

35-1

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date: AUGUST 13, 2013
 Department: PLANNING, ZONING & BUILDING
 Submitted By: CONTRACTORS CERTIFICATION DIVISION
 Advisory Board Name: CONSTRUCTION INDUSTRY LICENSING BOARD

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to approve:
 Appointment of one (1) new member to the Construction Industry Licensing Board (CILB).

<u>Appoint</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Sammy Berry Jr.	15	Consumer Member	8/13/13-9/30/14	Comm. Taylor Comm. Burdick

Summary:

The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida, as amended. The Special Act and, subsequently, Florida State Statute (F. S. §) sets forth the membership of the Board, which consists of 15 members.

Mr. Sammy Berry Jr. has been nominated to replace Ms. Christine Hoke who is no longer able to serve. The nomination represents the Seat for a Consumer Member as cited in the Special Act and F.S. § 489.131 establishing the Construction Industry Licensing Board. A Memorandum was sent to the Board of County Commissioners on May 20, 2013, advising of the vacant position. No other nominations were received. Countywide (SF)

Background and Justification:

The membership of the Construction Board consists of two general contractors, and one member of the following categories: building, residential, electrical, plumbing, HARV, roofing, swimming pool, architect, engineer and building official. In addition, F.S. § 489.131 requires that we have three consumer representatives. The Board is to establish qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors, and is empowered to discipline licenses. The CILB has 12 members' seats currently filled and a diversity count of White: 11 (91.67%) and Hispanic: 1 (8.33%). The gender ratio (male: female) is 11:1.

Attachments:

1. Board Appointment Forms
2. Resume for Mr. Berry
3. Special Act (excerpt regarding membership composition)

Recommended By: Roberto Calderon 7/17/13
 Department Director Date

Legal Sufficiency: M. For 7/22/13
 Assistant County Attorney 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 resume to this form.

Section I (Department): (Please Print)

Board Name: Construction Industry Licensing Board of Palm Beach County Advisory Net Advisory

At Large Appointment or District Appointment /District #: _____

Term of Appointment: 1 yr 3 mo Years. From: 8/13/2013 To: 9/30/2014

Seat Requirement: Consumer Member Seat #: 15

*Reappointment or New Appointment

or to complete the term of Christine Hoke Due to: resignation other

Completion of term to expire on: 09/30/2014

*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: Berry Jr Sammy
Last First Middle

Occupation/Affiliation: Consumer Member / District 7

Owner Employee Officer

Business Name: Law offices of Sammy Berry Jr.

Business Address: PO Box 741634

City & State: Boynton Beach, FL Zip Code: 33473

Residence Address: 8726 Indian River, RSW

City & State: Boynton Beach FL Zip Code: 33472

Home Phone: 561-736-9712 Business Phone: (561) 794-0830 Ext. _____

Cell Phone: 561-704-8530 Fax: 561-734-6129

Email Address: MASON-BA@bmsouth.net

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 _____, 20____

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: Sammy B... Printed Name: Sammy B... Date: 5/15/13

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:
Janeth Cervera, Contractors Certification Division
2300 N. Jog Road, Ste. 2W-61, West Palm Beach, FL 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: 6/4/2013

Commissioner's Signature: [Signature] Date: _____

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS BOARDS/COMMITTEES APPLICATION

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Board Name: Construction Industry Licensing Board of Palm Beach County Advisory [] Not Advisory [X]

[X] At Large Appointment or [] District Appointment / District #: _____

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or [X] to complete the term of Christine Hoke Due to: [X] resignation [] other Completion of term to expire on: 09/30/2014

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APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Berry Jr Last Sammy First _____ Middle _____

Occupation/Affiliation: Consumer Member / District 7 Owner [X] Employee [] Officer []

Business Name: Law Offices of Sammy Berry Jr.

Business Address: PO Box 741634

City & State: Boynton Beach, FL Zip Code: 33473

Residence Address: 8726 Indian River Run

City & State: Boynton Beach FL Zip Code: 33472

Home Phone: 561-736-9712 Business Phone: (561) 704-0830 Ext. _____

Cell Phone: 561-704-6830 Fax: 561-734-6129

Email Address: MASON-Be @ BellSouth.NET

Mailing Address Preference: [X] Business [] Residence

Have you ever been convicted of a felony: Yes _____ No [X] If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code: [X] Male [] Female [] Native-American [] Hispanic-American [] Asian-American [X] 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
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR NONE

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 By attending a live presentation given on _____, 20____

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: Sammy Berris Printed Name: Sammy Berris Date: 5/15/13

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:
 Janeth Cervera, Contractors Certification Division
 2300 N. Jog Road, Ste. 2W-61, West Palm Beach, FL 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: 6/4/2013
 Commissioner's Signature: Laubette Burdick Date: 6-5-2013

Sammy Berry Jr. Esq.
P. O. Box 741634
Boynton Beach, Florida 33473
561-704-0830

I. Education

- A. Bowie State College (B.A.)
- B. University of New Mexico (J.D.)

II. Work Experience

- A. Migrant Laborer
- B. U.S. Postal Service
- C. General Motors Acceptance Corporation
- D. Library of Congress
- E. Florida Rural Legal Service
- F. Crime Prevention Coordinator for Riveria Beach
- G. Assistant Public Defender
- H. Attorney / Private Practice

III. Skills

- A. Public Speaking
- B. Community Organizing
- C. Writing
- D. Vocalist

IV. Military Service

- A. Vietnam
- B. Germany

V. Personal

- A. Married
- B. Daughter

VI. Interests

- A. Traveling
- B. Music
- C. Fishing
- D. Art

BOARD MEMBER QUALIFICATIONS

Special Act, Chapter 67-1876, Section 3 (B) To be eligible for appointment each contractor member shall be:

(Page 5 / Contractors/Architect/Building Official/Engineer)

- (1) Actively engaged in the construction business in Palm Beach County and have held a certificate of competency in his name and have been so engaged for a period of not less than 5 consecutive years immediately before the date of his appointment, and be a resident of Palm Beach County. The Architect and Engineer member shall be licensed in the State of Florida and be a resident of Palm Beach County.
- (2) Each member of the Board except The Building Official shall hold a valid certificate issued by this Board or the state of Florida in addition to have the qualifications required in subsection (B)(1) above.

F.S. 2012 § 489.131 (Page 28 / Consumer Representatives)

- (10) No municipal or county government may issue any certificates of competency or license for any contractor defined in s. 489.105 (3) (a)-(o) after July 1, 1993, unless such local government exercises disciplinary control and oversight over such locally licensed contractors, including forwarding a recommended order in each action to the board as provided in subsection (7). Each local board that licenses and disciplines contractors must have at least two consumer representatives on that board. **If the board has seven (7) or more members, at least three (3) of those members must be a consumer representative. The consumer representative may be any resident of the local jurisdiction who is not, and has never been, a member or practitioner of a profession regulated by the Board or a member of any closely related profession.**