

**AGENDA ITEM 15**

MAYOR GRABER: We're now on Item Number 15.

We will have a number of speakers. It's been moved by Vice Mayor Eggelletion; seconded by -- who is seconding Number 15? Is there a second?

COMMISSIONER WEXLER: I'll second it for discussion.

MAYOR GRABER: Number 15 is seconded by Commissioner Wexler.

Okay, now we have some folks from the audience to recognize. Let's start with no particular order.

Chet Tomas.

COMMISSIONER GUNZBURGER: Wait a minute. Usually the applicant goes first.

MAYOR GRABER: Does the applicant wish to go first? I will recognize you. Sir, go ahead.

MR. KNIGHT: Whatever the desire of the commission is.

MAYOR GRABER: That's fine. Go ahead. We will recognize you.

MR. KNIGHT: My name is Jerry Knight, and I represent the applicant on 15 and 16, and I am going to talk basically about both of them together.

COMMISSIONER LIEBERMAN: Mr. Mayor, I would ask that he not. 16 has --

MAYOR GRABER: We only recognized 15 so just go to 15.

MR. KNIGHT: Okay.

MAYOR GRABER: Sixteen is another item. We do not like to combine.

MR. KNIGHT: Whatever you would like to do. A lot of my comments will apply to both of them, I guess. This is an application to change the land use plan designation on this property from commercial recreation to low -- to residential. With me today is the principals of Prestige Homes, which is -- which are Bruce Chait and Shaun Chait. Also, I have Jay Hubner, who is the projects engineer, Chris Hagen who is the traffic engineer and Robert Miller, who is an appraiser, has consultants who are here today as well.

Mr. Chairman or Mayor, I would like to reserve some time for rebuttal if necessary. As I indicated, the current designation on this property is commercial recreation. We are asking to go to residential. The proposed designation would allow a density, low-density residential projects on this property.

The project, as you know, the application started in the City of Tamarac. The city reviewed it at a staff level. They recommended that the application be -- move forward. The city planning board recommended that the application be moved forward. The city commission recommended the application be moved forward at their transmittal hearing. It then went to the Broward Planning Council staff, which recommended it be moved forward and the Broward County Planning Council self-voted to recommend that this project or this application be moved forward.

We are at the transmittal stage of the land use plan amendment process. The vote today is whether or not this proposal should be moved forward so that it can be removed by the Department of Community Affairs, Regional Planning Council and other agencies and come back with their input and their recommendations. So we are not at the stage where we're actually, as you know, actually adopting the amendment.

The standard of review at this stage when you have a land use plan amendment is basically, as I see it, basically three standards. One is compatibility of the proposed land use plan designation with adjacent lands uses, the impact of the proposed amendment on public services and facilities, and the consistency of the proposed amendment with the county and city comprehensive plans.

The compatibility, we are proposing a low-density residential project, which will consist of townhomes and single-family homes. It is compatible with adjacent low-density single-family residential uses in the area that are adjacent to it. So from compatibility standpoint the project is compatible.

We will, as part of the design of this project, although the design is not part of this consideration, we will incorporate water bodies and landscaping to buffer existing neighborhoods. We have also performed a traffic circulation analysis in conjunction with the city and we have proposed a plan that we have submitted to the city for review that includes traffic calming measures that we are proposing be adopted by the city and implemented and we are contributing to that effort financially.

The proposed uses we believe is more compatible with the adjacent land use than other potential commercial recreation uses that might go on this property fit were to stay commercial recreation. We also believe that it's more compatible with the adjacent uses than an abandoned golf course. Right now, both of these golf courses or this golf course, we'll only talk about this one, is closed. It's an abandoned golf course. It's not being used as a golf course anymore, and as you may be aware in reading what has happened to other abandoned golf courses in other communities, they sometimes become nuisances, attractive nuisances and sources of neighborhood complaints, notwithstanding, the owner's good faith efforts to maintain the property.

We have been meeting with representatives of the adjacent communities in the Mainlands and we have reached an agreement with most of the sections, in fact, all sections except one, which is Section 4. We have letters, which should be in your backup. I have copies, and I will give them to the clerk, from the presidents of those sections indicating their concurrence with this proposal. We did not -- again, I have combined them for purposes of handing out the exhibits, but let me hand out these exhibits. These are letters from Sections 1 and 2, Section 6, Section 7 and Section 3 of the Mainlands supporting this amendment.

COMMISSIONER LIEBERMAN: Just as a point of information, Mayor.

MAYOR GRABER: Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I received copies of those letters and I did purple-sheet them all so you would have backup.

MAYOR GRABER: We have all the letters right here.

COMMISSIONER LIEBERMAN: Any letter I got from anyone on 15 and 16, I have put in the backup.

MAYOR GRABER: Yeah, that's in the --

COMMISSIONER LIEBERMAN: You know, any letters signed.

MAYOR GRABER: -- in this stack we have here so those of you, look at your purple stack. You have that.

Please, continue, sir.

MR. KNIGHT: Okay. Although we did not get support of the board of directors of Section 4, there was not a vote by the residents of Section 4, per se, on this amendment. We did get letters of support from many residents of the Section 4. I have 43 here. I think there may be more maybe even your backup and I would like to put that in the record as well.

With respect to the benefits of this proposed amendment to the surrounding communities, we think that there are a number of benefits. There will be a more productive use of this property than vacant, abandoned golf course. There will be a new single-family and townhome community in the eastern part of Tamarac that has not experienced this type of development in a number of years. So it will afford a different type of housing product, a new type of product in that area that is not currently available this. This new development will produce additional tax revenue to the city, and the county and other taxing entities to -- in our estimation, it's 4.9 million a year in additional tax revenue.

The applicant is also committed to dedicate to the City of Tamarac, 32 acres. That is 23 acres in the Monterey development and 9 acres in the Sable Palm development for park and recreation purposes. And the actual use of these -- this property will be determined by the city and the residents working together to decide how they

want the property to be used, but it is will be limited to park and recreation uses. The applicant is also donating a million dollars, 500,000 for Monterey and 500,000 for Sable Palm, to the city to fund improvements to those parcels for recreational purposes.

For the most part, also this -- the design of this community -- and again, we're not talking about design, but you should be aware of this. The design will provide waterfront lots for most of these existing homes surrounding the new development. In other words, we are going to put -- the developer is going to put water bodies between the new development and the existing development that will create waterfront lots for the existing development, thereby restoring the premium which we think they've lost by virtue of the golf courses being closed. And we have Bob Miller here as an appraiser to talk about that some more if you would like to hear from him. We also think that this project will buffer existing development from the turnpike rather than have the open flat abandoned golf courses.

With respect to the impact of the project or land use plan amendment on public services and facilities, we have agreed to mitigate the impact of the land use plan amendment on public schools by paying the student station costs for those students that will be generated to overcapacity schools which are the elementary and middle schools in this area. The high schools, Boyd Anderson High School, which is under enrolled and this will provide additional students for Boyd Anderson High School.

Our total mitigation for both projects -- again, I can give you individual numbers, but it totals about \$1.8 million. We also agreed when we went to the planning council we agreed that we would look at these projects one year out and apply any revised School Board generation rates and make additional monetary contributions that -- if that is necessitated by the new school student generation rates.

With respect to Parks and Recreation, I already mentioned that this developer is dedicating 32 acres of land to the City of Tamarac, and both within Monterey and Sabal Palm, and contributing a million dollars to the improvement of that property. We also agreed with the City of Tamarac to upgrade the water and sewer system in this area not only to benefit these particular projects, but benefit other development in the area. We estimate the cost of those improvements as upgrades we are going to make at approximately \$500,000.

With respect to traffic, we have done a traffic impact analysis. We did one when we first applied. The Planning Council did another one. The planning council staff, when we went to the Planning Council, they took a little different approach than we did. But under either approach, our traffic impacts on adjacent roads were considered to be insignificant under their definition of insignificance which is less than three percent additional traffic.

We nonetheless, we have agreed, notwithstanding that analysis, to do some additional things. One is, we met with the staff, your staff, Development Management staff, your Traffic Engineering staff, and we agreed, we came up with a plan where we would contribute \$300,000 to the county that would be used to buy the software for what they call the ATMS system and there are others here who can explain that better than I can, Chris Hagen, our the traffic engineer can, and I think the head of your Traffic Engineering Division is here -- which would, in effect, make the timing on the traffic signals on Commercial Boulevard and other county roads operate more efficiently, thereby increasing the capacity of those roads, the level of service of those roads and mitigate the trips that were -- the net increase in trips that this project will generate on to those roads.

We are also going to be paying, as you were discussing earlier, the county transit fees. So in addition to the county transit fees, we are going to be making this \$300,000 contribution. The county transit fees for these two projects combined is approximately \$487,000. We are also, in addition to that, as I indicated earlier, proposing traffic calming measures within the neighborhoods themselves, on the neighborhood streets. We submitted that plan to the city and they're reviewing it, and we've agreed to contribute \$250,000 to the city to implement those traffic-calming measures.

We've also have agreed from an environmental standpoint to comply with the County tree ordinance, comply with the Florida Conservation and Fresh Water Fish regulations relating to go any species that are on the property, protected species, and to conduct an archeological survey of the property prior to development. We also agreed to utilize the county's, Broward -- I think it's NatureScape, landscaping measures as part of the development of this site.

We had -- we have gone through the process. We've had a number of issues raised by the neighbors.

MAYOR GRABER: I will ask you to try to close.

MR. KNIGHT: Okay. I think we've addressed all of them. Again, we have gotten the support of all of the sections of the Mainlands, except Section 4, and we even have a lot of support from the residents of Section 4. I think we have addressed all of the issues, which the neighbors have raised.

In addition, as was indicated earlier, I think Commissioner Gunzburger was referring to our project, we are agreeing to build 10 percent workforce housing on this property. So we will have ten percent of the property as workforce housing, and we can discuss that if there is any questions regarding that but we are agreeing to do that.

MAYOR GRABER: Thank you.

MR. KNIGHT: In sum, these are the things we are doing to mitigate the impacts of this project. We think we have gone a long way to addressing all of the issues, which have been raised along the way, and we appreciate your favorable consideration. I have one more item I would like to hand out, which is a list of financial contributions and impacts fees for Sable Palm. It just kind of summarizes what we agreed to do for Sabal Palm and Monterey.

MAYOR GRABER: Sure. Give that to our clerk, please. Thank you. Okay. Thank you, sir.

Next we have a group of – we have, let's see, about 12 speakers. I am going to try to limit you to two minutes. If you go over a little bit, I will be generous, but we would like to move the meeting along. It's already 4:00 o'clock. So let me first recognize, in no particular order, Chet Tomas.

MR. TOMAS: Good afternoon.

MAYOR GRABER: Good afternoon, sir.

(COMMISSIONER RODSTROM LEFT THE ROOM.)

MR. TOMAS: Thank you for allowing me to speak. Basically, I am going to deal more with histrionics than anything else, but basically, the word that is going around that many of the people that you hear that this project is a done deal. There have been things done to put weight, things done to put weight to these words. Clubhouses are gone. Palm trees are in the process of being dug up, but halted. A huge tree at our exit to Commercial Boulevard where we had welcomed shade while we had to wait to exit, which is often, if we could, is now gone.

We wonder how our Mayor of Tamarac will vote now and when they come for the Woodlands Golf Course. We had another developer prior to the situation now, but they had a great deal more compassion and passed on the project.

Forty years of maintaining an over 55-years-of-age community, which amounts to a great deal of achievement. Multiple communities are in dire jeopardy of being wiped out by injection of other classes. These courses don't pay for themselves, we hear. It's very ludicrous because I have played these golf courses for over 32 years, but I don't know of any of the owners that have filed for bankruptcy. There is so much – you have so much of these preparations that are any indication or signs of advanced approval, why are we here? We would be glad to hear any rebuttal. Thank you.

MAYOR GRABER: Thank you, sir.

Next, Ellen Tomas.

MS. TOMAS: Mayor, Commissioners. The first rezoning public hearings we had, we experienced standing room objectors of losing our green space and more. Disappointment grew as the process developed with the developer rejecting offers to buy the Monterey Golf Course with a self assured preliminary preparations that we saw, the feeling of a done deal passed through the communities.

The developer feels like this is a compatible development, but it is not to the surrounding communities as Prestige indicates. The Monterey property needs its own road. They ask you to approve their projected 148 daily vehicles to run through our five communities, jamming our two troubled exits. One competes with the turnpike, the other with the Sunshine Plaza exit and 441, clogging the exit areas. Both exit into the increasing

back and forth traffic on Commercial Boulevard with an F level of service. There are those of us who worry about the projected 159 children trespassing through our quiet, serene, senior living neighborhood riding scooters, bicycles, skateboards, destroying our lengthy attained senior status intent.

There are those of us who worry about emergency vehicle delays, worry about depreciating our air quality for more vehicle pollutants, worry about disseminating our green space so sorely needed here in the middle of Broward County. There is worry about the aquifer, inadequate water supply, mostly the survival of the 35-years-senior status intent for our Mainlands. There is too much to sacrifice. Tell us it is not a done deal. Thank you.

MAYOR GRABER: Thank you, ma'am. Pamela Bushnell.

COMMISSIONER GUNZBURGER: That windstorm is coming up again.

MS. BUSHNELL: It's kinda scary.

MAYOR GRABER: Pamela will be followed by Ken Zeilberger.

MS. BUSHNELL: I am Pamela Bushnell, and I'm on the Board of Directors of Mainlands 1 and 2, and I can say very safely if this was a perfect world, we senior citizens of Mainlands 1 and 2 would love to keep the golf course. However, that option is not ours, and so as a representative and authorized by being a member of the board of directors, we had a vote of our population and the majority voted to accept the offer of Prestige Homes and not to oppose them in their need for a zoning change.

We would ask further, with our cooperation, which we are giving to them, that the county cooperates and helps us when we are in our time of need as the development goes along. But we have accepted the offer of Prestige Homes.

MAYOR GRABER: So you are satisfied with the mitigation you are saying?

MS. BUSHNELL: Yes.

MAYOR GRABER: Okay. Thank you.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR GRABER: She's from Mainlands 1 and 2 Civic Association, 1 and 2 Civic Association. Next, Ken Zeilberger from Mainlands 5.

MR. ZEILBERGER: Good afternoon. My name is Ken Zeilberger. I am an attorney representing the Mainlands 5, Incorporated. I am here to specifically state the association support of the application. We have been working closely with the applicant to address all of the concerns of the association. They have been adequately addressed and I am happy to report that the association fully supports the application.

MAYOR GRABER: You're saying Mainlands 5 is happy with the mitigation?

MR. ZEILBERGER: Yes, they are.

MAYOR GRABER: Thank you, sir.

MR. ZEILBERGER: You're welcome.

MAYOR GRABER: Next we have William Villella from Mainlands 3.

MR. VILLELLA: Thank you, Mayor, Commissioners. I would like to share a few things with you this afternoon. One is about the golf course in general. March 29th we had a meeting at our clubhouse with the tenant, with Vice Mayor Portner. We had the park commissioner there along with the builder. With our membership, we decided we would like to go forward with passive park for the seniors. We desperately need it over there. The seniors now walk in the road. It's a wonder nobody has been killed over there in all these years.

And another thing you should be aware, this place has been a disaster over the last three years, this golf

course. If it wasn't for Prestige Homes coming in and taking the trees out after this hurricane, man, we still would have a mess. I live on there. I know what it is. I also would like to share that on May 10th, there was a proposal put to us, our members again, not the board of directors, our members to accept \$100,000 repair and also pay off our clubhouse. We accept it and we are very thankful.

In closing, I would like to say we are in the process of negotiating the package deal and what we have discussed, the \$500,000, the 100,000, and the clubhouse being paid off. And I would also say to you people that I see no reason why this shouldn't go forth. I really, really think it should go forth. So I support Prestige Homes 100 percent. Thank you.

MAYOR GRABER: Are you – just to be clear. You represent Mainlands 3?

MR. VILLELLA: I am the PR man. Public relations

COMMISSIONER WASSERMAN-RUBIN: (Inaudible.)

MR. VILLELLA: Yes, I am.

MAYOR GRABER: And are you saying they are happy with the mitigation as well?

MR. VILLELLA: Absolutely are.

MAYOR GRABER: Okay. Thank you, sir.

MR. VILLELLA: Thank you.

MAYOR GRABER: Chris King, from the City of Tamarac.

MR. KING: Good afternoon, Mayor and Commissioners. Just for the record, Chris King. I'm the Director of Community Development for the City of Tamarac. Just to give you an overview of this project, as you know, Tamarac has some changing demographics over the last 10 or 15 years. Our age has dropped anywhere from 63 down to about 52 and continues to drop every single year. With that comes a changing need for housing stock in our community.

Over the past five years, we have actually started to see an increase in the number of townhouses within our community, which is actually providing some workforce housing that we were not foreseeing previously. So basically, with these projects coming through, we are actually now seeing, not only townhouses, but also single-family homes coming in which we haven't seen in over 10 years in our city. With that, we also have had from our mayor and commission a push for parks and rec. open space and also based off the desires of the county commission, we're also trying to push for more affordable housing in our community.

Even though Tamarac is one of the older communities, we are vastly affordable with our current housing stock. We endorse the county's commission push for additional affordable housing. As indicated previously by the applicant, they have already agreed to an additional ten percent of their project to go forward with affordable housing.

One of the things you have seen today and you will continue to see throughout this meeting will be that there is some public comment. One of the pushes that the staff and also the mayor and commission had requested at the city commission meeting is that the developer go out and talk to residents and do their best to try get public support for their projects. It is my understanding there is about 90 to 95 percent public approval of this project.

And you know, one of the things that we have faced with this project was the fact that we held two public meetings in our community center. We had about 300 attends the first meeting. About 150 attended the second meeting. Since then and since the commission meeting, we have had no phone calls come into city hall at all regarding those and we're assuming that that is because of the fact the developer has been working with our residents to try to get them onboard and with the program which apparently is working. So with that, the City of Tamarac is in support of these requests.

MAYOR GRABER: Let me ask you question about the affordable housing. They offered ten percent. Does Tamarac have a policy now?

MR. KING: We are currently working on one right now. Our city manager and mayor and commission before they went on break requested staff to go ahead and start work on an affordable housing policy. We have tentative program we will be presenting to our mayor and commissioner over the next month at a workshop meeting. Once we get some guidance from them as how we would like to finalize that, we will be moving forward with that.

MAYOR GRABER: Okay. We appreciate that. Any questions by anybody?

VICE MAYOR EGGELETON: I have one.

MAYOR GRABER: Vice Mayor Eggleton.

VICE MAYOR EGGELETON: In this area, what is the average sale price of a house in this area?

MR. KING: Typically, it's running around the \$250,000 mark.

VICE MAYOR EGGELETON: Okay. So just about every house in here almost would be affordable?

MR. KING: Absolutely. Yes.

VICE MAYOR EGGELETON: Okay. Thank you.

MAYOR GRABER: Okay. Thank you, very much. Brad Dressler, followed by Ed Portner, the Vice Mayor.

MR. DRESSLER: Good afternoon. My name is Brad Dressler. I am the former owner of Sable Palm Golf Course, which I sold to Prestige Homes at the beginning of this year. I am not affiliated with Prestige Homes, nor do I have any continuing interest in the project financially. I bought Sabal Palm in 2001 from American Golf, who at the time was the largest golf course operator in the United States. They had bought the golf course in the early '90s for over three and a half million dollars and sold it to me 10 years later for \$2,000,000. At a substantial loss, obviously. And at the time, the golf course was all weeds, irrigation system didn't work. It was a disaster. And also at that time, I owned three golf courses in South Florida and we thought that we could fix the place up and make a go of it, which is we didn't buy it to flip it or redevelop it or anything else.

So over the course of the next three years, we fixed up the golf course best as we could given the irrigation system and some of the other constraints. Then, in 2004, two of our main competitors closed and between fixing up the course and two competitors closing, we thought we would finally make some money, and 2004 was the worst year we had since we bought the course. So needless to say, we were very dispirited. We put the golf course quietly up for sale and over the course of the next year, we had no offers. We had one offer actually from a group that wanted to turn the entire golf course into an assisted living facility.

Then the hurricanes came and thankfully Prestige Homes came along to buy the golf course, because we had no insurance at the time. The reason we had no insurance was that two years prior the then insurance company had us tear down the cart barn as an unsafe structure. And then the City of Tamarac had us tear down the porte-cocheres as an unsafe structure. When the hurricane came, it destroyed the maintenance facility and took most of the roof off the pro shop.

Now, if I may just finish up. When we had negotiations with Prestige Homes to sell the golf course, one of the sticking point was that they wanted the golf course to stay open for the next two years to be operated. I didn't want to do that. They offered it to us for a dollar a year and I still didn't want to do that because I felt we would end up losing money, but in the end we agreed to do that. And the only reason the golf course is presently closed is the pro shop, the City of Tamarac basically came in and said that the pro shop was going to have to be torn down. So at that point, we had no maintenance building and no pro shop building and there wasn't much point in continuing to operate. So we departed and the golf course was closed.

Basically, if Prestige Homes had never bought the golf course, it would be closed today, and, perhaps, I would be up here in his shoes talking to you about what are we going to do with this land, because the golf course is non-economical. In order to make the golf course economical, you'd have to redo the irrigation system, redo the golf cart paths, change all the grass out which was Circa, 1950's grass and grass does wear out, believe it

or not, and build a new pro shop and maintenance building. So we're talking 3 to \$4,000,000 and there is no assurance you get on your return on your investment. So that was the situation. Thank you.

MAYOR GRABER: Okay. Thank you. Sound like golf is becoming a tough business there.

Vice Mayor Ed Portner, you're recognized.

VICE MAYOR PORTNER: Thank you, Mr. Mayor, Vice Mayor, members of the commission. Before I go into my prepared text, I just want to say one thing about affordable housing, I want to know when there is going to be affordable gas. These people have to go to work at \$3 and \$3.33 cents a gallon. It is tough.

The other thing I want to tell you is I just came back from Florida League of Cities convention up in Jacksonville. For those who are going to be here 50 years from now, and I intend to be one, the State of Florida will have 65,000,000 people in it. And you want to talk about your corridors. Having said that, let me continue, please.

Today is really a momentous in the lives of our citizens of Tamarac and you. Today you decide whether Tamarac slips back into a warm, sleepy bedroom community or it becomes a progressive live and vibrant city. You are faced with a very difficult decision for which you will be damned if you do and damned if you don't. The decision that you make today will impact those who live in Tamarac now and those who are to come. When I was fortunate enough to be transferred down here from Chicago 31 years ago, I couldn't believe how lucky I. I left Chicago that was buried deep in snow and freezing cold. On my drive down I kept saying and thinking to myself, are those people already here living in paradise, content, nice warm weather, beaches and a great place to work and continue to raise my family.

But in 1974, there was the start of recession. There were condo buildings which were started then left abandoned, uncompleted due to lack of funds. There was the Gate, Concord Village and so on. Steel beams shooting up in the air and at the sky, and that's what you saw. It almost looked like Europe after World War II, but it was nice and it was peaceful. The snowbirds came down in the winter and went back up north in April and May. But the building at that time stopped -- was stopped dead in its tracks.

Then all of a sudden, like overnight, the flood gates opened. Buildings were again started and sold out in no time. Tamarac started to swell and grow and grow and grow. When I arrived here in 1974, Tamarac had a population of about 22,000. Today there are close to 59,000. Many of us enjoy life here to the fullest extent. I believe the majority of us here are very happy.

(COMMISSIONER RODSTROM RETURNED TO THE ROOM.)

VICE MAYOR PORTNER: Now comes the dilemma, do we sit on what we have and say no to those who want to join us in this wonderful life, or do we say, okay, son, you come on down but not in my backyard and that is (Inaudible.)

Some say no to everything. They cite traffic, school, buses, kids, et cetera. Some say let us be progressive and be all that we can be. New housing has always been a problem if there is no plan. New housing with proper thought and planning becomes a great addition to a great city. Many of you have heard me before suggest to the city by both Sabal Palm and Monterrey and maintain it as a city course. Members of that commission turned down at that time. They said it was too expensive to own and run. I am sure they regret that decision now. I then turned to the community and suggested that they buy the golf course. They said they were not interested in it. Let the city do it. Well, the city didn't do it. This now brings us to a fork in the road. Either way you vote, you will offend someone in this community, but as President John Adams said: Popularity was never his mistress. General MacArthur once said on leaving -- I am going to close, but as politician, you know I have to have my say.

(COMMISSIONER WEXLER LEFT THE ROOM.)

MAYOR GRABER: That's why I went like this.

VICE MAYOR PORTNER: Okay. I will do it as fast as can.

MAYOR GRABER: Okay.



VICE MAYOR PORTNER: General MacArthur, when he was leaving West Point said –

MAYOR GRABER: (Inaudible.)

VICE MAYOR PORTNER: – the Corps, the Corps, the Corps is always the Corps. And I say to you: Tamarac, Tamarac, always Tamarac. To quote Admiral Hyman Rickover, the father of the nuclear sub: Good ideas and innovations must be driven to extensions by courageous patience, and also to quote Walt Disney: It's kind of fun to do the impossible. Thank you very much. I appreciate it. Thank you.

COMMISSIONER JACOBS: Vice Mayor Portner.

MAYOR GRABER: Commissioner Jacobs.

COMMISSIONER JACOBS: Just to comment, this is the first time I think I've seen you introduced not as Stacey's dad.

VICE MAYOR PORTNER: I appreciate that. Thank you, very much.

MAYOR GRABER: The Vice Mayor, Stacey's dad. There are only two options, damned if you do, damned if you don't. That is not the best option, so. Well, all right. Thank you anyway.

Sherry Taylor, you are next. And Sherry will be followed by Tom Gorton. The last speaker will be Harry Freer.

MS. TAYLOR: Commissioners, I'm Sherry Taylor and I'm from Section 4 and I'm Vice President on the Board. As far as the 43 items that were turned over to your clerk, that was illegal. It wasn't put out by the board, so the survey they did is null and void. The only thing I would like to say is I know you have a tough decision, but you have every one of our people that live in Section 4 and the other areas around us in your hands. And I don't know if you have ever been out to that place to see what our little community is like. It's nice. We had a nice little golf course.

(COMMISSIONER WEXLER RETURNED TO THE ROOM.)

MS. TAYLOR: Okay, so it's not going to be there, but why do they have to come right straight through our community to get to that place? Why can't they find another avenue to come through instead of coming right down Monterey Drive and Mainland Drive and 47<sup>th</sup> Terrace? So the only thing I can say is that reason we didn't vote is that we were waiting until the fall until all our people came back so all of our people could vote on what they wanted to do with the option. The options were that the builders had offered us to pay off our lease and they would give us \$100,000. Well we thought, well we will wait until our people come back in the fall and then we'll let them decide. We have been hammered about this ever since. So like I said, our lives are in your hands and so whatever decision you make we have to go by it. And I thank you.

MAYOR GRABER: Let me just ask a question before you go. So what you are saying is that Mainlands 4 has not had an opportunity to vote on the offers made to them?

MS. TAYLOR: That's correct. We have not really had a legitimate offer. We had a letter from Prestige, and it was mishandled by our president which caused a lot of serious problems in the organization.

MAYOR GRABER: Who is the president?

MS. TAYLOR: Arthur Stars.

MAYOR GRABER: Where is he?

MS. TAYLOR: I don't have any idea.

MAYOR GRABER: All right.

MS. TAYLOR: Anyway, but we were waiting until the fall. Most of our people will be back and we will let them make the decision.

MAYOR GRABER: Okay. The problem is we need to make a decision today. You don't have any other representation? Do you represent all of Mainlands or just yourself?

MS. TAYLOR: Just myself, sir.

MAYOR GRABER: Okay.

MS. TAYLOR: But I know how they feel. In fact, there was a lot of people spoke up here are not --

MAYOR GRABER: We need somebody official, like a president. That president is nowhere to be seen?

MS. TAYLOR: I am the vice president. So he's nowhere around.

MAYOR GRABER: All right. Well, Vice Mayor Eggelletion has a question.

Vice Mayor Eggelletion.

VICE MAYOR EGGELETION: How many residents are there in Phase 4?

MS. TAYLOR: We have 259 homes, sir.

VICE MAYOR EGGELETION: Two hundred fifty-nine.

MS. TAYLOR: Yes, sir, about 1362 homes altogether in Section 1 through 5.

VICE MAYOR EGGELETION: Okay. And you have how many?

MS. TAYLOR: Two hundred fifty-nine homes.

VICE MAYOR EGGELETION: So are you saying to me -- you say there are 1,300 homes altogether?

MS. TAYLOR: About 1,362. Yes, sir.

VICE MAYOR EGGELETION: Are you saying that Phase 4 makes up a third of the entire development?

MS. TAYLOR: No. Two hundred fifty-nine is not is not a third.

MAYOR GRABER: It's about 20 percent.

VICE MAYOR EGGELETION: About 25 percent. So you make up one-fourth of the entire development?

MS. TAYLOR: Yes, sir.

VICE MAYOR EGGELETION: Okay. Thank you.

MS. TAYLOR: You're welcome.

MAYOR GRABER: Okay. Next is Tom Gorton.

MR. GORTON: My name is Tom Gorton. I live in the Mainlands. I've lived there for 15 years and I am just thinking how wonderful America is. Here we have this lawyer come up and tell us about this new development and he spent 95 percent of his time telling you how much money he's going to give away. What about the good that this development is going to do? Why don't you tell us? Maybe we'll, Section 4 will vote. But if you're just going to stand up and say: I am going to give these people a million. I am going to give these people a million, we are not interested, and everybody here that supported it is on the list to take money from this builder. I mean that should be raising some red flags somewhere.

The traffic, Commercial Boulevard at the Turnpike is already F. It doesn't get any worse. It's just like the school, you can't get a double F, triple F, it's F. It's failed miserably. And now we are going to put 585 bedrooms in this community, 585 bedrooms. So according to the builder, he said only 44 kids for 585

bedrooms. Sounds a little strange to me, but if that's the case, let's say the 540 other bedrooms are adults so that's going to put 1,000 cars in the morning, 1,000 cars in the afternoon that goes right through Section 4.

There is no way the Section 4 can avoid every car coming in and out of that development. Somewhere along the way they have to touch Section 4. Sure, they will hit some of the other sections contiguous to us but the majority will be going through Section 4. It's just -- it will not work. There is a gridlock there now. People make their appointments in the daytime after 10:00 o'clock in the morning and before 3:00 in the afternoon because they can't get in and out of the neighborhood. We are not part of the problem. We are part of the solution. We try to work around the gridlock that's there every day. It's impossible. You might wait six, seven times for a light change to get out of there.

I mean there are so many other problems there have to be looked at. I would hope this commission board would do more study and look at it. Why should so many people be so adversely affected to benefit one person, a builder? We have a couple of thousand older people in the neighborhood. They just want to walk the street. They don't bother anybody. They don't take much from Broward County for services. They pay their taxes and they want to be left alone. We are in God's waiting room. We just want to be left there. Just leave us alone. And don't say it's compatible. Kids and seniors, as much as we all love our children, are not compatible. It's like oil and water. It doesn't mix. And that's a simple solution.

(COMMISSIONER WEXLER LEFT THE ROOM.)

MR. GORTON: I am sure we could get into the details, but all I am asking this board is, please, be the trend setters of Florida and say enough is enough is enough. We don't need more concrete jungle. If they are going to give us a passive park, what good is it? We won't be able to walk in it. The carbon monoxide will be no bad from the gridlock we'll be wearing a mask to walk through the park. What possible good is that? You are taking away the green space. We can't make oxygen. We are headed up there, but we don't need anybody to help us. We have our own vices to get there. Thank you.

MAYOR GRABER: Thank you. Thank you. Okay.

Final speaker for the public before we get into debate will be Harry Freer. Did I say it right? Fryer or Freer.

MR. FREER: Freer.

MAYOR GRABER: Okay. Very good.

MR. FREER: Good afternoon, Broward County. I am the president of Mainlands 1 and 2 in Tamarac. Out of 529 homes, we had 235 that voted. As a result of that, 157 voted yes and 78 voted no. Therefore, Mainlands 1 and 2 in Tamarac has accepted the offers of Prestige Homes by homeowners voted count. The offer is hereby accepted. And that's all the time I have got. Thank you.

MAYOR GRABER: You are saying Mainlands 1 and 2 accepts the mitigation?

MR. FREER: Yes, because we had to mail these questionnaires out to everybody. A lot of them are in Canada, some in Europe, some South America. They finally came back.

MAYOR GRABER: You had an official election?

MR. FREER: Yes.

MAYOR GRABER: Okay. Thank you.

MR. FREER: Thank you.

MAYOR GRABER: Any questions? Okay. Question to the speaker or just for general?

VICE MAYOR EGGELLETON: No.

MAYOR GRABER: Vice Mayor Eggelletion.

VICE MAYOR EGGELLETON: I need to ask a question of Mr. Sneedson.

COMMISSIONER JACOBS: Me, too.

MAYOR GRABER: Okay. Vice Mayor Eggelletion and Commissioner Jacobs.

UNIDENTIFIED SPEAKER: Me, too.

MAYOR GRABER: Vice Mayor, you're on.

VICE MAYOR EGGELLETON: Good afternoon. How are you today?

MR. SNIEZEK: I'm good. Thank you.

VICE MAYOR EGGELLETON: When this came in front of the Planning Council, was there discussion with respect to -- a lot of people here talked about traffic on Commercial Boulevard, et cetera, et cetera, was there discussion with respect to that?

MR. SNIEZEK: Yes, sir.

VICE MAYOR EGGELLETON: And what was the result of that discussion, sir?

MR. SNIEZEK: The result of the discussion was the Planning Council's analysis, which was a regional level analysis. It just really focused on Commercial Boulevard, show that the impacts would be basically de minimis impacts and the applicant offered to address those and mitigate those, even though he found them to be not significant. As far as local traffic, that was a concern that was raised and that is something we would defer to the city to address.

VICE MAYOR EGGELLETON: Is that the normal -- is that what the Planning Council do normally, it allows the city to use its home rule to address the local traffic within that city?

MR. SNIEZEK: For local traffic yes, sir.

VICE MAYOR EGGELLETON: Okay. Now, if we were to vote to transmit this today, could we vote with a stipulation that it comes back to us with further study of the traffic in this particular area? Can we do that?

(COMMISSIONER WEXLER RETURNED TO THE ROOM.)

MR. SNIEZEK: I believe so, but I defer to the County Attorney also.

VICE MAYOR EGGELLETON: Can that be done?

MS. AZCOITIA: You could.

VICE MAYOR EGGELLETON: Okay. All right. Thank you. In fact, I can tell the members now I would like to see that done, that it comes back to us. And when would it come back, November or December?

MR. SNIEZEK: The tentative adoption date would be December 12th.

VICE MAYOR EGGELLETON: Okay. So --

MAYOR GRABER: Are you making a motion to put an amendment on?

VICE MAYOR EGGELLETON: Absolutely.

COMMISSIONER LIEBERMAN: I'll second his amendment.

MAYOR GRABER: Seconded by Commissioner Lieberman. Okay.

VICE MAYOR EGGELLETON: Okay. Now -- thank you.

Let me just say this. This is a transmittal. Okay. It goes to DCA for their comment and it comes back to the

commission for further consideration and that's really where the rubber meets the road. I mean, that's where we will have our say here as to yea or nay on this particular development. The process has been developed in Florida -- and it's a good process -- where it allows the state to look at it. It allows local government to look at it, and it allows county government to look at it. I think that's a good process.

And by the time it goes through all three of those usually, it will either move forward with a lot of changes or it will die, and I think when you have three different agencies, a state, a city and a county agency looking at something like this you are going to come away with good results one way or the other. It may be bad for some, but it will be good for others as the Vice Mayor from Tamarac pointed out.

There are a lot of issues here that have to be looked at. One of the issues that we got to look at -- I know Commissioner Jacobs is going to talk about this, is the noise issue coming from the turnpike. Currently, there is no wall there. This commission has fought with the Turnpike Authority to put walls in this area. And personally, I tell you, to be very honest with you, this is one Commissioner that is getting very close to personally suing the Turnpike Authority. And the reason being is because I just believe the Turnpike Authority treats people in different areas of the county differently.

I can go to Coral Springs and into Parkland where they are putting up a wall, and they're literally they are putting a wall around parks, but they stand in here in front of us and say they don't do that, and I am finding that's not the case. So that's unequal treatment and it's just not fair. I would love to see the Turnpike and we will be lobbying the Turnpike Authority to put a wall there. If not, we will address that issue in the future when it comes back to us. That's the appropriate time to do that.

This is a transmittal hearing. Local traffic is an issue we are going to look at, but certainly it's a home rule issue for the City of Tamarac to deal with appropriately and I am quite sure that they're going to do that. But I just want to assure all of the residents out there, the process and how it works. It leaves here. It's going to go to Tallahassee. This issue going to be kicked around and studied by experts in Tallahassee that do this every day for a living. Then it comes back to us for us to further address this issue and that's the hearing that you really want to be at. If you want to be at a hearing, that's the one you need to be because that is when we will either take action or not take action on this particular issue. It is premature. And for people in Phase 4, by that time your residents will have come. You hopefully will give them the opportunity to vote.

But I want to say to the commission there are I think six or seven phases in this development. Every single one of them have agreed with the exception of one and they have indicated to you today why they did not agree because the rest of their residents which usually come -- we are used to the cycle of where people who have dual residence come for the winter and they usually arrive around -- before or right at Thanksgiving, so that those votes will take place.

So I am going to urge the commission to adopt this or to transmit this to Tallahassee with the amendment that has been placed on it so that it can come back to us so that we can make a final decision on this particular development. That would be my recommendation and I would urge the commission to adopt it at the appropriate time, but I know that other commissioners here will have a comment.

And one last comment, and that is the developer offered 10 percent affordable housing. I know this area very well. I represented this area since 1992. Okay. Most of the homes in this area are already affordable. We need to understand as Commissioner Lieberman and some other people have already said around the dais, my colleagues have already said, you cannot take a cookie cutter approach to affordable housing. One shoe does not fit all. There are certain residents that need market-rate homes as opposed to affordable homes so that it raises the taxable value for that city. But to load all of the affordable houses up in one area of a city is just simply wrong and you should never do that. You need to have something to balance that so the people who are living there, if they ever do decide to sell their homes, they can get a better price for it. You should never bring something to a community that lowers the value of a community, but increases the value of the community. And so that's where I am with it, and, I know, Mayor, my other colleagues will have something to say, and at the appropriate time, I would like to call the question.

MAYOR GRABER: Thank you. So for the record, Vice Mayor, who is the District Commissioner who represents this area is recommending transmittal, that the item as amended.

Commissioner Lieberman and then Jacobs.

COMMISSIONER LIEBERMAN: I have two other amendments to the Vice Mayor's motion. This is his district

and I agree with him that we need to transmit this item. There, you have the majority of associations have signed off on this and transmittal will allow state agencies, South Florida Regional Planning Council to work through some of the -- one of the things I look for -- I see Mr. King is here from the City of Tamarac so I will ask him to come forward and make sure they're not a problem. And I am truly sorry that Vice Mayor Portner left our chambers because I need to tell you something about the Vice Mayor.

Earlier today when we were discussing having that additional money to help cities acquire golf courses that were no longer functional and turn them into passive parks, the reason I originally asked that question years ago, that we had to get an opinion from bond council was because Vice Mayor came to me and said, you know, he wanted to bring an issue forward and would the county partner with them to acquire these golf courses, for the city to work them as golf courses, and that's what started the whole discussion. So what he said today about coming to us and asking if there was any way, he absolutely did that, and it was bond counsel that turned that down and said we couldn't use the bond funds for that purpose.

But, Mr. King, I have a question. Actually, I have two. The first one has to do with the walls. In the portion of -- in the Sabal Palm one, which is why I asked they be separated. The issues are different. In the Sabal Palm, there will be a wall along Sabal Palm being put up as courtesy of FDOT. Has the city approached FDOT and advised them of potential new development and asked them whether or not they would reconsider noise studies? What is going to happen with respect to that? Does the county need to work with the city on the wall issue? What needs to be put in as an amendment to get the issue rolling.

MR. KING: Very good question, Commissioner. We have already contacted FDOT about this proposal coming forward. Their indications say yes, this will fall under consideration for a wall to be constructed. We will continue to work with FDOT to make that happen and if we need to, we will call on you for additional support.

COMMISSIONER LIEBERMAN: Right. So my first amendment, Vice Mayor, which I believe you'll accept as a friendly amendment, is that the city work with us to keep us informed on their progress with FDOT and let us know if they need county support, noise studies or whatever to get the additional wall..

MAYOR GRABER: (Inaudible.)

COMMISSIONER LIEBERMAN: The second one is if I heard one thing from --

COMMISSIONER GUNZBURGER: (Inaudible.)

MAYOR GRABER: Can you repeat the amendment, please?

COMMISSIONER LIEBERMAN: Yeah. The amendment is the city pursue with FDOT placing noise walls on the east side of the Turnpike on the portion of this new proposed development on the former Monterey Golf Course, because originally, the reason it got turned down, FDOT is not putting walls next to schools or golf courses or recreational amenities, they're buffering homes. Now they are homes and it's an issue we want them to start on now and hear the progress about when it comes back.

COMMISSIONER RODSTROM: Mayor.

COMMISSIONER JACOBS: I'm sorry. I'm next on the queue. It was my topic and it's been high-jacked.

MAYOR GRABER: Will you yield to Commissioner Rodstrom for a question, Commissioner Lieberman?

COMMISSIONER JACOBS: That was my topic, and with all due respect, I would like my turn in the queue to address it.

COMMISSIONER LIEBERMAN: Not a problem.

MAYOR GRABER: I'll put you on the queue.

COMMISSIONER JACOBS: I mean, I brought this up here today for a reason.

MAYOR GRABER: Okay. We'll put you on the queue.

COMMISSIONER LIEBERMAN: All I ask is they start the process now they keep us advised. That's it.

The third issue is the one thing I letterhead from Section 4, is the issue with respect to access and whether there is another way to have access other than Commercial Boulevard. When I look -- which is why support the Vice Mayor's amendment which deals with having our staff go back to really look at the traffic. When I look at sections of the roadway, Commercial Boulevard from roughly the Turnpike to State Road 7, that's either at 110 maintained or listed as a D, but operating at over a hundred percent capacity to the extent -- one of the issues that was raised is to see if there was any ability to have access through -- I understand the access, you would have to work with the City of Lauderdale Lakes, the access through a roadway south of this golf course which would take them out on State Road 7 and is one way of moving some of that traffic off Commercial Boulevard. And I would ask that you accept as an amendment that the city talk to Lauderdale Lakes and see if there is any other way to deal with the access issue for the traffic.

MAYOR GRABER: Do you accept that amendment?

VICE MAYOR EGGELETON: I'll accept that. It's not a problem. I think that they should work together to try to alleviate any traffic there is, and, you know, they got to talk to them.

COMMISSIONER LIEBERMAN: Okay. Finally, the problem with what's in front of us today is that this is an issue pretty much what we discussed this morning, that at the time the community was built, the community came to expect green space. But what happened is that the golf course is no longer economically viable in the area. So if not this developer, someone is going to come in and eventually develop it. If we can work out those issues and, you know, it's not a question of a situation where anyone is saying isn't this terrific. It's a question of how do we turn this and deal with the issues.

(COMMISSIONER SCOTT LEFT THE ROOM.)

COMMISSIONER JACOBS: (Inaudible.)

COMMISSIONER LIEBERMAN: Right. And it is where it is why I am going to support transmitting it with the three amendments and I would be prepared to second the motion as amended with the three amendments, so. But I'd ask the city to keep us informed. The District Commissioners, Commissioner Eggelton, I have a portion of Tamarac, the Mayor has a portion of Tamarac, I think we all want to know how this issue plays out.

MR. KING: Not a problem. We will work with the developer and also with the City of Lauderdale Lakes on that.

COMMISSIONER LIEBERMAN: Thank you.

MAYOR GRABER: Okay. So we have now the motion with three amendments, without objection.

Next on the queue --

COMMISSIONER RODSTROM: There is an objection.

MAYOR GRABER: Well, so far.

COMMISSIONER JACOBS: He means by the maker of the motion.

MAYOR GRABER: By the maker of the motion. In other words, that's just -- we have not voted on it. No objection by the Vice Mayor Eggelton, to be clear.

Commissioner Jacobs.

COMMISSIONER JACOBS: Okay. Here's the issue. I happily pass this around the dais. There is about 3,600 feet where is no noise wall planned by FDOT currently. So while the city may have begun discussions, I recently having spent a great deal of time with the Turnpike Authority and FDOT to get a wall to cover a senior community and was only able to get a portion of that wall drawn along and actually having spent -- put them in my car, the district director of FDOT and director of the Turnpike Authority who came down from Orlando in my car for three hours. I drove them around this county and showed them examples where there were walls where we should have a wall as well.

And in the course of that conversation, in addition to hearing an excuse why every place including parks that

had walls why we couldn't have a wall, I also came to understand that it is the position of FDOT to go to legislature this year and ask for a bill which says for any new construction that comes along that is after their -- their position now is if there is existing residential and they are expanding the turnpike, they will build you a wall. If you come in with residential impacts following that, they are not going to build a wall. And this project is a long ways away from actually turning dirt.

The Turnpike Authority is currently now building these walls. The idea that this project could come forward and the city is going to get some sort of agreement from FDOT, getting their feet in cement and having it written in blood is really important. I have sat here and listened to the debate at great length by this board about approving housing near -- for example, Executive Airport and what we were doing to the future homeowners there because we knew what the impact was going to be.

The residents that will live in the homes will be very, very close to a shortly widened intensified noise level coming off of the Turnpike. And I am not too sure, given my three-hour conversation with these folks in the car, including their engineers who were present, that we would get a wall here. So whatever assertions are being made by the city, it is not being made by the Turnpike Authority, nor FDOT, who I know is approaching the legislature with this idea for a bill. Now, whether they are successful in the legislature or not also remains to be seen, but it's a big hurdle for me.

And additionally, I would ask Mr. Knight, please, to come to the microphone, and my question for you is that I understand that on west side of the Turnpike, assertions have been made that in those few areas on the west side most of the new subdivision will be covered -- or residential area will be covered by a 3,600 foot by 8 foot wall that is programmed by the Turnpike Authority. There are, however, little gaps along the northern end of that wall, and I understand the developer has agreed that any gaps, that are any chunks of wall that need to be built, they will build. So my question is, if the city is not successful in negotiating with the Turnpike Authority and if FDOT's bill passes, proposed passes, and there are a series of ifs, is the developer willing to build a wall for those residents on the east side just as you are on the west side?

MR. KNIGHT: We haven't considered that issue yet because we are still hoping that DOT will consider putting the wall in. In fact, our traffic engineer can talk about this because he has had some input to FDOT about this and we expect them as part of expansion of the turnpike there -- the information that we have is that they will consider installing a wall along there. Now, they have not made a final decision and we can't get up here and represent that there will be a wall there. We haven't crossed that -- we haven't gotten to that bridge yet. So we haven't crossed it as to whether we would be willing to do that at that point. I think when we come back here in December we will have a better idea of that situation and probably be able to give you a better answer at that time.

COMMISSIONER JACOBS: Okay. I would suggest very strongly that you have an answer at that point because I am member of the Broward County Metropolitan Planning Organization and I sat in this very room and listened to the Turnpike Authority tell me that if there were ever any residential area that needed a wall, that they were going to build one, and then they turned around and reneged on that promise. So unless you can come back here with something from FDOT that is the opposite of what the top brass there told me, I am inclined to not support this project.

And it's very important that when we build new residential areas -- an area we know is being widened that we protect it adequately. Particularly if the developer is going to protect those on the west side, they need to take the same steps to protect those on the east side should FDOT or the Turnpike Authority rather, not decide to build the walls.

So I ask you in all haste to step up those conversations and work with the city to get some clearer commitments from them on this project, because if they do run these bills through Tallahassee in this next legislative session, these bills will be in place before your project comes along and these bills will say that new construction does not obligate the Turnpike Authority to a wall, and, particularly since the Turnpike Authority will have already built their wall through this section by the time your project comes along.

MR. KNIGHT: Our engineer reminds me we do plan -- what, Jay?

UNIDENTIFIED SPEAKER: Four-foot high berm.

MR. KNIGHT: Four-foot high berm and landscaping on that side, but we will watch that legislation for sure. We hesitate to make a commitment like that at this point because if we do, there is no reason --



COMMISSIONER JACOBS: I understand. I'm not asking you to make a commitment at this point.

MR. KNIGHT: Right.

COMMISSIONER JACOBS: I am saying when it comes back --

MR. KNIGHT. When we come back, we'll have --

COMMISSIONER JACOBS: "I don't know" isn't going to be good enough.

MR. KNIGHT: -- a definite response.

COMMISSIONER JACOBS: And to the maker of the motion whose district this is, I will support transmitting this project today, but I really do have concerns about this issue and want to see some better answers when it comes back.

MAYOR GRABER: Okay. Commissioner Rodstrom, then Lieberman, then Vice Mayor.

COMMISSIONER RODSTROM: I would ask you to, number one, withdraw the part as it relates to the noise wall and I will tell you why. Because my problem is that I have a community that's already built out and DOT is not doing anything for them, and the more you cut deals, the more my people get hurt. No. I mean, it's a fact, because that means FDOT can say: Well, I put walls here, here, here.

I mean at what point are we going to stand up and say we are not going to take it anymore, that you are being arbitrary and capricious, that you don't have any proper rules in place, that you're just doing this willy-nilly based on we don't know what standards, and let's go to court and litigate this thing because until then -- you know, we can slow down this turnpike project and we have, I think a pretty compelling position, and, if not, we can slow down the project. We have to bring them to the bargaining table and the only way you do that sometimes is litigation, and I think we're at the point where we need to start bringing them to the bargaining table.

Now, Mayor, you were going to meet with them the 7th, but I am not optimistic because they are not giving the stuff away. They are just giving us lip service. That's the problem.

COMMISSIONER LIEBERMAN: John, with all due respect, I think you misunderstood the amendment.

MAYOR GRABER: Well, you're up next. You want to have a discussion?

COMMISSIONER RODSTROM: Well, she can certainly tell me how I misunderstood the amendment.

MAYOR GRABER: All right. Response.

COMMISSIONER LIEBERMAN: At one point, I represented this area. This was in my commission district. That was the first go around with FDOT. What they did is they moved a turning lane a little bit closer to where the golf course was in some of the residences. My understanding is that this area qualified for noise walls, but it is not residential. That's a different situation. See they are only putting the walls where it is residential. They're not putting the walls where there might be a recreational amenity or a school or something of that nature.

So all I ask the Vice Mayor to take in his motion was that whatever they are doing that they need to get on the process now, because we need to get an answer by December. I don't want it to come back in December with we are still working on it.

COMMISSIONER JACOBS: Exactly.

COMMISSIONER LIEBERMAN: So the motion was to start now so that we get an answer as to whether --

COMMISSIONER RODSTROM: To start what now?

COMMISSIONER LIEBERMAN: The issues with the noise walls, whether they are going to qualify. When it was in my district, it qualified, but it was not next to residential. It was next to --

COMMISSIONER JACOBS: The new residential, that's going to be their sticking point.

COMMISSIONER LIEBERMAN: But that's why we need the answer one way or another. So I'm not --

COMMISSIONER RODSTROM: I don't want DOT thinking --

COMMISSIONER JACOBS: The Turnpike.

COMMISSIONER RODSTROM: -- sorry, Turnpike -- thinking that we are willing to give in on one area and not to others.

COMMISSIONER LIEBERMAN: No. We are not. No. My motion gets information portion over with before it comes back for adoption so that we have an answer one way or another.

The second thing I want to question you on is I had asked the County Attorney whether on a land use transmittal if we had any ability to deal with a wall issue and Ms. Azcoitia will tell you, as she's told me, that the issues that we can condition are access roads, and those natures and not walls, so that's why I very carefully framed my amendment to get the information back in time and to have them start and tell us what is going on. If they can't get information, to get back to us. But my records indicate that they did previously qualify before they did the expansion when they were doing just moving of the turn lane, but because it was next to recreational opposed to residential they did not put it in. But I want the answer one way or another. I don't want to be here in December with we are working on it. That's what the motion does.

COMMISSIONER RODSTROM: I don't want to enter into negotiations with the Turnpike Authority --

COMMISSIONER LIEBERMAN: No.

COMMISSIONER RODSTROM: -- unless we are going as a united front, so we can -- you know, otherwise, we are pitting one district against another.

COMMISSIONER LIEBERMAN: No. It's my understanding --

COMMISSIONER RODSTROM: I don't want to be put in that position. We aren't a force to be reckoned with.

COMMISSIONER LIEBERMAN: Right.

COMMISSIONER RODSTROM: They gave you half of what you wanted or a third of what you wanted. I mean, you know, it's not satisfying.

COMMISSIONER LIEBERMAN: My understanding is had there been housing in the location where the golf --

COMMISSIONER RODSTROM: I understand what your point is.

COMMISSIONER LIEBERMAN: Okay. So I want that now. I don't want it to still be a work in progress in December.

MAYOR GRABER: Commissioner Rodstrom, do you have anything else?

COMMISSIONER RODSTROM: No.

MAYOR GRABER: Commissioner Lieberman, do you have anything else?

COMMISSIONER LIEBERMAN: Okay. The reason I had raised my hand was to deal with that issue. I just want to caution everybody. We have certain ability to condition these transmittals, which is what I have been talking to the County Attorney about. Transportation is our bailiwick, access is our bailiwick. All of the things that it talks about in land use. With respect to the other matters, one thing that I know is for the project that's in

the Vice Mayor's district. He is working on it with the City of Tamarac. For the project that's in my district, I have done the same thing.

And just as we make the record to be sure that the items that we are putting in there that cause us to vote a particular way are items that are supportable under the requirements are for land use matters. I have been told, Mrs. Azcoitia, am I correct, that a wall would be -- we can ask for the information, but to add any land use on building a wall, we would be on very shaky grounds.

MR. AZCOITIA: That's correct.

COMMISSIONER JACOBS: Or ask them to pay off a rec. center or buy a park.

COMMISSIONER LIEBERMAN: Right. We can't do that.

COMMISSIONER JACOBS: Which they've already done.

COMMISSIONER LIEBERMAN: They've done that but we couldn't condition that. We can condition the transit and we can condition the access.

COMMISSIONER JACOBS: Of course. Of course. There's a difference between the asking and conditioning.

MAYOR GRABER: Anything else?

COMMISSIONER LIEBERMAN: I just wanted to make sure. That's it.

MAYOR GRABER: Vice Mayor Eggelletion.

VICE MAYOR EGGELETION: I will hold my comments to close. I know that Commissioner Rodstrom wants to get on the queue and I will just hold my comments for closing.

MAYOR GRABER: He wants to comment on the amendment.

VICE MAYOR EGGELETION: Right.

MAYOR GRABER: So we'll save you for closing. Okay. Anything further before we go on to a debate?

Commissioner Wexler? I'm sorry, sir?

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR GRABER: I'm sorry. The public hearing part, you had at the time. I tell you what --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR GRABER: It doesn't work that way. I'll tell you what you can do.

UNIDENTIFIED SPEAKER: I thought this was America.

COMMISSIONER JACOBS: Oooh. Okay. All right, all right, all right.

MAYOR GRABER: Let me give you the American way.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR GRABER: Let me finish. The American way is to listen, conversation, we both talk. Now let me talk. Not at the same time. Go ahead and tell Ms. Henry over there what you want and she'll tell me and I will reiterate it. Okay.

UNIDENTIFIED SPEAKER: Okay.

MAYOR GRABER: So we can continue our debate. Thank you.

Commissioner Wexler.

COMMISSIONER WEXLER: Thank you. I am going to be very short, Mayor. I just want -- the piece I am not comfortable with yet has been touched on by a number of -- particularly Vice Mayor, and that is further traffic study impact on community, itself. And I am going to even define it even further. For me, it's not only future traffic but the impact of the construction traffic, and now we are talking these big dump trucks and those vehicles going in these tiny, narrow, two-lane streets, and I discussed this with the -- someone yesterday, and what I had requested is that maybe we could look at -- not we, they could take a look at and the city could take a look at any type of alternatives that would give those construction vehicles some kind of access and bypass as much residential as possible. And maybe it's a matter of working with the Turnpike Authority on a temporary side access road. And, again, I don't know if that is feasible, possible or whatever. But that's something, for me, is a critical issue, would be if I am walking in your shoes.

MAYOR GRABER: So you would like Engineering to review that and come up with some options?

COMMISSIONER WEXLER: Right. Not but it's not just the impact of traffic, but construction traffic.

MAYOR GRABER: Certainly, certainly. So, Ms. Brangaccio, for your staff. Anyone wants further discussion before we go to closure?

Commissioner Jacobs.

COMMISSIONER JACOBS: I had a comment to something that Commissioner Lieberman said. While it is true that the area meets the noise contours now for decibel levels for a wall, if there was residential, they would build the wall. The problem is there is no residential there now, and the -- as much as we say we want a wall and it should be there, I just really would like you all to understand the mentality of the Turnpike is, if you go and build housing on a known widening project after the fact, then you allowed this development to come along and we are off the hook. We don't have to build the wall, because you put the project in after we came along and built the wall. So I certainly do not agree with the direction the Turnpike Authority is going.

It is for that reason and having dealt with them that I am very concerned about the future of this wall. We can sue them, we can, you know, run everything up the flag pole that we possibly can, but at the end of the day if we do not succeed, these homeowners are going to be left at the mercy of a widened and very close turnpike without a wall.

So again, coming back in December with some answers -- this is in the Turnpike's court. And whether they decide to do this wall or not, we need to continue doing what we can to advocate for the area. I just know what their attitude is about building walls when -- about building or approving residential construction after a widening project is in process and after their wall is already constructed, because they are coming down the turnpike now and in short order this wall will be up and this chunk will be missing, and I don't know how long until the dirt gets turned and houses are built, but I would say it's long after that wall is in place, the other areas of the wall.

MAYOR GRABER: Commissioner Lieberman.

COMMISSIONER LIEBERMAN: The reason I made the comment I did about not conditioning for walls at land use is because this is one step in a process. The site plan --

COMMISSIONER JACOBS: I wasn't speaking to conditioning.

COMMISSIONER LIEBERMAN: The site plan has to be approved by the City of Tamarac who is appropriate entity who can require a wall versus berm being built when a site plan is submitted. But we need to get them started on one way or another now. With respect to the issue of the Turnpike not doing the right thing on the walls, we just need to take a position as a board with respect to the walls and move it forward. I think there's some constituents, and I am not sure whether it's in the Vice Mayor or in Rodstrom's district who have the concern they are not adequately being mitigated, and maybe we need to get our sound noise expert to do our own studies and go back and I am prepared to do that, but I don't want anyone to think that we're the last stop in a process, but we're going to need information to get as part of this process that may be a portion of the city's site plan approval process based on how this plays out over the next couple of weeks with FDOT. That's why you can't wait until November to still have it a work in progress, but I don't want anybody to think just because FDOT says no it's not going to be dealt with in site plan in Tamarac.

COMMISSIONER JACOBS: Again, it's Turnpike Authority.

MAYOR GRABER: We could – I will meet with them and bring up all these issues and come back and report to you what they said. But like anything in our business, everything is negotiable. So let me – before I recognize Commissioner Rodstrom -- Mr. Tom Gorton, it was Mr. Gorton who was up here, right? Okay. Mr. Gorton had something he had to say for the record. I'm going to read it into the record for him. In Mr. Gorton's opinion, it's his opinion that the golf courses can be profitable. And further, he feels the developer allowed the golf courses to deteriorate so he can build houses. Please, put that into the record for Mr. Gorton's statement. Okay. Thank you, sir.

Now, Commissioner Rodstrom you are recognized.

COMMISSIONER RODSTROM: Our golf course was a ton of money. The restaurant alone lost over a million dollars last year so I think it's a pretty tough business. The number of people playing golf seems to be on the decline. You know, what you are talking about, Commissioner Jacobs, is no different than other agenda item that we are going to have here later where you know you are building a development inside the clear zone – not the clear zone, the 60 DNL noise contour. This is clearly going to be the noise contour that may or may not have mitigation. Again, how are we doing to tell the FAA you have to mitigate when we put it there? And so really it becomes incumbent upon us if we're going to approve this development all that's going to be on the backs of its developer.

So this developer, I believe, has to agree today that they will be in all of the documents of all the homes they sell, a warning or notice provision that says that you are locating in a high noise area. It may have protection, it may not have protection, but you have to be on notice that the county is not going to be there to mitigate. That it's going to be the developer's responsibility to mitigate and the developer has to be prepared to mitigate that noise should the DOT – excuse me, should the Turnpike not be there.

And again, if they do mitigate and put the noise wall up, they put the noise wall up, then maybe you don't need that kind of language in the purchase contracts, but until such time as they agree to that noise wall in lieu of the turnpike, then you better prepare the future purchasers of it that we are not going to be responsible, that this is a liability they take on themselves knowing full-well this is going to occur and they did it with their eyes wide open.

MAYOR GRABER: This is amendment you want to put on or just saying it for the record?

COMMISSIONER RODSTROM: It's consistent – no. I think it's an amendment. This is consistent with what we are going to be dealing with later. It's the same issue.

MAYOR GRABER: Like the airport issue.

COMMISSIONER RODSTROM: It's the same. It's a noise issue. It's a quality of life issue.

MAYOR GRABER: Are you making this an amendment?

COMMISSIONER RODSTROM: I'm sorry?

COMMISSIONER JACOBS: You can wait for December for that. I am willing to wait and let this kind of play out a little bit.

COMMISSIONER RODSTROM: Right.

COMMISSIONER JACOBS: But I am raising the issue because you just made my point.

COMMISSIONER RODSTROM: Sure.

COMMISSIONER JACOBS: And I have a concern. Just having gone down the path, it was very frustrating experience for me and I see that frustration transferring to us at some future point with residents who demand some protection.

COMMISSIONER RODSTROM: Yeah, and we shouldn't have to be there to mitigate. It should be someone else's responsibility.

MAYOR GRABER: The Vice Mayor says he doesn't really want that amendment. But for the record –

COMMISSIONER RODSTROM: Well, we'll make it December when it comes back.

COMMISSIONER JACOBS: In December, there will be issues in December.

MAYOR GRABER: You will have the option when it comes back.

COMMISSIONER RODSTROM: Yeah.

MAYOR GRABER: Right. That will be a future issue.

COMMISSIONER JACOBS: Right.

MAYOR GRABER: Okay. Very good. Now, Vice Mayor Eggelletion to close.

VICE MAYOR EGGELETION: Thank you, Mayor. Thank you, members of the Board of County Commissioners for your comments. I think all those comments were well-taken, and I know the developer is here. His attorneys are here. The Engineers are here, and the City of Tamarac is present and they've heard all of these comments, and I am quite sure as this moves through the process to Tallahassee and back here all of those comments will be dealt with appropriately.

Let me just say this in closing, one of the hallmarks of our democracy is that government's responsibility is to provide for the general welfare. You know we have to do that. And I will tell you that when I leave here today, I am going to be looking for a resident along the turnpike, because I got two areas in my district, this area and another area --Commissioner Rodstrom, you have one in yours, to perhaps file a lawsuit against the Turnpike Authority if we can't get anywhere because they have standing in the issue. And perhaps, the Commission itself need to file a lawsuit because clearly the way the residents are being treated is unequal and you just can't do that.

Government should never do that never. It should never treat people unequally. Everybody ought to be on a level playing field and I am going to seek that, you know, because you should not have people suffer, and then I see walls going up on playgrounds where they said, oh, we don't do that. Walls going up along overpasses and they say, oh, we don't do that. So I mean, I am witnessing this with my own eyes. So you know, I can clearly see the unequal treatment.

However, let me just say this is a transmittal. I can appreciate your support on a transmittal. This has a long ways to go. As Commissioner Jacobs and all of you like to use the term, "This ain't cooked yet," so it's not cooked yet. It has to come back to us and we'll deal with all of these issues at that appropriate time.

So, Mayor, I would like to call the question on Item 15.

MAYOR GRABER: Okay. So Item 15 has been moved and seconded as amended.

All in favor say aye.

Opposed?

It passes unanimously.

**VOTE PASSES UNANIMOUSLY.**

**AGENDA ITEM 16**

MAYOR GRABER: Next we go to Item 16. It's in District 1.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I'd like to move Item 16 with an amendment. The only issue remaining on Item 16 has to do with additional traffic study. If you look at the trips report that we received earlier from staff, from Rock Island, which is the western perimeter of Sabal Palm to 47th Avenue, which is right before the Turnpike. It's roughly 112 percent of capacity. So with all due respect to the way staff said it's mitigated, they need to go back and they need to look at the traffic again.

The access issue, this development is different than Monterey in that all of the access into the redevelopment of Sabal Palm is limited so that there is no interconnect between existing community and the new development. So access is not an issue for that. And this area is one that did qualify and the walls are planned except for the northern portion, which is the portion the developer is putting a park on for the city. That is at the -- let me see. It's on the southeastern portion of the northern half of Sabal Palm is recreational but all along the residential there is a wall already planned for by FDOT. So I'd like to move it --

MAYOR GRABER: Is that an amendment?

COMMISSIONER LIEBERMAN: The amendment that they go back and review the impact on Commercial Boulevard. Rock Island is at 75 percent of capacity, but this segment of Commercial is 112.

MAYOR GRABER: So it's been moved with an amendment. Whose seconding that?

VICE MAYOR EGGELETON: (Inaudible.)

MAYOR GRABER: Seconded by Vice Mayor Eggelation. We do have a speaker, Bernard Roberts.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Just as a point of information, and I apologize, Mayor. Every one of these associations surrounding Sabal Palm have voted to support this redevelopment of Sabal Palm.

MAYOR GRABER: Unanimously.

COMMISSIONER LIEBERMAN: Unanimously, yeah.

MAYOR GRABER: That's good to hear.

COMMISSIONER LIEBERMAN: All the associations surrounding Sable Palm are supporting it.

MAYOR GRABER: Mr. Roberts, do you want to speak?

MAYOR GRABER: Okay. You're recognized, sir.

MR. ROBERTS: Yes, sir. My name is Ben Roberts. I am the President of Mainlands 7. I just want to give you some input on Mainlands 7. We are not a senior citizen community. We have not been for the past 10 years. Yes, we have school buses running through our neighborhood. Yes, we have all the traffic that I have heard from some of the senior citizens. No one is being knocked down, run over. We are moving on. And when this was proposed, I could tell you it had nothing to do with monetary as was brought out here. We recognize this was going to happen and we have been experiencing change and we said let the change come.

The traffic, very briefly, I am not a traffic engineer I am a mechanical engineer, but I can tell you the design of 49th Avenue as you exit was designed in the mid '80's. It doesn't correspond with what is there today. It would require a four-way type of light so that people could exit properly instead of having to merge where there is density of traffic. Just very a very small thing. And, again, I applaud these two gentlemen, because I could tell you that the sound that is being made now and what is going on over there. In the middle of the night they are driving pillings and you could hear it echoing throughout the entire neighborhood. I live about half a mile away it's as if it is in my backyard. They have no regard for decibel level whatsoever.

COMMISSIONER LIEBERMAN: Right.

MR. ROBERTS: And so I just want to leave that with you, and I thank you for your time.

MAYOR GRABER: Thank you very much. As I remember when I moved to Coral Springs in 1978, Sample Road was a two-lane road with no sidewalks. So, things change.

COMMISSIONER LIEBERMAN: For this person.

MAYOR GRABER: Commissioner Lieberman for this person?

COMMISSIONER LIEBERMAN: Yeah. Mr. Roberts.

MAYOR GRABER: Mr. Roberts.

COMMISSIONER LIEBERMAN: Okay. One of the reasons that when I made the motion, I made the amendment with respect to going back and reviewing whether or not the traffic had been adequately mitigated is exactly one of the issues you raise, because I get letters all the time from people north -- I guess I want to say north and south of the intersection at 49<sup>th</sup>, and I know it's outlived its purpose. That's one of the reasons that I made the motion and amended it for that particular item. I think they have to go back and look at that intersection again.

MR. ROBERTS: Yeah. In my conversation with the engineers, they give us in our community 13 seconds in the morning, 13 seconds midday and 26 seconds in the evening, and I asked why is that so? They said: Well, you senior citizens don't exit in the morning. You don't go out in the afternoon. You like to go out for dinner in the evening so we gave you twice the amount of time. Well, I told him: Sir, we are not senior citizens. I mean there are still some there, but we are in the minority.

COMMISSIONER LIEBERMAN: And the walls are coming, and I apologize. They are programmed for the west side and wherever the turnpike has a gap, the developer is filling in that gap for the development. The one remaining issue which is and it may not be clear on here is if you look at the turnpike heading south, there is a southbound Sun Pass only turn lane, which makes the turnpike seem closer than it is.

MR. ROBERTS: Ms. Lieberman, there is a 9.4 acre parcel that abuts Commercial Boulevard and that could be used for there Commercial traffic to come into our community and do what they have to do and exit in that way providing there was some way of stopping the traffic.

COMMISSIONER LIEBERMAN: I don't know if you have seen what I have, but that's, I believe, what they've anticipated, because one of the concerns which the community voiced, which was access, the access to the development is not through any existing street. They've created new streets and they are bringing --

COMMISSIONER JACOBS: (Inaudible.)

COMMISSIONER LIEBERMAN: I know. And they're bringing Commercial -- their construction traffic through their new streets, not the existing streets. So that's already been addressed. So that's why I asked that we separate them. They are very different Sabal Palm and Monterrey.

MAYOR GRABER: Very good. Thank you, sir.

MR. ROBERTS: Thank you.

MAYOR GRABER: Commissioner Jacobs.

COMMISSIONER JACOBS: I sat down with the developers of this project last week, and one of the things in looking at their overlay in the areas because I raised the issue with them about walls at that time and that was the southbound exit ramp has some housing on the edge of that ramp and the ramp is an elevated ramp and they are not putting -- the reason why the Turnpike said they will not in these areas is the earth and berm upon which the exit ramp is built, they take measurements from the center line, and they say the earth and berm actually buffers the residents and that's why FDOT would not put one in the northern area in my district was because of the exit ramp, even though it was about a hundred feet away and higher than the second story balcony of the residents. It's literally right there but they still were not doing anything about it.

So this area, the developers made these assertions. I just want to understand my same issues are going to be there in November, and that is while we think we are going to be talking about this little chunk that's on the



south side of Commercial and the northern edge of the programmed wall, there may actually be issues for the residents who will be along the southbound exit ramp.

COMMISSIONER LIEBERMAN: No. I believe he is completing the wall. It's a very small bit of space where it's not going. And the other place --

COMMISSIONER JACOBS: You are speaking of this space. I am speaking of the southbound. Way up here, there is housing that's coming along up in here. So...

MAYOR: Commissioners, it's 5:00 o'clock, Commissioners. Please, let's move along.

COMMISSIONER JACOBS: Mayor, I'm sorry, but this is an issue that can't be glossed over. There is housing and it still needs to be addressed. It's not the area of the wall.

MAYOR GRABER: I'm not telling you not to speak. I'm just telling you it's 5:00 o'clock.

COMMISSIONER JACOBS: I understand, and I'm willing to move it along. And I'm willing to move it along if you would like to insure --

COMMISSIONER LIEBERMAN: Mayor, I would like to --

COMMISSIONER JACOBS: -- that this area was addressed --

MAYOR GRABER: Do you need a response?

COMMISSIONER JACOBS: I would just like the developer to insure they come back in December and address the issue at the top end of the southbound exit ramp.

COMMISSIONER LIEBERMAN: At the top end you have a green buffer in between where the turnpike ends and where the housing is going. Let me get you an enlarged site plan. I realize it's hard to work with this from here.

COMMISSIONER JACOBS: I sat with the developer. We looked at a map. It was an issue I raised. I would like to address it.

MAYOR GRABER: May I ask the developer, are you willing to address that issue?

UNIDENTIFIED SPEAKER (Developer): Yes. We will look at that as well during the period that we are under review by DCA --

MAYOR GRABER: Okay.

COMMISSIONER JACOBS: I was shown during our discussions had -- the little boxes that designated all of the residential lots versus the open space.

UNIDENTIFIED SPEAKER: I understand the area you are talking about. We will take a look at it.

COMMISSIONER JACOBS: So what I could see, what I was shown that day was residential right there.

UNIDENTIFIED SPEAKER: You're right and we will take a look at that.

MAYOR GRABER: Thank you, sir. Now, on the queue --

COMMISSIONER LIEBERMAN: There's a green space buffer between the turnpike and the homes on the north end.

MAYOR GRABER: On the queue, Commissioner -- do you wish to be heard again?

UNIDENTIFIED SPEAKER: We will take a look at it. We'll look at it before we get back, and we'll have a response.

MAYOR GRABER: Don't go away. Stay there. Our next speaker wants to speak. We have Commissioner Gunzburger, asked to question you.

COMMISSIONER GUNZBURGER: (Inaudible.)

COMMISSIONER LIEBERMAN: Please don't ask that question. There is 10 percent affordable and we've got a density reduction, and when you look at what they are selling for versus the prices in the neighborhood, it's market rate.

COMMISSIONER GUNZBURGER: I just want him to allocute the 10.

MAYOR GRABER: Can you allocute, please?

COMMISSIONER LIEBERMAN: It's in your backup.

UNIDENTIFIED SPEAKER: We've agreed to 10 percent workforce housing for Sabal Palm and Monterey.

COMMISSIONER GUNZBURGER: I know. I'd just like to hear it.

MAYOR GRABER: She wants it on her time. It's on Commissioner Gunzburger's time. Say that one more time, sir.

UNIDENTIFIED SPEAKER: Ten percent.

MAYOR GRABER: Ten percent, okay.

Vice Mayor Eggelletion.

VICE MAYOR EGGELETION: The only thing that I want to say to Commissioner Jacobs and that is the government, you know, said the same thing to Cochise, Jeronimo and all the American Indians. In other words, government sometime speak with a forked tongue.

COMMISSIONER JACOBS: And that's – you just made my point, Vice Mayor.

MAYOR GRABER: See, that's why I like to end these discussions. Okay.

COMMISSIONER JACOBS: When it comes to the turnpike, they know a lot about forked tongue.

MAYOR GRABER: Now we are into the Indians. Okay. It's been moved and seconded.

COMMISSIONER LIEBERMAN: As amended.

MAYOR GRABER: As amended.

All in favor say aye.

Opposed?

It passes unanimously.

VOTE PASSES UNANIMOUSLY.

#### **AGENDA ITEM 17**

MAYOR GRABER: Item Number 17, District 7, motion to adopt. Do I hear a motion?

COMMISSIONER RODSTROM: I would like to speak.

MAYOR GRABER: Okay. Commissioner Gunzburger.