

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

R-2002-1606  
MAM/R 20

Meeting Date: September 10, 2002 [ ] Consent [X] Regular

Department [ ] Public Hearing

Submitted By: COUNTY ADMINISTRATOR

Submitted For: COUNTY ADMINISTRATOR

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: A resolution of the Board of County Commissioners of Palm Beach County, Florida, to amend the Uniform Policies and Procedures for Palm Beach County Advisory Boards, Committees, and Commissions to eliminate excused absences and establish a limit on total absences.

**Summary:** This resolution amends the uniform policies and procedures for advisory boards to eliminate the policy of excused absences and establish a limit on total absences for board members. The resolution proposes that a Board member must attend at least two-thirds of the meetings scheduled during the calendar year to remain in good standing. Board members who fail to meet the attendance requirement shall not continue to serve on the Board. Countywide (ND)

**Background and Policy Issues:** The proposed resolution reflects the Board's directive to eliminate excused absences for board members and establish absolute limits for all absences. The new policy concerning absences from board meetings will affect all boards, committees, and commissions except certain boards established by an ordinance. Boards established by an ordinance whose absence policy is contained within the ordinance will not be affected by this resolution such as the Nuisance Abatement Board. Additionally, boards or committees contained in Article 4 of the Unified Land Development Code, such as the Land Use Advisory Board, will not be affected by this resolution.

**Attachments:**

- 1. Resolution

Recommended by: \_\_\_\_\_

Department Director Date

Approved by: \_\_\_\_\_ 8/15/02

County Administrator Date

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFORM POLICIES AND PROCEDURES REGARDING EXCUSED ABSENCES FOR PALM BEACH COUNTY ADVISORY BOARDS, COMMITTEES, AND COMMISSIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, is served by a number of advisory boards, committees, commissions, task forces, and authorities which have been established from time to time; and

WHEREAS, the Board of County Commissioners established uniform policies for said advisory bodies through the adoption of Resolution No. 95-1806; and

WHEREAS, it is desirable to amend the Resolution No. 95-1806 to alter the policy regarding attendance.

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

**Part I.**

Resolution 95-1806 is hereby amended as follows:

**Section 5. Removal for Lack of Attendance**

Members of boards shall be automatically removed for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or a failure to attend at least two-thirds 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. ~~Excused absences due to illness, absence from the county, or personal hardship, if approved by majority vote of the board, shall not constitute lack of attendance. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the board.~~ Members removed pursuant to this paragraph shall not continue to serve on the board and such removal shall create a vacancy.

**Part II.**

All resolutions in conflict with any provision of this resolution are hereby repealed to the extent of such conflict.

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2002	2003	2004	2005	2006
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	_____	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

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

Budget Account No.:      Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_

Reporting Category \_\_\_\_\_

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

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

**III. REVIEW COMMENTS**

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

*H Bergeron* 8.23.02  
 OFMB  
 8/23/02

*Sam J. Jacobson*  
 Contract Dev. and Control  
 8/23/02

**B. Legal Sufficiency:**

*Nancy J. Dolan*  
 Assistant County Attorney

**C. Other Department Review:**

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



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	19__	19__	19__	19__	20__
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No.: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_  
 Reporting Category \_\_\_\_\_

NO FISCAL IMPACT

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

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

**III. REVIEW COMMENTS**

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

Richard Robert 11/28/95  
 OFMB Contract Dev. and Control

**B. Legal Sufficiency:**

Devin M. Dwyer 11/25/95  
 Assistant County Attorney

**C. Other Department Review:**

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

**Part III.**

This resolution shall become effective upon approval by the Board of County Commissioners.

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

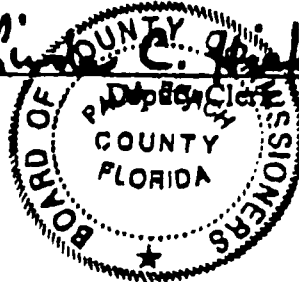
Commissioner Warren H. Newell, Chairman	- Aye
Commissioner Carol A. Roberts, Vice Chair	- Aye
Commissioner Karen T. Marcus	- Aye
Commissioner Mary McCarty	- Aye
Commissioner Burt Aaronson	- Aye
Commissioner Tony Masilotti	- Aye
Commissioner Addie Greene	- Aye

The Chairman thereupon declared the Resolution duly passed and adopted this 10 day of September, 2002.

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

DOROTHY H. WILKEN, CLERK

By: *Dorothy H. Wilken*



APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: *Nancy J. Dolan*  
Assistant County Attorney

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING UNIFORM POLICIES AND PROCEDURES FOR PALM BEACH COUNTY ADVISORY BOARDS, COMMITTEES, AND COMMISSIONS; REPEALING RESOLUTION NOS. R-91-1003 AND R-91-1526; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, is served by a number of advisory boards, committees, commissions, task forces, and authorities which have been established from time to time; and

WHEREAS, the Board of County Commissioners established uniform policies for said advisory bodies through the adoption of Resolution Nos. R-91-1003 and R-91-1526 and Ordinance No. 91-38; and

WHEREAS, it is desirable to repeal the original resolutions (repeal of Ordinance No. 91-38 to occur in separate action) and reestablish up-to-date policies in an all encompassing document which includes specific procedures to ensure compliance with the Board of County Commissioners directives.

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

**Section 1. Board Appointments.**

The procedure for at-large and district appointments to advisory boards, committees, commissions, task forces, and authorities (hereinafter referred to as "boards") shall be established by a Policy and Procedure Manual (hereinafter referred to as a "PPM") to ensure consistency with agenda submittal and review procedures. Included in the PPM shall be post-appointment procedures to make sure appointees are aware of the requirements of serving on the board. The appointees shall be notified that the failure to submit a Statement of Financial Interests and an Acknowledgment of Receipt of the County's Code of Ethics within 30 days of receipt shall result in an invalidation of the appointment.

**Section 2. Maximum Number of Boards.**

The maximum number of boards that an individual appointed by the Board of County

Commissioners may serve on at one time shall be three (3), except that no individual may serve on more than one(1) board if doing so would violate Article II, Section 5(a) of the Florida Constitution, which prohibits dual-office holding.

**Section 3. Number of Terms Served.**

There shall be no limit on the number of terms an individual may serve.

**Section 4. Removal/District Appointees.**

All members of boards that are classified as district appointees serve at the pleasure of their district Commissioner and may be removed without cause.

**Section 5. Removal For Lack of Attendance.**

Members of boards shall be automatically removed for lack of attendance. Lack of attendance is defined as a 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. Excused absences due to illness, absence from the county, or personal hardship, if approved by majority vote of the board, shall not constitute lack of attendance. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the board. Members removed pursuant to this paragraph shall not continue to serve on the board and such removal shall create a vacancy.

**Section 6. Qualification As A Candidate.**

Board members shall not be prohibited from qualifying as a candidate for elected office.

**Section 7. County Employee Eligibility To Serve.**

County employees, other than Commissioner Aides, may not be appointed to boards except where technical/professional representation and county employee eligibility are specifically set forth in the document creating the board. Employees of other units of local government may not represent their respective governments on boards.

**Section 8. Number of Members.**

The preferred limit on the number of members on a board shall be nine (9), provided, however, that in no event shall the membership exceed eleven (11). This limitation shall not apply to any board created by statute or other rule or law requiring a certain number of members. The Board of County Commissioners may authorize exceptions to this policy.

**Section 9. Residency Requirement.**

All board members must be residents of Palm Beach County at the time of appointment and while serving on the board.

**Section 10. Sunshine Law.**

All boards are to comply with the Sunshine Law. Reasonable public notice of all board meetings shall be provided. All meetings of the board shall be open to the public at all times and minutes shall be taken at each meeting.

**Section 11. Travel Reimbursement.**

Travel reimbursement is limited to expenses incurred only for travel outside Palm Beach County necessary to fulfill board member responsibilities when sufficient funds have been budgeted and are available, and upon the prior approval of the Board of County Commissioners. No other expenses are reimbursable except documented long distance phone calls to the liaison County department.

**Section 12. Palm Beach County Code of Ethics.**

Board members shall be governed by the applicable provisions of the Palm Beach County Ethics Code set forth in Resolution No. R94-693, and any amendments thereto.

**Section 13. Annual Narrative Report.**

Each board shall submit an annual narrative report to the Assistant Executive. The form, substance, and submittal dates for annual narrative reports shall be established by a PPM. Annual reports do not have to be submitted if the board is required to submit a report at least quarterly through ordinance, law, or some other legal document.

**Section 14. Conduct of Meeting.**

A quorum must be present for the conduct of all board meetings. A majority of the members appointed shall constitute a quorum. All meetings shall be governed by Robert's Rules of Order.

**Section 15. Conflict with Federal or State Law or County Charter.**

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

**Section 16. Effective Date.**

The provisions of this Resolution shall be effective October 1, 1995.

The foregoing resolution was offered by Commissioner <sup>Roberts</sup> \_\_\_\_\_ who moved its adoption. The Motion was seconded by Commissioner <sup>Marcus</sup> \_\_\_\_\_, and upon being put to a vote, the Motion passed.

as follows:

COMMISSIONER KEN L. FOSTER	- Absent
COMMISSIONER BURT AARONSON	- Aye
COMMISSIONER KAREN T. MARCUS	- Aye
COMMISSIONER CAROL A. ROBERTS	- Aye
COMMISSIONER WARREN H. NEWELL	- Aye
COMMISSIONER MARY McCARTY	- Aye
COMMISSIONER MAUDE FORD LEE	- Aye

The Chairman thereupon declared the resolution duly passed and adopted this 19th day of December, 1995.

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

Dorothy H. Wilken, Clerk

By: *April C. Smith*  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: *Dennis M. Dwyer*  
County Attorney

