

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: October 1, 2013	<input checked="" type="checkbox"/> [X] Consent	<input type="checkbox"/> [] Regular
	<input type="checkbox"/> [] Workshop	<input type="checkbox"/> [] Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

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I. EXECUTIVE BRIEF

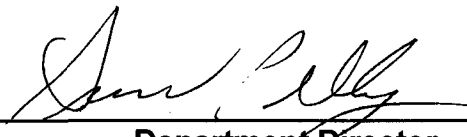

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County Florida, repealing Resolution 96-205; providing for creation of the Palm Beach County Aviation and Airports Advisory Board; providing for Advisory Board membership; providing for term of office; providing for officers; providing for qualifications of members; providing for staff cooperation and support; providing for meetings; providing for quorum and attendance; providing for duties and responsibilities; providing for rules of procedures of vacancies; providing for compensation, expenses and funding; providing for appointment of advisors; providing for compliance with uniform policy for advisory boards and commissions; providing for compliance with Palm Beach County Code of Ethics; providing for severability; and providing for an effective date.

Summary: The Resolution repeals and replaces Resolution 96-205, pertaining to the Palm Beach County Aviation and Airports Advisory Board (AAAB), to conform to Resolution 2013-0193, establishing uniform policies and procedures for Palm Beach County advisory boards, committees and commissions, including Code of Ethics requirements, terms of service, travel policy and absences. The Resolution establishes that beginning March 1, 2013, no AAAB member shall be appointed or reappointed for more than three (3) consecutive three (3) year terms. The Resolution modifies provisions pertaining to attendance and travel expenses, and adds a provision for the Palm Beach County Code of Ethics. **Countywide (AH)**

Background and Justification: AAAB was originally established in 1984 (R84-1960) and is composed of nine members. AAAB provides recommendations and advice concerning the planning, development, construction, reconstruction, operation and financial viability of the County's airports.

Attachments:
1. Resolution

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JB	Recommended By: 	8/22/13
	Department Director	Date
pt	Approved By: 	9/9/13
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* <u>See below</u>	=====	=====	=====	=====
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____
Budget Account No: Fund _____ Department _____ Unit _____ RSource _____
Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

✦ No fiscal impact.

C. Departmental Fiscal Review: CM Simms

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

Johanna Wilson 9/3/13
OFMB/10 8/29
AM 9/3/13

Dr. J. Jacobson 9/14/13
Contract Dev. and Control
9-4-13 CWheeler

B. Legal Sufficiency:

Anne Helfant 9-5-13
Assistant County Attorney

C. Other Department Review:

Department Director

RESOLUTION NO. 2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING RESOLUTION 96-205; PROVIDING FOR CREATION OF THE PALM BEACH COUNTY AVIATION AND AIRPORTS ADVISORY BOARD; PROVIDING FOR ADVISORY BOARD MEMBERSHIP; PROVIDING FOR TERM OF OFFICE; PROVIDING FOR OFFICERS; PROVIDING FOR QUALIFICATIONS OF MEMBERS; PROVIDING FOR STAFF COOPERATION AND SUPPORT; PROVIDING FOR MEETINGS; PROVIDING FOR QUORUM AND ATTENDANCE; PROVIDING FOR DUTIES AND RESPONSIBILITIES; PROVIDING FOR RULES OF PROCEDURES OF VACANCIES; PROVIDING FOR COMPENSATION, EXPENSES AND FUNDING; PROVIDING FOR APPOINTMENT OF ADVISORS; PROVIDING FOR COMPLIANCE WITH UNIFORM POLICY FOR ADVISORY BOARDS AND COMMISSIONS; PROVIDING FOR COMPLIANCE WITH PALM BEACH COUNTY CODE OF ETHICS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County, by and through its Department of Airports, owns and operates the Palm Beach International Airport ("PBIA"), Palm Beach County Park Airport, Palm Beach County Glades Airport, and the North Palm Beach County General Aviation Airport (the "Airports"); and

WHEREAS, Resolution 96-205 created the Palm Beach County Aviation and Airports Advisory Board; and

WHEREAS, on February 5, 2013, the Board of County Commissioners ("Board") adopted Resolution 2013-0193, establishing uniform policies and procedures for Palm Beach County advisory boards, committees and commissions; and

WHEREAS, the Board desires to repeal and replace Resolution 96-205, so the Advisory Board conforms to the uniform policies and procedures for Palm Beach County advisory boards, committees and commissions.

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

Section 1. Recitals. The foregoing recitals are true and correct and are expressly incorporated herein by reference and made a part hereof.

Section 2. Repeal of Resolution 96-205. Resolution 96-205 shall be repealed effective upon adoption of this Resolution.

Section 3. Creation of Advisory Board. There is hereby created the Palm Beach County Aviation and Airports Advisory Board ("Advisory Board") which shall be charged with the duty of giving recommendations and advice to the Board concerning the planning, development, construction, reconstruction, operation and financial viability of the Airports and aviation activities coming within the purview of the Board.

Section 4. Advisory Board Membership. The Advisory Board shall be composed of nine (9) members, seven (7) of whom shall be termed "District" members, two (2) of whom shall be termed "At-Large" members. District members shall reside within the County and shall have such qualifications for office as are hereinafter enumerated. At-Large members shall be appointed by the Board, as a whole, from nominations provided by individual County Commissioners, and the aviation community including, but not limited to, air carriers, fixed base operators, aviation clubs and designated aviation interests, or other community organizations. At-Large members shall

also possess qualifications for office as hereinafter enumerated. All District members shall serve at the pleasure of the District Commissioner appointing them and may be removed without cause. Similarly, all At-Large members shall serve at the pleasure of the Board and may be removed without cause.

Section 5. Term of Office. Members of the Advisory Board shall serve a three (3) year term. Terms shall begin on October 1st and end on September 30th. Existing member's terms shall end on September 30th of the year in which their term expires. Beginning on or after March 1, 2013, no member shall be appointed or reappointed to the Advisory Board for more than three (3) consecutive three (3) year terms. Vacancies occurring during a term shall be filled for the expired term, and shall not count toward the member's term limits.

Section 6. Officers. Officers of the Advisory Board shall consist of a Chair and a Vice Chair who shall be elected by a majority vote of the membership and shall serve for terms of one (1) year. No officer shall serve for more than two (2) consecutive terms and any officer may be removed before the expiration of his term by a two-thirds (2/3) vote of the Advisory Board. The Chair shall preside over the meetings and the Vice Chair shall preside in the absence of the Chair.

Section 7. Qualifications of Members. Each person nominated for and appointed to the Advisory Board shall possess a favorable reputation within Palm Beach County for experience and expertise in at least one of the following professions or fields:

- (A) Architecture
- (B) Engineering
- (C) Banking
- (D) Insurance
- (E) Law
- (F) Accounting
- (G) Non-residential construction
- (H) Business
- (I) Consumer

In addition, the seven (7) "District" members shall possess substantial, prior, verifiable experience in aviation or airports.

Section 8. Staff Cooperation and Support. The staff of the Board, including but not limited to, the County Administrator or his designee, the County Attorney or his designee, and the Director of Airports, are hereby charged with the responsibility to furnish to the Advisory Board such records, documents, plans, reports and financial data on aviation and Airport matters which, in the opinion of the Advisory Board, may fulfill the duties required of it hereunder. Secretarial and recording support for the Advisory Board shall be made available by the Department of Airports.

Section 9. Meetings. The Advisory Board may meet in regular session monthly, or as required, at times and places set by the Advisory Board or as determined by the Chair. Regular meetings shall be set by the Advisory Board at least one (1) calendar month in advance of each meeting. Special meetings of the Advisory Board may be held at the call of the Chair or the Director of Airports, provided, however, that forty-eight (48) hours advance notice is given to both the members of the Advisory Board and the public in

accordance with Florida Statutes, so that reasonable public notice is provided for all meetings, with same being open to the public at all times.

Section 10. Quorum and Attendance. A quorum must be present for the conduct of all official business of the Advisory Board. A majority of the members appointed shall constitute a quorum. An Advisory Board member 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 (1/2) of the meetings scheduled during a calendar year. Participation for less than three-fourths (3/4) of a meeting shall constitute lack of attendance. Members removed pursuant to this paragraph shall not continue to serve on the Advisory Board, and such removal shall create a vacancy.

Section 11. Duties and Responsibilities. It shall be the duty of the Advisory Board to review and make recommendations to the Board or the Director of the Department of Airports. Such review and recommendations shall be performed in a timely manner. Moreover, the Advisory Board may review and make recommendation to the Board on any and all aviation and Airport matters coming within the authority and purview of the Board, excepting, however, the subject of Airport and aviation noise generation heretofore assigned to the Citizens Committee on Airport Noise.

Section 12. Rules of Procedures and Vacancies. All meetings shall be governed by Roberts Rules of Order. Vacancies in the membership of the Advisory Board shall be filled for the unexpired term by the County Commission in the same manner as the original appointment had been made. All Advisory Board members shall serve at the pleasure of the District Commissioner or Board as the case may be.

Section 13. Compensation, Expenses and Funding. Members of the Advisory Board shall serve without compensation but may be eligible for travel reimbursement for only those expenses which are incurred for travel outside Palm Beach County which is necessary to fulfill Advisory Board member responsibilities provided sufficient funds have been budgeted and are available as set forth in PPM CW-O-038. No other expenses are reimbursable except documented long distance phone calls to the liaison County department. Any approved travel reimbursement shall be subject to those actual expenses at the rate or rates established by State law and County travel policy. Approval authority for pre-authorized board member travel is designated to the County Administrator and Deputy County Administrator and shall be in accordance with Countywide Policy and Procedures memoranda (PPM) CW-F-009.

Section 14. Appointment of Advisors. The Advisory Board is authorized to seek and secure advice from those who might be of assistance to the Advisory Board; provided, however, that such advice must be obtained without compensation to the advisor.

Section 15. Compliance with Uniform Policy for Advisory Boards and Commissions. This Resolution and the Advisory Board are expressly subject to all uniform policies for advisory boards and commissions as established by the Board pursuant to Resolution 2013-0193, as may be amended. In the event of any conflict between this Resolution or any amendments hereto, and the aforesaid Resolution 2013-0193, as may be amended, the latter shall prevail over the former.

Section 16. Compliance with Palm Beach County Code of Ethics. Advisory Board members shall comply with the applicable provisions of the Palm Beach County Code of Ethics as codified in Section 2-254 through 2-260 of the Palm Beach County Code.

Section 17. Severability. If any section, sentence, clause, phrase, or word of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 18. Effective Date. This Resolution shall become effective immediately upon adoption.

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

Commissioner Steven L. Abrams, Mayor	-
Commissioner Priscilla A. Taylor, Vice Mayor	-
Commissioner Hal R. Valeche	-
Commissioner Paulette Burdick	-
Commissioner Shelley Vana	-
Commissioner Mary Lou Berger	-
Commissioner Jess R. Santamaria	-

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2013.

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

**SHARON R. BOCK,
CLERK & COMPTROLLER**

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Anne Helgent
Assistant County Attorney