

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
JULY 17, 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 Vice Mayor Ahrens Mayor Abell (Alternate)
St. Lucie County:	Commissioner Coward Commissioner Grande
Martin County:	Commissioner Smith Commissioner Hayes Mayor Christie (Alternate)
Palm Beach County:	Commissioner Koons Commissioner Vana Councilmember Brinkman Mayor Ferreri Mayor Golonka Vice Mayor Dr. Priore Commissioner Brown Councilman Pinto (Alternate) Councilman Lowe (Alternate) Councilwoman Webster (Alternate)
Gubernatorial Appointees:	Laurence Davenport Michael Davis Kevin Foley Susan Hershey Richard Oujevolk Susan Caron
Ex-Officios:	Lois Bush, FDOT Jim Carnes, SFWMD Mary Murphy, DEP Ron Bunch, Enterprise Florida
Council Staff:	Marlene Brunot Michael Busha Kim DeLaney Sandy Gippert Liz Gulick

Wynsum Hatton
Stephanie Heidt
Terry Hess
Dana Little
Peter Merritt
Greg Vaday

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

Chairman Wheeler noted the Revised Agenda.

PUBLIC COMMENT

Alexandria Larson cautioned Florida is running out of water. She asked Councilmembers, as elected officials of all the local governments within the region, to take this issue seriously.

Drew Martin, representing the Sierra Club, expressed his concern that rock mining in the Everglades Agricultural Area as well as the potential inland port at the Okeelanta location will impact Everglades Restoration. He also asked that Council become more involved in evaluating the impacts and cumulative effects of these issues. He noted the Florida Department of Environmental Protection will be producing a report on reducing waste by seventy-five percent. He stated there needs to be more consideration given to recycling, waste management and reducing such products as plastic bags and Styrofoam.

Sharon Waite questioned how much trash the Solid Waste Authority is actually burning. With respect to the Riviera Beach Energy Center agenda item, she stated Florida Power and Light conditioned its clean up of this plant on getting approval for all three units of the West County Energy Center. She questioned the role of the Public Council, stating they should have “stepped in for us taxpayers”.

Michelle McGovern, Senator Nelson’s Representative, noted her pleasure in seeing the stimulus dollars trickling down, particularly on the rail project, and offered the support of the Senator’s office. She also extended greetings on behalf of Senator Martinez.

AGENDA AND CONSENT AGENDA

Councilmember Brinkman requested Consent Agenda Item 5C, Ocean Ridge Comprehensive Plan Amendments DCA Ref# 09-1ER, be pulled for separate consideration.

Commissioner Smith moved approval of the Agenda and Consent Agenda with the removal of Consent Agenda Item 5C. Mayor Ferreri seconded the motion, which carried unanimously. **Motion**

Items remaining on the Consent Agenda were: 5A, Financial Report-May 31, 2009; 5B, Minutes-June 19, 2009; 5D, Palm Beach Shores Comprehensive Plan Amendments DCA Ref# 09-1ER; 5E, Royal Palm Beach Comprehensive Plan Amendments DCA Ref# 09-2; and 5F, Intergovernmental Coordination and Review Log.

Mayor Ferreri moved approval of Consent Agenda Item 5C. Commissioner Smith seconded the motion, which carried unanimously, with Councilmember Brinkman abstaining. **Motion**

Commissioner Koons stated he wanted to question staff on why the report for the Palm Beach Shores Comprehensive Plan amendments did not comment on the Town's failure to adopt an approved Ten-Year Water Supply Facilities Workplan.

After discussion regarding procedure, Chairman Wheeler called for a motion to remove this item from the Consent Agenda for discussion. Commissioner Koons motioned to have the item removed for discussion. Commissioner Smith seconded the motion, which carried unanimously. **Motion**

In response to Commissioner Koons question, staff explained that every local government is responsible for preparing a Water Supply Facilities Workplan that is consistent with the plans of the water management district. In the case of this particular local government, staff did not feel it would be appropriate to make negative comments about the Town's Water Supply Facility Work Plan and proposed amendments solely because the local government that supplies the Town's potable water (City of Riviera Beach) had not submitted their plan in a timely manner.

Councilmember Davis asked if the Town was unable to implement their plan because of the lack of a plan by the water supplier. Staff indicated this is just a proposed amendment that would adopt the Town's Water Supply Facility Work Plan as part of their comprehensive plan, which is required by law.

Chairman Wheeler stated the report could be left as is, or a comment could be added. Staff suggested a comment could be added to the report to indicate that although the plan submitted appears to be sufficient and adequate, it will be difficult for the Town to implement their plan because the Town's sole potable water supplier, the City of Riviera Beach, has not yet adopted a Water Supply Facilities Workplan.

Mayor Ferreri moved to approve the staff report with the amended language. Commissioner Koons seconded the motion and asked that staff provide a memorandum to Council on why staff has not commented, and if staff should comment, when a municipality does not have an approved Ten-Year Water Supply Facilities Workplan. **Motion**

Chairman Wheeler called for a vote on the motion, which carried unanimously.

ANNOUNCEMENTS

Staff provided Council with an update on Senate Bill 360.

Councilmember Davis asked staff to clarify if local governments would have to take explicit and affirmative action to amend their comprehensive plan to put into effect the concurrency revisions of Senate Bill 360. Staff indicated the interpretation of the Department of Community Affairs was the law has now been changed and that state transportation concurrency requirements no longer apply in those areas that qualify as dense urban land areas. However, in order for there to be a change in the currently adopted standards the local government would have to take the formal step of amending their comprehensive plan. Councilmember Davis asked if the requirements in the current

comprehensive plan would then have the effect of law. Staff indicated that was Secretary Pelham's interpretation. Councilmember Davis asked if Councilmembers representing the local governments had the same interpretation. Commissioner Vana noted there is a lot of controversy and confusion on this topic. She noted an upcoming workshop hosted by Representative Pafford in Palm Beach County in either July or August. She indicated she would forward information on date/time/place to staff once it is available for dissemination to Councilmembers. Councilmember Pinto agreed there needs to be more thorough analysis and education regarding Senate Bill 360 before any definitive actions are taken by local governments.

Mayor Golonka asked for an explanation of the dispute resolution component of the bill and how it relates to the regional planning council. Staff indicated the bill affected the statutes in two ways; one was that local governments would need to include a provision in their comprehensive plan to utilize the regional planning council dispute resolution process. The second statutory revision changed the regional planning council dispute resolution process from a voluntary one to a mandatory one. Staff stated the Department of Community Affairs had indicated they would be putting together instructions for the regional planning councils on modifications necessary to their dispute resolution rule. Mayor Golonka indicated that at a meeting of the northern Palm Beach County municipalities it was suggested the Palm Beach County Intergovernmental Plan Amendment Review Committee process could work for intergovernmental disputes. Staff indicated that process could possibly be viewed as a legitimate process for dispute resolution. Vice Mayor Dr. Priore stated the Florida League of Cities would be taking up this matter at its next meeting.

Staff noted for Council the upcoming regional economic forum, *Roadmap to Florida's Future*. The forum will be held on July 23, 2009 and Councilmembers were provided with an agenda. Commissioner Koons noted he will be speaking on the subject of infrastructure.

Staff requested Council cancel the August meeting. Mayor Ferreri made a motion to cancel the August meeting. Vice Mayor Dr. Priore seconded the motion, which carried unanimously.

Motion

FLORIDA POWER AND LIGHT COMPANY RIVIERA BEACH ENERGY CENTER

Staff summarized Florida Power and Light's proposal to convert the existing Riviera Beach Plant in Palm Beach County to a modern facility. Staff indicated the draft report recommends approval of the project. Staff recommended Council approve the report for transmittal to the Florida Department of Environmental Protection. Also, staff noted Council approval of the report would constitute direction to the Council attorney not to file a notice of intent to be a party in the certification process.

Under Public Comment, Alexandria Larson expressed her concern Florida Power and Light is not doing any alternative energy and they will be constructing a three hundred mile natural gas pipeline. She noted the Riviera Beach Plant will be storing approximately 6.5 millions gallons of diesel fuel on site.

Rosa Durando asked Council how a recommendation could be made the prior month to find Florida Power and Light's Ten Year Site Plan inconsistent with the goals and strategies of the Strategic Regional Policy Plan, but this month find them in compliance when they did not increase conservation or decrease reliance on fossil fuels. She commended the Town of Palm Beach for

expressing concerns related to fuel delivery. She questioned why the staff report did not address the potential of a pipeline in the Intracoastal Waterway for subaqueous or off-shore fuel delivery. Staff noted the review of the Ten Year Plan was addressing Florida Power and Light's projected use of fossil fuels and renewable energy of the next ten years which was inconsistent with a specific policy. This project is consistent with the Strategic Regional Policy Plan as it involves the upgrading of an existing facility and infrastructure where development already exists.

Drew Martin stated he did agree that the Riviera Beach plant needed to be upgraded, but did not see the need for the West County Energy Center. He noted fossil fuels are running out and although natural gas is cleaner than coal, it does produce carbon dioxide, which will impact global warming. He expressed his agreement with the Town of Palm Beach that although Florida Power and Light is not asking for a liquefied natural gas port at this time, there needs to be a stipulation made that will prevent this in the future.

Commissioner Koons stated the County has been very aggressive in requesting this plant be upgraded and are pleased this project is moving forward. He asked that there be specific recommendations made that Florida Power and Light ensure local residents are hired for the upgrading of this plant and the construction of the West County Energy Center.

Councilman Lowe stated the City of Riviera Beach has also asked for local residents to be hired. He also asked that there be a recommendation for Florida Power and Light to consider more maintenance and upkeep to the transmission lines connecting to the facility.

Representing Florida Power and Light Company, Cindy Tindell, Senior Director of Project Development, noted Florida Power and Light has received the letter from the Town of Palm Beach and will reach out to meet with them regarding their concerns. She stated the hiring of local residents is also a goal of the Company. She stated that when the project is licensed and the Company moves into the bidding and contracting phases, they will notify the community of Riviera Beach what types of jobs are available and the skills required for those jobs. Also, she indicated that Florida Power and Light would work with the City to resolve the issues related to maintenance of the transmission line corridors.

Commissioner Hayes acknowledged the efforts of Florida Power and Light to upgrade the facility and the ancillary benefits that will result from the upgrade. He asked if the existing underground pipeline is adequate to supply the projected needs of the upgraded plant without relying on other methods of delivery, including delivery of liquefied natural gas. Ms. Tindell stated that with the existing infrastructure and some potential upgrades, there would be sufficient gas to supply the plant. Ms. Tindell also indicated Florida Power and Light will soon be submitting an application for the Florida Energy Secure Pipeline, which will be an additional source of natural gas for the facility.

Commissioner Hayes asked if the ability to operate this plant depends on whether the new pipeline is approved. Ms. Tindell responded that the upgraded plant can be operated without the new pipeline.

Commissioner Brown noted the draft report states Florida Power and Light will be using the same intake and discharge pipes for the water to cool the machinery. He asked if there will be an increase in the thermal load in the lagoon and if this will be monitored. Ms. Tindell stated that the thermal output would be monitored.

Councilmember Oujevolk asked what modification would need to be made to the existing pipeline. Ms. Tindell stated there are different ways to make the existing infrastructure work, or the Company could build a new pipeline, which would be the best option.

Based on the discussion, staff recommended the following three comments be added to the report. Florida Power and Light should: 1) work with the Town of Palm Beach to achieve a level of assurance that the fuel source will be from underground and not subaqueous or from an offshore tanker; 2) implement a program to hire and train local residents to work at the plants; and 3) work with the surrounding municipalities to create and maintain landscape buffering in the transmission line corridors.

Commissioner Smith motioned to approve staff recommendation with the additional comments. Commissioner Vana seconded the motion, which carried unanimously.

Motion

RESOLUTION REGARDING SUPPORT OF FUNDING APPLICATIONS BY THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR THE “TRANSPORTATION INVESTMENTS GENERATING ECONOMIC RECOVERY” (TIGER) GRANT PROGRAM

Staff made a brief presentation to Council on the resolution.

Mayor Ferreri moved approval of staff recommendation. Commissioner Koons seconded the motion, which carried unanimously.

Motion

Lois Bush from the Florida Department of Transportation noted the Department did not have the role of assembling and prioritizing the grants for the state, so she asked that the resolution be revised accordingly. Staff asked Council to provide direction to staff to revise the resolution as appropriate with the assistance of the Florida Department of Transportation and forward the application in the appropriate manner.

The motion maker and seconder agreed to this revision of the motion, which carried unanimously.

Revised Motion

**STRATEGIC REGIONAL POLICY PLAN
ORIENTATION SERIES**

Staff made a presentation to Council entitled *The Neighborhood: Building Blocks of a Region*.

Commissioner Smith suggested these presentations could be made into a narrated presentation that could be used to educate various neighborhood and redevelopment associations.

Commissioner Hayes stated the presentations are incredibly informative and agreed the focus needs to be on the desired development and not a reaction to the undesirable. He stated Martin County is so focused on not having sprawl, but the real desire is to have connectivity. He stated it also depends on the canvas of the area. As an example, he stated Martin County, which has such a phenomenal amount of rural land west of I95, should take advantage of this space for water storage, connectivity, and open space wildlife corridors. Staff noted this is only one component of the presentation, which will be tied together in the end. When deciding how to construct the

neighborhoods, towns and villages in the region in a more sustainable form, the countryside needs to be the first consideration in order to preserve resources.

Ron Bunch asked how local governments can plan appropriate sites for targeting business and other economic opportunities. Staff indicated that to attract economic development there needs to be well-planned districts and corridors with connected transportation to surrounding neighborhoods and emphasis inside the urban service boundary.

Councilmember Oujevolk suggested local governments could change their transportation concurrency approach and direct funding to adjusting land uses rather than building and rebuilding infrastructure. Staff stated every local government should be well within their rights to do this now that there are no state transportation concurrency requirements.

Vice Mayor Dr. Priore stated unless extrajurisdictional impacts and concurrency issues are addressed between local governments and regulating agencies, no single local government will be able to achieve these types of sustainable neighborhood concepts.

Commissioner Coward agreed with Commissioner Hayes that the canvas can differ greatly between local governments. He stated he would like to see continued promotion of infill development and good planning within the urban service boundary.

Commissioner Smith stated his firm belief in the principles and underlying strategies presented and that each local government is entirely different with unique concerns. He encouraged the process of planning within the geographic boundaries organizing the natural resources to maximize the connectivity not only within one community but across city and county lines. Staff noted the comments of Councilmembers point out the reason for the regional planning councils, which is to serve as a connection between the local governments and the state to advocate for different conditions that exist region to region.

Chairman Wheeler stated even the best intentions of the elected bodies to promote smart, sustainable planning can be undermined when there is pressure from the public. He used the example of connectivity, stating that although everyone wants it, no one wants it in their neighborhood. Mayor Ferreri stated part of the responsibility of the political leaders is to educate the public. He encouraged charrettes and community workshops, suggesting the best place to promote this type of education would be in the schools. Chairman Wheeler concurred, stating most of the issues are from misinformation to the public.

Commissioner Coward stated each local government should be able to develop what is appropriate for their community, but as it relates to Senate Bill 360, there still needs to be a way to address extrajurisdictional impacts. He suggested that as a regional entity there should be decisions made locally and in cooperation with one another, perhaps with interlocal agreements, to ensure all concurrency issues are handled throughout the region and that one local government's decisions will not negatively impact others. Commissioner Vana agreed that there needs to be more cooperation and a deeper understanding of what each local government is facing to develop a better plan for the state.

Under Public Comment, Ms. Waite expressed her concern that water was not addressed in the presentations. She also stated the form of development presented appears to be like the old

neighborhoods in the north, which she feels would not be viable here. She stated these neighborhoods would not work due to the large amounts of individuals that would be compressed into a small area and the lack of resources.

Ms. Larson commented on why parking placement and quantity was presented when the idea was to plan communities that are less automobile dependent. She stated that if there were only 20-acre ranchettes, then the aquifer would be recharged and there would not be a water shortage. She stated she would rather have 20-acre ranchettes throughout the state. She stated Martin County had not built anything and has height restrictions, although she stated there are groups trying to eliminate these restrictions. She suggested a charrette for Council to develop regional solutions to the issues.

Mr. Martin questioned whether this type of development would work because with the advent of the automobile neighborhoods are no longer be as reliant on public transportation as they once were. People are now able to travel to shop where they prefer and not as reliant on local merchants. He stated what he sees with new development is the first thing done is to bulldoze all the trees and native vegetation. He stated the trend is to build big roads and malls and then build new ones when those are degraded. He suggested that funding for roads could be better spent looking at public transportation.

In response to Public Comment, Commissioner Coward stated St. Lucie County was fortunate to have gone through the implementation process of what was presented by staff in the County's Towns, Villages and Countryside Ordinance. A planning charrette process led to the adoption of a plan that contained an ambitious component to create a greenway system and water quality enhancements that could not have been achieved with 20-acre sprawl. He stated the County's plan allowed for a broad cross-section of housing types. He stated that the 20-acre ranchette across the state being advocated by the public comment would create the worst kind of sprawl and create more automobile dependence which would then create a need for higher fuel usage, increased carbon emissions and increased cost to local governments for roadway construction. He stated this was in direct contrast to previous statements made by the public.

Commissioner Smith noted for the record there is no intent in Martin County to raise the height restrictions.

Commissioner Koons noted that funding for road building three years ago was \$100 million compared to \$13 million for this year. He stated that two thirds of gas taxes are now going to mass transit.

UPDATE ON AMTRAK/FLORIDA EAST COAST RAILWAY CORRIDOR PROJECT

Chairman Wheeler noted a request from staff to move up Agenda Item 10. There were no objections.

Staff provided an update of activities related to the potential reintroduction of passenger service, in the form of Amtrak, on the Florida East Coast rail corridor. The Florida Department of Transportation (FDOT) submitted a pre-application for project funding from the High Speed Rail/Intercity Passenger Rail program, which is part of the Federal economic stimulus package. Amtrak's board of directors selected the project as one of fifty nationwide for which Amtrak would

officially partner with the project sponsor. Council has received copies of 74 resolutions and letters of support for the project, and, with concurrence from Council, staff indicated efforts would continue towards additional resolutions and letters of support, with a goal of 100 by the October 2, 2009 application deadline. Staff indicated, with Council's continued direction, Council would continue to allocate all available staff resources to continue to assist FDOT and local governments with the project application and implementation. Council concurred, with Commissioner Koons noting the project's success had been helped in great part by Council's active role supporting the project.

Commissioner Koons stated there was much enthusiasm at a recent state rail meeting from a national Amtrak representative with respect to this project. Commissioner Koons credited Council for bringing this project forward for funding consideration.

Commissioner Smith noted that the City of Stuart recently passed a resolution to move forward with an Amtrak station and transit center. He made a motion for Council to send a letter to the City in support of their efforts. Commissioner Koons seconded the motion.

Motion

Commissioner Brown noted the Town of Ocean Ridge had passed a resolution in support of the Amtrak project. He asked staff for a summary of the competition and the reality of obtaining the desired funding. Staff noted there are three projects that have been submitted by the Florida Department of Transportation in this funding category, this one being different from the other applications which involve high-speed rail. Commissioner Brown asked if there is enough money for all the projects. Staff indicated the number of applications submitted was perhaps 300, with perhaps 50-60 now being considered. Staff indicated that support that has been shown for this project is very positive as it communicates to the stakeholders a real interest in the project, which could represent potential ridership. Staff noted other positive aspects of the project include the economic development the construction of the stations will have and the implementation of Community Redevelopment Plans and development of core downtowns.

Vice Mayor Dr. Priore stated that as President of the Florida League of Cities he has taken a very proactive approach in support of this project.

Councilman Lowe announced the City Council of Riviera Beach also adopted the resolution. He asked for an update on the Tri-Rail situation, noting the City would be interested in a stop. Staff noted that one of the components of this project would set up for Tri-Rail extension north to Jupiter. Staff stated there is currently no passenger service at all on the FEC corridor, so this is a very important first step in getting passenger service on the corridor and illustrating how freight and passenger service can co-exist on one track, or multiple tracks, long-term.

Commissioner Solari asked how this project will be funded once the stimulus dollars have been depleted. He stated he would like to see some financial analysis included.

Under Public Comment, Mr. Martin stated he agreed with Commissioner Solari stating there needs to be dedicated funding for the maintenance of this system. He asked for clarification from staff on the planning of two train stations two blocks from each other in Lake Worth. Staff stated that what was envisioned in the overall picture of the larger transit network in Southeast Florida would be both tracks operational with transit; Tri-Rail continuing to operate on the CSX Corridor and some different type of service that would likely operate on the FEC Corridor. The stations would work in

concert with interconnections. Staff stated information could be found on Council's website for this project.

Chairman Wheeler called for a vote on the motion, which carried unanimously.

PALM BEACH COUNTY INTRACOASTAL WATERWAY PLAN PRESENTATION

Chairman Wheeler called for a motion to move the Palm Beach County Intracoastal Waterway Plan Presentation Agenda Item to the September meeting. Councilmember Foley so moved. Mayor Ferreri seconded the motion, which carried unanimously. **Motion**

COUNCIL MEMBER INFORMATION EXCHANGE

None

STAFF COMMENT

None

CHAIRMAN'S COMMENT

None

ADJOURNMENT

There being no further business, Vice Chairman Ferreri adjourned the meeting at 12:14 pm. 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 July 17, 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 <i>Brinkman Joni S.</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Treasure Coast Regional Planning Council</i>
MAILING ADDRESS <i>201 Kex Ct</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 COUNTY <i>Palm Springs FL Palm Beach</i>	NAME OF POLITICAL SUBDIVISION <i>Palm Beach County</i>
DATE ON WHICH VOTE OCCURRED <i>7-17-09</i>	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 Brinkman, hereby disclose that on July 17, 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 (UDKS), 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:

5.C. Ocean Ridge Comp Plan
Amendments DCA 09-1ER
The Town contracted w/UDKS to provide planning services on this amendment (my employer).

7-17-09
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.