

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
FEBRUARY 20, 2009**

Chairman Wheeler called the meeting to order at 9:30 a.m. and welcomed everyone to the meeting. He led the pledge of allegiance and requested roll call.

The following members and alternates were present:

Indian River County:	Commissioner Wheeler Commissioner Solari Councilman Ahrens
St. Lucie County:	Commissioner Coward Mayor Christensen
Martin County:	Commissioner Smith Commissioner Ciampi (Alternate) Commissioner Caspersen
Palm Beach County:	Commissioner Marcus Commissioner Koons Commissioner Vana Vice Mayor Brinkman Vice Mayor Dr. Priore Mayor Ferreri Mayor Golonka Mayor Jacobson Commissioner Brown (Alternate) Councilwoman Webster (Alternate)
Gubernatorial Appointees:	Herman Baine Susan Caron Laurence Davenport Kevin Foley Richard Hurley Ramon Trias
Ex-Officios:	Ann Benedetti, SJRWMD Lois Bush, FDOT
Council Staff:	Kate Boer Marlene Brunot Kim Delaney Sandy Gippert Liz Gulick Wynsum Hatton Stephanie Heidt Terry Hess

Dana Little
Peter Merritt
Greg Vaday

Council Attorney: Roger Saberson

The Deputy Director announced a quorum was present.

PUBLIC COMMENT

Alexandria Larson noted a newspaper article with respect to Representative Skidmore using the Fish and Wildlife and the South Florida Water Management District helicopters to provide tours for potential biotech investors. She expressed her feelings that this is an unnecessary expenditure and offered there may be more cost-effective ways to solicit funds for investments.

AGENDA AND CONSENT AGENDA

Commissioner Smith moved approval of the Agenda and Consent Agenda. Vice Mayor Brinkman asked that, due to a professional conflict, item 5H, Gulf Stream Comprehensive Plan Amendments DCA Ref#09-1ER be pulled from the Consent Agenda for separate vote. Commissioner Smith amended his motion to include this exclusion. Councilmember Foley seconded the amended motion, which carried unanimously.

Motion

Commissioner Marcus moved approval of item 5H, Gulf Stream Comprehensive Plan Amendments DCA Ref#09-1ER. Commissioner Smith seconded the motion, which carried unanimously, with Vice Mayor Brinkman recusing herself from the vote.

Motion

Items remaining on the Consent Agenda were: 5A, Financial Report –November 30, 2008; 5B, Financial Report –December 31, 2008; 5C, Minutes – December 12, 2008; 5D, 2009 Contract for Radiological Emergency Response Training and Exercise Support with the Florida Division of Emergency Management; 5E, Amendment to Joint Participation Agreement with the Florida Department of Transportation for Professional Services Relating to Land Use, Concurrency, and Technical Assistance; 5F, Cloud Lake Comprehensive Plan Amendments DCA Ref# 09RWSP-1; 5G, Delray Beach Comprehensive Plan Amendments DCA Ref#09-1; 5I, Haverhill Comprehensive Plan Amendments DCA Ref#09-1ER; 5J, Indian River County Comprehensive Plan Amendments DCA Ref#09-1; 5K, Lake Park Comprehensive Plan Amendments DCA Ref#09RWSP-1; 5L, Martin County Comprehensive Plan Amendments DCA Ref#09D1; 5M, Mangonia Park Comprehensive Plan Amendments DCA Ref#09-1ER; 5N, Palm Beach Gardens Comprehensive Plan Amendments DCA Ref#09RWSP-1; 5O, Port St. Lucie Comprehensive Plan Amendments DCA Ref#09-1; 5P, Port St. Lucie Comprehensive Plan Amendments DCA Ref#09-2; 5Q, Sebastian Comprehensive Plan Amendments DCA Ref#09-1; 5R, Wellington Comprehensive Plan Amendments DCA Ref#09-1ER; 5S, The Reserve Development of Regional Impact Substantial Deviation; and 5T, Intergovernmental Coordination and Review Log.

ANNOUNCEMENTS

Staff noted for Council that on Saturday, February 21 there is a Transportation Summit at the Broward County Convention Center from 8:30 a.m. to 12:30 p.m.

Staff noted that twelve Councilmembers attended an Orientation Session on February 9th at Council offices.

Staff provided a handout in which the Council offices were among eight sites featured in a Historic Home Tour on February 14th in Stuart.

Staff noted there will be a Transit-Oriented Development Charrette in Palm Beach Gardens March 20 – 27. This is a continuation of work with the South Florida Regional Transportation Authority, Florida Department of Transportation, and the Metropolitan Planning Organizations to help cities get land uses and strategies in place for the restoration of passenger service on the Florida East Coast Railroad. Staff noted complete information can be found on Council's website for this and the other related charrettes.

Commissioner Koons stated this is a very valuable skill set to be able to go into an urban area and develop a theory of design, initiate the comprehensive land use changes and land development regulations, and provide funding mechanisms. He complimented Council staff and the cities for their hard work.

COUNCIL COMMITTEE APPOINTMENTS - 2009

Commissioner Marcus moved approval of the Committee Appointments. Mayor Christensen seconded the motion, which carried unanimously. Staff reminded Council that Chairman Wheeler encourages volunteers for committee service. **Motion**

REPORT ON FLORIDA RENEWABLE ENERGY POTENTIAL ASSESSMENT

Staff informed Council that the Energy Committee is scheduled to have monthly meetings throughout 2009 immediately following the Council Meetings at the same location. Councilmembers were invited to attend.

Staff noted a recent trip to the Florida Solar Energy Center on January 30, 2009. Twelve attendees were escorted by the Center Director, Dr. James Fenton. The visit featured a presentation on solar and renewable energy systems in Florida as well as back room tours of labs for hydrogen fuel cells, solar panels, photovoltaic and water solar panels, monitoring of school systems around the state and a prototype house powered entirely by solar.

Staff presented a summary to Council on the Florida Renewable Energy Potential Assessment, which was prepared by Navigant Consulting, Inc. for the Florida Public Service Commission and the Florida Governor's Energy Office.

Commissioner Coward thanked staff and the Energy Committee for their work on this important issue. He noted that this study is one of the most relevant studies that have been brought forward in the State as it not only highlights the most technologically viable renewable energy options for the State but also shows that the State Energy Policy supports energy monopolies and building centralized facilities which may not be the best option for the State. He stated the Navigant study is calling for a decentralized approach by putting photovoltaic cells on individual buildings across the State. He also noted that Florida needs to have better incentive programs to assist homeowners with energy efficiency improvements to their homes. He asked if the regional planning council and the energy committee could play an advisory role in terms of recommendations for modifying the State

energy policy. He indicated that training individuals in installation of photovoltaic on rooftops and other green segment employment opportunities would ease the unemployment crisis.

Commissioner Koons noted that Palm Beach County and the Solid Waste Authority are in the process of securing funding to rehabilitate the existing waste to energy plant and build another to be able to handle all the waste in the region for the next twenty to thirty years.

Mayor Jacobson concurred with Commissioner Coward's remarks. Laurence Davenport also concurred with Commissioner Coward, noting one of the biggest concerns of the Energy Committee is the State's failed energy policy. He stated the committee's support of decentralization noting that the rebuilding of the energy infrastructure will be challenging. He stated there is discussion of building of an alternative energy workforce training center, possibly in the Glades region, that will provide green job training as well as diversify the economy in the area.

Commissioner Smith asked staff if there has been any discussion by the Energy Committee to regionally plan for biomass. Staff indicated it has not been specifically addressed by the Committee. Commissioner Smith suggested that collaborative planning should be done in this area. Commissioner Koons stated that he would have the executive director of the Solid Waste Authority coordinate with the county administrators on meeting to let everyone know what is happening in Palm Beach County and discuss handling the different forms of waste more effectively. Commissioner Marcus suggested that it would make sense for the three northern counties, Martin, St. Lucie and Indian River, to collaborate and possibly identify one good location that can be utilized by all three counties. Chairman Wheeler expressed his agreement that all the counties should collaborate and share information.

Commissioner Solari asked if the Navigant Report indicated what the cost to the customer would be. He stated that as an elected official representing the citizens/customers, he could not give a final recommendation with knowing the final costs. Staff indicated that the Navigant Report did not address the cost, but the Florida Public Service Commission is currently addressing that issue now, which will ultimately be determined by the State Legislature. Staff indicated that the Public Service Commission has recommended allowing investor owned utilities to invest two percent above annual retail revenues for renewable energy credits.

Commissioner Coward agreed that cost is an important consideration. He noted that in the federal stimulus package there is a large amount of money for clean energy and he offered that he would like to see some type of a pilot program in partnership with Florida Power and Light that would look into the alternative energy sources in the State that are most technologically viable. Options such as land based wind are being considered even though they are not viable in the State. Commissioner Coward stated he is disturbed that Florida Power and Light is going invest over \$60 million in wind and there is no potential currently under our state energy policy to invest anything in the solar option. He stated there needs to be more progressive thinking and possible partnering with the utilities throughout the state to take advantage of these opportunities to pursue the most technologically viable option in the state.

Laurence Davenport stated that the Florida Solar Energy Center had provided a chart that shows the cost of renewable energy actually starts to meet the same costs as fossil fuels and then actually becomes cheaper. He restated his belief that decentralization of power is the way to move forward.

Vice Mayor Dr. Priore noted the City of Gainesville has under taken a decentralized process which needed to be subsidized by the taxpayer user of the energy. He noted this is similar to the recent problem of the issuance of consumptive use water permits. Since there was no real strength in the law, the user would consequently choose to go with the less expensive method of an on-site well than connecting to utility services.

Commissioner Wheeler stated he was optimistic with the amount of research and interest in renewable energy sources. He noted with time renewable energy will become not only more economically feasible, but better for the environment.

Under Public Comment, Alexandria Larson stated fear that the Legislature is planning to build ten new nuclear plants which will need to be paid for before they are built. She expressed her opinion that there should be hot water heaters on all homes which would result in ten percent less use immediately. She suggested photovoltaic should be installed on large retail buildings.

Sharon Waite stated that the Public Service Commission passed off their responsibility with respect to nuclear to the legislature. She cautioned that reclassifying nuclear as a renewable energy is dangerous.

REPORT OF THE ECONOMIC STIMULUS SUB-COMMITTEE

At the December meeting Council asked staff to draft a resolution to support the economic stimulus package and through a sub-committee establish a list of projects that would be eligible for funding. Staff noted that the federal economic stimulus package could have a significant impact on the quality of the Region's growth, economic development, standard of living, and recovery from the recession and funding should be strategic and directed towards projects that: 1) contribute to a "new economy" and jobs; 2) rebuild and improve existing public infrastructure (e.g., roads, schools, bridges, railroads, transit systems, etc.); 3) trigger redevelopment of existing towns, cities, and urban areas; 4) create sustainable, transit-supportive growth and development; and 5) move the nation towards energy independence and away from fuels contributing to climate change and sea level rise. Staff noted that the list provided in the agenda item is not comprehensive or prioritized. Staff recommended that Council communicate its position on the use of the economic stimulus funds to the Governor and Legislative Delegation.

Mayor Jacobson moved approval of staff recommendation. Commissioner Marcus seconded the motion. **Motion**

Mayor Ferreri stated that every city and county has a prioritized, approved list of capital improvements within their comprehensive plan.

Commissioner Coward indicated that if St. Lucie County were to follow the Department of Transportation recommendations for use of the funding there would be widening of a rural highway outside of the urban service boundary, which would only make the western areas of counties cost efficient for the developers to build sprawl. He noted that local governments could instead fix roadways inside the urban service boundary that are next to research parks that are will create quality jobs and help diversify the tax base. In one of the research parks we are actually trying to promote clean energy. He stated the issue was whether or not we want the state to build rural highways, or do we want local governments fixing urban areas and promoting jobs, as well as other important aspects of this whole recovery process.

Councilmember Baine asked for clarification of the regional planning council's role in the federal stimulus funding. Staff indicated that one of the purposes of the resolution is to let the State know that the regional planning council is available to serve a role should the governor determine it is appropriate. Councilmember Baine asked if the other regional planning councils in the state were passing resolutions. Staff indicated there has been discussion by the other councils, but was not sure if they were passing resolutions.

Commissioner Smith stated that rather than competing for funding, the region needed to collectively address what is important for the region. He stated he believed the regional planning council was the forum to collectively look at what will be best for the region, and to send a unified message to those in Washington.

Councilmember Foley concurred with Mayor Ferreri that there is already a list for each municipality and county on how the money, should it appear, be allocated.

Councilmember Trias stated the list provided in the agenda item was a good list, and that all local governments should, if they have not already, incorporate these types of improvements into their comprehensive plan.

Vice Mayor Dr. Priore concurred, but noted that most of the funding is for transportation and asked how the remainder of the dollars would be spent. He also expressed his concern of how much money will ultimately filter down, and how much may be used to address budget deficit.

Lois Bush, Florida Department of Transportation, provided Council with a website and information with respect to the transportation aspects of the federal stimulus bill. She noted that there are also supplemental discretionary grants available. She stated that the projects in St. Lucie County are part of the strategic intermodal system, serving regional and state-wide mobility and are on the list for state level funding. She said that the Department is using existing mechanisms to get input on projects that do not have funding, but are being expedited because of this opportunity.

Commissioner Koons commented that Palm Beach County's economic development strategies are embedded within the regional strategy and that everything is coordinated with this region. With respect to the transportation funding, he stated that the federalization of the projects presents a fundamental problem for local governments. He stated that the quickest way for the state to get funds would be to increase the gas tax and let the local governments then use the funds for improvements within the cities such as streets, lights, sidewalks, drainage. He stated that five cents for five years would provide jobs more quickly, and the state would know that the funds would only be spent on transportation projects in urban areas where the dollars are most needed.

Lois Bush noted that one critical element of the bill is a requirement of state maintenance of effort. She stated the idea is not to take away money that is already applied to transportation and replace it with this federal money, but the funding will have a supplementary effect and be used on projects that can be done quickly and create jobs quickly, which frees up money in the future.

Commissioner Wheeler asked how many projects will be implemented in the short period of time specified for shovel ready and will there actually be an increase in jobs over what is already planned. Ms. Bush stated that projects that have been deferred due to recent heavy revenue cuts can now proceed.

Councilmember Davenport noted he runs a Community Development Institutions Fund that, as part of the stimulus package, has been given sixty days to create a program and another 120 days to start distribution of funds, so dollars may not be seen for six to nine months. Chairman Wheeler stated his concern is that inflation will kick in before the money can be spent.

Councilwoman Webster questioned the process for choosing projects. Commissioner Marcus noted that the bulk of the projects approved at the Metropolitan Planning Organization meeting were for city improvements such as intersection improvements, bikeways and pathways. Commissioner Koons noted that Royal Palm Beach may be able to obtain some funding in the next couple of months.

Under Public Comment, Alexandria Larson stated that instead of spending millions of dollars and only creating a limited number of jobs, America needs to become more industrialized and manufacture items, rather than importing. She suggested manufacturing solar panels and also that cities should become more sustainable, perhaps growing their own food.

Being no further discussion, Chairman Wheeler called for a vote on the motion, which carried unanimously.

RESOLUTION REGARDING A DEDICATED FUNDING SOURCE FOR THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

Commissioner Marcus moved adoption of the resolution regarding the dedicated funding. **Motion** Commissioner Smith seconded the motion, which carried unanimously.

COORDINATION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE REGION'S METROPOLITAN PLANNING ORGANIZATIONS

Staff gave a presentation on Council's increasing part in land use/transportation planning activities with the Florida Department of Transportation, South Florida Regional Transportation Authority, and the Region's Metropolitan Planning Organizations.

Commissioner Smith noted that when applying for federal stimulus funding, the State of New Hampshire's only request was for dual tracking of all of their commuter lines. He stated this was very enlightening that the entire state, which is not driven by population or density, understands the importance of transportation and mass transit. He thanked staff for the help and support in this arena. Commissioner Koons also thanked staff for their efforts noting that with potential changes in growth management legislation much of the planning could be done on a more local level.

COUNCIL MEMBER INFORMATION EXCHANGE

Mayor Jacobson thanked Council for his very rewarding and enlightening experience as a member of the regional planning council. He noted transportation and energy concerns as being top priorities for our region.

Commissioner Koon asked staff to provide an update on the status of the local governments submitting their statutorily required Ten-Year Water Supply Facility Work Plans. He also noted that the South Florida Water Management District would like to meet with the regional planning council to discuss issues such as the regional water systems and recharging of the river. Staff

indicated they will contact the water management district and also provide an update on the status of the water supply plans at the next meeting.

Vice Mayor Dr. Priore asked that staff also provide a report on the Florida Regional Councils Association meeting in Tallahassee held in January.

Councilmember Davenport stated he would like to invite the Census Bureau to a meeting to present their plans for the 2010 census.

STAFF COMMENT

To provide follow-up on the Rural Stewardship Program, staff indicated that the Department of Community Affairs had filed a notice of the proposed rule in December which was challenged. A second hearing was scheduled for January, but the Department has withdrawn the rule and is redrafting it. The hearing should be rescheduled within the next few weeks.

Staff provided Council with a brief update of the proposed changes to the Growth Management statutes in Senate Bill 360, called the "Community Renewal Act". Major provisions in the bill include a definition for "dense urban land areas"; establishment of Transportation Concurrency Exception Areas for all local governments that qualify as dense urban land areas; application of the Alternative State Review Process to all future land use map amendments in local governments that qualify as dense urban land areas; and exemption of proposed development in those local governments from DRI requirements. The Florida Regional Councils Association staff has been providing updates to the regional planning councils and is interested in any response from local governments. The bill has a lot of momentum and it appears there is a great deal of support from the Senate leadership who feel that Florida's existing growth management legislation, at least in built up areas, is one of the primary reasons why Florida's economy is in such bad shape. Although there is not a companion bill yet in the House, there is one anticipated.

Commissioner Marcus encouraged Council to take a position on this piece of legislation. She indicated she had spoken with the Senate President and shared the County's position that although there is an understanding of the need for economic stimulus, there should not be a wholesale doing away with concurrency. She stated the County's position is that it makes sense to create jobs in the urban redevelopment core downtown areas. She indicated the Senate President requested she work with his staff on growth management issues. She suggested that Council provide recommendations on the proposed revisions to the Development of Regional Impact process. She said the Senate President also indicated changes to the bill would need to have the approval of Secretary Pelham. She stated Secretary Pelham currently approves of the bill, but agrees that some of the language may be too broad.

Commissioner Brown asked if these new provisions would also apply to locations on coastal barrier islands adjacent to urban areas, such as Briny Breezes. Commissioner Marcus indicated that the provisions would apply to all dense urban land areas as defined. Dense urban land areas, including all of Palm Beach County, would be exempt from the DRI requirements.

As follow up to Commissioner Marcus' comments, staff indicated that both the Florida Association of Counties and the Florida League of Cities had expressed concerns about the loss of the process which allowed the regional planning council to address extrajurisdictional impacts. It was staff's understanding that when asked about this Secretary Pelham stated that there is nothing that

precludes the local governments from developing another extrajurisdictional process in coordination with the regional planning council.

Vice Mayor Dr. Priore indicated that the Florida League of Cities did not have a definitive position at this time. Commissioner Marcus indicated that initially only the Florida Association of Counties had concern, but there has since been other groups that have expressed concern.

Mayor Golonka suggested that, due to the haste with which this bill is being processed, Council should take immediate action to provide the legislature Council's position on this bill. She deferred to Commissioner Marcus to provide some language for a motion.

Commissioner Marcus stated she would move that Council should inform the legislature it opposes the removal of the Development of Regional Impact requirements in all dense urban land areas as defined. Mayor Jacobson seconded the motion.

Motion

Vice Mayor Dr. Priore indicated he was supportive of the motion, but without a clear direction from the League of Cities he could not support moving forward with the motion at this time.

Mayor Golonka indicated her desire for the League of Cities to communicate with its membership.

Commissioners Smith and Koons recommended circulating language to all the local governments to provide a baseline to move forward with a recommendation.

Commissioner Vana indicated she was told this bill was the legislature's way of getting the local governments' attention.

Chairman Wheeler asked for an update on what the discussion was at the Florida Regional Councils Association in Tallahassee. Commissioner Smith indicated that at the time of the meeting there was not enough information. He stated he did not believe there was a comfort level at the current time to move forward with a motion, but that information should be circulated and an emergency meeting could be called, or perhaps there could be a committee appointed.

Commissioner Marcus indicated she was informed by Craig Varn that once the bill has gone through all of the committees it will be on the floor and voted out the first day of session. She indicated that input on at least the Development of Regional Impact process is needed. Staff indicated the Florida Regional Councils Association staff has been providing information and staff could provide this information to Councilmembers. Staff indicated that the Association is pushing for what they understood the Policy Board Members wanted at the January meeting.

Mayor Jacobson asserted that if there is something that is against the best interest of Council as a whole, then there should be no problem with taking action on that one aspect of the bill now.

Commissioner Vana expressed there is an urgency to express Council's wishes as once the bill passes through the Senate, it will likely follow quickly through the House. Commissioner Marcus indicated that although there is not a position from the Florida Regional Councils Association, as an individual regional planning council of policy makers Council is opposed to the exemption of the Development of Regional Impact process in all urban built up areas.

Vice Mayor Brinkman concurred with Vice Mayor Dr. Priore that it would be difficult to take a position on the motion as appointee of the League of Cities, which has not officially determined a

position. She also indicated that with respect to the Transportation Concurrency Exception Areas, all of the work Palm Springs and the County have done in the Urban Redevelopment Areas and the Priority Redevelopment Area corridors to target specific areas in the urban realm to incentivize for development will be moot.

Commissioner Koons stated that cities will be more effected by this, as an adjacent municipality will be able to make changes without having to consider extrajurisdictional impacts. He urged the cities to be aggressive in getting feedback from the League of Cities on these issues. Staff referred to a letter from the League of Cities dated February 16, 2009, which does show concern for the elimination of the Development of Regional Impact component of the bill. Vice Mayor Dr. Priore asked if the motion would be specific to just this section of the bill. Chairman Wheeler indicated it was and asked if there was further discussion. There being none, a vote was taken which carried unanimously.

Councilmember Foley asked Council attorney if members of the regional planning council who are elected officials are on the Council as representatives of their various councils and if the individuals must take their council's position into consideration.

Roger Saberson indicated that although members are elected officials, it does not mean that their independent judgment cannot be exercised in any vote they make at the regional planning council level and they are not legally constrained in their vote.

Vice Mayor Dr. Priore noted it was important to understand that the elected officials from the municipalities in Palm Beach County are appointed by the League of Cities and therefore have somewhat of an obligation to make sure they are representing the position of the League. He also noted that the previous item was not an agenda item and so consequently there was not chance to prepare for the vote.

Mayor Jacobson asked how the appointed members reach their decisions on what position to take on a motion. Chairman Wheeler indicated they are independent.

Mayor Ferreri indicated that when presented with this question in the 1980s the League of Cities attorney's interpretation was that the members are appointed and expected to make the best decisions, which sometimes are time constrained, without going back to their boards. He noted that the previous item was timely and though not on the agenda needed a quick decision. He stated that the motion was broad enough and that it is the responsibility of each individual to report back to the group that has appointed them to the Council.

Chairman Wheeler stated it would be almost impossible to represent every board's opinion you may serve on as all the boards are diverse in their comments and philosophies. He stated that unless it has appeared before a board you serve on and a vote was taken, it should be the Councilmembers independent thought that should drive their vote.

Ms. Bush noted that with respect to the Transportation Concurrency Exception Areas, the first Senate Bill 360 emphasized that it is not just exception, there has to be a plan for mobility.

CHAIRMAN'S COMMENT

None

ADJOURNMENT

There being no further business, Chairman Wheeler adjourned the meeting at 11:30 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 February 20, 2009 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 Brinkman Joni Sue	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Treasure Coast Regional Planning Council
MAILING ADDRESS 201 Rex Court	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY COUNTY Palm Springs Palm Beach County	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED February 20, 2009	NAME OF POLITICAL SUBDIVISION: Palm Beach County
	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.

Your responsibilities under the law when faced with voting on 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

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must 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. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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

- You must disclose orally the nature of your conflict in the measure before participating.
- You must 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 must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joni S. Brinkman, hereby disclose that on February 20, 20 09 :

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

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of Urban Design Kilday Studios, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

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

Item 5.H, Gulfstream Ref#09-1ER - My employer, Urban Design Kilday Studios is retained by the Town of Gulf Stream as a planning consultant and has provided services in conjunction with the preparation of these amendments.

2-20-09
Date Filed

Joni Brinkman
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, 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 \$10,000.