

PUBLIC HEARING OF AUGUST 10, 2004

(Meeting convened at 2:00 p.m. and adjourned at 4:33 p.m.)

PLEDGE OF ALLEGIANCE was led by 10-year-old Kimberly Rubino, 14-year-old Krystal Rubino, and their parents.

CALL TO ORDER

1. MOTION TO ADOPT Resolution 2004-673 to vacate and abandon a utility easement, lying and being in Broward County, Florida and located north of the intersection of Taft Street and NW 209th Avenue in the City of Pembroke Pines, Florida. Petitioner: Don Sorrell, Inc. (Richard Donato – Agent) (2003-V-19) **(Commission District 8)**

ACTION: (Time-2:32 PM) Approved. See Page *****

2. MOTION TO ADOPT Resolution 2004-674 to vacate and abandon a utility easement lying and being in Broward County, Florida and located at 19086 NW 23rd Street in the City of Pembroke Pines, Florida. Petitioner: Kelly Williams (2004-V-04) **(Commission District 8)**

ACTION: (Time-2:32 PM) Approved. See Page *****

3. MOTION TO ADOPT Resolution 2004-675 to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 1631 South Federal Highway, in the City of Pompano Beach. Petitioner: Fed McNab, L.L.C (2004-V-10) (Peter D. Cummings & Associates, Inc. - Agent) **(Commission District 4)**

ACTION: (Time-2:33 PM) Approved. See Page *****

4. MOTION TO ADOPT Resolution 2004-676 to release and abandon drainage and ingress-egress easements, lying and being in Broward County, Florida and located at 1325 NE 26th Street in the City of Wilton Manors. Petitioner: Wilton Station, L.L.C. (2004 -V-11) (C.C.L. Consultants, Inc. - Agent) **(Commission District 4)**

ACTION: (Time-2:33 PM) Approved. See Page *****



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

5. A. MOTION TO ADOPT Resolution 2004-677 to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 04-2), establishing a Local Activity Center® in the city of Pembroke Pines, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 6)**

ACTION: (Time-2:34 PM) Approved. See Page *****

- B. MOTION TO ADOPT Resolution 2004-678 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-2), designating a Local Activity Center® in the city of Pembroke Pines, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 6)**

ACTION: (Time-2:34 PM) Approved. See Page *****

6. MOTION TO ADOPT Resolution 2004-679 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-12), located in the city of Coconut Creek, as a part of the second annual proposed 2004 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: (Time-2:48 PM) Approved. See Page *****

7. MOTION TO ADOPT Resolution 2004-680 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-13), located in the city of Coral Springs, as a part of the second annual proposed 2004 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: (Time-2:49 PM) Approved. See Page *****

8. MOTION TO ADOPT Resolution 2004-681 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-14), located in the city of Miramar, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 8)**

ACTION: (Time-2:51 PM) Approved. See Page *****

9. MOTION TO ADOPT Resolution 2004-682 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-15), located in the city of Oakland Park, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 9)**

ACTION: (Time-2:51 PM) Approved. See Page *****

10. MOTION TO ADOPT Resolution 2004-683 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-16), located in the city of Oakland Park, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 9)**

ACTION: (Time-2:57 PM) Approved. See Page *****

11. MOTION TO ADOPT Resolution 2004-684 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-17), located in the city of Weston, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 8)**

ACTION: (Time-3:34 PM) Approved. See Page *****

12. MOTION TO ADOPT Resolution 2004-685 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-18), located throughout Broward County, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9)**

ACTION: (Time-3:35 PM) Approved. See Page *****

13. MOTION TO ADOPT Resolution 2004-686 to transmit a proposed amendment to the Broward County Land Use Plan map (PC 04-19), located throughout Broward County, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9)**

This proposed Broward County Land Use Plan text amendment is related to Broward County Comprehensive Plan Future Unincorporated Area Land Use Element, Transportation Element and Capital Improvements Element, 04-2-T1.

ACTION: (Time-3:36 PM) Approved. See Page *****



- 14. MOTION TO ADOPT Resolution 2004-687 to transmit proposed amendment PCT 04-5, to establish provisions and requirements addressing “Transit Oriented Concurrency,” as part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15), Florida Statutes.

ACTION: (Time-3:36 PM) Approved. See Page *****

ACTION: (Time-4:01 PM) Reconsidered and approved, as amended, under proposed Policy 3.4.2.1, achieving headways of 30 minutes or less during peak travel periods on 75 percent of all routes in each district. See Page *****



- 15. MOTION TO ADOPT Resolution 2004-688 transmitting proposed amendments to the Future Unincorporated Area Land Use Element, the Transportation Element and Capital Improvements Element of Volume 2 of the Broward County Comprehensive Plan (04-2-T1- **Commission Districts 1-9. This amendment corresponds to proposed amendment #PCT 04-5**), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING PROPOSED AMENDMENTS TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT, THE TRANSPORTATION ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT, VOLUME 2, OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (Time-3:44 PM) Approved, as amended, under proposed Policy 3.4.2.1, achieving headways of 30 minutes or less during peak travel periods on 75 percent of all routes in each district. See Page *****



- 16. MOTION TO ADOPT Resolution 2004-689 to transmit proposed amendment PCT 04-6, to create a new land use category, “Transit Oriented Corridor” and associated objective, policies and criteria, as part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15), Florida Statutes.

ACTION: (Time-4:01 PM) Approved. See Page *****



- 17. MOTION TO ADOPT Resolution 2004-690 to transmit proposed amendment PCT 04-7, to create a new land use category, "Transit Oriented Development" and associated objective, policies and criteria, as part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15), Florida Statutes.

ACTION: (Time-4:02 PM) Approved, as amended, with the Board meeting before it's adoption with the League of Cities to workshop the issue, at their request. See Page *****



- 18. MOTION TO ADOPT Resolution 2004-691 to transmit proposed amendment PCNRM 04-1, to amend the Broward County Wetlands map, as a part of the second annual proposed 2004 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15), Florida Statutes.

ACTION: (Time-4:02 PM) Approved. See Page *****

- 19. MOTION TO ADOPT Resolution 2004-692 amending Chapter 18 "Operational Policy, Board of County Commissioners, Part II, 'Board Policies, General Section 18.43, "Naming Broward County owned property, buildings, structures, and facilities." of the Broward County Administrative Code, the title of which is:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING A CHANGE IN THE PROCESS ALREADY ESTABLISHED FOR NAMING BROWARD COUNTY-OWNED PROPERTY, BUILDINGS, STRUCTURES, AND FACILITIES TO REQUIRE COMMUNITY RESPONSE TO PROPOSED CHANGES BE SOLICITED EARLY IN THE PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (Time-4:03 PM) Approved. See Page *****

- 20. MOTION TO ADOPT Resolution 2004-693 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to G & G Marine, Inc. for a one-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 June 8, 2004.

ACTION: (Time-4:03 PM) Approved. See Page *****

The following item scheduled for this Public Hearing has been withdrawn for further review at the request of staff until further notice.

- 21. MOTION TO CONSIDER Petroleum Terminal Lease Agreement between Broward County and Cliff Berry & Associates, Inc. (This is the 1st of two Public Hearings). The second Public Hearing will be held on August 24, 2004, at 2:00 PM.

ACTION: (Time-4:04 PM) Withdrawn for further staff review. See Page *****

COUNTY ATTORNEY

- 22. MOTION TO ADOPT Resolution 2004-694 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 2:00 PM in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 1-266, REGARDING LOBBYING DURING AN ACTIVE PROCUREMENT; AMENDING SECTION 8 1/2-16, TO PROVIDE CIVIL PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATECODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-4:04 PM) Approved. See Page *****

NON AGENDA

- 23. THANK YOU – COMMISSIONER SCOTT

ACTION: (Time-4:24 PM) Commissioner Scott thanked the Board for their consideration and kindness for the past three years during the prolonged illness of his wife. See Page*****

- 24. AFFORDABLE HOUSING – COMMISSIONER EGGELLETON

ACTION: (Time-4:24 PM) Commissioner Eggelletion questioned what had happened to a previous agenda item concerning affordable housing that was pulled from the agenda by the County Administrator. The Assistant County Administrator informed the Board that that item will be back on the August 24, 2004 agenda. See Page*****

25. EASEMENT BY DILLARD HIGH SCHOOL - COMMISSIONER EGGELETTION

ACTION: (Time-4:24 PM) Commissioner Eggelletion commented that he wants to see a proper irrigation system put in place near Dillard High School so the plants and trees that will be put in will not die like they have in other areas of Broward County.

Vice Mayor Jacobs added that in some areas in Broward County, the medians have not been irrigated and plants had already died, and requested that this issue gets added to the Suspension List so the Board will be aware of what is taking place in these Neighborhood Improvement Projects, and what to do about landscaping that has already died and had been replaced by sod. See Page*****

26. STATE ROAD 7 & SUNRISE BOULEVARD – COMMISSIONER EGGELETTION

ACTION: (Time-4:32 PM) Commissioner Eggelletion questioned why one side of the street in Plantation is beautifully landscaped while the other side is overgrown and full of trash, and the Mayor requested staff look into this as well. See Page*****

27. SPEEDY RECOVERY TO THE COUNTY ADMINISTRATOR – MAYOR LIEBERMAN

ACTION: (Time-4:33 PM) On behalf of the Board, Mayor Lieberman wished Roger Desjarlais, the County Administrator, a speedy recovery from his recent knee surgery. See Page*****