

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

BOARD APPOINTMENT SUMMARY

Meeting Date: 12/21/2021

Department: Office of Financial Management and Budget

Advisory Board: Impact Fee Review Committee

I. EXECUTIVE BRIEF

Motion & Title: Staff recommends motion to approve: the appointment of Darnell Gardner to the Impact Fee Review Committee at-large seat seven (7) to complete the unexpired term of Stewart W. Bosley, Jr., which ends April 19, 2024.

Summary: The Impact Fee Review Committee is composed of seven (7) members and three (3) alternate members. The voting membership of the IFRC shall include three (3) representatives from municipalities within PBC, three (3) representatives from the business community, and one (1) member selected at-large. The alternate members shall include one (1) representative from each of the three (3) categories listed above. This agenda item provides for the appointment of Darnell Gardner to at-large seat seven (7) to complete the unexpired term of Mr. Stewart W. Bosley, Jr., which ends April 19, 2024. Darnell Gardner has completed the required ethics training. The Committee has seven seats. Six seats are currently filled and the current diversity count for the committee is Caucasians: 5 (83.33%), African American: 1 (16.67%). The male to female gender ratio is 5:1. This nominee is an African American male. Countywide (RPB)


Background and Justification: Article 2 of the ULDC provides for an Impact Fee Review Committee. The Committee has the following powers and duties under the provision of the Code:

1. Submit a report to the BCC whenever PBC conducts a full review or update of the impact fee system.
2. Review amendments to Article 13, Impact Fees.
3. Perform such other duties as the BCC deems appropriate.

This agenda item provides for the appointment of Darnell Gardner to fulfill the unexpired term of Stewart W. Bosley, Jr., who resigned from the at-large seat seven (7) of the Impact Fee Review Committee on August 4, 2021.

Attachments:

- A. Advisory Board Information Forms, Resume
- B. Current Impact Fee Review Board Membership List
- C. Article 2 of the ULDC
- D. Notice to Commissioners

Recommended by:  11/30/2021
Department Director Date

Legal Sufficiency:  11/30/2021
Assistant County Attorney Date

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

**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: Impact Fee Review Committee Advisory Not Advisory
 At Large Appointment or District Appointment / District #: _____
 Term of Appointment: 3 Years. From: _____ To: _____
 Seat Requirement: Resident of Palm Beach County Seat #: 7
 *Reappointment or New Appointment
 or to complete the term of Stewart W Bosley, Jr 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: GARDNER DARNELL
Last First Middle
 Occupation/Affiliation: Real Estate Mortgage Broker & General Contractor
 Owner Employee Officer
 Business Name: 1st Source
 Business Address: 711 N Rosemary Ave
 City & State: WPB FL Zip Code: 33401
 Residence Address: 1721 Village Blvd 203
 City & State: WPB FL Zip Code: 33409
 Home Phone: () Business Phone: (800) 875-7447 Ext.
 Cell Phone: (954) 638-6028 Fax: () 875-7447 - Office
 Email Address: dgardner@1stsp.com (877) 216-3783 - Fax
 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>
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
_____	_____	_____	_____
_____	_____	_____	_____

(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.

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 9/15 2021
 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: DARRELL GARDNER Date: 10-01-2021

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:
{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature: [Signature] Date: 11.3.21

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.

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_____	_____	_____	_____
_____	_____	_____	_____

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

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(Governmental Entity)



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- 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: DANIELL GARDNER Date: 10-01-2021

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:
{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Maria G. Maus Date: Nov 1, 2021

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-143 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.

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

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By watching the training program on the Web, DVD or VHS on 9/15 2021
 By attending a live presentation given on _____, 20____

AND

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*Applicant's Signature: [Signature] Printed Name: DARRELL GARDENER Date: 10-01-2021

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{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

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Appointment to be made at BCC Meeting on:

Commissioner's Signature: _____ Date: _____

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(Attach Additional Sheet(s), if necessary)

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AND

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*Applicant's Signature: [Signature] Printed Name: DARRELL GARDENER Date: 10-01-2021

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Return this FORM to:
{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: [Signature] Date: 11/02/2021

Darnell Gardener

Biography

"We are all trying to live the American dream," declares Darnell Gardener, "You don't have to go to college to make it. Find your passion. Find out what makes you happy and put your heart into it." This sage advice is what this successful serial entrepreneur and real estate businessman would have given to his younger self and freely shares with anyone willing to learn the secrets to his success. It is his mission in life to not leave this earth without sharing all the knowledge he has gained.

As a real estate, mortgage broker, and general contractor, Darnell Gardener currently sits at the helm of 1st Source, LLC, a brand that covers the real-estate, mortgage, and construction markets in Florida, Georgia, and the Caribbean. Licensed in all three regions, he and his team of professionals are able to provide seamless local and international service as a one-stop shop for real estate, mortgages, and construction.

Born in Baltimore, Maryland into a military family, Darnell moved around a lot for most of his childhood, living in Germany, Panama, Oklahoma, and Arizona. While he never stayed in any place long enough to develop life-long childhood friends, the benefits were far greater. He counted the richness of his experiences through travel and meeting new people as priceless, along with the discipline of being raised by a military father. This was reinforced in high school as member of the JROTC and the football team.

It was at Kemper Junior Military College while earning an associate degree, that Darnell internalized the discipline of a routine that he believes made him the man he is today. Just as every day followed a specific routine at the military academy, he carries himself in the same manner today, following strict discipline and protocols in his business.

Darnell was always self-aware and knew what his strengths were. He knew that he was a good communicator and that he was good at sales. He majored in communications and media studies at Robert Morris University in Pennsylvania. It was his first entry-level position after college that discouraged him from working for corporate America after he found out that someone else at his job with less education made more money than he did.

He moved on and found success quickly in sales at a major tobacco corporation where he dominated his territory within his first year. As much as this confirmed what he already knew about his sales abilities, he found no joy

in the knowledge that the product he was promoting was dangerous. Thus, he followed his conscience and walked away.

This was a pivotal shift in Darnell's life as he decided to move south to Florida with entrepreneurial dreams. His first venture was a medical staffing company for respiratory therapists in Broward County. This business did spectacularly well. However, he was not passionate about it.

One day, he met a lady who did mortgages, and he became interested in learning to do what she did. He took a class and became licensed and was guided by a broker on the business. He knew that he found what he was truly passionate about because he gave it his all. In 2004, he opened his first one-stop shop for mortgages and real estate in Tamarac, a business that has grown into the 1st Source brand that exists today, operating out of three offices.

His vision for 1st Source is to open more offices and to help People of Color to understand how to transact, own, and become landlords. He knows that ownership means freedom and there is great value in that. Ownership also contributes to the building of wealth which can be leveraged as assets that can be borrowed against to further one's station in life. He knows that this is true because this knowledge has helped him personally as well.

Darnell remains humble and knows that he is still learning the business. "There is always something new in each deal," he shares. However, no matter what, he holds steadfast to his core values, "being straight-up, putting everything on the table and always being honest." As he reflects on his journey, Darnell Gardener can be proud that he followed his heart and his passion to start his own business which he managed to operate and grow successfully for over 16 years. Looking forward, he wants to keep giving back and hopes to share his knowledge of real estate and entrepreneurship through education in third-world countries.

Attachment "B"

Impact Fee Review Committee As of 11/29/2021

	Last	First	Seat	Seat Requirement	Ethnicity	Gender	Term 2021 - 2024	Status	Comments
1	Gotlieb	Robert	1	*Municipal	Caucasian	Male	3rd	Member	Vice Mayor - Town of South Palm Beach
2	Danowski	Laura J.	2	*Municipal	Caucasian	Female	1st	Member	Councilwoman - Loxahatchee Groves
3	Gordon	Lawrence	3	*Municipal	African American	Male	1st	Member	Vice Mayor - Haverhill
4	Harvey	Robert J.	4	Business	Caucasian	Male	1st	Member	
5	Ecclestone, III	E. Llwyd	5	Business	Caucasian	Male	3rd	Member	
6	Worley	Scott D.	6	Business	Caucasian	Male	3rd	Member	
7	Gardner	Darnell	7	At-Large	African American	Male	1st	New	Nominee
8	Vacant		Alternate	Municipal				Open	
9	Vacant		Alternate	Business				Open	
10	Vacant		Alternate	At-Large				Open	

Diversity:		
African American:	1	16.67%
Caucasian:	5	83.33%
Total:	6	100.00%

Gender Ratio:		
Male	5	83.33%
Female	1	16.67%
Total:	6	100.00%

*The three municipal nominees are were nominated by the Palm Beach County League of Cities.

3. Board Membership**a. Qualifications**

There shall be nine members of the HRRB. Members of the HRRB shall be residents of PBC, Florida and demonstrate an interest in local history. One member with professional experience shall be appointed from each of the following five professional disciplines: history, architecture, archeology, architectural history and historic architecture. Other historic preservation related disciplines, such as Urban Planning, American Studies, American Civilization, Cultural Geography or Cultural Anthropology shall be considered when choosing appointments for these five of the nine members of the HRRB. Each of these five positions shall meet the requirements outlined in the Professional Qualifications Standards of the Florida Certified Local Government Guidelines. In addition to the above five positions, there shall be a sixth person with a demonstrated interest, degree or experience in one of the above professional disciplines who is also a resident of the area of PBC West of Twenty Mile Bend, including any of the incorporated or unincorporated communities in proximity to Lake Okeechobee. There are no specific requirements for the other three positions as a prerequisite to appointment but consideration shall be given to the following with a demonstrated interest in history, architecture or related disciplines: business person, engineer, contractor in a construction trade, landscape architect, urban planner, attorney, and resident of areas identified by 1990 PBC Historic Sites Survey as containing 25 or more structures with potential for historic preservation. Persons seeking appointment to the HRRB shall be willing to invest time to assist staff in site evaluations, establishing priorities, public education efforts, survey and planning activities of the Certified Local Government Program and the other responsibilities of the HRRB. Board members shall attend pertinent educational conferences and seminars.

b. Appointment

The members of the HRRB shall be appointed at-large by the BCC.

c. Terms of Office

Each appointment shall be made for a term of three years. Any member may be reappointed upon approval of the BCC as provided for herein. **[Ord. 2013-001]**

4. Secretary and Staff**a. Secretary**

The Planning Director of the PZB shall serve as Secretary to the HRRB.

b. Staff

The Planning Division shall be the professional staff of the HRRB. The Board shall make every effort to minimize demands on staffing in consideration of budgetary constraints.

5. Meetings**a. General**

General meetings of the HRRB shall be held at least four times per year. Special meetings may be called by the Chair of the HRRB, or in writing by a majority of the members of the Board. Staff shall provide 24-hour written notice to each Board member prior to a special meeting. **[Ord. 2020-001]**

b. Quorum

The presence of a majority of the appointed members of the HRRB shall constitute a quorum necessary to take action and transact business. **[Ord. 2020-001]**

I. Impact Fee Review Committee**1. Establishment**

There is hereby created an Impact Fee Review Committee (IFRC).

2. Powers and Duties

The IFRC shall have the following powers and duties under the provisions of this Code:

- a. submit a Report to the BCC whenever PBC conducts a full review or update of the impact fee system relating to:
 - 1) the implementation of Art. 13, Impact Fees;
 - 2) actual levels of service for the impact fees exacted in Art. 13, Impact Fees;
 - 3) the collection, encumbrance, and expenditure of all impact fees collected pursuant to Art. 13, Impact Fees;
 - 4) the validity and assumptions in the technical memoranda used to support the impact fee schedules in Art. 13, Impact Fees; and,
 - 5) any recommended amendment to Art. 13, Impact Fees.
- b. review amendments to Art. 13, Impact Fees prior to their consideration by the BCC; and,
- c. perform such other duties as the BCC deems appropriate.

3. Board Membership

a. Qualifications

The IFRC shall be composed of seven members and three alternate members appointed by the BCC. The membership of the IFRC shall include three representatives from municipalities within PBC, three representatives from the business community, and one member selected at-large. The voting membership of the IFRC shall include three representatives from municipalities within PBC three representatives from the business community, and one member selected at-large. The alternate members shall include one representative from each of the three categories above. An alternate member shall be authorized to vote in place of an absent voting member appointed from the same category and shall count toward a quorum.

4. Officers

a. Secretary

The Impact Fee Coordinator shall serve as Secretary of the IFRC.

5. Meetings

a. General or Special Meetings

General meetings of the IFRC shall be held as needed consistent with its powers and duties. Special meetings may be called by the Chair of the IFRC, or in writing by a majority of appointed members of the IFRC. 24-hour written notice shall be given to each IFRC member for a special meeting.

6. Term Limits

Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms. **[Ord. 2014-001]**

J. Planning Commission

1. Establishment

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

2. Powers and Duties

- 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, approve with modifications, or deny applications to amend the Plan, including Site Specific (Future Land Use Map) amendments to the Plan; **[Ord. 2018-002] [Ord. 2018-002]**
- 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 Art. 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.



INTEROFFICE COMMUNICATION
OFFICE OF FINANCIAL MANAGEMENT & BUDGET
PALM BEACH COUNTY

Office of
Financial Management & Budget

P.O. Box 1989
West Palm Beach, FL 33402-1989
(561) 355-2580
FAX: (561) 355-2109
www.pbcgov.com

To: Mayor Dave Kerner, and Members of the Board of County Commissioners

From: Derrek A. Moore, Impact Fee Manager
Office of Financial Management & Budget

Date: October 29, 2021

Re: Replacement and appointment a new member to the Impact Fee Review Committee (IFRC) of Palm Beach County

Palm Beach County
Board of County
Commissioners

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Maria G. Marino

Gregg K. Weiss

Maria Sachs

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

ITEM: The purpose of this memo is to request your support for the replacement and nomination of one new committee member to the Impact Fee Review Committee (IFRC). On April 20, 2021, Mr. Stewart Bosley, Jr. was approved and appointed to serve on the IFRC in seat 7 for three years; however, on August 4, 2021, Mr. Bosley submitted his request and notification to withdraw from serving on the committee. The new nominee to replace Mr. Bosley is Mr. Darnell Gardener. If approved, Mr. Gardener will replace and complete Mr. Bosley's three year term on the committee. The term is from April 20, 2021 through April 19, 2024.

BACKGROUND: Article 2 of the ULDC provides for an Impact Fee Review Committee. The Impact Fee Review Committee is composed of seven members and three alternate members. The voting membership of the IFRC shall include three representatives from municipalities within PBC, three representatives from the business community, and one member selected at-large. The alternate members shall include one representative from each of the three categories listed above. The Committee has the following powers and duties under the provision of the Code:

1. Submit a report to the BCC whenever PBC conducts a full review or update of the impact fee system.
2. Review amendments to Article 13, Impact Fees.
3. Perform such other duties as the BCC deems appropriate.

The nominee has completed the required ethics training. This Committee has seven seats. Six seats are currently filled and the current diversity count for the committee is Caucasians: 5 (83.33%), African American: 1 (16.67%). The male to female gender ratio is 5:1.

"An Equal Opportunity
Affirmative Action Employer"

DISPOSITION: The application and biography are attached for Mr. Gardener for your review and signature. If you would like to nominate a different candidate, please provide us with the candidate(s) contact information and nomination forms by **November 12, 2021** to Impact Fee Office, Attention: Derrek Moore, by mail, fax (561) 656-7971 or email at dmoore@pbcgov.org. Staff will prepare an agenda item for approval on the December 7, 2021 BCC meeting.

The Impact Fee Office encourages diversity in the IFRC nominations; diverse representation in our Committee appointments is key to promoting a wider variety of perspectives and approaches on policy development, strategic planning, and regulatory implementation for our citizens.

Should you have any questions regarding these appointment(s) or nomination(s), please contact Derrek Moore at (561) 233-5015.

DAM/

Attachments:

- Board/Committee Application
- Bio for Mr. Darnell Gardener
- Committee Member Requirements per Article 2.G.3.I of the ULDC

cc: Sherry Brown, Director, OFMB
Richard Iavarone, Director of Financial Management
Robert Banks, Chief Land Use County Attorney
File: IFRC Appointments
Enclosures