

**PUBLIC HEARING OF OCTOBER 25, 2005**

(Meeting convened at 2:00 p.m. and adjourned at 4:17 p.m.)

PLEDGE OF ALLEGIANCE was led by Vice Mayor Ben Graber, District 3.

**CALL TO ORDER**

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**CONTINUED FROM OCTOBER 11, 2005 PUBLIC HEARING**

1. MOTION TO ADOPT Resolution 2005-819 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Cliff Berry, Inc., for a one-year term, to provide vessel sanitary waste water removal services at Port Everglades, unless sooner terminated in accordance with Chapter 32 of the Broward County Administrative Code; for reasons including those enumerated factors provided in Section 32.29 of the Broward County Administrative Code and where Franchisee or an officer, director, executive, partner, shareholder, employee or agent who is active in the management of franchisee is found guilty or convicted of illegal conduct or activity (with or without an adjudication of guilt) as a result of a jury verdict, nonjury trial, entry of a plea of guilty or nolo contendere where the illegal conduct or activity (1) is considered to be a public entity crime as defined by Ch. 287, Florida Statutes, as amended, or (2) is customarily considered to be a "white collar crime" or theft related crime such as fraud, smuggling, embezzlement or misappropriation of funds, or (3) results in a felony conviction; 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 September 20, 2005 (Item 39). **(Continued from October 11, 2005 – Item No. 1)**

***ACTION: (T-2:42 PM) The Board directed the County Auditor to perform an audit of the financial issues and business practices of Cliff Berry, Inc. for up to five (5) years. The audit is to be completed within 60 days or the County Auditor shall advise the Board of the need for an extension to complete the audit. Further, the Board authorized the Interim Port Director to extend the franchise for up to 60 days until such time as the County Auditor completes his audit. A public hearing will be scheduled for the purposes of the Board's consideration of renewal of the franchise within the 60-day period. (Refer to minutes for full discussion.)***

2. MOTION TO ADOPT Resolution 2005-820 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Safety-Kleen Systems, Inc., for a five-year term, to provide vessel oily waste 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 September 27, 2005 - Item 51. **(Continued from October 11, 2005 – Item No. 5)**

***ACTION: (T-3:56 PM) Approved. (Refer to minutes for full discussion.)***

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3. MOTION TO ADOPT Resolution 2005-821, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 35, "FEES AND OTHER CHARGES, FINANCE AND ADMINISTRATIVE SERVICES," SECTION 35.20, "COPYING FEES," PROVIDING FOR FEE FOR COPYING SILVER PRINTS; AMENDING CHAPTER 40, "FEES AND OTHER CHARGES, PLANNING AND ENVIRONMENTAL PROTECTION", AMENDING SECTION 40.23, "DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION FEE SCHEDULE," AMENDING 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 OBTAINING ELEVATOR PERMITS, INSPECTIONS AND RENEWALS; AMENDING CHAPTER 40 TO ADD EXHIBIT 40.B, "REGULAR AND PREMIUM SERVICE LEVEL

DEFINITIONS," DEFINING BUILDING CODE LEVELS OF SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

***ACTION: (T-4:02 PM) Approved.***

4. MOTION TO ADOPT Resolution 2005-822 to release and abandon a 12-foot perimeter utility easement, lying and being in Broward County, Florida and located along State Road A-1-A, north of East Atlantic Boulevard (State Road 814) in the City of Pompano Beach, Florida, at no cost to the County. Petitioner: WCI Communities, Inc. (Gunster Yoakley - Agent) (2005-V-23) **(Commission District 4)**

***ACTION: (T-4:03 PM) Approved.***

5. MOTION TO ADOPT Resolution 2005-823 of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Chapter 25, Part 1, providing for the adoption of the 2005 edition of the "Minimum Standards Applicable to Public Rights-of-Way Under Broward County Jurisdiction"; providing for rescission of Chapter 25, Exhibit 25A, the "Minimum Standards Applicable to Public Rights-of-Way Under Broward County Jurisdiction" adopted on March 14, 1995; providing for inclusion in the Broward County Administrative Code; providing for severability; and providing for an effective date:

***ACTION: (T-4:03 PM) Approved.***

6. MOTION TO CONSIDER award of a renewal Certificate of Public Convenience and Necessity to provide Class 1 – ALS ("Advanced Life Support") Rescue services to the City Weston. **(Commission Districts 5 and 8)**

***ACTION: (T-4:03 PM) Approved.***

7. MOTION TO CONSIDER award of a new license for the provision of Nonemergency Medical Transportation Services (NEMTS) to Central Transit, LLC; Medex Transport, Inc.; Mercy Non Medical Transportation, Inc.; and State of Art Transport, contingent upon completion of requirements identified in the Broward County Code of Ordinances.

***ACTION: (T-4:04 PM) Approved.***

8. MOTION TO CONSIDER renewal of licenses to provide Nonemergency Medical Transportation Services (NEMTS) to Johnson Transportation Services, Inc. and Celebrity Wheelchair Transportation Services, Inc

***ACTION: (T-4:04 PM) Approved.***

9. MOTION TO CONSIDER award of a renewal Certificate of Public Convenience and Necessity for the provision of Class 2 – ALS (“Advanced Life Support”) Transfer services to the City of Coral Springs Fire Rescue. **(Commission Districts 1 and 3)**

***ACTION: (T-4:04 PM) Approved.***

10. MOTION TO ADOPT Resolution 2005-824 of the Board of County Commissioners of Broward County, Florida, granting the assignment of a non-exclusive franchise from Princess Cruises, Inc. to Princess Cruise Lines, Ltd. (Corp.) and granting renewal for a five-year term to provide steamship agent 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. The Resolution setting this Public Hearing was adopted on October 11, 2005 (Item 34).

***ACTION: (T-4:05 PM) Approved.***

11. MOTION TO ADOPT Resolution 2005-825 of the Board of County Commissioners of Broward County amending the Broward County Administrative Code, Volume Two, Chapter 42, Sections Four, Five and Seven of Port Everglades Tariff No. 11, codified as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code, providing for increases in dockage and passenger wharfage fees, and establishment of a Cruise Terminal Security Item.

***ACTION: (T-4:05 PM) Approved, as amended, limiting the required reimbursement to a maximum of two sworn BSO deputies. (See memorandum dated November 7, 2005, from Phillip C. Allen, Interim Port Director.) (Refer to minutes for full discussion.)***

**STAFF REQUESTS THAT FOLLOWING ITEM  
BE CONTINUED TO NOVEMBER 8, 2005 PUBLIC HEARING**

12. MOTION TO CONSIDER adoption of a Resolution 2005-826 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF BROWARD COUNTY, FLORIDA  
AMENDING CHAPTER 23, “OPERATIONAL POLICY, HUMAN

SERVICES" AMENDING VOLUME 2, PART VII, "GRANT APPLICATIONS FOR RYAN WHITE C.A.R.E. TITLE I FUNDING", BY AMENDING EXHIBIT 23.A "APPEAL PROCEDURES FOR GRANT APPLICATIONS FOR RYAN WHITE C.A.R.E. ACT TITLE I FUNDING", PROVIDING SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (T-4:17 PM) Approved. (Refer to minutes for full discussion.)***