

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 20, 2019

Consent

Regular

Ordinance

Public Hearing

Department

Submitted By: HEALTH DEPARTMENT

Submitted For: ENVIRONMENTAL PUBLIC HEALTH

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: A Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting the FY 2019/2020 budget for the Air Pollution Control Program.

**Summary:** This Resolution is required by the August 21, 1984, Agreement between the Board of County Commissioners and the Department of Health Palm Beach County (DOHPBC) to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This Program is solely supported by motor vehicle license registration fees. **The proposed FY 2019/2020 budget for the Air Pollution Control Program from this funding source is \$979,359, which is a 2.29% decrease from the current year budget.** This budget can be accommodated by future revenues and a surplus in the Air Pollution Control Trust Fund. Countywide (HH)

**Background and Justification:** In 1983, the State Legislature enacted Section 320.03(6), Florida Statutes, which provided for an additional fifty cent (50¢) motor vehicle license registration fee for the control of air pollution in the State. If this fee is collected in counties with approved air pollution control programs, such as the existing Health Department Program, then it is returned to a trust fund established by the County. This Statute also requires that these funds be used only for air pollution control purposes. Therefore, the County entered into an agreement with the DOHPBC authorizing the Health Department Air Pollution Control Program to act on behalf of Palm Beach County, and to establish an Air Pollution Control Trust Fund to support such a program. The Resolution, No. R-84-1196, was adopted on August 21, 1984 (Attachment 4).

The 1990 State Legislature amended Section 320.03(6), Florida Statutes, to increase the registration fee to One Dollar (\$1.00) for support of air pollution control activities. **(Continued on page 3)**

**Attachments:**

1. Proposed Resolution approving FY 2019/2020 Budget
2. FY 2019/2020 Air Pollution Control Program Budget
3. Comparison of Tag Fee Budgets FY 2019 & FY 2020
4. Resolution No. R-84-1196

Recommended By: *Alii Alonzo* Department Director Date 7/26/19

Approved By: *Nancy J. Bolton* Assistant County Administrator Date 8/5/19

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Health Department (see below)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>*</b>	_____	_____	_____	_____

**# ADDITIONAL FTE POSITIONS (Cumulative)** \_\_\_\_\_

Is Item Included in Proposed Budget? Yes X No \_\_\_\_\_  
 Does this item include the use of Federal funds Yes \_\_\_\_\_ No X  
 Budget Account No.: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

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

\*There is no direct fiscal impact associated with this item. The revenue and expenditure budget of the registration fees is accounted for in the Health Department budget which is submitted for approval under a separate item.

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

**III. REVIEW COMMENTS**

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

Paige [Signature] 7/30/19  
 OFMB  
 7/29/19

[Signature] 8/2/19  
 Contract Dev. and Control

**B. Legal Sufficiency**

[Signature]  
 Assistant County Attorney

**C. Other Department Review:**

[Signature]  
 Department Director

**THIS SUMMARY IS NOT TO BE USED AS A BASIS**

**Background And Justification (Continued):**

**Background And Justification:** Section 320.03(6), Florida Statutes, was further amended to provide that an approved local air pollution control program is eligible to receive an additional twenty-five cents (25¢) from the fee for a total of seventy-five cents (75¢), provided the local air pollution control trust fund has an unencumbered balance not exceeding 50% of the previous year's revenue allocation. It is estimated that the unencumbered balance at the end of the current fiscal year will be less than 50% of the annual revenue thus making the County eligible to continue receiving funding at the 75¢ level. It is also estimated that annual tag fee revenues collected during FFY 2019/20 will provide sufficient funds for this budget.

**RESOLUTION NO.**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THE FY 2019/2020 BUDGET FOR THE AIR POLLUTION CONTROL PROGRAM.**

**WHEREAS, on August 21, 1984, the Board of County Commissioners entered into an agreement with the Department of Health Palm Beach County to continue an Air Pollution Control Program and establish an Air Pollution Control Trust Fund pursuant to Sections 403.182 and 320.03(6), Florida Statutes; and**

**WHEREAS, the Agreement requires the Health Department to submit a budget to the County on an annual basis; and**

**WHEREAS, the projected budget for the expenditure of monies deposited into the Air Pollution Control Trust**

**Fund for FY 2019/2020 is as follows:**

	<u>Program Component</u>	<u>Annual Cost</u>
1	Personnel Salaries	\$364,218
2	Fringe Benefits	\$169,840
3	Travel	\$4,000
4	Training	\$2,000
5	Communications	\$2,500
6	Utilities	\$15,000
7	Postage	\$1,500
8	Printing	\$2,500
9	Contractual	\$1,500
10	Supplies & Maintenance	\$10,000
11	Motor Pool	\$15,000
12	Office Supplies	\$4,000
13	Subscriptions	\$900
14	Promotional Items	\$300
15	Division Administrative Support	\$45,000
16	Legal Support	\$17,500
17	105 Match	\$184,176
18	Indirect Costs	\$87,425
19	Capital Items (>\$1,000)	\$52,000
	<b>TOTAL</b>	<b>\$979,359</b>

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the projected budget of the Air Pollution Control Program as set forth herein is hereby adopted, subject to final adoption of the Palm Beach County FY 2019/2020 Budget.**

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:

<b>MACK BERNARD, MAYOR</b>	_____
<b>DAVE M. KERNER , VICE MAYOR</b>	_____
<b>Commissioner HAL R. VALECHE</b>	_____
<b>Commissioner GREGG K. WEISS</b>	_____
<b>Commissioner ROBERT S. WEINROTH</b>	_____
<b>Commissioner MARY LOU BERGER</b>	_____
<b>Commissioner MELISSA MCKINLAY</b>	_____

The Mayor thereupon declared the Resolution duly passed and adopted the \_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED AS TO FORM  
& LEGAL SUFFICIENCY:**

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

**SHARON R. BOCK, CLERK AND COMPTROLLER**

BY: \_\_\_\_\_  
COUNTY ATTORNEY

BY: \_\_\_\_\_  
(CLERK)



**PALM BEACH COUNTY BUDGET SUPPORT INFORMATION - FISCAL YEAR 2019/2020**

<b>FUND AIR POLLUTION CONTROL TRUST FUND</b>	<b>DEPARTMENT FLORIDA DEPARTMENT OF HEALTH PALM BEACH COUNTY</b>			<b>DIVISION ENVIRONMENTAL PUBLIC HEALTH</b>
<b>OBJECT CODE</b>	<b>ACCOUNT TITLE</b>		<b>EXPLANTATION</b>	<b>BUDGET REQUEST</b>
Tallam-29023	<b>FRINGE</b>	<b>55%</b>	<b>ENVIRONNEMENTAL ADM.</b>	<b>\$17,528</b>
Morales-45576		<b>75%</b>	<b>ENVIRONNEMENTAL MANAGER</b>	<b>\$20,633</b>
St. Ange-84874		<b>60%</b>	<b>ENVIRONNEMENTAL SPEC. III</b>	<b>\$9,382</b>
Tellman-35927		<b>30%</b>	<b>ENVIRONMENTAL SPEC. II</b>	<b>\$7,138</b>
Szufflita-58573		<b>30%</b>	<b>PE II</b>	<b>\$5,248</b>
Kalamaras-65377		<b>55%</b>	<b>ENGINEER III</b>	<b>\$10,593</b>
Bhavsar-49846		<b>20%</b>	<b>ENGINEER III</b>	<b>\$5,018</b>
Khan-29024		<b>50%</b>	<b>STAFF ASSISTANT</b>	<b>\$5,607</b>
Paredes -27861		<b>20%</b>	<b>ENVIRONNEMENTAL SPEC II</b>	<b>\$4,830</b>
Carabelas-29768		<b>100%</b>	<b>ENVIRONNEMENTAL SPEC. III</b>	<b>\$25,554</b>
Davis-45575		<b>35%</b>	<b>ENVIRONNEMENTAL MANAGER</b>	<b>\$9,939</b>
Wilson-61034		<b>50%</b>	<b>ENVIRONMENTAL CONSULTANT</b>	<b>\$12,834</b>
Vacant-4029		<b>40%</b>	<b>ENGINEER III</b>	<b>\$7,783</b>
Ukpong-69370		<b>60%</b>	<b>ENVIRONNEMENTAL SPEC. II</b>	<b>\$14,764</b>
Reyes-28835		<b>35%</b>	<b>ENVIRONNEMENTAL ADM.</b>	<b>\$12,989</b>
			<b>SUB-TOTAL</b>	<b>\$169,840</b>
			<b>Note: FRINGE BASED ON ACTUAL AMOUNTS</b>	

**PALM BEACH COUNTY BUDGET SUPPORT INFORMATION - FISCAL YEAR 2019/2020**

<b><u>FUND</u> AIR POLLUTION CONTROL TRUST FUND</b>	<b><u>DEPARTMENT</u> FLORIDA DEPARTMENT OF HEALTH PALM BEACH COUNTY</b>		<b><u>DIVISION</u> ENVIRONMENTAL PUBLIC HEALTH</b>
<b>OBJECT CODE</b>	<b>ACCOUNT TITLE</b>	<b>EXPLANATION</b>	<b>BUDGET REQUEST</b>
	<b>TRAVEL</b>	Travel costs to attend meetings, conferences, and training courses; per diem and private car expenses.	<b>\$4,000</b>
	<b>TRAINING</b>	Employee development (Registration Fees).	<b>\$2,000</b>
	<b>COMMUNICATIONS</b>	Telephone, cellular phones, & pagers.	<b>\$2,500</b>
	<b>UTILITIES</b>	Electric, water and waste disposal costs and building maintenance & security.	<b>\$15,000</b>
	<b>POSTAGE</b>	Mailing of correspondence, shipping & freight.	<b>\$1,500</b>
	<b>PRINTING</b>	Reports, brochures, visual aids, video & photography, and copying.	<b>\$2,500</b>
	<b>CONTRACTUAL</b>	Costs related to equipment maintenance, and service contracts for air monitoring trailers.	<b>\$1,500</b>
	<b>SUPPLIES, MAINTENANCE &amp; REPAIRS,</b>	Costs related to repairs, maintenance and replacement of air monitoring equipment, and equipment used to conduct inspections.	<b>\$10,000</b>
	<b>MOTOR POOL</b>	Costs for operating section vehicles, including fuel, maintenance & repair and monthly leases.	<b>\$15,000</b>
	<b>OFFICE SUPPLIES</b>	Items necessary for operation of office, and monitoring sites; office computers and computer software included.	<b>\$4,000</b>
		<b>SUB-TOTAL</b>	<b>\$58,000.00</b>



**PALM BEACH COUNTY BUDGET SUPPORT INFORMATION - FISCAL YEAR 2019/2020**

<b><u>FUND</u> AIR POLLUTION CONTROL TRUST FUND</b>	<b><u>DEPARTMENT</u> FLORIDA DEPARTMENT OF HEALTH PALM BEACH COUNTY</b>		<b><u>DIVISION</u> ENVIRONMENTAL PUBLIC HEALTH</b>
<b>OBJECT CODE</b>	<b>ACCOUNT TITLE</b>	<b>EXPLANATION</b>	<b>BUDGET REQUEST</b>
	<b>SUBSCRIPTIONS AND REFERENCE MATERIALS</b>	Costs of periodicals, professional organizations, books and reference materials.	<b>\$300</b>
	<b>PROMOTIONAL ITEMS</b>	Purchase of small items for public distribution to promote air quality. Purchases will be consistent with PBC Policy.	<b>\$900</b>
	<b>CAPITAL ITEMS &gt;\$1,000</b>	Continuous PM Sampler T640X and Data Logger.	<b>\$52,000</b>
	<b>LEGAL SUPPORT</b>	Support from PBCHD attorney's office for permitting challenges and enforcement actions.	<b>\$17,500</b>
	<b>OTHER</b>	Matching money required to receive Federal air program funding for FY/18 from the U.S. Environmental Protection Agency.	<b>\$184,176</b>
	<b>DIVISION ADM SUPPORT</b>	Direct administrative support services for purchasing, records retention, data management and personnel actions.	<b>\$45,000</b>
	<b>INDIRECT COSTS</b>	Support services from Human Resources, Finance & Accounting, Data Management and Purchasing. Based on 16.37% of salary & fringe.	<b>\$87,425</b>
		<b>SUB-TOTAL</b>	<b>\$387,301.00</b>
		<b>BUDGET TOTAL</b>	<b>\$979,359.00</b>

Attachment 3

MONTH	REVENUE	
	FY 18	FY 19
Oct	\$78,509.25	\$ 84,214.50
Nov	\$80,076.00	\$ 74,053.50
Dec	\$3,907.25	\$ 76,840.50
Jan	\$72,204.00	\$ 118,782.00
Feb	\$51,689.00	\$ 74,096.25
March	\$53,206.00	\$ 80,736.75
April	\$53,783.00	\$ 75,299.25
May	\$56,527.00	\$ 93,328.50
June	\$47,015.00	\$ 74,449.50
July	\$167,466.00	\$ 251,199.00 *
Aug	\$52,931.00	\$ 79,396.50 *
Sep	\$52,028.00	\$ 78,042.00 *
<b>TOTAL</b>	<b>\$769,341.50</b>	<b>\$ 1,160,438.25</b>

**NOTE:**

\*During FY 18, we collected the revenue at 50 cents per dollar. In FY the revenue was collected at 50 cents per dollar, since the fund balance at the end of FY 2017 was more than 50% of the revenue collected during FY 17.

\*Estimated at 3/2 of last year revenue, since in FY 19, the revenue is received at 75%. In FY 18, revenue was collected at 50%

Comparison of Tag Fee Budgets FFY 2019 & FFY 2020			
	FY/19	FY/20	
Salaries	\$ 366,712.00	\$ 364,218.00	-0.68%
Fringe Benefits	\$ 161,353.00	\$ 169,840.00	5.00%
Travel	\$ 4,000.00	\$ 4,000.00	0.00%
Training	\$ 2,000.00	\$ 2,000.00	0.00%
Communications	\$ 2,500.00	\$ 2,500.00	0.00%
Utilities	\$ 15,000.00	\$ 15,000.00	0.00%
Postage	\$ 1,500.00	\$ 1,500.00	0.00%
Printing	\$ 2,500.00	\$ 2,500.00	0.00%
Contractual	\$ 1,500.00	\$ 1,500.00	0.00%
Supply and Maintenance	\$ 10,000.00	\$ 10,000.00	0.00%
Motor Pool	\$ 15,000.00	\$ 15,000.00	0.00%
Office Supplies	\$ 4,000.00	\$ 4,000.00	0.00%
Promotional Items	\$ 900.00	\$ 900.00	0.00%
Subscriptions & Books	\$ 300.00	\$ 300.00	0.00%
Capital (OCO)	\$ 20,000.00	\$ 52,000.00	61.54%
Legal Services	\$ 17,500.00	\$ 17,500.00	0.00%
105 Match	\$ 245,568.00	\$ 184,176.00	-33.33%
EHE Adm Support	\$ 45,000.00	\$ 45,000.00	0.00%
Indirect Costs	\$ 86,444.00	\$ 87,425.00	1.12%
	\$ 1,001,777.00	\$ 979,359.00	-2.29%

FY 2017 Unencumbered Balance:	\$570,382.80
Add: FFY 2018 Revenue	\$769,341.50
<b>TOTAL Estimated 2018 Unencumbered Balance</b>	<b>\$1,339,724.30</b>
<b>Budget for 2017-18</b>	<b>\$ 1,140,387.00</b>
Interest Earned	\$ 5,554.83
Estimated Balance on 9/30/2018	\$204,892.13
Estimated revenue during FY 2019	\$ 1,160,438.25
<b>TOTAL Est. BALANCE by 9/30/19</b>	<b>\$1,365,330.38</b>

Requested budget for FFY 2019-20 \$ 979,359.00

ATTACHMENT 4  
RESOLUTION NO. R-84-1196

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA APPROVING THE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE PALM BEACH COUNTY HEALTH DEPARTMENT AND AUTHORIZING THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS TO ESTABLISH THE AIR POLLUTION CONTROL TRUST FUND PURSUANT TO FLORIDA STATUTE 320.03(6)

WHEREAS, Palm Beach County recognizes the need for the control of air pollution; and

WHEREAS, Palm Beach County currently has in effect an Environmental Control Ordinance, Ordinance No. 78-5, as amended, which provides for the adoption by reference of all State Air Pollution rules; and

WHEREAS, the Air Pollution Control Program in the Health Department is an approved and certified program in accordance with S.403.182, Florida Statutes; and

WHEREAS, Florida Statute 320.03(6) authorizes the establishment of a local Air Pollution Control Trust Fund with the monies deposited in said fund to be used only for Air Pollution Control programs relating to the control of emissions from mobile sources and toxic and odor emissions, air quality monitoring, and facility inspections pursuant to Florida Statute 320.03(6) or the Palm Beach County Environmental Control Ordinance.

WHEREAS, it is necessary for the parties to enter into a contractual agreement to delineate their responsibilities and obligations.

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

The above statements are hereby affirmed and the Palm Beach County Health Department Air Pollution Control Program is authorized to act as the local Air Pollution Control Program on behalf of Palm Beach County, and the Clerk of the Board of County Commissioners is authorized to accept and transfer funds from the Department of Environmental Regulation Air Pollution Control Trust Fund to a County Air Pollution Control Trust Fund for the support of such a program in accordance with Florida Statute 320.03(6).

Be it further resolved that the agreement between Palm Beach County and the Palm Beach County Health Department, a copy of which is attached hereto and made a part hereof, is approved and the Chairman and Clerk of the Board of County Commissioners are hereby authorized to execute said contract on behalf of Palm Beach County.

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

KEN SPILLIAS	Aye
DOROTHY WILKEN	Aye
PEGGY B. EVATT	Aye
DENNIS P. KOEHLER	Aye
BILL BAILEY	Aye

The Chairman thereupon declared the Resolution duly passed and adopted this 21st day of August 1984.

PALM BEACH COUNTY, FLORIDA, BY IT  
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

By: *Richard S. Coaptor*  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

*Walter J. ...*  
County Attorney

AN AGREEMENT BETWEEN PALM BEACH COUNTY AND  
THE PALM BEACH COUNTY HEALTH DEPARTMENT FOR  
THE CONTROL OF AIR POLLUTION

THIS AGREEMENT, made and entered into at West Palm Beach, Florida, on this 21st day of August 1984, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida hereinafter referred to as "County", and the PALM BEACH COUNTY HEALTH DEPARTMENT, a Health Unit of the State Department of Health and Rehabilitative Services, hereinafter referred to as "Health Department".

WHEREAS, the County desires to establish an Air Pollution Control Program; and

WHEREAS, the Health Department Air Pollution Control Program is an approved program in accordance with S.403.182, Florida Statutes; and

WHEREAS, Florida Statute 320.03(6) authorizes the establishment of a local Air Pollution Control Trust Fund with the monies deposited in said fund to be used only for Air Pollution Control programs, relating to the control of emissions from mobile sources and toxic and odor emissions, air quality monitoring, and facility inspections pursuant to Florida Statute 320.03(6) or the Palm Beach County Environmental Control.

NOW THEREFORE, in consideration of the premises and the mutual premises and undertakings contained herein, and for other good and valuable consideration, the parties hereby agree as follows:

1. The County will adopt the existing Health Department Air Pollution Control Program as the approved local Air Pollution Control Program specified in Florida Statute 320.03(6)
2. The Health Department will administer said local program in accordance with the mandates set forth in Florida Statute 320.03(6); Florida Statute 403; and the Palm Beach County Environmental Control Ordinance.
3. The County shall establish a local Air Pollution Control Trust Fund in accordance with Florida Statute 320.03(6).
4. The County shall disburse monies from said Trust Fund to the Health Department, and the Health Department will utilize and account for said funds, in accordance with the provisions of

Florida Statute 320.03(6), Florida Administrative Code Chapter 17-2.820, and generally accepted accounting procedures and principles Exhibit 1 is attached hereto as a summary example of the accounting procedure to be utilized.

5. The Health Department will submit semi-annual written reports to the County setting forth the goals, objectives and accomplishments of the Local Air Pollution Control Program.

6. The Health Department shall submit a proposed budget to the County on an annual basis, the first of which is attached hereto as Exhibit 2 and made a part hereof.

7. This agreement shall become effective on the date last signed by the parties below.

8. This agreement may be terminated by either party upon 30 days written notice given by either party to the other prior to the proposed date of termination.

9. Health Department shall indemnify and hold harmless County from liability of any kind, including cost expenses for or on account of any suits, actual or threatened, or damages arising out of acts of its employees or program participants during the period of this agreement.

IN WITNESS WHEREOF, the parties have caused this two page agreement to be executed by their officials thereunto duly authorized.

PALM BEACH COUNTY HEALTH DEPARTMENT

BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA

BY: C. L. Brumback, M.D.  
Director  
per Julius Jones

BY: K. L. Spillier  
Chairman

JOHN B. DUNKLE, CLERK

BY: Ruth H. Compton  
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Henry J. T. [Signature]  
COUNTY ATTORNEY