

PUBLIC HEARING OF DECEMBER 9, 2003

(Meeting will convene at 2:00 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

1. A. MOTION TO ADOPT supplemental budget Resolution within the Capital Funds in the amount of \$243,854.
- B. MOTION TO ADOPT budget Resolutions within the Capital Funds in the amount of \$5,601,722 transferring funds to implement actions approved in the Fiscal Year 2004 budget.
2. MOTION TO ADOPT supplemental budget Resolutions within Enterprise Funds in the amount of \$4,757,660 for prior year carryover commitments.
3. MOTION TO ADOPT supplemental budget Resolution within the General Fund in the amount of \$21,939,848 primarily for prior year carryover commitments.
4. MOTION TO ADOPT supplemental budget Resolutions within the Special Purpose Funds in the amount of \$5,783,329 for prior year carryover commitments.
5. MOTION TO ADOPT supplemental budget Resolutions within the Special Revenue Fund in the amount of \$1,480,333 for prior year carryovers and other commitments.
6. MOTION TO ADOPT supplemental budget Resolution within Trust and Agency Funds in the amount of \$1,193,628 for prior year carryover commitments and to implement County Ordinance requirements.
7. MOTION TO ADOPT supplemental budget Resolutions within Internal Service Funds in the amount of \$431,310 for prior year carryover commitments.
8. MOTION TO ADOPT Resolution to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 6810 Miramar Parkway in the City of Miramar. Petitioner: Bergeron Miramar L.L.C. (Daniel A. Fee, P.E. - Agent) 2003-V-18 (**Commission District 8**)
9. MOTION TO ADOPT Resolution to vacate and abandon various utility easements, lying and being in Broward County, Florida, and located at the southwest intersection of Oakland Park Boulevard and Flamingo Road in the City of Sunrise. Petitioner: Sunrise Land Group, Inc. (2003-V-20) (Craig S. Unger, P.E., Minto Communities - Agent) (**Commission District 3**)

10. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive restricted franchise to G & G Marine, Inc. for a one-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 October 28, 2003.
11. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive restricted franchise to G & G Marine, Inc. for a one-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 October 28, 2003.
12. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to World Petroleum Corp for a one-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 November 18, 2003.
13. 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 SECTION 40.23 OF THE BROWARD COUNTY ADMINISTRATIVE CODE TO REVISE THE FEE SCHEDULE FOR THE DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

14. 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, RELATING TO CIVIL RIGHTS; CREATING PART XVI OF CHAPTER 19, BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING FOR JUDICIAL REVIEW OF FINAL ORDERS RENDERED BY THE HUMAN RIGHTS BOARD

REGARDING REAL ESTATE TRANSACTIONS AND HOUSING COMPLAINTS; PROVIDING FOR NOTICE OF RIGHT TO JUDICIAL REVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

15. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, amending the Administrative Code of Broward County by amending Chapter 3 "Organization, Finance and Administration" Part I "Finance and Administrative Services Department" by creating a new Section 3.11 "Travel Reimbursement" to establish travel reimbursement rates for Broward County Commissioners and County employees; providing for severability, providing for inclusion in the Broward County Administrative Code; and providing for an effective date.
16. A. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Text Amendment, PCT 03-3, establishing a "Local Activity Center" in the City of Dania Beach, as part of the second annual 2003 amendments to the Broward County Comprehensive Plan, the substance of which is as follows: **(Commission Districts 4 and 7)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE DANIA BEACH LOCAL ACTIVITY CENTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

- B. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 03-6, designating a "Local Activity Center" in the City of Dania Beach, as part of the second annual 2003 amendments to the Broward County Comprehensive Plan, the substance of which is as follows: **(Commission Districts 4 and 7)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY

OF DANIA BEACH; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

17. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 03-7, in the City of Pompano Beach, as part of the second annual 2003 amendments to the Broward County Comprehensive Plan, the substance of which is as follows: **(Commission District 4)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

18. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" Land Use Plan Amendment in the City of Miramar, PC 03-8, the substance of which is as follows: **(Commission District 8)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF MIRAMAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

19. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" Land Use Plan Amendment in the City of Plantation, PC 03-9, the substance of which is as follows: **(Commission District 9)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PLANTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

(Sponsored by the Board of County Commissioners)

20. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" Land Use Plan Amendment in the City of Sunrise, PC 03-10, the substance of which is as follows: **(Commission District 5)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF SUNRISE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

21. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" Land Use Plan Amendment in the City of Sunrise, PC 03-11, the substance of which is as follows: **(Commission District 5)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF SUNRISE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

22. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt proposed Land Use Plan Text Amendment, PCT 03-4, regarding school, road and transit impact fees, as part of the first annual 2003 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT ADDRESSING SCHOOL, ROAD, AND TRANSIT IMPACT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

23. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt proposed Land Use Plan Text Amendment, PCT 03-5, regarding permitting public school sites greater than five (5) acres in size in the “Rural Ranches” and “Rural Estates” land use categories, as part of the first annual 2003 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN IMPLEMENTATION REQUIREMENTS SECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

24. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan Amendment, PCNRM 03-2, of the Broward County Natural Resource Map Series, regarding the update of the wetlands map, as part of the second annual 2003 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; UPDATING THE BROWARD COUNTY WETLANDS MAP OF THE LAND USE PLAN MAP SERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

SPECIAL PUBLIC HEARING OF DECEMBER 9, 2003

(The meeting convened at 6:10 p.m.; recessed at 9:30 p.m.; reconvened at 9:44 p.m. adjourned at 11:51 p.m.)

PLEDGE OF ALLEGIANCE was led by Commissioner Diana Wasserman-Rubin, District 8.

CALL TO ORDER

AVIATION DEPARTMENT

1. MOTION TO APPROVE runway alternative which can be developed consistent with the following guidelines:

ACTION: (T-6:10 PM) Approved, as amended. The Board of County Commissioners approved a modified south runway expansion which stays within the confines of Northeast 7th Avenue using value-added engineering to arrive at the most effective runway length with use restrictions.

Set alternatives to be developed consistent with the following guidelines:

- A. Continue with the Environmental Impact Statement process.

ACTION: (T-6:10 PM) Approved, as amended, to include flight tracking along I-595 and other restrictions including other curfews.

- B. Commence a process to engage a qualified firm to complete preliminary engineering, including evaluation of alternatives, designed to maximize the utility and acceptability of the runway alternative selected.

ACTION: (T-6:10 PM) Approved.

- C. Work with the Federal Aviation Administration through the EIS process to provide a detailed, enforceable program that ensures the runway will be operated in a fashion that improves upon the noise mitigation benefits already incorporated in the County's various Interlocal Agreements and Development Orders.

ACTION: (T-6:10 PM) Approved.

- D. Amend the Airport Lay out Plan to reflect the runway alternative selected.

ACTION: (T-6:10 PM) Approved, as amended. Add "no runway alternatives should expand east beyond NE 7th Avenue."

E. Provide for noise mitigation in excess of minimum requirements.

ACTION: (T-6:10 PM) Approved

F. Utilize airport funds and PFC's for advanced noise mitigation.

ACTION: (T-6:10 PM) Approved

2. MOTION TO DIRECT Aviation Department to implement the following policy directives in a timely manner, which is consistent with the BOCC's decision on a Runway Alternative:

ACTION: (T-6:10 PM) Approved.

A. Evaluate options for shortening Runway 13-31, such that the results of this work can be included in the Environmental Impact Statement, if appropriate.

ACTION: (T-6:10 PM) Approved.

B. Develop new options for review by the Board of County Commissioners that would foster land use compatibility between Fort Lauderdale-Hollywood International Airport and surrounding communities so that the County's policies will be included in mitigation proposals in the Environmental Impact Statement.

ACTION: (T-6:10 PM) Approved, as amended. The Board directed staff to work with the cities to ensure land use compatibility for residential development

C. Prepare a financial plan for review by the Board of County Commissioners that would expeditiously establish a Noise Mitigation Bank.

ACTION: (T-6:10 PM) Approved, as amended. The Board directed staff to contact the airlines with respect to the per passenger charges and gate fees to fund noise mitigation in the 60 to 65 DNL. Research the feasibility of the County building affordable replacement housing and funding same.

D. Develop conceptual plans for noise abatement flight tracks for arriving and departing aircraft to be reviewed by the Board of County Commissioners and discussed with the Federal Aviation Administration.

ACTION: (T-6:10 PM) Approved.

- E. Commence a process to engage a qualified appraisal firm to evaluate acquisition of properties in the runway protection zone.

ACTION: (T-6:10 PM) Approved.

- F. Commence the process of updating the Airport Master Plan to include concepts that decommission the crosswind runway, and define a framework for managing aircraft operational demand and growth through planned facility development.

ACTION: (T-6:10 PM) Approved, as amended. Staff shall examine mechanisms for limiting future arrival through infrastructure development, the number and location of gates and other means, including the review of the westside land use Master Plan. Further, the Board directed staff to evaluate a North Parallel runway, while preferring the South runway.

- G. Follow a competitive bid process for the implementation of a Green Airport Initiative.

ACTION: (T-6:10 PM) Approved.