Agenda Item: 3L-7

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS BOARD APPOINTMENT SUMMARY

Meeting Date:

February 7, 2023

Department:

**Environmental Resources Management** 

**Advisory Board:** 

Natural Areas Management Advisory Committee

## I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve** one new appointment to complete the term of the Management of Natural Areas (Mr. Steve Coughlin) seat on the Natural Areas Management Advisory Committee (NAMAC). Seat No. 1 is for a term of 0.6 years (7 months) beginning February 7, 2023 through September 30, 2023.

Seat No.	<b>Appointment</b>	Seat Requirement	Term Ending	<b>Nominated By</b>
1	Michael Cheek	Experience in the Management of Natural Areas	09/30/2023	Mayor Weiss Comm. Marino

**Summary:** Resolution No. R2013-1328 provides for a seven-member NAMAC. Membership consists of one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government parks and recreation program, one member of the Palm Beach County (PBC) Parks and Recreation Department staff, and two citizens having an interest in preservation and conservation of natural areas. With the appointment of Mr. Michael Cheek (who will replace Mr. Steve Coughlin when he retires), all seven seats will be filled with diversity count of Caucasian: 6 (86%) and African American: 1 (14%). The gender ratio (female/male) is 4:3. The Seat No. 1 nominee is a Caucasian male. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this Board's diversity. Countywide (SF)

Background and Justification: The purpose of NAMAC is to review and comment on management plans developed by staff for natural areas and conservation lands managed by the PBC Department of Environmental Resources Management, with a specific focus on proposed public uses of these sites and to make recommendations to staff on possible changes to each plan prior to making a recommendation to the Board of County Commissioners on approval of the plan. Mr. Cheek meets the criteria to fill Seat No. 1. This appointment is for 0.6 years (7 months) to complete the term of Mr. Steve Coughlin, which expires on September 30, 2023. After the expiration of this appointment, a nomination will be brought back to the Board to fill the seat for a full three-year term.

## Attachments:

- Boards/Committees Application w/letter of interest
- 2. Written Notice to the Board of County Commissioners
- 3. Current Membership
- 4. Attendance Record
- 5. Resolution No. R2013-1328

Recommended by: Department Director Date

Legal Sufficiency: State 14/23

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 à biography or résumé to this form.

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	ent District				
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West Palm Beach, FL	Zip	Code:	33406		·
913 Firetree Road					
North Palm Beach, FL	Zip	Code:	33408		
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214-2674	Fax:	.( ).			
eek@sfwmd.gov	-45-6				
X] Business [] Residence					
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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 scaled 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.

Section Two (continued)			
Contract/Transaction No.	Department/Division	Description of Services	Term
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
A A SAME		-	
	(Attach Additions	ol Sheet(s), if necessary)	
	OR	NONE	
		on Article XIII, the Palm Beach Cou	
		ing.htm. Keep in mind this require	
		nderstand, and agree to abide by ed Ethics training (in the manner c	
	vatching the training program on ttending a live presentation giver		
	AND		
	cknowledge that I have read, Florida Code of Ethics:	understand and agree to abide	by the Guide to the Sunshine
*Applicant's Signature:	Tradal Chil	Printed Name: Michael Cheek	Date: 12/14/22
		Beach County Code of Ethics, please il at ethics@palmbeachcountyethics.	
	Return	this FORM to:	
	2300 N Jog Road, W	est Palm Beach, FL 33412	
Section III (Commissioner, if	applicable):	_	
Appointment to be ma	ide af BCC Meeting of:		
Commissioner's Signature	MURALIT	Date: 12/20	1/22
Pursuant to Florida's Public Records L	aw, this document may be reviewed and	photocopied by members of the public.	Revised 08/01/2011

#### 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 (Depar	tment): (Please P	rint)				
Board Name:	Natural Areas M	Management Advisory	Committee		Advisory [X]	Not Advisory [ ]
[X] At L	arge Appointmen	t or	[ ]Dist	rict Appointr	ment /District #:	
Term of Appoint	ment:6	Years.	From: February 3	, 2023	To: Septemb	per 30, 2023
Seat Requirement	t: One mem	ber with experience in	the management of nat	ural areas	Seat #: 1	
[]*Reap	ppointment	or	[]New	Appointment		
or [X] to c	omplete the term	of Steven Paul Cou	ghlin Due	to: [X]	resignation	[ ] other
Completion of ter	m to expire on:	September 30, 20	023			
Section II (Appli APPLICANT, U	icant): (Please P	Board of County Committee  Trint)  TED, MUST BE A CO	UNTY RESIDENT			
Name:	Cheek		Michael First		David Middle	
Occupation/Affil:		creation Project Manag			Middle	
	Ow	mer []	Employee [2	<u>()</u>	Officer	[]
Business Name:	Son	uth Florida Water Man	agement District			
Business Addres	ss: <u>330</u>	11 Gun Club Road				
City & State	We	est Palm Beach, FL		Zip Code:	33406	
Residence Addr	ess: 913	3 Firetree Road				
City & State	No	rth Palm Beach, FL		Zip Code:	33408	
Home Phone:	(561) 21	14-2674	Business Phone:	(561)	682-6616	Ext.
Cell Phone:	(561) 21	4-2674	Fax:	()		
Email Address:	mcheek(	@sfwmd.gov				
Mailing Address	Preference: [X]	Business [] Resider	nce			
		felony: Yes fense, disposition of ca		w. w		
Minority Identii	fication Code: ve-American	[X] Male [] Hispanic-America	[]Female in []Asian-Amer	ican []A	African-American	n [X] Caucasian

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.

Contract/Transaction No.	Department/Division	Description of Services	Term
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
	(Attach Additiona	al Sheet(s), if necessary)	
	OR	<u>NONE</u>	
Guide to the Sunshine Amendment the web at: http://www.pal  By signing below I ack County Code of Ethics, X By v	nent prior to appointment/reappo mbeachcountvethics.com/traini knowledge that I have read, u and I have received the require vatching the training program on		ning requirement can be foun ment is on-going. Article XIII, the Palm Beac
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*Applicant's Signatur S  Any questions and/or cive H website www.pulmbeac	ERE e XIII, the Palm	Printed Name: Michael Cheek  Beach County Code of Ethics, please il at ethics@palmbeachcounty ethics.	visit the Commission on Ethics
Section III (Commissioner, if	2360 N Jog Road, W	his FORM to: est Palm Beach, FL 33412	



DATE:

December 15, 2022

TO:

Commissioner Gregg Weiss, Mayor

and Board of County Commissioners

FROM:

Deborah Drum, Director

Environmental Resources Management

SUBJECT: APPOINTMENT TO NATURAL AREAS MANAGEMENT ADVISORY

Dr. 1422

COMMITTEE (NAMAC)

Staff requests that the BCC submit a nomination for this NAMAC seat. Seat description is as follows:

<u>APPOINTMENT</u>: For Seat #1 representing management of natural areas. A potential candidate, Mr. Michael Cheek with the South Florida Water Management District, has expressed interest in filling this seat. A nomination for appointment to Seat #1 is hereby submitted from ERM staff to the BCC for consideration.

The following information is provided:

- 1. Board Appointment Information Form
- Evidence of Expertise
- 3. Current Membership
- 4. Attendance Record
- Resolution No. R-2013-1328

Please return the nominations, on the attached Palm Beach County Board of County Commissioners Boards/Committees Application, to Mrs. Allison Spall, Senior Environmental Analyst, no later than December 29, 2022. An agenda item will be prepared for the Board appointments at the February 7, 2023 meeting of the BCC.

DD:AS Attachments

cc: Patrick Rutter

## NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE MEMBERS REPORT December 13, 2022

Seat ID	Current Member	Role Type	Race Code	Gender	Contact Info	Seat Requirement	Appoint Date	Reappoint Date	Expire Date
Seat 1	Steve Coughlin	Member	South Florida Water Management District 3301 Gun Club Road West Palm Beach, Fl 33406		Management of Natural Areas	11/1/2011	6/8/2021	9/30/2023 *Retiring 2/3/2023	
Seat 2	Richard Moyroud	Member	CA	М	Mesozoic Landscapes, Inc 7667 Park Lane Road Lake Worth, Fl 33449 moyroud@prodigy.net 561-967-2630(C)	Biological Scientist	11/1/1999	6/8/2021	9/30/2023
Seat 3	Jessica Miles	Member	CA	F	Palm Beach State College 3160 PGA Blvd, MS #45 Palm Beach Gardens, Fl 33410 milesj@palmbeachstate.edu 561-207-5220(O)	Professional Educator	8/17/2021		9/30/2024
Seat 4	Michele Thompson	Member	CA	F	City of Greenacres 501 Swain Blvd Greenacres, Fl 33463 MThompson@greenacresfl.gov 561-236-5988(C)	Local Municipal Government Parks and Recreation Program	10/1/2017	6/8/2021	9/30/2023
Seat 5	Jennifer Cirillo	Member	CA	F	Palm Beach County Parks and Recreation Department 27090 6 <sup>th</sup> Ave South Lake Worth, Fl 33461 <u>JCirillo@pbcgov.org</u> 561-963-6732(O); 561-906-9687(C)	Palm Beach County Parks and Recreation Department Staff	10/16/2018	10/5/2021	9/30/2024
Seat 6	Don Marchetto	Member	CA	М	7929 159 <sup>th</sup> Court North Palm Beach Gardens, FL 33418 dmarchetto@bellsouth.net 561-379-6637	Citizen having an interest in preservation and conservation of natural areas	4/12/2022		9/30/2024
Seat 7	Andrea McMillan	Member	AA	F	4251 Tazewell Court West Palm Beach, Fl 33409 adm@amcmillanlaw.com 561-612-5700(O)	Citizen having an interest in preservation and conservation of natural areas	8/17/2021		9/30/2024

ATTACHMENT 3

## NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE

Attendance 2022

Seat - Name - Representing	1/21	2/18	3/25	4/15	5/20	6/17	7/15	8/19	9/16	10/28	11/18	12/16
1 – Steve Coughlin - Mgr of Natural Area Retiring 2/3/2023	С	1	P	С	С	С	С	С	1	Α	Р	С
2 - Richard Moyroud - Biological Scientist	С	1	P	С	С	С	С	С	1	Р	Р	С
3 – Jessica Miles – Professional Educator	С	1	Р	С	С	С	С	С	1	Р	Р	С
4 – Michele Thompson– Mun Govt Public Rec Program	С	1	Р	С	С	С	С	С	1	Α	Р	С
5 – Jennifer Cirillo – PBC Parks & Rec Dept	С	1.	Α	С	С	С	С	С	1	Р	Р	С
6 – Don Marchetto - Citizen Appointed 4/12/2022					С	С	С	С	1	Α	Α	С
7 –Andrea McMillan – Citizen	С	1	Р	С	С	С	С	С	1	Р	Р	С

A = Absent

P = Present

C = Cancelled Meeting

I = Information Gathering Field Trip

## NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE

Attendance 2023

Seat - Name - Representing	1/27	2/17	3/17	4/21	5/19	6/16	7/21	8/18	9/15	10/20	11/17	12/15
1 – Steve Coughlin - Mgr of Natural Area Retiring 2/3/2023	1											
2 - Richard Moyroud - Biological Scientist	1											
3 – Jessica Miles – Professional Educator	1											
4 – Michele Thompson– Mun Govt Public Rec Program	1											
5 – Jennifer Cirillo – PBC Parks & Rec Dept	1											
6 – Don Marchetto - Citizen Appointed 4/12/2022	1											
7 –Andrea McMillan – Citizen	1											

A = Absent

P = Present

C = Cancelled Meeting

I = Information Gathering Field Trip

## ATTACHMENT 5

### RESOLUTION NO. R-2013-1328

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY. FLORIDA, REPEALING AND REPLACING RESOLUTION 2009-0319; PROVIDING FOR ESTABLISHMENT OF THE NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE; **PROVIDING** FOR MEMBERSHIP; PROVIDING FOR CONDITIONS OF APPOINTMENT; PROVIDING FOR MEETINGS AND ORGANIZATION; PROVIDING FOR DUTIES AND **FUNCTIONS:** PROVIDING THAT COMMITTEE ACTION IS ADVISORY ONLY; PROVIDING FOR ASSISTANCE TO COMMITTEE; PROVIDING FOR RATIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County (the "Board") created the Natural Areas Management Advisory Committee by adoption of Resolution 94-1051, on August 16, 1994, to review and comment on management plans developed by staff for environmentally sensitive lands purchased or leased by the County and to hold public hearings on these plans prior to final adoption by the Board; and

WHEREAS, Resolution 94-1051 was amended by Resolutions 95-1455, 99-1188 and 2003-0713; and

WHEREAS, the aforementioned Resolutions were repealed and replaced by Resolution 2009-0319; and

WHEREAS, and over the course of time and changing directives from the Board, certain portions of the Resolution 2009-0319 have become obsolete, and the Board wishes to repeal the existing Resolution pertaining to the Natural Areas Management Advisory Committee in order to remove the obsolete provisions and to provide term limits for committee members consistent with Board direction in the Uniform Policies and Procedures for Palm Beach County Advisory Boards, Resolution 2013-0193.

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

Section 1. <u>Creation</u>. Upon adoption of this Resolution by the Board, there is created and established a committee to be known as the Palm Beach County Natural Areas Management Advisory Committee (the "Advisory Committee" or "Committee").

Section 2. <u>Purpose</u>. The purpose of the Advisory Committee is to review and comment on management plans developed by staff for natural areas and conservation lands managed by the Palm Beach County Department of Environmental Resources Management ("ERM"), with a

specific focus on proposed public uses of these sites, and to make recommendations to staff on possible changes to each plan prior to making a recommendation to the Board on approval of the plan.

### Section 3. Membership.

- A. The Advisory Committee shall have seven (7) members who shall be appointed at large by the Board according to the provisions set forth herein. The composition of the Committee shall be as follows:
  - One (1) member with experience in the management of natural areas.
  - 2. One (1) biological scientist.
  - One (1) professional educator with knowledge of South Florida ecosystems.
  - One (1) representative of a local municipal government parks and recreation program.
  - One (1) member of the Palm Beach County Parks and Recreation
     Department staff.
  - Two (2) citizens having an interest in preservation and conservation of natural areas.
  - B. Appointment of individuals to the Advisory Committee.
    - 1. The Board, acting as a whole, shall appoint seven (7) individuals to fulfill the requirements of subparagraphs A.1-6 of this section.
    - The Board shall make its appointments from a list of nominees submitted by Board members or by ERM, which shall solicit nominees in order to fulfill the requirements of subparagraph A.1-6 of this section.
    - 3. All members of the Advisory Committee except the citizen representatives shall have expertise in biology/ecology, conservation of natural resources, environmental education, environmental land management, or public recreation. Each nominee, except nominees for a citizen advisory position, shall submit to ERM written evidence of his or her expertise in any of the above.

C. All appointments except for a vacancy shall be for a term of three (3) years. Terms shall commence on October 1<sup>st</sup> of the year appointed and terminate on September 30<sup>th</sup> three years later. Existing members' terms shall expire on September 30<sup>th</sup> of the year in which their term expires. A member appointed to fill the remaining term of a vacancy shall serve until the expiration of the unfulfilled term and this service shall not count toward the member's term limits. No member shall be reappointed without approval by the Board at one of its regular meetings.

## Section 4. Conditions of Appointment.

- A. Beginning on or after March 1, 2013, no person shall be appointed or reappointed to the Advisory Committee for more than three consecutive three year terms.
- B. County employees shall not be appointed to the Advisory Committee, except that an employee of the School District of Palm Beach County may be appointed as a representative of the education community, as specified in subparagraph A.3. of Section 3 of this Resolution, and that an employee of the Palm Beach County Department of Parks and Recreation shall serve on the Advisory Committee, as specified in subparagraph A.5 of Section 3 of this Resolution.
- C. An Advisory Committee member who is an employee of a local government shall not represent specific interests of the local government on Advisory Committee issues.
- D. Resolution 2013-0193, as amended or replaced by other uniform policies and procedures pertaining to all advisory boards established by the Board of County Commissioners, is incorporated in this Resolution by reference.

## Section 5. Meetings and Organization.

- A. The Advisory Committee shall establish a regular time and place to hold business meetings. Reasonable public notice of all Advisory Committee business meetings, field trips and public hearings shall be provided, and all such business meetings, field trips and public hearings shall be open to the public at all times and shall allow public comment.
- B. A quorum must be present for the conduct of Advisory Committee business meetings. A majority of the members appointed shall constitute a quorum. All business meetings shall be governed by Robert's Rules of Order.

C. The Advisory Committee shall adopt any rules of organization and procedures that may be required. The Advisory Committee may elect a chairperson and vice chairperson, may establish subcommittees for specific subjects or tasks, and may invite participation in a subcommittee by nonmembers in order to obtain input from other sectors of the public interested in the management of natural areas and the duties of the Advisory Committee.

Section 6. <u>Duties and Functions</u>. The Advisory Committee shall have the following duties and functions:

- A. To review and comment on initial and revised management plans developed by staff for natural areas and conservation lands managed by ERM, in accordance with the requirements of the Palm Beach County Natural Areas Ordinance (No. 94-13), as may be amended from time to time.
- B. To hold a public hearing on each management plan, as required, to solicit input from the public.
- C. To consider oral and written public comments at hearings and at Advisory Committee business meetings.
- D. To make a recommendation to the Board regarding the approval of each management plan reviewed by the Advisory Committee.
- E. To review and comment on conceptual site plans prepared by staff as part of grant applications for funding for acquisition and/or management of natural areas.
- F. To review and comment on staff-proposed interim changes to management plans.
- G. To review the results of ongoing monitoring of natural areas to determine whether management goals are being met.
- H. To make recommendations to staff regarding policies related to the management of the natural areas.
- I. To periodically review management plans for possible modification.
- Section 7. Assistance to the Committee. The Advisory 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 ERM shall provide administrative support to the Advisory Committee. The County Attorney's Office shall act as

legal counsel to the Advisory Committee at all its meetings and shall provide such legal advice and assistance as may be requested by the Advisory Committee.

Section 8. <u>Committee Action Advisory Only.</u> The actions, decisions and recommendations of the Advisory Committee are advisory only and shall not be binding on the Board or County staff.

Section 9. <u>Ratification</u>. Notwithstanding anything contained herein, this Resolution also hereby acknowledges, ratifies, and confirms all actions of the Advisory Committee known as the Natural Areas Management Advisory Committee as was previously approved and organized by the Board of County Commissioners prior to the formal adoption of this Resolution. This Resolution hereby acknowledges, ratifies, and confirms the appointment of each currently-serving member of the Advisory Committee appointed pursuant to Resolution 2009-0319, and each such member shall continue to serve on the Advisory Committee until September 30<sup>th</sup> of the final year of such member's three (3)-year term established under the previously existing Resolution 2009-0319.

Section 10. <u>Severability</u>. 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 the Resolution.

## Section 11. Repeal of Resolution 2009-0319.

This Resolution expressly repeals and supersedes Palm Beach County Resolution 2009-0319, except to the extent that certain actions taken thereunder are ratified as provided herein.

Section 12. <u>Effective Date</u>. The provisions of this Resolution shall become effective upon approval by the Board of County Commissioners.

The foregoing Resolution w	vas offered by Commissioner	Vana	, who
moved its adoption. The motion was seco	nded by Commissioner	Berger	, and upon
being put to a vote, the vote was as follows	s:		
Commissioner Steven L. Abrams, I	Mayor	Aye	_
Commissioner Priscilla A. Taylor,	Vice Mayor	Аўе	_
Commissioner Hal R. Valeche		Aye	_
Commissioner Paulette Burdick		Aye	_
Commissioner Shelley Vana		Aye	
Commissioner Mary Lou Berger		Aye	
Commissioner Jess R. Santamaria		Aye	
The Mayor thereupon decomposition of the Mayor there are the Mayor t	& Comproherucertify	TY, FLORID	A, BY ITS