

50-1

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY**

Meeting Date: December 4, 2012

Department: Environmental Resources Management

Advisory Board: Artificial Reef and Estuarine Enhancement Committee

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: One re-appointment of an at-large member to the Artificial Reef and Estuarine Enhancement Committee (AREEC). Seat #10 is for a term of three (3) years beginning December 4, 2012 through December 3, 2015.

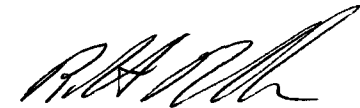
<u>Nominee</u>	<u>Seat #</u>	<u>Representing</u>	<u>Term</u>	<u>Nominated By</u>
<u>Re-Appoint</u> James Bowser	10	General Member	3 yrs	Comm. Vana Comm. Burdick Comm. Berger

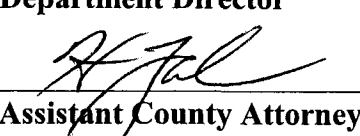
Summary: Resolution No. R-08-1511 provides for an eleven-member AREEC. The membership consists of one (1) representative of the County Commission, one (1) representative of commercial SCUBA diving, one (1) representative of recreational SCUBA diving, one (1) representative of marine industry, one (1) representative of recreational fishing, one (1) representative of fisheries, one (1) representative of an environmental organization, two (2) representatives from other government entity and two (2) general members. On October 1, 2012, the Board was advised that two seats were vacant and need to be filled. Countywide (HF)

Background and Justification: The AREEC is responsible for advising the Board on matters relating to artificial reefs and estuarine enhancement and restoration. The nominee meets the respective seat requirements and wishes to continue serving on the AREEC. This appointment is for a three-year term expiring December 3, 2015. The diversity breakdown of the AREEC membership is one (3) Caucasian female and nine (8) Caucasian males.

Attachments:

1. Board/Committees Applications w/Resumes
2. Current List of Committee Members
3. Attendance Record
4. Resolution No. R08-1511

Recommended by:  10/30/12
 Department Director Date

Legal Sufficiency:  11/2/12
 Assistant County Attorney Date

**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: Artificial Reef and Estuarine Enhancement Committee Advisory Not Advisory

At Large Appointment or District Appointment / District #: _____

Term of Appointment: three Years. From: 12/04/2012 To: 12/03/2015

Seat Requirement: General Member Seat #: 10

*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: _____**

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: BOWSER JAMES MALCOLM
Last First Middle

Occupation/Affiliation: CIVIL ENGINEER / TOWN OF PALM BEACH

Owner Employee Officer

Business Name: TOWN OF PALM BEACH

Business Address: PO BOX 2029

City & State: PALM BEACH, FLORIDA Zip Code: 33480

Residence Address: 1068 JACK PINE STREET

City & State: WELLINGTON, FLORIDA Zip Code: 33414

Home Phone: (609) 791 4529 Business Phone: (609) 227 7022 Ext. _____

Cell Phone: (609) 309 1808 Fax: ()

Email Address: J-M-BOWSER@YAHOO.COM

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>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

(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, 2011

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: James M. Bowser Printed Name: JAMES M. BOWSER Date: 9/18/12

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:
 {Brock Stanaland}, {Environmental Resources Mgmt. Dept./MER}
 {2300 North Jog Rd., 4th Floor, West Palm Beach, FL 33411-2743}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature: Shelley Yana Date: 12/04/2012
10/11/12

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BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

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Email Address: J-M-BOWSER@YAHOO.COM

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:

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Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

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*Applicant's Signature: James M. Bowser Printed Name: JAMES M. BOWSER Date: 9/18/12

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 {Brock Stanaland}, {Environmental Resources Mgmt. Dept./MER}
 {2300 North Jog Rd., 4th Floor, West Palm Beach, FL 33411-2743}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: 12/04/2012

Commissioner's Signature: Paulette Burdick Date: 10-9-2012

**BIOGRAPHY OF
JAMES M. BOWSER, P.E.**

EDUCATION:

1983 Bachelor of Science
Civil Engineering
University of Florida

1974 Master of Science
Environmental Pollution Control
Penn State University

1973 Bachelor of Science
Environmental Resource Management
Penn State University

**PROFESSIONAL
LICENSING:**

Florida Registered Professional Engineer
License No. 035477

JOB HISTORY:

Town Engineer, Town of Palm Beach
Hired January 1986
Currently holding position

Project Manager
Robert H. Miller & Associates
1983 to 1985

City of West Palm Beach Engineering Department
Administrative Assistant to Director of Engineering
1973 to 1980

OTHER:

Currently Vice Chairman East Central Regional Water
Reclamation Facility; Board Member Twenty Years

Member Palm Beach County Artificial Reef and
Estuarine Enhancement Committee since 2009

James M. Bowser, P.E.
1068 Jackpine Street
Wellington, Florida 33414

September 18, 2012

Palm Beach County Board of County Commissioners
301 North Olive Avenue
West Palm Beach, Florida 33401

Dear County Commissioners:

Please accept my application for reappointment to the Palm Beach County Artificial Reef and Estuarine Enhancement Committee (AREEC). I have been a committee member since 2009 and I believe that I have provided valuable input to AREEC committee discussions which have influenced the Committee's recommendations to the County Commission.

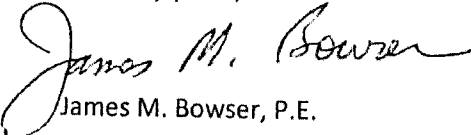
My appointment is for an at-large, general member seat. I am currently the Town Engineer for the Town of Palm Beach (Town). I was instrumental in assisting with the creation of an Interlocal agreement between the Town and Palm Beach County regarding environmental enhancement projects on Town owned lands in the Lake Worth Lagoon. I have worked closely with Palm Beach County Environmental Resource Management (ERM) Department staff on numerous restoration projects in the Lake Worth Lagoon. My educational degrees in environmental resource management and environmental pollution control, coupled with my civil engineering degree, makes me well suited to not only assist to identify potential environmental enhancement sites within the Lake Worth Lagoon, but to assist with the logistics of how to get these projects constructed.

I have personally been involved with the Town of Palm Beach Coastal Management Program since 1986, serving as the Town's Coastal Coordinator from 1986 to 2000 and from 2005 to 2008. I have extensive knowledge of coastal systems and ocean environments. I oversaw the construction of a one acre artificial reef at the Rybovich Artificial Reef site in the Lake Worth Lagoon as well as a 0.8 acre artificial reef in 25 feet of water in the Atlantic Ocean off Mar A Lago.

In 2000, I was the designer of a linear mangrove planter adjacent to the Town's Par 3 Golf Course Lake Worth Lagoon shoreline. This type of project is referred to a living shoreline and I am told that this project has served as a model for other similar shoreline enhancement projects.

I look forward to serving another term on the Committee. Thank you for considering my reappointment.

Sincerely yours,


James M. Bowser, P.E.

ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE

Advisory Board Members as of August 30, 2012

SEAT #	CURRENT MEMBER	RACE CODE	TELEPHONE #S	REQUIREMENT	ORIG. APPT. DATE	RE-APPT. DATE	EXPIRE DATE
1	Paulette Burdick BCC – District 2 Government Center, 12 th Floor 301 N. Olive Avenue West Palm Beach, FL 33401 pburdick@pbcgov.org	WF	561-355-2202 561-355-6277 - Fax	County Commissioner	12-07-10		
2	Jennifer Smith FL Dept. of Environmental Protection 400 N. Congress Avenue, Suite 200 West Palm Beach, FL 33401 Jennifer.K.Smith@dep.state.fl.us	WF	561-681-6642 - Business 561-716-4261 - Cell 561-681-6780 – Business Fax	Other Government Entity	3-15-11		3-14-14
3	James J. Barry III 115 Flagler Promenade North West Palm Beach, FL 33405 NO E-MAIL – SEND POSTAL MAIL	WM	561-832-4197 - Home 561-315-1194 - Cell	Other Government Entity	4-10-07	4-6-10	4-5-13
4	Jon Michael Newman 205 Golfview Drive Tequesta, FL 33469 dykoke@comcast.net – E-mail	WM	561-744-0229 - Home 561-351-1904 - Cell	Commercial Scuba Diving Interests	4-17-12		4-16-15
5	Alyssa Freeman 3843 Classic Court West Palm Beach, FL 33417 mia@marinepbc.org - E-Mail	WF	561-863-0012 - Business 561-398-8880 - Cell	Commercial Marine Industry Interests	4-17-12		4-16-15
6	David Snyder 6460 Sargasso Way Jupiter, FL 33458 dsnyder@conshelf.com - Office E-Mail dbsnyder@comcast.net - Home E-Mail	WM	772-219-3000 - Business 561-746-2876 - Home 561-254-7154 – Cell	Fisheries Interests	9-11-07	3-15-11	3-14-14

ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE

Advisory Board Members as of August 30, 2012

SEAT #	CURRENT MEMBER	RACE CODE	TELEPHONE #S	REQUIREMENT	ORIG. APPT. DATE	RE-APPT. DATE	EXPIRE DATE
7	Tom Twyford, Jr., Assoc. Dir. West Palm Beach Fishing Club P.O. Box 468 West Palm Beach, FL 33402 ttwyford@mindspring.com - E-mail	WM	561-832-6780 - Business 561-832-2137 - Fax	Recreational Fishing Club	9-6-88	4-6-10	4-05-13
8	Linton Creel 124 Cayman Drive Palm Springs, FL 33461-2004 lincreel2@cs.com - E-mail	WM	561-966-9910 - Home 561-601-5673 - Cell	Recreational Scuba Diving Club	4-17-12		4-16-15
9	Gregory Reynolds Lagoonkeepers.Org P.O. Box 14932 North Palm Beach, FL 33408 Gregory@lagoonkeepers.org - E-mail	WM	561-255-6974 - Business 561-255-6974 - Cell	Environmental Organization	10-21-08	6-5-12	6-4-15
10	James Bowser Town of Palm Beach 951 Old Okeechobee Blvd., Ste. A West Palm Beach, FL 33401 JBowser@TownofPalmBeach.com - E-mail	WM WM	561-838-5440 - Business 561-791-4529 - Home 561-309-1808 - Cell	General Member	10-21-08		10-20-12
11	Thomas Warnke 2780 Worcester Rd. Lantana, FL 33462 trwarnke@hotmail.com - E-mail	WM	561-236-0155 - Home 561-236-0155 - Cell	General Member	10-21-08	6-5-12	6-4-15

ARTIFICIAL REEF AND ESTUARINE ENHANCEMENT COMMITTEE

Attendance 2012

<u>Seat No. – Name</u>	<u>Jan. 5</u>	<u>Mar. 1</u>	<u>May 3</u>	<u>July 5</u>	<u>Sept. 6</u>	<u>Nov. 1</u>
1 - Paulette Burdick, Chair	C	P	P	C	P	
2 - Jennifer Smith	C	P	P	C	P	
3 - James Barry, III	C	P	P	C	P	
4 – Jon Michael Newman	-	-	P	C	P	
5 – Alyssa Freeman	-	-	P	C	P	
6 – David Snyder	C	P	P	C	P	
7 - Tom Twyford, Jr.	C	P	P	C	P	
8 – Linton Creel	-	-	P	C	P	
9 – Greg Reynolds	C	P	P	C	P	
10 - James Bowser	C	P	P	C	P	
11 –Tom Warnke	C	P	P	C	P	

A = Absent

C = Cancelled Meeting

P = Present

***NOTE: 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."

RESOLUTION NO. 2008-1511

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 NO. 96-1489

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 of all matters relating to artificial reefs and enhancement of estuarine water bodies; and

WHEREAS, Resolution R93-586 provided for revisions to comply with County policy and included a reduction in the number of members from 16 to 9, established specific categories of membership, and added water quality to the committee responsibilities; and

WHEREAS, Resolution R90-1489 provided for staggered terms and removed the limitation on the number of consecutive terms a member may serve; and

WHEREAS, the AREEC desires to modify the membership requirements to reflect changing conditions by modifying the commercial fishing category to a fisheries category, modifying the local government category to any government, and adding two (2) general members; and

WHEREAS, this reorganization will ensure 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 created by Resolution R-96-1489.

Section 2. Membership:

- a. The Artificial Reef and Estuarine Enhancement Committee shall consist of eleven (11) 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 governmental entities;
 3. One (1) member representing commercial scuba diving interests in Palm Beach County ;
 4. One (1) member representing commercial marine industry interests in Palm Beach County;
 5. One (1) member representing fisheries interests in Palm Beach County ;
 6. One (1) member representing a recreational fishing club in Palm Beach County;
 7. One (1) member representing a recreational scuba diving club in Palm Beach County;
 8. One (1) member representing an environmental organization in Palm Beach County ; and,

9. Two (2) general members who are county residents having an interest in artificial reefs and estuarine enhancement of which one would be appointed for an initial term of three (3) years and one would be appointed for an initial term of four (4) years. All subsequent appointments and/or reappointments shall be 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. Should a vacancy occur among the nine (9) group representative members that cannot be filled by that group, that vacancy may be filled by a county resident having an interest in artificial reefs and estuarine enhancement.
- c. With the exception of the County Commission representative, the term for all members shall be three (3) years. The terms shall be staggered over a three (3) year period such that the terms of no more than four (4) members expire in any one year.
- d. The term expiration date for all current committee members will remain in effect.

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 previously approved and organized by the Board of County Commissioners, 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-96-1489. This Resolution expressly repeals and supersedes Palm Beach County Resolution R-96-1489.

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

	ABSENT	AYE	NAY
COMM. ADDIE L. GREENE, CHAIRPERSON	_____	<u>Aye</u>	_____
COMM. JEFF KOONS, VICE CHAIR	_____	Aye	_____
COMM. KAREN T. MARCUS	_____	<u>Aye</u>	_____
COMM. ROBERT J. KANJIAN	_____	<u>Aye</u>	_____
COMM. MARY MCCARTY	_____	Aye	_____
COMM. BURT AARONSON	_____	<u>Aye</u>	_____
COMM. JESS R. SANTAMARIA	_____	<u>Aye</u>	_____

The Chair thereupon declared the Resolution duly passed and adopted this 9th day of September, 2008.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

BY: [Signature]
County Attorney

[Signature]
Sharon Bock, Clerk & Comptroller, Deputy Clerk

