

MONDAY
APRIL 30, 2007
8:30 A.M.



WESTON CITY HALL
2500 WESTON ROAD
SUITE 101
WESTON, FLORIDA

**CITY COMMISSION
SPECIAL MEETING AGENDA**

1. Roll Call
2. Discussion of the siting of High School "MMM"
3. Adjournment

PUBLIC PARTICIPATION AT COMMISSION MEETINGS

Anyone wishing to address the Commission with regard to a matter appearing on the Agenda or during audience comments must sign in with the City Manager or his designee. Each individual must state his or her name and the name of the entity represented (if applicable) and the item on the agenda to be addressed prior to conclusion of the discussion of the matter. Each person addressing the Commission shall approach the lectern, shall give their name and address in an audible tone of voice for the record, and unless further time is granted by the Presiding Officer, shall limit their address to three (3) minutes. All remarks shall be addressed to the Commission as a body and not to any member thereof. A person speaking on an item on the agenda shall limit their comments to matters relevant to the item. A person speaking during audience comments shall not address any item on the agenda and is strongly encouraged to refrain from making political statements. No person addressing the Commission shall make personal attacks on any member of the Commission or any other individuals or entities. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Presiding Officer. No question shall be asked of a Commissioner except through the Presiding Officer.

Any person who addresses the Commission on behalf of an individual, corporation or special interest group for compensation must disclose that representation when stating his or her name, as described above.

Pursuant to Florida Statutes 286.0105, if a person decides to appeal any decision made by the body with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting may call the City Clerk's Office at (954) 385-2000.

MINUTES OF SPECIAL MEETING CITY OF WESTON

A special meeting of the City Commission of the City of Weston was held Monday, April 30, 2007 at 8:30 a.m. at the Weston City Hall, 2500 Weston Road, Suite 101, Weston, Florida.

Present and constituting a quorum were:

Eric M. Hersh	Mayor
Sharon Cheren	Commissioner
Mercedes G. Henriksson	Commissioner
Daniel J. Stermer	Commissioner
Murray Chermak	Commissioner

Also present were:

John R. Flint	City Manager
David E. Keller	Assistant City Manager/CFO
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Patricia A. Bates	City Clerk
Laurie Menekou	Assistant City Clerk
Shelley Eichner	Vice President, Calvin, Giordano & Associates, Inc.
Sandra Lee	Calvin, Giordano & Associates, Inc.
Chief Greg Page	BSO DLE - Weston
Steven Murray	Municipal Technologies, LLC
Mike Hind	South Florida Water Management District
Phyllis Hope	Broward County School Board Member – District 6
Tom Coates	Director of Real Estate Mgmt. – Broward County School Board
Lilly Napolis	Resident Isles of Weston
Stuart Slutsky	Resident
Beth Shapiro	Resident
Laurie Levenson	Resident
Tina Tasha	Resident
Dalia Zaias	Resident – The Ridges
Al Avello	Resident – Southwest Ranches
Lisa Salaway	Resident
Joe Salaboda	Resident
Mark Zaffron	Resident
Marilyn ...	Pembroke Pines
Anne Erfos	Resident

FIRST ORDER OF BUSINESS

Roll Call

Mayor Hersh called the meeting to order at 8:30 a.m.

Ms. Bates called the roll.

SECOND ORDER OF BUSINESS

Discussion of the Siting of High School "MMM"

Mayor Hersh stated we are here this morning to have a discussion about MMM High School and I will ask Mr. Flint to give the introduction.

Mr. Flint stated in anticipation of the tomorrow morning High School Workshop Retreat, where MMM will be discussed, we anticipate that the School Board will ask what is the City's position as to the options that are out there for the siting, whether it is Bergeron/Hayes parcel, the Sunrise parcel or some of the alternatives that we have read about. I would like to see if there is a consensus amongst the Commission to speak with one voice and if not, we will be able to tell the School Board that there is not a consensus amongst the Commission and they are to proceed along that premise. In the past few days we have been asked to identify some of the hurdles that we would have to face with siting the Bergeron/Hayes parcel, so we have prepared a PowerPoint this morning to give you some insight. One of the options for secondary access, which is really the key to the success of the Bergeron/Hayes parcel, is to provide a secondary out of one of several means that we have identified. The first is keeping Southwest 36th Street open. Looking at the graphic, this is where MMM is and this is 36th Street. The preferred secondary access is in alignment somewhere on what would have been 196th Avenue, getting us back up to South Post Road, keeping in mind from our prior discussions that it is anticipated that the vast majority of the students that would be assigned to this new school would come from the northern portion of the City. As you can see, we have researched the ownership of all these parcels and for the most part there really is no right-of-way along here. All the land that would be eligible for this on the western side of this line has already been taken by the South Florida Water Management District and everything to the east would require some additional work and we will get into those specifics a little later. The next slide shows the two other alternatives with the first being 196th Avenue south, which would border the Isles at Weston community and this is also the Broward County Wetlands Mitigation Area. The second, this is the Florida Nature and Culture Center, also known as the Buddhist Retreat and the third alternative would be 202nd Avenue south. All these present their own challenges as well. Manatee Isles Drive and Southwest 36th Street retain the public right-of-way from the Florida Nature and Culture Center to 27 and it would require the release of a Joint Conservation Easement in favor of South Florida Water Management District and Broward County on the north side so we could four-lane Manatee Isles Drive from South Post into the site. 196th Avenue to the north would require a right-of-way from South Florida Water Management District, from the C-11 Impoundment

or release of a Joint Conservation Easement in favor of South Florida Water Management District from Broward County, use of established wetlands from Manatee Isles Drive to 26th Street, mitigation of destroyed wetlands and right-of-way acquisitions from the Arch Diocese of Miami, which is St. Katherine Drexel Church, from 26th Street to South Post Road and in addition, turn lane improvements on South Post Road and the construction of a traffic signal at the new intersection. Going south on 196th Avenue requires obtaining a right-of-way from Broward County mitigation area and it is not in the mitigation construction or conservation area from the Hayes property north to the north bank of the C-11 canal. We met with Broward County, Friday afternoon and there is land that can possibly be used for that. In addition, it would require construction of a bridge over the C-11 in the Town of Southwest Ranches and turn lane improvements to Griffin Road and the construction of a traffic signal at the new intersection that is in the Broward County right-of-way and the Town of Southwest Ranches. Last is the construction of the four-lane on Manatee Isles Drive from South Post Road into the site, which was consistent with the 196th Avenue north scenario. On 202nd Avenue south it would use the existing 70-foot right-of-way dedicated to the Indian Trace Development District to Manatee Isles Drive, north to the north bank of the C-11. With the construction of a bridge over the C-11, there is the potential of a conflict with the main pump station that is proposed for the C-11 Impoundment Project. There will be a turn lane improvement to Griffin Road and construction of a traffic signal at the new intersection in the Broward County right-of-way in the Town of Southwest Ranches and the release of the Joint Conservation Easement from South Florida Water Management District and Broward County to the north side of Manatee Isles Drive to provide four lanes there. One of the things that came to light late Friday is that the impoundment footprint includes the Indian Trace Development District 202nd Avenue south right-of-way. Upon learning of that we called the District and asked them about trading that 202nd Avenue south right-of-way for right-of-way to go 196th Avenue to the north, being that the District does not have a claim to our right-of-way yet, they just made an assumption that it was not going anywhere and they would include that in the footprint of their project. We received a response back from Ken Ammon on Sunday evening which says, "I apologize for not responding to your phone call last Friday, as I was in Washington D.C. in a meeting with the Assistant Secretary of the Army. In response to your question, the property proposal you made to the land north of 36th Street for land south of 36th Street is unacceptable to the Department of the Interior and the District. The reason is that both proposed alignments are within the boundary of the proposed water preserve area and such would reduce the benefit of Everglades restoration if removed from the project. We are still hopeful that the construction of a third alternative road

alignment to access the school site is possible. This third alternative was suggested by the District at the meeting requested by Senator Rich and would be located on the eastern 60 plus or minus feet of the Bergeron site and the eastern 60 feet of the Broward County mitigation site, south of the Bergeron site. Preliminary conversations with the County are favorable. I am still confirming with the District staff whether there are any conflicts of existing District facilities along this alignment, if the City or School Board were to construct a bridge within the right-of-way of the C-11 canal. It appears this third alignment is most favorable, as it would not impact the C-11 Everglades restoration project. Representatives of the District are planning to attend your Commission meeting tomorrow morning, to answer any questions in this regard and if you have any additional questions please do not hesitate to contact me." My response to him was that their priority appears to conflict with our priority because if the Bergeron/Hayes site is to work, the 196th Avenue north alignment is in fact, the preferred alignment and I also asked them how they intended to acquire the 202nd Avenue right-of-way for which we have yet to have a response. I do not know if Mr. Hind, who is representing the District this morning is able to speak to that or not, but we can ask him later on. With regard to SW 36th Street, we did file a Comp Plan Amendment and in fact, we just received a letter late Friday that the South Florida Water Management District has sent a letter to Secretary Pelham at DCA, objecting to our Amendment that is not in compliance. We have a slide that shows the Cypress Bay/Falcon Cove site and one of the suggestions was the utilization of the parking area at Cypress Bay for the construction of whatever additional facilities are needed at Cypress, if in fact we were to construct MMM here. This is the north section of Vista Park, which is five acres where it was stated a parking garage could be constructed as well to service this area.

Mayor Hersh stated I went to the Isles of Weston Homeowners Association meeting and one of the things that I showed them was the 196th north and I think that is critical to making this site work and the only way the site works, which at this point it is unlikely that we are going to get that. I showed the parking lot idea and going vertical next to it, to Mr. Garretson last week and subsequently received a phone call from Ms. Gallagher to discuss the opportunity to move the middle school to either Imagination Farms or to one of the other sites they looked at for a high school that does not work and convert that to a high school. Personally, I think it is a good idea and could save the District a tremendous amount of money in acquiring land that is problematic at best, but most importantly, I think we need to represent everybody. I also think that even though the folks at the Isles of Weston would prefer that school not be there under any circumstances, if you provide that secondary access of 196th north, I think we can realistically expect that a significant amount of that traffic will be moved off to Manatee Isles Drive and without it, we are

going south and it would create total gridlock in that area and it is unfair to the residents and to those trying to get to the school.

Commissioner Stermer stated I am somewhat concerned that our City, which has taken the lead in providing educational facilities to the School Board, the County and our students, whether that is in the City of Weston, the Town of Southwest Ranches, the Town of Davie, the City of Cooper City or the City of Pembroke Pines, who all share our facilities. We have been a partner with the School Board and to now say we, in our City, have to move a school to solve their problem is a major problem. To have School Board Chair Gallagher suggest a middle school should be on the Imagination Farm site, which some of us have been fighting for over the years and been told that land is unacceptable, I believe is amazing. I am not surprised she suggested it at all; that fits in line with what Chairman Gallagher believes, which is that we, this City, should feel the pain. The problem is, these are students, our students, our resident's students and that is completely unacceptable. I have always said I would send my children to school on that site and I believe firmly, on all the research I have done, that site is clean; the problem is, when residents in other parts of this County objected to that site, the School Board ran from it and to now say it is good for Weston's kids, I have a problem with that. I would also like to know what the cost would be to build a seven-story school and what the cost would be to convert Falcon Cove to a bigger school. We have no idea of those costs and we also do not have an idea as to what the cost of the Bergeron land would be. There has been lots of numbers thrown around and none of us know for a fact what a current appraisal of that land would be. I am somewhat miffed that Chairman Gallagher knew of these ideas before the rest of the City Commission because if you read the article that says "Weston officials proposes" what should have been "Weston official proposes" not "officials." I'm sorry Mr. Mayor, but if we are going to do something that affects our park land, our schools and our kids and I have kids in the system, we should know about it before the Chairman knows about, with all due respect. The Vista Park site has been available for the three years that we have had the conversation about MMM, so why did we wait until now to bring it up? The Site Selection Committee could have looked at this for three years, they could have looked at it last year when it said to the City of Weston, "go back and work on the Bergeron site," but we did not; I guess we had something else planned for that site. Now why are we doing it? There are studies out there that talk about larger schools and how bad they are and yet we are walking right into it. Why should we, as a City comprised of 65,000 residents whose kids go to these schools, be the ones to suffer? We all know concurrency did not exist in this State and it comes into effect next year and if

it had been here we would not be in this mess. We should not be the ones to have to solve this problem; we are trying to be an active participant.

Mayor Hersh stated I want to address some of your issues, which were directed at me. First of all, as we all know in public office, I cannot control how the newspaper is reported, but it was made very clear that this was an idea that I had proposed and given to Ms. Garretson from the schools and I do not think that it said anywhere that the Commission had done anything. With respect to "why now," up until last week I truly believed that 196th could be done. That is what I showed the community when we went there, but after last week's meetings I think it became obvious that it is a very big "if" and probably will not happen. Further, after the meetings Monday morning, I received a call from Mr. Bergeron, who basically said he would object and attempt to stop any possibility of 196th going north and that he would not agree, which would make things more difficult. Of course as the land seller that becomes an issue. Why did we wait until now; if someone had brought it forward perhaps we would not have waited. We were looking to put an ice rink on that facility, but nobody came forward with an idea of putting a parking garage and a vertical building. I do not know what we would have done before that. One has nothing to do with the other and we need to move forward with the issues of Ms. Gallagher. I do not want to get personal because I do not think that anybody on the School Board deserves that. I think at this point we need to look forward and look at the position we are in now. She called me, we had a discussion and I thought what she said made good sense. There are a lot of people who think the Imagination Farm site is an acceptable site and I think that a lot of the studies showed that; however, there was also a suggestion by another member of the School Board that the idea could work with another site and not Imagination Farms, but one of the sites that they looked at for the high school was too small and those are decisions that the School Board has to make. I think, from our perspective, the difficulty that we have is with the Bergeron/Hayes site, 196th going north, which is in my mind, the only way the site works, is not going to happen. If Mr. Bergeron is opposed to it, the South Florida Water Management District, the Army Corp of Engineers and the U.S. Department of the Interior are opposed to it, we have been trying for months to get that resolved and although I thought it was possible, I believe it is not and I think the site is unworkable without it.

Commissioner Stermer asked Mr. Coates, does the Broward County School Board have a design for a seven-story school?

Mr. Coates stated no.

Commissioner Stermer asked how long would it take to develop one?

Mr. Coates stated a Board member makes the point, when did we discuss the seven-story school? I do not recall any discussions of a seven-story school. As to the design time, for a mid-rise structure like that would probably be a year and a half in design.

Commissioner Stermer stated Mr. Hind, as currently designed, does the C-11 impoundment area include 202nd going south?

Mr. Hind stated yes it does.

Commissioner Stermer stated and you are aware that is City property, correct?

Mr. Hind stated yes. The original assumption was that there was a variety of Indian Trace District roads that after the District had purchased all of the land the lake would be abandoned. Originally, before the school came along that section did not serve anything other than connecting Southwest 36th Street to the C-11 canal. That assumption was made at the time of the Army Corp's work in the District.

Commissioner Stermer stated in your footprint for the C-11 impoundment area, you have included City property that the City has not given to you.

Mr. Hind stated (noise on tape) alignments around the impoundment area.

Commissioner Stermer stated if we said to you that we were not giving you that land what would have to happen?

Mr. Hind stated I cannot really answer that; I would have to talk to other people.

Commissioner Stermer stated as an engineer, how would you have to deal with it?

Mr. Hind stated if we were given a new footprint and told that _____ there would be a loss of _____ in the impoundment (noise on tape)

Commissioner Stermer stated so your current design, based on your current volume, includes an area that is not yours, so if you needed to redesign it, due to your improper inclusion of land going south on 202nd and there needed to be design time and volume, the same could be done for 196th going north, correct?

Mr. Hind stated there is a slight difference between SW 36th Street and C-11, but if you take it as whether a strip comes off on 202nd or comes off north along 196th, it would be the same thing.

Commissioner Stermer stated so if the City does not voluntarily cede 202nd, your staff and yourself would have to go back and fix the problem, correct.

Mr. Hind stated from an engineering perspective, yes.

Mayor Hersh stated I do not know where the seven-story came into play, but Mr. Garretson said there were some designs in Miami-Dade County that you could piggyback for a vertical high school.

Mr. Coates stated there are three designs that I am aware of and those considered as options if the New River Circle site would have been selected and those are the kind of options we would have looked at on that property because of some site restraints.

Mayor Hersh stated that is the type of thing you would be looking at if in fact you were to look at one of these other options.

Mr. Coates stated yes that would be our first effort to see if there is something available.

Commissioner Stermer stated for the benefit of everyone here, could you explain the New River Circle site, your understanding of its status and the pros and cons.

Mr. Coates stated the New River Circle site is in Sunrise and currently houses the ninth grade center for the ninth grade annex. That site was brought to Site Review or a combination of parcels to comprise a high school site, which included nine acres belonging to the Lennar entity that is building townhomes. They are in a sales program right now that involves about 28 acres owned by the City of Sunrise and I think we have about 10 or 12 acres of our own. From a volume point of view, we could support a high school; however, it is very irregular. There is a passive park and an active park and the passive park has a lake on it, which is under a conservation easement and that is an issue. Unless it is lifted, then we do not have a site that will work for a high school. The next complicating factor on that site is that the Lennar property is in an active sales program and I am not talking options here. The last count I have, they have sold about 25 units. In talking with Lennar early on as they got in their sales program, about the possibility of buying the site, they indicated they did not know how they could actually do that, given that they had actually started selling and entering into contracts on units. An eminent domain process would be very complicated because you would be dealing with the completed value in some cases of homes, contracts that were partial construction possibly, so there is real estate complication there. Boundaries are another issue, expressed by the City Manager, they would like to ensure that students north of the site, particularly in the Sunrise area, are boundaried into that school and that would reduce the _____ Plantation western and that would be a problem for us and it would also reduce diversity. These are things that will be discussed tomorrow at the workshop. We have the issue of getting to 84, so we have an access issue here as well, with 84 not being the same grade as the site on our side. We believe that engineering-wise we can work out access into the site from 84, but it starts to elevate over I-75 and we are not sure how we could get the buses up to speed to get that, if we can get the approvals to do it. The positives are that we start looking economically to exclude from the Lennar property, you did not have to go through that situation because we already own part of it. The City of Sunrise suggested they would turn park sites and

the economics could be very attractive, but with the Lennar property situation, it could be very ugly.

Commissioner Henriksson stated there are some estimated numbers that I have seen on costs, assuming the School Board put them together and on the upper end that site can cost more than the Hayes/Bergeron site, as well as it can take up to two years longer to complete.

Mr. Coates stated the uncertainties surrounding that site are substantially greater than the uncertainties that surround this site. Under ideal circumstances and willing to move quickly, we could fast take the property and then work the price out down the road. In this case, because of the complication, the price risk is a lot higher than it would normally be. If it is simply cleared property or virgin ground, price is what the appraisal is going to come out to be and it is not a real hard appraisal, it is basically costs. In this case, because of the complications and the interruption of their business enterprise, the price could soar for nine acres, but we do not know.

Commissioner Henriksson stated there is an estimate.

Mr. Coates stated the upper end estimate is the full cost of the build out because depending at what point this determination is made and if you are dealing with a substantial amount of sales and closed homes, you are dealing with the value, whatever that is and they are selling at \$349,900 the last time I looked and there are 92 units. The other complicating factor with regard to a quick take is that if you take the property and you do not get the conservation easement lifted, now you have \$20 million or \$30 million worth of real estate.

Commissioner Henriksson stated are we saying Sunrise is out?

Mr. Coates stated no, we are having problems.

Commissioner Henriksson stated we are saying there is a lot more risk associated with that right now.

Mr. Coates stated yes. From a real estate risk point of view, the New River Circle site has the most real estate risk and that is not necessarily saying that one is more expensive than the other, but when you go in and assess and believe that you can assess what your costs are going to be and what your benefits are going to be, it is a lot harder to assess on that site than on the 36th Street site.

Commissioner Henriksson asked the numbers to estimate the cost on the Bergeron/Hayes site that you used for that, was based on comp?

Mr. Coates stated yes.

Commissioner Henriksson stated because it is the first time that I have seen a lot of the information, can we walk through it again, why is 196th out? I realize the impact to the island, but is that not workable? What are the other issues?

Mr. Flint stated when we started at the Bergeron/Hayes site, keep in mind that we originally had looked at taking 40 to 45 acres of the 275-acre mitigation area. We originally started there, then we went down into the South Florida C-11 impoundment project, we could not get any land out of there and we ended up at Bergeron/Hayes. When we first started speaking with the School Board, Mr. Garretson said the logical boundary for MMM would be Saddle Club Road because as shown on the map that is where the student population is and you had a dot for everyone of these, every lot is almost taken up and the dots overlap. If we got the Bergeron/Hayes site the traffic pattern would be coming across Saddle Club Road and south on South Post Road to access the site. Without the 196th Avenue alignment, you would come down to Manatee Isles Drive and come in. With 196th Avenue alignment, it is virtually the same had the school been sited in the 275 or in the impoundment footprint because you are keeping the vast majority of that traffic away from South Post and the first westerly segment of the Manatee Isles intersection. The 196th Avenue north alignment would be the preferable alignment. Going to the 196th Avenue south alignment, the School Board has made a commitment that the students who come from Southwest Ranches would remain in Cypress Bay and if in fact that is going to hold true, the students from Southwest Ranches would still go over to Bonaventure Boulevard to access Cypress Bay and nobody would be coming up 196th Avenue to access MMM; it would only be used for secondary emergency access.

Commissioner Henriksson stated so you are talking from a traffic perspective that it does not work.

Mr. Flint stated from a traffic perspective it really does not serve the purpose of getting the students from the northern portion of the City to the Bergeron/Hayes parcel in the most efficient manner without any conflict.

Commissioner Henriksson stated assuming the boundaries are there.

Mr. Flint stated yes, but keep in mind with both sites in the southern section of the City, half the students come from the northern part of the City and we have to find a way to get them there. When the School Board first came to us three years ago, they asked for a site at the extreme northern portion of the City and we looked at the possibility of condemnation of the warehouse parcels on Glades Circle and that was only about 20 or 21 acres and had multiple ownerships, which also involves a church. That was not enough land for the School Board to do that and there is no other land in the northern portion of the City to look at. We came down to the southern portion of the City, came on to Weston Road and looked at the 21 acres over in Meridian. The School Board spoke with those folks on at least two occasions over a two-year period. The trust that holds that is a highly unwilling seller and second of all, the School Board had concerns, as did

the folks in the business campus that a school and all that warehouse truck traffic are really not compatible in that setting and again, the 21 acres was not sufficient for a high school site, there would be absolutely no recreational activities that could be provided on that site and it would be doubtful if there would even be enough parking on 21 acres with the construction of the school; they would prefer 40 to 45 acres. This is where we get back to the Bergeron/Hayes parcel and this is the parcel of last resort in the City of Weston. If this parcel is not selected the likelihood of having a high school site in the City of Weston virtually vanishes. The 196th Avenue alignment is really the preferred alignment and if we wanted to stick with this as the first priority and building on the Cypress Bay site as the second priority or however the Commission chooses to do this, I would recommend that we try to leverage the 202nd Avenue right-of-way in exchange for land on 196th Avenue to get us to South Post Road.

Commissioner Henriksson stated the comment has been made several times about the commitment of the School Board to have the Southwest Ranches residents attend the high school; is that something that has occurred?

Mr. Coates stated to my knowledge the answer is no.

Mayor Hersh stated they have said that, but there is no official commitment; they can change the boundaries at any time. There are two components that we need to understand: (1) let us assume we are able to leverage that right-of-way and get 196th Avenue to South Florida Water Management District, the Department of the Interior was pretty clear at our meeting that there is a Federal Statute that would prohibit them from doing that and they own some of that land; and (2) Mr. Bergeron made it very clear that he will fight the eminent domain if in fact that is the solution. There is also the term "willing seller," which is whether you fight the eminent domain and take it to court to try to stop it or whether you allow an eminent domain to go forward, even though you are quote, unquote, a "willing seller" because of the tax benefit, so Mr. Bergeron has made it very clear to all of us and me specifically, that he will fight that if in fact that is the solution. One of the questions Commissioner Henriksson ask is, could we put back up the obstacles to go to 196th Avenue south because that is an important component also.

Mr. Flint stated we will go over the map then we will go to the narrative. This portion is the Broward County mitigation area and the area to the south I believe is owned by the Resource Recovery Board as part of a mitigation bank. There is a 50-foot drainage easement that belongs to the Isles at Weston community that would not have to be used if we had the 196th Avenue alignment. We would take whatever right-of-way is necessary off whatever the School Board would acquire from the Bergeron parcel, which is this north 30 acres and the Hayes parcel, which is the

south 15 acres and then tie that in there. We met with Broward County on Friday afternoon and there would be sufficient right-of-way to construct a two-lane roadway segment that would go from the south end of the Hayes parcel down to the north bank of the C-11 canal. In the narrative of 196th Avenue south, we would obtain the right-of-way from Broward County and fortunately it is not in the mitigation construction or conservation area and construction of a bridge across the C-11. Keep in mind for the public's benefit, the City limit of the City of Weston is the north bank of the C-11 canal and then it becomes the Town of Southwest Ranches, so the bridge would actually be constructed in the Town of Southwest Ranches where they would have permitting ability and if they did not want the bridge there they could put up a fight not to have it. There would be turn lane improvements required on Griffin Road, while it has a State Road designation, it is under the jurisdiction of Broward County and that roadway segment would require improvements, meaning turn lanes and whatever is needed there, construction of a traffic signal at that location and again, that is in Broward County right-of-way and the Town of Southwest Ranches. For the four-laning of Manatee Isles Drive from South Post Road westward into the school, we would have to get the release of a joint conservation easement in favor of South Florida and Broward County to enable that and we would also have to do some work at the intersection of South Post Road and Manatee Isles Drive and construct a traffic signal there as well. For the 196th Avenue south alignment we are looking somewhere between \$6 million and \$8 million in costs.

Commissioner Henriksson asked to the City?

Mr. Flint stated to whoever is going to pick it up. You also need to keep in mind Florida law would prohibit us from expending Weston tax dollars outside of the municipal limits. If for some reason that was the avenue of last resort and we wanted to fund a bridge in roadway construction, potentially, you might be able to work it out to give the money to the School Board towards the school, then they would do the work or contract with Broward County, but someone is going to have to pick up that tab.

Commissioner Henriksson stated regarding the alternative where we build a parking lot and then build on what is now the parking lot at Cypress Bay, is that just for the purpose of providing more classrooms for the same number of students or is it planned in the future? What I am getting at, the same number of students in more building or more students. What I am hearing is, we have never been happy in this City or anywhere about having the largest high school in the nation, so now we want to super size ourselves and say now we have the biggest high school in the nation by two times. If it is the same number of students then are we going to cap enrollment? Are we are saying we are going to stay at our 5,500, but there will be more buildings?

Ms. Hope stated personally I would like to work with the City and with the residents to find out what they want; do they want a cap and if so I will not be able to do that, so I am open, but the thing is, we are looking at a serious issue and no matter where we go, it is going to be a problem and everybody is not going to be happy. We are going to have to think about moving forward with giving relief to these children at Cypress Bay.

Commissioner Henriksson asked are we saying it is the same number of kids and more buildings?

Ms. Hope stated whatever we can work out with the Commission and the community that is what I want to do.

Mayor Hersh stated the conceptual idea is not to eliminate the idea of MMM; the idea is to build MMM as a separate school and instead of being a mile away it is a few hundred yards away and it is two separate schools. In the discussions that I had with other Board members, there was not talk of a Super Cypress Bay with 5,500 kids, but in fact, the same thing you would do by having MMM and Cypress Bay, but you would simply have it one block and whether it be that proposal or whether it be Ms. Gallagher's proposal of extending it to include Falcon Cove, the idea being it is two separate high schools. Boundaries are always up to the School Board and we certainly hope that they will not extend the boundaries.

Commissioner Stermer stated so in other words you would be doing, whether we call it MMM and is a separate facility or you want a super size high school, you are moving the ninth grade annex kids onto the site, increasing the site for high school kids to 5,500 kids, putting them in conjunction with the 3,000 kids in Falcon Cove, so you are going to have 8,500 kids on that one cluster of land, correct?

Mayor Hersh stated correct.

Commissioner Stermer stated I also think the residents from the Isles of Weston need to hear that should there be a security concern at the facility, Vista Park Drive will be closed, so will Manatee Isles Drive, so if we lose 36th Street going west, with 196th going south, they are not getting out of their homes. Let us look at the bigger issue of safety and security, not only on the site, but of the community that is unhappy, understanding there is going to be a school there, but if we lose the road going west, they have no way out.

Ms. Hope stated you are absolutely right because safety is such a concern and traffic roads are very difficult here in Weston, no matter what we do, we are looking at some serious traffic issues and I think the School Board can sit down with the City and come up with ideas on how we can address safety. We have to work together.

Commissioner Stermer stated Chief Page, as we stand today, what resources are used at Falcon Cove and Cypress Bay?

Chief Page asked on a fulltime basis?

Commissioner Stermer stated yes.

Chief Page asked right now there is one School Resource Deputy at Falcon Cove and one School Resource Deputy at Cypress Bay.

Commissioner Stermer asked what type of traffic assistance do we provide in the mornings or in the afternoon?

Chief Page stated we provide two CSAs' and a motorcycle deputy for Falcon Cove, which we found we had to do because of the situation and backup on Bonaventure Boulevard and Griffin Road. At Cypress Bay we provide two CSAs' and they are also posted on Bonaventure Boulevard to help control the flow of traffic, there is also motorcycle patrol at Cypress Bay when school starts.

Commissioner Stermer asked and that is based on the current alignment of having tenth, eleventh and twelfth graders at Cypress Bay and the kids at Falcon Cove, correct?

Chief Page stated correct.

Commissioner Stermer asked in your professional opinion, what would happen if we added another 1,500 students in the high school to that site?

Chief Page stated it is hard to say and the reason why is because a lot of the students that go to Cypress Bay and Falcon Cove do not use the bus. There are a lot of single cars, mothers or fathers, coming up and dropping their children off. I do not know if it would make a huge impact on traffic or not, but I would be cautious to say either way.

Commissioner Stermer stated lets talk about the safety and security, not of the traffic, but of the student population and the transient population on the school site, which has now made the school sites between the two, roughly 8,500 students. Is that a good idea or a bad idea in your training and experience.

Chief Page stated it is already a security concern now because you already have the population of a small town in an area, so that is always a concern of ours and as a matter of fact we make sure that Cypress Bay and Falcon Cove are the schools we use for demonstrations and SWAT training. It is going to be a greater concern having ninth graders and it will be more conducive for hazardous situations, because you will have more kids.

Commissioner Stermer stated worst case scenario, God forbid something happens on that site, but there was a security concern and you had to lock down the site, what geographic area surrounding it would you also lock down?

Chief Page stated we would lock down Falcon Cove Middle School and Cypress Bay; if something happens to one, we lock them both down and both facilities are used to house students and evacuate from one facility to the other.

Commissioner Stermer asked is part of the plan to also lock down Manatee Bay Elementary School?

Chief Page stated that is not part of our emergency plan right now.

Commissioner Stermer asked what about the streets surrounding the school?

Chief Page stated anytime we shut them down we would control egress and ingress going into the facility.

Commissioner Stermer asked would that include up to Vista Park Drive going north so you can get to both facilities using Manatee Isles Drive north?

Chief Page stated yes.

Commissioner Stermer asked and you would not allow traffic in or out of the Isles of Weston would you?

Chief Page stated we would control all traffic in that area depending on the size of the situation.

Commissioner Henriksson stated we have a lot of residents here; is our plan to hear them?

Mayor Hersh stated this is not a public hearing and I think we have all heard them. We are not the decision makers with respect to where the school goes. The purpose today is, the Commission was not informed and we do not have the opportunity to inform each other of any ideas. This is the opportunity to have a discussion and see whether or not this Commission has any consensus to go to the School Board with suggestions and ideas, etc. It is ultimately the School Board that is going to make the decision and not us. If the School Board decided that they wanted to move forward with plans to utilize the five acres then they would have to come back to us and we would have to agree and at that point there would be a discussion of the Commission of whether or not that is acceptable. If the School Board wanted to move forward with the idea of converting the Middle School they really do not need to ask our permission, obviously they would take public input, but that is not a Commission decision.

Commissioner Henriksson stated with all due respect, the notice I got said the public could speak. I have not had a chance to speak to these people or hear some of them and my understanding is that is the reason they came here. We are going to be making a recommendation or a decision on behalf of our residents, it is not just what we want; it is also what they want, so I would very much like to hear the people that are here.

Mayor Hersh stated if the majority of the Commission wants to open up to the public we certainly have the right to do that.

Commissioner Stermer stated Ms. Hope, please understand something; we have been told at a couple of meetings and I understand you are the newest School Board member, that this City has been working for the better part of its history with the School Board to find a solution for the schools.

Ms. Hope stated we need to resolve it now.

Commissioner Stermer stated but understand, LLL is providing zero relief to Cypress Bay High School, yet there are many students, whether they live south of Griffin Road, east of I-75, west of I-75 that easily could be part of a solution to reduce the student population at Cypress Bay; that is not to say that the City of Weston should not also participate in a re-bounding, but part of this problem is a self-imposed problem by the School Board and it's lack of will to move students south of Griffin Road. If you want us to be a partner, then you folks better step up and start making the hard decisions because we have residents morning, noon and night emailing us that we are the bad people trying to put a school in their backyard and we understand, but you folks need to step up and say that everyone has to participate in this problem, whether it is the kids from Southwest Ranches, the kids from Davie or Cooper City or Pembroke Pines and LLL is in the City of Pembroke Pines. We all need to feel the pain and if we are going to feel the pain, so should everybody else.

Ms. Hope stated when you said today that 1,000 homes are going to be moved I am shocked because I had never heard that. We hear a lot of things going around and we need to be able to say things to each other because we are all in a difficult situation. I get calls all the time just like you folks do and we have pros and cons on both sides, but the bottom line is, we need to move forward and get this resolved.

Commissioner Stermer stated if this is a countywide school system, then make a countywide decision and I am not saying you personally, do not put the onus on this City to solve your problem. We are trying to be an active participant, work with us.

Ms. Hope stated I am here.

Commissioner Chermak stated I am appalled at the fact that the School Board or whoever is responsible did not plan this City properly for schools; I cannot believe that. I am a high school teacher and back then we had the double sessions and it worked like a charm. I would like to concentrate more on ball fields and I know what kids like, but we have to provide the proper things for the kids. I took a ride around Cypress Bay when we were asked to build there and I see the new ball fields at Vista Park and the five-acre parking lot. I am saying, let us change some of these ball

fields into schools and do not bother the Isles of Weston people with the traffic. Perhaps we can figure out a way to turn some of these fields, not the 102-acre park, but you have five ball fields and a five-acre parking lot right on Vista Park and that is a nice run of land and I think you could put a school there. I moved to Valley Spring, New York in 1950 they built school after school, no room and I moved away, schools were empty. Things do not change; parents do not move, there is no kid in the house and I am not saying that it could happen here, but that is something to consider. I would like to concentrate on turning some of these ball fields into school property and the ones that I think are the best is the Vista Park fields.

Mayor Hersh stated Commissioner Chermak, just so you understand, the proposal that I made would not require Vista Park to be converted; it would only require the five-acre empty piece of land and it is doable, but the objection of some of the residents is the size and that does not make a difference whether you put it on Vista Park or the other, but I do not think we have to do that to solve this problem. I think what was suggested does exactly what you are talking about and utilizing what would have been park land and might have been additional fields.

Commissioner Cheren stated I think we are all here because our primary concern is, has to be and will continue to be, the safety, security and education of our children. We need to focus on that initially. With that in mind, we are hearing all kinds of reasons or issues as to why things cannot be done. I am always a person who would rather approach a situation from how something can be done. With the Bergeron/Hayes parcel we are seeing evidence that no, it would not be the most desirable by going south to Griffin Road, but having sat through a meeting with the South Florida Water Management District and the Federal Agencies that were also participants in that meeting, we have been made to understand that going to the north on that easement is not a possibility and will not be a possibility. I believe that we need to come to grips with that, to be aware of that and to look at the other opportunities. We are also made aware that a portion of that land is not within the City Proper. If we again, turn to the School Board and say we are and will continue to be a willing partner with the School Board as we have been, now you do your job and turn to the surrounding cities, whether it be Southwest Ranches, etc. and get the access to easements and whatever you need to do from those surrounding areas and get that accomplished, we will be a willing partner and will be there to assist with the remainder of it. We initially had enough other opportunities brought to us that we disallowed because we were told that there were deed restrictions or certain manners in which had been purchased with certain types of dollars that prohibited us. We are looking at Vista Park, which is one of our options that we examined. I know that we've thrown about the option or the possibility of using another one of our parks. Again, we

have been told that is not a possibility. I am not saying that is the answer, but I believe that we are in a situation right now for the safety, security and the education of our children that we cannot disallow any opportunity until it is thoroughly and completely investigated. We need to find out exactly what the needs and the wants of this entire community are and not just one small segmented area because we are all affected by things that sometimes are positive and sometimes are negative. My own home happens to be a school bus stop and I am only bringing this up because after I became a Commissioner, you cannot imagine the number of immediate neighbors that said you are going to get the school bus stop removed are you not and I said no, I am not because this is where the children need to be picked up. I, as a homeowner, understand on a daily basis that there are sometimes situations and scenarios that are not the most desirable, but for the safety, security and the education of our children we do it because that is what the right thing to do is. I am looking to see what we, as a City, can do as a working partner with the School Board, asking the School Board to also step up to the plate and our surrounding neighbors Davie, Southwest Ranches; and as Commissioner Stermer so aptly pointed out, do what is necessary for the education, safety and security of all the children. This is a countywide school system and not just a school plopped into a particular City boundary and it becomes that City's problem; it is not the problem of our City, it is a concern and we will and must continue to be, a working partner, but we need to ask our surrounding areas to do that and I want to look at other areas as well. I want to look at Tequesta Trace, what could or could not be done, if it is doable or even desirable, but I think it needs to be investigated.

Commissioner Stermer stated Mr. Flint, Southwest 26th is closed, correct?

Mr. Flint stated yes.

Commissioner Stermer stated Southwest 36th, which is what we are talking about, if the C-11 Impoundment Area goes through as currently designed, will 36th be able to run out to US 27?

Mr. Flint stated no. Keep in mind also that we have a Comp Plan Amendment standing that will most likely be disputed as whether or not we are able to retain the right-of-way or not.

Commissioner Stermer stated understanding all of that, but at some point if the C-11 Impoundment area is built as designed will that roadway to US 27 be there?

Mr. Flint stated no.

Commissioner Stermer stated so there will be no way out the back west side of our City?

Mr. Flint stated correct.

Commissioner Stermer stated so if we build 196th Avenue, not only will it be a secondary access for students, but it will also be an exit for the folks from Isles of Weston or the folks from

Savanna that currently traverse down South Post Road to 36th and go west, they can now go down 196th Avenue to Griffin Road and still go west, correct?

Mr. Flint stated yes, if you build 196th south.

Commissioner Stermer stated so there will be another point of egress from this City on the west side if 196th is built.

Mr. Flint stated yes.

Mayor Hersh stated we are not hearing many specifics and we are not getting anywhere. Clearly, and correct me if I am wrong if anyone thinks there is going to be any consensus on anything here today. I think we are going to have to put this to the School Board, they know all the options and there is going to be no consensus from the Commission as to what the right answer is. Unfortunately, I do not know that it helps you or the School Board.

Commissioner Henriksson stated the only exception to that is, we have said on numerous occasions and rightly or wrongly Mr. Mayor you may have been quoted, that as a City, we will do what it takes to help with the school situation.

Mayor Hersh stated that is true, but at some point we are going to have to vote on what it takes, but until the School Board tells us what they want to do, we cannot. There was another proposal made and then another and with the discussion here today we are not going to get a consensus I hoped that we would be able to narrow in on at least one or maybe two of those consensus and all of us to say we think that is a good idea, but that is clearly not going to happen. Having said that, the School Board is going to have to have this debate and discussion based on all the facts and then tell us what they need of the City. We will have to reconvene at that point to make some firm decisions if it is within the best interest of the City. We certainly want to do what it takes. You all know my position I think the Bergeron/Hayes site is a perfect site if we can get north access and if we do not, I personally think you are bottlenecking that community beyond belief and unfortunately it just does not work. When you look at the alternatives that were proposed, whether it be Ms. Gallagher's or mine, it saves a significant amount of taxpayer dollars. There is no ideal solution here. No matter what the School Board does and we can get angry at them all we want about boundaries, they are all doing the best they can. You can tell all nine School Board members to look on a more global basis, but they all have their Districts to worry about and they all have different opinions. We have been through boundary processes for a lot of years in the City of Weston and it is a very difficult process for the School Board, so we cannot just tell them it is their problem. Davie has passed the Resolution of the Davie Town Council opposing any high school on Shotgun Road and they are steadfast against it. Southwest Ranches said they

did not want any roads in their community, so we can lecture them all we want, but that is not going to change the way they feel about it. I did speak to the Mayor of Davie about the potential to put the middle school back on Imagination Farms to see if in fact their position has changed. They originally supported that and he does not believe their position has changed, but they would not support any high school there. Having said that, unless this Commission believes that we are going to be able to come up with any consensus to do anything, I think we give it back to the School Board and see what they think and we all discuss it with them as individuals, but not if the Commission does not have a consensus. It is whatever you all want to do.

Commissioner Henriksson stated it is the School Board's job. It is not a City school, it is a County School and it is up to them to examine all of these things and like we said, we are willing to work with them and I would hope all the other cities are willing to do the same thing, that it is looked at on global basis like we discussed today, but we do not have the answers to any of these things. With the Hayes property the exit is not going to go north and we have tons of obstacles for that. It can go south and there are some other issues that were associated with it.

Mayor Hersh stated the only purpose for us getting together is if in fact there was a consensus and we do not make the decision, but in our opinion if there was consensus of which is the best solution, it might have been helpful for the School Board to have that consensus, if there is not, they are going to have to make their decision.

Commissioner Stermer stated I would like to thank Ms. Hope because she did show up at our meeting last Monday and she has been attending meetings around the City to get input.

Ms. Hope stated I am very proud of this position and especially proud of the Mayor and Commission. You all have really worked hard in trying to come up with a solution and I was really hoping you could come up with a solution so I could work for you as hard as I can, but I will go back and lay everything on the table and hopefully we will make a decision about this school, but it is going to be a tough one.

Commissioner Stermer stated we are all residents of your District and we hope that you will do what you think, as our District Representative, is in the best interest of all of the children in this District and if it impacts the District to the south, north or east, so be it, but we need to have you advocate what is best for all.

Commissioner Henriksson asked are we going to have public comment?

Mayor Hersh stated if there is not going to be any commitment by the City I do not see the purpose, but it is up to everyone.

Commissioner Cheren stated I would like to hear the public comment because I cannot answer if I am going to have a consensus or not with others.

Commissioner Henriksson stated they took their time to come here and I told several people here that they would be able to speak.

Commissioner Cheren stated I understood that we were having a public meeting and they were going to have the opportunity to speak.

Commissioner Stermer asked was this noticed as a Special Commission meeting or a workshop.

Mr. Cole stated this is a Special Commission meeting, so if you want to take action you can. Although the meeting is open and everyone is allowed to be here, it is up to the Commission as to whether or not you want to take comments from the public.

Mr. Flint stated we purposely made it a special meeting as opposed to a workshop because at a workshop you are not permitted to vote on anything and in a special meeting in the event there was a consensus then we could have fashioned a Resolution that mirrored that consensus and pass it on to the School Board tomorrow morning.

Ms. Lilly Napolis stated I am a resident of the Isles at Weston. I work in Miami and if we close US 27 that would really upset me.

Mayor Hersh stated that might be outside of our ability not to, but we understand that.

Mr. Stuart Slutsky stated it has been brought up several times before about using Tequesta Trace Park as a site. Some of the issues involved with that include an alleged Deed Restriction and the removal of park space. Is there a possibility that the School Board could buy the Bergeron site and swap that with Tequesta Trace Park?

Mayor Hersh stated we can look into that, but if you are going to spend some \$30 million to take the space and then redevelop it, might be prohibitive, but we can certainly have those discussions.

Mr. Beth Shapiro stated I am strongly against having a bigger school there. Going to meetings at night I do not like the idea that I would have to go into a parking garage, I do not think it would be safe for a kid if they stayed late at school. When you have two schools right next to each other, even though they are separate schools, there is going to be conflicts, increased fighting and more car accidents every day. My boys are very involved in sports and I would hate giving up a park, but I would do that for our kids to go to school.

Ms. Laurie Levenson stated I have been heavily involved in this process for over a year now, starting with the first site review meeting last April where the City of Weston was to come

back and find out a way to help with this. The 196th south proposal was thrown out and to have nothing done a year later is very frustrating. We went to a pristine Everglades site and I do not know how in the world we thought we were going to get that when we are talking about a little conservation easement. We wasted a tremendous amount of time. I know the South Florida Water Management District is here today and I want to ask, if we go 196th Street south that will not impede on the C-11 projects at all, is that correct?

Mr. Coates stated that is correct.

Ms. Laurie Levenson stated so everything we have been hearing out of the newspaper about South Florida Water Management being dead against it, if it goes to the south we do not have a problem with that. I think as a Commission you have been supporting the Bergeron site, we have a Resolution supporting it and I think we should continue to see it through and let the District take it over. Mr. Notter is going to bring it forward tomorrow so they can continue to work on the access and if they get the access I think this City should be behind it instead of delaying more time. We have a class size amendment, which starts in 2008 and each class may not exceed 25 kids. The consequences to that, if we do not meet class size, we can have a boundary shift, go on double sessions or year round schooling. This is a reality and it is going to happen unless we work in the most expeditious way we can, which is the Bergeron/Hayes site.

Ms. Tina Tasha stated I am a resident of Weston. My biggest reason for being here is because I heard we were going to lose Falcon Cove. How a community of this many students could consider losing one of two middle schools when the likelihood is that we need another one and send our kids out of the City, shows me there is no control and thought as to anything that is going on. I was thinking I could not come here today because I did not know anything, but I'm seeing that none of us do, so the reality is, we cannot lose the school and we have residents who do not belong to the City of Weston and we also have sixth graders, who go into a school that have less kids than they need, so why are they there. The City of Miami still has the sixth grade in their elementary school and to build a high school that has 8,500 students on one site is mind boggling and very, very scary. I do not understand the concept of putting a high school on five acres when I was just told 21 acres, including having the two separate schools share a sports facility and parking lots creates a problem. We need separate schools.

Ms. Dalia Zaias stated I live in the Ridges and I have been a community member for seven or eight years. I like to hear that our Commission works as a team with the County, but at some point when feet are being dragged and this has been dragged on for four years because when Cypress Bay opened it was overcrowded. We need to just take the leadership ball and go with it

and not "I'm going to be your partner and you tell us what you want us to do," we just need to take it because that is what leadership does; they take the ball when there are obstacles and as another Commission member said, there are many obstacles. We need to look for methods to make the current site work. We need a separate high school because what will happen is we will get a mega school because people will drag their feet and then we will be a school of 5,000 to 7,000 kids and that is not acceptable for anybody and it is not fair to any student. We have talked and talked about what it cost, but we do not talk about our children. What is in the best interest of those kids, who is looking out for those best interests.

Mr. Al Avello stated I am the Education Advisory Board Chair of Southwest Ranches. We recently had a meeting and we passed a Resolution supporting the Bergeron site also. The problem that perhaps many folks do not understand is that our infrastructure is very small because we are a small town and we do not have roads that head south. Thirty years ago when I moved to Southwest Ranches, Griffin Road was basically the main arterial feed, so everything was constructed getting to Griffin. I am sure Savanna folks would not like the idea of their kids driving on US 27 to go to the LLL or even this new school. If you build the access road over the C-11 it might be quicker for folks in Savanna to go out to US 27 and come around the back way, but that is going to be very dangerous for all kids. I do not think Southwest Ranches would oppose the bridge if the alternative was having to go south to LLL because it is very dangerous and kids are going to prefer US 27 as opposed to a road with speed bumps where they can only go 25 miles an hour and somebody will die out there. Kids do not know perception of 18-wheelers coming at 80 miles an hour and they are just going to cut out in front one of them. That is basically Southwest Ranches' problem because we do not know if LLL is going to be a good school or a bad school, so it is not anything against being in Pembroke Pines, it is just that we are not geared to travel south. As far as the Southwest Ranches kids there are very few, we have Davie, Pembroke Pines, and Cooper City within our boundaries and there are four towns impacted. Southwest Ranches pushed into that might be about 300 or 400 students, which is a very small amount, so you would not solve the overcrowding problem just by getting rid of Southwest Ranches. We had a meeting with Robin Bartleman and we discussed every town would love to have a City school, where only Weston kids went, but that is not the case. I explained to her Laguna Isles is a pretty large development and they are in Pembroke Pines, so give them the option to go south. Laguna Isles would alleviate quite a bit because it is a large community.

Ms. Lisa Salaway stated I live in Weston. I think what I am hearing, maybe tomorrow or this week the Commission is going to choose a site.

Mr. Flint stated the School Board is.

Mr. Coates stated tomorrow there is a workshop or retreat, where these issues will be discussed in a Board meeting, but it will not be a decision-making meeting. It then has to come back to the School Board in the form of a Board Item and that would occur hopefully some time shortly after this workshop tomorrow.

Ms. Salaway asked once this happens and a site is chosen, for instance the Bergeron site, what if somebody says we cannot build the road? What will happen then?

Mayor Hersh stated it is not always in our control. We might have a difference of opinion of what the right direction is, but I feel confident that once the School Board selects whatever the option is, we will get behind making it happen. If it was all within our boundaries and our control we could say yes or no, but there are other agencies, other municipalities and other issues involved that are outside of our control.

Mr. Joe Salaboda stated I have lived in Weston for 12 years. We talked about the impending class size restrictions that are coming in 2008. We are already behind the ball on that, so that is coming no matter what. We talk about the C-11 impoundment; is the Bergeron site currently in the C-11 impoundment or not?

Mayor Hersh stated no it is not.

Mr. Salaboda stated the lands north of 26th bordering South Post Road and the park, no one seems to talk about that, why?

Mayor Hersh stated we attempted to do that and we could not get the approval.

Mr. Flint stated it is a 275-acre functioning mitigation area.

Mr. Salaboda stated we have known that Cypress has been overcrowded since the day it opened. Why have we not tried to move forward on getting that resolved.

Mayor Hersh stated we have. We spent the last three years investigating all these different sites, which is why it has taken so long. There were two different sites within that area that we attempted to secure, one was ours and then we attempted to do a trade with South Florida and each one of them takes months to go through the process, but yes, we have exhausted all of those efforts and those were much more desirable than the Bergeron/Hayes.

Mr. Salaboda stated and in Davie you said they passed a Resolution where they did not want a high school, but they could build a middle school.

Mayor Hersh stated they are dead set against the high school. We actually suggested the idea of taking their Davie Commons and making it into a school site.

Mr. Salaboda stated my next statement is to the School Board. Why is the School Board not flexing some sort of muscle with Davie or persuading Davie to allow an educational facility to be built in their community rather than commercial facilities.

Mr. Mark Zaffron stated my statement is also directed at the School Board for the workshop tomorrow. I have not seen anywhere in the press or any of the research I did with regard to all of these accusations that Cypress Bay seems to have a tremendous number of non-eligible students from other communities. I do know a lot of people who have an associate they work with or a cousin that is from some outlying community and I would like to see some sort of census taken to get a handle on how many students are at Cypress Bay and can we reduce it down. Secondly, with the Resolution I read with regard to Davie, it cited many things with regard to why they would not, which are in complete conflict with Davie Commons, I think this would appeal to their sense of logic.

Ms. Marilyn stated I live in Pembroke Pines. I share the Advisory with Ann at Cypress Bay and both of us are here because we are very concerned. First I would like to invite all of you to our school for lunch, you are welcome to sit with us, we will show you around the school, stand with you in the hallways, stand with you at the bus loop and drive with you to see if you can find a parking space in the morning. That would only increase if we added another grade level. Aside from the fact that the ninth grade annex was designated already at the NN site, which is a reliever school, not only for Falcon Cove, but also for Tequesta Trace and Indian Ridge, these schools are also going to be impacted by class size. It is not just Cypress Bay that is going to be impacted by class size; Falcon Cove, Indian Ridge, and Manatee Bay are all impacted by the same legislation. I urge you, when you take a look at what is before you, do a comprehensive look to see what domino affect your decisions are going to make because where you plug the dam at one end you are going to get a negative result at the other. I do not take anything off the table, including boundary changes and that is part of the comprehensive look. We try to take a look at Weston and Cooper City and LLL because LLL was the designated school to relieve Cypress Bay.

Ms. Anne Efros stated my purpose for coming here today was to address the position on the Bergeron site and to address the question of a Mega High School or two high schools. I have been volunteering in the schools for about 17 years and I have been the Advisory Chair at Western High School when we were three campuses, so I am intimately involved in the situation. Two high schools sharing facilities is a nightmare. I am sure you probably hear what the impact on students is and the impact on staff and are familiar with the study and research the District has seen. Cypress Bay is a great school, but a school involves the kids and the staff and we were great when we were

at Western. I hear people make comments about the City's responsibility, but you do not have City Schools in the State of Florida, they are County Schools. The Cities do not own the schools they reside in certain cities by where they are located geographically. Whoever is down there at that school is a member of the Cypress Bay community and the City of Weston does not own Cypress Bay High School. There are five Cities that feed into that high school and I am not going to say who should or should not be there, but the reality is, it is too many students for one high school. We have all the numbers as to who comes in from every zone. The District, not the City of Weston, has an obligation to do what is in the best interest of the students and the City of Weston has been a great partner with every school that has been out here, but they still belong to the Broward County School District, not the City of Weston, the Town of Southwest Ranches or the Town of Davie.

Ms. Anne Efras stated we have looked at, and we have asked the School District to look at, if you want to tackle that issue and make a proposal to the Board to change their policy on how soon to register. If people have the proper documentation that the School District requires, an electric bill or whatever, they can register those students. When you talk about impact of class size reduction, starting in 2008/2009 that impact is not just Broward County Schools, not just Cypress Bay, because the penalties that will be imposed are School District penalties, it can result in funding loss, but every school in the District has to make class size reductions. Cypress Bay is a problem and Falcon Cove is a problem, but the reality is, we need to relieve those schools, whether it is looking at boundaries and schools in other areas and the first choice would be build a new school on the site, but the reason LLL is located where it is, is because we could not find a site that was better. My purpose of speaking to the Commission is that I am 100% against a mega high school.

Mayor Hersh asked does the Commission have anything further?

Commissioner Henriksson stated I realize we are not giving a consensus, but as a City Commissioner I would strongly oppose a mega high school or two high schools in one location. That has been a uniform message from the residents all over.

Commissioner Cheren stated I would like to get a public consensus of the Commission and what would be the process to bring forth a Resolution to go forward with one of these options.

Mayor Hersh stated you would have to make a motion and get a second. We currently have a Resolution supporting the Bergeron/Hayes site.

Commissioner Cheren stated I would like to bring forth a Resolution, if for no other reason than to get a public consensus of the Commission to continue to support the Bergeron/Hayes site

with the thought process being access to the south out to Griffin Road, with the understanding that we will be a complete working partner with the School Board, having the School Board on its own efforts, working with the surrounding cities, as well as working out the park issues to build the bridge of the C-11.

Mr. Flint stated I think the Bergeron/Hayes site acquisition is an issue of the School Board and 196th Avenue is something we have yet to discuss with the School Board as to how that would be funded.

Commissioner Cheren moved to bring forth a Resolution to support the Bergeron/Hayes site with conditions.
Commissioner Stermer seconded the motion.

Commissioner Stermer stated should the School Board select the Bergeron/Hayes site that the City would work cooperatively with whatever agency and group necessary to make 196th Avenue go south.

Mayor Hersh stated the question and my concern with this is, what does that mean?

Commissioner Cheren stated we do not know what that means until the School Board comes back with something.

Mayor Hersh stated let us just assume that the School Board accepts that site and that argument; is this City Commission willing today, to agree to fund the entire cost of the road, the bridge and everything regardless of how much it is.

Commissioner Stermer stated I think we could answer that question, but I believe Mr. Hines who is sitting behind me and since their BODR includes the piece of land they do not own and whether they do not redesign it or we tell the South Florida Water Management District you have included our land, you are going to slow down your process; they have to build the road and the bridge.

Mayor Hersh stated but we have not had that conversation with them and that is my concern with passing a Resolution today, in that this will be looked upon with no conditions that we are going to build it and do this and that no matter what and I think there are some grave concerns here. I think we are better off not putting ourselves in a position until some of those questions are answered, as to what we can do.

Commissioner Henriksson asked what impact is this going to make at the workshop meeting whether we do this or not?

Mr. Coates stated I do not know. It is a Board of nine and some are going to feel one way and some the other way. From my perspective I think it will help the Board make a decision based upon knowing that this Commission is not in opposition.

Commissioner Stermer asked if Mr. Flint provided you and the members of the Board with the prior Resolution we passed and Ms. Hope or you can represent to the Board that there is a consensus here that we are prepared, should you select that site, to work out the roadway and the bridge issues with you and whatever else is necessary, would that be sufficient?

Mr. Coates stated I think that is definitely sufficient.

Commissioner Stermer stated I understand it is vague at the moment, but we do not necessarily know who or what it entails. Mr. Hines understands his situation and the District also understands that if we are prepared to do something they might have to assist as it relates to the bridge as well. If the consensus of the Workshop tomorrow comes out that the School Board wants to move forward to pick the Bergeron/Hayes site, perhaps Ms. Hope can convene a meeting of everybody that is involved, stakeholders and the agencies and ask how do we make this work now. There are a variety of mechanisms that can be done before the meeting the following week to get Mr. Hines and his group of people, the School Board and their people, Southwest Ranches, all the staff and us say what is necessary and what do we need to make this happen.

Mayor Hersh stated there is one issue that I do not think we talked about, which is 36th Street and the ability to widen it if we were to go south. There are some conservation easements there.

Mr. Flint stated we would have to work through those things. With the information we have, the conservation easement on this segment of 36th Street that goes out to South Post Road, for some reason, overlaps the right-of-way.

Ms. Lee stated there is required mitigation in that swale and within that easement as part of the permit that was issued.

Mr. Flint stated we have some issues in that right-of-way to get that to a four-lane segment if we can and that is one of the reasons why, on the improvement plan that is currently in a stalled position, we had initially proposed just curbing it and adding a bike line, somewhat like we are doing in the Country Isles neighborhood so we would not have to deal with that area to the north, but if we have to four-lane it we will have to deal with it. That is probably going to take the same amount of time to deal with as dealing with Broward County to acquire a right-of-way from the Hayes parcel south down to here, as well as the permitting time to get a bridge at this location.

Commissioner Cheren asked that can all be done at the same time?

Mr. Flint stated it can be done concurrently and if you were inclined to pass a Resolution, I would leave it to the point to state that we would work with the other entities necessary to achieve an access.

Mayor Hersh stated we have to be careful because again, we have no assurance that even at the time we are going to be able to get that conservation easement released on 36th Street.

Mr. Flint stated that is correct and the worst-case scenario is that it would stay like it is and the interim-case scenario is we get the bike lane and the curbing, which will greatly improve the situation there.

Mayor Hersh stated when we were going north on 196th Avenue there was a little less concern about 36th Street because there was another way in or out, but if we are going south that cannot work with two lanes and we do not know if we can get that released, so we need to be careful. At this point I think we are better off letting the School Board decide, based on all these facts, where they want to go and as I said before, regardless of our different opinions, if the School Board decides on that site, we will deal with what we have, but it is far from a done deal and far from easy. It might be more difficult to get 36th Street done than 196th Avenue.

Commissioner Stermer stated normally, without the release of a conservation easement, we could three-lane 36th Street.

Mr. Flint stated we have not done that level of study. We are looking at the bike lane addition and a four-lane cross section, but we would have to be prepared to be able to mitigate whatever was taken off the north right-of-way and find a place to replace that would be acceptable to Broward County. I do not know how the numbers are in the City and if we have anything left we might have to buy something somewhere to get that done, which might be an additional expense to the project. Worst-case scenario, we would have to buy mitigation credit somewhere to replace what we are taking away, so it is not impossible, it is just costly and time-consuming.

Commissioner Stermer asked and this is working with the same County that is going to give us the 30-foot right-of-way we talked about going south, to their mitigation area.

Mr. Flint stated to go south we would preferably get a 60 to 70-foot right-of-way; 30 feet is not really sufficient. Depending upon the permit conditions in here that would dictate the regulatory agencies we would have to deal with.

Mayor Hersh stated we have a generic Resolution urging the School Board of Broward County to acquire the Manatee Isles Drive sitings and start High School MMM as its earliest possible date. It talks about the City of Weston willing to fund offsite public right-of-way improvements, etc. It basically gives generic support and without a change this still stands and

although I think there are some alternatives out there, I am certainly willing to leave this as is, but this does not commit to things we cannot do.

Mr. Flint stated I think the School Board is going to recognize that there are other regulatory agencies having governance over the offsite and they will acknowledge that.

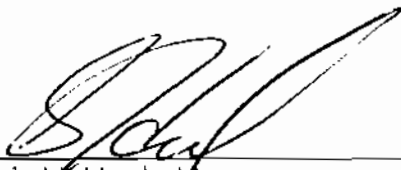
Mr. Coates stated we already have this, so as long as there is nothing coming out of this meeting saying this was changed, it will be sufficient.

Mayor Hersh stated there does not appear to be any consensus to change the Resolution and I think the consensus is to leave this as is right now.

THIRD ORDER OF BUSINESS

Adjournment

The meeting adjourned at 10:20 a.m.



Eric M. Hersh, Mayor