

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY**

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Meeting Date: November 7, 2023
Department: Planning, Zoning & Building Department
Submitted By: Building Division
Advisory Board Name: Construction Board of Adjustments and Appeals (CBAA)
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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: reappointment of one applicant to the Construction Board of Adjustments and Appeals (CBAA).

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Timothy Wingate	2	Division 1 Contractor	11/07/23 – 11/06/26	Self nominated

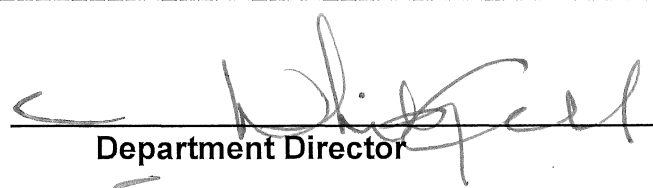

Summary: The Construction Board of Adjustment and Appeals (CBAA) hears appeals of decisions and interpretations of the Building Official, and consider variances of the technical codes. The CBAA was established by Palm Beach County Ordinance 89-31 and amended in 2002. The term of office for Board members is three years, with a limit of three consecutive three-year terms. The Board is comprised of nine regular members: one architect; one engineer; two Division 1 contractors (general, building, or residential); one electrical contractor; one HVAC contractor; one plumbing contractor; a member at large from the public; and any other contractors licensed category. In addition to these members, there should be two alternate members; one member with the qualifications referenced above; and one member at large from the public.

The Board has 11 seats, 8 currently filled and 3 vacancies, and a diversity count of Caucasian: 6 (75%), African-American: 1(12.5%) and Hispanic: 1(12.5%). The gender ratio (male: female) is 7:1. The nominee is an African-American male. Staff has addressed the need to increase diversity within its boards and will continue to encourage this in an effort to expand the Boards diversity. Countywide (RM)

Background and Justification: Palm Beach County Ordinance 89-31, as amended in 2002, established the Construction Board of Adjustment and Appeals. Per Palm Beach County Ordinance 2017-044, Palm Beach County Amendments to the Florida Building Code, 6th Edition (2017), as defined in Section 113.5 of the Palm Beach County Amendments to the Florida Building Code, the Board shall have the power to hear appeals of decisions and interpretations of the Building Official, and consider variances of the technical codes.

Attachments:

1. Board/Committees Applications
2. Resume/Bio
3. CBAA Attendance
4. Section 113 of the Palm Beach County Amendments to the Florida Building Code, 6th Edition (2017)

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Recommended By:  10/17/2023
Department Director **Date**
Legal Sufficiency:  10/24/23
Assistant County Attorney **Date**

11/7/23

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 Adjustment and Appeal (CBAA) Advisory Not Advisory
Timothy Wingate

At Large Appointment or District Appointment (District #: _____)

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

Seat Requirement: Contractor Seat #: _____

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: Wingate Timothy
Last First Middle

Occupation/Affiliation: General Contractor
Owner Employee Officer

Business Name: Wingate Corporation, LLC

Business Address: 900 26th Street

City & State: West Palm Beach, FL Zip Code: 33407

Residence Address: 958 33rd St

City & State: West Palm Beach, FL Zip Code: 33407

Home Phone: () Business Phone: () Ext.

Cell Phone: (561)718-5133 Fax: ()

Email Address: tlwingate@wingatecorp.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

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	<input type="checkbox"/>	NOT APPLICABLE/ (Governmental Entity)	<input checked="" type="checkbox"/>

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-79 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 10/2/2023
 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: [Signature] Printed Name: Timothy C. Wengert Date: 02 Oct 23

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) 355-1915.

Return this FORM to:
Michelle Carter, Palm Beach County Planning, Zoning and Building
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: _____

T.L.
WINGATE
GENERAL
CONTRACTOR
CFC027784

WINGATE CORPORATION, LLC

General Contractors

1000 Glades Street

West Palm Beach, FL 33407

Office: 561 835 4320

Email: info@wingatecorp.com

Web: www.wingatecorp.com

ABOUT ME

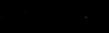

Mr. T.L. Wingate, began work in the construction field at the young age of 12 years old. He became a Certified General Contractor in the state of Florida in 1984, at the age of 22. His years of experience in working with private clients, construction firms, and governmental agencies in various positions as prime contractor, sub-contractor, partner and construction manager, has shaped his unique perspective and expertise of the construction industry.

For over the past 35 years, Mr. Wingate has been President/CEO of his family owned and operated construction company. Mr. Wingate is well known by his colleagues and the community where he lives and works, as a leader in the construction industry. He exemplifies his great leadership skills while maintaining a reputation of honesty and integrity, both personally and professionally.

CBAA MEETING ATTENDANCE
2023

Seat	Member	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
1	Rasper, Bart	A	P	No Meeting	P	No Meeting	P	No Meeting				No Meeting	No Meeting
2	Timothy Wingate	A	P	No Meeting	P	No Meeting	A	No Meeting				No Meeting	No Meeting
3	VACANT	Vacant											
4	Dornblaser, Jessica	P	A	No Meeting	A	No Meeting	P	No Meeting				No Meeting	No Meeting
5	Dixon, Ron	P	A	No Meeting	A	No Meeting	A	No Meeting				No Meeting	No Meeting
6	Markel, Steven	P	P	No Meeting	P	No Meeting	P	No Meeting				No Meeting	No Meeting
7	Oyola, Manuel	P	A	No Meeting	P	No Meeting	A	No Meeting				No Meeting	No Meeting
8	Kirby, Rex	P	P	No Meeting	P	No Meeting	P	No Meeting				No Meeting	No Meeting
9	VACANT	Vacant											
10	Alt Board Member											No Meeting	No Meeting

P = Member in attendance
A = Member absent
C = Scheduled meeting cancelled

*Change in member status (i.e. appointment, resignation, removal or seat change)
 Vacant
 No Meeting

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.

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