

PUBLIC HEARING OF FEBRUARY 14, 2006

(The meeting convened at 2:00 p.m. and adjourned at 4:31 p.m.)

PLEDGE OF ALLEGIANCE was led by Koren Lang, Broward County Disability Awareness Award recipient for Volunteer of the Year. Ms. Lang is a senior at Lynn University, Boca Raton, Florida.

CALL TO ORDER

1. MOTION TO APPROVE Consent to Assignment and Transfer of Interest in lease agreement from Princess Cruises, Inc., to and assumption of obligations by Princess Cruise Lines, Ltd. (Corp). (This is the 2nd of two Public Hearings).

ACTION: (T-2:44 PM) Approved.

2. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Cliff Berry, Inc., for a one-year term, to provide vessel sanitary waste water removal services at Port Everglades, unless sooner terminated in accordance with Chapter 32 of the Broward County Administrative Code; for reasons including those enumerated factors provided in Section 32.29 of the Broward County Administrative Code and where Franchisee or an officer, director, executive, partner, shareholder, employee or agent who is active in the management of Franchisee is found guilty or convicted of illegal conduct or activity (with or without an adjudication of guilt) as a result of a jury verdict, nonjury trial, entry of a plea of guilty or nolo contendere where the illegal conduct or activity (1) is considered to be a public entity crime as defined by Ch. 287, Florida Statutes, as amended, or (2) is customarily considered to be a "white collar crime" or theft related crime such as fraud, smuggling, embezzlement or misappropriation of funds, or (3) results in a felony conviction; providing for severability; providing for an effective date; and authorizing the Mayor and Clerk to execute the franchise. The Resolution setting this Public Hearing was originally adopted on September 20, 2005 (Item 39) for a public hearing on October 11, 2005. The public hearing was continued from October 11, 2005 (Item 1-PH) to October 25, 2005 (Item 1-PH) (which was heard on November 8, 2005). The Resolution setting the public hearing was most recently adopted on January 10, 2006 (Item 38).

ACTION: (T-2:46 PM) Denied. (Refer to minutes for full discussion.)



Icon indicates that the item is related to an established Commission Challenge Goal.


THE FOLLOWING ITEM HAS BEEN WITHDRAWN

- 3. MOTION TO APPROVE lease agreement between Broward County and South Florida Petroleum Services, LLC, with an initial term of six years and options for two additional five year terms.

ACTION: (T-4:29 PM) Withdrawn.

- 4. MOTION TO ADOPT Resolution 2006-44 of the Board of County Commissioners of Broward County, Florida, amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation" to amend Section 39.2, "Rates, Fees and Charges, Fort Lauderdale – Hollywood International Airport", to amend the Employees' Parking Lot fees, providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (T-4:29 PM) Approved.


-  5. MOTION TO CONSIDER adoption of a Resolution 2006-45 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 27, OPERATIONAL POLICY, PLANNING AND ENVIRONMENTAL PROTECTION, BY AMENDING APPENDIX B ENTITLED "CONCURRENCY FEES BY DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-4:30 PM) Approved.

END PUBLIC HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

-  6. MOTION TO ADOPT County Transit Program (CTP) for Fiscal Year 2006 – Fiscal Year 2010.

ACTION: (T-4:30 PM) Approved.

3:00 PM EXECUTIVE SESSION

(CLOSED TO THE PUBLIC)

ATTORNEY – CLIENT MEETING

7. ATTORNEY-CLIENT MEETING: Commencement of attorney-client session pursuant to Section 286.011 (8), Florida Statutes, to discuss settlement negotiations and litigation strategy related to litigation expenditures in Advocating Disability Rights, Inc. and Carlisle Wilson v. Broward County and Water Taxi, Inc., United States District Court Case No. 03-61239-CIV-MARRA/SELTZER, and Carlisle Wilson v. Broward County, United States District Court Case No. 05-60209-CIV-MARRA/SELTZER.

ACTION: (T-6:32 PM) Continued to Tuesday, February 21, 2006, in Rooms 422 and 430, at 1:30 p.m. (Refer to minutes for full discussion.)

8. A. MOTION TO APPROVE settlement agreement in the amount of \$400,000; including all costs and attorney’s fees, and a reimbursement in the amount of \$25,000 by Water Taxi, Inc. to Broward County, in the case of Advocating Disability Rights, Inc. and Carlisle Wilson v. Broward County and Water Taxi, Inc., United States District Court Case 03-61239-CIVIL. **[These items will be considered by the Board after the closed executive session related to the litigation.]**

ACTION: (T-6:32 PM) No Board action was taken.

- B. MOTION TO ADOPT budget Resolution within the general fund transferring \$375,000 from the Commission Reserve for the settlement referenced in Motion A.

ACTION: (T-6:32 PM) No Board action was taken.

- C. MOTION TO ADOPT unanticipated revenue Resolution within the Mass Transit Fund in the amount of \$400,000 to provide funds required for the settlement referenced in Motion A.

ACTION: (T-6:32 PM) No Board action was taken.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION



9. **MOTION TO DIRECT** staff to take the necessary actions to place an approximate 3.5 acre portion of the Archdiocese Property (Folio No's. 514002010010, 514002010020, 514002010030, and 514002010040) into the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. (**Commission District 5**) (Commissioner Wexler)

ACTION: (T-4:31 PM) Approved. (Refer to minutes for full discussion.)