

6B-1

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

=====

Meeting Date: February 4, 2014

Department: Planning, Zoning and Building

Submitted By: Planning

Advisory Board Name: Planning Commission

=====

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: The appointment of one (1) of the following individuals to the Planning Commission for a term from February 4, 2014 to June 2, 2015.

<u>Appointment Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Neil E. Merin	15	At-Large	Commissioner Valeche
OR			
James M. Brake	15	At-Large	Commissioner Vana

**Summary:** The Planning Commission (PLC) was created by Ordinance 2008-003, which replaced the Land Use Advisory Board established by Resolution No. R-90-1987. The Unified Land Development Code (ULDC) Article 2.G.3.K provides for the membership of the PLC as sixteen (16) members, consisting of fifteen (15) members appointed by the BCC, and one (1) non-voting representative of the School District. Each District Commissioner appoints two (2) members, and one (1) member is appointed at-large by a majority vote of the BCC. The term of office of each member is for three (3) years. This at-large position is to be appointed to fill an existing vacancy. The function of the PLC is primarily to provide recommendations to the BCC regarding amendments to the Comprehensive Plan. On November 12, 2013, the Planning Division forwarded a memo and forms to the BCC notifying the Board of the vacancy, and requesting nominations. Two (2) responses were received.

Unincorporated (RPB)

**Background and Justification:** The PLC serves as the Local Planning Agency (LPA) for Palm Beach County for the purpose of compliance with Chapter 163.3174, Florida Statutes. The PLC has the responsibility of providing recommendations to the BCC on preparation of the Comprehensive Plan; amendments to the Comprehensive Plan (including site specific amendments to the Future Land Use Atlas); land use studies; and transportation concurrency management areas and constrained roadways at lower levels of service. Although no specific experience requirements are necessary as a prerequisite to appointment, consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate and related fields. The experience of each of the candidates is provided in the attached resumes. This advisory board membership has 14 seats currently filled and a diversity count of Black: 2 (14.29%), Hispanic: 1 (7.14%), White: 11 (78.57%). The gender ratio (male:female) is 7:7.

**Attachments:**

1. Boards/Committees Applications for Neil E. Marin and James M. Brake
2. Resumes for Neil E. Marin and James M. Brake
3. List of Current Planning Commission Members
4. Memo dated November 12, 2013, to the BCC
5. ULDC Article 2.G.3.K

Recommended By: Rebecca Caldwell 1/8/14  
 Department Director Date

Approved By: [Signature] 11/10/14  
 Assistant County Attorney Date

**II. REVIEW COMMENTS**

**A. Other Department Review:**

**Department Director**

**(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)**

**Form revised 06/92**

**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 résumé to this form.*

**Section I (Department):** (Please Print)

Board Name: Planning Commission Advisory  Not Advisory   
 At Large Appointment or  District Appointment /District #: \_\_\_\_\_  
 Term of Appointment: \_\_\_\_\_ Years. From: \_\_\_\_\_ To: 6/2/2015  
 Seat Requirement: \_\_\_\_\_ Seat #: 15  
 \*Reappointment or  New Appointment  
 to complete the term of Joshua Harden Due to:  resignation  other  
 Completion of term to expire on: 6/2/2015

\*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: Merin Neil E  
Last First Middle  
 Occupation/Affiliation: Real Estate Broker  
 Owner  Employee  Officer   
 Business Name: Merin Hunter Codman  
 Business Address: 1601 Forum Place  
 City & State: West Palm Beach, FL Zip Code: 33401  
 Residence Address: 12347 Plantation Lane  
 City & State: West Palm Beach, FL Zip Code: 33401  
 Home Phone: (561) 247-5080 Business Phone: (561) 471-8000 Ext.  
 Cell Phone: ( ) None Fax: ( )  
 Email Address: amerin@mhcreal.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>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)

OR  NONE

All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

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
- 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: Neil Merin Date: 11/18/2013

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](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature:  Date: 12/17/13

Pursuant to Florida's Public Records Law, 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 resumé to this form.~~

**Section I (Department):** (Please Print)

Board Name: Planning Commission Advisory  Not Advisory

At Large Appointment or  District Appointment / District #: N/A

Term of Appointment: N/A Years. From: N/A To: N/A

Seat Requirement: N/A Seat #: N/A

\*Reappointment or  New Appointment

or  to complete the term of Joshua Harden Due to:  resignation  other

Completion of term to expire on: 06/02/2015

\*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: 0

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Brick Brake James M.  
Last First Middle

Occupation/Affiliation: real estate agent  
Owner  Employee  Officer

Business Name: Coldwell Banker

Business Address: 901 N Congress st 2013

City & State: Boynton Beach, FL Zip Code: 33426

Residence Address: 710 SW 27th Terrace

City & State: Boynton Beach FL Zip Code: 33435

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

Cell Phone: 561 699-3232 Fax: ( )

Email Address: JamesMBinc@AOL.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>
Ex: (R#XX-XXXX/PO XXX)	Parks & Recreation	General Maintenance	10/01/11-09/30/12

(Attach Additional Sheet(s), if necessary)

OR  NONE

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- By watching the training program on the Web, DVD or VHS  
 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: Samuel M Brake Date: 12/5/13

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](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

Return this FORM to:  
 Melissa Michael, Planning, Building & Zoning/Planning Division  
 2300 N. Jog Road, West Palm Beach, FL 33411

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on:

Commissioner's Signature: [Signature] Date: 12/17/13

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

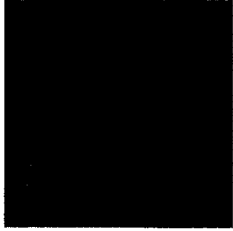

Revised 08/01/2011



**PRINCIPAL**

**NEIL E. MERIN, CHAIRMAN**

Neil E. Merin is a commercial real estate expert with a broad background in all phases of commercial real estate work, including investment sales, tenant representation, site acquisition, development consulting, corporate facilities and industrial facilities. Mr. Merin's specialty within the commercial real estate field involves the sale and leasing of office and retail facilities. Over the past 15 years, Mr. Merin has represented both owners and tenants in over 20,000,000 square feet of property negotiations representing over \$3.5 billion in real estate transactions. Mr. Merin is the founder and Chairman of NAI/Merin Hunter Codman, Inc., a property management company in West Palm Beach which is currently responsible for managing 4 million square feet of office and retail space and, in addition, is the largest commercial real estate firm in Palm Beach County, with offices in West Palm Beach and Boca Raton. Mr. Merin holds prestigious designations from: Certified Commercial Investment Member, National Association of Realtors, and the Society of Office and Industrial Realtors.



Mr. Merin has also acted as an advisor and consultant to such companies as AT&T, JP Morgan, Panattoni Development, Lincoln Properties, Northern Trust Bank, and Merrill Lynch.

Originally from the New York area, he was responsible for leasing and property management in the metropolitan area. Since moving to Florida in 1976, he has continued his career in the southeast. Mr. Merin has been responsible for major corporate relocations to both Boca Raton and the Orlando area, including over 2,500,000 square feet of lease transactions for tenants such as AT&T, Burroughs, Rolm, IBM, American Bell, and America Information Systems, initial projects within Arvida Park of Commerce in Boca Raton, the development of luxury housing in Palm Beach and the re-development of over 1,000,000 SF of major office complexes in South Florida.

Mr. Merin's affiliations include:

- SIOR – Active Office Designation, Ethics Committee Member
- CCIM – Active Member
- NAIOP – Active Member
- Member – Economic Council of Palm Beach County, Board of Directors

Mr. Merin holds additional affiliations with the International Counsel of Shopping Center and NAI Global. Mr. Merin is former chair of Palm Beach County's Industrial Revenue Bond Committee, and is a member of the Palm Beach County Planning Commission (formerly Land Use Advisory Board).

In addition to Mr. Merin's professional affiliation, he is Past President and Corporate Campaign Chairman for Easter Seals in Palm Beach County. Mr. Merin has served as Co-Chairman of the auction committee for the Epilepsy Foundation of Palm Beach County, Previous Board member of the Honda Classic, and is a Board member of the Palm Beach County AntiDefamation League and received the 2006 Ultimate CEO Palm Beach County award.

Mr. Merin is a graduate of Deerfield Academy and Boston University, where he majored in Marketing and International Management. He holds the prestigious designation as an active member of the Society of Industrial and Office Realtors and Certified Commercial Investment Member, and is an active member of the National Association of Industrial and Office Parks Public Policy Committee.

**James M. Brake**  
**(561) 699-3232 JamesMBInc@aol.com**

**Experience Summary:**

**Advisory Boards:**

- **Land Development Regulation Advisory Board**, alternate member, PBC, 2012
- **Planning and Development Board Member**, Boynton Beach, 2011 to present
- **Code Compliance Advisory Board Member**, Boynton Beach 2009-11

**Committees:**

- **Flood Mitigation Taskforce**, Boynton Beach, 2012 to present
- **City Charter Review Committee**, Boynton Beach, Vice-Chair, July 2011-12
- **Brand Promise Committee**, Boynton Beach, 2011 to 2012
- **Realtor Association of the Palm Beaches, GA Committee Member**, 2010 to present
- **Greater Boynton Beach Chamber of Commerce, GA Committee Member**, current
- **Sister Cities Committee**, Boynton Beach, Board Member, 2010 to present

**Other:**

- **Greater Boynton Beach Chamber of Commerce Leadership Program**, 2010
- **Boynton Beach City Services Institute**, 2010

**Education:**

Bachelor of the Arts in Political Science. May 2005  
License for Florida Real Estate Agent. May 2005

**Employment History:**

Real Estate Agent, Coldwell Banker, May 2005 to present  
Licensed Commodity Trader, J.C. Leeman, May 2002 – May 2004  
Service and Sales Trainer, City Oyster, Delray Beach, 2000 – 2006



## Planning Commission Appointments

*Updated 01/06/2014*

District	Seat	Member Name	Expiration	Latest-Appt	Original-Appt	Title
1	1	Judy Daversa	6/7/2016	6/5/2013	4/21/1998	
1	2	Katharine Murray	6/2/2015	2/8/2013	8/20/1996	
2	3	Barbara Alterman	6/7/2016	6/5/2013	6/5/2013	Vice Chair
2	4	George Humphries	6/2/2015	7/10/2012	7/10/2012	
3	5	Sandra Greenberg	6/3/2014	6/4/2008	7/13/1999	
3	6	Roberta Levitt-Moccia	6/2/2015	6/5/2012	6/3/2009	Chair
4	7	Jose Aguila	6/3/2014	9/13/2011	9/13/2011	
4	8	Armand Grossman	6/7/2016		7/16/2013	
5	9	Lori Vinikoor	6/2/2015	5/15/2012	9/1/2009	
5	10	Harvey Arnold	6/3/2014	6/6/2008	9/14/2013	
6	11	Dennis Lipp	6/7/2016	11/5/2013	11/5/2013	
6	12	Sam Shannon	6/7/2016	6/5/2013	11/20/2007	
7	13	Angella Vann	6/7/2016	11/5/2013	11/5/2013	
7	14	Thomas Dennis	6/3/2014	6/8/2011	2/24/2009	
At Large	15	VACANT	6/2/2015	8/14/2012		
School Board	16	VACANT				

**Notes:**

1. The term of office of each member shall be three (3) years.
2. When a new member is appointed to fill the vacancy of a departing member, the new member's term shall end at the expiration date of the departing member.
3. Members shall hold office until the first Tuesday after the first Monday in June of expiration year.



**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

**Palm Beach County  
Board of County  
Commissioners**

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

**County Administrator**

Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

**MEMORANDUM**

**TO:** The Honorable Steven Abrams, Mayor, and the Members  
of the Board of County Commissioners

**FROM:** Lorenzo Aghemo, Planning Director *Lorenzo Aghemo*  
Planning Division, PZB

**DATE:** November 12th, 2013

**RE:** Planning Commission Resignation (At-Large Position)

**ITEM:** This memo is to inform the Board of County Commissioners (BCC) that Mr. Joshua Harden, the at-large representative for the Planning Commission, has resigned. Mr. Harden has decided to move out of the county to shorten his work commute, and thusly can no longer hold his position on the board.

**BACKGROUND:** The primary function of the PLC is to make recommendations to the BCC regarding proposed amendments to the Comprehensive Plan. The PLC consists of sixteen members, fifteen of which are appointed by the BCC and one non-voting representative of the School District. Each County Commissioner appoints two PLC members and one member is appointed at-large. The term of office of each member is three years and there is no limit on the number of terms served. Meetings are held regularly, generally on the 2nd Friday of each month. There are no specific requirements to serve on the PLC; however, consideration is given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

**DISPOSITION:** If you would like to nominate a candidate please contact Melissa Michael, PLC Recording Secretary, at 561-233-5364 or [mmichael@pbcgov.org](mailto:mmichael@pbcgov.org) for the required paperwork.

cc: Verdenia Baker Deputy County Administrator  
Rebecca Caldwell, Executive Director, PZB  
Robert Banks, Assistant County Attorney  
Patty Hindle, Agenda Coordinator  
Melissa Michael, PLC Recording Secretary

## ULDC Article 2, Development Review Procedures

### Chapter G Decision Making Bodies

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#### Section 2 GENERAL PROVISIONS

Unless otherwise noted, the following provisions shall apply to each appointed body described in this Article. In addition, each board shall be governed by PBC Resolution No. 2002-1606. In case of conflict between the general provisions in this Section, and the specific provisions of each appointed body, the specific provisions shall prevail.

#### A. Board Membership

##### 1. Qualifications

Unless otherwise noted, each member of a board described in this Article, Decision-Making Bodies shall be a qualified elector of PBC for at least two years prior to appointment. No member of the BCC, BCC aide, or PBC employee shall serve on a board described herein.

##### 2. Term of Office

- a. The term of office for each member shall be three years. All members serving on a board on the effective date of this Code shall complete their terms according to their prior appointments.
- b. There shall be no limit on the number of terms a person may serve on a board or commission.

##### 3. Vacancy

- a. The BCC shall fill a vacancy within 60 days.
- b. When a person is appointed to fill out the term of a departing member, that person's term shall end at the same time the departing member's term would have ended.

##### 4. Maximum Number of Boards

The maximum number of boards a person may serve on at one time shall be three. [Ord. 2006-004]

##### 5. Elected Office

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

#### B. Appointments and Termination

##### 1. Appointments

###### a. Individual BCC Appointments

A board member shall serve at the pleasure of the member of the BCC who appointed that member and may be removed by the BCC member without cause at any time.

###### b. At-Large BCC Appointments

A board member shall serve at the pleasure of the BCC and may be removed by the BCC without cause at any time.

###### c. Attendance

Members of boards shall be automatically removed for lack of attendance. Lack of attendance is defined as a failure to attend three consecutive meetings or a failure to attend at least two-thirds of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Only regular meetings shall be counted towards the attendance requirements. Special meeting shall not be counted towards the attendance requirements.

**d. Termination**

In the event that any board member is no longer a qualified elector, or the member is convicted of a felony, or an offense involving moral turpitude while in office, the BCC shall terminate the appointment of the member.

**e. Immediate Removal**

Members removed pursuant to Article 2.G.2.B.1, Appointments through Article 2.G.2.B.1.d, Termination, above, shall not continue to serve on the board and such removal shall create a vacancy.

**C. Conflict of Interest**

**1. Substantive Conflict**

No board member shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activities, or incur any obligation of any nature which is in substantial conflict with the proper discharge of duties as a board member.

**2. Provisions Related to Conflict of Interest**

To implement this policy, members are directed to:

- a. be governed by the applicable provisions of state and local law;
- b. not accept any gift, favor or service that might reasonably tend to improperly influence the discharge of official duties;
- c. make known by written or oral disclosure, on the record at a meeting, any interest which the member has in any pending matter before that board, before any deliberation on that matter;
- d. abstain from using membership on the board to secure special privileges or exemptions;
- e. refrain from engaging in any business or professional activity which might reasonably be expected to require disclosure of information acquired by membership on the board not available to members of the general public, and to refrain from using such information for personal gain or benefit;
- f. refrain from accepting employment which might impair independent judgment in the performance of responsibilities as a member of the board; and
- g. refrain from participation in any matter in which the member has a personal investment which will create a substantial conflict between private and public interests.

**3. Board Action**

Willful violation of this Section which affects a vote of a board member shall render that action voidable by the BCC.

**D. Officers**

**1. Chair and Vice-Chair**

At an annual organizational meeting, each board shall elect a Chair and Vice-Chair from among the members. The term of the Chair and Vice-Chair's terms shall be one year. The Chair shall administer oaths, be in charge of all procedures before the board and shall take such action as shall be necessary to preserve the order and integrity of all proceedings before the board. In the absence of the chair, the vice-chair shall act as Chair and shall have all the powers of the Chair.

**E. Rules of Procedure**

**1. Quorum and Voting**

The presence of a majority of the members of the board shall constitute a quorum necessary to take action and transact business. All actions shall require a simple majority of the quorum present and voting at the meeting. In the event of a tie vote, the motion shall fail. No member

shall abstain from voting unless the member has a voting conflict pursuant to State of Florida law.

## **2. Robert's Rules of Order**

All meetings shall be governed by Robert's Rules of Order. Each board may by majority vote of the entire membership adopt additional rules of procedure for the transaction of business and shall keep a record of meetings, resolutions, findings and determinations.

## **3. Meetings**

- a. The location of all meetings shall be in PBC, Florida.
- b. If a matter is postponed due to lack of a quorum, the item shall be rescheduled to the next meeting.
- c. All meetings and public hearings shall be open to the public.
- d. All meetings shall be set for times certain after due public notice. Due public notice shall include notification that a record is required to appeal a final decision of the board pursuant to F.S. §286.0105.

## **4. County Attorney's Office**

The County Attorney's Office shall provide counsel and interpretation on legal issues.

## **F. Compensation**

Board members shall receive no compensation for their services with exception of Code Enforcement Special Master and Hearing Officers who may be compensated for their services at discretion of the BCC. Travel reimbursement for members shall be limited to expenses incurred only for travel outside PBC necessary to fulfill the responsibilities of membership on the particular board. Travel reimbursement shall be made only when sufficient funds have been budgeted and are available, and upon prior approval of the BCC. No other expenses are reimbursable except documented long distance telephone calls to PBC staff that are necessary to fulfill the responsibility of membership on the particular board. **[Ord. 2006-036]**

## **Section 3 APPOINTED BODIES**

### **K. Planning Commission**

#### **1. Establishment**

There is hereby established a Planning Commission (PLC). **[Ord. 2008-003]**

#### **2. Powers and Duties**

The PLC shall have the following powers and duties under the provisions of this Code: **[Ord. 2008-003]**

- a. to serve as the Local Planning Agency (LPA) per F.S. § 163.3174, and to provide recommendations on the preparation of the Plan, or any element or portion thereof, and any text amendments thereto to the BCC;
- b. to initiate, review, hear, consider and make recommendations to the BCC to approve, approve with conditions, or deny applications to amend the Plan, including Site Specific (Future Land Use Map) amendments to the Plan;
- c. to make its special knowledge and expertise available upon written request and authorization of the BCC to any official, department, board, commission or agency of PBC, the State of Florida or Federal governments;
- d. to make additional or amended rules of procedure not inconsistent with this Section to govern the PLC's proceedings; **[Ord. 2008-003]**
- e. to make studies of the resources, possibilities and needs of PBC and to report its findings and recommendations, with reference thereto, from time to time, to the BCC;

- f. to submit an Annual Report to the BCC summarizing its annual activities; and g. to review and make recommendations to the BCC on Transportation Concurrency Management Area (TCMA) and Constrained Road at Lower Levels of Service (CRALLS) or a major thoroughfare on which a lower LOS is set pursuant to Article 12, TRAFFIC PERFORMANCE STANDARDS.

### **3. Board Membership**

#### **a. BCC Appointed Members**

The PLC shall be comprised of 16 members; 15 BCC appointed members and one representative of the School District of PBC. [Ord. 2008-003]

##### **1) Qualifications**

Although no specific experience requirements shall be necessary as a prerequisite to appointment, consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

##### **2) Appointment**

Although no specific experience requirements shall be necessary as a prerequisite to appointment, consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

##### **3) Terms of Office**

Members of the PLC shall hold office until the first Tuesday after the first Monday in June of the year their term expires. [Ord. 2008-003]

#### **b. School District Member**

The School District of PBC shall appoint a representative to attend those meetings at which the PLC will consider a Plan amendment which would, if approved, increase residential density of the property that is the subject of the application. The school member shall be a non-voting member and shall not count toward quorum. [Ord. 2008-003]

### **4. Officers; Secretary; Staff**

#### **a. Chair and Vice-Chair**

The Chair and Vice Chair positions shall rotate annually and shall only be held by regular members. No Board member shall serve consecutive terms as Chair or Vice-Chair. [Ord. 2008-003]

#### **b. Secretary**

The Planning Director of PZB shall serve as Secretary of the PLC. The Secretary shall keep minutes of all proceedings, which minutes shall be a summary of all proceedings before the PLC, which shall include the vote of all members upon every question, and be attested to by the Secretary. The minutes shall be approved by a majority of the PLC members voting. In addition, the Secretary shall maintain all records of PLC meetings, hearings, proceedings, and the correspondence of the PLC. The records of the PLC shall be stored with the agency serving as Secretary herein, and shall be available for inspection by the public, upon reasonable request, during normal business hours. [Ord. 2008-003]

#### **c. Staff**

The Planning Division of PZB shall be the professional staff of the PLC. The Planning Division staff shall be responsible for, providing a recommendation to the PLC on all items scheduled for its consideration. Plan amendments, including amendments to any maps included as part of the Plan. [Ord. 2008-003]

## **5. Rules Applicable to Local Planning Agency**

- a. The agenda of the PLC sitting as the LPA shall be as prepared and presented by the PBC Planning Division and such agenda shall not be deviated from without a two-thirds vote of a quorum of the LPA. **[Ord. 2008-003]**
- b. Failure of the LPA to make a recommendation on any Plan Amendment to the BCC prior to the final transmittal hearing of the amendments shall constitute the item being sent to the BCC with an LPA recommendation of denial pursuant to F.S. § 163.3174, as may be amended from time to time.

## **6. Meetings**

General meetings of the PLC shall be held as needed to dispense of matters properly before the PLC. Special meetings may be called by the Chair or in writing by a majority of the members of the PLC. Staff shall provide 24-hour written notice to each PLC member before a special meeting is convened. **[Ord. 2008-003]**

### *L. Traffic Performance Standards Appeals Board*