

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY

6-B-1

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Meeting Date: 05/15/2007

Department: Equal Opportunity

Submitted By: Office of Equal Opportunity

Advisory Board Name: Fair Housing / Equal Employment Board

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Reappointment of two (2) members to the Fair Housing / Equal Employment Board for a term beginning on May 15, 2007 through January 9, 2009.

<u>Nominee</u>	<u>Nominated By:</u>	<u>Seat No.:</u>
Brenda Montague	Commissioner Greene Commissioner McCarty Commissioner Koons	4
Keith Spruill	Commissioner Greene Commissioner Koons	7

Summary: Brenda Montague and Keith Spruill are current members of the Fair Housing/Equal Employment Board. Both Ms. Montague and Mr. Spruill have indicated their willingness to be reappointed. Both reappointments are at-large and are for 2 year terms ending January 9, 2009. The board is composed of nine (9) members. Seven members are district appointments and two (2) are at-large. The Ordinances require that the appointees should reflect, to the greatest extent possible, representation from the protected groups identified in the Ordinances and who have experience and interest in equal opportunities. A memorandum was sent to the Board of County Commissioners on April 16, 2007 which requested nominations. Countywide (TKF)

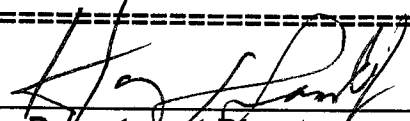
Background and Justification: The Board of County Commissioners enacted Ordinances 95-31 and Ordinance 90-1, as codified in Sections 2-261 through 2-313 of the Palm Beach County Code and Sections 15-36 through 15-64, respectively, establishing the Fair Housing/Equal Employment Board. This board serves as a quasi-judicial body empowered to hear and decide upon the merits of employment and housing discrimination complaints investigated by the Office of Equal Opportunity. The board meets monthly.


Pursuant to the Policies and Procedures Manual Board Appointments, the Department requested that the Chair and members of the Board of County Commissioners submit nominees to fill this at-large vacancy.

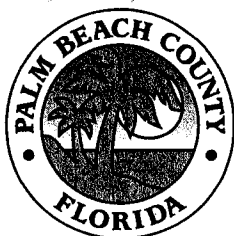
Attachments:

1. Memorandum of April 16, 2007 to BCC
2. Board Appointment Information Form (Ms. Montague)
3. Board Appointment Information Form (Mr. Spruill)
4. Current Membership Listing of FH/EEO Board
5. Ordinance 95-31 and Ordinance 90-1

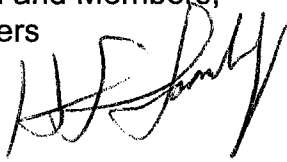
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Recommended by:  05-01-2007
Department Director Date

Legal Sufficiency:  5-2-07
Assistant County Attorney Date



MEMORANDUM

DATE: April 16, 2007
TO: Addie L. Greene, Chairperson and Members,
Board of County Commissioners
FROM: Harry L. Lamb, Jr., Director 
Office of Equal Opportunity
RE: *Fair Housing/Equal Employment Opportunity Board*

Office of Equal Opportunity
215 N. Olive Avenue, Suite 130
West Palm Beach, FL 33401
(561) 355-4883
Fax: (561) 355-4932
www.pbcgov.com/equalopportunity

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**Palm Beach County
Board of County
Commissioners**

- Addie L. Greene, Chairperson
- Jeff Koons, Vice Chair
- Karen T. Marcus
- Warren H. Newell
- Mary McCarty
- Burt Aaronson
- Jess R. Santamaria

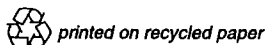
County Administrator

Robert Weisman

Director

Harry L. Lamb, Jr.

*"An Equal Opportunity
Affirmative Action Employer"*



The terms of Brenda Montague and Keith Spruill have expired. Both Ms. Montague and Mr. Spruill have indicated their desire to be reappointed to serve as members of the Fair Housing / Equal Employment Board expired. They are at-large appointees.

The FH/EEO Board is governed by County Ordinances 95-31 and 90-1, as amended. Appointments are for a 2 year term. The board is composed of nine (9) citizens of Palm Beach County - seven (7) are district appointments and two (2) are at-large. The Ordinances require that appointees should reflect, to the greatest extent possible, representation from the groups identified in the respective Ordinances and who have experience and interest in equal opportunities.

Attached are completed Board Appointment Form for reappointments of Ms. Montague and Mr. Spruill. OEO recommends reappointment of Ms. Montague and Mr. Spruill. They have both been outstanding members of this board. If the reappointments of these board members meets with your approval, please sign the forms and return them to our office. It is our intention to have this matter submitted for consideration at the May 15, 2007 meeting of the BCC.

The roster of the current members of the FH/EEO Board is enclosed for your information.

If there are any questions concerning this request, or if additional information is needed, please contact me at 355-2584.

cc: Brad Merriman, Assistant County Administrator
Tammy K. Fields, Assistant County Attorney

07 APR 27 AM 10:20

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSION
BOARD APPOINTMENT INFORMATION FORM**

Part I:

Board Name: Fair Housing / Equal Employment Board

At Large Appointment District Appointment

Term of Appointment: 2 years. From 05/15/2007 To 01/09/2009

Seat Requirement: Palm Beach County Resident Seat # 7
(Please describe education and/or experience that qualifies the nomination under the seat requirement).

The ordinances require that appointees should reflect, to the greatest extent possible representation from groups identified and who have experience and interest in equal opportunities. Applicant is qualified based upon expressed interest in equal opportunities.

Reappointment New Appointment
or to complete the term of _____
due to: resignation other _____
completion of term to expire on: _____

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

Name: Keith Spruill
Occupation/Affiliation: Vice-President / Branch Manager
Business Name: _____
Business Address: _____
City & State: West Palm Beach, FL Zip Code: _____
Residence Address: 326 Winters Street
City & State: West Palm Beach Zip Code: 33405
Home Phone: (561) _____ Business Phone: (561) 582-7933
Fax No.: (561) _____ E-Mail Address: spruillwpb@yahoo.com

Mailing Address preference: Business Address Residence Other or Other:

Minority Identification Code:
 IF (American Indian Female) IM (American Indian Male)
 AF (Asian Female) AM (Asian Male)
 BF (Black Female) BM (Black Male)
 HF (Hispanic Female) HM (Hispanic Male)
 WF (White Female) WM (White Male)

Part III: COMMISSIONER COMMENTS

Appointment to be made at BCC Meeting on 03/14/06.

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

Signature Reddie L. Greene Date: 4/20/07
brdapptinfo.2001.wpd

FAIR HOUSING/EQUAL EMPLOYMENT BOARD

(Current Board Members)

SEAT ID	CURRENT MEMBER	RACE CODE	BUSINESS/ HOME PHONE	REQUIREMENT	APPOINT DATE	EXPIRE DATE
APPOINTED BY: DIST. 2						
1	Rae Franks 312 Ninth Street West Palm Beach, FL 33401	HF	(561) 820-9177 (561)	Resident of Palm Beach County	05/07/2002	01/09/2008
APPOINTED BY: DIST. 3						
2	C. Robert Slatnick 12423 Crystal Pointe Drive Boynton Beach, FL 33437	WM	(561) 865-8037	Resident of Palm Beach County	04/11/2007	01/09/2008
APPOINTED BY: DIST. 7						
3	Sylvia Lee Blue 6285-G Chasewood Drive Jupiter, FL 33458	BF	(561) 512-9796	Resident of Palm Beach County	12/02/2005	01/09/2008
APPOINTED BY: AT-LARGE						
4	Brenda Montague 2443 South Coral Trace Circle Delray Beach, FL 33445	BF	(561) 243-6325 (561) 458-9727	Resident of Palm Beach County	02/27/2001	01/09/2007
APPOINTED BY: DIST. 4						
5	Vincent Goodman 450 West 36 th Street Riviera Beach, FL 33404	BM	(561) 842-6421	Resident of Palm Beach County	01/09/2004	01/09/2008
APPOINTED BY: DIST. 1						
6	Ethel Gravett C/o Coldwell Banker Realtors 9902 South U. S. Highway One Jupiter 33477	WF	(561) 545-1028 (561) 746-4019	Resident of Palm Beach County	06/04/2002	01/09/2008
APPOINTED BY: AT-LARGE						
7	Keith Spruill 326 Winters Street West Palm Beach 33405	BM	(561) 582-7933	Resident of Palm Beach County	03/14/2006	01/09/2007

FAIR HOUSING/EQUAL EMPLOYMENT BOARD

SEAT ID	CURRENT MEMBER	RACE CODE	BUSINESS/ HOME PHONE	REQUIREMENT	APPOINT DATE	EXPIRE DATE
APPOINTED BY: DIST. 6						
8	Vacant			Resident of Palm Beach County		
APPOINTED BY: DIST. 5						
9	Edwin Goldwasser 7616 Mansfield Hollow Delray Beach 33446	WM	() - (561) 495-6717	Resident of Palm Beach County	12/16/1997	01/09/2008

- (16) *Multifamily dwelling* means:
- a. Buildings consisting of four (4) or more units if such buildings have one (1) or more elevators; and
 - b. Ground floor units in other buildings consisting of four (4) or more units.
- (17) *Residential real estate related transaction* means any of the following:
- a. The making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling; or secured by residential real estate.
 - b. The selling, brokering or appraising of residential real property.
- (18) *Housing for older persons* means housing:
- a. Provided under any state or federal program that the office of equal opportunity or the fair housing board determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program;
 - b. Intended for, and solely occupied by, persons sixty-two (62) years of age or older; or
 - c. Intended and operated for occupancy by at least one (1) person fifty-five (55) years of age or older per unit in eighty (80) percent of the units, provided that the occupancy of such housing can be verified in accordance with rules established by the U. S. Department of Housing and Urban Development and provided that the housing facility publishes and adheres to policies and procedures that demonstrate the intent to provide housing for older persons.
 - d. Housing shall not fail to be considered housing for older persons if:
 - (i) A person who resides in such housing on or after September 13, 1988, does not meet the age requirements of this subsection provided that any new occupant meets such age requirements; or
 - (ii) One (1) or more units are unoccupied, provided that any unoccupied units are reserved for occupancy by persons who meet the age requirements of this subsection.
- e. In determining whether housing meets the requirements of housing for older persons, the county will utilize current federal regulations regarding criteria for housing for older persons.
(Ord. No. 90-1, § 2, 1-16-90; Ord. No. 95-42, §§ III—VI, 10-17-95; Ord. No. 96-23, § I, 8-20-96)

Sec. 15-38. Office of equal opportunity (OEO).

The county administrator exercising his/her power of appointment shall employ a director of the office of equal opportunity and such other personnel in the office of equal opportunity (OEO) as may be provided for in the budget approved by the board of county commissioners and for which an appropriation has been made. The staffing complement shall be referred to as the office of equal opportunity (OEO). It shall be the responsibility of the director and/or the director's designee to investigate complaints of discrimination prohibited by this article, attempt to conciliate and mediate complaints of discrimination, and to perform such other duties of an administrative nature as may be assigned by the county administrator.

(Ord. No. 90-1, § 3, 1-16-90; Ord. No. 95-42, § I, 10-17-95)

Sec. 15-39. Fair housing board.

The fair housing board of Palm Beach County is hereby created and established. The board is to be comprised of nine (9) citizens of the county appointed by the board of county commissioners to serve for staggered terms of two (2) years. In addition to minority representation on such board, the board shall reflect, to the greatest extent possible, representation for all ages, races, religious beliefs and types of employment. Members of the fair housing board shall be the same as members of the equal employment board created by separate ordinance. Seven (7) of the appointments shall be made as district appointments and

two (2) of the appointments shall be made at large by the board of county commissioners on the basis of community representation, integrity, experience and interest in the area of equal opportunities. In order that the terms of office of all members shall not expire at the same time, all current members of the fair housing board shall serve the remainder of their respective terms, if they so elect. Any member who elects not to serve the remainder of their term shall be replaced by appointments made at large by the board of county commissioners to serve the unexpired portion of the term. The two (2) additional members needed to complete the fair housing board shall be appointed at-large by the board of county commissioners for a term of one (1) year. Vacancies shall be filled in the same manner as the original appointments for the remainder of the vacant term. Each member shall serve without compensation. Each district appointee may be removed without cause by the appointing commissioner at any time, and at large appointees may be removed without cause by a vote of the board of county commissioners at any time. Members may not be members of more than two (2) other advisory boards appointed by the board of county commissioners; however, membership on the equal employment board and the fair housing board shall only be considered membership on one (1) advisory board. Members shall be governed by the applicable provisions of the Palm Beach County Code of Ethics, Resolution No. R-94-693, as may be amended. Abstention from voting due to a conflict of interest on more than three (3) separate matters during a calendar year shall result in automatic removal. Members shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or failure to attend more than one-half ($\frac{1}{2}$) of the meetings scheduled during a calendar year. Participation for less than three fourths ($\frac{3}{4}$) of a meeting shall constitute lack of attendance. Excused absences due to illness, absence from the county, or personal hardship, if approved by vote of the fair housing board, shall not constitute lack of attendance. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the fair housing board. Members removed under this section shall not continue to serve until a new appoint-

ment is made and removal shall create a vacancy. Members of the fair housing board shall appoint a chairperson and vice-chairperson, and the board may promulgate rules and regulations for the conduct of its meetings and affairs. (Ord. No. 90-1, § 4, 1-16-90; Ord. No. 95-42, § VII, 10-17-95)

Sec. 15-40. Board terms, rules and regulations.

The following rules and regulations shall govern the operation of the board:

- (1) The chairperson of the board shall be elected by majority vote of the board and shall serve for a term of one (1) year and have the following duties:
 - a. Call board meetings and set the agenda for the same.
 - b. Preside at board meetings.
 - c. Sign subpoenas.
 - d. Appoint and define the role of such committees as are necessary or expedient to advise the board, the director of the office of equal opportunity and the board of county commissioners.
 - e. Perform such other functions as the board may assign by rule or order.
- (2) The vice-chairperson shall be elected by majority vote of the board and shall serve for a term of one (1) year. The vice-chairperson shall perform the duties of the chairperson in the chairperson's absence and such other duties as the chairperson may assign.
- (3) If a vacancy occurs in the office of chairperson, the vice-chairperson shall become the chairperson for the unexpired term of the chairperson. If a vacancy occurs in the office of vice-chairperson, the board will elect another member to fill the unexpired term of the vice-chairperson.
- (4) Three (3) members of the board shall constitute a hearing panel for the purposes of hearing discrimination complaints. A ma-

DIVISION 2. OFFICE OF EQUAL OPPORTUNITY

Sec. 2-271. In general.

The county administrator exercising his/her power of appointment shall employ a director and such other personnel in the office of equal opportunity (OEO) as may be provided for in the budget approved by the board of county commissioners and for which an appropriation has been made. The director and staffing complement shall be referred to as the office of equal opportunity. It shall be the responsibility of the director and/or the director's designee to investigate complaints of discrimination prohibited by this article, and the laws of the United States of America and the State of Florida, and attempt to conciliate and mediate complaints of discrimination, to perform such other duties which will promote and provide for equal opportunity and for enforcement of this article and the laws of the United States of America and the State of Florida; and to perform such other duties of an administrative nature as may be assigned by the county administrator.
(Ord. No. 95-31, 8-15-95)

Sec. 2-272. Duties and powers of the office of equal opportunity.

The duties, functions, powers and responsibilities of the office shall include the following:

- (1) The enforcement of the provisions of this article and rules and regulations promulgated hereunder.
- (2) Publish and disseminate public information and materials relating to equal employment opportunities issues.
- (3) Perform, such other administrative duties as may be assigned by the county administrator.
- (4) To become a referral agency for the state and federal government and comply with the necessary state and federal regulations.
- (5) To report to the board of county commissioners on a quarterly basis the number and types of cases processed or in process.
(Ord. No. 95-31, 8-15-95)

Sec. 2-273. Duties and powers of the director.

The powers and duties of the director and/or the director's designee shall be:

- (1) To investigate and make findings regarding:
 - a. Tension or prejudice in relation to all equal employment involving race, sex, color, religion, national origin, age or disability;
 - b. Discrimination against any person by any person with regard to employment on the basis of race, sex, color, religion, national origin, age or disability.
- (2) To attempt to conciliate and mediate complaints of discrimination brought pursuant to this article.
- (3) To prepare consent agreements embodying any agreement reached by the parties relating to the complaint and to present such agreement to the equal employment board, for the board's acceptance or rejection.
- (4) To administer oaths, subpoena witnesses, and compel production of evidence pertaining to any investigation authorized by this article.
- (5) To administratively dismiss complaints pursuant to the provisions of this article.
- (6) To exercise all powers reasonable and necessary to fulfill the purpose of this article.
(Ord. No. 95-31, 8-15-95)

Secs. 2-274-2-280. Reserved.

DIVISION 3. EQUAL EMPLOYMENT BOARD

Sec. 2-281. Established; composition.

The equal employment board is hereby created and established. This board is to be composed of nine (9) citizens of Palm Beach County appointed by the board of county commissioners to serve staggered terms of two (2) years. The board shall reflect, to the greatest extent possible, representation from groups identified in this article and from various types of employment. Members of the equal employment board shall be the same as

members of the fair housing board created pursuant to Palm Beach County Ordinance 90-1, as may be amended.
(Ord. No. 95-31, 8-15-95)

Sec. 2-282. Qualifications of members.

Members of the board shall be residents of Palm Beach County, Florida. Seven (7) of the appointments shall be made as district appointments and two (2) of the appointments shall be made at large by the board of county commissioners on the basis of community representation, integrity, experience and interest in the area of equal opportunities. Each district appointee may be removed without cause by the appointing commissioner at any time, and at large appointees may be removed at any time by a vote of the board of county commissioners. Members may not be members of more than two (2) other advisory boards appointed by the board of county commissioners; however, membership on the equal employment board and the fair housing board shall only be considered to be membership on one (1) advisory board. Members shall be governed by the applicable provisions of the Palm Beach County Code of Ethics, Resolution No. R-94-693, as may be amended. Abstention from voting due to a conflict of interest on more than three (3) separate matters during a calendar year shall result in automatic removal.
(Ord. No. 95-31, 8-15-95)

Sec. 2-283. Terms of office.

In order that the terms of office of all members of the board shall not expire at the same time, the initial appointments to the board shall be made as follows:

- (1) All current members of the fair housing board as established by Palm Beach County Ordinance No. 90-1 shall be made members of the equal employment board provided that each member agrees to the appointment. All members shall serve the remainder of their respective terms on the fair housing board.
- (2) Any members of the fair housing board who elect not to be members of the equal opportunity board shall be replaced by appointments made at large by the board of county

commissioners in the same manner as other vacancies are filled and are to serve for the unexpired portion of the term.

- (3) The two (2) additional members needed to complete the equal opportunity board shall be appointed at-large by the board of county-commissioners for a term of one (1) year.

Thereafter, all appointments shall be for a term of two (2) years as provided above. Appointments to fill vacancies on the board shall be for the remainder of the unexpired term.

(Ord. No. 95-31, 8-15-95)

Sec. 2-284. Attendance.

Members shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or failure to attend more than one-half ($\frac{1}{2}$) of the meetings scheduled during a calendar year. Participation for less than three-fourths ($\frac{3}{4}$) of a meeting shall constitute lack of attendance. Excused absences due to illness, absence from the county, or personal hardship, if approved by vote of the equal employment board, shall not constitute lack of attendance. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the equal employment board. Members removed under this section shall not continue to serve until a new appointment is made and removal shall create a vacancy.
(Ord. No. 95-31, 8-15-95)

Sec. 2-285. Organization of the board.

(a) The members of the board shall elect a chairperson and vice-chairperson by a majority vote of the board and such officers shall serve for a term of one (1) year. The chairperson shall have the following duties:

- (1) Schedule all board meetings and set agenda for the same;
- (2) Preside at board meetings;
- (3) Sign subpoenas;
- (4) Appoint and define the role of such committees as are necessary or expedient to advise