

PUBLIC HEARING OF MAY 13, 2008

(The meeting convened at 2:25 p.m. and adjourned at 5:41 p.m.)

PLEDGE OF ALLEGIANCE was led by newly state record breakers, Eva Pierce, Sharniece Supal, Rachael James and Rebecca James, students of Boyd Anderson High School Girls Track Team.

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

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

1. MOTION TO ADOPT Resolution 2008-308 to vacate a portion of a 15-foot wide platted alley lying within, over, and across Block 18, Corrected Plat of Everglade Land Sales Company's First Addition to Lauderdale, Florida Plat, located south of SE 17th Street and east of Federal Highway, in the City of Fort Lauderdale; at no cost to the County. Petitioners: Robert Williamson (Corporate Property Services Inc., Agent) (2007-V-11) **(Commission District 4)**

ACTION: (T-3:11 PM) Approved.

VOTE: 9-0.

2. 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 4 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO ANIMAL CARE AND REGULATION; AMENDING SECTION 4-2 TO INCLUDE IN THE DEFINITION OF "DANGEROUS DOG" A DOG THAT HAS KILLED A DOMESTIC ANIMAL ON ONE OCCASION; AMENDING SECTION 4-12 TO IMPOSE THE SAME PENALTIES UPON

DANGEROUS DOGS AND THEIR OWNERS FOR THE DEATH OF DOMESTIC ANIMALS AS CURRENTLY PROVIDED FOR INJURIES CAUSED TO HUMANS; AMENDING SECTION 4-14.5 TO CLARIFY WHICH ANIMALS ARE SUBJECT TO MUZZLE AND LEASH REQUIREMENTS; AMENDING SECTION 4-14 TO REQUIRE REPORTING OF ANIMALS THAT BITE HUMANS AND DOMESTIC ANIMALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Ken Keechl)

ACTION: (T-3:12 PM) Approved as amended. Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board directed staff to better define the definition of "pet," as well as amend the "one free kill" provision in the "Dangerous Dog" Ordinance. (Refer to minutes for full discussion.)

VOTE: 9-0.

3. **MOTION TO CONSIDER** adoption of a Resolution 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 12, PART X.; RELATING TO THE BROWARD COUNTY HIV HEALTH SERVICES PLANNING COUNCIL; AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 23, EXHIBIT 23.A, RELATING TO THE GRIEVANCE/APPEAL PROCEDURES FOR GRANT APPLICATIONS FOR RYAN WHITE C.A.R.E. ACT PART A FUNDING; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-3:34 PM) Per the purple sheeted additional agenda material, this Resolution was amended. The Board continued this item until the 2:00 p.m. Public Hearing on Tuesday, August 12, 2008. (Refer to minutes for full discussion.)

VOTE: 9-0.

4. MOTION TO CONSIDER adoption of a Resolution 2008-309 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO ESTABLISHING A CONFLICTS OF INTEREST POLICY FOR OUTSIDE LEGAL COUNSEL; AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE RELATING TO THE OPERATIONAL POLICY OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING PART IV UNDER CHAPTER 18 TO BE ENTITLED "CONFLICTS OF INTEREST POLICY FOR OUTSIDE LEGAL COUNSEL"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-3:55 PM) Approved.

VOTE: 9-0.

5. MOTION TO CONSIDER adoption of a Resolution 2008-310 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 PERTAINING TO PROCUREMENT; AMENDING SUBSECTION 21.31.d TO ADD TO OR REARRANGE THE CRITERIA FOR BREAKING TIE VOTES AND FOR CLARIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-3:55 PM) Approved as amended. The Board accepted the amendments made in the backup by Commissioners Lieberman and Rodstrom, and modified the order of procedure for breaking tie votes in procurement matters reversing numbers 5 and 6 located in the back up insert section. (Refer to minutes for full discussion.)

VOTE: 9-0.

6. MOTION TO CONSIDER adoption of a Resolution 2008-311 the title, of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHAPTER 40, "FEES AND OTHER CHARGES, PLANNING AND ENVIRONMENTAL PROTECTION," PART VI, "BUILDING CODE SERVICES DIVISION," SECTION 40.27, "GENERAL FEES SCHEDULE," ESTABLISHING FEES FOR BUILDING CODE SERVICE DIVISION SERVICES; AMENDING SECTION 40.28, "SPECIAL FEES," PROVIDING FOR SURCHARGE FEES; AMENDING SECTION 40.29, "BUILDING PERMITS FEE SCHEDULE," SETTING FORTH FEES FOR BUILDING PERMITS; AMENDING SECTION 40.30, "ELECTRICAL PERMITS FEE SCHEDULE," SETTING FORTH FEES FOR ELECTRICAL PERMITS; AMENDING SECTION 40.31, "MECHANICAL (AIR CONDITIONING AND VENTILATION) PERMITS FEE SCHEDULE," PROVIDING FEES FOR OBTAINING MECHANICAL PERMITS; AMENDING SECTION 40.32, "PLUMBING PERMITS FEE SCHEDULE," PROVIDING FEES FOR OBTAINING PLUMBING PERMITS; AMENDING SECTION 40.33, "ELEVATORS, ESCALATORS, AND OTHER APPARATUS," PROVIDING FEES FOR DUPLICATE CERTIFICATES OF OPERATION AND PERMIT CARDS; AMENDING EXHIBIT 40B, "REGULAR AND PREMIUM SERVICE LEVEL DEFINITIONS," INCREASING HOURLY RATE FOR PREMIUM SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-4:13 PM) Approved. The Board directed staff to bring additional information back to the Board.

VOTE: 6-1. Commissioner Eggelton voted no. Commissioners Rodstrom and Wasserman-Rubin were not present during the vote.

ACTION: (T-4:24 PM) Commissioner Rodstrom requested being shown voting in the affirmative.

VOTE: 7-1.

7. MOTION TO ADOPT Resolution 2008-312 of the Board of County Commissioners of Broward County, Florida, approving the Broward County Annual Action Plan for October 1, 2008 to September 30, 2009, for the U.S. Department of Housing and Urban Development (HUD) 34th Year Community Development Block Grant (CDBG) Program; authorizing the County Administrator to transmit the Annual Action Plan and take all necessary administrative actions for implementation of the 34th Year Grants; approving the

standard form agreements; authorizing the County Administrator to execute approved standard form agreements; providing for severability; and providing for an effective date.

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

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

8. MOTION TO ADOPT Resolution 2008-313 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, VOLUME II, CHAPTER 42, SECTIONS FIVE AND NINE OF THE PORT EVERGLADES TARIFF NO. 12, CODIFIED AS EXHIBIT 42.A AND INCORPORATED IN SECTION 42.25 OF THE BROWARD COUNTY ADMINISTRATIVE CODE; AMENDING ITEM NO. 520, "NON-WATERBORNE LIQUID BULK TRANSFER;" AMENDING ITEM NO. 900, "PAYMENT OF BILLS AND CREDIT TERMS;" AMENDING ITEM NO. 910, "COLLECTION AND ENFORCEMENT;" AMENDING ITEM NO. 960, "POSTING OF FINANCIAL SECURITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY DATE.

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

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

9. MOTION TO DISCUSS expansion of the existing Southport Turning Notch as it relates to the Master/Vision Plan and provide direction on a locally preferred alternative (LPA). **(Continued from April 8, 2008 Public Hearing)**

ACTION: (T-4:25 PM) Board discussion took place. The Board discussed the removal of Deerfield Island, and to move forward on the DEIS process. Additionally, the Board directed staff to review the viability on aggregate and the proposal made by Mr. Campbell. (Refer to minutes for full discussion.)

VOTE: 9-0.

10. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, amending Chapter 39 of the Broward County Administrative Code, "Fees and Other Charges, Aviation" amending Section 39.2, "Rates, Fees and Charges, Fort Lauderdale-Hollywood International," to amend Airline Passenger Service Incentive Programs; providing severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (T-5:00 PM) The Board rejected the Resolution in this item. The Board directed staff to examine the incentive program, retarget cities, and consult with the airlines at Fort Lauderdale Hollywood International Airport, and bring results back to the Board.

VOTE: 9-0.