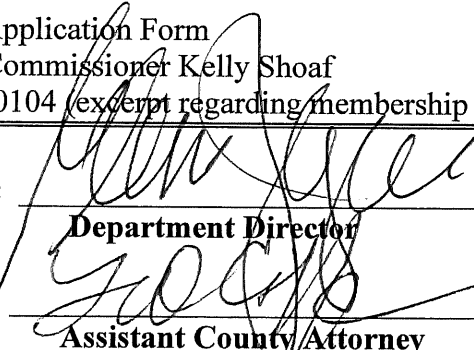
<u>Appointment</u>	<u>Seat #</u>	<u>Term</u>	<u>Nominated by</u>
Commissioner Kelly Shoaf	At-Large	6/4/2019-9/30/2022	City of WPB

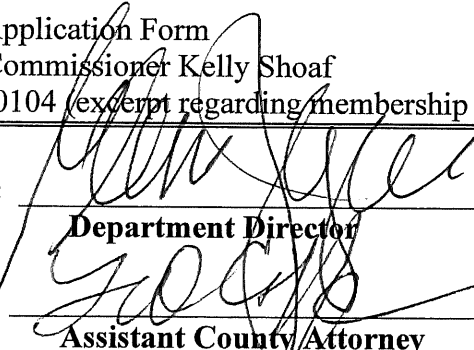
**Summary:** The Tourist Development Council (TDC) was established by Resolution No. R-81-275, adopted March 3, 1981; Chapter 125.0104 F.S. "The Levy of a Tourist Development Tax pursuant to the "LOCAL OPTION TOURIST DEVELOPMENT ACT," Palm Beach County Code 117-111. This Code sets up the nine (9) member Tourist Development Council. 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. Keith James is current Mayor of the City of West Palm Beach, the most populous municipality in Palm Beach County. Commissioner Kelly Shoaf 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 Keith James term expiring on 9/30/2022. The TDC has 8-member seats currently filled and a diversity count of Caucasian: 6 (75%) and African-American 2 (25%). The gender ratio (male/female) is 5:3. TDC Countywide (DMN)

**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.

**Attachments:**

1. Board Application Form
2. Bio of Commissioner Kelly Shoaf
3. FS 125.0104 (excerpt regarding membership composition)

**Recommended by:**  5/16/19  
Department Director Date

**Legal Sufficiency:**  5/16/19  
Assistant County Attorney Date

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

*The information provided on this form will be used in considering your nomination. Please COMPLETE SECTION II IN FULL. Answer "none" or "not applicable" where appropriate. 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 Office from the largest Municipality Seat #: At-large  
 \*Reappointment or  New Appointment  
or  to complete the term of Mayor Keith James Due to:  resignation  other  
Completion of term to expire on: 9/30/2022

**\*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: 0**

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

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

Name: Shoaf Kelly  
Last First Middle  
Occupation/Affiliation: WPB City Commissioner  
Owner  Employee  Officer   
**Business Name:** The Westley Group  
**Business Address:** 518 26<sup>th</sup> St  
City & State West Palm Beach, FL Zip Code: 33407  
**Residence Address:** 516 26<sup>th</sup> St  
City & State West Palm Beach, FL Zip Code: 33407  
Home Phone: ( ) Business Phone: ( ) Ext. \_\_\_\_\_  
Cell Phone: (561) 425-6006 Fax: ( )  
Email Address: \_\_\_\_\_

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No x

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>Example: (R#XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	(Attach Additional Sheet(s), if necessary) OR		_____
NONE	<input checked="" type="checkbox"/>	NOT APPLICABLE/ (Governmental Entity)	<input type="checkbox"/>

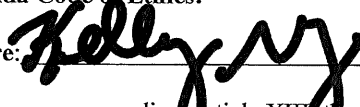
**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment. **Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>.** Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

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 on \_\_\_\_\_ 20\_\_\_\_\_
- x   By attending a live presentation given on May 13, 2019 at City of West Palm Beach Flagler Gallery

**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:

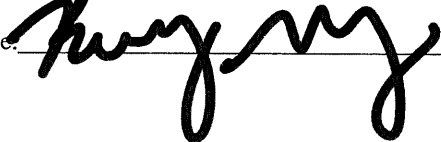
\*Applicant's Signature:  Printed Name: Kelly Shoel Date: 5/15/19

Any questions and/or concerns regarding Article XIII of 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) 355-1915.

Return this FORM to:  
Carol Meneely, TDC  
[cmeneely@palmbeachfl.com](mailto:cmeneely@palmbeachfl.com)

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

Appointment to be made at BCC Meeting on: 6/4/2019

Commissioner's Signature:  Date: 5/15/19

Kelly Shoaf was elected to the West Palm Beach City Commission, District 1 on March 13, 2018 and sworn into office on April 5, 2018.

Kelly lives in West Palm Beach's Old Northwood neighborhood and has called our city home for over 12 years. Kelly is actively involved in our community serving as a member and volunteer with many local organizations and charities.

Kelly is the former Secretary of the Old Northwood Neighborhood Association, as well as former Board member of the West Palm 100, Palm Beach County Gator Club, Palm Beach Road Runners and has served on committees for the Marathon of the Palm Beaches and Dreyfoos in White.

A passionate local advocate, Kelly has volunteered her time with the Kaleidoscope Multi-Cultural Fair, SunFest, Grassy Waters Preserve Native Plant Sale, International Coastal Clean Up Day, Urban Youth Impact Back to School Blast and Paint Your Heart Out Palm Beach County.

On the City Commission, Kelly is focused on making West Palm Beach a great place to call home. She is committed to working with our community and first responders to improve public safety, make West Palm Beach an inviting place to work by creating new, high-paying jobs, supporting existing local businesses and identifying solutions to transportation and mobility issues.

Kelly is the principal partner of The Westley Group, an independent hotel capital asset and construction management firm. In this capacity, she works with designers, architects, contractors, and other small and medium sized businesses to renovate existing hotel properties across the country. Kelly has experience in managing large project and managing multi-million-dollar budgets.

Kelly has a degree in Business and Marketing from the University of Pittsburgh and has a Master's in Business Administration from the University of Florida. A native of western Pennsylvania growing up in Sarver, a small town north of Pittsburgh, Kelly was excited to leave the snow behind when she moved to West Palm Beach. Kelly is an active lover of the outdoors and avid runner having completed several local and national half marathons.

- (m) *Remittance of taxes collected and interest thereon to Clerk.* All taxes collected hereunder, less the costs of administration on the collections received, shall be remitted monthly to the Clerk of the Board and placed in the "Palm Beach County Tourist Development Trust Fund." Interest on the collections received by the tax collector shall be remitted to the Clerk of the Board quarterly and placed in the "Palm Beach County Tourist Development Trust Fund."
- (n) *Costs of administration.* A portion of the tax collected may be retained by the tax collector for the costs of administration, but such portion shall not exceed two (2) percent of collections. The percentage of tax revenues retained by the tax collector for the costs of administration will be accounted for by the Tax Collector in the same manner in which other fees and commissions paid to the Tax Collector by the board are accounted. The excess fees will be distributed to the board in accordance with Florida Statutes, § 218.36.

(Ord. No. 95-30, § 4, 8-15-95)

Sec. 17-115. - Tourist development council.

- (a) *Establishment; membership.* There is hereby established, pursuant to the provisions of Florida Statutes, § 125.0104, an advisory council to be known as the "Palm Beach County Tourist Development Council," hereinafter referred to as the "council." The Council shall be composed of nine (9) members. One (1) member of the Council shall be the Chair of the Board or any other member of the Board, as designated by the Chair, who shall also serve as chair of the Council. The remaining eight (8) members of the Council shall be appointed by the Board and shall have the following representative classifications:
- (1) Two (2) members who are elected municipal officials, one (1) of whom shall be from the most populous municipality in the County.
  - (2) Three (3) members who are owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the County and subject to the tax.
  - (3) Three (3) members who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the County and subject to the tax.
- (b) *Terms and conditions of membership.* All members of the Council shall be electors of the County at the time of appointment and while serving on the Council. The members of the Council shall serve for staggered terms of four (4) years. There shall be no limit on the number of terms an individual may serve. Those members of the Council appointed by the Board of County Commissioners in its resolution dated March 3, 1981, establishing the initial council, shall continue to serve in such capacities for the terms set forth therein. Members of the Council may be reappointed, provided they continue to meet the qualifications of membership, and may be removed with or without cause in the same manner as is presently set forth by resolution for the appointment of such members. A vacancy on the Council not occurring by expiration of terms shall be filled by the Board for the unexpired term in the same manner as is presently set forth by resolution for appointments to the Council.
- (c) *Removal for lack of attendance.* Members of the Council shall be automatically removed for lack of attendance. Lack of attendance means failure to attend three (3) consecutive meetings or failure to attend at least two-thirds of the regularly scheduled meetings during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Absences shall be