

PUBLIC HEARING OF MAY 9, 2006

(The meeting convened at 2:00 p.m.; recessed at 5:11 p.m.; reconvened at 5:26 p.m. and adjourned at 7:04 p.m.)

PLEDGE OF ALLEGIANCE was led by Ralph Marrinson, Chair of the Broward Regional EMS Council; Chief Daniel Sullivan, president of the Broward County Fire Chiefs Association; Chief Charles Wohitika, Chair of the EMS Conference Committee, and George Danz, Director, Trauma Management Agency, in honor of "Emergency Medical Services Week."

CALL TO ORDER

1. 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 SECTION 31½-42 OF THE BROWARD COUNTY CODE OF ORDINANCES, RELATED TO THE DISTRIBUTION OF TAX PROCEEDS BETWEEN THE COUNTY AND THE MUNICIPALITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY CODE; PROVIDING FOR A CERTIFIED COPY TO BE SENT TO THE DEPARTMENT OF REVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:09 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

CONTINUED FROM APRIL 25, 2006 PUBLIC HEARING – ITEM NO. 4

2. A. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 04-8, establishing a "Local Activity Center" in the City of Hallandale Beach, relating to the Gulfstream Park Development of Regional Impact (**Commission District 6**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE HALLANDALE BEACH LOCAL ACTIVITY CENTER (LAC) TEXT AMENDMENT LOCATED IN THE CITY OF

HALLANDALE BEACH PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:26 PM) Filed proof of publication and enacted the Ordinance as provided by law, with the following amendments: 1) The applicant voluntarily committed to reduce Retail uses from 910,000 square feet to 750,000 square feet; to reduce Office from 200,000 square feet to 140,000 square feet, and to reduce Cinema from 3,500 seats to 2,500 seats. 2) The applicant voluntarily committed to develop 225 dwelling units on-site and off-site as affordable and workforce housing, school mitigation (\$2 million) as accepted and conditioned by the School Board staff, as described in the amendment report backup materials, and regional transportation network improvements, as described by the applicant in the letter from Edwin J. Stacker, dated April 11, 2006, with the future rail station being either for Tri-rail or on the F.E.C. railway. Further, the applicant shall continue to work with affected stakeholders as the project progresses. (Refer to minutes for full discussion.)

- B. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 04-20, designating a "Local Activity Center" in the City of Hallandale Beach relating to the Gulfstream Park Development of Regional Impact (**Commission District 6**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP REDESIGNATING THE LAND USE OF THE VILLAGE AT GULFSTREAM PARK DEVELOPMENT OF REGIONAL IMPACT LOCATED IN THE CITY OF HALLANDALE BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:26 PM) Filed proof of publication and enacted the Ordinance as provided by law, with the following amendments: 1) The applicant voluntarily committed to reduce Retail uses from 910,000 square feet to 750,000 square feet; to reduce Office from 200,000 square feet to 140,000 square feet, and to reduce Cinema from 3,500 seats to 2,500 seats. 2) The applicant voluntarily committed to develop 225 dwelling units on-site and off-site as

affordable and workforce housing, school mitigation (\$2 million) as accepted and conditioned by the School Board staff, as described in the amendment report backup materials, and regional transportation network improvements, as described by the applicant in the letter from Edwin J. Stacker, dated April 11, 2006, with the future rail station being either for Tri-rail or on the F.E.C. railway. Further, the applicant shall continue to work with affected stakeholders as the project progresses. (Refer to minutes for full discussion.)

3. MOTION TO ADOPT Resolution 2006-320 of the Board of County Commissioners of Broward County, Florida, consenting to the assignment of a non-exclusive franchise to provide stevedore services at Port Everglades from Eller & Company, Inc. to Eller Maritime Services, LLC for the remainder of its ten-year franchise term which ends December 8, 2006; and renewal of the assigned franchise for a new ten-year term ending December 18, 2016; 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 adopted on April 25, 2006 (Item 28).

ACTION: (T-3:10 PM) Approved.

4. MOTION TO ADOPT Resolution 2006-321 of the Board of County Commissioners of Broward County, Florida, consenting to the assignment of a non-exclusive franchise to provide cargo handler services at Port Everglades from Eller & Company, Inc. to Eller Maritime Services, LLC for the remainder of its ten-year franchise term which ends December 8, 2006; and renewal of the assigned franchise for a new ten-year term ending December 18, 2016; 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 adopted on April 25, 2006 (Item 29).

ACTION: (T-3:10 PM) Approved.

5. MOTION TO ADOPT Resolution 2006-322 of the Board of County Commissioners of Broward County, Florida, consenting to the assignment of a non-exclusive franchise to provide steamship agent services at Port Everglades from Eller & Company, Inc. to Eller Maritime Services, LLC for the remainder of its five-year franchise term which ends December 5, 2010, providing for severability; and providing for an effective date. The Resolution setting this Public Hearing was adopted on April 25, 2006 (Item 30).

ACTION: (T-3:10 PM) Approved.

6. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Everglades Waste Removal Services, LLC, for a one-year term, to provide vessel sanitary waste water removal services at Port Everglades, 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 adopted on April 25, 2006 (Item 31).

ACTION: (T-3:11 PM) Filed proof of publication and continued the Public Hearing to Tuesday, May 23, 2006, at 2:00 p.m. (Refer to minutes for full discussion.)

7. MOTION TO ADOPT Resolution 2006-323 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Florida International Terminal, LLC, for a ten-year term, to provide stevedore services at Port Everglades, 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 adopted on April 25, 2006 (Item 32).

ACTION: (T-3:24 PM) Approved.

8. MOTION TO ADOPT Resolution 2006-324 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Florida International Terminal, LLC, for a ten-year term, to provide cargo handler services at Port Everglades, 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 adopted on April 25, 2006 (Item 33).

ACTION: (T-3:24 PM) Approved.

9. MOTION TO ADOPT Resolution 2006-325 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Port Everglades Stevedoring, Inc., for a five-year term, to provide steamship agent services at Port Everglades, 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 adopted on April 25, 2006 (Item 34).

ACTION: (T-3:24 PM) Approved.

10. MOTION TO ADOPT Resolution 2006-326 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Port Everglades Stevedoring, Inc., for a ten-year term, to provide stevedore services at Port Everglades, 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 adopted on April 25, 2006 (Item 35).

ACTION: (T-3:25 PM) Approved.

11. MOTION TO ADOPT Resolution 2006-327 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Port Everglades Stevedoring, Inc., for a ten-year term, to provide cargo handler services at Port Everglades, 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 adopted on April 25, 2006 (Item 36).

ACTION: (T-3:25 PM) Approved.

12. MOTION TO ADOPT Resolution 2006-328 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Sun Terminals, Inc., for a five-year term, to provide steamship agent services at Port Everglades, 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 adopted on April 25, 2006 (Item 37).

ACTION: (T-3:26 PM) Approved.

The following item (# 13), Continued from April 25, 2006 – Item No. 1)

13. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Raider Environmental Services, LLC, for a one-year term, to provide vessel sanitary waste water removal services at Port Everglades, 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 adopted on March 28, 2006 (Item 46). (Continued from April 25, 2006 – Item No. 1)

ACTION: (T-6:27 PM) Denied. (Refer to minutes for full discussion.)



14. MOTION TO ADOPT Resolution amending the Administrative Code, the title of which is as follows. (Commissioner Jacobs, Commissioner Gunzburger, Commissioner Wexler)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 19, PART III, ENTITLED "REDEVELOPMENT CAPITAL PROGRAM"; AMENDING SECTIONS 19-20, ELIGIBLE ACTIVITIES/PROJECTS, 19-21, CRITERIA FOR PROJECT INVESTMENT, 19-25, METHOD OF INVESTMENT AND 19-26, PROGRESS REPORTS TO INCLUDE NOT-FOR-PROFIT OR FOR-PROFIT ORGANIZATIONS APPROVED BY THE FLORIDA HOUSING FINANCE CORPORATION FOR NINE PERCENT (9%) TAX CREDITS OR APPROVED BY THE BROWARD COUNTY HOUSING FINANCE AUTHORITY FOR FOUR PERCENT (4%) TAX CREDITS FOR NEW CONSTRUCTION OR SUBSTANTIAL REHABILITATION OF AFFORDABLE RESIDENTIAL RENTAL UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-7:03 PM) Filed proof of publication and continued the Public Hearing to Tuesday, May 16, 2006, at 10:30 a.m., Time Certain. (Refer to minutes for full discussion.)