

MINUTES

BROWARD COUNTY PLANNING COUNCIL

October 26, 2017

MEMBERS Mayor Daniel J. Stermer, Chair
PRESENT: Thomas H. DiGiorgio, Jr., Vice Chair
School Board Member Patricia Good, Secretary
Brion Blackwelder
Commissioner Richard Blattner
Commissioner Felicia Brunson
Vice Mayor Angelo Castillo
Mayor Bill Ganz
Commissioner Michelle J. Gomez
Mary D. Graham
Richard Grosso
David Rosenof
Richard Rosenzweig
Mayor Jack Seiler
Commissioner Michael Udine
Commissioner Beverly Williams

MEMBERS Mayor Michael J. Ryan
ABSENT:

Also Barbara Boy, Executive Director
Present: Andy Maurodis, Legal Counsel
Nancy Cavender, The Laws Group

A meeting of the Broward County Planning Council, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 10:00 a.m., Thursday, October 26, 2017.

(The following is a near-verbatim transcript of the meeting.)

CALL TO ORDER:

Chair Daniel Stermer called the meeting to order.

CHAIR STERMER: Good morning, everybody. Ladies and gentlemen, good morning. I'd like to call to order the October 26th, 2017 meeting of the Broward County Planning Council.

PLEDGE OF ALLEGIANCE:

CHAIR STERMER: If we could all please rise for the Pledge of Allegiance, to be led by our attorney, Andy Maurodis.

(THE PLEDGE OF ALLEGIANCE WAS LED BY ANDREW MAURODIS.)

CHAIR STERMER: Thank you. Please be seated.

ROLL CALL:

CHAIR STERMER: Ms. Cavender, if you could please call the roll.

THE REPORTER: Mr. Brion Blackwelder.

MR. BLACKWELDER: Here.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Commissioner Felicia Brunson.

COMMISSIONER BRUNSON: Here.

THE REPORTER: Vice Mayor Angelo Castillo.

VICE MAYOR CASTILLO: Here.

THE REPORTER: Mr. Thomas H. DiGiorgio, Jr.

MR. DIGIORGIO: Here.

THE REPORTER: Mayor Bill Ganz.

MAYOR GANZ: Here.

THE REPORTER: Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Here.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Here.

THE REPORTER: Ms. Mary D. Graham.

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MS. GRAHAM: Here.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: Here.

THE REPORTER: Mr. David Rosenof.

MR. ROSENOF: Here.

THE REPORTER: Mr. Richard Rosenzweig.

MR. ROSENZWEIG: Here.

THE REPORTER: Mayor Michael J. Ryan. Mayor Jack Seiler.

MAYOR SEILER: Here.

THE REPORTER: Commissioner Michael Udine.

COMMISSIONER UDINE: Here.

THE REPORTER: Commissioner Beverly Williams.

COMMISSIONER WILLIAMS: Here.

THE REPORTER: Mayor Daniel J. Stermer, Chair.

CHAIR STERMER: Here. Good morning, everybody.

UNIDENTIFIED SPEAKER: Good morning.

CHAIR STERMER: And thank you all for being here this morning. What I'd like to remind the public, please, if you happen to be carrying cell phones, please put them on silent. And I would remind the members of the Council the same. Thank you in advance for your courtesy.

CONSENT AGENDA

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR OCTOBER 26, 2017

AGENDA ITEM C-2 - OCTOBER 2017 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

AGENDA ITEM C-3

A. APPROVAL OF MINUTES OF SEPTEMBER 28, 2017

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AGENDA ITEM C-4 - EXCUSED ABSENCES

CHAIR STERMER: As we begin this meeting, I'd like to get a motion with regard to the Consent Agenda, Items 1, 2, 3, and 4 on the Consent Agenda, understanding that Mayor Ryan has requested an excused absence.

MS. GOOD: So **moved**.

CHAIR STERMER: Moved by School Board Member Good --

MR. DIGIORGIO: Second.

CHAIR STERMER: -- seconded by Mr. -- Vice Chair DiGiorgio. All those in favor of the Consent Agenda, signify by saying aye. All those opposed? Motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1 - COUNSEL'S REPORT

CHAIR STERMER: We have Item R-1, Counsel's Report. Mr. Maurodis.

MR. MAURODIS: No -- no Counsel Report, Mr. Chair.

AGENDA ITEM R-2 - EXECUTIVE DIRECTOR'S REPORT

CHAIR STERMER: Madam Executive Director, Item R-2, the Executive Director's Report.

MS. BOY: Good morning. Just a couple --

COMMISSIONER BLATTNER: You're not on.

MS. BOY: How about now? How about --

UNIDENTIFIED SPEAKER: Now you're on.

MS. BOY: So there's a delay. Good morning. So we have a couple of quick items. I'm going to start with the non-Planning Council business first.

The Planning Council staff is doing a United Way fund raiser where half the money will go to United Way. It's for the Florida/Florida State game. We're selling spots on the grid. They're \$10 apiece. If you don't have cash with you, I'm happy to cover you. Just let the staff know, and then you'll have to pay me back. So -- but it's a great fund raiser. It's going great. And we'll do another one for the Super Bowl for the Pantry of Broward

at your January meeting. The other items of interest were distributed to you yesterday as part of the additional agenda material.

The first item is your rules of procedure require that you approve any travel outside of the continental United States. And I've been invited by the University of Toronto to participate in a studio program as a jury critic. I participated last year with MIT. You go up for like two nights and you spend the day with the graduate students who will be visiting here in early November. We give them an overview -- we do part of the Land Use Plan as part of the presentation. They go out in the field. They do some site visits, and then all of their projects are focused on Broward County-centric related to sea level rise. So that item is on for -- you know, for requested action --

COMMISSIONER UDINE: **Motion** to approve.

COMMISSIONER GOMEZ: Second.

CHAIR STERMER: Move the Item R-2 with regard to the Executive Director's travel by Commissioner Udine, seconded by Commissioner Gomez. All those in favor, signify by saying aye. All those opposed? That carries unanimously. Represent us well.

MS. BOY: Thank you.

VOTE PASSES UNANIMOUSLY.

VICE MAYOR CASTILLO: I also move to move Florida into the continental United --

(Laughter.)

UNIDENTIFIED SPEAKER: Canada.

VICE MAYOR CASTILLO: -- Canada into the continental United States.

(Laughter.)

MS. BOY: The -- the rules --

UNIDENTIFIED SPEAKER: Let's annex Canada.

MS. BOY: Okay. I'll put that on the next agenda.

CHAIR STERMER: Thank you. Which section of the Land Use Plan would you like that in?

MS. BOY: Regional.

UNIDENTIFIED SPEAKER: Regional.

MS. BOY: The next is a follow up to the Broward Next member comments that were submitted to you in November. As you may recall, Mayor Stermer asked all Planning Council members to submit any comments or proposed changes -- (Cell phone rings.) I'm so sorry.

(Laughter.)

UNIDENTIFIED SPEAKER: Toronto calling.

MS. BOY: So I have emergency call-through for one person, that's my husband, and I told him not to call me this morning. So I'm very sorry.

CHAIR STERMER: Okay.

UNIDENTIFIED SPEAKER: (Inaudible.)

(Laughter.)

MR. UDINE: Did you want to reconfigure that --

MS. BOY: I can't wait to show him the video after this is posted on the internet. I'm -- the red face that I have right now. I'm so very sorry.

(Laughter.)

MS. BOY: The next item -- so Broward Next, the comments, Mayor Stermer had asked you all for any written comments. We received comments. Those were put together in a package in August. At the August meeting, Mayor Stermer asked, as opposed to having a discussion at the meeting, for everyone to submit comments back to me, whether they supported the proposed changes or basically maintaining the plan as it exists today. As of the writing of the document, we received responses from nine members. Essentially, seven members support maintaining the plan as it is, and two members supported the changes. There was -- did seem to be support for strengthening the fracking policy, which was new as part of Broward Next, and I think is especially time -- good timing, as we all just probably read in the paper in the past week about Kanter's continued pursuit of fracking in the Everglades.

So with that, I will leave the discussion to the Chair and the Council.

CHAIR STERMER: We have been trying our hardest through the Executive Director to get responses from all of you. We appreciate the nine of you that have responded, and would ask, if you haven't responded and you'd like to respond, when you're done with this meeting today, please do so. We are honestly trying to get responses from everybody if we can. If not, at some point we're going to say the door's closed and we

got what we got.

We've gotten a -- you know, enough that we have a quorum of folks that have responded, at least nine of us. So if you haven't responded and would like to respond, I am requesting that you please, when you're done here today, go back to wherever you go where -- where your computer is. Pull up the Executive Director's email, and please respond. It's -- Commissioner Castillo.

VICE MAYOR CASTILLO: Yeah, I want to apologize to Commissioner Udine in advance, because I haven't had a chance to discuss this with any of the folks at the County, but it just occurs to me that we should just buy this guy out. And that's it. You know, he can't be that stupid as to want to spend, with gas prices the way they are today, the incredible amount of money that it takes to frack oil out of the Everglades. Quite clearly, he's in the real estate business, and he should just be bought out, and the land should be made part of Everglades National Park.

So I don't know whether or not there's a way to bring this forward at the County level, to get the cities to agree, so that we can petition the state and the federal government to just buy him out, and we'd be done with it. There's about 200 -- my understanding is there's about 200 oil wells in the Everglades right now. Most of them are capped, because it's just too expensive to get to that. Maybe -- maybe the opportunities for buying that land are gone, but, quite clearly, this guy is making -- this guy is making a fuss, and what we should just do is come up with a number and buy him out. That's it.

So I don't know -- I don't know if there's a way to do that, Mr. Chair, or through the County and, together with the cities, just to petition the state and the federal government to buy him out and let's be done with it.

CHAIR STERMER: Understood.

COMMISSIONER UDINE: Isn't there --

CHAIR STERMER: Commissioner Udine.

COMMISSIONER UDINE: -- isn't there money in the Everglades trust, through the state, to buy --

COMMISSIONER BLATTNER: (Inaudible) money, also.

COMMISSIONER UDINE: What? Yeah, there's money in state funds to buy environmentally sensitive land. Maybe that's an area that we can look at --

CHAIR STERMER: Okay.

COMMISSIONER UDINE: -- because I don't think anybody ever wants to see any more drilling in the Everglades, and it doesn't -- it doesn't make financial sense, as Angelo

said. I mean, I would bring that and be supportive of that. I'm the County would be supportive of that, too. There's money in the state trust fund for that.

MR. STERMER: Vice Chair DiGiorgio.

MR. DIGIORGIO: Mr. Chair, is it appropriate now, because I think there is some consensus with this group to add the language that we put in for the fracking --

CHAIR STERMER: There is.

MR. DIGIORGIO: -- to make a **motion** and just add that at this time?

CHAIR STERMER: There is.

MR. DIGIORGIO: If that -- if you --

CHAIR STERMER: That's --

MR. DIGIORGIO: -- so desire (inaudible).

CHAIR STERMER: -- what we have under PH-1 and PH-2 and PH-3, which were approved at the Executive/Trafficways meeting beforehand, PH-2 relates to the issue. Correct me if I'm wrong.

MS. BOY: Well, PH-2 is the corrective amendment --

CHAIR STERMER: Right.

MS. BOY: -- so that was (inaudible). I would say that the -- that you would -- and I'd defer to Andy, but you would need to initiate the amendment to the fracking policy, and then staff would pursue public comment at that point. So it couldn't go as part of the package, because that's truly cleanup information, things that were left out --

CHAIR STERMER: So I'll take that as a motion by the Vice Chair to initiate the change to add fracking. And I presume there's a second by Mr. --

(UNIDENTIFIED SPEAKER): Second.

CHAIR STERMER: -- Grosso. Correct, Mr. Grosso?

MR. GROSSO: I would. I have a question.

CHAIR STERMER: Sure.

MR. GROSSO: Is it not our interpretation right now that the Land Use Plan does not

allow fracking?

MS. BOY: Correct. But your proposal was to strengthen the policy that was adopted into the plan as part of Broward Next. So I was just saying it's timely if we want to -- if the Council wants to consider strengthening the policy, now is the --

CHAIR STERMER: Actually, I'm going to -- with -- with due respect, Madam -- Mr. Vice Chair --

MR. DIGIORGIO: Yes. Second.

CHAIR STERMER: -- there's -- there's a motion by Mr. Grosso, a second by the Vice Chair.

MR. DIGORGIO: Sure.

CHAIR STERMER: It was Mr. Grosso's proposal originally, so we'll give him the courtesy of making the motion to do that. All those in favor of initiating that change, signify by saying aye. All those opposed? The motion carries unanimously, and we'd ask staff to initiate that change in -- through the normal process.

VOTE PASSES UNANIMOUSLY.

MS. BOY: Okay. And the Andy was just reminding me it's in the memo, but all of the comments that we received will be attached to the August --

MR. MAURODIS: Yeah.

MS. BOY: -- minutes, just in perpetuity, because that was part of the discussion, to ensure that it's part of the public record.

CHAIR STERMER: Thank you, Madam Executive Director. Anything else under the Executive Director's Report?

MS. BOY: Yes. I just would like to report on the Public Hearing agenda items. First, as Mayor Stermer mentioned, the combined Land Use/Trafficways and Executive Committee met immediately preceding this meeting. They made recommendations on Item PH-1, which is a trafficways waiver. They recommended staff recommendation, which was for approval of essentially the aerial encroachment on Andrews Avenue, with a further recommendation that the Planning Council initiate a trafficways amendment for that corridor. And we felt like that would really assist the City of Fort Lauderdale, because they are very concerned about piecemeal waivers along the corridor. So if you initiate that amendment, they'll be able to prepare an application and there won't be a fee associated with it. And we would work with them in engineering to make sure that that happened. So that was Item 1.

PH-2 is the corrective amendments. The planning -- the combined committee recommended approval of that.

PH-3 is the revised Administrative Rules Document. So we've taken all this through the public process, and the cities seem supportive. We've addressed any comments that the city has had -- cities have had. So they also recommended approval of that.

Item PH-4, so there are no signed in speakers for Items PH-1 through PH-4 except for applicants and people who want to support the items.

PH-5, we have nine speakers.

CHAIR STERMER: And PH-4?

MS. BOY: PH-4? Oh, sorry. PH-4 is a Land Use Plan amendment in the City of Dania Beach, and that was not considered, but it's the first Public Hearing. Staff recommends approval of that, and there are no speakers on that item, either.

CHAIR STERMER: And the approval is recognizing the voluntary \$500 --

MS. BOY: Amendment.

CHAIR STERMER: -- contribution --

MS. BOY: Yes.

CHAIR STERMER: -- for affordable housing per unit; correct?

MS. BOY: Yes, correct.

CHAIR STERMER: And staff recommends approval of PH-1, PH-2, PH-3, and PH-4, recognizing the voluntary contribution.

PUBLIC HEARING

**AGENDA ITEM PH-1 - WAIVER TO THE BROWARD COUNTY TRAFFICWAYS PLAN
- ANDREWS AVENUE - PCTW 17-1W**

AGENDA ITEM PH-2 - AMENDMENT PCT 18-1

**AGENDA ITEM PH-3 - AMENDMENT TO THE ADMINISTRATIVE RULES
DOCUMENT: BROWARD COUNTY LAND USE PLAN**

AGENDA ITEM PH-4 - AMENDMENT PC 18-1

MAYOR SEILER: Can I **move** those four?

CHAIR STERMER: Moved by Mayor Seiler. Let me just get a second.

UNIDENTIFIED SPEAKER: Second.

COMMISSIONER GOMEZ: Second.

CHAIR STERMER: Seconded by Commissioner Gomez. Commissioner Udine.

COMMISSIONER UDINE: PH-1, I filed Form 8B. I just want to be -- I want to recuse myself and abstain from voting on that. I have -- I serve on a bank board. Two of the applicants on PH-1 also serve on the board with me, and we're all stockholders of a closely held corporation. In an abundance of caution, I want to abstain on PH-1.

CHAIR STERMER: Okay.

MR. MAURODIS: Yeah, this -- this conflict -- I don't know if it is because of the existence of a conflict, but possibly the appearance of a conflict.

CHAIR STERMER: Thank you, Commissioner Udine. Thank you, Mr. Maurodis. There was a motion by Mayor Seiler to approve PH-1 through PH-4, seconded by Commissioner Gomez. School Board Member Good.

MS. GOOD: Do we need to separate PH-1 so that the Commissioner can vote on the remainder?

COMMISSIONER UDINE: If you would, can you separate that so --

MS. GOOD: I'll **move** to separate PH-1.

MAYOR GANZ: Second.

CHAIR STERMER: Moved by School Board Member Good, seconded by Mayor Ganz.

AGENDA ITEM PH-1

CHAIR STERMER: We'll take PH-1. There's a motion by Mayor Seiler and a second by Commissioner Gomez. All those in favor of PH-1, signify by saying aye. All those opposed? Anybody abstaining?

COMMISSIONER UDINE: I abstain.

CHAIR STERMER: The record shall reflect Commissioner Udine has abstained.

VOTE PASSES UNANIMOUSLY WITH COMMISSIONER UDINE ABSTAINING FROM VOTING.

AGENDA ITEMS PH-2, PH-3, AND P-4

CHAIR STERMER: There was a motion by Mayor Seiler and a second by Commissioner Gomez for PH-2, PH-3, and PH-4. Any further discussion? Madam Clerk, please -- is there -- all those in favor, signify by saying aye. All those opposed? PH-2, 3, and 4 carry unanimously. Thank you, all of the applicants and the applicant representatives that are here.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-5 - AMENDMENT PC 18-2

CHAIR STERMER: We're now on PH-5.

MS. BOY: Thank you. Just before we get started on just the staff overview for PH-5, we have ten speakers for this item. It seems about four or -- are behalf -- on behalf of the applicant or city, and five or six are for -- are for residents. The residents that have signed in have asked to speak in a particular order, so I would -- I'm asking for the advice of --

MR. MAURODIS: If it's something you could accommodate.

CHAIR STERMER: If the residents would like to speak in a given order, that's fine.

MS. BOY: Okay. So I have numbers on the cards, so I'll reorder these in just a second.

CHAIR STERMER: Perfect.

MS. BOY: And the other thing is one of the residents that wants to speak, right as the meeting was starting -- excuse me -- I had distributed two videos to you yesterday morning as part of your additional agenda material. One video, I misunderstood. I came to find out this morning they both want to -- one wants to show the video instead of speaking. His video is three minutes.

And the other person wanted to show the video while speaking, and I don't have access to that video, because I did not download the video. So I just want to apologize for making that error, but I know that you all had access to it yesterday.

CHAIR STERMER: I think, through the Executive Director, staff has done their level-headed best to ensure that we were -- we received prior to the meeting, and the applicant, as well as the community were advised to get everything to us by a given timeline so we could view it before the meeting, because we all have, particularly for this item, a significant amount of backup, some of it that arrived yesterday via email, via Dropbox link, as well as other documents. And the -- I think we all -- we'd all have --

rather review it under our own time constraints as compared to doing it sitting here on the dais. So with regard to we have what we have. We have both videos, and they both were provided to the members of the Council in advance. So with that, we'll just proceed.

MS. BOY: Okay. And the one last --

CHAIR STERMER: Yeah.

MS. BOY: -- sorry. The one last thing before I do the overview -- sorry -- is I do need the Council to accept the additional agenda material that was given to you.

CHAIR STERMER: Is there any opposition --

MAYOR SEILER: So **moved**.

COMMISSIONER BRUNSON: Second.

CHAIR STERMER: -- understanding our rules have specific timelines and dates in advance of our meeting of when things to be submitted.

MS. BOY: Thank you.

CHAIR STERMER: We're waiving those rules. And there is a motion by Mayor Seiler, a second by Commissioner Brunson to accept everything as we have pursuant to the Executive Director's request. All those in favor, signify -- Mr. Grosso.

MR. GROSSO: I have a question. Would members of the public have had an opportunity to see those same materials at this late date?

MS. BOY: The additional agenda material was only distributed to you. We can make it available on our website. They were loaded to your Dropbox, and I sent you the links yesterday as part of the material. They don't necessarily have access to Dropbox unless I send them an invitation, but we can find a way to post them, I think, on our website so that they would be available, the video that's not -- that I don't have available today.

CHAIR STERMER: And, Mr. Grosso, I think, just so you are aware, the members of the public that are here and part of this group are the ones that provided us with the video. Just so -- for the clarify of everybody, all of the additional backup we've received have been from members of this Miramar group. So they're all aware of the various pieces of information that they've submitted. Just so you're aware of that.

MR. GROSSO: That's helpful.

CHAIR STERMER: Just so you're aware. Anything further? There was a motion to

accept by Mayor Seiler and a second by Commissioner Brunson. All those in favor, signify by saying aye. All those opposed? That motion carries unanimously. Everything received prior to the meeting, by the deadline --

MS. BOY: Okay.

CHAIR STERMER: -- is received as part of our backup --

MS. BOY: Right.

CHAIR STERMER: -- and will be made part of the record.

VOTE PASSES UNANIMOUSLY.

MS. BOY: Anything that's received subsequent to today will still be worked into reports as it --

CHAIR STERMER: Yeah.

MS. BOY: -- moves forward. If it -- as it moves --

CHAIR STERMER: Absolutely.

MS. BOY: -- forward.

Okay. Thank you. Now on to the overview for PH-5. This is the first of two Public Hearings for the proposed amendment located in the City of Miramar. It's approximately 120 acres, and it's generally located at the southwest corner of Southwest 172nd Avenue and Bass Creek Road.

The proposed change is from an agricultural land use to regular 3.21 residential. It would result in the addition of 337 dwelling units from the 48 dwelling units that are permitted under the agricultural category, for a total of 385. As you see on the -- on the land use map that's on your screens and on the projector, the -- it's surrounded primarily by lower density residential on all sides. Also, there are -- there's a high school located directly to the east. So it's kind of at that -- it's right at the intersection of Bass Creek Road and Southwest 172nd Avenue.

The proposed amendment that you have was recommended for approval by the City of Miramar Planning and Zoning Board at their May 9th meeting, and then by the Miramar City Commission at its June 21st meeting. So the action that the City of Miramar has taken was an approval and to transmit it to you for a Broward County Land Use Plan amendment with a positive recommendation. So that's the action that the city has taken at this point.

Staff review of the proposed amendment finds the following. Sufficient facilities and services available to serve the proposed land use. Regarding transportation and mobility impacts, how the traffic analysis is prepared for long-range Land Use Plan amendments is an estimate for -- an estimate of what the agricultural land use could permit today, which is the 48 dwelling units, to the proposed irregular residential. And so that's where you get the net impact of 337 p.m. peak hour trips. And that's based on calculations and rates from the ITE manual that we use for each amendment. At that point, Planning Council staff has to look at the surrounding roadways, the volumes and capacities that are surrounding, to see if there could be a significant or adverse impact. And with the 337 net trips, it was determined that it needed a long-range transportation model run, which is done by the Metropolitan Planning Organization.

So at that point, we submit the net trips to them, and they use their gravity model to see kind of where they would go and what the impacts would be. The long-range transportation model run indicates significant but not adverse impacts to Southwest 172nd Avenue between Bass Creek and Miramar Parkway, Miramar Parkway between Southwest 160 Avenue and 172nd Avenue, and Miramar Parkway between 172nd Avenue and I-75.

By the roadway capacity analysis that's provided by the MPO, each of those three segments for the long-range 2040 year are estimated to operate at a Level of Service C without or with the trips from the amendment. So including the 337 trips, there's no adverse impact anticipated.

That threshold is adopted into your plan as Policy 2.14.9. It was readopted as part of Broward Next. It was previous policy in the Broward County Land Use Plan, so it's been vetted through the state process and review process also.

Although there are no adverse impacts indicated by the proposed land use change, the applicant has committed to several improvements. Those are at the city level, because many of their analyses at the city level are based on intersection analysis as opposed to the roadway capacity in those lanes. So those are outlined in your report as Attachments 3 and 4 for those improvements.

Regarding school impacts, it's the addition of 157 students to Broward County public schools. All schools that are served by the proposed amendment site are estimated to be under enrolled. In addition, there is sufficient capacity in Planning Area F.

Regarding environmental impacts, we get a review from the Environmental Protection and Growth Management Department for every Land Use Plan amendment. They go through a variety of different things. This site is primarily jurisdictional wetlands. Attachment 10 in your backup is the applicant's on-site ecological evaluation, and it indicates invasive species on site. The Broward County Environmental Protection and Growth Management site has indicated that there are no negative impacts to wetlands anticipated, per their review.

I had a follow up discussion with the department just to get a little bit more information and representation of what that means. And, essentially, without going into too much detail, because it's certainly not my area of expertise, is that the quality of the wetlands that are on site, they were going to ask for wetland mitigation banking, as opposed to on-site mitigation, because of the quality. And that is also my understanding from the County staff the preferred method from the federal government, at this point. So that's an overview of the environmental impacts.

No impacts to historical or cultural resources indicated by the review. Regarding affordable housing, this is subject to Policy 2.16.2, because it is adding more than a hundred new units to the Broward County Land Use Plan. The city has submitted data and analysis regarding its programs and policies, inclusive of the applicant's commitment to pay \$500 per additional dwelling unit beyond the 48 dwelling units permitted by the Broward County Land Use Plan. And County staff has deemed that the information submitted by the city, inclusive of that commitment, meets the policy. In addition -- sorry -- in conclusion, staff finds the amendment supportable, recognizing the voluntary commitment for affordable housing.

With that, I have -- the applicant is going to give an overview, and then we will start with the public speakers.

CHAIR STERMER: Mr. Mele.

MR. MELE: Thank you.

MS. BOY: (Inaudible.)

MR. MELE: Yes, please.

MS. BOY: Sorry.

MR. MELE: It's all right.

MS. BOY: We have a -- we have a lot of presentations on here today.

CHAIR STERMER: I can imagine.

MS. BOY: No, that's not you.

MR. MELE: Yes.

MS. BOY: Yeah.

MR. MELE: That's it. You can go to the next slide.

MS. BOY: Okay.

MR. MELE: Okay.

MS. BOY: Do you want this? Forward --

MR. MELE: Or I can do it this way?

MS. BOY: Yeah, either way.

MR. MELE: I'll do it this way. Thank you. Dennis Mele, 200 East Broward Boulevard on behalf of the application. I appreciate the time to make a presentation. So you see our site in the middle of this slide, surrounded by a yellow line. And you see the developments around us. The reason we have this up here is we've been meeting with a number of the neighborhood residents' groups, both at City Hall at one of the city's community buildings, and also in some of the clubhouses for the HOAs around us.

Most recently, we -- I know there's a -- an exhibit that shows all the meetings we've had. We had another one Tuesday night at Nautica, which is just to the northeast of us. The reason this slide is up here is every one of the developments that you see labeled on this slide, other than Harbor Lake, which is in the extreme upper left, all went through the exact same process we're going through now. All of them had the same agricultural land use we have now. So the only difference is we're coming in later than everyone else.

You see that this is an in-fill development. Everything around us on all four sides is already developed. The site -- this site currently has the AM radio towers for the Univision Radio Network on it. If you've been out to that area, you'll see those towers are very tall. You can see them from a long distance away. Univision has decided to move those towers into Miami-Dade County. They put this property up for sale, and my clients, Lennar Homes and CC Homes, are purchasing the property and are proposing to develop only single-family homes on the property.

Now, a number of the developments around us have single family homes, have town homes. Some of them even have apartments. In fact, the development just east of us that shows up as 3.06 units per acre on the map, that's a dash line development, and that has 373 acres of commercial and industrial property in it. So you take that 373 acres, you multiply it by 3.06, and that's how many more homes they got out of it. I'm only pointing that out because if you see us at 3.21 and you see them at 3.06, it looks like our density's higher. It's actually much lower, because they're including 373 acres of industrial and commercial property times 3.06 to get that density. I've got some maps in a minute that'll show you that in a little bit more detail.

So this is our proposed site plan. Obviously, we're not at a site plan level yet. But when

we have discussions with people about land use, they want to say, well, what are you going to build? Show me what you're going to build. So at the top is Bass Creek Road. I know it says Northwest 32nd Court. That's the Google Map thing where they give you names of streets that nobody's ever heard of, but it's actually Bass Creek Road. And on our --

MAYOR SEILER: It says Southwest 37th Court.

MR. MELE: Southwest 37th Court, but it's actually Bass Creek Road is the name everyone knows it by. The road currently doesn't exist, but we will be building it. We'll show that in a little bit more detail later on. Bass Creek Road is actually a road that goes over I-75. There's an overpass there. You've probably driven under it and not really recognized it, because it's just between the Dade County line and Miramar Parkway. So there's a missing link of Bass Creek Road, which is this link that we would be building between 172nd Avenue and 184th Avenue.

It will give a -- another way to get over I-75 besides Pines Boulevard, besides Miramar Parkway, besides the recently opened Pembroke Road. This will be the fourth road that will be able to take you over I-75. Of course, you can't get on I-75 at Bass Creek Road. It's an overpass, not an interchange.

So our main entrance to our property is on Bass Creek Road at the top center of the drawing. Our secondary entrance is on 172nd Avenue. And the -- that entrance on 172nd Avenue lines up with an intersection to the east. I'm going to introduce our environmental consultant in a minute, Jim Goldasich, but before I do, Jim has been a consultant in this business for many years. In fact, when Broward County switched from what was called EQCB to the what was then called DNRP, and now, after many changes, is now called, I think, EDP, Jim was the head of the County's Biological Resources Division when the County's wetland code was rewritten.

Now, the reason I'm asking Jim to come up is I know that in the volume of materials that you've received from third parties, there's been a claim that this is a pristine wetland. It is anything but. The property is covered with Melaleuca trees. The only place that the Melaleuca trees are not growing is underneath the guy wires for the radio towers, because they have to keep those clear in case maintenance is necessary. So, Jim, if you could just come up and give us a little bit of an overview. And, Mayor, I may ask Jim a couple of questions just to make sure we get --

CHAIR STERMER: Feel free.

MR. MELE: -- all the information out.

CHAIR STERMER: Yes, sir.

MR. GOLDASICH: Thank you, Dennis. As Dennis said, Jim Goldasich, owner of

Goldasich and Associates. We have offices in Boca Raton and Wellington, Florida. So I've been on the site, the actual site, working on it since 2013, probably 30 to 40 times, over 250 hours of staff time spent on the property. And, as Dennis said, it's all -- all Melaleuca, very, very dense Melaleuca on the site. And even the areas that had -- previously had some sawgrass growing in them, because of maintenance, that has more or less been encroached by Melaleuca because of maintenance; because I think the company knows they're selling it, they've reduced on the maintenance, and the Melaleuca are starting to crop up there and overtake the sawgrass.

MR. MELE: So, Jim, with the maintenance that had been under those guy wires I was talking about?

MR. GOLDASICH: Yeah, they did that probably to keep the trees from growing up onto the support wires for the -- for the towers. So we've -- we've done wildlife assessments. All of our work on the site has been daylight hours, but we've been there in all seasons of the year since 2013, and we've been there in pretty much all weather conditions. But all daylight.

And wildlife use is very low. There's no ponds or surface waters to encourage wading bird use. Fur bearers have been limited really to sightings of racoon and racoon tracks by -- we've seen some deer tracks, actually, up on the northern end at Bass Creek Road. It's constructed, but it's overgrown by Brazilian pepper, and there's some deer tracks up there next to a lake. Other than that, the site is pretty denuded of wildlife, as well.

MR. MELE: Jim, at previous hearings, people have said that we have Key deer on the site. Is that correct?

MR. GOLDASICH: No. No. The -- the deer tracks that I've seen would be White-tail deer. Key deer are found one place and one place only, that's in the Florida Keys on Big Pine Key and No Name Key. It's a hundred miles to the south on the other side of Florida Bay. So no Key deer. No wood storks on the site. Wood storks have to feed in open water. We have no open water on the site. And they would not be able to fly through this site because of the dense Melaleuca. Their wing span is five to six feet. The Melaleuca, you have to basically walk sideways through them sometimes, they're so tight.

MR. MELE: Jim, any endangered or threatened species on the property?

MR. GOLDASICH: We have seen no threatened or endangered species on the site.

MR. MELE: Now, at prior hearings, we were shown pictures of alligators and birds that appeared to be from some other property. Is that your understanding?

MR. GOLDASICH: Yes. And in reviewing some of the reports that are part of the

backup, they had photographs of both wood stork and alligators and other wading birds. They're next to lakes. So I don't know where they were taken. They weren't taken on this site. We don't have any lakes on the site. No ponds, no surface waters.

MR. MELE: All right, Jim. Thank you. We'll all be here for any questions. Besides myself, we'll have our traffic engineer, as well, in a moment. And I know that we're covering things that you might wonder why, but we've had a number of meetings and a number of hearings already, so I felt that we might as well just put the information out there now; it's probably the best way.

Although the -- your report shows that we have no transportation improvements required, because we have no roads that have an unacceptable Level of Service where we have more than three percent of the volume -- or three percent of the capacity. The City of Miramar has asked us to make a number of road improvements, all of which we have committed to to the city, and which we are committing to here. And we know that when we commit to a road improvement, it generates a restrictive covenant that we have to record, and we're more than willing to do so. We're going to do it for Miramar. We might as well do it for the County, too. I'd like to introduce Joaquin Vargas, our Traffic Engineer, who will walk us through those improvements.

CHAIR STERMER: Mr. Vargas, one second, please. Sir, if you have a question, we have sign-in cards, and you'll be permitted to speak or you -- Mr. Vargas, take a step to your left.

MR. VERMONT: Just -- just one second, sir. Excuse me very much. I --

CHAIR STERMER: Sir, no, no, no. This --

MR. VERMONT: -- have a question for Jim (inaudible).

CHAIR STERMER: -- sir, excuse -- excuse me. Excuse me. This is -- we have a process we go through. We take testimony. We hear from staff, as we did. We hear from the applicant. We're going to hear from the public. You'll be permitted to speak. That's how this hearing goes. Questions, there've been hearings in the City of Miramar on at least two occasions. There will be more hearings in the City of Miramar. And then the Council asks questions. That's the process we go through. It's not the public's opportunity to question the applicant here. Mr. Vargas.

MR. VARGAS: Thank you, Mayor and members of the Planning Council. For the record, my name is Joaquin Vargas, Traffic Engineer with Traf Tech Engineering. I have a series of slides. The first couple of slides are word slides. I'm not going to spend too much time, because I do have a graphic that will illustrate these things better.

These are improvements that are currently ongoing. Many of you are very familiar with them. We have I-75 improvements that are ongoing; Pembroke Road Overpass, which

was opened last year; Miramar Parkway interchange improvements. And I have a couple slides that elaborate a little bit more on these.

These are improvements that are currently being done by public agencies. These are improvements that have been committed by this development, Bass Creek Road improvements. And I have a slide on that. We have a roundabout. We have additional turn lanes, and I'll talk a little bit about, at the end, about the benefits of all of these improvements.

This is a graphic. You'll see the site there in the center middle. It says site. That's where the -- the -- the project site is located. And you see these -- these red boxes. I know it's a little bit hard to read. To the north, that is the Pembroke Road Overpass improvement, which was built last year. I think it was September. Then you have that center red box to the right. That is Miramar Interchange improvements with I-75. There are major ramp improvements currently under construction. Some of those have already been completed, but traffic is still not flowing properly because of all the construction on I-75. And then I-75, they're building express lanes. They're adding additional lanes, and I have another slide that illustrates that a little bit more in more detail.

As Mr. Mele said, these are improvements that we have committed as part of this development. The -- the red dash line, this is Bass Creek Road, which currently does not exist between 184th on the west and 172nd on the east. That will provide another east/west mobility route for this area. So residences will benefit from it. Currently, anybody that wants to go east if forced to go to Miramar Parkway to the north, which we know is congested because of the I-75 improvements, and also further north on Pembroke Road. With this connection, they'll provide that additional east/west mobility.

You'll see there, next to the site, a little circle. There is a school on the southeast corner of that intersection. There are deficiencies, especially in the morning. With this traffic circle, we have agreed in working with the City of Miramar, this traffic circle, not only will it improve the Level of Service of that intersection from an unacceptable, today it's unacceptable, to an acceptable condition with our project in place. So we're making things better than they are today with our project and that improvement.

Without the need of these improvements, we also agreed in working with the city and the city's consultant, you'll see a little right arrow there, an additional southbound right turn lane. The analysis clearly showed we didn't need that. They asked for us, we agreed to it. We also agreed -- and you'll see a little red line on 172nd Avenue. 172nd Avenue is a four-lane road from Miramar Parkway further to the south. But just before it gets to that intersection where we're implementing the traffic circle, it merges to a two-lane section. And the city wanted us to continue that four-lane section through that traffic circle for better traffic flow, making things even better. We have agreed to that.

MR. MELE: Joaquin, could I just ask you a quick question about the traffic circle? Has it been sized to carry fire trucks, buses, trucks, et cetera? They can get around that

circle?

MR. VARGAS: Yes. Our civil engineer looked at the current right of way. It can be implemented within the right of way for -- for proper functioning, and also to allow emergency vehicles, fire trucks, there is a software that we use that do the turning radius for those vehicles, and it can accommodate all of those vehicles within that circle. This is an additional improvement. We had talked to the city. Because of the Pembroke Road Overpass, there was no need to do any improvements at Miramar Parkway and 160th.

At the request of the City of Miramar, we had agreed to implement an additional northbound to east -- eastbound right turn lane at Miramar and 160th Avenue. Currently, there's one lane. We're providing a second lane. In addition to that, we're doing some signalization changes, what we call a right turn overlap. You see that little symbol at the top that has that yellow right arrow, yellow green arrow? That is when the Miramar Parkway left turn movements are going. You can have a red turn arrow that flushes traffic even quicker through that area.

I have two more slides. This is a Google image. This is Miramar Parkway just south -- this is I-75 just south of Miramar Parkway, before construction. We currently have four southbound lanes on I-75 -- that was before construction -- and one lane from the ramp that came from Miramar Parkway. It's important to note that the Miramar Parkway ramp before was two lanes, and then it merged to one lane before entering I-75. So imagine. Merge creates some -- some disruption to traffic in addition to the backup of I-75. So this -- this is a -- the -- the previous condition.

This is the -- the approved plan from the state. I know it's a little busy, but the point is we're adding two southbound express lanes. We maintained the four southbound lanes on I-75, and that one lane ramp, no need to have the merge and continuing to southbound I-75. I think the key point here is if you see at the top, before, we had a total of five lanes. After the improvements, we're going to have eight lanes. Almost double. Eliminating all of the congestion that we have out there.

One final point. Based on Florida Department of Transportation Broward County records -- these are not my numbers -- all of these improvements, in combination with the improvements that we have agreed as part of this development, we're adding over 18,000 additional peak hour trips to this area. 18,000 peak hour trips.

Our development -- and you heard from staff, this development is creating 337. In working with the city, we were a little bit more conservative. Our numbers were 385. Kind of in the ball park. But think about it. 18,000 vehicles per hour of additional benefits, we're only adding 337 or 385. A significant, significant benefit to this area, and our impacts are minimal. With that, I'll turn it over back to Dennis.

CHAIR STERMER: Thank you, Mr. Vargas. Mr. Mele.

MR. MELE: Thank you. The next question that always comes up is when are the improvements going to be done, and when are the houses going to be built? So that's what this slide is designed to show. So first of all, I know there's a footnote that you can't see right now, but it says, all of the developer's improvements will be completed prior to the first Certificate of Occupancy. So these are all the improvements that are going to be done by the state or the County that are shown here.

There's no timeline shown for us, because we have an absolute requirement that, prior to the first person moving into the first house, all of our improvements will be done. That includes Bass Creek Road, the traffic circle, the turn lanes, the traffic signal changes, all of those things. So Pembroke Road Overpass was completed in September of last year. The Miramar Parkway ramp is -- they tell us that -- DOT tells us that the ramp is actually done, but they haven't opened it yet because the receiving lanes on I-75 that would take that ramp are not finished yet. But all the I-75 work will be done by the end of 2019.

Our first, if -- all we are at right now is the beginning of our land use amendment process. We're going to have -- when this is done, we're going to have to rezone, plat, and site plan. So by the time -- and get building permits, obviously, and start building a house. So our first home will not be in the ground until approximately the middle of 2019. And then it'll take us about three years to build out. So our point here is that all of these improvements will be done before the first house is occupied on this development.

Okay. The land use map. When you look at this map, you say, well, you're going for 3.21, what do you have around you. So I want to talk about that for a minute. So north of us, we have three units per acre. East of us, it says 3.06. You see that. That development that has the 3.06 is this dash line. If you know that area, it includes all four corners of the I-75/Miramar Parkway Interchange.

So if you know the office buildings that are at the southeast quadrant, they're included in that calculation. If you know the big Home Depot shopping center and the big industrial park north of it, where the water tank is, that's included.

So, as I said earlier, 373 acres of non-residential property, of commercial and industrial property, are counted in that 3.06. So they added 1141 units by counting that land. That's -- that's one of the vagaries of this dash line development scenario. Now, we have an irregular density of 3.21. The only reason it's irregular is it's not a round number. But we're not including anything except residential land in ours. We're not adding those 1141 units like they did next door. So I wanted to point that out.

I have another slide in a minute that'll show you how all this breaks down. But the bottom line is we're building only single-family homes, and our lot sizes are the same as the lot sizes around us. In fact, there are many lot sizes smaller than us. There are many town homes around us, and even apartments and condominiums, multi-family,

that we do not have. The previous slide was the current land use designation. This is showing you the proposed. But everything else around us is still the same, of course.

So what we actually did here, because, again, when we were having our meetings in Miramar, people said, well, what are you building? We said single-family homes. What are your lot sizes? We told them what they were. What are your zoning districts, because we're standard zoning districts in Miramar? We're not doing any kind of unusual lots or any variances. They said, well, how does it compare to what have -- what you have around us?

So when you look at this graphic, the smaller the number, the more dense the property. I know it seems unusual, but this is actually telling you the average square footage per lot or per home. So you see in the upper left -- upper right, you have Silver Shores at 6300. You have Silver Isles at 6900. You have the combination of Rivera Isles, County Lakes West, Huntington at 5800. That's the 3.06 with the 373 acres of industrial and commercial. You have Nautica at 5600. So all of those are more dense than we are. Then you have us in the middle at 7165. And then you have -- oh, I'm sorry. Silver Lakes also more dense than we are at 6449. And then you have the ones that are less dense than we are. Sunset Falls, Sunset Lakes, and Harbor Lakes.

So we're right in the middle, and we're right in the middle of the densities in this area in terms of the amount of property associated with each house. And so that's one of the reasons -- I know this is our graphic, not the staff's -- but the staff has told you we are compatible with our neighbors. That's why I'm showing this, because we are right in the middle of this whole area, and we're right in the middle in terms of density.

Now, why do we have the controversy we do? We have the controversy we do because we're the last ones in. I mean, this is clearly an in-fill development. Everything around it is already built. We're the last piece west of I-75 in the City of Miramar. And if we'd have come in years ago when all the others were being built, it might have been a little easier. Although I will tell you, I worked on every one of the developments that's shown on this screen except for Silver Lakes, and when the first one came in, we had no problems. When the second one came in, the people from the first one came out and said we don't want it. When the third one came in, the people from the first two came out, and so on. It has been a number of years since the last home was built in this area before us, but I don't think that the timing makes a difference.

You've been told that the roads are working properly, that the levels of service are accurate, that they're not over capacity, or, if they are, we generate less than three percent of the capacity, which is your rule. You've been told that the schools have adequate capacity, all three of the schools that are currently boundared -- that we are boundared into have capacity, not only now, but into the future. That's in the School Board report. Now, I will tell you that, at many of the meetings, we've heard from residents that they think the schools are overcrowded. I will tell you that almost every land use amendment I've worked on for residential property in this County, I hear that

every time. I don't produce the numbers. The School Board does. But I find that generally they turn out to be pretty accurate. I know the School Board is redoing their student generation rates now. They do a study fairly frequently, and they're generally borne out to be pretty accurate.

So having said that, if you have any questions, I'll be happy to answer them. And our -- Joaquin and Jim will be here, too, if you need -- you have questions for them. And, at -- at the end of the public comment, I'd (inaudible) like the opportunity to respond as appropriate. Thank you.

CHAIR STERMER: Yes, Mr. Mele. Mayor Seiler.

MAYOR SEILER: Just one quick question. You talked about that footnote that we couldn't see on the screen. Is that a condition of the approval from Miramar?

MR. MELE: Yes. And, actually -- yes, it is a condition of approval from Miramar.

MAYOR SEILER: Okay. So Miramar, what was cut off here, Miramar put in their approval process that you had to have all of your improvements done before --

MR. MELE: The first C.O.

MAYOR SEILER: -- the first Certificate of Occupancy was issued.

MR. MELE: That's correct.

MAYOR SEILER: Okay. Thank you.

MR. MELE: And we would have no objection to that being a condition here, as well.

MAYOR SEILER: Thank you.

CHAIR STERMER: Thank you. Madam Executive Director.

MS. BOY: Oh, so I have the City of Miramar residents one through five. I reordered the sign-in cards. So the first speaker will be Judy Jawer, followed by Christine Lambert, followed by Zane Tavana, followed by Nicholas Vermont, and then their final speaker will be Jaime Dagnino. And let me just assist if you -- do you have some presentation?

MS. JAWER: No, I do not.

MS. BOY: Okay.

MS. JAWER: Thank you.

MS. BOY: So let me just clear this.

MS. JAWER: Okay.

MS. BOY: So that we're --

MS. JAWER: Thanks.

MS. BOY: Sorry.

MS. JAWER: Sure. I'll take advantage of this. I'm Judy Jawer, 3120 Southwest 187th Terrace in Miramar. I want to thank you all very much for having us here today. Good morning, Mr. Chairman of the Council, Vice Chairman, and the other Council members. I represent the Miramar Citizens Coalition, Incorporated. We're a 501(c)(4) corporation, which is a non-profit that's dedicated to social welfare issues. And our mission is to advocate for the purpose of preserving and enhancing the quality of life for the citizens of Miramar.

We are extremely totally opposed to this Lennar development. It is true, these are the last ones in. What we're talking about here is 128 acres, the last wetlands in Miramar. As many of you know who are involved in environmental issues, wetlands can be extremely important in terms of giving back for -- for oxygen, absorbing rainwater, et cetera.

We understand there's current zoning for 48 homes. If we needed to have some development, if that has to happen, 48 homes could be acceptable. We really cannot absorb the additional traffic and congestion of 385 homes. We are in pain in Miramar. Regardless of what the County traffic study showed, it is a very difficult experience for people commuting in the morning from the west to go to I-75. The backups are horrible. And it's not because of the work that's being done on I-75 right now or on Miramar Parkway. It has been this way. The last ones in, everyone else is already there. There is a lot of congestion. You've seen the map. We don't need to have that much more congestion.

As -- as I say, if we have to have 48 homes, okay. It would at least preserve some of that wetland area, as well. Also the fact that this is being built, potentially, right by 4,000 students. Not just the high school, but also the middle school are right there on Bass Creek Road. 4,000 students who would be subjected to silica dust on a regular basis, to trucks going through the area, to noise. And a lot of these students spend a lot of their day outside. This is extremely dangerous to our children. And with all the additional traffic, with the kids wearing their headphones going to school in the morning or leaving in the afternoon, we could really be asking for major trouble.

This is not something we want or need in our community. Now, you will be hearing from some other folks who also represent the Miramar Citizens Coalition. You will be hearing

about some unsolicited comments on a networking site that we have in our -- in our area --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. JAWER: -- where people gave their heartfelt impressions about how horrible the traffic is now. Forget about future. Now. You'll hear some of that. You'll also hear from our traffic engineer, who will reference a study done by Lennar, which does indicate an LOSF condition, not just now, but in 2020, after a lot of the improvements have been made.

Not acceptable. Not acceptable to add to an LOSF with additional traffic. And you will hear from another individual talking about the impact to our school children, and also our wildlife. We're going to be talking about that, as well. So I ask you please do not approve this. This is not something we want or need for Miramar. Thank you.

CHAIR STERMER: Thank you, Ms. Jawer. Appreciate it.

MS. BOY: The next speaker is Christine Lambert, followed by Zane Tavana, followed by Nicholas Vermont, followed by Jaime Dagnino. Do you have (inaudible)?

MS. LAMBERT: Yes, I do.

MS. BOY: Okay. Okay.

MS. LAMBERT: Mine was the traffic one.

MS. BOY: Yours is the traffic one.

MS. LAMBERT: All the comments on traffic.

MS. BOY: This one?

MS. LAMBERT: Yeah.

MS. BOY: Okay. And you can either use this button or that.

MS. LAMBERT: Okay. Thank you.

CHAIR STERMER: Good morning, Ms. Lambert.

MS. LAMBERT: Good morning, gentlemen and ladies. Thank you for taking the time to listen to us. I am Christine Lambert, also a member of the Miramar Citizens Coalition. And we just want to take -- to give you some input from other residents that could not be here.

We are addressing the traffic on west and near I-75 Parkway. You'll see from the map, clearly, they are the last -- where -- how'd they call it -- the last part -- person to the ball or whatever. But this land is a -- a priority to us in that we have traffic issues, and we live it every single day. A personal story is my husband used to work in Aventura. His commute was an hour and -- hour and 15 minutes to two hours. Because of the stress, and mostly the traffic, he had some health issues. Fortunately, once he's quit -- once he left that position, he no longer has to do that traffic drive. And, fortunately, his health has made a hundred and eighty degree turn.

But this is the traffic that we live in now, today. And road improvements tomorrow and adding another 385 homes to this area is literally killing us. Literally. So to add any more in any aspect -- 48 homes, we can live with. But 380, we can't. We are so fed up and so frustrated because nobody is paying attention to us. I know you have your checkboxes and your little boxes that make it all fine and wonderful, but it's something that we have to live with.

Sorry. But just going through -- it's not just me. It's not just my family that are affected by this. You'll see the comments on this slide show from a lot of different residents. One of them, here -- you know, here we go again. Third day of school, it's taken more than 30 minutes from her (inaudible) Isles to just get to Miramar Parkway. The quality of life, this is not a quality of life. What will the -- what will -- with the biggest mall in the Universe takes root on I -- next to I-75. The quality of life will be redefined for all of us. Commuting to solutions -- commuting solutions will need to include a personal helicopter, a jetpack, or teleportation.

This is the level of frustration that we have. No prior planning on behalf of city planners. There are only two ways to go south in western Miramar. One is I-75 and the other's Flamingo Road. You can count -- excuse me. I'm trying to go as we go through here. You can count on Red Road, but that does not solve anyone west of I-75. The morning traffic, these are just pictures that --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. LAMBERT: -- someone has provided. Another comment. In -- you can read these. There are several of them. Unfortunately, the DOT -- the FDOT and its traffic engineers don't have the insight and capability of creating the traffic intersections properly. Whatever metrics you guys are using now for traffic don't work. We live it. This is reality for us. And you're dealing with our lives. You have the power. The end.

CHAIR STERMER: Thank you, Ms. Lambert. Appreciate it.

(Applause.)

CHAIR STERMER: Ladies and gentlemen, please, that's not what we do in this

chamber.

MS. BOY: Zane Tavana, followed by Nicholas Vermont, followed by Jaime Dagnino. And the remainder of the speakers after that are for questions only from the city or on behalf of the applicant.

CHAIR STERMER: And I appreciate it. And just so the residents are aware, School Board Member Good is running a clock, and I'm extending you the courtesy, understanding five of you have signed up, for an additional few minutes, because the last thing any of us want is to have any member of the public say they weren't permitted, on behalf of whatever the group is, to say -- to be heard. I think you know whether you like it or not.

The Executive Director has worked her hardest to accept everything you've wanted to submit for this hearing so it's part of the record. And I can tell you the members of this Council are studious in what they do before they get here, so they've looked at what you've submitted. So what I'm suggesting to you is while we're extending you the courtesy, and I appreciate everyone not using the full allotment of the second amount of time, that please be mindful that we've had all of this stuff and everyone has done their homework before they got here. Mr. Tavana.

MR. TAVANA: Thank you so much, Mr. Chair. And thank you so much for, you know, (inaudible). Thank you. My name is Hossein Tavana. I live at 3672 Southwest 163rd Avenue. I hold a Ph.D. in transportation engineering, and I'm a licensed professional engineer in the State of Texas. I'm also one of the co-founders of Miramar Citizens Coalition.

In regard to transportation study, there are many discrepancies in the analysis conducted by the MPO. Here I present a few examples. The County report states that Miramar Parkway between Dykes Road and I-75 operates at Level of Service C, while the actual measurements reported by the developer itself shows that it is currently at Level of Service D, and, by 2020, it will operate at Level of Service F.

It should also be noted -- I think this is very important -- that Miramar Parkway is a divided roadway. For a divided roadway, capacities, traffic volumes, and Level of Service during peak hours should be measured for each direction separately. Here we see that there are six lanes. Putting two directions together for peak hour analysis is a major violation of established traffic engineering principles and practice. To be preemptive, you might hear later that this is the process that has always been used. This argument does not justify if something has been done incorrectly.

In the interest of time, I'll just skip this example showing that Level Service are -- in many sections, are E, F, and they're not acceptable. And this was the existing. This is future, and this is -- these are at intersections. These are what we experience still as shown by the developer itself. To examine Lennar's traffic study, the City of Miramar

hand-picked the consulting engineer firm, namely Kimley-Horn, which happens to not only have a very close relationship with Lennar, but in many projects they have been Lennar's consulting firm, you can see here, as a part of the team.

There's another one that they worked together. They working on ten of -- ten of them. I'm just showing two. So we do not believe the examination of the traffic studies by the consultant has been very objective, to say the least. After repeated objection by the residents, the city added Condition 9, that the compliance with the levels of service in the impacted area will be coordinated with Broward County. However, all our requests that the Broward County -- County Traffic Engineering Department should examine the report and verify the required mitigations have been fruitless so far.

We also repeated here that if an existing Level of Service is E or F, and if, with the project, the -- it remains at the same Level of Service, no mitigation is required. Here are some excerpts from the City of Miramar Comprehensive Plan. It clearly states if a new development places any trip on over capacity links, certain conditions should be met. It does not say only if the level -- Level of Service changes. It further states that the developer is required to have an enforceable development agreement before the permit is issued.

The city not only has delegated the required mitigation to Lennar, but also has postponed the verification of Level of Service at key critical points like Miramar and Dykes Road to the issuance of Certificate of Occupancy. We believe it is the responsibility of the County to make sure that the major reconstruction requirements, especially at the intersection of Miramar Parkway and Dykes Road, are specified now so we know who is going to pay. Is the County and the city, i.e., that is, taxpayers, or the developer?

So because of all these issues, we urge the Planning Council either to deny this application or demand that these discrepancies be investigated and the violations be rectified before the application is presented to the Commissioners for their votes. Thank you.

CHAIR STERMER: Thank you, Mr. Tavana.

MR. TAVANA: This is what we expect every day.

CHAIR STERMER: Thank you. Appreciate it.

MR. TAVANA: Appreciate the time.

CHAIR STERMER: Thank you, sir.

MS. BOY: Nicholas Vermont, followed by Jaime Dagnino. And Mr. Vermont, I believe, is going to show a video instead of speaking or --

MR. VERMONT: Can I just introduce myself?

MS. BOY: Yeah, of course. I just meant that that's what you're -- so Pete's getting the video set up.

MR. VERMONT: It just started. May I just speak --

UNIDENTIFIED SPEAKER: Oh, yeah.

(Video playing.)

UNIDENTIFIED SPEAKER: There you go.

MR. VERMONT: I'll never get the slider back to the beginning. I think this works like mine. Yeah, Windows Media Player. First of all, my name is Nicholas Vermont. And I want to apologize, Mr. Mayor, and to the rest of the board for trying to ask a question in the middle of another presentation.

CHAIR STERMER: It's okay.

MR. VERMONT: And I also want to thank you for letting me speak today. And I especially want to thank Mrs. Blake Boy for taking the time to make sure that my video was made public to you. My video is three minutes. And the reason that I'm -- I'm here introducing myself is because I want to tell you that I speak for the children. I'm a former educator with almost 40 years of experience in elementary and middle school.

Since I retired and moved here to Florida, I've spent most of my days for the last six years volunteering at Sunset Lakes Elementary. I have three children. Two are in middle school, in seventh grade, and one is a sophomore in high school. So these are the kind of people that will be greatly affected by this building, these children. I speak for the 4,000 children.

And what I would like you to do is please consider their plight. I know we've had roads, we've had traffic, but they're the ones that are going to be mostly affected by this construction. So if you'll bear with me, I'll play the video now.

CHAIR STERMER: Please do.

[Video plays.]

MR. VERMONT: Over the summer, I had a chance to sit down with Everglades High Principal Mrs. Hailey Darbar. Her school houses approximately 2,500 students. More than 40 school buses transport half of them to communities like Monarch Lakes and Northern Silver Lakes, which are more than two miles away. In addition, public buses

from places like Hollywood and Fort Lauderdale drop students off at the corner of Miramar Parkway and 172nd Avenue. These students must then cross that busy intersection during peak commuting times and walk down 172nd Avenue to get to Everglades High.

Furthermore, hundreds of parents drop their children off on either 172nd Avenue or Bass Creek Road. These students cross busy streets, dodging morning commuters. Many students wear headsets and cannot hear approaching traffic. This makes the situation even more dangerous.

Do we really want to let Lennar add 900 more vehicles to this busy, congested area? Because Mrs. Darbar is concerned for her students' safety, she has, on several occasions, requested a police presence on the streets near her campus during commuting hours. She was told that Miramar does not have enough police to provide traffic control for middle and high school students.

Should we add 3,000 more daily car trips to this area and further endanger our students' safety? Mrs. Darbar told me many outdoor activities take place during the day at Everglades High. Lennar's proposal will adversely affect student lunches, gym classes, and practices for the band, the football, the baseball, the tennis, the cheerleading, the soccer, and the track and field teams.

In addition, students in the portables along 172nd Avenue have to walk outside to get from class to class. And students of the Firefighter Cadet program, established in 2014 at Everglades High, spend most of their day outside. Now, according to the Mayo Clinic, construction dust contains silica particles. Exposure to this and lumber debris causes dehydration, which can lead to kidney problems, seizures, and hypovolemic shock, a condition resulting from fluid loss that makes it impossible for the heart to pump a sufficient amount of blood to the body.

Do your Mayor and Commissioners not care for the health and well-being of our students? They approved the Lennar proposal, and seem to be asleep at the wheel. Since our Mayor and his Commissioners did not listen to the residents of Miramar, we now implore this Broward County Board to deny Lennar's proposal to build 385 homes directly across the street from a very busy high school. Please preserve the wetland that this construction company wants to destroy. Show our children and grandchildren that you care as much as we do about their health and safety, as well as the natural beauty of Miramar, their home.

[Video ends.]

MS. BOY: Okay. The final speaker is Nicholas Dagnino. Mr. Dagnino is the one that submitted the other video that was in your Dropbox link that I failed to load for today.

CHAIR STERMER: Understood.

MR. DAGNINO: Hi, good morning.

CHAIR STERMER: Good morning, Mr. Dagnino.

MR. DAGNINO: Thank you for inviting us. My name is Jaime Dagnino. I got this letter in the mail inviting us to this meeting because we happen to live right at the back of the construction proposed site. So we're not allowed to get into the site, because it's a private property, so you would be trespassing.

My wife, she's chronically ill. As a therapy, she take pictures of birds, wild -- wild animals. So she enjoy very much the -- the birds that are there. So we see that there is not full of Melaleuca, as Mr. Jim propose. We have been into the site lately, because with the storm, all the fences, they are down, so it's open. There is deers, and it's White-tail deers. We have pictures of it. We have bald eagles. We have ospreys, and there is water to the north of the property that is -- we -- we saw in the slide there on the -- Nick's video. And there is water there, and there is osprey, very big animals, so they don't fly between the trees. They fly up to the trees.

Now, about this invitation, we appreciate it very much, because it shows from Broward a positive intent. A positive intent in every negotiation or conversation is very much appreciated, because it's -- it's open for everybody to discuss and to pass across points and et cetera, what we -- the community may have. We saw before there is a lot of frustration and emotion with this project. Neighbors, we really are frustrated. We have made our job, we -- we are asked here -- we are invited to come over, exactly as we were in Miramar. We have done our homeworks as citizens, all what we can do.

Miramar, in -- in reality, didn't listen to us. And we went beyond our duty of as citizens in terms of preparing, preparing videos, pictures, et cetera, you name it, printed material, spending the time, going there, coming here today. Many people, they cannot come over. They're busy with their lives, with the traffic, rushing the kids, working, paying their taxes. And we are the cornerstone of the society, because we pay the taxes. So now we have an issue here. This is the last -- (timer chimes) -- may I?

CHAIR STERMER: Please.

MR. DAGNINO: This the --

CHAIR STERMER: Continue.

MR. DAGNINO: I'm sorry, sir.

CHAIR STERMER: Continue.

MR. DAGNINO: In -- in -- on the name of many people that couldn't come today, this is

the last -- if you see the site there -- and it's true, Dennis said, this is the last site to be constructed. Imagine if right beside your door your next-door neighbor start building a house for four years. Imagine the dust, the noise. It's very inconvenient. Imagine over here, at the back of -- in our back yard, my wife, you know, she couldn't have -- she would not have the hobby that she have, you know, of taking pictures of the animals. Everythings will be gone. And all the kids in our community, they enjoy watching the animals. And my wife, she has put there like a bird houses with food, you know, seats for these bird, so attractive. It's beautiful scenario.

And in the link to the Dropbox there that I submitted, she made these pictures, you know, and they're lovely. I hope you -- you can see them and you can see all the different species that they live in there. We attract them to our back yard, and then they come, they fly back to this nature, so now -- the trees. This is the last forest area or wetland, and it's not full of Melaleuca. I swear before God we went into there, we took pictures of the trees, and we know Melaleuca. We trespass, you know, but for a good purpose. We did the trespassing. Nobody -- the gates are down. So not full of Melaleuca.

And there is a proposal that they're going to humanely catch these animals, trap the animals. Humanely, they said. How humanely can you trap an animal? How humanely you can trap a bird? How you going to relocate the bird? To where? The deers that they live in there, is pictures. And then is not full of racoons. Is -- in there, there is an ecosystem. So for 50 or a hundred years this site has been fenced in, you know? All this nature has grow there for all these years. So where and how they're going to -- where are they going to move the animals, and how are they going to trap them? That is a question.

So, basically, my presentation is very vague in -- in terms of -- not vague, but general, because I am the last -- last speaker. But the traffic, the noise, the -- the kids, and we want to keep as a green space. Everybody would be addressed with that. Thank you very much --

CHAIR STERMER: Thank you, Mr. Dagnino.

MR. DAGNINO: -- for your time. Thank you so much for the patience.

CHAIR STERMER: Appreciate it.

MR. DAGNINO: I hope --

CHAIR STERMER: Thank you.

MAYOR SEILER: Mr. Chair, can I ask one question?

CHAIR STERMER: Sure.

MAYOR SEILER: Do -- do you need me for a quorum? I have an 11:30 --

CHAIR STERMER: No, sir.

MAYOR SEILER: -- with the Sheriff that --

CHAIR STERMER: No, sir.

MAYOR SEILER: -- that I've got to get to.

CHAIR STERMER: Enjoy your meeting.

MAYOR SEILER: Thank you.

COMMISSIONER UDINE: **Motion** to excuse --

MS. BOY: We --

COMMISSIONER UDINE: -- Mayor Seiler.

(Laughter.)

MS. BOY: -- we --

CHAIR STERMER: Good luck holding him down.

MS. BOY: -- you -- oh, thank you.

UNIDENTIFIED SPEAKER: It's not working (inaudible).

MS. BOY: We have four speakers remaining, but they're all for questions only.

CHAIR STERMER: Commissioner --

MS. BOY: They're all from the City of Miramar on behalf of the applicant.

CHAIR STERMER: Understood. Commissioner Castillo. School Board Member Good.

MS. GOOD: I'm sorry. You said who's remaining?

MS. BOY: It's -- there's four speakers, one on behalf of the City of Miramar, and then three on behalf of the applicant for questions only.

MS. GOOD: I would like to hear from the City of Miramar.

MS. BOY: Okay.

MS. GOOD: If it's acceptable.

CHAIR STERMER: Sure.

MS. BOY: Matt -- Matt Goldstein. Matt Goldstein is signed in.

MR. GOLDSTEIN: Good morning, Planning Council members. Matt Goldstein, City of Miramar. I'm really here for questions only. Be happy to answer anything you have. We agree with Planning Council staff's support, though.

MS. GOOD: That was short.

(Laughter.)

MS. GOOD: I have questions after.

CHAIR STERMER: Okay. Commissioner Castillo.

VICE MAYOR CASTILLO: Yes.

CHAIR STERMER: Questions for Mr. -- for this speaker or --

VICE MAYOR CASTILLO: I -- I -- I will. I'm sorry.

MS. BOY: We also have -- I'm sorry. I just was alerted that we have the city's traffic engineer that --

VICE MAYOR CASTILLO: Oh, good.

MS. BOY: -- prepared the review of the information submitted to the city. He just got here a few minutes late and didn't sign in, but he's for questions only also, but he would also represent the City of Miramar for any transportation --

CHAIR STERMER: Let me --

MS. BOY: -- questions.

CHAIR STERMER: -- let -- here -- here's what I'm going to do. Let's have Mr. Mele come back and finish his --

MS. BOY: Right.

CHAIR STERMER: -- presentation. We understand there are other professionals here with Mr. Mele, and that -- and the city is here, as well, that if we have questions, we can call them up one at a time. But let's let the applicant finish their presentation, and we'll then come back to the board. And if we have questions, we'll go from there. Mr. Mele.

MR. MELE: Thank you. Again, I put up this map I showed earlier. One of the speakers suggested that we should build at the agricultural density. If that's true, then all of the properties around us should have done the same thing. They all had the agricultural density before. They all received approval of land use amendments, with the exception of Harbor Lake. That's the only one. And so all we're asking to do is the same thing that everyone around us has already done. There was a statement that this is the last wetlands in the City of Miramar. That is not correct. I know you can't see it on this map, but just west of Sunset Lakes and east of US-27, all of Section 26, Section 35 -- I'm sorry -- let me start over.

UNIDENTIFIED SPEAKER: No.

MR. MELE: The -- there was a -- the statement made --

MS. GOOD: We heard you.

MR. MELE: -- just this one part. There as a statement made that this is the last wetlands in the City of Miramar. That's not correct. Just west of Sunset Lakes and west of Harbor Lake there are all of Land Section 26, all of Land Section 35, half of Land Section 27, and half of Land Section 34, and half of Land Section -- I'm sorry -- one-quarter of Land Section 22 are all wetlands and all being preserved. That totals about 2240 acres of wetlands in the City of Miramar that will be preserved. They have a conservation land use or protected land use, or are owned by the Water Management District.

All of that property, at one point, east of US-27, was scheduled with the same agricultural density that we have now, and, over time, it was dedicated to the district or purchased by the district or by government, and it's now being preserved. So, again, approximately 2240 acres. The -- all of that is shown on the Broward County Wetland Map. That's where we got it from.

The Broward County Wetland Map also showed all of this property, all of this Univision property, as Melaleuca, prior to the time the area under the guy wires was cleared. Now it shows it as under development. It's clearly not under development. But the only area that was cleared of Melaleuca was under the guy wires. All of the rest of the site is Melaleuca. You heard that from Mr. Goldasich. He's been in this business for years.

There was a comment about eagles and osprey. As Commissioner Castillo knows, the eagles' nest is just south of Pines Boulevard at approximately I think 202nd Avenue. That is a good two miles to the north of us, and probably a mile west of us. So those

eagles fly over Harbor Lake, over Silver Lakes, over Sunset Lakes before they ever get to us. And they can't land in our property because the wing spans are too big to get in between the Melaleuca trees. That's what Mr. Goldasich was talking about earlier. You noticed he told you for him to do his surveys, he had to turn sideways to walk between the trees. There's no osprey. There's no birds on this site. No wading birds, because we don't have water.

There was a comment about animal trapping. Whenever we have a development like this that is vacant property with housing all around it, when we have racoons and rodents, before we start land clearing, we put in traps so the animals don't run into the people's yards. That's something we generally do as a courtesy. That's what we're doing here. We have no birds to trap, because they're not there.

There's a very simple answer to why the two traffic studies were different. The one that we did when we applied to the City of Miramar, was prior to Pembroke Road being open. The one the MPO did was after Pembroke Road was open. So, obviously, there's a different traffic pattern on Miramar Parkway now that there's an additional road to take you over I-75. The traffic study we did was prior to agreeing to the improvements on Bass Creek on 172nd with the traffic circle, and at the interchange of Miramar Parkway and 160th. So now that we're making those improvements, it is generally accepted by every traffic engineer that you add in the new traffic and you add in the improvements.

So beforehand, you have no development and no improvements, and afterwards, you have development and improvements. So that's why the levels of service are shown as being better, because we're making the improvements. The gentleman suggested that the Miramar Comprehensive Plan requires you to do this. That's what we've done. We've agreed to make the improvements. We will be entering into a Declaration of Restrictive Covenants to do so. That satisfies the requirements of the Miramar Comprehensive Plan. Your Comprehensive Plan shows that we don't even need to make any of these improvements, but we're doing them anyway.

If you have any questions for me or for our consultants, we'll be here to answer them. Thank you very much.

CHAIR STERMER: Thank you, Mr. Mele. School Board Member Good, followed by Commissioner Castillo, followed by Mr. Grosso.

MS. GOOD: Thank you, Mr. Chair. So to Ms. Blake Boy, the -- first I want to thank everyone for their presentations. I thought the community did an excellent job in providing detailed information and resources. I really appreciate. I've heard from many of you as your District 2 School Board member representing this area, so I do appreciate your efforts. Ms. Blake Boy, with regard to the density that's proposed by the applicant, the area to the north is low --

MS. BOY: Low 3?

MS. GOOD: Yes. The area to the -- to the north is estate residential?

MS. BOY: It's Low 3?

MS. BOY: Low 3. You can't see the dots, probably, at that --

MS. GOOD: The little dots are tough to --

MS. BOY: Yeah, they're -- those dots are tough to see.

MS. GOOD: How does -- so how -- how many units to the acre does that allow, the --

MS. BOY: It allows three dwelling units per acre.

MS. GOOD: So --

MS. BOY: It's a Low 3.

MS. GOOD: Oh, okay.

MS. BOY: So it permits three -- three units --

MS. GOOD: Three -- three to --

MS. BOY: -- per acre. Yes.

MS. GOOD: -- to the acre. Okay. And the area -- in the surrounding areas to the north?

MS. BOY: In the surrounding areas, so to the -- the west and to the south --

MS. GOOD: Right.

MS. BOY: -- that's Estate 1. So that permits one dwelling unit per -- per acre. I thought that Pete was going to put up -- what are you putting up?

UNIDENTIFIED SPEAKER: I'm putting up --

MS. GOOD: I'm trying to see the map.

UNIDENTIFIED SPEAKER: -- (inaudible), if I can find it.

MS. BOY: That was it.

UNIDENTIFIED SPEAKER: Oh.

MS. GOOD: And --

MS. BOY: That was our presentation.

MS. GOOD: -- and the --

MS. BOY: I'm like, that was our presentation, but you took it away.

MS. GOOD: -- so to the north is three to the acre, to the surrounding --

MS. BOY: Yeah. And so let me just actually go here. So here's the aerials so you can see the developments. So to the north, we have Low 3 Residential. So you can see the development there. They have some natural areas that were preserved as part of their development.

MS. GOOD: Uh-huh.

MS. BOY: Then to the -- to the south and west, that's all Estate 1 Residential, but you'll see much of -- it's not -- it's not built on much of the -- of the --

MS. GOOD: There's --

MS. BOY: -- land.

MS. GOOD: -- large lakes --

MS. BOY: Right.

MS. GOOD: -- though.

MS. BOY: Large water body there. And then directly to the east, where the school is on the corner, in the single-family residential, that's the dash line area that Mr. Mele was speaking of. So although it's 3.06, the densities are considerably higher of the actual constructed area, because it includes so much non-residential area.

MS. GOOD: But it's -- but directly adjacent to the subject property it's --

MS. BOY: Uh-huh.

MS. GOOD: -- it's one to the acre and three to the acre. And the applicant --

MS. BOY: Yes.

MS. GOOD: -- is requesting?

MS. BOY: Is requesting 3.21 per acre.

MS. GOOD: Okay. And then I guess to the issue of this is the last piece of property, and I guess there was a map shown by the applicant that showed a variety of density throughout the area out -- out there in the west area, and indicating that there is, you know, again, vast density.

MS. BOY: Uh-huh.

MS. GOOD: But then again, what the map didn't show is when those properties were built.

MS. BOY: Right. So I did do some preliminary research just, you know, leading up to this meeting, and all the Land Use Plan amendments. So each of those properties were the subject of a Land Use Plan amendment sometime starting basically in 1991.

MS. GOOD: Right.

MS. BOY: And so we saw amendments in '91, '92, '94. 2005 was the Estate 1 right there to the -- you know, the lake piece to the -- the south and west. That was in 2004 or '05. So we've seen it all during -- mostly during the '90s, but a couple of pieces in 2005. There was a piece in -- a couple pieces in the 3.06 dash line area within the past seven or eight years that took residential pieces and changed them to non-residential pieces, or vice versa, changed some non-residential pieces to --

MS. GOOD: My point is --

MS. BOY: -- residential.

MS. GOOD: -- that although there may -- there may be pieces of property that were more dense --

MS. BOY: Uh-huh.

MS. GOOD: -- certainly they were done at a different point in time, maybe when there was less development occurring within the City of Miramar?

MS. BOY: I mean, sure. I didn't look at the historical -- the historical aerials --

MS. GOOD: Okay.

MS. BOY: Because I don't have access really to --

MS. GOOD: I'm just saying --

MS. BOY: -- do that.

MS. GOOD: -- because --

MS. BOY: Yes.

MS. GOOD: -- the way the maps depict it, you really would need to know exactly --

MS. BOY: This is --

MS. GOOD: -- when they transpired to understand, you know, how the density impacts the area and the traffic. So with regard to the wildlife that's been alleged --

MS. BOY: Uh-huh.

MS. GOOD: -- within the property, did -- I know there was issues regarding wetlands and whether it was, you know, not pristine --

MS. BOY: Uh-huh.

MS. GOOD: -- versus I think what the report reflects.

MS. BOY: Uh-huh.

MS. GOOD: Was there any review of the wildlife specifically by any County department?

MS. BOY: The County staff, the comments that we get for them, I'll just kind of go through the checklist. Jurisdictional wetlands, no negative impacts. Tree preservation, subject to the City of Miramar. No contaminated sites. No well fields. No local areas of particular concern. It is adjacent to some natural protected lands that we showed on that aerial. Minor impact to water recharge. They don't have -- it's our understanding that there's no endangered species on the site. I believe it's in the report, but I didn't put on my list, so I just need to --

MS. GOOD: I was trying to --

MS. BOY: -- look in the report.

MS. GOOD: -- find it. So that came from our County staff?

MS. BOY: Yes, that comes from the County staff. So they --

MS. GOOD: Okay.

MS. BOY: -- do the environmental review and provide the comments for each Land Use Plan amendment.

MS. GOOD: But in that review, did they speak specifically to wildlife? Or was it just -- was it just focused on the issue of wetlands?

MS. BOY: Well, it's focused on all of the things that I just -- the list that I just read.

MS. GOOD: But you didn't mention wildlife, so --

MS. BOY: But I did not --

MS. GOOD: -- that's why I'm asking.

MS. BOY: -- I don't have wildlife on that list.

MS. GOOD: Okay.

MS. BOY: I do not have that on the list.

MS. GOOD: Is there a department within the County that reviews wildlife, especially when there's an issue of, you know, someone alleging --

MS. BOY: I would be happy to get further information on that. I don't -- I don't want to give you the wrong --

MS. GOOD: Okay.

MS. BOY: -- information today.

MS. GOOD: Okay. That, to me, is just a concern. I mean, the community's raised an issue. The applicant says differently. But I would hope that there could be some -- somewhat of an independent party from the County that could verify. And, again, I'm not talking about the wetland issue. I gather from what you've given to us that it's not pristine, and so it's mitigated. With regard to -- getting back to the development at hand, I wanted to ask a question regarding the planning and zoning that went -- when the application went before the City of Miramar.

CHAIR STERMER: Are you asking the city or Mr. Mele?

MS. GOOD: I -- I can ask the city, if they're here.

MR. GOLDSTEIN: Good morning again.

MS. GOOD: Good morning. So when the application went before the Planning and Zoning, was the vote unanimous?

MR. GOLDSTEIN: The vote was five to one.

UNIDENTIFIED SPEAKER: Six to one.

UNIDENTIFIED SPEAKER: Six to one.

MR. GOLDSTEIN: Six to one, sorry.

MS. GOOD: Okay. When the matter went before the Commission, although -- although they moved to send it forward to transmit to the Planning Council, was there concerns raised by the Commissioners?

MR. GOLDSTEIN: There were some concerns raised by the Commissioners, but they were looking for further review from the County and the state agencies.

MS. GOOD: Okay. I -- okay. Thank you.

MR. GOLDSTEIN: You're welcome.

MS. GOOD: I reviewed the minutes from the meeting, and, actually, the comments were very detailed in nature. There was concerns raised, I think, by various Commissioners regarding traffic in the area, and the density being proposed. And I think it's important that that -- I think that would have been important to be part of the review of the application, but never -- nevertheless, the Commission did raise concerns regarding this project, but they decided to transmit, to allow this -- this board to have an opportunity to review it. And, obviously, it's going to come back to them to have further review; correct?

MS. BOY: Yes. The first Public Hearing -- the first Public Hearing that the City of Miramar had, the vote was four to one, as a result, just to be clear on what the minutes say. So that's the process that it goes through. So that's considered their transmittal action. So their transmittal action, it goes to the State of Florida review agencies. They've asked for concurrent transmittal. If this gets transmitted by the County Commission, their local application would go up to the state review at the same time. So that starts the 30-day review at the state review agencies. Then when it's returned with any comments of statewide or regional significance, they would have the opportunity to adopt it within 180 days. And, generally, we find that many cities wait for the County to take its action, its final action, prior to that occurring.

MS. GOOD: Okay. I just want to make sure, because when we make comments that it's been transmitted, I understand it's -- it's gone through the city's initial review. It's come before us. It'll go back, as you've indicated, Mr. Chair. But in reading the minutes,

there were concerns raised. In fact, a Commissioner even indicated that they might not necessarily approve the application when it comes back. So definitely there's concerns raised, and hopefully those concerns can be mitigated by the time it gets back to the City of Miramar. With regard to the -- the traffic, there was comments made -- and I -- I guess I'll ask the applicant. With regard to the traffic, there was mention made by one of the residents of how the traffic studies are done and the fact that it's a divided road. Does that -- is that considered in the analysis? And does that play a role?

MR. MELE: The analysis certainly was done recognizing that it's a divided road. As I said earlier, the difference between the study that Mr. Vargas did for us and that the --

MS. GOOD: Uh-huh.

MR. MELE: -- MPO did is the MPO study was done after Pembroke Road was open. So, obviously, that had an impact on the traffic on Miramar Parkway. Ours was done prior to the road being open, and our study was done prior to committing to the improvements that we're making at 172nd and Bass Creek Road, and the improvements at Miramar Parkway and 160th Avenue. So you always, when you measure traffic, you look at the increased traffic, and you look at the road improvements that are being done to mitigate that impact.

MS. GOOD: I understand.

CHAIR STERMER: Ms. Blake Boy, you had something you wanted to say?

MS. BOY: I just wanted to add, because I know there's a lot of discussion about the -- about the difference between the studies, so one thing is that the information in the study that was submitted to the City of Miramar is very focused on intersection improvements and intersection analysis, as opposed to the review that we do at the County level, which is for the roadway segments and how those are operating. So I think many of the improvements that they're committing to are tied to that Level of Service, for what's anticipated at those level -- at those intersections. And our analysis, like I said, is done on the roadway segment, and it takes into account every improvement that's made because it's a 2040, you know, anticipated impact as opposed to what's happening right now on the roadway. So that's really the difference between the long-range being the level -- anticipated Level of Service C and the unacceptable Level of Service at those intersections.

UNIDENTIFIED SPEAKER: The --

MR. MELE: I'd just like to add something to that, if I might. I've been doing this for a long time, and when I first started, generally, what cities would do is when you went in for the first reading of that land use amendment, like we had here, we had a first reading of an ordinance that was approved four to one by the City Commission, generally, the cities, in the past, would say we understand you're going to do that when you get to the

County.

Now most of the cities say, before you ever go to the County, we want you to give us a study that meets our standards. And, as Ms. Blake Boy said, those are more detailed in some cases. They don't just look at the links of the road, they look at the intersections itself. So it's not unusual. It's also not unusual at a first reading of a land use amendment to have concerns expressed that have to be resolved before you get to the second reading. I had one recently in the City of Deerfield Beach where the Mayor had a number of concerns at that first reading, and, fortunately, we were able to satisfy those --

MS. GOOD: We're talking about Miramar.

MR. MELE: -- by the time we got to the second reading. And we'll do the same thing here. So that's not an unusual circumstance. That's all I'm saying.

MS. GOOD: Can I see the site -- the plan that was depicted by the applicant?

MS. BOY: Oh, sure. It'll just take one second.

UNIDENTIFIED SPEAKER: Third slide.

MS. BOY: That one?

MS. GOOD: Yes.

MS. BOY: Okay.

MS. GOOD: So that plan is just very preliminary. It's obviously proposed and conceptual, or is that the plan? Because, obviously, this is land use, so.

MR. MELE: The -- this is what we're proposing to build, but these processes are sequential. You do the land use amendment, then you rezone, plat, and site plan.

MS. GOOD: Correct.

MR. MELE: So if we submitted a site plan application now, they wouldn't review it because --

MS. GOOD: No, I --

MR. MELE: -- it's too early.

MS. GOOD: -- understand. But it was submitted on the record. I just wanted to understand --

MR. MELE: This is --

MS. GOOD: -- again, this is conceptual.

MR. MELE: -- this is what -- this is what we are proposing to build. If I could have it be an official site plan, if they would --

MS. GOOD: You would.

MR. MELE: -- accept it, I would do it.

MS. GOOD: Okay.

MR. MELE: But they won't.

MS. GOOD: The roundabout that was discussed with regard to traffic, who requested -- who -- how did that roundabout come about?

MR. MELE: Currently, we have a stop sign intersection.

MS. GOOD: Uh-huh.

MR. MELE: And there was at first a request that we look at a traffic signal --

MS. GOOD: Right.

MR. MELE: -- which we did. And we compared -- we did the traffic analysis that would determine whether the County would approve a traffic signal, and there wasn't enough traffic to meet the warrants. I will tell you now that if they would approve a signal, we would put it in. But there wasn't --

MS. GOOD: Okay.

MR. MELE: -- enough traffic to meet the warrants. So all the traffic engineers said, the worst situation is a stop sign intersection. The best situation is a traffic signal, but if you can't get it, the second best situation is a traffic circle. And that's why we --

MS. GOOD: All right.

MR. MELE: -- agreed to do the traffic circle.

MS. GOOD: Having traveled this area, again, school directly across the street. With the -- with the tremendous traffic generated just by the community, the schools, the traffic, the buses, I can't imagine a roundabout would be the most prudent way to

handle the traffic in this area. Again, I'm not a traffic expert, but I will tell you just -- I know there's concerns about a roundabout. And so there was mention that you've held numerous meetings. How many meetings have you held?

MR. MELE: We had three official meetings, two at City Hall, one at the Sunset Lakes Community Center. And we've met with Nautica, Sunset -- do you have -- I know there's an exhibit -- Sunset Falls, and Silver Lakes. We have asked to meet with Riviera Isles and with Sunset Lakes, and they would not let us come in.

MS. GOOD: Okay. And since you're proposing a major project across the street from the school, have you reached out to the school district --

MR. MELE: I --

MS. GOOD: -- in regard to your proposed traffic improvements?

MR. MELE: -- I met with both the principal of the high school and the principal of the middle school. As you know, but I'm not sure everyone else knows, the high school's right across the street from us, then there's a vacant piece that's for a city park, eventually, and then just east of that is the middle school. And we actually met with both principals at the high school. And we went there in the afternoon just as school was getting out. So we got there early so we were --

MS. GOOD: Uh-huh.

MR. MELE: -- able to be able to see the parents coming and picking everyone up. And as we came down 172nd, everybody at that time was making a left turn onto Bass Creek Road, because that's how you get to both of those schools if you're coming from that direction. I will also state for the record that if the County would approve a traffic signal instead of a traffic circle, we would agree to do that as a condition of approval. But if they won't, all the traffic engineers have said a circle is better than the stop sign intersection we have now.

MS. GOOD: I would just ask that -- I mean, I understand that you met with the principals and they're the educational leaders of the school, and they have important role, obviously, within the school community, but a project of this size adjacent to a high school that's already been indicated there's -- there's a lot of excitement and great programs at Everglades High School. There is a lot of activities there alongside Glades Middle, which is directly to the east of Everglades High School.

I think it would be helpful that you also meet with district staff, especially safe routes to schools and any recommendations that they may have in regard to this project, because they may have a better understanding of, again, the overflow, the transportation that comes to and from the school site, and how this project would impact. So that's just a recommendation on my part to you.

MR. MELE: We'd be happy to do so.

MS. GOOD: That's the extent of my comments for this moment.

CHAIR STERMER: Commissioner Castillo.

VICE MAYOR CASTILLO: Thank you very much. Ms. Blake Boy, this item will come back to us for a second go, at some point?

MS. BOY: Yes. If --

VICE MAYOR CASTILLO: Okay.

MS. BOY: -- whatever your recommendation is today, regardless of that recommendation, it goes to the County Commission for their consideration of transmittal to the state review agencies, which is estimated for early December, plus 30 days. I would anticipate this returning to you either your January or February Public Hearing.

VICE MAYOR CASTILLO: Okay. First of all, I want to say that I'm very appreciative of all the testimony that was provided for -- by the community. I live about two miles away from this location in Pembroke Pines, and, you know, West Pines and West Miramar have a lot in common. Our kids go to the same schools. We shop in the same places, worship in the same locations. We have lots and lots of things in common. In many ways, it functions as one community. Including in the morning and the afternoon, when we're coming home. And there, I think there is a slight difference. And I don't want to -- I don't want to sound boorish or grandstand-ish or anything, but it's one thing to express concerns about traffic, and it's then another thing to do something about them.

So in my city, when we had concerns about traffic, we widened Sheridan Street from US-27 to the border that we share with Hollywood, and we allowed it to accommodate more traffic. When we had concerns on Pines Boulevard, we widened that street and -- and allowed more cars to transport. We were the champion mover of the Pembroke Road Overpass, and were extraordinarily disappointed by the last administration, I say the last Commission, refusal to allow exit ramps and on ramps -- it wasn't FDOT. It was Miramar that objected to it -- to get onto I-75. Even if that meant slowing down traffic on 75, there should have been on ramps and off ramps there. The reason most often given at that time in Miramar for not allowing that is that the community, the local community, didn't want it, because they were concerned about school kids and this and that and birds and all that other kind of stuff. And all of those things are understandable.

Then there -- then there have been occasions when the City of Pembroke Pines felt that a given parcel that might be developed, if we wanted to get it right, we should buy it ourselves. And we've done that. So that we could -- so that we could preserve the -- the land there, or make sure that it got developed in a particular way.

When you have a parcel like this, when you have any parcel, there -- the -- there's a range of options that are available to government working together with residents. This Planning Council does not sit as a duplication of what cities do. That's not our role, and it's wrong to assume that, that that -- that that would be our role, because if that was our role, we, frankly, wouldn't be necessary. I mean, it would be -- it would be redundant. The purpose of this Council is to make sure that the recommendations made by cities doesn't interfere with the rest of the County in the sense of we have a uniform countywide Land Use Plan, and it protects everyone's interests throughout Broward County.

Miramar has its own Land Use Plan, and they've already determined, as a city representing the residents there, that they want to see this project move forward. They've also made certain demands in terms of traffic of this developer. And bearing in mind that we're only talking about, it says here, 385 homes, the extent of work that they've asked them to do with respect to traffic, I have to tell you, in my experience, is kind of notable. And it's because it's the last parcel. Usually, the last one on line is the one that gets hit -- hit the hardest.

But certain things have to be mentioned. So Miramar Parkway does not go all the way through to US-27. That wasn't the best idea. And Bass Creek Road doesn't go all the way through to US-27, though it could; right? I mean, I'm not asking you guys to do it, but somebody could -- could run it through. They'd have to get -- they'd have to get permission to go through the wetland, but we're doing that now to take Pembroke Road out to US-27.

My point is, in order to go south in Miramar, you shouldn't have to go north. But you kind of have to. And that's because -- and I'm glad you've created a coalition, because maybe you'll think about working with -- within Miramar. We didn't need a coalition. We had the City Commission in Pembroke Pines and we just widened the roads so that folks could get to work. And we -- we may have to continue doing that.

City of -- the City of Miramar is a dear, dear friend and neighbor of ours. I'm not taking shots at them. There's lots of things that they did better than Pembroke Pines. Roads, we did better. They need to do some work on roads. They need access out to US-27. They have that opportunity in several different ways. And they need more access onto I-75.

But I'm sitting in judgment now of this one particular facility. And I know, I said to the gentleman over there, that, you know, he -- I think you mentioned a family member, you know, enjoys the park and takes pictures and all that other kind of stuff. The wildlife -- your -- was it your wife, sir, or your --

MR. DAGNINO: Yes, my wife.

VICE MAYOR CASTILLO: -- your wife. The -- the wildlife that your wife is -- is picturing and -- that's his wildlife. He owns that. If you want that view, you have to buy it. I mean, I'm not saying, you, although you might want to. I'm -- but the community has to buy it. In other words, if you want to preserve that, you have to buy it. You can't condemn land because, you know, you're enjoying it over -- over your fence. If you want it, you're going to have to buy it.

That's why I said the same thing before about this guy in the Everglades. He's -- he's planning to do something that annoys us. Buy it. And he's gone. And then -- okay. So those are options that exist in Miramar, but I -- I'm not hearing that discussion. What I'm hearing under discussion right now is 385 homes. The staff has reviewed it against the things that are in the -- that are in the Land Use Plan. And I have total respect for everything all five of you -- I think it was five of you that spoke -- had to say, because I live in that area, and I know what you -- and I know what it's like. But none of that has to do with this (indicating).

And so I have to -- I have to be -- I have to live -- we take an oath before we get to serve here, and I have to live up to that oath. And my oath is to review applications against the Land Use Plan. And I don't find an objection. I think that the staff did a very, very good job of -- of reviewing this thing. And what they're saying is there isn't an objection, because the City Hall at Miramar -- and they're good people. They are good people -- made them do -- made them commit to certain things that bring it well above the -- the standard that we're being asked to review.

The rest of your concerns, because they're legitimate, belong in Miramar. And that's between you and your City Commission. That's not an issue for us. That's between you and your City Commission. But I'm hoping that, in the fullness of time, Miramar will -- and that you'll participate and that Miramar will participate, because they know it's an issue, in the expansion of transit options, both east, west, north, and south, that don't keep you all from having to go north in order to go south, or to go north in order to go east or west. No city should be set up that way. I still don't understand why Miramar Parkway was -- was allowed not to go all the way to US-27. It cheats Miramar out of -- out of use of a major road that -- that should have been there.

But those are my comments. I don't find a reason to vote no. I can't. And I've been looking for one. I just can't find it. Thank you.

CHAIR STERMER: Thank you, Commissioner Castillo. Mr. Grosso.

MR. GROSSO: I don't agree with all of that. There -- there is not a property right to increase what you have now. It's not planning to say that everyone else was able to do it years ago, even though you now have a new Comprehensive Plan that tries to protect all open space and soils and vegetation for the flooding, for the climate impacts, ignore that, and do what they did ten, 15, 20 years ago. That is not planning. You don't have to buy land to keep it as it is in the Land Use Plan. There's no requirement or compulsion

whatsoever to grant a landowner more than they have now. Traffic is obviously a problem here. The wetlands are surely degraded wetlands. There's no question about that. Yet they are wetlands. They're not completely Melaleuca. They retain the water storage, the native soils, and the green soil, and vegetation that we are trying to protect as a greenhouse gas mitigation strategy. It is open space, and our Comprehensive Plan says we are to strongly discourage the loss of more open space. This is open space, whether it's degraded wetlands or not. For all of those reasons, I do see a number of reasons to say no to this request to change the law for this applicant.

It seems as though a development that meets the current density standards -- and, you know, another thing. The idea that we wanted to develop it, we thought we'd sell it, so we allowed it -- the exotics to get worse, we stopped managing it. That is just the worst possible incentive for a land owner. Let me let exotics take over the property so then, when I come in later to develop it, I -- it's exotic dominated wetlands. That's not something we ought to give a whole lot of claim to.

So for that reason, having listened to everything, I'm going to be voting no against this, and I hope others will join.

CHAIR STERMER: Thank you, Mr. Grosso. Mr. Rosenof.

MR. ROSENOF: A bit of minutia. I heard two of the speakers talk about silica dust when it comes to construction. You may not be aware that literally 30 days ago OSHA created a whole new set of guidelines for silica dust in construction. Mr. Mele, I hope that you'll agree that Lennar will abide by those new stricter standards.

MR. MELE: Yes, we will.

MR. ROSENOF: Thank you. That's it.

CHAIR STERMER: Commissioner Udine.

COMMISSIONER UDINE: Thank you. Along the lines of what Commissioner Castillo was saying, I just want to follow up, because as I read this -- and I have a tremendous amount of experience, as does David, sitting in Parkland where we had a lot of new developments come in, and we had a lot of the same issues like everybody has when those developments do come in.

So I just have a couple quick questions of staff, because I want to understand fully some of the things that the residents brought up, because I respect what they're saying on this, and I think it's important to make sure that we hash out those issues.

The first one that I had, when I look at the schools and the compatibility of the surrounding schools, there's actually three schools that are surrounding this community

--

MS. BOY: Uh-huh.

COMMISSIONER UDINE: -- and all three of these specific schools show being under enrolled. And the reason that I say that is because then you went on to say Zone Area F, I believe, is also --

MS. BOY: Uh-huh.

COMMISSIONER UDINE: -- adequate for those students. I want to take Zone Area F out for a second --

MS. BOY: Uh-huh.

COMMISSIONER UDINE: -- because when we were in Parkland, we were told we didn't even have schools that were under enrolled. We were just told Zone Area C is under enrolled, and then the School Board would have to come in and readjust boundaries, which is not comfortable, and it's not the way people want to deal with this in the neighborhood. So my question is is it the actual schools where these children are going that are this far under enrolled?

MS. BOY: Yes. These are the schools that would be assigned to this property. Sunset -- Sunset Lakes Elementary is --

COMMISSIONER UDINE: Okay.

MS. BOY: -- yes.

COMMISSIONER UDINE: So I can read the numbers here.

MS. BOY: Uh-huh.

COMMISSIONER UDINE: So let's assume that all of the School Board demographers are wrong and they've come in at half of what it's going to be. So let's say double the amount of students come in. These three specific schools, even at double the amount, are still under enrolled?

MS. BOY: Even at double the amount of --

COMMISSIONER UDINE: Well, it says negative --

MS. BOY: -- projected students.

COMMISSIONER UDINE: -- it says four hundred --

MS. BOY: So if we did --

COMMISSIONER UDINE: -- and fifty --

MS. BOY: Right. So if we did 318 instead of 157 total --

COMMISSIONER UDINE: Right.

UNIDENTIFIED SPEAKER: Uh-huh.

COMMISSIONER UDINE: It's still --

MS. BOY: Yeah.

COMMISSIONER UDINE: -- I mean, I'm looking at -- I'm looking at Sunset Lakes Elementary. It says under enrolled by 450.

MS. BOY: Yes.

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: Yes.

COMMISSIONER UDINE: So -- so even if the demographers came across as double the amount, we're still under --

MS. BOY: Correct.

COMMISSIONER UDINE: -- enrolled in this specific school, so there's no boundary change that needs to be --

MS. BOY: Correct.

COMMISSIONER UDINE: -- made.

MS. BOY: The schools that are serving the site.

COMMISSIONER UDINE: Okay. The next question that I had, the traffic, because I don't go down that area that often. The traffic now, with its -- the road that the developer has to build, that's a traffic reliever when that goes in for other -- because, clearly 385 homes don't justify the building of a complete road. So when that road gets there, I think you said there were 18,000 trips, and this development would be less than a thousand?

MS. BOY: Yes. Mr. Vargas mentioned the number, the amount of capacity that they're -

- they will be generating from the improvements that they've committed to with the City of Miramar, will generate over 18,000 new trips.

COMMISSIONER UDINE: Mr. Vargas is the traffic --

MS. BOY: Is the Traffic Engineer for the applicant, Lennar.

COMMISSIONER UDINE: And that's not Kimley-Horn.

MS. BOY: No. Kimley-Horn prepared the review --

COMMISSIONER UDINE: For the city.

MS. BOY: -- for the city.

COMMISSIONER UDINE: Okay.

MS. BOY: Correct.

MR. VARGAS: To -- just a quick clarification. That 18,000 is including what's agreed by this developer and all of the other improvements that are built or under construction.

COMMISSIONER UDINE: Okay. So I'm not seeing where this would be incompatible, based on traffic. I mean, I think if anything this is compatible based on the traffic studies that we see.

The next thing I saw -- and I respect what the -- what the residents said about the construction debris or the dust that they can gin up during construction, you know, that issue for the school children. We've dealt with that in northwest Broward a lot. It's really not a big issue. We've actually had construction right on school campuses. They can do that.

And the other thing that I find a little bit interesting about this is that there are towers on this property right now. If there were 350 homes built there now and they came in and said we want to take these 356 homes down and built these towers in here, we'd be getting the same arguments the other way by saying, you're not going to put towers there, then there's microwave vibes that are going to come in and that are going to affect our students. So I think of this as an advantage, to lose those towers, because the towers are the things that the neighbors in my neighborhood in northwest Broward always complain about. So you're getting rid of the towers. You're improving the traffic. You're not affecting the three local schools, forgetting about Area F.

And the last thing, and I get this, because I hear this all the time, and I've heard this all the time from my residents, when we develop, people bought a home -- a property next to a field of invasive species, and that became the preserve. And I have no doubt that

when the people bought that home, their realtors, the developers of the other property, whoever it may be, said to them, you have nothing to worry about, because that's a preserve right there. I have heard that argument a thousand times, and every time I see it and you look at it, that's not a preserve. It's a field of invasive species that's choking off the rest of the environment in the area. And we've dealt with this firsthand in the City of Parkland. You need to get rid of those, because they're spreading so fast that it's killing the other landscaping throughout the community. It's not a preserve. It's invasive species that, you know, pretty much should be going in order to be good stewards of the environment.

So when I look through this, and it was a long-winded way of saying it, every -- and I know these are just boxes that we check when we look at some of this stuff, but this -- this development, not only does it show to be compatible, by the improvements that they're making, I think they're making it more compatible with the neighboring property. Just my opinion. I think it's going to be something that's going to raise property values to the neighboring property. I'm going to support it.

CHAIR STERMER: Thank you, Commissioner Udine. Mayor Ganz.

MAYOR GANZ: Well, this is tough, because there are great arguments on both sides. But I will say this. When it talks about an invasive species, or non-native species, no, Melaleuca -- but if you look at all the conservation areas to the west there, that's what -- that -- that's the landscape of my youth down here. I'm a native Floridian, south Floridian. I grew up there, peeling Melaleuca trees, because we called them paper trees, and we pulled it off there.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR GANZ: The reason they were put in there, they -- they were put there? It's because they soaked up the water and made it habitable. So that's why it's there. At some point in time, you've got to start calling them native, because they've been here probably longer than the Ganz family's been here.

(Laughter.)

MAYOR GANZ: But as far as non- -- as far as an invasive species, yes, it is. What I found interesting about the report that was done for the Univision parcel, when he talked about fauna, there was no mention of White-tail deer in there, yet the presentation here was. I question why it wasn't in the report that was done. There's no mention of White-tail deer or anything like that, which, quite frankly, is not very common in areas that are surrounded by development. If the gentleman wants to comment on that?

MR. GOLDASICH: Yes.

MAYOR GANZ: I am taking it he does, because he's charging the mic.

CHAIR STERMER: Mr. Goldasich.

MR. GOLDASICH: Thank you. Yeah, we continue to do work on the site, and we have not seen it on the site proper in the dense Melaleuca area. But the White-tail deer tracks that we saw were actually on the north side of Bass Creek Road. There's a lake there with a little wetland mitigation area along there. It was in the muck adjacent to that wetland mitigation area.

MR. MELE: So, Jim, you're saying on the -- on the Silver Lakes parcel north of us.

MR. GOLDASICH: Yes. The extreme northern part of the yellow box.

MAYOR GANZ: You just haven't caught them over there in the fenced -- what was a fenced-in area.

MR. GOLDASICH: Right. And --

MAYOR GANZ: Okay.

MR. GOLDASICH: -- and as long as we're talking about wildlife, I mean, do wildlife use the parcel? Absolutely, because you -- they're not going to be excluded. But wildlife, deer included, man, spiders, rodents like ecotones. They like to go along the edge of areas. And that's probably why some of the homeowners are seeing more wildlife than would be found inside the site. That's because of the fence line that basically limits access to the site, or should limit access to the site.

Just inside that fence line, there was a roadway cut all the way around, and that's not Melaleuca, but it's a dense exotic grass, Pennisetum, Elephant grass. And so to see birds or something roosting on the fence and in that edge, where you would normally see wildlife, would not be uncommon. But inside the site, no, they're not there.

MAYOR GANZ: Let's make no mistake. This is wetland. That's what your report says.

MR. GOLDASICH: Absolutely. It is.

MAYOR GANZ: This is wetland that's -- with the invasive species, the Melaleuca, that is prevalent throughout all of south Florida, especially along that area along there that was done to soak up the water so people could build and develop on there. That's why it's there. And your report even states that if the Melaleuca was taken out, what you would have would probably be a nice preserve.

MR. GOLDASICH: So it would most likely go back to what it originated as, a sawgrass marsh.

MAYOR GANZ: Absolutely. And I think that's where Miramar -- and this is their option, but they -- they had that opportunity to buy the property, take the Melaleuca out, and allow it to -- to grow to what it once was. But that's their choice, and they've chosen not to do that. Every city has the right to be able to do that.

I am less concerned about the traffic, because I do see the -- what the development -- developers are willing to do there. I see -- I agree with Commissioner Castillo that they are going well above and beyond what I've seen in other areas. But let's not fool ourselves, also, on this one selling point. And pity the poor person that comes in last. The selling point for the first people, and the reason why they have probably the densities that they do is because they were sold on the fact of, gosh, there's nothing all around us. Allow the density; it's really not a big deal. Then the next one gets built, the next one gets built.

VICE MAYOR CASTILLO: That's true.

MAYOR GANZ: The last parcel --

VICE MAYOR CASTILLO: That's true.

MAYOR GANZ: -- can't come in and make the argument, well, gosh, you've let everybody else do it, why not us.

MS. GOOD: Right. Right.

MAYOR GANZ: No. The reason you got away with it the first time is because this parcel was not developed, most likely. I'm not saying that's the particular case here, but I'm going to bet that it would be. So you can't use that selling point for me.

Again, going back to what our role sitting here on the Planning Council is, is that we have to follow what the overall Broward County rules are. The staff recommendation to support that this is something that can be supported and falls -- and we're not breaking our rules to support that. But I will say this. I do think the developer is overreaching with the density on this.

And I am very torn, and I would like to hear from more of my members as far as which way we're going.

CHAIR STERMER: Commissioner Gomez.

COMMISSIONER GOMEZ: Good morning -- or, actually, at this point, good afternoon. I agree with a lot of the comments made by my colleagues. I do think it's a fundamental obligation of the city, as the Commission of the city, to deal with the issues that are very hard for how they determine what is best use for their city. And we are here with a specific purpose.

I do have a question on the traffic. I do understand that some of the improvements that have been put in place are in response to things that have been made by the Commission, but I did hear -- if I -- I'd like -- Mr. Mele, if you can clarify something. If there was a traffic light instead of a roundabout, would that be -- that would be something you would be willing to put in?

MR. MELE: Yes. The -- but the key issue there is the traffic light has to be approved by Broward County. If Broward County would approve the traffic light, we'll put it in. If they won't, we would go with the traffic circle, because it's better than the stop sign intersection that's there now.

COMMISSIONER GOMEZ: Okay. And forgive me for not knowing our role specifically on this, but is this something that we could actually transmit with a recommendation to the County for an improvement such as that, to put in a traffic light?

CHAIR STERMER: Madam Blake Boy.

MS. BOY: I mean, as far as the transportation improvements, I believe that Mr. Mele said earlier that he would be willing to make -- if -- any recommendation subject to the transportation improvements. And then I would ask -- or I would defer to Mr. Maurodis, but I would say, you know, the issue of the traffic circle versus the light, if he's not legally able to do it, but we could include it as part of -- you could include it as part of your recommendation, that he's going to continue to, you know, work with the School Board safety staff and the County about that, the roundabout.

MR. MAURODIS: You can make the recommendation on the voluntary commitment to do, as first priority, a traffic signal, and if that's not possible, then a roundabout and to pay for it.

MR. MELE: Yes, to design it, permit it, and pay for it, whichever option it is.

COMMISSIONER GOMEZ: Would you mind restating that a little bit?

MR. MELE: So I -- as I gather from what you're saying, that the recommendation might be that you would recommend a traffic signal, if that would be approved by Broward County. If it's not approved by Broward County, then we would go with the traffic circle. And we would design it, permit it, and pay for it, whichever alternative it is.

COMMISSIONER GOMEZ: Okay. Thank you.

MR. MELE: Oh, and I just want to add, I know earlier the Vice Chair -- we will meet with the School Board safety staff to make sure that whichever way we do it, it doesn't cause a problem for students walking to school, or for buses or cars taking students to and from school.

CHAIR STERMER: Commissioner Blattner.

COMMISSIONER BLATTNER: Thank you. There were parts of the presentation today, I thought we were talking about two different pieces of property, one pristine and one not very. I don't know which is -- is which here.

But I do want to say that I think Commissioner Castillo was onto something that's very important. And that is cities need to step up and address their traffic problems. I will tell you that the MPO asked every one of the 31 cities in Broward County to meet with the MPO and talk about what are your biggest transportation problems. I did not sit on anybody's presentation except my own, but, by reputation, I will tell you that Miramar made an outstanding presentation.

I don't know if what was included in their presentation addressed this particular property, but I would ask the folks from Miramar that are here to take a look at that and see if what you recommended as your transportation priorities for the next few years included this area. And if it didn't, I think it would be a good -- a good idea to do it.

CHAIR STERMER: Anybody else? Mr. Rosenzweig.

MR. ROSENZWEIG: Yes. This has been great conversation for someone like myself, with little background in this area. And I feel the direction we're going in is to approve this based on the charges that we're given to go forward.

And I think it'd be a great idea, because it gives Miramar another chance to go back over this if we defeat it now, because Miramar really needs to take a look at this, because we are looking at -- look -- almost two different directions that we have seen here in the presentations given to us.

And I'm torn on this, because when you come up to a city and try to give them a direction that may not be in the best interests of the County or the city to give them a chance to take a look at it again to make sure that they're looking at the best interest of their citizens and what the citizens really want.

CHAIR STERMER: Thank you. Ms. Graham.

MS. GRAHAM: Thank you, Chair Stermer. Just a couple questions, please, for Mr. Mele. We don't normally get to see a site plan sketch like you have, and I know we're not here for site plan approval, but it was put up, and I saw the entrances into the development, and the lakes. The lakes are for the storm water retention, I presume?

MR. MELE: Yes.

MS. GRAHAM: Okay. So in order to prepare that and have be somewhat in the ball park, your civil engineers have already done some calculations on capturing the

groundwater -- the storm water and everything else to size those lakes, the angle of repose along the banks, and so on and so forth. So those lakes are probably pretty set for what they need.

MR. MELE: Yes. We are in the South Broward Drainage District jurisdictional area, and they have lake requirements for each drainage basin. They also have slope requirements for the edge of the lakes. And everything has been designed to try to meet those requirements.

MS. GRAHAM: Right. So once you do that, it's almost like simultaneous equations with three variables, because you first have to get the storm water under control, then you see what you have left. And you've got your roads and your infrastructure. And then you've got lots to put the houses on. And since you did mention the South Broward Water Management District, I saw from the Property Appraiser website that they own that big L-shaped lake to the south of your property; correct?

MR. MELE: Basically, what they do is when you develop a site and you dig a lake, they either -- they usually will take an easement to the lake. Sometimes they take ownership. But they always take an easement so that -- you have to maintain it yourself, but in -- in case you don't maintain it properly, have the right -- they have the right to come in and do it.

MS. GRAHAM: Okay. And will there be outfall from those lakes, those storm water retention areas on your property, will there be outfall to the southwest underneath that existing development to that, or it doesn't work that way down there?

MR. MELE: Generally, in the South Broward Drainage District area, all these lakes are connected, and the ultimate outfall is the C-9 Canal, which separates Broward County from Dade County.

MS. GRAHAM: Okay. Thank you. Because I don't -- I don't live down in that part of the County. So there's 337 lots from the original that they're allowed to build now of 48?

MR. MELE: Yes.

MS. GRAHAM: Okay.

MR. MELE: Currently, it's agricultural, which is one unit per two and a half acres. And I know everybody didn't love my argument, but that's what they all were out here at one time.

MS. GRAHAM: Right. So 337, obviously that's what you're going to shoot for, but --

MR. MELE: Well, it's -- it's 337 additional, so it's 385 total.

MS. GRAHAM: Right. So would the project not get done if it wasn't the additional 337? I mean, suppose it was only 315 or -- or 298. I mean, is there something, as you're doing your design for your storm water and the roads and the infrastructure that all has to be buried, if something got overlooked and they had to decrease the -- the additional units that you were asking, would that be something that they would still be doing?

MR. MELE: Well, here's what we -- here's how we came to the number we did. First of all, we originally had a proposal that was much higher. And we reviewed it with city staff, and they said we want you to come up with a plan that will not require any variances and that will have zoning districts that are compatible with the zoning districts around you. And that's what we did. That's how we came up with that plan and that number.

MS. GRAHAM: Thank you. I want that in the minutes because, even as I went through all of the backup -- and I'm not familiar with how the City of Miramar makes their decisions. I don't get to watch them on Comcast like I can Fort Lauderdale. So I wasn't in the -- I wasn't aware of that. Okay. Thank you very much.

MR. MELE: Thank you.

CHAIR STERMER: Thank you, Ms. Graham. Any --

COMMISSIONER UDINE: Mr. Chair, can I make a **motion** to approve subject to staff's conditions and Commissioner Gomez's amendment?

MR. DIGIORGIO: Second.

CHAIR STERMER: There is a motion by Commissioner Udine, seconded by Mr. DiGiorgio. Commissioner Williams.

COMMISSIONER WILLIAMS: Yes. I would just like to say this has been a very interesting conversation. I would like to ask, the roundabout, which I am truly not a lover of roundabouts, how many lanes will there be?

CHAIR STERMER: Mr. Vargas.

MR. VARGAS: We initially proposed a one-lane roundabout, and that showed that it worked. But at the request of the City of Miramar, we have agreed to do a two-lane roundabout.

COMMISSIONER WILLIAMS: Okay.

MR. VARGAS: And that's why, if you saw on one of my graphics, that we had that little additional four-lane improvement toward the north of it --

COMMISSIONER WILLIAMS: Okay.

MR. VARGAS: -- for purpose.

COMMISSIONER WILLIAMS: Okay. I was just wondering.

MR. MELE: I just want -- I just want to add, because the numbers could be confusing, a two-lane roundabout is what you do when you have a four-lane road.

CHAIR STERMER: Thank you, Mr. Mele.

COMMISSIONER WILLIAMS: Okay. Thank you. I -- my concern about the schools, they're not being -- they're not overcrowded. Traffic is 100 percent across this whole County. You know, we messed up when we didn't do that half penny sales tax last time to do something about the traffic. So now I -- I would be supportive, at this point, so --

CHAIR STERMER: Thank you, Commissioner Williams.

COMMISSIONER WILLIAMS: -- thank you.

CHAIR STERMER: School Board Member Good.

MS. GOOD: Mr. Chair, can you just clarify that the motion at hand includes the --

CHAIR STERMER: There -- there was a --

MS. GOOD: -- priority for --

CHAIR STERMER: -- there was a motion to approve by Commissioner Udine, seconded by Mr. DiGiorgio, to accept staff's recommendation with the further recommendation that should the County approve or require that a traffic light be put in, that Mr. Mele has agreed to design, construct, and pay for that improvement.

MS. GOOD: Okay.

CHAIR STERMER: Because that's purely at the -- in some respects, at the control of the County, because the warrants aren't --

MS. GOOD: Right.

CHAIR STERMER: -- met. And if the County requires it as part of its approval, Mr. Mele has agreed to that.

MS. GOOD: Thank you.

CHAIR STERMER: In addition to what he's already agreed to, the rest of the traffic improvements, which are part of the city's approval to get here.

COMMISSIONER UDINE: And the staff report.

CHAIR STERMER: And the staff report.

MS. GOOD: Just to clarify from staff, since the issue of density has come up, are -- I get what the applicant is proposing. Is the Planning Council -- is it under the Planning Council's purview to have a concern of the density proposed and propose an alternative?

MS. BOY: Well, Planning Council staff, in this case, as far as the compatibility review, there's -- finds it completely compatible with the surrounding development.

MS. GOOD: My question is --

MS. BOY: Uh-huh.

MS. GOOD: -- as this board, because I guess it's been mentioned --

MS. BOY: Oh, for the --

MS. GOOD: -- by numerous --

MS. BOY: -- board to make an --

MS. GOOD: -- members --

MS. BOY: -- alternate --

MS. GOOD: -- yes.

MS. BOY: -- recommendation?

MS. GOOD: So does the Planning --

MS. BOY: I would defer to Andy.

MS. GOOD: -- Commission have the authority to recommend anything different other than what the applicant is proposing, based on information shared?

MR. MAURODIS: My preference would be if the -- if you can almost make it a -- well, not make -- almost -- make it a binary choice. If you feel the density is too high, my recommendation is that there be a -- my advice to you would be to recommend against

it. You can state in the record your basis for it, that you're not against –

MS. GOOD: Okay.

MR. MAURODIS: -- an increase, but doing that. But as opposed to trying to come up with a --

MS. GOOD: I --

MR. MAURODIS: -- specific --

MS. GOOD: -- I understand.

MR. MAURODIS: Yeah. But I think, at that point, I think you're totally within your authority to recommend against it and state in the record that -- your reason for it.

MS. GOOD: Okay. Mr. Chair, just indulge me real quick. This does come back before us, correct?

UNIDENTIFIED SPEAKER: Yeah.

MS. BOY: Correct.

MS. GOOD: And so I -- I -- if I can ask for -- and I don't know if we're able to do this, a friendly amendment that the applicant meet with district safety staff with regard to safe routes to schools and the impacts of the proposed project. Is --

MR. DIGIORGIO: Second.

CHAIR STERMER: I believe --

COMMISSIONER UDINE: I'll accept that as part of my motion.

MS. GOOD: And that we get information, if it exists, from the County in regard to wildlife on the subject property.

MS. BOY: Yes, I will -- I will have that information --

MS. GOOD: When it comes back.

MS. BOY: -- for the second Public Hearing.

MS. GOOD: If -- if that's acceptable.

CHAIR STERMER: It's all acceptable to --

COMMISSIONER UDINE: It's all acceptable.

CHAIR STERMER: -- Commissioner Udine. Mr. DiGiorgio?

MR. DIGIORGIO: Yes.

CHAIR STERMER: Anything further?

MS. GOOD: No, sir.

CHAIR STERMER: Let me begin by thanking the community for your assistance in getting us to this hearing and getting us everything you did beforehand. We know it's been a back and forth between a whole bunch of you and Ms. Blake Boy about getting us the information, and we appreciate it. I will not start to repeat everything every member here said, except this is the next step in a process. And this will come back. Next stop is the County Commission, where you'll get to see Commissioner Udine once again. You will then get back to -- come back to us, and then go back to the city. So this isn't the end of the process. This is just one step along the process.

I am convinced that the city has heard the concerns raised by members of this board. But I will say this to the residents so you understand it. Half of us that sit up here come from cities. And the concerns you raise are concerns we hear from our residents, as well, when things go on in our community. And so we understand what you're saying. Sometimes -- we sometimes take a dispassionate view because that's part of what our jobs are, to sort of look at a longer term vision with regard to the Land Use Plan and what goes on in each of our cities. Commissioner -- you know, Mayor Ganz had an issue with an old golf course and what's gone on in his community --

MAYOR GANZ: Yeah.

CHAIR STERMER: -- in Deerfield Beach. Commissioner Udine's got it. Mayor -- Commissioner Udine had it, when he was Mayor Udine, up in the northwest corner. I currently have it right now in my city with regard to a project that's under dev- -- under consideration. We all have it. Mr. Grosso deals with this in his passion for the environment, and Mr. Blackwelder's historically -- belief in -- in where we are as a County.

But you know what? Part of this is we're 1.8 million people today and we're going to continue to grow. And if this is how the City of Miramar currently believes this is what's best for that, absent me personally seeing something that is an affront to me, I give deference to the city.

Now, you all have to go back to the city. Mr. Mele has to go back to the city. And he's heard all of these comments. And I'm glad that there were two representatives of

Miramar staff here today that can hear it and take it back to the Mayor and the Commission as to what the concerns are here. The School Board has weighed in on some of its concerns with regard to the safety issues.

So there was a motion by Commissioner Udine, a second by Mr. DiGiorgio with regard to the staff recommendation, with the recognition with regard to the traffic light, that Mr. Mele has agreed to meet with School Board staff with regard to safety, as well as Ms. Blake Boy's going to follow up with regard to the --

UNIDENTIFIED SPEAKER: Wildlife.

CHAIR STERMER: -- wildlife and other issues on the site. Ms. Cavender, can you please call the roll with regard to Item 5?

THE REPORTER: Mr. Brion Blackwelder.

MR. BLACKWELDER: No.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Yes.

THE REPORTER: Commissioner Felicia Brunson.

COMMISSIONER BRUNSON: Yes.

THE REPORTER: Vice Mayor Angelo Castillo.

VICE MAYOR CASTILLO: Yes.

THE REPORTER: Mr. Thomas H. DiGiorgio, Jr.

MR. DIGIORGIO: Yes.

THE REPORTER: Mayor Bill Ganz.

MAYOR GANZ: Yes.

THE REPORTER: Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Yes.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: No.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: No.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: No.

THE REPORTER: Mr. David Rosenof.

MR. ROSENOF: Yes.

THE REPORTER: Mr. Richard Rosenzweig.

MR. ROSENZWEIG: Yes.

THE REPORTER: Mayor Michael J. Ryan. Mayor Jack Seiler. Commissioner Michael Udine.

COMMISSIONER UDINE: Yes.

THE REPORTER: Commissioner Beverly Williams.

COMMISSIONER WILLIAMS: Yes.

THE REPORTER: Mayor Daniel J. Stermer, Chair.

CHAIR STERMER: Yes. The item passes 11 to 4.

VOTE PASSES 11 TO 4 WITH BRION BLACKWELDER, SCHOOL BOARD MEMBER PATRICIA GOOD, MARY D. GRAHAM, AND RICHARD GROSSO VOTING NO.

OTHER BUSINESS:

CHAIR STERMER: Anything further to come before the Planning Council?

VICE MAYOR CASTILLO: Yes.

CHAIR STERMER: Commissioner Castillo.

VICE MAYOR CASTILLO: If I could just take a moment to say that the City of Pembroke Pines, in solidarity with our friends in Puerto Rico, is doing a concert at City Center on November 10th at 8:00 p.m. For those of you that want to participate in this benefit, AARP has agreed to match whatever we raise, the first \$250,000, in order to

send very much needed hurricane relief to the Island of Puerto Rico. We're going to have Tito Puento, Jr. We're going to have Nestor Torres. We're going to have Carlos Oliva, and we're going to have Michael Stuart, in addition to other special guests who cannot be announced now, but they will be there. And tickets are available right now at Ticketmaster, and I hope that you can all come. And we're also accepting corporate sponsorships. So let's do something for our good friends on the Island of Puerto Rico who need so much help. Thanks.

CHAIR STERMER: And let me -- before Mr. Rosenzweig, let me also thank every local government and every other agency and every other civic group that has recognized October as Breast Cancer Awareness Month. I want to congratulate Commissioner Williams on her continued good health. Some of us are wearing pink this month, so I want to congratulate you on your --

COMMISSIONER WILLIAMS: Thank you.

CHAIR STERMER: -- continued good health, and to other of you that are survivors. And hopefully at some point we will make this scourge go away. Mr. Rosenzweig.

MR. ROSENZWEIG: Yeah, just a few things. One, on November the 4th, the Broward Veterans Coalition is sponsoring an expo for veterans, a health fair on -- in Coconut Creek in the Broward -- Broward College area. Also, November 11th, for our other veterans, Mr. Blattner, is Veterans' Day. We want to recognize our service to our country by our veterans that are here. And also, a thought that the four veterans we lost in Niger, just a thought that it's unfortunate that these things happen, but keep them in our prayers and families as well.

CHAIR STERMER: Thank you, Mr. --

MR. ROSENZWEIG: Thank you.

CHAIR STERMER: -- Rosenzweig. Lastly, if you have not purchased a box yet -- (Laughter.)

CHAIR STERMER: -- see the Executive Director or our staff.

MS. BOY: Or I will credit you.

CHAIR STERMER: Yeah.

UNIDENTIFIED SPEAKERS: (Inaudible.)

CHAIR STERMER: With that, we stand adjourned. Thank you, everybody. (The meeting concluded at 12:19 p.m.)

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Voine, Michael</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Brow Planning Council</i>
MAILING ADDRESS <i>7733 Meridian 9 Ln</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Prakland</i>	COUNTY <i>St. Roward</i>	NAME OF POLITICAL SUBDIVISION: <i>Broward</i>
DATE ON WHICH VOTE OCCURRED <i>10-26-17</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, Michael Vane, hereby disclose that on Oct 26, 20 17:

(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, Legacy Bank of Florida;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, 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:

Title owner of Blackwell and on B.O.B. + as stockholders of Legacy Bank of Florida. I am also stockholder + B.O.B. Member. Since this is clearly my agency in an abundance of caution I am abstaining.

10-26-17
Date Filed


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.