Agenda Item #: 31-5

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	September 13, 2022	[X] Consent [] Ordinance	[] Regular [] Public Hearing			
Department:	Housing and Economic	Development				
I. EXECUTIVE BRIEF						
Motion and Title: Staff recommends motion to receive and file: Renewal of a Data Sharing Agreement with the Florida Department of Economic Opportunity (DEO) for an additional three (3) years, from June 21, 2022 through June 20, 2025.						
Commissioners (B Development (DHE 30, 2019, and in ac The original DEO E 20, 2022. Under the detailed information 20, 2025. The Definformation to perfect the detailed information to perfect the detailed information to perfect the detailed information and gross Agreement is need Employment and W Program data. The units, monthly emp	ached document has been CC) by the Director of to D), per County Administrate cordance with June 4, 200 Data Sharing Agreement whis renewed three (3) year on employment and wage epartment of Housing and corm economic impact and domestic product. Since ed to establish guidelines to Wages (QCEW) data include QCEW provides data sur loyment, average employntustry Classification System	the Department of for delegation of signal 19 BCC approval throws in effect from Juna Agreement, the Cours at no cost, from Juna Economic Developalyses for proposed this information is not for receiving confidential Report, total wages, armore delegant, total wages, armore delegant in the seconomic of the secon	Housing and Economic atory authority dated July rough Agenda Item 4C-1. The 21, 2019 through June and will be able to obtain the 21, 2022 through June ament (DHED) uses this projects in terms of job not publicly available, the intial Quarterly Census of eemployment Assistance of employers or reporting and average wages by the			
economic reporting detailed employment will be used internate ability to analyze the understand the economic rends. The County under the Agreement	Justification: The ability of and economic development and wage information property to: 1) conduct economic growth and development conomic composition of the will safeguard and maintainent in accordance with 20 only be accessible to certain formation.	ent planning will be ovided under this agraic impact analyses; of its targeted industs County's industry lin the confidentiality of CFR Part 603 and	enhanced by access to eement. This information 2) enhance the County's try clusters; and, 3) better base and related growth of all information received Florida Statutes Chapter			
Attachment: 1. Data Sharing Agree	ement with the Florida Departme	ent of Economic Opportu	Inity			
Recommended By	y:	Journa .	8-31-22 Date			

Approved By: _____

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026	
Capital Expenditures						
Operating Costs	A CONTRACTOR OF THE CONTRACTOR	,,,,,,				
External Revenues						
Program Income						
In-Kind Match (County)						
NET FISCAL IMPACT				·		
# ADDITIONAL FTE POSITIONS (Cumulative)						
Is Item Included In Curren Does this item include the	t Budget? use of Fed	deral Funds'	Yes ? Yes	No No		
Budget Account No.:						
Fund Dept Unit Object Program Code/Period						
B. Recommended Sources of Funds/Summary of Fiscal Impact:						
No fiscal impact.		_				
C. Departmental Fiscal Review: Shairette Major, Division Director II						
III. REVIEW COMMENTS						
A. OFMB Fiscal and/or Contract Development and Control Comments:						
OFMB YH 8117	3 hol20	M Con	tract Develor	ment and Co	P12212	
B. Legal Sufficiency:						
Assistant County Att	8/23 orney	<u>3/2</u>				
C. Other Department F	Review:					
Department Director		_				

DEO Agreement Number: F1368

AMENDMENT ONE RENEWAL ONE TO DATA SHARING AGREEMENT BETWEEN FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND

PALM BEACH COUNTY, DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

On June 21, 2019, the Florida Department of Economic Opportunity ("DEO"), and the Palm Beach County, Department of Housing and Economic Sustainability ("PBCHES"), entered into Agreement Number F1368 (the "Agreement") to establish confidentiality guidelines for DEO to provide PBCHES with Quarterly Census of Employment and Wages ("QCEW") data. As part of its economic and community development efforts, PBCHES routinely conducts economic impact analyses, which require the confidential data to ascertain economic impacts of specific projects in terms of job creation and gross domestic product. DEO and PBCHES are sometimes referred to herein individually as a "Party" and collectively as "the Parties."

WHEREAS, Section VI., Amendments and Changes, of the Agreement provides that any change, alteration, deletion, or addition to the terms set forth in the Agreement must be made by written amendment executed by both Parties; and

WHEREAS, PBCHES had a name change in June 2021 to the Palm Beach County, Department of Housing and Economic Development ("PBCHED"); and

WHEREAS, Section XI., Terminations, Extensions, and Renewals, of the Agreement provides that the Agreement may be renewed in writing for a period not to exceed three (3) years or the term of the original agreement; and

WHEREAS, the Parties wish to amend the Agreement as set forth herein and renew the Agreement for a period of three (3) years;

NOW THEREFORE, in consideration of the mutual covenants and obligations set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

- 1. All references to PBCHES within the Agreement shall hereby be replaced with PBCHED for consistency with the Party's name change.
- 2. Section III., Term of Agreement, is deleted in its entirety and replaced with the following:

This Agreement is effective as of June 21, 2019, and shall remain in effect through June 20, 2025, unless otherwise terminated or modified pursuant to Section XI., Terminations, Extensions, and Renewals. The obligations of Sections IV., Inspection of Records, through IX., Liability and Indemnification, shall survive the expiration or termination of this Agreement.

3. Section XII., Agency Contacts, is hereby deleted and replaced with the following:

XII. Agency Contacts

A. DEO designates as its liaison for all issues relating to this Agreement, Kathie Hughes, whose title is Administrator, and who may be contacted by telephone at (850) 245-7237, or by e-mail at Kathie.Hughes@deo.myflorida.com, and whose address is 107 East

DEO Agreement Number: F1368

Madison Street, MSC G-020, Tallahassee, Florida 32399-4111.

- B. PBCHED designates as its liaison for all issues relating to this Agreement, Alan Chin Lee, whose title is Economic Sustainability Special Projects Manager, and who may be contacted by telephone at (561) 233-3607, or by e-mail at achinlee@pbcgov.org, and whose address is 100 Australian Avenue, Suite 500, West Palm Beach, Florida 33406.
- C. The Agreement liaisons are responsible for maintaining the official Agreement file, processing any amendments or termination of the Agreement, and for maintaining records of all formal correspondence between DEO and PBCHED regarding administration of this Agreement.
- D. If any Party to this Agreement replaces, adds, or removes any liaison identified in this Section, the Party shall immediately inform the other Parties by e-mail of this change.
- 4. All other terms and conditions remain in effect.

The remainder of this page is intentionally left blank.

DEO Agreement Number: F1368

IN WITNESS HEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of this Agreement, as amended. This Amendment is effective on the date the last Party signs this Amendment.

FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

DocuSigned by:
By: James Heckman
Signature
Printed Name <u>: James 'Jimmy' Heckman</u>
Title: Interim Chief, Bureau of Workforce Statistics and Economic Research
Date: 6/1/2022
PALM BEACH COUNTY, FLORIDA, a Political Subdivision of the State of Florida FOR ITS BOARD OF COUNTY COMMISSIONERS By: Jonathan B. Brown, Director Dept. of Housing & Economic Development Date: Date: Date: Dept. of Conditions Dept. of
Approved as to Terms and Conditions Dept. of Housing and Economic Development

FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY Office of General Council

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

By: Valerie Cantare

Signature

Printed Name: Valerie Cantave

Title: Assistant General Counsel

Date: 6/1/2022

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

Howard J. Falcon III

Howard J. Falcon III Chief Assistant County Attorney