

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY

Meeting Date: March 1, 2016
Department: Planning, Zoning & Building Department
Submitted By: Building Division
Advisory Board Name: Construction Board of Adjustments and Appeals

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A) Appointment of one member and B) Reappointment of one member to the Construction Board of Adjustments and Appeals (CBAA).

Table with 5 columns: Appoint, Seat, Requirement, Nominated By, Term. Rows include Rex B. Kirby and Bart Rasper.

Summary: Palm Beach County Ordinance 89-31, as amended in 2002, established the Construction Board of Adjustment and Appeals (the "Board").

Background and Justification: The Construction Board of Adjustments and Appeals shall have the power, as further defined in Section 113.3 of the Palm Beach County Amendments to the Florida Building Code...

Attachments:

- 1. Board/Committees Applications for Rex B. Kirby and Bart Rasper
2. Bios for Rex B. Kirby and Bart Rasper
3. Letters of Nomination for Rex B. Kirby and Bart Rasper
4. Code of Ethics Training Acknowledgement for Bart Rasper
5. CBAA Meeting Attendance for Bart Rasper
6. Section 113 of the Palm Beach County Amendments to the Florida Building Code, 5th Edition (2014)

Recommended By: [Signature] Department Director Date: 2/1/16

Legal Sufficiency: [Signature] Assistant County Attorney Date: 2/5/16

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

Date

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 in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.

Section I (Department): (Please Print)

Board Name: Construction Board of Adjustments and Appeals Advisory Not Advisory

At Large Appointment or District Appointment /District #: _____

Term of Appointment: 3 Years. From: _____ To: _____

Seat Requirement: Division 1 (general, building, or residential) Contractor 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: _____

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: KIRBY, JR REX B.
Last First Middle

Occupation/Affiliation: President of Construction Company / Co-Owner

Owner Employee Officer

Business Name: Verdex Construction, LLC.

Business Address: 1545 Centrepark Drive N.

City & State West Palm Beach, Florida Zip Code: 33401

Residence Address: 3312 Pomerol Drive Unit 101

City & State Wellington, Florida Zip Code: 33414

Home Phone: (561) 722-4390 Business Phone: (561) 440-1900 Ext. _____

Cell Phone: (561) 722-4390 Fax: (561) 440-1700

Email Address: Rex.Kirby@verdex.com

Mailing Address Preference: 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: 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>Example: (R#XX-XX/PO XX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)
OR

NONE

NOT APPLICABLE/
(Governmental Entity)

ETHICS TRAINING: All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment, **Article XIII**, and the training requirement can be found on the web at: <http://www.palmbeachcountylethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment.

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 on Jan 9 2016
 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: Rex B. Kirby, Jr. Printed Name: Rex B. Kirby, Jr. Date: 1/9/16

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

Return this FORM to:
 Jacquelyn Anderson, Palm Beach County PZB, Building Division
 2300 North Jog Road, West Palm Beach, Florida 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: _____

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 01/14/2014

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

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Section I (Department): (Please Print)

Board Name: Construction Board of Adjustments and Appeals Advisory Not Advisory

At Large Appointment or District Appointment /District #: _____

Term of Appointment: 3 Years. From: _____ To: _____

Seat Requirement: Plumbing Contractor Seat #: 1

*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: RASPER BART _____
Last First Middle

Occupation/Affiliation: _____

Owner Employee Officer

Business Name: Alpha Plumbing Services Inc

Business Address: 4581 Charlotte St.

City & State: W PB, FL Zip Code: 33417

Residence Address: 4581 Charlotte St

City & State: Haverhill, W PB, FL Zip Code: 33417

Home Phone: () 686-1007 Business Phone: () 686 1007 Ext.

Cell Phone: () 373-9442 Fax: ()

Email Address: BART@AlphaPlumbingServices.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

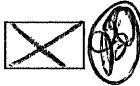
Section II Continued:

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>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)
OR

NONE



NOT APPLICABLE/
(Governmental Entity)

ETHICS TRAINING: All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment, **Article XIII**, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment.

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- By watching the training program on the Web, DVD or VHS on 1/15 2016
- 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: Printed Name: Paul Kasper Date: 12/11/15

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:
Jacquelyn Anderson, Palm Beach County PZB, Building Division
2300 North Jog Road, West Palm Beach, Florida 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: _____



REX KIRBY PRESIDENT



BACKGROUND

35 year veteran of the construction industry with a degree in engineering for University of Florida. He was recruited to take over troubled southeast operation for Suffolk Construction in 1999. During his tenure, Suffolk's Florida operations became one of the top 5 contractors and respected businesses in South Florida with offices in West Palm Beach, Miami & Fort Myers. He grew the overall region from 60 employees/\$60 million to 250 employees/\$400 million annual revenues. At his time of departure, he increased the backlog to over \$1 billion. After building and managing more than \$5 billion in construction at other companies, Rex started Verdex Construction in 2014.

ACHIEVEMENTS

Business Development Board of Palm Beach County: Executive Committee/Board of Directors (2010-2014); Chairman (2012); Economic Council of Palm Beach County: Executive Committee/Board of Directors:(2007-current); Associated Builders and Contractors: FL East Coast Chapter Board (2000-2007), Chairman (2006); Associated Builders and Contractors: National Region 4 Vice Chairman (2007-2009); Homesafe: Board 2009-current); Named "Ultimate CEO" by the *South Florida Business Journal* (2007); Named "Top 100 People to Know in Real Estate" by the *South Florida Business Journal* (2010-2013)

PROJECT EXPERIENCE HIGHLIGHTS

Multi - Family Housing:

Sabbia Beach, Pompano Beach
\$40 mil, Ultra luxury condominium on beach, 68 units

High Ridge Landing Apartments, Boynton Beach
\$18 mil, 184 garden style apartments with clubhouse.

Las Olas River House, Fort Lauderdale
\$100 mil, 42 story luxury condominium.

The Waverly, Fort Lauderdale
\$46 mil, 14 story rental apartment, two city blocks.

Montage, Miami
\$94 mil, 31 story rental apartment over Whole Foods and parking.

The Latitude, Miami
\$80 mil, 40 story condominium.

The Symphony, Fort Lauderdale
\$80 mil, twin 20 story finished out condominium.

Office:

Met 2 Wells Fargo Tower, Miami
\$150 mil, 46 story office tower over parking.

Latitude One, Miami
\$40 mil, 30 story office tower.

Public:

Marlins Garages, Miami
\$80 mil., construction of four garages for new Marlins ballpark, 5,000 spaces.

Hotels:

Marriott Marquis, Miami
\$160 mil., 44 story luxury hotel with restaurants and retail.

Springhill Suites, Miami
\$25 mil, business suite hotel.

Marriott Ocean Pointe, Pompano
\$30 mil., renovation of existing hotel and construction of new 8 story tower plus amenities.

Retail:

Fifth & Alton Retail Center, Miami Beach
\$60 million, multi-level and big box retail and parking.

Muvico Theatres, West Palm Beach, Boca, Tampa, St. Petersburg, Baltimore, Maryland
\$11 to \$30 mil, 12 to 20 screens, stadium seating, highly themed movie theatres.

University/College:

FIU School of International and Public Affairs, Miami, Fl., \$40 mil., new classroom building with state of the art auditorium.

University of Miami Saltwater Research Facility, Key Biscayne, Fl., \$50 mil, research labs and wave testing facility.

FAU Business School Center for Excellence, Boca Raton \$15 mil, Classrooms and gathering space for Business School.



Alpha Plumbing Services, Inc. is owned and operated by Bart Rasper who has a Florida State Master's License in Plumbing and has over 30 years technician service experience. He has certifications in Backflow Installation, Testing, and Repair, Brazing Continuity, and Medical Gas. His area of expertise is with pumps and frequency control drives, backflow preventers, commercial water heaters, and jetting main sewer lines.

AGC Florida East Coast Chapter

The Associated General Contractors of America

Quality People. Quality Projects.



2016 Board

Officers

President
Gerry Kelly
The Morganti Group, Inc.

Senior Vice President
Fred Chesney Jr.
Centerline Utilities, Inc.

Vice President
Matthew West
West Construction, Inc.

Secretary
Dennis Gallagher
The Weitz Company

Treasurer
Pete Bozetarnik
Bozetarnik & Company

Past President
Jack Ullrich
Hedrick Brothers Construction Co.,
Inc.

Directors

Jackie Cooper
Cooper Construction Management &
Consulting

Steven Eakins
D.S. Eakins Construction Corp.

Adam Linkhorst
Linkhorst & Hockin, P.A.

Mike Neal
KAST Construction Company, LLC

Brett Rosenhaus
Nielson Rosenhaus & Associates

Bob Schafer
Ranger Construction Industries, Inc.

Renee Williams
Maschmeyer Concrete Company of
FL, Inc.

Michelle Anaya DePotter
Executive Director

January 13, 2016

Mr. Doug Wise
Building Division Director/Building Official
Palm Beach County
Building Administration
Planning, Zoning & Building
2300 N. Jog Road
West Palm Beach, FL 33411

Dear Mr. Wise:

The AGC Florida East Coast Chapter is hereby pleased to nominate the following individual to fill the Construction Board of Adjustment & Appeals Board seat vacancy:

Mr. Rex Kirby
President
VERDEX Construction

Mr. Kirby is a resident of Palm Beach County and possesses an active CGC license. He has completed the required ethics training component and the Board of County Commissioners Boards/Committees Application, which I have attached along with his resume, which we believe you will find quite impressive, along with his vast knowledge and understanding of the building code and its complexity. All of the above as well as his past leadership roles assumed, make him an excellent candidate to fill this much needed seat vacancy by a general contractor.

VERDEX is a member in good standing with the Associated General Contractors Florida East Coast Chapter. We are confident Mr. Kirby meets all the criteria necessary to fill this seat as well as has a willingness to serve and will be committed to what is required and expected in serving this term.

Thank you for your consideration of this nomination and for the continued opportunity to fill this seat. We will look forward to your presenting this to the Board of County Commissioners and kindly request you notify me as to when it is scheduled on the agenda for approval.

If you should have any further questions or concerns, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Anaya DePotter', is written over a horizontal line.

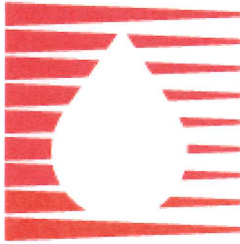
Michelle Anaya DePotter
Executive Director

Attachments: Application and Resume of Rex Kirby

2617 North Australian Avenue
West Palm Beach, FL 33407

www.agcfla.com

Telephone: (561) 833-3609
Fax: (561) 833-6024



**PLUMBING
AIR CONDITIONING
CONTRACTORS INDUSTRY FUND**

5730 Corporate Way, West Palm Beach, Fl. 33407 (561-683-8833) (fax 561-683-9633) web site (www.paccif.org)

December 17, 2015

*Doug Wise
Dept. of Planning, Building & Zoning
2300 North Jog Road
West Palm Beach, FL. 33411-2741*

RE: Construction Board of Adjustments and Appeals Nomination Request

Dear Sir;

The Plumbing and Air Conditioning Construction Industry Fund would like to re-nominate Bart Rasper, whose term had expired on October 18, 2014 to the Construction Board of Adjustments and Appeals.

I have enclosed the required application he has provided me with. If you require any further information, please feel free to contact me at your convenience.

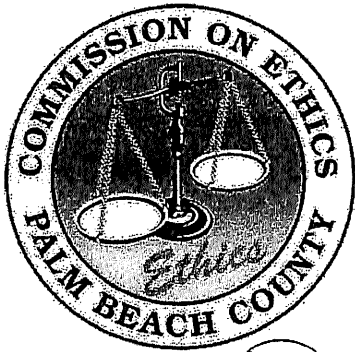
Sincerely,

*Dee Lewis
Administrative Assistant*

CC: file; Trustees

TRUSTEES

➤ *Steve Irwin, Susan Stokes, Michael Senecal, Jeffrey DeSalvo*



**ACKNOWLEDGEMENT OF RECEIPT
PALM BEACH COUNTY
CODE OF ETHICS TRAINING**

Legal Name: Bart Rasper (Please print clearly)

Employee Identification Number: _____

Agency/Municipality: Palm Beach County

Department/Board: CBAA

Check those items that apply

I acknowledge that I have read a copy of the Palm Beach County Code of Ethics (printed or posted on the intranet/internet) and completed additional training by:

- Watching the Code of Ethics Training Program on the Intranet/Internet.
- Watching the Code of Ethics Training Program on DVD.
- Attending a live presentation given on _____, 20__.

I understand that I am responsible for understanding and abiding by the Palm Beach County Code of Ethics as I conduct my assigned duties during my term of employment. I also understand that the information in this policy is subject to change. Policy changes will be communicated to me by my supervisor or through official notices.

Bart Rasper
(Legal Signature)

11/15/16
(Date)

Employees: Submit signed form to your Department Head

~~Department Heads: Submit signed forms to the Ethics Training Specialist~~

Advisory Board Members: Submit signed forms to Appropriate Municipal Representative

**PLEASE SUBMIT THIS FORM TO APPROPRIATE PARTY AS HIGHLIGHTED ABOVE
PLEASE DO NOT SUBMIT THIS FORM TO THE COMMISSION ON ETHICS**

300 North Dixie Highway, Suite 450, West Palm Beach, FL 33401

PHONE: 561.355-1915 FAX: 561.355-1904

Hotline: 877.766.5920 E-mail: ethics@palmbeachcountyethics.com

Website: www.palmbeachcountyethics.com

Rev. 08/2013

CBAA MEETING ATTENDANCE

Seat	MEMBER	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15
1	Rasper, Bart	P	/	/	/	P	/	/	/	/	P	/	P	/	P	/	P	/	P	/
2	Drawdy, Duane	A	/	/	/	P	/	/	/	/	P	/	P	/	P	/	P	/	A	/
3	Sullivan, Gary													/	P	/	P	/	A	/
4	Wiener, Marc	P	/	/	/	P	/	/	/	/	P	/	P	/	A	/	P	/	A	/
5	Dixon, Ron	P	/	/	/	P	/	/	/	/	P	/	A	/	P	/	P	/	P	/
	Godfrey, Albert																			
6	Walker, Michael	A	/	/	/	P	/	/	/	/	P	/	A	/	P	/	P	/	A	/
7	Dzenutis, Peter	A	/	/	/	P	/	/	/	/	P	/	P	/	A	/	P	/	A	/
8	New Div 1 Contractor																			
9	New Regular Citizen At Large																			
9	Walden, Margie*																		P	/
Alt	Walden, Margie*	P	/	/	/	P	/	/	/	/	P	/	P	/	P	/	P	/		
Alt	Donegan, Thomas	P	/	/	/	P	/	/	/	/	A	/	A	/	A	/	A			

*Margie Walden was moved from Alt-Citizen seat to newly created seat 9 on 11/3/2015

P - Present
A - Absent
/ - no meeting
Vacant

ATTACHMENT 5

SECTION 113
CONSTRUCTION BOARD
OF ADJUSTMENT AND APPEALS

113.1 Appointment. There is hereby established a board to be called the Construction Board of Adjustment and Appeals, which shall consist of nine regular members and two alternates. The applicable governing body shall appoint the Board.

113.2 Membership and Terms.

113.2.1 Membership. The Construction Board of Adjustment and Appeals shall consist of nine regular members plus two alternate members. Regular board members shall be composed of individuals with knowledge and experience in the technical codes to include, to the greatest extent possible, an architect, engineer, two Division I contractors (GC, BC, or RC), electrical contractor, HVAC contractor, plumbing contractor, a member at large from the public, and any other contractor licensed category. In addition to the regular members, there should be two alternate members, one member with the qualifications referenced above and one member at large from the public. A board member shall not act in a case in which he or she has a personal or financial interest.

113.2.2 Terms. The terms of office of the regular board members shall be for three (3) years and staggered so no more than one-third of the board is appointed or replaced in any 12-month period. The two alternates shall serve three-year terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. No board member shall be appointed or re-appointed to this board for more than three (3) consecutive, three (3) year terms.