

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
MARCH 16, 2007**

Chairman Christensen called the meeting to order at 9:35 a.m. and welcomed everyone to the meeting. She led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County:	Commissioner Wheeler Commissioner O'Bryan Councilmember Abell Councilmember Neglia
St. Lucie County:	Mayor Christensen Commissioner Grande Commissioner Becht
Martin County:	Commissioner Valliere Commissioner Smith Commissioner Bausch
Palm Beach County:	Commissioner Marcus Commissioner Koons Councilmember Brinkman Councilmember Pinto, Alternate Mayor Ferreri Councilmember Dr. Priore Mayor Lodwick, Alternate Councilor Gottlieb, Alternate
Gubernatorial Appointees:	Herman Baine Donna Brosemer Kevin Foley Susan Hershey Richard Hurley Reece Parrish
Ex-Officios:	None present
Council Staff:	Kathryn Boer Marlene Brunot Marcela Camblor Kim Delaney Sandy Gippert Elizabeth Gulick Wynsum Hatton Stephanie Heidt Terry Hess

Trayce Jones
Peter G. Merritt
Gregory Vaday

Council Attorney: Roger Saberson

The Deputy Director announced a quorum was present.

AGENDA AND CONSENT AGENDA

Staff requested removal of Item 4L, Intergovernmental Coordination and Review Log from the Consent Agenda. Commissioner Smith moved approval of the Agenda with no additions and the Consent Agenda with the removal of Item 4L. Commissioner Wheeler seconded the motion, which carried unanimously.

Motion

INTERGOVERNMENTAL COORDINATION AND REVIEW LOG

Staff presented an addendum to Council with respect to the Intergovernmental Coordination Item regarding the replacement and reconstruction of the Southern Boulevard and Flagler Memorial Bridges. The amended report identifies potential problems with the overlap in the construction periods of the two bridge projects and recommends that the Florida Department of Transportation review the construction schedules in order avoid excessive traffic congestion. Staff noted that there will be a local government coordination meeting on March 29th to allow for additional agency and local government comment.

Commissioner Koons noted that the Palm Beach Metropolitan Planning Organization had addressed this issue at its meeting on Thursday, March 15 and was in agreement with the staff recommendation for the Department of Transportation to consider phasing of the project. Commissioner Marcus added that the Department of Transportation will be reporting back to the Metropolitan Planning Agency within the next month on the scheduling of these projects.

Staff also provided Council with a comment letter from the Town of Sewall's Point indicating support for the Florida Natural Gas Storage Company project which consists of a natural gas storage facility and natural gas pipelines to be located on the south side of the Beeline Highway northwest of Indiantown.

Motion

Commissioner Koons moved approval of the amended staff comments. Commissioner Smith seconded the motion, which carried unanimously.

ANNOUNCEMENTS

Council staff presented to the Village of North Palm Beach an Environmental Protection Agency grant funding check in the amount of \$100,000. This sub-grant will facilitate the development of a twenty acre multi-purpose waterfront park and greenspace to be known as Anchorage Park. Mr. Mark Hodgkins, the Village's Director of Parks and Recreation, as well as Mr. Jim Knight, the Interim Village Manager, were present to accept the check.

Additionally, staff recognized Mr. Rick Hagberg and Mr. Miles Ballogg from TBE Group, the park planning consultants.

Mr. Roger Saberson, Council Attorney, informed Council that a design/build agreement for the new Council offices will be finalized next week. The agreement will be in two phases, a design phase and a construction phase. This initial agreement will only obligate Council to the design phase.

Mr. Saberson advised that Council's participation in the public-private partnership agreement for the Quillen Program had been terminated. Mr. Saberson reported that prior to termination, he contacted the General Counsel of the Florida Housing Finance Corporation to inquire if the loan documents would be prepared to specifically exclude the public parties from liability. General Counsel noted that special counsel is hired to prepare the documents and close the loan, so it would be at their discretion who would be included as debtors. Mr. Saberson stated that subsequent to Council's termination he received a letter from the General Counsel regarding the issue of public entities as debtors on loans. The letter indicated that it is essentially up to the parties to the agreement to craft the agreement to protect themselves from liability. The letter indicated that under the statute the public-private partnership can be a type of business entity which could have limited liability.

Councilmember Hershey asked if construction of the building would be completed by the end of the year. Mr. Saberson noted that the first phase of the agreement, which is for ninety days, is only for what is called constructible and permitable drawings to be done and reviewed by the City. Once City approval is received, the contractor will provide a construction cost. If an agreement is reached, then a timetable will be established for the construction.

Councilmember Hershey inquired if any additional tax liability will be incurred by extending construction beyond the end of this year. Mr. Saberson stated that would be a question for bond counsel. He noted that the longer Council has the bond proceeds, which are earning money, there is some potential risk in terms of whether or not a portion of those earnings could be taxed.

Councilmember Foley, as a member of the Quillen Partnership, thanked the County for its support in getting the \$5 million loan. He noted that the loan will be used to provide much needed workforce housing for the County's teachers, fire-fighters, and first-responders. The project intends to dedicate twenty percent of the units to workforce housing.

PROVENCES DEVELOPMENT OF REGIONAL IMPACT ASSESSMENT REPORT

Staff made a presentation to Council which outlined Council's responsibilities as charged by the State of Florida to coordinate the review of Developments of Regional Impact in the Region.

As part of the presentation, staff 1) described six key regional issues related to the Master Development Plan, Transportation, Natural Resources, Housing, Schools and Hurricane Preparedness; 2) noted that the Provinces Development of Regional Impact could be easily redesigned to be consistent with all elements of the Strategic Regional Policy Plan; 3) indicated

that the master plan could be improved to better address the distribution of parks, greens and civic sites; become more compact; integrate building types and uses within neighborhoods and provide a clear neighborhood structure; and 4) indicated that there is a great opportunity for the County to minimize environmental impacts; ensure there is a regular network of streets and blocks; provide self-contained neighborhoods; and create mixed-use districts. Council's Assessment Report identifies regional impacts and suggests ways to mitigate those impacts. The draft report contains 77 recommended conditions of approval that address urban form issues, minimize project-related regional impacts, improve the project's ability to address regional issues, and further implement the Strategic Regional Policy Plan. In its current form, the Provinces DRI cannot be determined to be consistent with the Strategic Regional Policy Plan. It was noted that if St. Lucie County chooses to approve the Provinces DRI, it is recommended the conditions of approval contained in Council's DRI Assessment Report be included in the development order issued by St. Lucie County. Staff additionally provided Council with an addendum to transportation Conditions 31, 41, 44 and 45. Staff recommended that Council authorize transmittal of the assessment report and recommendations to St. Lucie County.

Commissioner Grande asked if the alternative design provided the same number of residential units as the applicant's Master Plan. Staff noted the alternative plan was the same for the non-residential retail and office, but only provided half the number of residential units. One of the reasons for this discrepancy is that the applicant's plan included two, three and four story buildings. Staff also noted that the alternative plan maintains a density that is comparable to other projects in the area.

Councilmember Hershey asked if on the alternative master plan there was mixed use commercial on the school site. Staff noted that there may be some confusion with the coloring used in the design, but there is no commercial use proposed on the school property.

Mayor Ferreri noted that the school appears to be disjointed from the rest of the project in terms of pedestrian use. He also noted that it is located outside the Urban Services Boundary. He additionally asked who would be responsible for preserving and maintaining the wetlands located on the property. He stated that there needs to be a management and maintenance plan defined as part of the DRI approval. He noted concerns with the retail development along Midway Road and residential along I-95 and offered that the residential might be better located near the pristine areas.

Councilmember Neglia expressed concern that it appears there will be excessive travel through single-family residential neighborhoods to get to the school site. Staff noted that there is a main boulevard that provides access to the school site and that initially the school was located closer to the southeastern edge but had to be relocated as there were high-voltage lines in that area. Staff stated that it agreed with Council that this is not the ideal location for the school site.

Mayor Ferreri asked if the twenty acre site would be adequate for the K-8 school being proposed. Marty Sanders, Executive Director Growth Management for the St. Lucie County School District, stated that the Provinces DRI had been extensively reviewed and there had been much debate about the location of the school. Initially, the school district thought that in order to comply with the statute and with the interlocal planning agreement, the school should be placed in the center of the community. However, during the review process it was

determined that of the 1,600 students the school would serve, only 700 of those students would come from the Provinces development. The other students would come from the surrounding areas and the proposed location of the school would actually serve the School District somewhat better, because it expanded the number of students that would be in proximity of that school. With respect to the size of the site, Mr. Sanders stated that the district recognized that because the development would be providing the stormwater retention for the site elsewhere, the twenty acres would be adequate.

Councilmember Foley expressed concern that the amount of commercial being proposed for the site was not feasible in the acreage proposed. Staff made note that there were some inconsistencies in the application. The amount of square footage shown in the applicant's master plan was higher than was provided in other parts of the application, including the phasing plan that was provided in the transportation section. Staff noted that all the transportation conditions were based on the density and the phasing that was provided in that section.

Councilmember Foley suggested that it might be more practical to relocate some of the commercial from Midway Road to along I-95. He stated that he understood why the school site was located in the secondary urban service tier, but felt it would make more sense to exchange some of the more centrally located residential units with the proposed school site. Staff noted that the proposed school location in the alternative master plan was there to accommodate as many residential units as possible to most closely match the applicant's master plan. Staff emphasized that the report does not recommend that the County adopt the alternative master plan, but rather use it as an example of one of many ways the master plan could be revised to address a number of regional issues.

Commissioner Smith suggested moving the school site to a more central location to allow for more access from all the residential versus having it located on the edge of the development. He noted that the thought process may have been that sewer and water services will need to be extended to the school anyway, and no additional units would be gained by locating residential there.

Commissioner Grande noted that St. Lucie County does not have a secondary urban service boundary. He asked for procedural clarification with respect to Council's recommendation to approve or disapprove staff's report. Commissioner Smith stated that it would be within Council's authority to make additional recommendations or attach additional conditions to the report before approval. Chairman Christensen noted that the intent was to transmit the staff report with any additional recommendations.

Councilmember Dr. Priore noted that there was a need for a high school in the report identified, but there was no reference to one in the plans. He inquired if that school would be located off-site. Staff stated that the School District would be accepting a proportionate fair share payment for construction of the high school off-site.

Councilmember Dr. Priore inquired if the school would be located in close proximity to the development. Mr. Sanders stated that the school district reviewed the Provinces school requirements in much the same way as the developments in the Port St. Lucie Western Annexation Area, where not all the developments were required to have an on-site school. He stated that a typical high school in St. Lucie County has approximately 2,500 students. He said

that the school district did not feel it was appropriate to locate a high school within this development and that the students could be accommodated at Fort Pierce Central High School, which is currently being expanded for an additional five hundred student stations. Councilmember Dr. Priore inquired how far the development is located from the school. Mr. Sanders replied it is five to six miles.

Councilmember Dr. Priore asked if the estimation of 300 high school students being produced from the Provinces development was accurate. Mr. Sanders stated that the projection was based on the historical student generation rates in St. Lucie County.

Mayor Lodwick noted that while staff's idea of lessening the density may create challenges that will obviously need to be dealt with by the County during the approval process, he felt it would not be advisable for Council to approve the development with the density being requested by the applicant due to the impacts that would be created. He said that the alternative master plan was more realistic.

Commissioner Grande stated he felt the road recommendations were more realistic than the school recommendations. He expressed concern that the student impacts were grossly underestimated. Councilmember Hershey asked Mr. Sanders what the student generation rate was for St. Lucie County. Mr. Sanders replied that there is an update every two to three years on the impact fee. In 2003 the impact fee analysis, which was used in this analysis, was updated to determine that the generation rates would be .405 and .207 students per dwelling unit for single-family homes and multi-family homes respectively. He further noted that the district's attorneys have advised them to be consistent and have a legally defensible method in the application of student generation rates. Councilmember Hershey asked if the impact fees were under review at the present time. Mr. Sanders indicated that they were.

Commissioner Koons suggested that it might be an interesting analysis to review the school generation rates. He stated that if the 2003 impact fees are being used in the calculations then the impacts may not be accurate. He asked if Councilmember Hershey would be willing to help with analyzing the feasibility of these impact fees. Councilmember Hershey stated she would be pleased to offer assistance and that this could be on a future Council agenda.

Mr. Bobby Klein, counsel on behalf of the Provinces development, thanked staff for their assistance and recommendations with respect to the development. He noted that the applicant is prepared to work with the County to resolve any issues raised in the development order. He respectfully requested a recommendation from Council in order to move the project forward. He noted that a project of this length is naturally going to have a number of conditions.

Commissioner Grande inquired of the applicant's reaction to the loss of residential units in the alternative plan proposed by the assessment report. Mr. Klein stated that the report does not recommend that the alternative plan be adopted, but is provided as an example of an alternative design.

Commissioner Marcus asked for clarification of what Council would be approving. Staff called Council's attention to Condition 12 which reads "The intent of providing an Alternative Master Development Plan for the Provinces Development of Regional Impact is to illustrate a more compact and integrated mix of land uses that...". Staff noted that Mr. Klein is accurate in his

statement that staff's recommendation is not to adopt the alternative master plan, but offer it to the County as an example of how to resolve some of the regional impacts of the development. Commissioner Marcus inquired if Council would be adopting the developer's proposal with a vote to approve staff's recommendations. Staff clarified that Council would, if voting to approve staff's recommendations, be approving the transmission to St. Lucie County of the entire assessment report including the 77 conditions. Commissioner Marcus asked if these conditions would reduce the number of residential units. Staff stated that the conditions would state that the master development plan the County approves should be revised to address all the regional issues. Staff noted that the information the developer and staff used to prepare the plans relied upon the current land use allocation of density. The Assessment Report does not make a recommendation on the density, but the alternative master plan does illustrate a density found more commonly on other projects in the area.

Commissioner Marcus stated that she wanted to ensure the preservation and maintenance of the wetlands was addressed in the conditions and inquired how that could be done. Staff noted that typically there would be an agreement with a home owner's association or a community development district. Staff offered that another alternative could be that the County or possibly the South Florida Water Management District could be given those responsibilities. Staff stated that Council could include another condition in the recommendations to address this concern.

Councilmember Baine asked if Council would be approving only the conditions contained within the blue section of the report. Staff stated that should Council approve staff's recommendation, they would be approving transmission of the entire report which includes the 77 conditions to St. Lucie County.

Mr. Saberson stated that the motion should be for Council to approve the Provinces Development of Regional Impact Assessment Report as modified by the memorandum from staff to Council members dated March 16, 2007, wherein the staff indicates a modification of transportation Conditions 31, 41, 44 and 45. He noted that if Council wishes, additional conditions can be included.

Staff added that Council's responsibility, under the statutes and the Administrative Code, is to provide an assessment report to the local government which includes recommended conditions for the development order. However, each local government has the authority and the responsibility to determine how their current and future populations are to be accommodated.

Commissioner Wheeler asked how much of the density is transferred from the school site to wetland and stormwater retention. Staff noted that the units are not being transferred. Staff indicated that this is a complicated site because the land uses, while all are for mixed use, have differing densities. The way that St. Lucie County's MXD comprehensive land uses are written. If commercial land use is reduced, residential density can be increased.

Mayor Ferreri noted that the only mention in the staff report of the density and intensity is under Condition 3 with respect to phasing. He asked if this is where the discrepancy is indicated between the master plan and the alternative plan. Staff noted that this is a condition that is recommended for St. Lucie County if they approve the project. Those numbers, taken from the phasing table in the transportation section, can be adjusted.

Commissioner Grande asked what would occur if Council voted to not approve staff's recommendations. Chairman Christensen stated that the report with these recommendations would not be transmitted to St. Lucie County. Mr. Saberson stated that it is the legal requirement of the regional planning council to provide a report to the local government within fifty days of receiving a notice from the local government that a hearing has been set. Therefore, a report must be transmitted to the local government.

Councilmember Foley asked staff if the applicant's master plan is compliant with the zoning of the County. Staff replied that the plan is close. The 40 acre parcel outside the urban service boundary shows 70 units on the applicant's plan, which is not correct. Because of the varying densities with the MXD designation it is difficult to determine if the proposed plan is consistent with the County designations.

Councilmember Foley stated that what he sees with this plan is a classic urban environment with retail and multi-story residential. He noted that this must be the Commission's vision for the area as these are the densities and land use designations approved for this area.

Councilmember Priore made a motion for Council to authorize the transmission of the assessment report and recommendations to St. Lucie County with the revised Transportation Conditions 31, 41, 44 and 45, and the additional condition to recommend the assignment of the stormwater wetlands preserves area to the South Florida Water Management District. Councilmember Hershey seconded the motion.

Motion

Commissioner Marcus asked if this would include limiting the density. Staff noted that the report states that if St. Lucie County chooses to approve the project, they should consider the conditions and revisions to the master plan. Commissioner Marcus asked if staff is not including a density recommendation because the regional planning council is not authorized to under the law. Staff noted that it is the County's decision how to develop the area and what the densities should be. Council's only responsibility is to identify the regional impacts of the development and provide conditions for mitigating or eliminating those impacts. Commissioner Marcus asked Mr. Saberson if Council can legally address the density issue. Mr. Saberson replied that there is nothing in the statute that gives Council the authority to specifically make recommendations with respect to the density.

Commissioner Grande noted that earlier in the discussion it was pointed out that the proposed density on this site is consistent with the Future Land Use Map designation. However, he pointed out that there are two designations on this property, one is future land use, the other is current zoning. This particular design is not compatible with the current zoning. Although the County has assigned a land use designation for the future of this area, he indicated that our position need not be that the future is today.

Commissioner O'Bryan asked if the motion could be amended to modify Condition 52 to add that the management plan would define a responsible party for the maintenance and implementation of the in perpetuity and identify a permanent funding source for management of the preservation area. He expressed concern that the South Florida Water Management District may not want the obligation of maintaining private property. Councilmember Dr. Priore stated that he included the South Florida Water Management District in his motion

because he felt the discussion was to have a governmental agency be responsible and this was the most obvious choice. He noted that if Council wished to amend Condition 52 and reference a home owner's association or other entity, he would be agreeable to that. Commission Smith noted that the wetlands could be conveyed to governmental agency or the local government.

Chairman Christensen called for a vote. The motion carried with a vote of twenty-one to one, with Commissioner Grande being the dissenting vote.

Commissioner Koons stated that he would recommend asking the Florida Department of Transportation and the regional transportation group for Indian River, Martin and St. Lucie counties to take a look at the existing roads and the impacts identified with the recently approved DRIs to determine funding and ensure the district gets its fair share of dollars. He noted that with the approval of over 100,000 dwelling units in the area over the last eighteen months there needs to be serious analysis and planning to determine the impacts as well as coordination to prioritize corridors in the area.

Commissioner Marcus asked if there could be a discussion regarding the Council's authority to make density recommendations in the DRI assessment reports. She noted that the report gives conditions and alternative designs, but never clearly states how many units are recommended for a development. She stated that developers are coming to the local government and saying they have regional planning council approval of their plans. Councilmember Pinto commented that it appeared to him that on the surface it is very inconsistent in terms of what the Council is trying to accomplish on a regional level. He stated that Council should leave the decision for density up to the local government.

Commissioner Smith reported that at the statewide conference he attended last week much of the discussion was dominated by the property tax issues. He stated that Secretary Pelham provided insight into his direction for the regional planning councils. Commissioner Smith noted a white paper was put together by Michael Busha and other regional planning council executive directors that contains a series of recommendations as to how the regional planning councils should function. He stated that it is his intention to get that white paper and those ideas circulated to all the regional planning councils and regional planning council chairs to comment on so that recommendations can be adopted for Secretary Pelham as to how we would see changing the relationship between the regional planning councils and the Department of Community Affairs. He noted that Secretary Pelham has asked for recommendations so that the regional planning council can at least craft some direction, and possibly legislation, for establishing a working relationship with DCA.

Commissioner Koons added that he believes this is the best regional planning council in the state. He noted that a lot of the other regional planning councils do not have the same skill sets to be able to do what Treasure Coast Regional Planning Council does with respect to ensuring coherence with the regional plan.

Commissioner Marcus reiterated her request to have a discussion put on the agenda next month to discuss specific recommendations such as density. Chairman Christensen stated it will be on the agenda.

Councilmember Dr. Priore stated that, as the Vice President of the Florida League of Cities, he did not have a problem with reviewing this from the strategic point of the Treasure Coast Regional Planning Council, but he noted that the issue is about Home Rule Authority and Home Rule Rights to land use. He stated that it is still the purview of the local government to control land use and asked that be part of the discussion as well.

Mayor Ferreri suggested that a workshop format may be more productive. He stated that development plans are not changing to reflect current regional concerns such as the cost of land, preservation of land, and impacts of transportation. He furthered that he felt the regional planning council should take the lead and develop a way to help all local governments. He noted that then, as Councilmember Dr. Priore stated, home rule will hopefully prevail, but at least the local government will be more educated to approve well-planned communities.

Commissioner Koons noted that Secretary Pelham was very specific that he wanted to initiate an infill strategy.

Mayor Lodwick noted that there is a misconception that the regional planning council is not only transmitting, but approving developments. He suggested that Council's reports should clearly identify concerns such as density, rather than burying them in conditions. He noted that it is not always clear what the regional planning council is approving. He stated that in Council's approval of the Callery-Judge DRI there is a clear disconnect whether phase one or the entire development was being recommended for transmittal. He asked if it could be added to the April agenda that Council bring back the Callery-Judge decision for clarification of what was approved.

Chairman Christensen expressed concern that this will not be productive as there are members of the board who voted on that issue who no longer sit on the board and new members who had not had the opportunity to review the project. She noted it would be looked at and addressed in April.

Commissioner Grande suggested that a brief one-page document to the local governments could be developed to explain that Council is only approving transmittal of a report with recommendations to the local government, not necessarily recommending approval of the project.

Mayor Lodwick asked for clarification that it would be on the April Agenda. Councilmember Pinto stated that Council needs to be more precise in its recommendations. He asked that this be the discussion at the next meeting. Councilmember Dr. Priore asked for clarification of what is to be discussed in April. Chairman Christensen noted that the discussion Commissioner Marcus mentioned with respect to density will be on the agenda, but the Callery-Judge discussion will have to wait until the return of the executive director.

Mayor Lodwick moved to put on the April agenda a discussion of the Callery-Judge Grove Council approval.

Mr. Saberson noted that Council's legal requirement to render a report within the 50 day time period had already been done. He stated that it would be extremely unlikely that any

discussion or recommendations the Council would have at this point would have any legal standing in the process.

Commissioner Marcus asked for Mayor Lodwick to amend his motion to only discuss and clarify Council's approval of the Callery-Judge DRI. She noted that she would second such a motion.

Councilmember Dr. Priore stated that since Mayor Lodwick was an alternate on the board and did not have the authority to make the motion, he would do so in his place. Commissioner Marcus seconded this motion. It was asked for clarification of the motion. Commissioner Marcus stated it would be to clarify Council's approval of the Callery-Judge DRI. Councilmember Dr. Priore stated that he wanted it to be clear that the motion did not include a review of Council's decision. Councilmember Hershey stated that there would just be discussion to understand the implications of Council's transmittal. Commissioner Marcus indicated that a clarification was needed on whether Council approved Phase one or the whole project. Councilor Gottlieb stated that although he was not on the Council at the time, it was his understanding that the belief is that only the first phase was approved.

Motion

Mr. Saberson noted that there was a record made at the time the DRI went before Council and there was a motion and a report transmitted to the County. He stated that Council cannot go back and reinterpret what was intended. Councilmember Pinto stated that it is unclear what is on the record, thus the need for clarification.

Chairman Christensen called for a vote on the motion to put a discussion of Council's approval of the Callery-Judge DRI on the April Agenda, which carried unanimously.

Councilmember Brinkman noted for the record that she was recusing herself from voting on the item.

REGIONAL EVACUATION STUDY

Staff made a presentation on the Regional Evaluation Study, a project of the State Division of Emergency Management being conducted in partnership with Florida's eleven regional planning councils. The convergence of four factors created the context for the study; Florida's vulnerability to hurricanes and tropical storms; the devastation of the 2004 and 2005 hurricane seasons; the need for updated and consistent regional evacuation studies to inform statewide programs and plans; and the Legislative priorities in House Bills 1359 and 7121. The project goals and components as well as study coordination were illustrated. The study will produce a Technical Evacuation Study report, analyze evacuation impacts, provide topographic data and models, Storm Tide Atlas and Storm Tide Maps, Coastal High Hazard Area and evacuation zone geography, a Regional Transportation Analysis and an Emergency Management Toolkit.

Commissioner Koons asked for an update on the regional evacuation plan for the Lake Okeechobee area. Staff noted that there was a coordinating procedure for the Herbert Hoover Dike which involved procedures for evacuating 4,400 Palm Beach County residents in the event of a dike breach.

Commissioner Koons asked that in light of the approaching hurricane season if staff could invite Palm Beach County Emergency personnel to give an update of the evacuation plan and how it will effect the entire region. Staff noted that Martin County is also involved in this evacuation plan as part of the region.

COUNCIL MEMBER INFORMATION EXCHANGE

None.

PUBLIC COMMENT

None

STAFF COMMENT

None

CHAIRMAN COMMENT

None.

ADJOURNMENT

There being no further business, Chairman Christensen adjourned the meeting at 11:45 a.m. This signature is to attest that the undersigned is the Secretary or a designated nominee of the Treasure Coast Regional Planning Council, and that the information provided herein is the true and correct Minutes of the March 16, 2007, meeting of the Treasure Coast Regional Planning Council.

Date

Signature

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Brinkman Joni</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>TCR PC</i>
MAILING ADDRESS <i>201 Rex Ct PBC</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Palm Springs</i>	NAME OF POLITICAL SUBDIVISION: <i>PBC</i>
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joni Brinkman, hereby disclose that on 3-16, 2007

(a) A measure came or will come before my agency which (check one)

inured to my special private gain; or

inured to the special gain of Kilday & Assoc., by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

Non-agenda~~d~~ discussion of Callery Judge
Grave to agenda item of discussion
for April mtg.

3-16-07

Date Filed

Joni Brinkman
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.