

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY

=====

Meeting Date: February 8, 2022

Department: Planning, Zoning & Building

Submitted By: Zoning Division

Advisory Board Name: Land Development Regulation Advisory Board

=====

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Appointment of a new member to the Land Development Regulation Advisory Board (LDRAB), for the term of February 9, 2022, to February 4, 2025.

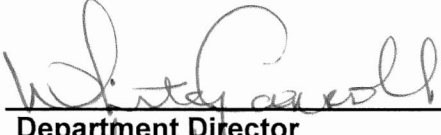
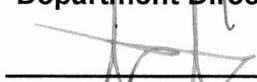
<u>Nominees</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Drew Martin	Seat 17	At-Large Alternate	Sierra Club, Loxahatchee Group

SUMMARY: The LDRAB is comprised of 16 members and 2 at-large alternate members. The term of office for Board members is three years, with a limit of three consecutive three-year terms. Nine of the members shall be appointed by a majority of the Board of County Commissioners (BCC) upon a recommendation by the following organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Associated General Contractors of America and The Palm Beach County Planning Congress. Seven members will be appointed by the BCC; one from each Commissioner as a district appointment, with consideration of expertise stated in Article 2.G.3.A.3.b. The BCC shall also appoint two at-large alternate members, by a majority vote of the BCC with consideration of the expertise noted above. The Board consists of 18 total members (16 members and 2 at-large alternate members), with 14 seats currently filled and a diversity count of Caucasian: 11 (79%), African-American: 1 (7%), Hispanic-American 2 (14%). The gender ratio (male: female) is 10:4. Mr. Drew Martin is a Caucasian male. Staff will continue to address the need to increase diversity on our boards. Unincorporated (SS)

Background and Justification: The LDRAB shall periodically review the provisions to the ULDC that are not reviewed by another advisory board established by BCC for that purpose, and to make recommendations to the BCC for those provisions reviewed; 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; and to serve as Land Development Regulation Commission (LDRC) as provided by F.S. § 163.3164(22) and F.S. § 163.3194.

- Attachments:**
- 1. Boards/Committees Applications
 - 2. Resume of Nominees
 - 3. Nomination Letters
 - 5. Unified Land Development Code, Article 2, Chapter G, Section 2 and Section 3

=====

Recommended By:	 _____ Department Director	<u>1/21/2022</u> _____ Date
Legal Sufficiency:	 _____ Assistant County Attorney	<u>1/24/2022</u> _____ Date

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

REVISED 06/92
ADM FORM 03
(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

**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 2 IN FULL**. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.*

Section 1 (Department): (Please Print)

Board Name: Land Development Advisory Board (LDRAB) Advisory ☒ Not Advisory ☐
☒ At Large Appointment or ☐ District Appointment /District #: _____
Term of Appointment: 3 Years From: 2/9/2022 To: 2/4/2025
Seat Requirement: Environmentalist Seat #: 17
☐ *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 2 (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Martin Drew A
Last First Middle
Occupation/Affiliation: Loxhatchee Group, Sierra Club
Owner ☐ Employee ☐ Officer ☒
Business Name: Loxahatchee Group, Sierra Club
Business Address: P.O. Box 6271
City & State Lake Worth Zip Code: 33466
Residence Address: 1015 North M St.
City & State Lake Worth Beach Zip Code: 33460
Home Phone: 561-533-6814 Business Phone: 561-352-4328 Ext. _____
Cell Phone: 561-352-4328 Fax: _____
Email Address: dmandch@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 2 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>
<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 ☒ 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-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 10/27 20 21
☐ 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: DREW MARTIN Date: 10/29/21

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:
Vanessa Porras, Administrative Assistant II, Zoning Division
Palm Beach County
Planning, Zoning & Building
2300 North Jog Road
West Palm Beach, FL 33411

Section III (Commissioner, if applicable):
Appointment to be made at BCC Meeting on: _____
Commissioner's Signature: _____ Date: _____

Drew Martin



My goal is to see Florida become known as a forward-thinking state supporting a clean environment.

I was elected two terms to the Soil and Water Conservation District Board of Palm Beach County as a Supervisor, then became Secretary/Treasurer and last Vice Chair. I also served as the Area Assistant Vice President for the Association of Soil and Water Conservation Districts in the state of Florida. My term was from 2008 to 2016.

I have served on the Palm Beach County Solid Waste Advisory Board, Lake Worth Tree Board, Lake Worth Library Board and Lake Worth Climate Change Task Force. I served on the Palm Beach County Land Development Advisory Board. I was Co-Chair of the Everglades Coalition, a coalition of 60 environmental groups nationwide dedicated to restoring and preserving the Everglades. We host an annual conference attended by the Governor, US Senators and high ranking administration officials.

I am a Sierra Club volunteer for Everglades, Water Quality, Marine, Zero Waste and Single Use Plastics as well as the Conservation Chair of the Loxahatchee Sierra Club Group representing Palm Beach, Martin and St. Lucie counties. I was featured in the 2010 Sierra Club Calendar for my work as Everglades Chair. This calendar was sold nationwide and is considered one of the top ten selling calendars.

I am an active attendee at numerous public meetings including the South Florida Water Management District, the Palm Beach County Commission, the Lake Worth Lagoon Initiative and Palm Beach County Water Resources Task Force. I have worked with the South Florida Water Management to provide plans intended as a model to restore the Everglades Ecosystem.

I have made presentations with staff members of Palm Beach County's Soil and Water Conservation District, have taught classes to children K-12 and adults in Florida and evening classes at UC Berkeley, CA. I have worked at and judged the Enviro-thon Contests sponsored by the Soil and Water Conservation District of Palm Beach County.

I have worked over twenty five years in business. As an executive at Bank of America I promoted a Customer Service Policy bank-wide, promoted new technologies, including ATM's and prepared an Energy Conservation Report for the President of the Bank. I went on to work on computer software projects in electronic funds transfer and then moved into computer consulting. I came to Florida to work with IBM as a computer consultant.

My degrees are in History, UC Davis, CA: Masters in Business, Thunderbird Am. Graduate School of International Mgmt.; Certificate in Business Data Processing, UC Berkeley, CA.

I was presented with the prestigious Kabler Award from the Everglades Coalition for volunteer work on preserving the Everglades in 2012 and the Environmental Champion Award from John D. McArthur State Park in 2010. I also received the Sierra Club National Recognition Award for my volunteer work in 2019.

From: Joseph Sophie
Sent: Tuesday, October 19, 2021 1:07 PM
To: Lisa Amara A. <LAmara@pbcgov.org>
Subject: FW: Recommendation of Drew Martin for a position on the Land Development Advisory Board (LDRAB)

Hi, Lisa,

Is there an opening on LDRAB for this recommendation?

Joseph Sophie
Senior Legislative Aide to
Commissioner Melissa McKinlay
Palm Beach County, District 6
301 N. Olive Avenue
West Palm Beach, FL 33401
Office: 561-355-2206
jsophie@pbcgov.org

From: Linda Smithe <destinationloop@gmail.com>
Date: October 17, 2021 at 11:05:55 AM EDT
To: Melissa McKinlay <MMcKinlay@pbcgov.org>
Subject: Recommendation of Drew Martin for a position on the Land Development Advisory Board (LDRAB)

***** Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source. *****

Dear Mayor Kerner,

The Executive Committee of the Sierra Club, Loxahatchee Group, is pleased to recommend Drew Martin for a position on the Land Development Regulation Advisory Board (LDRAB). As you know historically there has been at least one member of the LDRAB designated as an environmental position. We feel Drew Martin would be an asset to the LDRAB whether he is considered the environmental position or a general position.

Drew has a lengthy and extensive history of advocating for responsible development and protection of the environment in Palm Beach County and we feel he would bring significant expertise to this position. You may recall he has served on this committee in the past.

Thank you for your consideration, on behalf of the entire Sierra Club Loxahatchee Group Executive Committee.

Linda Smithe Chair (for) The Sierra Club, Loxahatchee Group Executive Committee

Linda Smithe, Chair

Mary Cassell, Vice-chair
Ron Haines
Alexia Howald
Glenn Laufer
Ed Tedmann
Pat Edmonson
Drew Martin
Gary Landau

CC: Commissioners: Marino, Weiss, Weinroth, Sachs, McKinlay, Bernard

16. to review, hear, consider, and approve, or deny applications for Corrective Resolutions; [Ord. 2018-002]
17. to establish fees for the review of applications for Development Orders or permits, and appropriate funds to defray the costs of administering this Code; [Ord. 2018-002]
18. to act to ensure compliance with Development Orders or permits as approved and issued; [Ord. 2018-002] [Ord. 2019-005]
19. to hear and consider appeals from, and affirm or reverse decisions of the Zoning Commission on applications for Development Permits for Class B Conditional Uses; [Ord. 2018-002]
20. to hear, consider, and decide appeals from decisions of the DRO on applications for URAO Type 1 Waivers; [Ord. 2018-002]
21. to designate and appoint Hearing Officers to make decisions as the BCC may deem appropriate; [Ord. 2018-002]
22. to appoint other advisory boards that are determined necessary to assist in the implementation of this Code or the Plan; and, [Ord. 2018-002]
23. to take such other action not delegated to the Decision Making Bodies set forth in this Article or other Officials of PBC Departments, as the BCC may deem desirable and necessary to implement the provisions of the Plan and this Code. [Ord. 2009-040] [Ord. 2018-002]

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. R-2013-0193. In case of conflict between the general provisions in this Section, and the specific provisions of each appointed body, the specific provisions shall prevail. [Ord. 2014-001]

A. Board Membership

1. Qualifications

Unless otherwise noted, each member of a board described in this Article, 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

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.

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 meetings 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 Art. 2.G.2.B.1, Appointments through Art. 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 time 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

A. Land Development Regulation Advisory Board

1. Land Development Regulation Advisory Board

There is hereby established a Land Development Regulation Advisory Board (LDRAB).

2. Powers and Duties

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

- a. to periodically review the provisions to this Code that are not reviewed by another advisory board established by BCC for that purpose, and to make recommendations to the BCC for those provisions reviewed;
- b. 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;
- c. to serve as Land Development Regulation Commission (LDRC) as provided by F.S. § 163.3164(25) and F.S. § 163.3194; and, [Ord. 2019-005]
- d. to serve as the Airport Zoning Commission pursuant to F.S. § 333.05(2). [Ord. 2019-005]

3. Board Membership

a. Appointment

- 1) The LDRAB shall be composed of 16 members and two at-large alternate members. [Ord. 2015-006]
- 2) Nine of the members shall be appointed by a majority of the BCC upon a recommendation by the organizations listed in Table 2.G.3.A, LDRAB Expertise. [Ord. 2015-006]
- 3) Seven members shall be appointed by the BCC. Each PBC Commissioner shall appoint one member with consideration of the expertise in Art. 2.G.3.A.3.b, Qualifications.
- 4) The BCC shall appoint two at-large alternate members, by a majority vote of the BCC, with consideration of the expertise in Art. 2.G.3.A.3.b, Qualifications.

b. Qualifications

- 1) The Board shall be composed of members with the expertise recommended for appointment by the corresponding organization as outlined in Table 2.G.3.A, LDRAB Expertise.
- 2) Each BCC appointment shall be with consideration in the following areas of expertise:
 - a) Landscape architecture.
 - b) Redevelopment expertise.
 - c) Fiscal impact analysis expertise.
 - d) Land use/real estate law.
 - e) Natural sciences.
 - f) Business development.
- 3) No more than two members of the LDRAB shall represent the same occupation or business. [Ord. 2010-022]

Table 2.G.3.A – LDRAB Expertise

Occupations	Organizations
1. Residential Builder	Gold Coast Builders Association
2. Municipal Representative	League of Cities
3. Engineer	Florida Engineering Society
4. Architect	American Institute of Architects
5. Environmentalist	Environmental organization
6. Realtor	Realtors Association of the Palm Beaches
7. Surveyor	Florida Surveying and Mapping Society
8. Commercial Builder	Assoc. General Contractors of America
9. AICP Planner	PBC Planning Congress
[Ord. 2010-022] [Ord. 2015-006]	

c. Terms of Office

Members of the LDRAB shall hold office until the first Tuesday after the first Monday in February of the year their term expires. 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]

4. Staff

The Zoning Director of PZB shall serve as the Secretary and the professional staff of the LDRAB.

5. Meetings

a. General

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

b. Subcommittees

The LDRAB shall consider recommendations from the Zoning Director and determine by majority vote to create Subcommittees with the expertise necessary to make recommendations on specific Code amendments. Subcommittee appointments shall be made at a regular LDRAB meeting. [Ord. 2009-040]

c. Alternate Members Vote

The alternate members may vote on a matter only when serving in place of an absent regular member. [Ord. 2018-002]

B. Code Enforcement Special Master

1. Creation and Appointment

Code Enforcement hearings pursuant to this Code shall be conducted by designated Special Masters. Applications for Special Master positions shall be directed to the County Administrator pursuant to a notice published in a newspaper of general circulation. The BCC shall select a pool of candidates from the applications filed with the County Administrator on the basis of experience and qualifications. The County Administrator shall appoint Special Masters to conduct hearings from the pool of candidates selected by the BCC as necessary. For a period of two years from the date of termination as holder of office, a former Special Master shall not act as agent or attorney in any proceeding before any Decision Making Body of PBC on any matter that was the subject of a proceeding which was considered by the former Special Master. [Ord. 2015-006]

2. Qualification

Special Masters shall have the following minimum qualifications:

- a. be a graduate of a law school accredited by the American Bar Association;
- b. demonstrate knowledge of administrative law, land use law, and Local Government regulations and procedures;
- c. be a current member, in good standing, of the Florida Bar Association;
- d. have such other qualifications that may be established by Resolution of the BCC; and,
- e. in the event the County Administrator does not receive a sufficient number of applications from qualified members of the Florida Bar Association, the BCC may select attorneys who are not members of the Florida Bar Association as candidates for Special Master. Among those attorneys who are not members of the Florida Bar Association, the BCC and County Administrator shall give preference to those attorneys who have prior experience in a judiciary capacity, or as a hearing officer, mediator, or special master. No attorney, who has been disciplined by the Florida Bar Association or a bar association of any other jurisdiction, shall be appointed as a Special Master.

3. Rules of Procedure

The BCC shall have the authority prescribe rules of procedure for the conduct of hearings before the Special Master by Resolution.

4. Term

Special Masters shall serve a term of one year from the date of appointment by the County Administrator. Special Masters may be reappointed at the discretion of the County Administrator. There shall be no limit on the number of terms a person may serve as a Special Master.

5. Removal

At any time during the appointment, the County Administrator shall have the authority to remove a Special Master with or without cause upon ten days' written notice.

6. Vacancy

If any Special Master resigns or is removed prior to expiration of his or her term or the County Administrator determines that the Special Master should not be reappointed, the County Administrator shall appoint a Special Master from the pool of candidates previously selected by the BCC to fill the vacancy within 30 days.

7. Conflicts of Interest

Special Masters shall not be considered outside or special counsel and shall not be subject to PPM #CW-O-52 relating to outside counsel conflicts of interest.