

PUBLIC HEARING OF MARCH 25, 2008

(Meeting convened at 2:12 p.m. and adjourned at 4:45 p.m.)

PLEDGE OF ALLEGIANCE was led by Darryl Burrows, Head Coach of the Dillard High School Basketball Champions.

CALL TO ORDER: Mayor Wexler called the meeting to order and declared a quorum present.

Josephus Eggelletion, Jr.	9	In Tallahassee
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	In Tallahassee
Ken Keechl	4	Present
Ilene Lieberman	1	In Tallahassee
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

1. MOTION TO ADOPT supplemental budget Resolutions 2008-112 to 2008-129 within the Capital Funds in the amount of \$3,218,790 to recognize audited fund balances; adjust other budgeted revenues and appropriate funds to reserves and other commitments.

ACTION: (T-4:18 PM) Approved.

VOTE: 5 – 0. Commissioner Wasserman-Rubin was not present at the time of the vote.

ACTION: (T-4:25 PM) Commissioner Wasserman-Rubin requested that she be shown voting in the affirmative.

VOTE: 6 – 0.

2. MOTION TO ADOPT supplemental budget Resolutions 2008-130 to 2008-146 within the Debt Service Funds in the amount of \$22,795,118 to recognize audited fund balances; adjust other budgeted revenues and appropriate funds to reserves and other commitments.

ACTION: (T-4:19 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 5 – 0. Commissioner Wasserman-Rubin was not present at the time of the vote.

ACTION: (T-4:25 PM) Commissioner Wasserman-Rubin requested that she be shown voting in the affirmative.

VOTE: 6 – 0.

3. MOTION TO ADOPT supplemental budget Resolutions 2008-147 to 2008-162 within the Enterprise Funds in the amount of \$59,839,357 to recognize the audited fund balances; adjust other budgeted revenues and appropriate funds to reserves and other commitments.

ACTION: (T-4:23 PM) Approved.

VOTE: 5 – 0. Commissioner Wasserman-Rubin was not present at the time of the vote.

ACTION: (T-4:25 PM) Commissioner Wasserman-Rubin requested that she be shown voting in the affirmative.

VOTE: 6 – 0.

4. MOTION TO ADOPT supplemental budget Resolution 2008-163 within the General Fund in the amount of \$20,118,485 to recognize the audited fund balance and adjust various revenues and appropriations.

ACTION: (T-4:24 PM) Approved.

VOTE: 5 – 0. Commissioner Wasserman-Rubin was not present at the time of the vote.

ACTION: (T-4:25 PM) Commissioner Wasserman-Rubin requested that she be shown voting in the affirmative.

VOTE: 6 – 0.

5. MOTION TO ADOPT supplemental budget Resolutions 2008-164 to 2008-168 within the Internal Service Funds in the amount of \$13,415,950 to recognize audited fund balance; adjust other budgeted revenues and appropriate funds to reserves and other commitments.

ACTION: (T-4:24 PM) Approved.

VOTE: 5 – 0. Commissioner Wasserman-Rubin was not present at the time of the vote.

ACTION: (T-4:25 PM) Commissioner Wasserman-Rubin requested that she be shown voting in the affirmative.

VOTE: 6 – 0.

6. MOTION TO ADOPT supplemental budget Resolutions 2008-169 to 2008-198 within the Special Purpose and Grant Sub-Funds of the General Fund in the amount of \$9,937,876 to recognize the audited fund balance, adjust other budgeted revenues and appropriate funds to reserves and other commitments.

ACTION: (T-4:24 PM) Approved.

VOTE: 5 – 0. Commissioner Wasserman-Rubin was not present at the time of the vote.

ACTION: (T-4:25 PM) Commissioner Wasserman-Rubin requested that she be shown voting in the affirmative.

VOTE: 6 – 0.

7. MOTION TO ADOPT supplemental budget Resolutions 2008-199 to 2008-211 within the Special Revenue Funds in the amount of \$16,710,769 to recognize the audited fund balance; adjust other budgeted revenues and appropriate funds to reserves and other commitments.

ACTION: (T-4:25 PM) Approved.

VOTE: 6 – 0.

8. MOTION TO ADOPT supplemental budget Resolutions 2008-212 to 2008-217 within the Trust and Agency Funds in the amount of \$4,428,538 to recognize the audited fund balances and appropriate funds to reserves and other commitments.

ACTION: (T-4:26 PM) Approved.

VOTE: 6 – 0.

9. MOTION TO ADOPT Resolution 2008-218 to vacate a 40-foot wide, platted, road right-of-way, known as SW 145th Avenue, lying within, over and across a portion of The Everglades Sugar & Land Company Plat, located north of Stirling Road, in the Town of Southwest Ranches, and at no cost to the County. Petitioners: Town of Southwest Ranches and abutting property owners within the Everglades Sugar & Land Co. Plat (Michele Mellgren & Associates, Inc., Agent) (2007-V-12) **(Commission District 5)**

ACTION: (T-4:26 PM) Approved.

VOTE: 6 – 0.

10. MOTION TO ADOPT Resolution 2008-219 to vacate a 20-foot wide right-of-way known as SW 69th Street; lying within, over and across Everglades Lands Company Plat; located between SW 190th Avenue to the east line of Tracts 45 and 52 of said Plat; Town of Southwest Ranches; at no cost to the County. Petitioners: Town of Southwest Ranches (Michele Mellgren and Associates, Inc., Agent)(2007-V-14) **(Commission District 8)**

ACTION: (T-4:27 PM) Approved.

VOTE: 6 – 0.

11. MOTION TO ADOPT Resolution 2008-220 to vacate five different easements, all lying within, over and across Meeks Farms Plat, located north of Stirling Road, between University Drive and SW 76th Avenue, Town of Davie; and at no cost to the County. Petitioners: Eastern Financial Florida Credit Union (Karen Chapman, Miller Legg, Agent) (2007-V-16) **(Commission District 7)**

ACTION: (T-4:28 PM) Approved.

VOTE: 6 – 0.

12. MOTION TO CONSIDER renewal of licenses to provide Nonemergency Medical Transportation Services (NEMTS) to Medical Transportation Management Corp., d/b/a AMC Medical Transportation and Ponder & Associates, Inc., d/b/a Tender Loving Care Adult Day Health Center.

ACTION: (T-4:28 PM) Approved.

VOTE: 6 – 0.

13. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX, OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SECTION 5-182(m), "ADEQUACY OF SCHOOL SITES AND FACILITIES," PROVIDING FOR SCHOOL IMPACT FEES AND STUDENT GENERATION RATES; AMENDING SECTION 5-201, "DEFINITIONS," REVISING EXISTING DEFINITIONS AND CREATING NEW TERMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:29 PM) This Ordinance shall become effective on April 21, 2008.

VOTE: 6 – 0.

14. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2008-07 REGARDING ADEQUACY OF SCHOOL SITES AND FACILITIES AND PUBLIC SCHOOL CONCURRENCY TO AMEND THE EFFECTIVE DATE OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:30 PM) This Ordinance shall become effective as provided by law.

VOTE: 6 – 0.

15. MOTION TO ADOPT Resolution 2008-221 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE TRANSPORTATION ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-4:31 PM) Approved.

VOTE: 6 – 0.

16. MOTION TO ADOPT Resolution 2008-222 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE POTABLE WATER ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-4:31 PM) Approved.

VOTE: 6 – 0.

17. MOTION TO ADOPT Resolution 2008-223 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE SANITARY SEWER ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-4:32 PM) Approved.

VOTE: 6 – 0.

18. MOTION TO ADOPT Resolution 2008-224 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE DRAINAGE AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-4:34 PM) Approved.

VOTE: 6 – 0.

19. MOTION TO ADOPT Resolution 2008-225 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT, OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-4:33 PM) Approved.

VOTE: 6 – 0.

20. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 08-5, in the City of Coconut Creek (**Commission District 2**) the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:33 PM) This Ordinance shall become effective as provided by law.

VOTE: 6 – 0.

21. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 08-6, in the City of Coconut Creek (**Commission District 2**) the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:34 PM) This Ordinance shall become effective as provided by law.

VOTE: 6 – 0.

22. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 08-7, in the City of Coral Springs (**Commission District 3**) the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF CORAL SPRINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:34 PM) This Ordinance shall become effective as provided by law.

VOTE: 6 – 0.

23. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 08-8, in the City of Dania Beach (**Commission District 7**) the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF DANIA BEACH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:34 PM) This Ordinance shall become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 6 – 0.

24. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 08-9, in the City of Fort Lauderdale (**Commission District 9**) the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF FORT LAUDERDALE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:35 PM) This Ordinance shall become effective as provided by law.

VOTE: 6 – 0.

25. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 08-10, in the City of Plantation (**Commission District 9**) the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PLANTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:36 PM) This Ordinance shall become effective as provided by law.

VOTE: 6 – 0.

26. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" land use plan amendment, PC 08-11, in the City of Pompano Beach **(Commission District 2)** the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:36 PM) This Ordinance shall become effective as provided by law.

VOTE: 6 – 0.

27. MOTION TO ADOPT Resolution 2008-226 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 08-1), located in the City of Coconut Creek, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 2)**

ACTION: (T-4:37 PM) Approved per Planning Council's recommendations. (Refer to minutes for full discussion.)

VOTE: 6 – 0.

28. MOTION TO ADOPT Resolution 2008-227 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 08-2), located in the City of Coconut Creek, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 2)**

ACTION: (T-4:40 PM) Approved per Planning Council's recommendations.

VOTE: 6 – 0.

29. MOTION TO ADOPT Resolution 2008-228 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 08-3), located in the City of Coral Springs, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 3)**

ACTION: (T-4:41 PM) Approved per Planning Council's recommendations.

VOTE: 6 – 0.

30. MOTION TO ADOPT Resolution 2008-229 to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 08-2), to revise platting requirements, per Section D.2, Chapter IV, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15).

ACTION: (T-4:41 PM) Approved per Planning Council's recommendations.

VOTE: 6 – 0.

31. MOTION TO ADOPT Resolution 2008-230 to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 08-1), regarding open space areas, including existing and former golf courses, as a part of the first annual proposed 2008 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15).

(Commissioners Lieberman (before the final vote), Eggelletion and Jacobs participated via teleconferencing.)

ACTION: (T-4:18 PM) Approved per Planning Council's recommendations. (Refer to minutes for full discussion.)

VOTE: 5 – 2. Mayor Wexler and Commissioner Eggelletion voted no. Commissioner Rodstrom abstained from voting.