

**MINUTES OF THE
TREASURE COAST REGIONAL PLANNING COUNCIL
SEPTEMBER 15, 2006**

Chairman Koons called the meeting to order at 9:40 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: Councilmember Neglia

St. Lucie County: Commissioner Coward
Mayor Minsky

Martin County: Commissioner Valliere
Commissioner Smith
Mayor Caspersen, Alternate

Palm Beach County: Commissioner Koons
Councilmember Newell
Councilmember Brinkman
Mayor Golonka
Commissioner Levinson, Alternate
Mayor Ferreri
Councilmember Dr. Priore
Commissioner Exline
Mayor Jacobson, Alternate

Gubernatorial Appointees: Susan Hershey
Richard Hurley
Herman Baine
Ramon Trias
Daniel Miteff

Ex-Officios: Larry Hymowitz, FDOT
Mary Murphy, FDEP

Council Staff: Marlene Brunot
Michael J. Busha
Marcela Camblor
Kim Delaney
Sandy Gippert
Elizabeth Gulick
Wynsum Hatton
Stephanie Heidt
Terry Hess
Peter G. Merritt
Gregory Vaday

Council Attorney: Roger Saberson

The Executive Director announced a quorum was present.

AGENDA

Commissioner Levinson moved approval of the Agenda. Commissioner Caspersen seconded the motion, which carried unanimously. **Motion**

CONSENT AGENDA

Items on the Consent Agenda were: 4A, Financial Report – July 31, 2006; 4B, Minutes – August 18, 2006; 4C, Boynton Beach Comprehensive Plan Amendments DCA Ref# 06-2; 4D, Greenacres Comprehensive Plan Amendments DCA Ref# 06-2; 4E, Palm Beach County Comprehensive Plan Amendments DCA Ref#06D2; 4F, Port St. Lucie Comprehensive Plan Amendments DCA Ref#06-2; 4G, West Palm Beach Comprehensive Plan Amendments DCA Ref#06-2; and 4H Intergovernmental Coordination and Review Log.

Commissioner Smith moved approval of the Consent Agenda. Councilman Dr. Priore seconded the motion, which carried unanimously. **Motion**

ANNOUNCEMENTS

Staff announced that the kick off presentation for the Urban Redevelopment Area program in Palm Beach County would be at 2:00 p.m. today at the Mounts Botanical Garden Center. Council staff noted that they would be working all week at the Vista Center and invited the board members to attend.

Chairman Koons commented that the Urban Redevelopment Area is a 30 square mile area of Palm Beach County that includes portions of both he and Commissioner Newell's districts. This urban infill project is to address redevelopment needs in the neglected areas that are surrounded by gated communities and development on both the east and west sides. Council will also be working with the owners of the dog track, who own 60 acres in the middle of the Westgate CRA area, and the airport, which owns 200 acres, in the same geographic area. He expressed the importance of focusing on redevelopment, which has become a statewide issue.

Staff reported working with the Martin County Council on Aging in the design of a new multi-purpose, state-of-the-art senior center. The Council on Aging through Representative Joe Negrón, has secured \$5 million for the project. Staff has been assisting the Council on Aging in seeking Department of Elder Affairs approval of the project. On October 16th, Governor Bush will be attending the land dedication ceremony on site, and the Council on Aging invites Council board members to attend the event. Invitations will be forthcoming.

WILSON GROVES ASSESSMENT REPORT

Staff made a presentation to Council outlining the master development plan, key regional issues, and an alternative plan. Staff stated that in its current form, the Wilson Groves DRI could not be determined to be consistent with the Strategic Regional Policy Plan, but could easily be redesigned to be consistent with all elements of the Strategic Regional Policy Plan.

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Staff noted that there was a great opportunity for the City to ensure there is a regular network of streets and blocks, self-contained neighborhoods, mixed-use districts as well as to address all regional issues. Staff indicated that the assessment report provides a strategy to assist the City in furthering the goals and policies in the Strategic Regional Policy Plan, addressing regional issues, and minimizing or eliminating unfavorable impacts on state and regional resources and facilities. The draft report contains 69 recommended conditions of approval that address urban form issues, project-related regional impacts, and the ability of the project to address regional issues. Staff concluded that if the City of Port St. Lucie chooses to approve the Wilson Groves DRI, the conditions of approval contained in Council's DRI Assessment Report should be included in the development order issued by the City.

Commissioner Caspersen inquired if the report indicated the total of the impact fees. Staff pointed out that on page 23 of the DRI report staff has prepared a fiscal impact overview of the project. Staff noted that over the 20 year period the project is projected to have a net benefit to the City of Port St. Lucie. Commissioner Caspersen asked staff to provide him with the detailed analysis which summarizes the fiscal impacts of the project.

Commissioner Levinson stated that the affordable housing recommendations have been the same throughout all of the DRIs and suggested that Council share some of the more recent information and updates with the City.

Mayor Golonka stated that the applicant's Map H shows no indication that there would be any substantial buffer on the west side of the project. Staff noted that Condition 14 addresses that issue. Mayor Golonka inquired if the blue on staff's proposed plan is the drainage system that is linking up projects in the surrounding area. Staff confirmed that it is a conceptual drainage system based on an initial analysis. The purpose is to establish a backbone drainage system that addresses several DRIs in the Western Annexation Area, as opposed to individual lakes on each DRI.

Councilmember Trias inquired if there are criteria or guidelines the applicant must follow when providing the Master Development Plan Map. Staff noted that the Council can only request what is necessary to do the review to measure consistency with the Strategic Regional Policy Plan. The law that the applicant has to follow is the one that is included in Rule 9J-2 and Chapter 380 which provides a formal application that the developer or the applicant has to complete. Staff noted that the rule is very vague and general, but, before the City approves a project of this size, staff strongly recommends the City request a more detailed map.

Commissioner Smith asked staff to develop a consistent recommendation using the best knowledge and practices for addressing and developing a workforce housing plan. Each local government could then use this as a template, making modifications as necessary to enable them to apply a suggested plan to their own jurisdiction. Staff noted again that the Council is limited, to some extent, by the DRI and Safe Harbor rules. Staff added that there is nothing in the statutes that prevents the regional planning council from working with the local government and the investor to come up with an implementation plan for delivering workforce housing that is fair to both the city and the investor. Staff noted that the conditions have indicated five or six key elements that should be included in the developer's workforce housing plan. Chairman Koons suggested utilizing some of the existing HUD studies on a regional basis to define income levels and affordability limits, determine the housing shortfalls, spotlight the problems

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and move forward. He stated that if the problem is not addressed at the regional level, the state will have to mandate what is to be done.

Councilman Dr. Priore stated that as the President of the League of Cities he has been traveling throughout the state and has seen first-hand that this is a statewide issue. He asked if incentives are being applied to the DRIs in the study area.

Council's attorney stated that developing a list of best management practices related to workforce housing would be acceptable as a local recommendation, but in the DRI process there are rules that are adopted by the DCA that Council is required to follow. If the developer follows those rules, then they have met the low and moderate income housing demand for that project. Commissioner Smith stated that he would like to see more detail such as how to execute the program, not just the numbers that are required.

Commissioner Levinson referenced the Housing Leadership Council, which is a private group hired by the Economic Council in Palm Beach County, that is cataloging all of the best practices around the county and creating a check list. He suggested that the Council have a similar list that defines the options so the local governments can determine what will work or not work for them. He stated that the developers will appreciate having help with the administrative functions of developing and administering a workforce housing plan. Staff stated that the recommendation is for the City to work with the developer. Staff noted that the City staff has, on several occasions, approached Council staff for help with issues such as the exploding growth, land values, and infrastructure costs that need to be absorbed by both the private and public sector.

Mayor Minsky expressed that this needs to be looked at on a statewide, rather than a regional basis. He suggested a study be done that incorporates the banking community, as well as state and federal agencies. He noted that without the proper incentives there is no way a developer can exist if they must take a loss or shift the burden for providing workforce housing to the other units.

Councilmember Miteff concurred with the Mayor that studies are necessary. But, if there is an absence of entities such as the economic councils and business groups in the planning, there will be problems with the implementation.

Anne Cox with the City of Port St. Lucie made a presentation to Council which included information and illustrations from the Urban Land Institute report entitled A Comprehensive Development Strategy for Port St. Lucie and Policy Framework for the Annexation Area, aerial photographs, the future land use map of southwestern Port St. Lucie, surrounding uses and the DRI Master Plan.

Councilmember Hershey asked if the 155 acres are designated for public schools. Ms. Cox confirmed that they are. Councilmember Hershey inquired if the school board was in agreement with the terms. Marty Sanders, Executive Director of Growth Management for the St. Lucie County School Board, stated that the school board, the City and the regional planning council have been working together to plan for school needs in the Western Annexation Area. He noted that the City's original annexation agreement indicates that the school sites go directly to the City. Since the school board is charged with providing education, this raised

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concerns. Mr. Sanders noted that the school board has prepared an Interlocal Agreement that would amend that Annexation Agreement so that school sites will go directly to the school board.

William Gray, representing ANSCA Homes and ACR Properties stated that he was available to answer any questions of the board.

Mayor Ferreri expressed a concern that the master plan is so vague that any changes could cause the traffic study and calculations to be meaningless. Staff noted that there are annual monitoring requirements in the assessment report to ensure that all the assumptions and all the promises that the investors and the local governments have made with respect to buildings and roads are still good. Also, with each site plan approval the developer will have to do a trip generation analysis that shows where the trips are going, where they are coming from and what roads they are going to be moving on. Additionally, the statutes help local governments ensure that the impacts that were assessed with the original DRI can be reassessed if in fact there are significant changes to the plan.

Councilman Dr. Priore questioned if the exaction of the 150 acres for University use will have connectivity to the requirements of the other DRIs. He additionally inquired to whom the acres will be conveyed. Ms. Cox stated that the 150 acres are specifically for the Southern Grove DRI. Cheryl Friend from the City of Port St. Lucie stated that the property will be conveyed to the City. She also noted that this is a condition of the annexation agreement. She noted that this was almost excluded from the agreement as there were no universities interested in locating a site in this area.

Councilmember Hershey questioned the status of the reuse water. Ms. Cox stated that the City utilities will definitely be considering reuse with their plants as the DRIs come on line. Ms. Friend stated that there is currently more demand for reuse than availability. Chairman Koons suggested the levels of the lakes adjacent to the well fields will dramatically drop. Ms. Friend stated that all the well fields are deep wells on Reverse Osmosis with only a few shallow wells that are being phased out.

Councilmember Hershey asked if the applicant is proposing using water from the C-23 Canal for irrigation purposes. Ms. Friend confirmed that the applicant is proposing that. Staff noted that there is a condition that requires the project to equip itself with distribution lines for returning that irrigation water, but those lines are only to be used if and when the plant has water to send.

Commissioner Coward stated that he wanted assurance that the developer will pay for the trips from the 17,000 new residents that are impacting county roads. Staff noted that while there is nothing in the recommendations that identifies who pays, the developer has a vested interest in ensuring that the roads are built and maintained in order to proceed with the project. Commissioner Coward noted Condition 23 does have language that states "As a minimum, the developer shall pay a fair share contribution consistent with the road impact fee ordinance of St. Lucie County and/or the City of Port St. Lucie...". He noted that this has been an area of contention between the County and City and he would like assurance that the developer will pay its fair share contribution to any impacts created by the development on county and city

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roads. Staff stated that the City will need to specify in the development order that the developer is required to pay for the impacts whether it is a county or city road.

Commissioner Coward asked what provisions are being made for any mass transportation linkage into this general area. Staff noted that in the suggested master plan there are recommendations to set up an organization and a pattern of development for this site that is able to accept transit.

Commissioner Coward noted that the western greenway in the suggested plan provides a great benefit by incorporating some type of stormwater, water quality enhancement, and really ties into the broader issues occurring in the county and the region. The C-23 Canal on the south boundary of the project is one of the dirtiest waterways currently dumping into the St. Lucie estuary. He noted that the opportunity to work with the South Florida Waste Management District and the Everglades Restoration efforts and actually divert some of that water into that western greenway is a missed opportunity.

Mayor Golonka asked if the City is in agreement with the proposed conditions. Mayor Minsky responded that, in his opinion, these are the recommendations that the staff and the Council will probably be reviewing in the development order. He noted that when the development order comes back to the Council for review, that is when questions will be raised and deficiencies noted. Staff noted that it has been working with the City of Port St. Lucie in all of these DRIs by providing them with the conditions and making adjustments based on City staff comments.

Mayor Ferreri recommended that the City allocate some traffic capacity to the proposed university site so it will meet traffic performance standards in the future.

Commissioner Smith concurred with Commissioner Coward that the City should consider reserving capacity for some kind of public transit.

Clyde Dulin, Martin County Growth Management Department, stated that Martin County has reviewed and are in support of the conditions of approval in the Council staff report. He did note, for clarification purposes, that Range Line Road is referred to as County Road 609 in Martin County.

Mayor Golonka expressed her frustration at having to work within the constraints of the DRI statutes. She stated that as the DRI grows out, it produces certain data that could possibly provide a better plan than originally produced, but the inclination is to stay with the original plan rather than having to go through the process of making a substantial change.

Commissioner Smith moved approval of staff's recommendation which includes the 69 recommendations and the recommended changes. Councilmember Trias seconded the motion, which carried unanimously.

Motion

MANGONIA PARK COMPREHENSIVE PLAN AMENDMENTS

Staff made a presentation on the proposed Comprehensive Plan Amendments which consist of one Future Land Use Map amendment and text amendments to the Future Land Use, Housing and Traffic Circulation Elements. Staff noted concern with one of the text amendments which

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would abandon a segment of Lake Shore Drive, the only public road that accesses the property. Instead of abandoning the street network, staff is suggesting the Town connect the street network. Staff's recommendation is that, although the future land use map amendment and the other amendments are considered consistent with the Strategic Regional Policy Plan, the proposed revision to the Traffic Circulation Element which would abandon that segment of Lake Shore Drive and leave the property accessed only by a private road is not consistent.

Commissioner Coward inquired if there is an incompatibility with the adjacent land uses. Staff did not believe that the proposed land use is incompatible with the area in general, especially given the industrial uses across the railroad tracks to the north and a high density apartment complex to the east. Councilmember Brinkman asked for clarification of the access points to the property. She also inquired if there had been input from the property owners to the south. Staff indicated that the owners to the south were concerned about traffic as well.

Commissioner Newell asked if 45th Street was designated as a CRALLS and if it falls within the one percent de minimus exclusion provision.

Walter Keller, representing the Town of Mangonia Park, stated that 45th Street does have a CRALLS designation that was established for the Jai Alai Fronton in 2000, with a specific peak hour capacity. He noted since the CRALLS was established, the County has revised its capacity calculations utilizing the most recent level of service standards. There is actually more capacity on 45th Street than was calculated at the time of the CRALLS designation. The most recent traffic counts on 45th Street for this area shows that it meets the level of service. He stated that this land use plan amendment project is currently proposed to access Congress Avenue, not 45th Street. The residents of the Town that live in the single family area to the south of this property were concerned about the traffic that this parcel may generate, so that is why the Town has designated it as emergency access only. He concluded that Council's recommendation to look at connectivity will certainly be considered by the Town when it considers the actual adoption of this plan amendment. Commissioner Newell again inquired if this project will not be caught in the de minimus rules that the state has established for roadways of evacuation routes. Mr. Keller replied that the direct access of this property as proposed is not on the evacuation route.

Commissioner Newell requested staff provide an overview to Council at a future meeting of the new rule changes regarding exemption for projects of less than one percent impact and the new state rules that require traffic studies be provided for these, especially if anything is an evacuation route for hurricanes. Staff inquired if there should also be an update on SB360. Commissioner Newell asked for a list of issues that are changing the way governments make decisions. Commissioner Smith suggested each jurisdiction should send comments to the staff to address what their own issues are and have staff provide recommendations to DCA to address these problems.

John Schmidt, agent for the applicant and owner, stated that he was present to answer any questions.

Mayor Ferreri inquired if the access point to Congress Avenue is located at the Columbia Medical traffic signal. Mr. Schmidt confirmed that it is. Mayor Ferrari asked if the owners of the adjoining apartment complex supported this proposed amendment. Mr. Schmidt indicated

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that it is the same property owner. He offered letters from the City of West Palm Beach, which indicate no objections, as well as Palm Beach County Engineering, who, although they do not prefer the access point, are working with the neighbors and the City to come up with the best plan.

Councilmember Brinkman made a motion to approve staff recommendations. Councilman Dr. Priore seconded the motion, which carried unanimously.

Motion

PALM BEACH COUNTY COMPREHENSIVE PLAN AMENDMENTS

Staff made a presentation on the amendments to the Palm Beach County Comprehensive Plan which includes both Future Land Use Atlas and text amendments to several elements and to the map series. Staff noted that there are a number of significant and locally controversial amendments in the transmittal. Staff raised concerns with the three FLUA amendments to the properties on the south side of Northlake Boulevard. Staff is recommending these be found inconsistent with the Strategic Regional Policy Plan. Staff noted that these amendments are in an area characterized by large conservation areas, agricultural uses, and very low density residential uses. Staff referred to special studies that have been prepared to preserve and enhance the character of this area, such as the Western Northlake Corridor Land Use Study prepared in 1998, a joint venture between the County and the Cities of Palm Beach Gardens and West Palm Beach and also the Sector Plan, which covers an extremely large 85 square mile area to the south and west of this area. Staff stated that these amendments are not consistent with the recommendations of these plans and studies and they do not meet the criteria for designation as commercial areas in the County Comprehensive Plan. Additionally, the sites are outside the Urban Service Area and are potentially in conflict with County traffic requirements. Staff expressed concern that these three properties would create a very long commercial strip along Northlake Boulevard. The designations currently are low residential, which staff indicated may not be the best land use designation. If the County is going to do a reevaluation of land uses, then staff is recommending the necessary planning be done first, prior to the land use amendments. Staff also recommended that before adoption of such amendments the Western Northlake Corridor Land Use Study and Sector Plan be revised.

Additionally, staff noted that the Riviera Beach Transportation Concurrency Exception Area amendment, which is basically a promise by the County to provide the adopted level of service to the extent possible on Ocean Drive, would make it difficult for the City to pursue its redevelopment goals. Although staff does not find the amendment to be inconsistent with the Strategic Regional Policy Plan, it is recommended that the County and City try to resolve this matter in a way that allows both to achieve their goals. Staff noted that Council has received a request from the County to utilize the Regional Dispute Resolution Process for this disagreement between the City and the County. Staff concluded that the recommendation is to find the proposed amendments to the County plan consistent with the Strategic Regional Policy Plan, with the exception of the three Future Land Use Atlas Amendments along Northlake Boulevard.

Mr. Robert Nevins and Mr. Gordon Rowse, who had submitted requests to speak, declined to speak stating their comments had already been voiced.

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Chairman Koons noted that these proposals are for a grocery store, a drug store, a small office park, and a government entity that was not identified.

Mayor Ferreri made a motion to approve the staff recommendation. Commissioner Newell seconded the motion, which carried unanimously.

Motion

SOUTH FLORIDA EAST COAST CORRIDOR STUDY – PRESENTATION BY SCOTT SEEBURGER, FLORIDA DEPARTMENT OF TRANSPORTATION

Scott Seeburger, Project Manager for South Florida East Coast Corridor Transit Analysis Study, gave a presentation on the study which addressed the 85 mile stretch of the FEC running through Palm Beach, Broward and Miami-Dade Counties. With an anticipated 50% growth in population and employment in the three county area in the next 25 years, highway capacity is not going to be able to adequately serve that growth with the transit system in place today. The goal of the study is to determine the feasibility of reducing roadway congestion and improving mobility by providing local and regional transit service in the three counties. Mr. Seeburger summarized the Tiered Alternatives Analysis and Environmental Impact Statement Process. He noted that the study is currently in Tier One, which analyzes many alternatives, does qualitative screening and defines Tier Two Study segments. He provided examples of the preliminary alternatives for the varying segments of the corridor as well as preliminary conclusions of elimination of alignment alternatives and a project schedule. He additionally identified how municipalities can help with the study.

Chairman Koons noted the FEC Study has been accelerated on the quickest timeline possible. South Florida has been embracing transit oriented development. Additionally, Dade County has already adopted a ½-cent sales tax; Broward has a one-cent sales tax pending on the November ballot; and Palm Beach County is beginning to focus on transportation corridor strategies. Other financing will include a revisit to the \$2 rental surcharge that was passed in the last legislative session but was vetoed by the Governor.

Chairman Koons also noted that due to right-of-way constraints limit and the reduced ability to continue widening roads; transit, infill and redevelopment will provide the only mechanism to move forward. The state purchased CSX corridor running to Orlando will be problematic for local entities. While the state assisted with the purchase, it will drop its matching funding on the operation of the system. Additional discussions on the FEC are likely before end of the year when the governor leaves, with a likely strategic planning corridor in the Boca/Delray area.

Councilman Dr. Priore indicated he had asked Mr. Seeberger regarding concerns in the western part of the county over east/west movement. After discussions with Mr. Seeburger, Dr. Priore noted the MPO would be the responsible entity regarding east/west travel patterns. Development in St. Lucie County also appears to necessitate additional review of east/west travel patterns. Accordingly, Dr. Priore requested Commissioner Koons, as Palm Beach MPO Chair, work with the MPOs of Martin and St. Lucie County regarding east/west travel patterns.

Chairman Koons suggested the transportation and development patterns of Miami-Dade and Broward counties could provide a forecast of future patterns in Palm Beach County. He noted although “Palm Beach County did not have the nerve or will to (rebuild) Southern Boulevard

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with the possibility of a future rail corridor,” Okeechobee Boulevard could be a future rail corridor, and Southern Boulevard and Belvedere Road will need bus strategies and other improvements to create interconnectivity. Additionally, the three counties are discussing an inland port facility to better utilize existing rail corridors for freight and port interconnectivity. The FEC corridor is also highly prioritized at the state level, and could ultimately provide connections through Martin County northward.

Commissioner Smith indicated that many Martin Countians want rail; however, additional consensus building would be necessary to advance the discussion. He referenced the July 2006 TCRPC-led discussion of future passenger on the FEC corridor through Martin, St. Lucie and Indian River counties. The process to acquire Federal funding adds years – decades – to projects that could be finished within a few years.

Chairman Koons suggested that State could play a more prominent leadership role for funding and planning.

Commissioner Levinson added that the density concerns raised in the discussion of transit were unfounded. Instead of density, the focus should be on building form and appearance. Delray was criticized for increasing the density in its downtown. However, the City has found that downtown residents walk to their destinations, allowing the City to “take trips off the road.” The FEC Corridor offers an attractive opportunity to encourage downtown redevelopment and better interconnect the major downtown hubs in Southeast Florida.

Commissioner Smith indicated the discussions of density are more problematic in Martin County.

Mayor Jacobson concurred with comments regarding the need for improved east/west transportation, especially with regards to moving employees from workforce housing in western Palm Beach County to jobs in the eastern portion. Transit will become more important to employees with increasing fuel costs and cost of living.

Chairman Koons expanded the discussion of workforce housing, suggesting density waivers along major transportation corridors to make them more transit-supportive.

Mayor Golonka commented on the geographic span of the FEC Corridor Study, noting its need to evaluate extending rail transit into Martin County.

Chairman Koons concluded the discussion with a focus on the need for transit funding at the county level. Although the northern counties of the region might be “tempted” to solely fund road infrastructure, the southern counties will need to fund transit to maintain mobility into the future.

COUNCIL MEMBER INFORMATION EXCHANGE

None

PUBLIC COMMENT

None

STAFF COMMENT

Staff noted that the Visions at Indrio DRI Assessment Report will be on the October agenda and the Indiantown DRI Assessment Report will most likely be in November.

CHAIRMAN COMMENT

Chairman Koons said he would like to take a regional look at the “pay and go.” Many of the road networks are regional systems. FDOT would like to take a look at that. Council could comment on the comp plan change objections from DCA. This is very important because all these counties are working to get their ordinances in place. He requested that staff ask the adjacent counties about their progress and if they have any draft ordinances prepared and if they could be shared with us. A regional meeting of county lawyers would be very helpful.

AFFORDABLE HOUSING LEGISLATION – HB1363 SYNOPSIS

This agenda item was moved to the October meeting.

COUNCIL MEMBER INFORMATION EXCHANGE

None.

PUBLIC COMMENT

None.

STAFF COMMENT

None.

CHAIRMAN’S COMMENT

None.

ADJOURNMENT

There being no further business, Chairman Koons adjourned the meeting at 12:00 p.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 September 15, 2006, meeting of the Treasure Coast Regional Planning Council.

Date

Signature