

PUBLIC HEARING OF JUNE 10, 2008

(Meeting convened at 2:34 p.m. and adjourned at 3:55 p.m.)

PLEDGE OF ALLEGIANCE was led by Pembroke Pines Commissioner Angelo Castillo, also the Chair of the Broward County Planning Council.

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	Not Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

1. A. MOTION TO ADOPT Resolution 2008-371 to vacate 15 feet of a 30-foot wide, unimproved, platted roadway easement, located along the west side of SW 26th Terrace, south of SW 34th Street, in the City of Dania Beach; and at no cost to the County. **(Commission District 7)**

ACTION: (T-3:32 PM) Approved.

VOTE: 8 – 0.

- B. MOTION TO ADOPT Resolution 2008-372 authorizing conveyance by Quit Claim Deed of a 50-foot wide by 184-foot long, unimproved, portion of right-of-way, located north of SW 34th Street and west of SW 26th Terrace to Marina Mile Park of Commerce, LLC, pursuant to Florida Statutes Section 255.22, located in the City of Dania Beach; and at no cost to the County. Petitioners: Marina Mile Park of Commerce, LLC (Miller Legg and Associated, Inc., Agent) (2007-V-10) **(Commission District 7)**

ACTION: (T-3:32 PM) Approved.

VOTE: 8 – 0.

2. MOTION TO ADOPT Resolution 2008-373 to vacate a 15-foot wide utility easement lying within, over and across Parcel 2, Meeks Subdivision Plat, located at 220 SW 32nd Street, in the City of Fort Lauderdale; at no cost to the County. Petitioners: Lewis Family Ft. Lauderdale Partnership, Ltd. (Sarah Stewart, SSConsulting, LLC, Agent) (2007-V-15) **(Commission District 7)**

ACTION: (T-3:32 PM) Approved.

VOTE: 8 – 0.

3. MOTION TO ADOPT Resolution 2008-374 to vacate a 12-foot wide public utility easement lying within, over and across Lots 3 and 4, Block 12, Venetian Isles 2nd Section Plat, located at 3861 NE 22nd Way, in the City of Lighthouse Point; and at no cost to the County. Petitioners: ACL HOLDINGS, LLC (Peter A. Rose, Esq., Agent) (2007-V-21) **(Commission District 4)**

ACTION: (T-3:32 PM) Approved.

VOTE: 8 – 0.

4. MOTION TO ADOPT Resolution 2008-375 to vacate a portion of a 10-foot wide utility easement lying within, over and across a portion of Tract A, of the Weekley Plat, located at 3401 West Hallandale Beach Boulevard, in the City of Pembroke Park; at no cost to the County. Petitioners: Post-Newsweek Stations Florida, Inc.(Ruden, McClosky, Agent) (2008-V-01) **(Commission District 8)**

ACTION: (T-3:33 PM) Approved.

VOTE: 8 – 0.

5. MOTION TO ADOPT Resolution 2008-376 to vacate a platted 12-foot wide utility and drainage easement lying within, over and across, Tract B, Alexander–Young Plat, located on the east side of State Road 7, north of Wiles Road, in the City of Coconut Creek; at no cost to the County. Petitioner: Chianti Associates, LLC (Ruden McCloskey Smith Schuster & Russell, PA, Agent) (2008-V-04) **(Commission District 2)**

ACTION: (T-3:33 PM) Approved.

VOTE: 8 – 0.

6. MOTION TO ADOPT Resolution 2008-377 to vacate a platted 12-foot wide utility easement lying within, over and across a portion of Tract A-1 of the Spear Plat, located on the east side of State Road 7, north of Wiles Road, in the City of Coconut Creek; at no cost to the County. Petitioner: Chianti Associates, LLC (Ruden McCloskey Smith Schuster & Russell, PA, Agent) (2008-V-05) **(Commission District 2)**

ACTION: (T-3:34 PM) Approved.

VOTE: 8 – 0.

7. MOTION TO ADOPT Resolution 2008-378 to vacate a platted 15-foot wide landscape buffer lying within, over and across a portion of Tracts A-1 and B-1, of the Spear Plat, located on the east side of State Road 7, north of Wiles Road, in the City of Coconut Creek; at no cost to the County. Petitioner: Chianti Associates, LLC (Ruden McCloskey Smith Schuster & Russell, PA, Agent) (2008-V-06) **(Commission District 2)**

ACTION: (T-3:34 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

8. 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, PERTAINING TO THE LOCAL OPTION GAS TAX, AMENDING SECTION 31½-42 OF THE BROWARD COUNTY CODE OF ORDINANCES, RELATED TO THE DISTRIBUTION OF THE LOCAL OPTION GAS TAX PROCEEDS BETWEEN THE COUNTY AND THE MUNICIPALITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 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-3:35 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

9. 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, PERTAINING TO AN AFFORDABLE HOUSING ADVISORY COMMITTEE; CREATING AN AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING FOR PURPOSE; PROVIDING FOR MEMBERSHIP AND APPOINTMENT OF COMMITTEE MEMBERS; PROVIDING FOR MEETINGS; ESTABLISHING COMMITTEE RESPONSIBILITIES, REQUIRING APPROVAL OF THE LOCAL HOUSING INCENTIVE STRATEGIES; PROVIDING FOR APPROVAL AND TRANSMITTAL OF THE LOCAL HOUSING INCENTIVE STRATEGIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:36 PM) Filed proof of publication and enacted the Ordinance, as amended, per the purple-sheeted backup material dated June 10, 2008, to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

10. 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, PERTAINING TO EMERGENCY MEDICAL SERVICES, AMENDING CHAPTER 15, ARTICLE V., BROWARD COUNTY CODE OF ORDINANCES, KNOWN AS THE BROWARD REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL ("EMS COUNCIL"); PROVIDING REVISIONS TO THE MEMBERSHIP OF THE COUNCIL; PROVIDING FOR HOUSEKEEPING CHANGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:37 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

11. 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 OF THE BROWARD COUNTY CODE OF ORDINANCES; SECTION 5-180, "APPLICATION AND REQUIREMENT FOR DEVELOPMENT PERMITS," SUBSECTION (e), "COMPUTATION OF TIME," PROVIDING FOR EXTENSION OF DEADLINES UNDER EXTRAORDINARY CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:38 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

12. 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 THE BROWARD COUNTY CODE OF ORDINANCES, CHAPTER 8½, "CODE ENFORCEMENT," ARTICLE II, "ALTERNATE CODE ENFORCEMENT PROCEDURE," SECTION 8½-16, "SCHEDULE OF CIVIL PENALTIES," PROVIDING FOR CIVIL PENALTIES FOR VIOLATIONS OF THE FLORIDA BUILDING CODE AS IT APPLIES TO ELEVATOR SAFETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:39 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

13. MOTION TO ADOPT Resolution 2008-379 amending the Administrative Code to revise the fee schedule for proposed amendments to the Broward County Land Use Plan Map and requests for written platting interpretations, land use interpretations and confirmations.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE; SECTION 40.5a, THE SCHEDULE OF FEES AND CHARGES FOR LAND USE PLAN AMENDMENTS, TRAFFICWAYS AMENDMENTS AND WAIVERS, RECERTIFICATION OF LOCAL LAND USE PLAN MAP AMENDMENTS AND WRITTEN PLATTING DETERMINATIONS, LAND USE CONFIRMATIONS AND LAND USE INTERPRETATIONS PROCESSED BY THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-3:40 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

14. A. MOTION TO ADOPT Resolution 2008-380 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Crowley Liner Services, Inc., for a ten-year term, to provide stevedore services at Port Everglades, providing for non-discrimination/applicable law; providing for severability; providing for an effective date; and authorizing the Mayor and Clerk to execute the franchise.

ACTION: (T-3:41 PM) Approved.

VOTE: 8 – 0.

- B. MOTION TO ADOPT Resolution 2008-381 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Crowley Liner Services, Inc., for a ten-year term, to provide cargo handler services at Port Everglades, providing for non-discrimination/applicable law; providing for severability; providing for an effective date; and authorizing the Mayor and Clerk to execute the franchise.

ACTION: (T-3:41 PM) Approved.

VOTE: 8 – 0.

15. A. MOTION TO CONSIDER adoption of a Resolution 2008-382 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 32, PART II, "FRANCHISES," AMENDING SECTION 32.14, GENERALLY; AMENDING SECTION 32.15, TYPES AND TERM OF STEVEDORE, CARGO HANDLER, AND TUGBOAT OR TOWING FRANCHISES; AMENDING SECTION 32.16, APPLICATION FOR STEVEDORE, CARGO HANDLER, AND TUGBOAT OR TOWING FRANCHISES; AMENDING SECTION 32.17, ISSUANCE AND RENEWAL CRITERIA FOR STEVEDORE, CARGO HANDLER, AND TUGBOAT OR TOWING FRANCHISES; AMENDING SECTION 32.19, STEAMSHIP AGENT FRANCHISE; AMENDING SECTION 32.20, VESSEL BUNKERING SERVICE, VESSEL OILY WASTE REMOVAL SERVICE AND VESSEL SANITARY WASTE WATER REMOVAL SERVICE FRANCHISES; CREATING SECTION 32.20.1, MARINE TERMINAL SECURITY SERVICE FRANCHISE; AMENDING SECTION 32.23, FEES; AMENDING SECTION 32.24, FRANCHISE CONDITIONS; AMENDING SECTION 32.25, PERIODIC FRANCHISE EVALUATION; AMENDING SECTION 32.26, ASSIGNMENT; AMENDING SECTION 32.28, ABANDONMENT; AND CHAPTER 42, PART III, "RULES AND REGULATIONS GOVERNING PORT EVERGLADES," SECTION EIGHT 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. 800, FRANCHISES AND BUSINESS PERMITS AND ITEM NO. 805, INSURANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-3:42 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 1. Commissioner Gunzburger voted no.

- B. MOTION TO WAIVE initial processing fee of \$4,000 and the annual fee of \$2,250 (established by the proposed amendment to Port Everglades Tariff No. 12 for the first year for companies currently providing security services at the Port.

ACTION: (T-3:42 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 1. Commissioner Gunzburger voted no.

16. MOTION TO CONSIDER adoption of a Resolution 2008-383 amending the Broward County 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 TO CREATE CHAPTER 29, PART IV, RELATING TO OPERATIONAL POLICIES OF THE BROWARD COUNTY HISTORICAL COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

VOTE: 8 – 0.