

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

BOARD APPOINTMENT SUMMARY

Meeting Date: May 19, 2009
Department: County Administration
Advisory Board: Boca Raton Airport Authority

I. EXECUTIVE BRIEF

Motion/Title: Staff recommends motion to approve: reappointment of the following individuals to the Boca Raton Airport Authority for a term of two (2) years, effective June 2, 2009, through June 1, 2011:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Janet Sherr	6	Greater Boca Raton Airport Reserve Area	Comm. Abrams Comm. Aaronson
Willard "Bill" Schwartz	7	Greater Boca Raton Airport Reserve Area	Comm. Abrams Comm. Aaronson

Summary: The Boca Raton Airport Authority created by Chapter 2004-468, Laws of Florida, is composed of seven (7) members: five (5) members are appointed by the City of Boca Raton and must reside within the municipality; and two (2) members are appointed by the Board of County Commissioners and the members must reside within the Greater Boca Raton Reserve Area. The above two (2) County representatives' terms will expire June 1, 2009. Both representatives have expressed a desire to continue on the Authority and are eligible for reappointment. On April 22, 2009, a memo was distributed to the BCC regarding nominations to the above Authority. No other nominations were received. District 4 (JB)

Background and Justification: The Boca Raton Airport Authority (Authority) has jurisdiction over the operation and maintenance of and improvements to the State-owned land known as the Boca Raton Airport.

Attachments:

1. Board Appointment Information Forms
2. Memo dated April 22, 2009 requesting nominations
3. Current List of Board Members
4. Chapter 2004-468, Laws of Florida creating the Authority

Recommended by:

Patty Hndle
Agenda Coordinator

5/7/09
Date

Legal Sufficiency:

James Brink
Assistant County Attorney

5/7/09
Date

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ADVISORY BOARD NOMINEE INFORMATION FORM**

Part I:

Board Name: Boca Raton Airport Authority

☒ At Large Appointment

or

☐ District Appointment

Term of Appointment: 2 Years. From: June 2, 2009 To: June 1, 2011

Seat Requirement: Greater Boca Raton Airport Reserve Area Seat #: 6

☒ *Reappointment

or

☐ New Appointment

or ☐ to complete the
term of _____

Due ☐ resignation ☐ other
to: _____

Completion of term to
expire on: _____

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

Name: Sherr Janet
Last First Middle

Occupation/Affiliation: _____

Business Name: _____

Business Address: _____

City & State _____ Zip Code: _____

Residence Address: 21259 Greenwood Court

City & State Boca Raton, Florida Zip Code: 33433

Home Phone: (561) 451-1652 Business Phone: () Ext. _____

Cell Phone: () Fax: ()

Email Address: _____

Mailing Address preference: ☐ Business Address ☐ Residence

Minority Identification Code:

<input type="checkbox"/> IF (Native-American Female)	<input type="checkbox"/> IM (Native-American Indian Male)
<input type="checkbox"/> AF (Asian-American Female)	<input type="checkbox"/> AM (Asian-American Male)
<input type="checkbox"/> BF (African-American Female)	<input type="checkbox"/> BM (African-American Male)
<input type="checkbox"/> HF (Hispanic-American Female)	<input type="checkbox"/> HM (Hispanic-American Male)
<input checked="" type="checkbox"/> WF (Caucasian Female)	<input type="checkbox"/> WM (Caucasian Male)

Part III: COMMISSIONER COMMENTS

Appointment to be made at BCC Meeting on: May 19, 2009

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

Number of previously disclosed voting conflicts during the previous term

Signature:  Date: _____

Part I:

Part I:



County Administration

P.O. Box 1989

West Palm Beach, FL 33402-1989

(561) 355-2030

FAX: (561) 355-3982

www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Jeff Koons, Chairman

Burt Aaronson, Vice Chairman

Karen T. Marcus

Shelley Vana

Steven L. Abrams

Jess R. Santamaria

Addie L. Greene

County Administrator

Robert Weisman



"An Equal Opportunity
Affirmative Action Employer"

MEMORANDUM

TO: Commissioner Jeff Koons, Chairman and Members
of the Board of County Commissioners

FROM: Patty Hindle, Agenda Coordinator
County Administration *Patty Hindle*

DATE: April 22, 2009

RE: Boca Raton Airport Authority

The Boca Raton Airport Authority (Authority) has jurisdiction over the operation and maintenance of and improvements to the State-owned land known as the Boca Raton Airport. The Authority is composed of seven (7) members: five (5) members are appointed by the City of Boca Raton and must reside within the municipality; and two (2) members are appointed by the Board of County Commissioners and the members must reside within the Greater Boca Raton Reserve Area.

The two (2) County representatives Janet Sherr (Seat No. 6) and Willard "Bill" Schwartz (Seat No. 7) terms will expire June 1, 2009. Both representatives have expressed a desire to continue on the Authority and are eligible for reappointment. Members serve for two (2) year terms.

If you would like to support the reappointment of Ms. Sherr and/or Mr. Schwartz, please sign the attached Board Appointment Nominee Information Form(s). Should you have a new recommendation, I have attached a blank Board Appointment Nominee Information Form for your convenience. I intend to prepare a board item for consideration at the May 19, 2009 meeting, so please send me your forms no later than May 8, 2009. If you have any questions, please contact me at 355-3229.

:pah

Attachments

1. Current Membership List
2. Chapter 2004-468, Laws of Florida

Attachment # 2

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**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOCA RATON AIRPORT AUTHORITY**

I. AUTHORITY :

67-1112, Laws of Florida; Chapter 82-259 Laws of Florida 1991 Legislature HB 1501, amended by Laws of Florida 1999 Legislature SB 2594.

II. APPOINTING BODY :

Board of County Commissioners

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :

This Authority shall consist of seven (7) members. As a condition of eligibility for appointment and to hold office, five (5) members must reside within the municipality and two (2) members must reside within the Greater Boca Raton Reserve Area, as defined in Chapter 67-1112, Laws of Florida. Of the five municipal residents, three (3) must reside east of the airport, one (1) must reside west of the airport, and one (1) may reside anywhere in the municipality. The County Commission shall appoint two (2) members each of whom must reside within the Greater Boca Raton Reserve Area. The City Council shall appoint the five members who must reside within the limits of the municipality as specified in subsection (1). The terms of office shall be for two (2) years. Each term shall expire on June 1st. The County and Boca Raton Pilots' Assn. members' terms shall expire in odd years and the other members terms shall expire in even years.

EXTENDED COMPOSITION :

IV. MEETINGS :

The Authority shall meet the third Wednesday of each month at 6:00 p.m., in the Council Chambers at City Hall. A quorum shall consist of three (3) members, but affirmative vote of not less than three (3) members shall be necessary to take any action except to adjourn.

V. FUNCTIONS :

The Authority has jurisdiction over the operation and maintenance of and improvements to the State-owned land known as the Boca Raton Airport.

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

None

CONTACT PERSON

Ken Day Director

ADDRESS

3700 Airport Rd Ste 204
Boca Raton FL 33431
Phone # 561-391-2202

Attachment # 3
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BOCA RATON AIRPORT AUTHORITY

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	RE-APPOINT DATE	EXPIRE DATE
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Appointed By : Boca Raton City Council

1	Bruce Benefield 850 NE 71st St Boca Raton FL 33487	Member	EA	(56-1) -241-4610	Reside In The Limits Of The Municipality	06/01/2001	06/02/2007	06/01/2009
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NOMINATED BY :

2	Harold Ingraham 5260 NW 2nd Ave Boca Raton FL 33487	Member	EA	(56-1) -982-8835	Reside In The Limits Of The Municipality	06/01/2002	06/02/2008	06/01/2010
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NOMINATED BY :

3	Paul Carman 847 Forsyth St Boca Raton FL 33487	Member	UN	561-998-3247	Reside In The Limits Of The Municipality	06/01/2006	06/02/2008	06/01/2010
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NOMINATED BY :

Appointed By : Boca Raton City Council

4	Frank Feiler	Member	UN	--	Reside In The Limits Of The Municipality	06/01/2006	06/02/2008	06/01/2010
	841 Appleby St Boca Raton FL 33487							

NOMINATED BY :

5	Kristen Hughes	Member	UN	(56-1) -392-8302	Reside In The Limits Of The Municipality	06/01/2005	06/02/2007	06/01/2009
	5294 Sapphire Vly Boca Raton FL 33486							

NOMINATED BY :

Appointed By : PBC County Commission

6	Janet Sherr	Member	EA	(56-1) -883-2954	Greater Boca Raton Reserve Area	06/22/1999	06/02/2007	06/01/2009
	21259 Greenwood Ct Boca Raton FL 33433							

NOMINATED BY :

7	Willard "Bill" Schwartz	Member	EA	561-218-3322	Greater Boca Raton Reserve Area	09/14/2004	06/02/2007	06/01/2009
	21186 Hamlin Dr Boca Raton FL 33433							

NOMINATED BY :

CHAPTER 2004-468

House Bill No. 1675

An act relating to the Boca Raton Airport Authority; providing for a codified charter for the Boca Raton Airport Authority; creating the Boca Raton Airport Authority; providing for its membership, terms of office, officers, quorum, and meetings; defining the powers and duties of the authority; providing for reimbursement of travel expenses; providing for budgets; providing for transfer of funds; providing for an airport manager; defining the relationship between the authority, the City of Boca Raton, Palm Beach County, and the State of Florida; providing for continued vesting of title to the land comprising the Boca Raton Airport in the Board of Trustees of the Internal Improvement Trust Fund; providing the authority is liable for certain obligations and damages; declaring the authority to be an agency of the state; repealing chapters 82-259, 83-371, 91-381, and 99-421, Laws of Florida; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. In accordance with section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Boca Raton Airport Authority. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapters 82-259, 83-371, 91-381, and 99-421, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

Section 1. Short title.—This act may be cited as the “Boca Raton Airport Authority Act.”

Section 2. Definitions.—As used in this act:

(1) “Airport” means the state-owned land within the territorial limits of the City of Boca Raton now known as the Boca Raton Airport.

(2) “Authority” means the Boca Raton Airport Authority.

(3) “City” means the City of Boca Raton.

(4) “City council” means the governing body of the City of Boca Raton.

(5) “County” means Palm Beach County.

(6) “County commission” means the Board of County Commissioners of Palm Beach County.

(7) “Project” means and includes the acquisition, improvement, or maintenance of real or personal property within the boundaries of the Boca Raton Airport.

Section 3. Authority; creation and purpose.—There is hereby created a body politic and corporate to be known as the Boca Raton Airport Authority. The exercise by the authority of the powers conferred upon it by this act will be deemed to be for an essential and proper public purpose.

Section 4. Membership; terms of office; officers; quorum; meetings; removal.—

(1) The authority shall consist of seven members. As a condition of eligibility for appointment and to hold office, five members must reside within the municipality, and two members must reside within the Greater Boca Raton Reserve Area, as defined in chapter 67-1112, Laws of Florida. Of the five municipal residents, three must reside east of the airport, one must reside west of the airport, and one may reside anywhere in the municipality.

(2) The county commission shall appoint two members, each of whom must reside within the Greater Boca Raton Reserve Area. The city council shall appoint the five members who must reside within the limits of the municipality as specified in subsection (1).

(3) The term of office for each member shall be 2 years. Each term shall expire on June 1 in the year of expiration of the term. The county members' terms shall expire in odd years and the other members' terms shall expire in even years.

(4) A chair, vice chair, and secretary shall be chosen by and from the authority membership. The term of office for the chair, vice chair, and secretary shall be 1 year, and no member shall hold the same office for more than two consecutive terms.

(5) A quorum shall consist of four members, but the affirmative vote of not less than four members shall be necessary to take any action except to adjourn.

(6) The authority shall meet at least once each month at such times and places within the city as shall be determined by the authority.

(7) Any member may be removed by the commission or council which appointed that member, but only for grounds constituting misfeasance, malfeasance, or nonfeasance in office, or upon conviction of any crime. The unexcused failure to attend three consecutive regular meetings of the authority shall be deemed nonfeasance, without limiting the meaning of that term.

(8) Vacancies in office shall be filled by the appropriate appointing entity for the balance of the term. Each appointment to fill a vacancy shall be made from a list of nominees furnished by the entity which nominated the member who held the office. In such cases, the list of nominees shall be filed not later than 30 days after notice of the vacancy has been given to the nominating entity.

Section 5. Powers and duties.—The authority shall have jurisdiction over the operation and maintenance of and improvements to the Boca Raton Airport. The authority shall have the following specific powers and duties:

- (1) To enter into contracts and to sue and be sued in its own name.
- (2) To acquire real and personal property.
- (3) To let or lease the airport or any portion of the airport, including the buildings and hangars thereon, and to grant concessions upon such terms and conditions as it shall deem proper.
- (4) To employ necessary personnel, including an airport manager, whose duties and salaries shall be prescribed by the authority.
- (5) To accept revenues from the operation of the airport and to accept gifts, grants, and other revenues; but the authority shall not have the power to levy or collect ad valorem taxes.
- (6) To adopt a budget annually, and to amend it during the fiscal year.
- (7) To adopt rules for the regulation of its affairs and the conduct of its business, and rules for the operation of the airport and aircraft, including, but not limited to, safety and noise abatement rules, and to enforce and administer all such rules.
- (8) To adopt and alter an official seal.
- (9) To maintain an office within the city.
- (10) To construct, reconstruct, improve, equip, repair, maintain, and operate the airport and such buildings, structures, roads, alleyways, and any other development of land as the authority shall determine to be necessary and proper in the performance of the duties and purposes of this act, within the boundaries of the airport.
- (11) To issue revenue bonds or refunding bonds of the authority to pay the cost of such acquisition, construction, reconstruction, improvement, or equipment.
- (12) To fix and revise from time to time and to collect rates, fees, and other charges for the use of or for the services and facilities furnished by or at the airport.
- (13) To do all acts and things necessary or convenient to carry out the purposes of the authority.

Section 6. Compensation and travel expenses.—The members shall receive no salary or other compensation for their services as members of the authority except a fee of \$100 for attending each regular monthly meeting of the authority. Compensation of members shall be limited to \$1,200 per member per annum. The authority shall also have authority to pay reasonable costs and expenses necessarily incurred by the members in performance of their duties. The rate for travel expenses shall not exceed the rate for state employees.

Section 7. Budget.—The authority shall during each fiscal year prepare and adopt an annual budget for such revenue and expense accounts as the

authority shall prescribe for its operations in the ensuing fiscal year. The fiscal year of the authority shall be the same as that of the city. The budget shall include all estimated revenues and all estimated expenditures for the ensuing fiscal year.

Section 8. Airport manager.—The authority shall employ an aviation-experienced airport manager to administer all airport operations and to supervise all airport projects. The decision to employ or terminate the employment of the airport manager shall require the four-fifths vote of the members of the authority.

Section 9. Relationship between the authority, city, county, and state.—The authority shall have the power and responsibility to operate the airport in a manner consistent with applicable federal and state law and the objectives of the county and the city. The authority shall comply with appropriate police powers of the county or of the city respecting the operation and development of an airport. Applicable building codes of the city shall apply to all construction upon the airport, except to the extent that different state or federal requirements are expressly applicable, and except to the extent that the authority or the airport has been made exempt from any requirement of the city by state or federal law. All construction upon the airport shall be subject to inspection by the city on behalf of the state, and the city inspectors may insure compliance with applicable state regulations for such construction in addition to applicable city regulations.

Section 10. Title to airport land.—The title to the land comprising the Boca Raton Airport shall continue to be vested in the Board of Trustees of the Internal Improvement Trust Fund of the state. The airport is leased to the authority by the Board of Trustees of the Internal Improvement Trust Fund. Nothing in this act shall be construed to impair the obligations of any agreement between the state or any of its agencies and the fixed base operator of the airport entered into as of effective date of this act.

Section 11. Liabilities.—The authority shall be liable for its obligations and for damages caused by the negligent acts or omissions of the authority. The authority shall be deemed to be an agency of the state for the purposes of section 768.28, Florida Statutes.

Section 3. Chapters 82-259, 83-371, 91-381, and 99-421, Laws of Florida, are repealed.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 17, 2004.

Filed in Office Secretary of State June 17, 2004.