

RESOLUTION NO. R-2014

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RESCINDING AND REPLACING IN ITS ENTIRETY RESOLUTION R-2012-0904, RELATING TO THE WATER UTILITIES ADVISORY BOARD.

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

Section 1. Rescission of Previous Resolution.

Resolution R2012-0904 is hereby rescinded.

Section 2. Creation, Composition.

There is hereby created the Palm Beach County Water Utilities Advisory Board, hereinafter referred to as "Advisory Board." Said Advisory Board shall be composed of eleven members: seven (7) District Members, one appointed by each of the Commissioners; two (2) At-Large Members appointed by the Board of County Commissioners; one (1) Lake Region Member appointed by the Board of County Commissioners from residents of the Belle Glade, Pahokee, and South Bay (the "Glades Cities") and adjacent unincorporated areas (the "Glades Cities") who submit applications for the position; and one (1) Royal Palm Beach Member, to be appointed by the Village of Royal Palm Beach Village Council.

District and At-Large Advisory Board Members must be County residents and current customers of the Department, both at the time of their appointment to the Advisory Board and throughout the entirety of their term of membership on the Advisory Board. The Lake Region Member must be a resident of the Glades Cities or the unincorporated area immediately adjacent to one of the Glades Cities and shall be a current customer of the Department, both at the time of their appointment to the Advisory Board and throughout the entirety of their term of membership on the Advisory Board. The Royal Palm Beach Member must be a resident of Royal Palm Beach and a current customer of the Department, both at the time of their appointment to the Advisory Board and throughout the entirety of their term of membership on the Advisory Board.

Preference for membership shall be accorded, but not limited to, those residents who are knowledgeable or possess expertise in the following areas: utilities, operations, engineering, law, planning, management, and accounting and finance.

Upon compliance with the applicable exemption provisions of Florida Statute, Chapter 112.313(12), and the Palm Beach County Code of Ethics, up to two (2) Advisory Board members may be involved in a business relationship, directly or indirectly, with the Palm Beach County Water Utilities Department. Employees of Federal, State or local agencies which have regulatory/enforcement authority over the Department's activities shall not be eligible for membership on the Advisory Board.

Section 3. Power and Duties of the Advisory Board.

The powers and duties of the Advisory Board shall include the following:

- (1) To review existing and proposed policies, plans and programs of the Palm Beach County Water Utilities Department, and to advise the Board of County Commissioners and/or the Department as to any need for modification of same;
- (2) To review and make recommendations concerning proposed capital improvement plans and programs;
- (3) To review existing or proposed rate changes, rate structures, and the annual budget of the Water Utilities Department;
- (4) To assist in communications with other on-line customers served by the Water Utilities Department;

Section 4. Terms, Vacancies, Removal from Board.

For members appointed/reappointed on or after March 1, 2013, terms shall be three (3) years, and members may serve no more than three (3) consecutive three (3) year terms. Terms shall begin on October 1st and end on September 30th. The terms of those members who were appointed prior to March 1, 2013 shall end on September 30 of the year in which their term expires. Vacancies on the Advisory Board shall be filled by appointment by the Board of County Commissioners of Palm Beach County (for At-Large Members and the Lake Region Member) or District

Commissioner (for District Appointments), or by the Village of Royal Palm Beach Village Council (for the Royal Palm Beach Member). Vacancies occurring during a term shall be filled for the unexpired portion of the term, and shall not count towards the members term limits.

Section 5. Meetings and Procedures.

The Advisory Board shall select its own Chair and Vice Chair at an election held at the first meeting and annually thereafter. Advisory Board meetings shall be conducted in accordance with Robert's Rules of Procedure. The Advisory Board shall schedule ten (10) regular meetings in each calendar year. The Chair shall have the power to schedule special meetings or cancel regularly scheduled meetings as the workload of the Advisory Board requires.

The Advisory Board shall keep a permanent record of its proceedings, and shall file approved minutes from its meetings with the Board of County Commissioners of Palm Beach County. All meetings, records and files of the Advisory Board shall be open and available to the public.

Section 6. Uniform Policies and Procedures of Advisory Boards.

The Advisory Board shall be subject to the uniform policies and procedures established by the Board of County Commissioners for Advisory Boards as currently set forth in Resolution R-2013-0193, as may be further amended by action of the Board of County Commissioners.

Section 7. Effective Date.

The provisions of this Resolution shall become effective upon approval by the Board of County Commissioners.

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

Commissioner Jess R. Santamaria -

The Mayor thereupon declared the Resolution duly passed and adopted
this _____ day of _____, 2014.

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

SHARON R. BOCK, CLERK AND
COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

Resolution No. 2013- 0193

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING AND UPDATING THE UNIFORM POLICIES AND PROCEDURES FOR PALM BEACH COUNTY ADVISORY BOARDS, COMMITTEES, AND COMMISSIONS; REPEALING RESOLUTIONS R95-1806, R2002-1606, R2010-1941, AND R2011-0946 RESPECTIVELY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, is served by a number of advisory boards, committees, commissions, task forces, and authorities which have been established by the Board of County Commissioners from time to time; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted Resolution R95-1806, which established uniform policies and procedures for said advisory boards; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted Resolution R2002-1606, which established attendance policies for said advisory boards; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted Resolution R2010-1941, providing for approval authority to the County Administrator and Deputy County Administrator for advisory board member travel; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida adopted Resolution R2011-0946, which modified the policy to allow a County employee to serve on said advisory board when County employee is an elected official within Palm Beach County; and

WHEREAS, it is desirable to repeal Resolutions R95-1806, R2002-1606, R2010-1941, and R2011-0946 and reestablish up-to-date policies into one all encompassing

document which includes specific procedures to ensure compliance with the Board of County Commissioners directives.

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

Section 1. Repeal of Prior Resolutions

Resolutions R95-1806, R2002-1606, R2010-1941, and R2011-0946 are repealed in their entirety.

Section 2. Board Appointments

The procedure for at-large and district appointments to advisory boards, committees, commissions, task forces, and authorities (hereinafter referred to as "boards" shall be established by a Countywide Policy and Procedure Memorandum (hereinafter referred to as a "PPM") to ensure consistency with agenda submittal and review procedures. Included in the PPM shall be post-appointment procedures to make sure appointees are aware of the requirements of serving on the board. The provisions in this Resolution shall be applicable to boards created by the Board of County Commissioners and may be waived upon majority vote by the Board of County Commissioners.

Section 3. Maximum Number of Boards

The maximum number of boards that an individual appointed by the Board of County Commissioners may serve on at one time shall be three (3), except that no individual may serve on more than one (1) board if doing so would violate Article II, Section 5(a) of the Florida Constitution, which prohibits dual-office holding.

Section 4. Terms of Office

Terms of office for board members shall be three years. This term shall not apply to any board created by statute or other binding rule which specifies a different term.

Section 5. Vacancies

Vacancies occurring during a term shall be filled for the unexpired term.

Section 6. Number of Terms Served

There shall be a limit of three consecutive three year terms, unless dictated otherwise by statute or other binding rule.

Section 7. Removal

All at-large members of boards appointed by the Board of County Commissioners serve at the pleasure of the Board of County Commissioners and may be removed without cause upon majority vote by the Board of County Commissioners. All members of boards that are classified as District appointees serve at the pleasure of their district Commissioner and may removed without cause by the District Commissioner. This provision shall not apply if a statute or other binding rule provides for a different removal process.

Section 8. Removal for Lack of Attendance

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 a failure to attend more than one-half of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as 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, unless otherwise provided by statute or other binding rule.

Section 9. Qualification as a Candidate

Board members shall not be prohibited from qualifying as a candidate for elected office.

Section 10. Eligibility to Serve

County employees, other than Commissioners Aides, may not be appointed to boards except where technical/professional representation and county employee eligibility are specifically set forth in the document creating the board or where the County employee is an elected official within Palm Beach County and is nominated for inclusion on the board by an entity other than the Board of County Commissioners. Employees of other units of local government may not represent their respective governments on boards, unless otherwise provided by statute or other rule of law. Former Board of County Commission members may not be appointed to boards for at least two years following their last day in office as a County Commissioner.



Section 11. Number of Members

The preferred limit on the number of members on a board shall be nine (9), provided, and the maximum number of members shall not exceed eleven (11). This limitation shall not apply to any board created by statute or other binding rule requiring a different specified number of members.

Section 12. Residency Requirement

All board members must be residents of Palm Beach County at the time of appointment and while serving on the board. Exemptions to this requirement are allowed when circumstances warrant outside technical/professional representation, or if statute or other rule specifies.

Section 13. Sunshine Law and State Code of Ethics

All boards are to comply with the Sunshine Law and State Code of Ethics. Reasonable public notice of all board meetings shall be provided. All meetings of the board shall be open to the public at all times and minutes shall be taken at each meeting.

Section 14. Palm Beach County Code of Ethics

Board members are to 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 15. State Financial Disclosure

Appointees to boards that are required to submit a Statement of Financial Interests with the State of Florida Commission on Ethics will be notified that failure to submit a Statement of Financial Interests within 30 days of appointment shall result in invalidation of the appointment.

Section 16. Travel Expenses, Reimbursement and Approval Authority

Travel reimbursement is limited to expenses incurred only for travel outside Palm Beach County necessary to fulfill board member responsibilities when 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. 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 17. Annual Narrative Report

Each board listed in PPM CW-O-60, as may be amended from time to time, shall submit an annual narrative report to the Agenda Coordinator. The form, substance, and submittal dates for annual narrative reports are established by PPM CW-O-060. An Annual Narrative Report does not have to be submitted if the board is required to submit a report a least quarterly through ordinance, law, or some other legal document.

Section 18. Conduct of Meeting

A quorum must be present for the conduct of all board meetings. A majority of the members appointed shall constitute a quorum. All meetings shall be governed by Robert's Rules of Order.

Section 19. Conflict with Federal or State Law or County Charter

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

Section 20. Effective Date

The provisions of this Resolution shall be effective March 1, 2013.

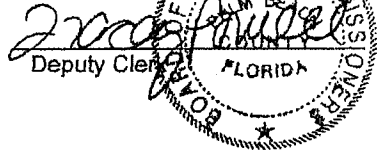
The foregoing resolution was offered by Commissioner Taylor who moved its adoption. The motion was seconded by Commissioner Vana, and upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared the Resolution duly passed and adopted this 5th day of February, 2013.

Palm Beach County, Florida by its
Board of County Commissioners

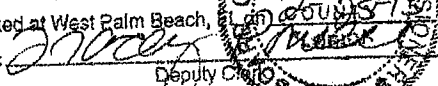
Sharon R. Bock, Clerk and Comptroller

BY: 
Deputy Clerk

Approved as to Form and
Legal Sufficiency

By: 
Assistant County Attorney

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk and Comptroller
certify this to be a true and correct copy of the original
filed in my office on FEB 05 2013

dated at West Palm Beach, FL on FEB 05 2013
By: 
Deputy Clerk

RESOLUTION NO. R-2012- 0904

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RESCINDING AND REPLACING IN ITS ENTIRETY RESOLUTION R-2006-0867, RELATING TO THE WATER UTILITIES ADVISORY BOARD, IN ORDER TO MODIFY THE APPOINTMENT PROCEDURE FOR THE LAKE REGION MEMBER, AND TO MAKE ADDITIONAL CHANGES RELATED TO ELIGIBILITY FOR MEMBERSHIP.

WHEREAS, on February 3, 2004, the cities of Belle Glade, Pahokee, and South Bay (the "Glades Cities") entered into interlocal agreements for the purchase of bulk potable water service with Palm Beach County ("Bulk Interlocals"); and

WHEREAS, pursuant to the Bulk Interlocals, the Glades Cities were collectively granted a position on the County's Water Utilities Advisory Board; and

WHEREAS, due to issues in reaching a consensus from the Glades Cities during previous nominations of the Lake Region Member, as well as the recent disbanding of the Glades Tri-Cities Coalition, the Board of County Commissioners wishes to modify the nominating process for the Lake Region Member whereby the Board of County Commissioners will appoint the Lake Region Member from residents of the Glades Cities and adjacent unincorporated areas who submit applications for the position; and

WHEREAS, the Board of County Commissioners wishes to make additional changes to the Resolution related to eligibility for membership.

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

Section 1. Rescission of Previous Resolution.

Resolution R2006-0867 is hereby rescinded.

Section 2. Creation, Composition.

There is hereby created the Palm Beach County Water Utilities Advisory Board, hereinafter referred to as "Advisory Board." Said Advisory Board shall be composed of eleven members: seven (7) District Members, one appointed by each of the Commissioners for a term of three years; two (2) At-Large Members appointed by the Board of County Commissioners for a term of three years; one (1) Lake Region Member appointed by the Board of County Commissioners for a term of three years from

residents of the Glades Cities and adjacent unincorporated areas who submit applications for the position; and one (1) Royal Palm Beach Member, to be appointed by the Village of Royal Palm Beach Village Council, and confirmed by the Board of County Commissioners for a term of three years.

District and At-Large Advisory Board Members must be County residents and current customers of the Department to be eligible for appointment. The Lake Region Member shall reside in the Glades Cities or in the unincorporated area immediately adjacent to one of the Glades Cities and shall be a current customer of the Glades Utility Authority or its successor utility. The Royal Palm Beach Member must be a resident of the Village of Royal Palm Beach and a current customer of the Department, and shall have all of the rights and obligations of the Advisory Board.

Preference for membership shall be accorded, but not limited to, those residents who are knowledgeable or possess expertise in the following areas: utilities, operations, engineering, law, planning, management, and accounting and finance.

Upon compliance with the applicable exemption provisions of Florida Statute, Chapter 112.313(12), and the Palm Beach County Code of Ethics, up to two (2) Advisory Board members may be involved in a business relationship, directly or indirectly, with the Palm Beach County Water Utilities Department. Employees of Federal, State or local agencies which have regulatory/enforcement authority over the Department's activities shall not be eligible for membership on the Advisory Board.

Section 3. Power and Duties of the Advisory Board.

The powers and duties of the Advisory Board shall include the following:

- (1) To review existing and proposed policies, plans and programs of the Palm Beach County Water Utilities Department, and to advise the Board of County Commissioners and/or the Department as to any need for modification of same;
- (2) To review and make recommendations concerning proposed capital improvement plans and programs;
- (3) To review existing or proposed rate changes, rate structures, and the annual budget of the Water Utilities Department;

(4) To assist in communications with other on-line customers served by the

Water Utilities Department;

Section 4. Vacancies, Removal from Board.

Vacancies on the Advisory Board shall be filled by appointment by the Board of County Commissioners of Palm Beach County (for At-Large Members and the Lake Region Member) or District Commissioner (for District Appointments), or by the Village of Royal Palm Beach Village Council (for the Royal Palm Beach Member) for the unexpired term vacated upon confirmation by the Board of County Commissioners.

The Board of County Commissioners of Palm Beach County may remove any member(s) of the Advisory Board from office upon affirmative vote of the Board of County Commissioners.

Section 5. Meetings and Procedures.

The Advisory Board shall select its own Chair and Vice Chair at an election held at the first meeting and annually thereafter. Advisory Board meetings shall be conducted in accordance with Robert's Rules of Procedure. The Advisory Board shall schedule ten (10) regular meetings in each calendar year. The Chair shall have the power to schedule special meetings or cancel regularly scheduled meetings as the workload of the Advisory Board requires.

The Advisory Board shall keep a permanent record of its proceedings, and shall file approved minutes from its meetings with the Board of County Commissioners of Palm Beach County. All meetings, records and files of the Advisory Board shall be open and available to the public.

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

Commissioner Shelley Vana, Chair	Absent
Commissioner Steven L. Abrams, Vice Chairman	Aye
Commissioner Karen T. Marcus	Aye
Commissioner Paulette Burdick	Aye
Commissioner Burt Aaronson	Aye
Commissioner Jess R. Santamaria	Aye
Commissioner Priscilla A. Taylor	Aye

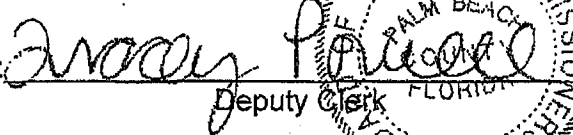
The Chair thereupon declared the Resolution duly passed and adopted this

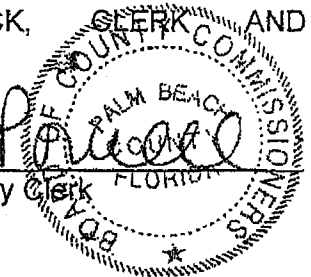
19th day of June, 2010.

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

SHARON R. BOCK, CLERK AND
COMPTROLLER

By:


Deputy Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By:


County Attorney