

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date: April 10, 2007

Department: Environmental Resources Management

Advisory Board: Artificial Reef and Estuarine Enhancement Committee

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: One (1) appointment of an at-large member to the Artificial Reef and Estuarine Enhancement Committee (AREEC) for three (3) years beginning April 10, 2007 through April 10, 2010.

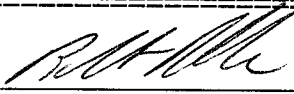

<u>Appointment:</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
James J. Barry	Local Government Entity	3	Comm. Marcus Comm. Koons Comm. Newell Comm. McCarty Comm. Greene Comm. Aaronson


Summary: Resolution No. R96-1489 provides for a nine (9) member AREEC. The membership consists of one (1) representative of the County Commission, two (2) members representing other local governmental entities, one (1) representing commercial scuba diving interest, one (1) member representing commercial marine industry, one (1) member representing commercial fishing interests, one (1) member representing a recreational fishing club, one (1) member representing a recreational scuba diving club, and one (1) member representing an environmental organization. A Memorandum dated March 2, 2007 was sent to the Board advising that the term of Seat 3 had expired. This appointment is for a three-year term expiring April 10, 2010. The nominee meets his respective seat requirement and wishes to serve on the AREEC. Countywide (HF)

Background and Justification: Resolution No. R96-1489 provides for a nine-member AREEC. The Board of County Commissioners created the AREEC to advise the Board on all matters relating to artificial reefs and enhancement of estuarine water bodies. At the November 9, 2006 AREEC meeting, Mr. James Barry's nomination for Seat No. 3 was discussed and agreed upon. No other nominations have been received.

Attachments:

1. Board Appointment Information Forms
2. Current Membership and Attendance Record
3. Resolution No. R96-1489

Recommended by:  3/22/07
Department Director  Date

Legal Sufficiency:  3/27/07
Assistant County Attorney Date

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT INFORMATION FORM

Part I:

Board Name: Artificial Reef & Estuarine Enhancement Committee

Appointment: At Large Town or Industry

Seat # 3 Special Requirements of the Seat: Local Government Entity

*Reappointment or New Appointment

or to complete the term of _____

due to: resignation other _____

Completion of term to expire on: April 10, 2010

Term of Appointment: 3 years. From April 10, 2007 To April 10, 2010

Part II: APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Mr. James J. Barry III

Occupation/Affiliation: Local Government Entity

Business Name: Retired - Environmental Director, Environmental Enhancement & Restoration Division, Dept. of Environmental Resources Management

Business Address: 2300 N. Jog Road, 4th Floor

City & State: West Palm Beach, FL Zip Code: 33411-2743

Residence Address: 115 Flagler Promenade North

City & State: West Palm Beach, FL Zip Code: 33405

Home Phone: 832-4197 Business Phone: _____

Mailing Address preference: Business Address Residence Address or Other:

Minority Identification Code:

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| <input type="checkbox"/> IF (American Indian Female) | <input type="checkbox"/> IM (American Indian Male) |
| <input type="checkbox"/> AF (Asian Female) | <input type="checkbox"/> AM (Asian Male) |
| <input type="checkbox"/> BF (Black Female) | <input type="checkbox"/> BM (Black Male) |
| <input type="checkbox"/> HF (Hispanic Female) | <input type="checkbox"/> HM (Hispanic Male) |
| <input type="checkbox"/> WF (White Female) | <input checked="" type="checkbox"/> WM (White Male) |

Part III: COMMISSIONER COMMENTS:

Appointment to be made at BCC Meeting on: Earliest Possible

****When a person is being considered for reappointment, the number and nature of previously disclosed voting conflicts shall be considered by the Board of County Commissioners.**

____ Number of previously disclosed voting conflicts.

Signature: Cindy L De Filippo for Comm. Karen T. Marcus Date: 3/14/07

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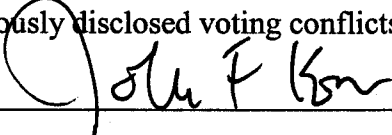
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Signature:  Date: 3/9/07

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Signature:  Date: March 5, 2007 4

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Signature: Mary McCarty Date: 3/13/07 5

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Signature: *Alfred L. Greene* Date: 03/10/07 6

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Signature: [Signature] Date: _____

ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE

Advisory Board Members as of January 2007

SEAT ID	CURRENT MEMBER	RACE CODE	BUSINESS/ HOME PHONE	REQUIREMENT	ORIG. APPT. DATE	RE-APPT. DATE	EXPIRE DATE
APPOINTED BY: At Large							
1	Comm. Warren Newell District 3 301 N. Olive Avenue West Palm Beach, FL 33401	WM	(561) 355-2203 () (561) 355-6344 - Fax wnewell@co.palm-beach.fl.us - E-mail	County Commissioner	12-08-93	12-08-98	// ↗
2	Gail Nelson 14972 Palmwood Road Palm Beach Gardens, FL 33410	WF	() (561) 626-5354 (561) 624-1747 - Fax gfnelson@bellsouth.net - E-mail	Local Governmental Entity	1-21-86	3-30-04	10-15-06
3	VACANT			Local Government Entity			
4	Skip Commagere 6542 Contempo Lane Boca Raton, FL 33432	WM	(561) (561) (561) 702-8621 - Cell Skip@Force-E.com - E-mail	Commercial Scuba Diving Interests	11-01-05		11-01-08
5	Martin Murphy, Sr. Murphy Construction Co. 1615 Clare Avenue West Palm Beach, FL 33401	WM	(561) 655-3634 (561) 840-1220 memsenior@aol.com - E-Mail	Commercial Marine Industry Interests	11-01-05		11-01-08
6	Ben Hartig 9277 SE Sharon Street Hobe Sound, FL 33455	WM	(772) 546-1541 patty21@bellsouth.net - E-Mail	Commercial Fishing Interests	3-30-04		3-30-07
7	Tom Twyford, Jr., Assoc. Dir. West Palm Beach Fishing Club P.O. Box 468 West Palm Beach, FL 33402	WM	(561) 832-6780 () (561) 832-2137 - Fax ttwyford@mindspring.com - E-mail	Recreational Fishing Club	9-6-88	3-30-04	10-15-06
8	John Hargis 1301 SW Third Street Boca Raton, FL 33486	WM	(561) 338-1473 (561) 392-5597 johnwhargis@yahoo.com - E-mail	Recreational Scuba Diving Club	11-03-00	3-30-04	11-03-06
9	Leah Schad 3701 North Flagler West Palm Beach, FL 33407	WF	() (561) 848-9984 (561) 848-7204 - Fax lgswpb@aol.com - E-mail	Environmental Organization	8-17-93	5-6-03	11-01-08

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Attachment 2

ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE

Attendance 2007



<u>Seat No. - Name</u>	<u>Jan. 11</u>	<u>Mar. 8</u>	<u>May 10</u>	<u>July 12</u>	<u>Sept. 13</u>	<u>Nov. 8</u>
1 - Comm. Warren Newell, Chair	P	P				
2 - Gail Nelson	P	P				
3 - VACANT	-	-				
4 - Skip Commagere	P	P				
5 - Martin Murphy, Sr.	P	P				
6 - Ben Hartig	P	A				
7 - Tom Twyford, Jr.	P	P				
8 - John Hargis	P	P				
9 - Leah Schad, Vice Chair	P	P				

A = Absent

C = Cancelled Meeting

EA= Excused Absence-Unavoidable Circumstances

P = Present

PBC Resolution No. R-2002-1606 states in part: "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 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. Members removed pursuant to this paragraph shall not continue to serve on the board and such removal shall create a vacancy."

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RESOLUTION NO. R-96-1489

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, CREATING THE PALM BEACH COUNTY ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE; PROVIDING FOR MEMBERSHIP; PROVIDING FOR STAGGERED TERMS; PROVIDING FOR MEETINGS AND ORGANIZATIONS; PROVIDING FOR DUTIES AND FUNCTIONS; PROVIDING FOR BOARD ACTION ADVISORY ONLY; PROVIDING FOR ASSISTANCE TO THE COMMITTEE; PROVIDING FOR RATIFICATION; PROVIDING FOR THE REPEAL OF RESOLUTION R-93-586;

WHEREAS, the Board of County Commissioners of Palm Beach County created the Artificial Reef and Estuarine Enhancement Committee (AREEC) by adoption of Resolution R-90-601, on April 3, 1990, to advise the Board on all matters relating to artificial reefs and enhancement of estuarine water bodies; and

WHEREAS, the AREEC desires to create staggered terms and remove the limitation on the number of consecutive terms a member may serve; and

WHEREAS, this reorganization will insure greater continuity and consistency of effort as AREEC membership changes over time and allow members with unique talents and abilities to continue to serve the Committee; and

WHEREAS, this reorganization will enable the Committee to more effectively advise the Board on the evolving challenges of artificial reef and estuarine enhancement.

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

Section 1. Creation. Upon adoption of this Resolution by the Board of County Commissioners, there is created and established a committee to be known as the Palm Beach County Artificial Reef and Estuarine Enhancement Committee, which committee shall replace, in its entirety, that certain Artificial Reef and Estuarine Enhancement Committee originally created by Resolution R-93-586.

Section 2. Membership:

- a. The Artificial Reef and Estuarine Enhancement Committee shall consist of nine (9) members

appointed at large by the Board of County Commissioners. Appointments shall be based upon nominations from the following:

1. One (1) representative of the County Commission of Palm Beach County, who, at the time of the appointment, shall be an elected member of the Commission. The selected member from the County Commission shall serve as the Chair of the Committee for the duration of the selected member's term of office as a County Commissioner;
2. Two (2) members representing other local governmental entities. One member shall be appointed for an initial term of four (4) years and one member shall be appointed for an initial term of three (3) years. All subsequent appointments and/or reappointments for both local governmental representatives shall be for terms of three (3) years;
3. One (1) member representing commercial scuba diving interests in Palm Beach County who shall be appointed for an initial term of two (2) years. All subsequent appointments and/or reappointments for the commercial scuba diving interests representative shall be for terms of three (3) years;
4. One (1) member representing commercial marine industry interests in Palm Beach County who shall be appointed for an initial term of two (2) years. All subsequent appointments and/or reappointments for the commercial marine industry interests representative shall be for terms of three (3) years;
5. One (1) member representing commercial fishing interests in Palm Beach County who shall be

appointed for an initial term of one (1) year. All subsequent appointments and/or reappointments for the commercial fishing interests representative shall be for terms of three (3) years;

6. One (1) member representing a recreational fishing club in Palm Beach County who shall be appointed for an initial term of four (4) years. All subsequent appointments and/or reappointments for the recreational fishing club representative shall be for terms of three (3) years;
 7. One (1) member representing a recreational scuba diving club in Palm Beach County who shall be appointed for an initial term of one (1) year. All subsequent appointments and/or reappointments for the recreational scuba diving club representative shall be for terms of three (3) years; and
 8. One (1) member representing an environmental organization in Palm Beach County who shall be appointed for an initial term of three (3) years. All subsequent appointments and/or reappointments for the environmental organization representative shall be for terms of three (3) years;
- b. Appointment of new members to fill vacancies and reappointment of members whose terms have expired shall be made at large by the Board of County Commissioners.

Section 3. Meetings and Organization. The Committee shall establish a time and place for holding meetings as may be necessary and shall adopt such rules of organization and procedure as may be required. The Committee may establish subcommittees for specific

subjects or tasks and may invite participation in said subcommittees by nonmembers in order to obtain input from other segments of the public interested in the artificial reef and estuarine enhancement program, provided however, that such members of the public shall not be considered members of the Artificial Reef and Estuarine Enhancement Committee and shall have no official voting powers or related rights and duties.

Section 4. Duties and Functions. The Committee shall have the following duties and functions.

- a. To make recommendations to the Board of County Commissioners regarding objectives and policies relative to the County's artificial reef and estuarine enhancement programs as they relate to management and coordination of such programs including, but not limited to, the review of existing and future artificial reef and estuarine enhancement locations, materials to be used in the construction of artificial reefs and estuarine enhancement projects, water quality, and other considerations relating to the management, implementation, and coordination of the artificial reef and estuarine enhancement programs.

Section 5. Committee Action Advisory Only. The actions, decisions, and recommendations of the Artificial Reef and Estuarine Enhancement Committee shall not be final or binding on the Board of County Commissioners but shall be advisory only.

Section 6. Assistance to the Committee. The Artificial Reef and Estuarine Enhancement Committee may call upon any department or other agency of the County, regional, state, federal, or local governments for information or advice in the performance of its work. Staff from the Department of Environmental Resources Management shall provide administrative support to the Committee.

The County Attorney's office shall act as legal counsel to the Artificial Reef and Estuarine Enhancement Committee at all its meetings and shall provide such legal advice and assistance as may be requested by the Artificial Reef and Estuarine Enhancement Committee. The Board of County Commissioners may, on behalf of the Artificial Reef and Estuarine Enhancement Committee, accept donations or other monetary or physical assistance from the general public to aid the Artificial Reef and Estuarine Enhancement Committee in fulfilling its duties as provided herein.

Section 7. Ratification. Notwithstanding anything contained herein, this resolution also hereby acknowledges, ratifies, and confirms all actions of the advisory committee known as the Artificial Reef and Estuarine Enhancement Committee, as was originally approved and initially organized by the Board of County Commissioners on April 3, 1990, prior to the formal adoption of this Resolution.

Section 8. Severability. If any section, sentence, clause, phrase, or word of this resolution is held to be invalid or unconstitutional by any court of competent jurisdiction then said holdings shall in no way affect the validity of the remaining portions of this resolution.

Section 9. Repeal of R-93-586. This resolution expressly repeals and supersedes Palm Beach County Resolution R-93-586.

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

	ABSENT	AYE	NAY
COMM. KEN L. FOSTER, Chair	_____	<u>X</u>	_____
COMM. BURT AARONSON, Vice Chair	<u>X</u>	_____	_____
COMM. KAREN T. MARCUS	_____	<u>X</u>	_____
COMM. CAROL A. ROBERTS	<u>X</u>	_____	_____
COMM. WARREN H. NEWELL	_____	<u>X</u>	_____
COMM. MARY McCARTY	_____	<u>X</u>	_____
COMM. MAUDE FORD LEE	_____	<u>X</u>	_____

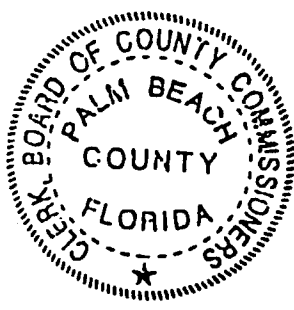
The Chair thereupon declared the resolution duly passed and adopted this 1st day of October, 1996.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

BY: [Signature]
(County Attorney)

BY: [Signature] D.C.
DOROTHY H. WILKEN, CLERK



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