

Agenda Item #:

6B-1

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date: October 18, 2011

Department: Airports

Submitted By: Airports

Advisory Board Name: Citizens Committee on Airport Noise

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to appoint: the following individual to the Citizens Committee on Airport Noise (CCAN) for a term of three years:

<u>SEAT</u>	<u>NAME</u>	<u>ACTION</u>	<u>ORGANIZATION</u>
No. 8	Michael Klingensmith	Re-Appointment	PBC League of Cities, Inc.

Summary: Per Resolution No. R94-1060, the Citizens' Committee on Airport Noise consists of 13 seats of which 6 (seat No. 8 through seat No. 13) are recommended for appointment by the organizations approved by the BCC. The Palm Beach County League of Cities, Inc. submitted their recommendations for representation by letter. **(Countywide)(AH)**

Background and Justification: The Citizens Committee on Airport Noise, created August 3, 1982 through Resolution No. R-82-804, pursuant to the Palm Beach International Airport Development Order R-82-199 and amended by Resolution R-83-857, Resolution R-84-0977, Resolution R-90-1344 and Resolution R-94-1060, is charged to consider potential noise mitigation methods and suggest programs, concepts or similar matters to the Department of Airports the Board of County Commissioners and the Staff Monitoring Committee. Of the nine (9) presently appointed members there are six (6) white males, one (1) Hispanic male and two (2) white females.

Attachments:

1. Boards/Committees Application
 2. Letter from the Palm Beach County League of Cities, Inc.
 3. Boards and Commissions Directory Membership Listing
 4. Resolution R2002-0544
-
-

Recommended by:


Department Director

9/27/11
Date

Legal Sufficiency:


Assistant County Attorney

9/30/11
Date

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

**REVISED 06/92
ADM FORM 03
(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)**

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

*The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.*

Section I (Department): (Please Print)

Board Name: Citizens Committee on Airport Noise Advisory ☒ Not Advisory ☐

☒ At Large Appointment or ☐ District Appointment /District #: _____

Term of Appointment: 3 Years. From: 2011 To: 2014

Seat Requirement: No special requirement Seat #: 8

☒ *Reappointment or ☐ New Appointment

or ☐ to complete the term of _____ Due to: ☐ resignation ☐ other

Completion of term to expire on: _____

***When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: 0**

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Klingensmith Michael B
Last First Middle

Occupation/Affiliation: property management
Owner ☐ Employee ☐ Officer ☐

Business Name: currently not working

Business Address: _____

City & State _____ Zip Code: _____

Residence Address: 1455 Shannon Dale rd

City & State CLAND LAKE FL Zip Code: 33406

Home Phone: (813) _____ Business Phone: () _____ Ext. _____

Cell Phone: (813) 685-5455 Fax: () _____

Email Address: _____

Mailing Address Preference: ☐ Business ☒ Residence

Have you ever been convicted of a felony: Yes _____ No ☒

If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code: ☒ Male ☐ Female
☐ Native-American ☐ Hispanic-American ☐ Asian-American ☐ African-American ☒ Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Ex: (R#XX-XXXX/PO XXX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/11-09/30/12</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR ☒ NONE

All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

☒ By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

☒ By watching the training program on the Web, DVD or VHS
☒ By attending a live presentation given on June, 20 11

AND

☒ By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature: [Signature] or Printed Name: Michael Klugenshull Date: 9-20-11

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 233-0724.

Return this FORM to:
Connie Shoffner
Department of Airports
846 PBIA
West Palm Beach, FL 33406

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: _____

Connie Shoffner

From: Kristen Puhalainen [KPuhalainen@pbcgov.org]
Sent: Monday, September 19, 2011 2:34 PM
To: Connie Shoffner
Subject: PBC League of Cities
Attachments: CCAN appt letter 11.doc

Connie,

Here is our appointment letter for Mr. Klingensmith.

Kristen Puhalainen
Member Outreach Director
Palm Beach County League of Cities
561.355.4484/fax 561.355.6545
www.leagueofcities.org
Twitter: pbcloc

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

9/27/2011

Attachment # 2

March 31, 2011

Ms. Connie Shoffner
Palm Beach County Airports Department
Bldg. 846
Palm Beach International Airport
West Palm Beach, FL 33406

RE: Citizens Committee on Airport Noise Appointment

Dear Ms. Shoffner:

At its meeting on March 30, the Palm Beach County League of Cities General Membership ratified the appointment of Town of Cloud Lake Vice Mayor Michael Klingensmith as the League of Cities' representative on this committee.

The contact information for Councilmember Klingensmith:

Town Hall phone: 686-2815
E-mail address: townofcloudlake@msn.com

If you have any questions regarding this matter, please contact our office at 355-4484.

Sincerely,

Kristen Puhalainen
Membership Outreach Director

cc: Vice Mayor Michael Klingensmith – Town of Cloud Lake



**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
CITIZENS' COMMITTEE ON AIRPORT NOISE**

I. AUTHORITY :

Resolution No. R82-199; amended by Resolution No. R82-804; as amended by Resolution No. R83-857; as amended by Resolution No. R84-977; as amended by Resolution No. R90-1344; established pursuant to the provisions of the PBC International Airport Development Order; as amended by Resolution No. R94-1060 on August 16, 1994, as amended by Resolution No. R2002-0544 on April 16, 2002.

II. APPOINTING BODY :

Board of County Commissioners

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :

This Committee shall be composed of thirteen (13) members plus three (3) alternates. The thirteen (13) members of the advisory board shall be appointed by the Board of County Commissioners of Palm Beach County and have the following representative classifications: seven (7) members shall be recommended, one (1) each, by the seven (7) County Commissioners; one (1) member shall be recommended by the Palm Beach County League of Cities; one (1) recommended by the Good Neighbor Council for Aircraft Noise Control; one (1) recommended by the Airline Pilot's Association; one (1) recommended by the Air Carriers serving Palm Beach International Airport; one (1) recommended by the Economic Council of Palm Beach County and one (1) member, residing in and representing the area within the Town of Palm Beach and living south of Royal Palm Way, recommended by the Town of Palm Beach. The Airline Pilots Association and the Air Carriers serving Palm Beach International Airport shall select a designated alternate to attend meetings and vote in place of the appointed member, if the appointed member is unable to attend. The BCC shall appoint an alternate at-large to attend all regular meetings and vote in place of any Commission appointee if the appointed member is unable to attend in order to provide quorum of the committee.

The term of membership shall be two (2) years for appointees of each County Commissioner and three (3) years for all other appointees subject to reappointment by the Board of County Commissioners.

EXTENDED COMPOSITION :

IV. MEETINGS :

Quarterly, 9:30 a.m. at Department of Airports, Building 846, West Palm Beach.

V. FUNCTIONS :

The Citizens' Committee on Airport Noise shall consider potential noise mitigation methods and suggest programs, concepts and resolution of complaints to the Department of Airports, and the Board of County Commissioners. The Citizens' Committee on Airport Noise shall place emphasis upon obtaining input from the public as to the extent of the noise problem at PBIA and recommendations for possible noise mitigation methods.

Attachment #

3

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

Airports

CONTACT PERSON

Connie Shoffner

ADDRESS

PBIA Bldg S 846
West Palm Beach FL 33406
Phone # 561-471-7412



CITIZENS' COMMITTEE ON AIRPORT NOISE

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	GENDER	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	RE-APPOINT DATE	EXPIRE DATE
Appointed By : District 1									
1	Howard Alterman, P.A. Howard P. Alterman, P.A. 325 S Dixie Hwy Ste 1 Lake Worth FL 33460	Member	CA	M	561-641-0262	No Special Requirement	06/17/2003	06/17/2009	06/16/2011
NOMINATED BY :									
Appointed By : District 2									
2	Vacant FL	Member	UN	M	--	No Special Requirement			
NOMINATED BY :									
Appointed By : District 3									
3	Alfred "Paul" Agnew 8391 150th Ct N Palm Beach Gardens FL 33418	Member	CA	M	561-747-9009	No Special Requirement	06/03/2003	06/03/2009	06/02/2011
NOMINATED BY :									
Appointed By : District 4									
4	Katherine Waldron P.O. Box 3145 West Palm Beach FL 33402	Member	CA	F	--	No Special Requirement	06/03/2008	10/18/2009	10/17/2011
NOMINATED BY :									

Appointed By : District 5

5	Harvey Bennett	Member	CA	M	561-733-2234	No Special Requirement	04/04/2006	04/05/2010	04/04/2012
	11441 Ohanu Cr Boynton Beach FL 33437								

NOMINATED BY :

Appointed By : District 6

6	Vacant	Member	UN	M	--	No Special Requirement			
	FL								

NOMINATED BY :

Appointed By : District 7

7	Phyllis Barnes	Member	AA	F	--	No Special Requirement	07/01/2003	06/07/2008	06/06/2010
	821 W 10th St Riviera Beach FL 33404								

NOMINATED BY :

Appointed By : AT Large

8	Michael Klingensmith	Member	CA	M	561-686-2815	PBC League of Cities	01/15/2008		01/14/2011
	104 E Chandler Cloud Lake FL 33406								

NOMINATED BY :

Appointed By . AT Large

9	David Bjellos	Member	CA	M	561-795-4059	Economic Council of PBC	10/06/2009	10/05/2012
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10380 Trianon Pl
Wellington FL 33449 8072

NOMINATED BY :

10	Richard Kleid	Member	CA	M	561-838-5414	Town of Palm Beach	12/16/2008	12/15/2011
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Town of Palm Beach
360 S County Rd Ste 403S
West Palm Beach FL
33480

NOMINATED BY :

11	Vacant	Member	UN	M	--	Airline Pilots Association		
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FL

NOMINATED BY :

11	Vacant	Alternate M	UN	M	--	Airline Pilots Association	/ /	
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FL

NOMINATED BY :

Appointed By : AT Large

12	Nancy Pullum	Member	UN	F	561-833-2565	Good Neighbor Council	07/17/2009	07/16/2012
	215 Belmont Rd West Palm Beach FL 33405							

NOMINATED BY :

13	Joe Gutierrez	Member	HA	M	561-615-5878	PBIA Air Carriers	09/12/2006	01/15/2008	01/14/2011
	Continental Airlines 1000 Pbia 114 West Palm Beach FL 33406								

NOMINATED BY :

13	Vacant	Alternate M	UN	M	--	PBIA Air Carriers	/ /
	FL						

NOMINATED BY :

Appointed By : Alternate At-large

14	Vacant	Alternate M	UN	M	--	No Special Requirement	/ /
	FL						

NOMINATED BY :

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING AND SUPERSEDING RESOLUTION R-94-1060, PERTAINING TO THE CITIZENS' COMMITTEE ON AIRPORT NOISE; PROVIDING FOR MEMBERSHIP; PROVIDING FOR TERMS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Resolution R-82-804 provided for the creation of a Citizens' Committee on Airport Noise pursuant to Paragraph II, D, (8)(b) of Palm Beach International Airport Development Order, to consider potential noise mitigation methods and suggest programs, concepts or similar matters to the Department of Airports, the Board of County Commissioners and the Staff Monitoring Committee; and

WHEREAS, the Resolution R-94-1060 created the Citizens' Committee on Airport Noise, to provide for the duties and responsibilities of the committee and to appoint the members thereof,

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

SECTION 1. CITIZENS COMMITTEE

There is hereby established pursuant to the provisions of the Palm Beach International Airport Development Order an advisory board to be known as the "Citizens' Committee on Airport Noise", (hereinafter referred to as "Citizens' Committee). The Citizens' Committee shall be composed of thirteen (13) members plus three (3) alternate members. The thirteen (13) members of the Citizens' Committee shall be appointed by the Board of County Commissioners of Palm Beach County and have the following representative classifications:

- (A) Seven members shall be recommended, one each, by the seven County Commissioners.
- (B) One member shall be recommended by the Palm Beach County League of Cities.
- (C) One member shall be recommended by the Good Neighbor Council for Aircraft Noise Control.
- (D) One member shall be recommended by the Airline Pilot's Association.
- (E) One member shall be recommended by the Air Carriers serving Palm Beach International Airport.
- (F) One member shall be recommended by the Economic Council of Palm Beach County, and
- (G) One member residing in and representing the area within the Town of Palm Beach and living south of Royal Palm Way, shall be recommended by the Town

of Palm Beach.

SECTION 2. NATURE OF APPOINTMENTS

The Citizens' Committee shall be composed of representatives living in the vicinity of Palm Beach International Airport and representatives of the Airline Pilot's Association, Airlines, Good Neighbor Council for Aircraft Noise Control, municipalities, and any other interested group as determined by the Board of County Commissioners.

SECTION 3. ALTERNATES

The Airline Pilots Association and the Air Carriers serving Palm Beach International Airport shall select a designated alternate to attend meetings and vote in place of the appointed member, if the appointed Committee member is unable to attend. The Board of County Commissioners shall appoint an Alternate At Large to attend all regular meetings and vote in place of any Commission appointee if the appointed member is unable to attend in order to provide quorum of the committee.

SECTION 4. SECRETARY TO CITIZENS' COMMITTEE

A Department of Airport staff member appointed pursuant to Paragraph II, D(8)(a) of the Palm Beach International Airport Development Order shall serve as secretary to said Citizens' Committee and is responsible for transmitting recommendations to the appropriate agency.

SECTION 5. TERM OF MEMBERSHIP

The members of the Citizens' Committee shall serve at the pleasure of the Board of County Commissioners. The term of membership shall be two years for appointees of each County Commissioner and three years for all other appointees, subject to reappointment by the Board of County Commissioners.

SECTION 6. DUTIES OF CITIZENS' COMMITTEE ON AIRPORT NOISE

The Citizens' Committee shall consider potential noise mitigation methods and suggest programs, concepts, and resolution of complaints to the Department of Airports, Board of County Commissioners and the Staff Monitoring Committee. The Citizens' Committee on Airport Noise shall place emphasis upon obtaining input from the public as to the extent of the noise problem at Palm Beach International Airport and recommendations for possible noise mitigation actions.

SECTION 7. RULES OF CITIZENS' COMMITTEE

The Citizens' Committee shall adopt Rules of Procedure and may establish a regular meeting schedule and shall provide for such other meetings as are necessary to carry out the functions of said committee. All meetings of the Citizens' Committee shall be open to the public. This provision requiring open public meetings shall not be construed so as to create a private right of action.

SECTION 8. FILLING OF VACANCIES

A vacancy on the Citizens' Committee, not occurring by expiration of term, shall be filled by the Board of County Commissioners by appointment for the unexpired term upon the recommendation of the person or entity making the initial recommendation of said member. Any appointed member accumulating three (3) consecutive unexcused absences shall be removed from the Committee and the vacancy shall be filled by the Board of County Commissioners by appointment as stated above.

SECTION 9. COMPLIANCE WITH UNIFORM POLICY FOR ADVISORY BOARDS AND COMMISSIONS

This Resolution and the Committee are expressly subject to all uniform policies for advisory boards and commissions as established by the Board of County Commissioners pursuant to Resolution No. 91-1003 as amended and as may be amended. In the event of any conflict between this Resolution or any amendments hereto, and Resolution No. 91-1003, as amended or as may be amended, the latter shall prevail over the former.

SECTION 10. EFFECTIVE DATE

This resolution shall take effect immediately upon its passage and adoption. The provisions of this Resolution shall supersede any and all provisions of Resolution 94-1060. Any statutory, charter or ordinance provisions in conflict with this Resolution shall prevail to the extent of such conflict.

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 NEWELL, CHAIRMAN	- Aye
COMMISSIONER CAROL A. ROBERTS, VICE-CHAIR	- Aye
COMMISSIONER KAREN T. MARCUS	- Absent
COMMISSIONER MARY McCARTY	- Aye
COMMISSIONER BURT AARONSON	- Absent
COMMISSIONER TONY MASSILOTTI	- Aye
COMMISSIONER ADDIE GREENE	- Aye

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 16 day of April, 2002.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Dorothy H. Wilken, Clerk

BY: Linda C. Hickman
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Paula Becker
COUNTY ATTORNEY

