

TO: ALL COUNTY PERSONNEL
FROM: VERDENIA C. BAKER
COUNTY ADMINISTRATOR
PREPARED BY: ADMINISTRATION
SUBJECT: ADVISORY BOARD / COMMITTEE APPOINTMENTS
PPM #: CW-O-023

ISSUE DATE
April 29, 2025

EFFECTIVE DATE
April 29, 2025

PURPOSE:

To implement the Board of County Commissioners (BCC) adopted policy regarding Advisory Boards/Committee appointments/reappointments.

UPDATES:

Future updates to this PPM are the responsibility of the County Administrator.

AUTHORITY:

- Palm Beach County Resolution No. R2013-0193, adopted February 5, 2013, as may be amended
- Palm Beach County Rules of Procedure Resolution No. R2013-0109, adopted January 15, 2013, as may be amended

DEFINITIONS:

Refer to **Attachment A** for a listing of definitions related to this PPM.

POLICY:

At-large appointments to advisory boards, committees, commissions, task forces, and authorities hereinafter referred to as “boards” shall be placed on an official BCC agenda for formal action. At-large appointments are candidates that are nominated (recommended), and then whose application is then submitted to the BCC for approval.

District appointments shall be brought to the attention of the BCC for confirmation by the District Commissioner under "Board Appointments/Commission District Appointments". District appointments are candidates that are appointed by a specific District Commissioner and confirmed by the BCC.

The County Administrator’s Office shall establish a procedure which will ensure the uniform implementation of this policy in such a manner as to be consistent with existing agenda submittal and review procedures. The development of specialized forms to accommodate appointments is permissible.

The BCC recognizes Palm Beach County’s diverse community and has emphasized their commitment to obtaining diversity on all County advisory boards/committees/commissions as well as BCC appointees to outside boards, committees, and commissions. Staff will strive to recruit and maintain diversity on all advisory boards/committees/commissions, as well as BCC appointees to outside boards, committees and commissions, and clearly communicate the BCC’s policy to all third party agency recommendations.

PROCEDURES:

I. AT-LARGE APPOINTMENTS

STEP 1. Liaison Department monitors expiration dates of the members and generates a report that notifies the BCC 90 days in advance of the month in which appointments are due. The report illustrates which at-large appointments are due, and other pertinent information, and is distributed to, County Administration.

STEP 2. The Liaison Department sends written notice to BCC, County Administration and Agenda Coordinator, offering background information and requesting nominations for the available at-large seats. Background information shall include a copy of originating legislation or BCC action, current composition and diversity of the committee, and meeting schedule.

If staff or the board has a recommended candidate, include:

- the candidate’s completed Boards/Committees Application (**Attachment B**), which includes the Code of Ethics Training Acknowledgement; and

- a copy of the candidate's résumé or biography

For reappointment of an existing representative, include:

- an updated completed Boards/Committees Application (**Attachment B**), which will include an updated Code of Ethics Training completion date;
- the attendance record;
- any conflict memoranda previously filed; and
- if an outside group, agency or affiliation has submitted a nomination or recommendation, include a copy of the agency's correspondence on agency letterhead.

The Liaison Department shall indicate the BCC meeting date the appointment(s) are to be scheduled for consideration. A minimum ten (10) business-day response period must be offered to BCC.

OR

If the governing Resolution/Ordinance specifies that nominations are made by a specific group, agency or affiliation, PROCEED DIRECTLY TO STEP 4.

STEP 3. Commissioners respond to the Liaison Department's request for nomination/recommendation by completing Section III of the Application and returning the signed Application or by providing contact information for additional candidate(s) to be considered to the liaison department.

STEP 4. Once nominations/recommendations are acquired, the Liaison Department develops an agenda item and submits:

- to County Administration, County Attorney and Agenda Coordinator for a preliminary review.

Once approved:

- the Liaison Department will finalize the packet and submit to County Attorney in the same manner as any other agenda item.
- a specialized **blue** Board Appointment Summary Form (Summary Form) (**Attachment C**) is utilized in lieu of the Agenda Item Summary Form. Departments shall attach to the Summary Form:
 - the Application(s), candidate(s) résumé or biography, a copy of the current membership listing from the Boards & Commissions Directory,

- the Statute/Ordinance/Resolution which created the committee, a copy of the written notice to the Commissioners,
- and a copy of attendance record, if applicable.

In addition, if an outside agency made a nomination or recommendation, include a copy of the agency's correspondence on letterhead. Liaison Departments should review each Application for disclosure of contractual relationship, serving on other County related or other municipality boards/committees, and/or felony conviction. Candidates who have disclosed a contractual relationship(s), serving on other Boards, and/or felony; need to be evaluated to determine if the Candidate is eligible to serve. If the Candidate is eligible to serve, include the standard disclosure language specifically for the Contractual Relationships in the Summary portion of the Agenda Summary Form (**Attachment C**).

- STEP 5.** The County Administrator's Office places "unopposed" at-large appointments onto the agenda under the section entitled "Consent Agenda" and "opposed" at-large appointments under the section entitled "Board Appointments." The agenda item is then circulated for review in the same manner as all other agenda items. The appointment is now part of the Agenda which will be presented to the BCC on a scheduled meeting date.
- STEP 6.** After official action by the BCC, the County Administrator's Office sends a congratulatory letter along with the Sunshine Law Overview (**Attachment D**) for Advisory Board Members (); and if applicable, the Financial Disclosure forms to appointee, with copy to the Liaison Department. The County Administrator's Office also inputs the appointee's information into a central database.
- STEP 7.** Liaison Departments' follow-up by contacting the appointee and conveying necessary information, such as when and where meetings are held, etc.
- STEP 8.** Liaison Departments should review the Directory of Boards and Commissions and notify the County Administrator's Office of changes in membership, composition, etc. as soon as possible.

II. DISTRICT APPOINTMENTS

NEWLY ELECTED COUNTY COMMISSIONER/STAFF

- Prior to any District appointee changes made within a District of the newly elected County Commissioner, training shall be offered and scheduled with the Agenda Coordinator.

STEP 1. Liaison Department monitors expiration dates of the members and notifies the Agenda Coordinator 90 days in advance of the month in which appointments are due. Liaison Department shall also monitor vacancies due to resignation or removal for lack of attendance and notify the Agenda Coordinator within (30) days.

STEP 2. The Agenda Coordinator shall send written notice to the respective County Commissioner offering background information and requesting nominations for the available/vacant District seat(s). If candidate applications have been received, Agenda Coordinator shall include a copy of their résumé or biography.

For reappointment of an existing representative, include:

- an updated completed Boards/Committees Application (**Attachment B**), which includes the Code of Ethics Training Acknowledgement component ;
- representative's attendance record; and
- copies of any conflict memoranda previously filed.

District Commissioner will advise County Administration accordingly upon review to proceed with the reappointment.


STEP 3. The District Commissioner will sign Section III of the Application and forward to the Agenda Coordinator. The Agenda Coordinator will review the Application for eligibility to serve. Any questions regarding eligibility shall be referred to County Administration and if needed, to the County Attorney's office. Upon confirmation of eligibility, the Agenda Coordinator will send written notice, including disclosure language to be read into the record, to the District Commissioner confirming appointment/reappointment at the next scheduled BCC meeting.

STEP 4. District Commissioners shall bring their District appointments to the attention of the BCC for confirmation during scheduled BCC meetings under "Board Appointments/Commission District Appointments."

- STEP 5.** After official action by the BCC, the County Administrator's Office sends a congratulatory letter along with the Sunshine Law Overview (**Attachment D**) for Advisory Board Members; and if applicable, the Financial Disclosure forms to appointee with copies to the respective District Commissioner and Liaison Department. The Agenda Coordinator inputs the appointee's information into a central database.
- STEP 6.** Agenda Coordinator shall provide a copy of the completed application and congratulatory letter to the board liaison.
- STEP 7.** Liaison Departments follow-up by contacting the appointee and conveying necessary information, such as when and where meetings are held, etc.
- STEP 8.** Liaison Departments should review the Directory of Boards and Commissions and notify the Agenda Coordinator of changes in membership, composition, etc. as soon as possible.
- STEP 9.** Liaison Department shall monitor meeting attendance and notify the District County Commissioner and Agenda Coordinator regarding any District Member that has missed two (2) consecutive meetings. Agenda Coordinator will follow-up with the standard format letter advising of required attendance.

ATTACHMENTS:

- A. Definitions
- B. Boards/Committees Application (March 2025)
- C. Board Appointment Summary Form (Agenda Item)
- D. Sunshine Law Overview for Advisory Board Members



VERDENIA C. BAKER
COUNTY ADMINISTRATOR

Supersession History:

- 1. PPM# CW-O-023, effective 02/01/1989
- 2. PPM# CW-O-023, effective 09/12/1994
- 3. PPM# CW-O-023, effective 06/01/2007
- 4. PPM# CW-O-023, effective 05/01/2008
- 5. PPM# CW-O-023, effective 01/28/2014
- 6. PPM# CW-O-023, effective 05/09/2016

ATTACHMENT A

DEFINITIONS:

Appointed - candidate that agreed to serve and represent a specific District Commissioner on a Palm Beach County Advisory Board. The District Commissioner confirms this action at a regular scheduled BCC meeting.

At-large - candidates that are nominated/recommended to serve on a Palm Beach County Advisory Board.

Boards – term used for advisory boards, committees, commissions, task forces, and authorities.

County Administration – this includes the County Administrator, Deputy County Administrator and Agenda Coordinator.

District - candidates that are appointed by a specific District Commissioner.

Liaison - Palm Beach County staff to assist in facilitating a working relationship between members, Department, County Administration, and Board of County Commissioners.

Liaison Department – This is the County Department that oversees the Advisory Board.

Nominated - candidate(s) that is/are proposed to serve on a Palm Beach County Advisory Board.

Revised 03/2025



Attachment B

BOARDS/COMMITTEES APPLICATION

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION
301 N Olive Avenue, WPB, FL 33401
www.discover.pbcgov.org

The information provided on this form will be used in considering your nomination.
(Answer "NONE" or "N/A" where appropriate.)

APPLICANT TO COMPLETE/SUBMIT THE FOLLOWING:

- SECTION II
- CONTRACTUAL RELATIONSHIPS
- CODE OF ETHICS TRAINING
- RESUME or BIOGRAPHY

SECTION I (OFFICE USE ONLY)

BOARD/COMMITTEE NAME:
TYPE OF APPOINTMENT: AT-LARGE DISTRICT #
REAPPOINTMENT NEW APPOINTMENT
TERM: START DATE END DATE
LENGTH OF TERM: YEARS
SEAT #:
SEAT REQUIREMENT:
COMPLETING AN UNEXPIRED TERM? YES NO
IF YES: DUE TO: RESIGNATION OTHER
COMPLETING TERM FOR:
ORIGINAL TERM EXPIRES:

*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 (to be completed by applicant) *MUST BE A PALM BEACH COUNTY RESIDENT

NAME: (First/Middle Initial/Last)
ADDRESS:
CITY: STATE: ZIP:
PHONE #:
EMAIL:

BUSINESS/EMPLOYER NAME:
OCCUPATION:
ADDRESS:
CITY: STATE: ZIP:

MAILING PREFERENCE: RESIDENCE BUSINESS

DEMOGRAPHIC INFORMATION: (choose one from each group)

GROUP #1 GROUP #2
MALE AFRICAN-AMERICAN HISPANIC-AMERICAN
FEMALE ASIAN-AMERICAN NATIVE-AMERICAN
CAUCASIAN

HAVE YOU EVER BEEN CONVICTED OF A FELONY: YES NO

(conviction of a felony is not an automatic disqualifier from appointment)

IF YES - STATE THE COURT, NATURE OF OFFENSE, DISPOSITION OF CASE AND DATE:

SECTION II - continued (to be completed by applicant)

CONTRACTUAL RELATIONSHIPS: _____ NONE _____ NOT APPLICABLE/(Governmental Entity)

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

SERVING ON OTHER ADVISORY BOARDS / COMMITTEES:

Are you currently serving on any other Advisory Boards or Committees within Palm Beach County? _____ YES _____ NO

If YES, please list: _____

CODE OF ETHICS TRAINING: _____ COMPLETED DATE: _____

All board members are required to read and complete training on Article XIII of the Palm Beach Code, the Palm Beach County Code of Ethics. Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment. All board members must also be familiar with the State of Florida Code of Ethics, (Chapter 112, part III of the Florida Statutes), and the Florida Sunshine Law.

Training on the Palm Beach County Code of Ethics can be found on the web at:
<http://www.palmbeachcountyethics.com/training.htm>.

Any questions and/or concerns regarding Article XIII of 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.

APPLICANT'S SIGNATURE: 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 Code of Ethics Training. By signing below, I acknowledge that I will be subject to the State of Florida and Palm Beach County Code of Ethics and the Florida Sunshine Law (Chapter 286, Florida Statutes).

(NOTE: Signature must be an actual signature or an electronic signature. A "typed" signature (name) will not be accepted)

SIGNATURE: _____ PRINTED NAME: _____ DATE: _____

SECTION III - COMMISSIONER (OFFICE USE ONLY) DISTRICT # _____

COMMISSIONER'S SIGNATURE: _____ DATE: _____

SECTION IV - (OFFICE USE ONLY)

APPOINTMENT MADE: _____ YES _____ NO
BCC MEETING: _____ DATE _____

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

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

ATTACHMENT D

Sunshine Law Overview for Advisory Board Members

All meetings of public agencies, such as Palm Beach County, at which official acts are taken must be open to the public.

The term “official acts” includes not only the final act of the public agency, but **every step in the decision making process** which leads to the final act.

Personal Responsibility

The Sunshine Law applies to you because of **your role in the decision making process as a member of a County board** - the recommendations made by this group will inform the ultimate decisions, or “official acts” taken by one or more public agencies.

The law is **broadly construed** to ensure the entire **decision making process** is open to the public. Courts have consistently found that the law is violated any time actions are taken to evade the open meeting requirement. This includes voting by secret ballot, straw polls, or any discussion, whether live, through written correspondence, or by email or electronic media, between two or more board members in private to discuss matters that will likely come before the board they serve. This includes posts on social media.

Agency Responsibility

There must be **reasonable notice** of all meetings – sufficient to inform and enable interested persons so they can attend.

The meeting must be held at a place **accessible to the public** that does not unreasonably restrict public access, and that does not discriminate.

Minutes must be recorded, prepared promptly and made available to the public.

Members of the public must be given a reasonable opportunity to be heard on a proposition before the board.

Consequences

Knowingly violating the Sunshine Law is a **second degree misdemeanor** = \$500/6mos jail, or both.

Violations are also subject to \$500 **civil penalty**.

Agency decisions linked to violation **can be rendered void**, although in some situations, decisions have been reinstated after full, public airing of the decision at issue.

Agency must **pay attorney’s fees and costs** to person who successfully alleges Sunshine Law violation.