



ACTION AGENDA

PUBLIC HEARING OF JUNE 23, 2009

(Meeting convened at 2:10 p.m.; recessed at 3:01 p.m.; reconvened at 3:16 p.m. and adjourned at 6:38 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Sue Gunzburger, District 6.

CALL TO ORDER Mayor Ritter called the meeting to order.

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

*Commissioners Jacobs and Lieberman participated via teleconferencing during portions of the meeting.

1. **MOTION TO APPROVE** First Amendment to Lease Agreement between Broward County and the Society for the Prevention of Cruelty to Animals of Broward County, Inc. for 4.11 acres of land for a term ending September 29, 2040, and the Parent Guarantee Indemnity Agreement between Broward County and the Humane Society of the United States which is an exhibit to the lease. This is the second of two public hearings. The first public hearing was held on June 9, 2009 (PH Item #3). The Resolution setting the public hearings was adopted by the Broward County Board of County Commissioners on May 12, 2009.

ACTION: (T-2:12 PM) Approved.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

2. MOTION TO ADOPT Resolution 2009-449 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Dothan Security, Inc. d/b/a DSI Security Services, for a one-year term, to provide marine terminal security 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 June 9, 2009 (Item #37).

ACTION: (T-2:12 PM) Approved.

VOTE: 9-0.

3. MOTION TO ADOPT Resolution 2009-450 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Raider Environmental Services, Inc., for a one-year term, to provide vessel oily waste removal 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 June 9, 2009 (Item #38).

ACTION: (T-2:13 PM) Approved.

VOTE: 9-0.

4. MOTION TO ADOPT Resolution 2009-451 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Raider Environmental Services, Inc., for a one-year term, to provide vessel sanitary waste water removal 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 June 9, 2009 (Item #39).

ACTION: (T-2:14 PM) Approved.

VOTE: 9-0.

5. MOTION TO ADOPT Resolution 2009-452 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Port Everglades Terminal, LLC, for a one-year term, to provide marine terminal security 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 June 9, 2009 (Item #40).

ACTION: (T-2:14 PM) Approved.

VOTE: 9-0.

6. 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, RELATING TO THE HUMAN RIGHTS ACT, SECTION 16½-1 THROUGH SECTION 16½-72 OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SUBSECTION 16½-30.6 TO PROVIDE THAT PERSONS WHO HAVE DUAL-FILED THEIR COMPLAINTS WITH HOUSING AND URBAN DEVELOPMENT AND THE COUNTY WILL BE ADVISED OF ALTERNATE LEGAL REMEDIES WHEN THE COUNTY HAS DETERMINED THAT THERE IS NO REASONABLE CAUSE TO BELIEVE THAT A DISCRIMINATORY ACT HAS OCCURRED; AMENDING SECTION 16½-63 TO PROVIDE THAT PERSONS WHO HAVE DUAL-FILED THEIR CHARGES WITH THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION AND THE COUNTY WILL BE ADVISED OF ALTERNATE LEGAL REMEDIES WHETHER OR NOT THE COUNTY HAS DETERMINED THAT THERE IS REASONABLE CAUSE TO BELIEVE THAT A DISCRIMINATORY ACT HAS OCCURRED, AND CLARIFYING CERTAIN LANGUAGE; PERFORMING SUCH HOUSEKEEPING TASKS AS NECESSARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:14 PM) *The Board deferred this item until after the Board of County Commissioners summer break. The Board asked that staff, along with the County Attorney's Office, investigate the expansion or the broadening effects as to reversing the numbers of employees from 15 to 5, as well as the financial ramifications of redetermination in dual-filed cases. (Refer to minutes for full discussion.)*

VOTE: 8-0. *Commissioner Lieberman was out of the room during the vote.*

7. 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, RELATING TO LOBBYING ACTIVITIES; AMENDING THE DEFINITIONS OF LOBBYING, LOBBYIST, PERSON, AND EMPLOYER IN SECTION 1-261; ADDING A DEFINITION OF COMPENSATION IN SECTION 1-261; AMENDING SECTION 1-262 TO PROVIDE THAT ALL LOBBYISTS REGISTER, REGARDLESS OF WHETHER THEY RECEIVE COMPENSATION FOR LOBBYING; PROVIDING FOR A REGISTRATION FEE TO BE PAID BY THE LOBBYIST FOR EACH EMPLOYER REPRESENTED; PROVIDING FOR A REGISTRATION PERIOD; PROVIDING FOR AN AMENDED REGISTRATION STATEMENT; PROVIDING FOR A DISCLOSURE STATEMENT; AMENDING THE PROCEDURES RELATING TO THE DISCLOSURE STATEMENT; AMENDING SECTION 1-265 TO PROVIDE PENALTIES FOR FAILURE TO PAY REGISTRATION FEES AND FAILURE TO COMPLY WITH DISCLOSURE REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING

FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:43 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009, as well as changing the word, from "may" to "shall," on page 9, Section 1-265 Penalties, on the Ordinance. The County Attorney's Office will draft amendments to the language in the Ordinance and bring it back before the Board in August of 2009. Per the County Attorney's Office, language provisions of concern expressed by the Board will not be enforced until such time as the Ordinance is brought back before the Board for approval. (Refer to minutes for full discussion.)

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

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 MOTOR CARRIERS; AMENDING CHAPTER 22½ OF THE BROWARD COUNTY CODE OF ORDINANCES (MOTOR CARRIERS ORDINANCE) ESTABLISHING A ONE-TIME LOTTERY FOR FIFTEEN (15) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND ACCOMPANYING PERMITS FOR FUEL EFFICIENT TAXICABS AND LUXURY SEDANS; REQUIRING THAT ALL FUTURE LOTTERIES BE HELD IN ACCORDANCE WITH THE POPULATION REQUIREMENTS OF THE ORDINANCE; REQUIRING THE USE OF FUEL EFFICIENT TAXICABS AND LUXURY SEDANS FOR FUTURE LOTTERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009. (Refer to minutes for full discussion.)

VOTE: 7-2. Commissioner Lieberman voted via teleconferencing. Commissioners Eggelton and Rodstrom voted no.



Established Commission Goal

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 PRIVATE AUTO TAG AGENCIES, AMENDING CHAPTER 20, "LICENSES AND BUSINESS REGULATIONS," OF THE BROWARD COUNTY CODE OF ORDINANCES, ARTICLE XII, SECTIONS 20-243 THROUGH 20-253, BY REVISING THE PROCEDURES FOR THE SELECTION AND OPERATION OF PRIVATE AUTO TAG AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:22 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8-0. Vice Mayor Keechl recused himself from voting. Commissioner Lieberman voted via teleconferencing. (Refer to minutes for full discussion.)

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 THE CONSUMER PROTECTION BOARD, AMENDING CHAPTER 20, ARTICLE VII, OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO TRANSFERRING THE BROWARD COUNTY DRUG, PROSTITUTION, YOUTH, AND STREET GANG-RELATED PUBLIC NUISANCE ABATEMENT BOARD'S ROLES AND RESPONSIBILITIES TO THE CONSUMER PROTECTION BOARD; CHANGING THE NAME OF THE BOARD TO THE BROWARD COUNTY DRUG, PROSTITUTION, AND CRIMINAL STREET GANG-RELATED PUBLIC NUISANCE ABATEMENT BOARD; PROVIDING INTENT, DEFINITIONS, JURISDICTION, INITIATION OF PROCEEDINGS, CONDUCT OF HEARINGS, AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:23 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Lieberman voted via teleconferencing.

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, SUNSETTING VARIOUS BOARDS,

PERTAINING TO THE BROWARD BEAUTIFUL COMMITTEE, THE BROWNFIELDS REDEVELOPMENT TASK FORCE, THE CITY-COUNTY LIAISON GROUP OF BROWARD COUNTY, FLORIDA, THE ELDERLY AND VETERANS' SERVICES ADVISORY BOARD, THE INTERGOVERNMENTAL RELATIONS GROUP, THE LAND PRESERVATION AND ACQUISITION ADVISORY BOARD, THE BROWARD COUNTY MUNICIPAL SERVICES ADVISORY BOARD, AND THE BROWARD COUNTY DRUG, PROSTITUTION, AND YOUTH AND STREET GANG-RELATED NUISANCE ABATEMENT BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:24 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009.

VOTE: 9-0. Commissioner Lieberman voted via teleconferencing.

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, PERTAINING TO ADVISORY AND OTHER BOARDS; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES TO REFLECT ALL ENTITIES TO WHICH IT APPLIES; SPECIFYING THE DURATION OF BOARD APPOINTMENTS; CLARIFYING THE PROHIBITION AGAINST APPOINTING NON-ELECTED PERSONS TO MORE THAN ONE (1) BOARD; PROVIDING THAT BOARDS MEET QUARTERLY WITH CERTAIN EXCEPTIONS; MODIFYING THE NUMBER OF ABSENCES PERMITTED IN A CALENDAR YEAR PRIOR TO AUTOMATIC BOARD REMOVAL; PROVIDING FOR A PROCEDURE TO BE FOLLOWED PRIOR TO AUTOMATIC REMOVAL; REQUIRING BOARD COORDINATORS TO SUBMIT ATTENDANCE RECORDS TO COUNTY ADMINISTRATION WITHIN TWO (2) WEEKS AFTER EACH MEETING; REQUIRING BOARD MEMBERS TO NOTIFY BOARD COORDINATORS REGARDING THEIR INTENDED ATTENDANCE OR ABSENCE FROM A PROPERLY NOTICED BOARD MEETING; ESTABLISHING QUORUM REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:25 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8-0. Commissioner Lieberman voted via teleconferencing. Commissioner Wasserman-Rubin was out of the room during the vote.

13. 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 COUNTY PROCUREMENT AND CONTRACTING OPPORTUNITIES FOR COUNTY BUSINESS ENTERPRISES; REPEALING IN ITS ENTIRETY SECTION 1-81 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO COMMUNITY DISADVANTAGED BUSINESS ENTERPRISES AND REPLACING IT WITH THE COUNTY BUSINESS ENTERPRISE ACT OF 2009, RELATING TO AND GOVERNING COUNTY BUSINESS ENTERPRISES; PROVIDING ELIGIBILITY CRITERIA AND CERTIFICATION PROCESS FOR COUNTY BUSINESS ENTERPRISES; ESTABLISHING A CUMULATIVE GOAL FOR COUNTY BUSINESS ENTERPRISE PARTICIPATION IN COUNTY CONTRACTING OPPORTUNITIES; PROVIDING CRITERIA FOR SETTING CONTRACT GOALS AND RESERVES; PROVIDING CRITERIA TO DETERMINE WHETHER CONTRACT GOALS HAVE BEEN MET; PROVIDING THAT COMMUNITY DISADVANTAGED BUSINESS ENTERPRISE GOALS IN PENDING CONTRACTS BE MET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:27 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

The Board approved, as amended, per the purple sheeted additional material dated June 23, 2009, submitted by Commissioner Gunzburger. (Refer to minutes for full discussion.)

VOTE: 7-1. Commissioner Jacobs voted no. Commissioner Lieberman was not present during the vote.

ACTION: (T-5:05 PM) The Board approved, as amended, the inclusion of the original Ordinance language, as well as inserting a parenthetical after "contractual relations," to indicate "to the extent they demonstrate affiliation." (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioners Jacobs, Lieberman and Mayor Ritter were not present during the vote.

ACTION: (T-5:11 PM) Commissioner Jacobs requested being shown voting in the affirmative.

VOTE: 7-0.

ACTION: (T-5:30 PM) The Board approved, as amended, language to read, "which consent shall not be unreasonably withheld." In addition, the final proposed language addressing "material breach" was approved to be added

to the second paragraph of the proposed amendment. Finally the Board reduced the cap on personal net worth from \$1 million to \$750,000. (Refer to minutes for full discussion.)

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

14. 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 SURCHARGE OF TRAFFIC-RELATED INFRACTIONS AND VIOLATIONS; AMENDING CHAPTER 10, ARTICLE I, SECTION 10-4 OF THE BROWARD COUNTY CODE OF ORDINANCES TO INCREASE THE SURCHARGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Ilene Lieberman)

ACTION: (T-5:13 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

15. 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 SEXUAL OFFENDER AND SEXUAL PREDATOR RESIDENCY; AMENDING CHAPTER 21, ARTICLE XI, SECTION 21-167 OF THE BROWARD COUNTY CODE OF ORDINANCES, RELATING TO PROHIBITION EXCEPTIONS BY EXTENDING THE REPEAL DATE OF THIS ORDINANCE FROM JULY 13, 2009, TO OCTOBER 12, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:13 PM) Filed proof of publication. This Ordinance shall become effective as provided by law, and shall be automatically repealed on October 12, 2009.

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

16. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt a "Small Scale" land use plan amendment, PC 09-4, in the city of Fort

Lauderdale (**Commission District 9**), the substance of which is as follows:

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 FORT LAUDERDALE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

17. A. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 09-1, establishing a "Transit Oriented Corridor" in the city of Miramar, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 8**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE CITY OF MIRAMAR TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

- B. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 09-1, establishing a "Transit Oriented Corridor" in the city of Miramar, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 8**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP TO ADDRESS THE CITY OF MIRAMAR TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

18. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan amendment, PCNRM 09-1, of the Broward County Natural Resource Map Series, regarding the update of the Broward County Environmentally Sensitive Lands Map, as a part of the first annual proposed 2009 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 FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TO UPDATE THE BROWARD COUNTY ENVIRONMENTALLY SENSITIVE LANDS MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

19. A. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 06-6, establishing a "Transit Oriented Corridor" in the town of Davie, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 7**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE TOWN OF DAVIE TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:38 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 6-3. Commissioners Gunzburger, Jacobs and Rodstrom voted no.

B. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-19, establishing a "Transit Oriented Corridor" in the town of Davie, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 7**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP TO ADDRESS THE TOWN OF DAVIE TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:38 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 6-3. Commissioners Gunzburger, Jacobs and Rodstrom voted no.

20. MOTION TO CONSIDER adoption of a Resolution 2009-453 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO FEES FOR THE BROWARD COUNTY BOARD OF RULES AND APPEALS; AMENDING CHAPTER 43 OF THE BROWARD COUNTY ADMINISTRATIVE CODE, "FEES AND OTHER CHARGES, MISCELLANEOUS," PART I, "BOARD OF RULES AND APPEALS FEES," SECTION 43.1, "FEE IN CONNECTION WITH PERMITS," AND SECTION 43.2, "OTHER FEES TO BE COLLECTED BY BOARD OF RULES AND APPEALS," PROVIDING FOR FEES ASSOCIATED WITH SERVICES PROVIDED BY THE BOARD OF RULES AND APEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of Rules and Appeals)

ACTION: (T-5:17 PM) Approved.

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

21. MOTION TO ENACT Ordinance to adopt a proposed amendment to the Public School Facilities Element of the Broward County Comprehensive Plan, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY

AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:19 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

22. MOTION TO ENACT Ordinance to adopt a proposed amendment adding an Urban Design Element to the Broward County Comprehensive Plan, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY CREATING AN URBAN DESIGN ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:19 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 6-0. Commissioners Eggelletion, Gunzburger and Lieberman were not present during the vote.

ACTION: (T-5:25 PM) Commissioner Gunzburger requested being shown voting in the affirmative.

VOTE: 7-0.

23. 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 SAFE NEIGHBORHOODS, AMENDING CHAPTER 5 OF THE BROWARD COUNTY CODE OF ORDINANCES, "BUILDING REGULATIONS AND LAND USE," ARTICLE XV, "SAFE NEIGHBORHOOD DISTRICTS," SECTIONS 5-502 THROUGH 5-506, PROVIDING AUTHORIZATION AND PROCEDURES FOR THE CREATION OF SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:24 PM) Filed proof of publication and enacted the Ordinance to

become effective as provided by law.

VOTE: 6-0. Commissioners Eggelletion, Gunzburger, and Lieberman were not present during the vote.

ACTION: (T-5:25 PM) Commissioner Gunzburger requested being shown voting in the affirmative.

VOTE: 7-0.

Broward County Commission Public Hearing**Item #: 1.****Date: 06/23/2009****Prevention of Cruelty to Animals****Department:** Port Everglades

Information**Requested Action**

MOTION TO APPROVE First Amendment to Lease Agreement between Broward County and the Society for the Prevention of Cruelty to Animals of Broward County, Inc. for 4.11 acres of land for a term ending September 29, 2040, and the Parent Guarantee Indemnity Agreement between Broward County and the Humane Society of the United States which is an exhibit to the lease. This is the second of two public hearings. The first public hearing was held on June 9, 2009 (PH Item #3). The Resolution setting the public hearings was adopted by the Broward County Board of County Commissioners on May 12, 2009.

ACTION: (T-2:12 PM) Approved.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

Why Action is Necessary

Pursuant to Chapter 32, Part 1, Section 32.5(c) of the Broward County Administrative Code (Code), two public hearings are required.

What Action Accomplishes

This is the second of two public hearings to consider approval of the First Amendment to Lease Agreement between Broward County and the Society for the Prevention of Cruelty to Animals of Broward County, Inc. and the Parent Guarantee Indemnity Agreement between Broward County and the Humane Society of the United States which is an exhibit to the lease.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

The Society for the Prevention of Cruelty to Animals of Broward County, Inc. (SPCA), aka The Wildlife Care Center, is a non-profit organization which has leased land owned by Broward County located on Southwest 4th Avenue since October 1970. The current lease, approved by the Broward County Board of County Commissioners (Board) on July 11, 2000 (PH Item #2), is for 4.11 acres of land (see map in Exhibit 1) and is effective through September 29, 2020 with rental payments of \$200 per year. On the leasehold, the SPCA has constructed and operates the Wildlife Care Center, a non-profit organization that rescues, provides medical treatment, rehabilitates, and releases native wildlife; provides appropriate medical attention and homes for certain domestic, exotic, and farm animals that have been abused, neglected, or abandoned; and promotes co-existence with animals through education.

In December 2006, the SPCA submitted a request to the Port Everglades Department (Port) staff for a 20-year extension of its lease agreement. The purpose of the request was

to allow the SPCA to begin to fundraise for the construction of a hospital, adoption center and other auxiliary facilities on its leasehold to expand needed services to Broward County.

On January 9, 2007 (Item #36) the Port requested Board authorization for negotiations between the Port and the SPCA, which was approved (see non-binding Letter of Intent, Exhibit 2 which was included in the agenda item). Negotiations began on February 7, 2007, and after three subsequent meetings, were postponed on August 10, 2007 at the request of the SPCA due to pending issues relating to the future of the SPCA organization. On November 9, 2007, the SPCA again requested a postponement of negotiations due to unexpected changes in its organization. Negotiations resumed on March 12, 2008. Negotiations were suspended in April 2008 at the request of the SPCA to allow its board the opportunity to consider rental payments during the extended lease term and to allow staff to review the annual appropriation that the County provides to the SPCA for its services. A meeting was held in July 2008 with County Administration, Broward County Community Services Department, Animal Care and Regulation Division (Animal Care), and Port staff to discuss the appropriation and the value of the services provided by the SPCA to the County. Negotiations with the SPCA resumed in September 2008. In December 2008 staff learned that the SPCA was negotiating and intended to enter into a Corporate Combination Agreement (Agreement) with The Humane Society of the United States (HSUS). Under this Agreement, (Exhibit 3), the HSUS will acquire some of the SPCA's assets in exchange for assuming some of the SPCA's liabilities. Negotiations were suspended to allow staff and the attorneys for the SPCA and HSUS to review the Agreement to determine whether or not it would have any implications on the SPCA lease. As a result, the HSUS will be Guarantor to the SPCA lease agreement. Negotiations have concluded and a First Amendment to Lease Agreement (Amendment) has been prepared for Board consideration (Exhibit 4).

In its January 9, 2007 request to the Board, Port staff outlined the parameters that were to be considered and which the SPCA agreed to in extending the lease term to 2040. Following is a summary of those parameters and the outcome of negotiations for each:

- The current period and subsequent extension would restrict the use of the facility to a not-for-profit organization providing wildlife care services to the community. A default under this clause would automatically revert the land and facility to the Port.

Outcome: Agreed to and included in Section 3 the proposed Amendment.

- The lease extension agreement will only be effective upon completion of the facility. In the event that the new hospital construction is not completed prior to September 29, 2020, the lease extension agreement will be null and void.

Outcome: Agreed to and included in Section 1 the proposed Amendment.

- Prior to applying for permits for the construction, Broward County will require a benchmarked short-term, interim, and long-term goal achievement timetable and a complete construction schedule. Goals, timetables and schedules will be mutually agreed upon and include Broward County's review/approval of:

- o new hospital design standards

- o details relative to fundraising
- o permit applications
- o timeframe established for construction completion
- o projected property management plans
- o proposed future staffing

Outcome: Agreed to and included in Section 4 of the proposed Amendment.

- Beginning with F/Y 2009, Animal Care will continue to maintain an agreement between Broward County and the SPCA for custodial and veterinary care of Broward County wildlife.

Outcome: Based on the review of the services that the County receives from the SPCA and what would be entailed if the County were to provide those services, staff proposes that the County continue the annual appropriation (currently \$100,000 per year from the General Fund) to the SPCA due to the need for the County to continue to receive services from the SPCA.

- Payment of fair market value rental fee for the period of the lease extension.

Outcome: Agreed to and included in Section 2 of the proposed Amendment. 180 days before the existing lease termination date of September 29, 2020, Port Everglades will authorize a new appraisal of the land in order to set a fair market value rental fee for the period of the lease extension. The services that the SPCA provides to the County and the SPCA's nonprofit status will be considerations when establishing the rental rate.

Fiscal Impact

Fiscal Impact/Cost Summary:

The current lease rent of \$200 per year continues until September 29, 2020. The Port Everglades Department will realize \$2,200 from 2009-2020.

Fair market land rental as determined by an appraisal in 2020 will be paid to the Port Everglades Department for the period of the 20 year lease extension, 2020-2040.

In June of 2005, the estimated appraised value was \$11.46/sf for this property. Using this value today, pursuant to Chapter 32, Part 1, section 32.6(d) of the Code, the fair market rent would be a minimum of \$0.9168 per sq. ft. and the annual value of the existing lease would be \$164,136.17.

Broward County Commission Public Hearing**Item #: 2.****Date: 06/23/2009****Dothan Security, Inc.****Department:** Port Everglades

Information**Requested Action**

MOTION TO ADOPT Resolution 2009-449 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Dothan Security, Inc. d/b/a DSI Security Services, for a one-year term, to provide marine terminal security 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 June 9, 2009 (Item #37).

ACTION: (T-2:12 PM) Approved.***VOTE: 9-0.*****Why Action is Necessary**

Public hearing is required pursuant to Chapter 94-429, Laws of Florida. Also required by Section 32.22a of the Broward County Administrative Code. Franchises are issued pursuant to Chapter 32 of the Broward County Administrative Code.

What Action Accomplishes

It allows franchisee to provide marine terminal security services at Port Everglades.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

Dothan Security, Inc. d/b/a DSI Security Services (DSI), an Alabama corporation, incorporated in the State of Florida on October 2, 1980.

DSI has applied for a marine terminal security service franchise to provide security at terminal facilities within Port Everglades.

Port staff has reviewed the application pursuant to the Broward County Administrative Code. Staff's due diligence included corresponding with the applicant's representative to clarify franchise requirements; reviewing the applicant's corporate status, business history/experience, environmental history, litigation history, insurance, financial documents and creditworthiness, required licenses, company programs and policies, and statement of intended activities.

Staff has determined that the applicant meets the criteria for issuance of a new franchise. Marine terminal security service franchises may be issued for any period of time up to five years. Past practice has been for staff to recommend issuance of a marine terminal security service franchise for an initial term of one year. It is expected that staff will recommend

each subsequent renewal in this new franchise category for a term of up to five years. Accordingly, staff is recommending that the franchise be approved for a one-year term.

No environmental violations were found in reviewing this company's record.

Complete application and supporting documents are on file in the Port Everglades Business Administration Office.

Fiscal Impact

Fiscal Impact/Cost Summary:

Application and annual fees for new applicants in this franchise category were waived by the Board on June 10, 2008 for the first year of the program. After that period, an application fee of \$4,000 and an annual fee of \$2,250 will apply. Applicant is also required to provide an indemnity bond or letter of credit in the amount of \$20,000.

Broward County Commission Public Hearing**Item #: 3.****Date: 06/23/2009****Raider Environmental Services, Inc.- Oily Waste Removal Services****Department:** Port Everglades

Information**Requested Action**

MOTION TO ADOPT Resolution 2009-450 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Raider Environmental Services, Inc., for a one-year term, to provide vessel oily waste removal 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 June 9, 2009 (Item #38).

ACTION: (T-2:13 PM) Approved.***VOTE: 9-0.*****Why Action is Necessary**

Public hearing is required pursuant to Chapter 94-429, Laws of Florida. Also required by Section 32.22a of the Broward County Administrative Code. Franchises are issued pursuant to Chapter 32 of the Broward County Administrative Code.

What Action Accomplishes

It allows franchisee to provide vessel oily waste removal services at Port Everglades.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

Raider Environmental Services, Inc. (Raider) was incorporated in the State of Florida on July 26, 2001. The company has applied for a franchise to perform vessel oily waste removal services at Port Everglades. Raider has also applied for a franchise to perform vessel sanitary waste water removal services.

Port staff has reviewed the application pursuant to the Broward County Administrative Code. Staff's due diligence included corresponding with the applicant's president to clarify franchise requirements; reviewing the applicant's corporate status, business history/experience, environmental history, litigation history, insurance, financial documents and creditworthiness, required licenses, company programs and policies, and statement of intended activities.

Staff has determined that the applicant meets the criteria for issuance of a new franchise. Vessel oily waste removal service franchises may be issued for any period of time up to five years. Past practice has been for staff to recommend issuance of a vessel oily waste removal service franchise for an initial term of one year and each subsequent renewal for a term of up to five years. Accordingly, staff is recommending that the franchise be approved

for a one-year term.

Please be advised that in 2006, Raider Environmental Services, LLC, a company owned by the same principals as those of the current applicant, applied for a vessel sanitary waste water removal service franchise. On May 9, 2006, the Board denied that company's application due to statements made before the Board by Steven Obst, the president of Raider Environmental Services, LLC, that were contrary to public record concerning his affiliation with Raider Rooter, Inc., a company owned by his parents.

No environmental violations were found in reviewing this company's record.

Complete application and supporting documents are on file in the Port Everglades Business Administration Office.

Fiscal Impact

Fiscal Impact/Cost Summary:

Applicant has paid the required application fee of \$4,000 and the annual fee of \$2,250, for a total of \$6,250 for the proposed one-year term. In addition, the Applicant is required to provide a letter of credit in the amount of \$20,000 as security for the franchise.

Broward County Commission Public Hearing**Item #: 4.****Date: 06/23/2009****Raider Environmental Services, Inc. - Sanitary Waste Water Removal Services****Department:** Port Everglades

Information**Requested Action**

MOTION TO ADOPT Resolution 2009-451 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Raider Environmental Services, Inc., for a one-year term, to provide vessel sanitary waste water removal 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 June 9, 2009 (Item #39).

ACTION: (T-2:14 PM) Approved.***VOTE: 9-0.*****Why Action is Necessary**

Public hearing is required pursuant to Chapter 94-429, Laws of Florida. Also required by Section 32.22a of the Broward County Administrative Code. Franchises are issued pursuant to Chapter 32 of the Broward County Administrative Code.

What Action Accomplishes

It allows franchisee to provide vessel sanitary waste water removal services at Port Everglades.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

Raider Environmental Services, Inc. (Raider) was incorporated in the State of Florida on July 26, 2001. The company has applied for a franchise to perform vessel sanitary waste water removal services at Port Everglades. Raider has also applied for a franchise to perform vessel oily waste removal services.

Port staff has reviewed the application pursuant to the Broward County Administrative Code. Staff's due diligence included corresponding with the applicant's president to clarify franchise requirements; reviewing the applicant's corporate status, business history/experience, environmental history, litigation history, insurance, financial documents and creditworthiness, required licenses, company programs and policies, and statement of intended activities.

Staff has determined that the applicant meets the criteria for issuance of a new franchise. Vessel sanitary waste water removal service franchises may be issued for any period of time up to five years. Past practice has been for staff to recommend issuance of a vessel

sanitary waste water removal service franchise for an initial term of one year and each subsequent renewal for a term of up to five years. Accordingly, staff is recommending that the franchise be approved for a one-year term.

Please be advised that in 2006, Raider Environmental Services, LLC, a company owned by the same principals as those of the current applicant, applied for a vessel sanitary waste water removal service franchise. On May 9, 2006, the Board denied that company's application due to statements made before the Board by Steven Obst, the president of Raider Environmental Services, LLC, that were contrary to public record concerning his affiliation with Raider Rooter, Inc., a company owned by his parents.

No environmental violations were found in reviewing this company's record.

Complete application and supporting documents are on file in the Port Everglades Business Administration Office.

Fiscal Impact

Fiscal Impact/Cost Summary:

Applicant has paid the required application fee of \$4,000 and the annual fee of \$2,250, for a total of \$6,250 for the proposed one-year term. In addition, the Applicant is required to provide a letter of credit in the amount of \$20,000 as security for the franchise.

Broward County Commission Public Hearing**Item #: 5.****Date: 06/23/2009****Port Everglades Terminal, LLC****Department:** Port Everglades

Information**Requested Action**

MOTION TO ADOPT Resolution 2009-452 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Port Everglades Terminal, LLC, for a one-year term, to provide marine terminal security 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 June 9, 2009 (Item #40).

ACTION: (T-2:14 PM) Approved.***VOTE: 9-0.*****Why Action is Necessary**

Public hearing is required pursuant to Chapter 94-429, Laws of Florida. Also required by Section 32.22a of the Broward County Administrative Code. Franchises are issued pursuant to Chapter 32 of the Broward County Administrative Code.

What Action Accomplishes

It allows franchisee to provide marine terminal security services at Port Everglades.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

Port Everglades Terminal, LLC (PET) is the designated cargo terminal operator for Mediterranean Shipping Company, S.A. (MSC), which holds a Marine Terminal Lease and Operating Agreement at Port Everglades for 39.18 acres located in Southport. PET was organized as a limited liability company in Florida on July 16, 2004.

PET has applied for a marine terminal security service franchise in order to provide security at the terminal facilities where it operates. PET's application for a Class B security agency license has been approved by the State of Florida. This license allows them to provide security services at the MSC facilities where they currently operate as well as at other terminal facilities within Port Everglades.

Port staff has reviewed the application pursuant to the Broward County Administrative Code. Staff's due diligence included corresponding with the applicant's managing member to clarify franchise requirements; reviewing the applicant's corporate status, business history/experience, environmental history, litigation history, insurance, financial documents and creditworthiness, required licenses, company programs and policies, and statement of intended activities.

Staff has determined that the applicant meets the criteria for issuance of a new franchise. Marine terminal security service franchises may be issued for any period of time up to five years. Past practice has been for staff to recommend issuance of a marine terminal security service franchise for an initial term of one year. It is expected that staff will recommend each subsequent renewal in this new franchise category for a term of up to five years. Accordingly, staff is recommending that the franchise be approved for a one-year term.

No environmental violations were found in reviewing this company's record.

Complete application and supporting documents are on file in the Port Everglades Business Administration Office.

Fiscal Impact

Fiscal Impact/Cost Summary:

Application and annual fees for new applicants in this franchise category were waived by the Board on June 10, 2008 for the first year of the program. After that period, an application fee of \$4,000 and an annual fee of \$2,250 will apply. Applicant is also required to provide an indemnity bond or letter of credit in the amount of \$20,000.

Broward County Commission Public Hearing**Item #: 6.****Date: 06/23/2009****Human Rights Act Section 16 1/2****Department:** County Attorney

Information**Requested Action**

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, RELATING TO THE HUMAN RIGHTS ACT, SECTION 16½-1 THROUGH SECTION 16½-72 OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SUBSECTION 16½-30.6 TO PROVIDE THAT PERSONS WHO HAVE DUAL-FILED THEIR COMPLAINTS WITH HOUSING AND URBAN DEVELOPMENT AND THE COUNTY WILL BE ADVISED OF ALTERNATE LEGAL REMEDIES WHEN THE COUNTY HAS DETERMINED THAT THERE IS NO REASONABLE CAUSE TO BELIEVE THAT A DISCRIMINATORY ACT HAS OCCURRED; AMENDING SECTION 16½-63 TO PROVIDE THAT PERSONS WHO HAVE DUAL-FILED THEIR CHARGES WITH THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION AND THE COUNTY WILL BE ADVISED OF ALTERNATE LEGAL REMEDIES WHETHER OR NOT THE COUNTY HAS DETERMINED THAT THERE IS REASONABLE CAUSE TO BELIEVE THAT A DISCRIMINATORY ACT HAS OCCURRED, AND CLARIFYING CERTAIN LANGUAGE; PERFORMING SUCH HOUSEKEEPING TASKS AS NECESSARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:14 PM) The Board deferred this item until after the Board of County Commissioners summer break. The Board asked that staff, along with the County Attorney's Office, investigate the expansion or the broadening effects as to reversing the numbers of employees from 15 to 5, as well as the financial ramifications of redetermination in dual-filed cases. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Lieberman was out of the room during the vote.

Why Action is Necessary

The proposed Ordinance was prepared by the Office of the County Attorney at the direction of the Board of County Commissioners at the Commission meeting of December 9, 2008.

What Action Accomplishes

Redirects the focus of the Human Rights Board's quasi-judicial powers towards persons who have filed cases protected only under the Human Rights Act; informs persons who have dual-filed cases with either HUD or the EEOC of their alternate legal remedies; and clarifies certain language where necessary.

Is this Action Goal Related**Previous Action Taken**

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 7.****Date: 06/23/2009****Lobbying****Department:** County Attorney

Information**Requested Action**

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, RELATING TO LOBBYING ACTIVITIES; AMENDING THE DEFINITIONS OF LOBBYING, LOBBYIST, PERSON, AND EMPLOYER IN SECTION 1-261; ADDING A DEFINITION OF COMPENSATION IN SECTION 1-261; AMENDING SECTION 1-262 TO PROVIDE THAT ALL LOBBYISTS REGISTER, REGARDLESS OF WHETHER THEY RECEIVE COMPENSATION FOR LOBBYING; PROVIDING FOR A REGISTRATION FEE TO BE PAID BY THE LOBBYIST FOR EACH EMPLOYER REPRESENTED; PROVIDING FOR A REGISTRATION PERIOD; PROVIDING FOR AN AMENDED REGISTRATION STATEMENT; PROVIDING FOR A DISCLOSURE STATEMENT; AMENDING THE PROCEDURES RELATING TO THE DISCLOSURE STATEMENT; AMENDING SECTION 1-265 TO PROVIDE PENALTIES FOR FAILURE TO PAY REGISTRATION FEES AND FAILURE TO COMPLY WITH DISCLOSURE REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:43 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009, as well as changing the word, from "may" to "shall," on page 9, Section 1-265 Penalties, on the Ordinance. The County Attorney's Office will draft amendments to the language in the Ordinance and bring it back before the Board in August of 2009. Per the County Attorney's Office, language provisions of concern expressed by the Board will not be enforced until such time as the Ordinance is brought back before the Board for approval. (Refer to minutes for full discussion.)

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

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 2, 2009.

What Action Accomplishes

Amends the Broward County Lobbying Registration Act.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

On May 12, 2009, the Board of County Commissioners directed the Office of the County Attorney to prepare amendments to the Broward County Lobbying Registration Act. The requested amendments include a) a requirement that all lobbyists register with the County, regardless of whether or not they receive compensation; and b) an annual fifty dollar (\$50) registration fee for each employer a lobbyist represents.

Fiscal Impact**Fiscal Impact/Cost Summary:**

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 8.****Date: 06/23/2009****Motor Carriers****Department:** County Attorney

Information**Requested Action**

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 MOTOR CARRIERS; AMENDING CHAPTER 22½ OF THE BROWARD COUNTY CODE OF ORDINANCES (MOTOR CARRIERS ORDINANCE) ESTABLISHING A ONE-TIME LOTTERY FOR FIFTEEN (15) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND ACCOMPANYING PERMITS FOR FUEL EFFICIENT TAXICABS AND LUXURY SEDANS; REQUIRING THAT ALL FUTURE LOTTERIES BE HELD IN ACCORDANCE WITH THE POPULATION REQUIREMENTS OF THE ORDINANCE; REQUIRING THE USE OF FUEL EFFICIENT TAXICABS AND LUXURY SEDANS FOR FUTURE LOTTERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009. (Refer to minutes for full discussion.)

VOTE: 7-2. Commissioner Lieberman voted via teleconferencing. Commissioners Eggelletion and Rodstrom voted no.

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 9, 2009.

What Action Accomplishes

Amends the Motor Carriers Ordinance and establishes a one-time lottery for fifteen (15) fuel efficient taxicab and luxury sedan certificates of public convenience and necessity and will provide that all future lotteries require the use of fuel efficient taxicabs and luxury sedans.

Is this Action Goal Related

Established Commission Goal

Previous Action Taken**Summary Explanation/Background**

This action supports the Commission Goal to improve the quality of the environment and natural resources and to provide a pristine, healthy environment. It is also consistent with Commission Resolutions 2007-391 and 2008-322 supporting greenhouse gas emission

reduction targets, Resolution 2008-442 establishing a climate change task force, and Commission action accepting the Broward County Government Operations Climate Change Report.

To further the use of fuel efficient vehicles and to reduce future greenhouse gas emissions, staff recommended that, in order to obtain information on the availability and suitability of fuel efficient vehicles, the Motor Carriers Ordinance be amended to establish a one-time lottery to award fifteen (15) new certificates, ten (10) for fuel efficient taxicabs and five (5) for fuel efficient luxury sedans.

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 9.****Date: 06/23/2009****Private Auto Tag Agencies****Department:** County Attorney

Information**Requested Action**

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 PRIVATE AUTO TAG AGENCIES, AMENDING CHAPTER 20, "LICENSES AND BUSINESS REGULATIONS," OF THE BROWARD COUNTY CODE OF ORDINANCES, ARTICLE XII, SECTIONS 20-243 THROUGH 20-253, BY REVISING THE PROCEDURES FOR THE SELECTION AND OPERATION OF PRIVATE AUTO TAG AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:22 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8-0. Vice Mayor Keechl recused himself from voting. Commissioner Lieberman voted via teleconferencing. (Refer to minutes for full discussion.)

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 9, 2009.

What Action Accomplishes

Amends the Private Auto Tag Agency Ordinance to conform to changes in state law and in the County's competitive selection procedure and to eliminate all references to a license procedure.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The proposed Ordinance will amend the current Private Auto Tag Agency Ordinance to conform to changes in Florida law and in Broward County's competitive selection procedure and it will eliminate all references to a license procedure.

Fiscal Impact**Fiscal Impact/Cost Summary:**

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 10.****Date: 06/23/2009****Nuisance Abatement Chapter 20****Department:** County Attorney

Information**Requested Action**

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 CONSUMER PROTECTION BOARD, AMENDING CHAPTER 20, ARTICLE VII, OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO TRANSFERRING THE BROWARD COUNTY DRUG, PROSTITUTION, YOUTH, AND STREET GANG-RELATED PUBLIC NUISANCE ABATEMENT BOARD'S ROLES AND RESPONSIBILITIES TO THE CONSUMER PROTECTION BOARD; CHANGING THE NAME OF THE BOARD TO THE BROWARD COUNTY DRUG, PROSTITUTION, AND CRIMINAL STREET GANG-RELATED PUBLIC NUISANCE ABATEMENT BOARD; PROVIDING INTENT, DEFINITIONS, JURISDICTION, INITIATION OF PROCEEDINGS, CONDUCT OF HEARINGS, AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:23 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Lieberman voted via teleconferencing.

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 9, 2009.

What Action Accomplishes

Transfers the Broward County Drug, Prostitution, Youth, and Street Gang-Related Public Nuisance Abatement Board to the Consumer Protection Board.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The Broward County Drug, Prostitution, and Criminal Street Gang-Related Public Nuisance Abatement Board shall promote, protect, and improve the health, safety, and welfare of the residents of Broward County by providing an equitable, expeditious, and effective method to abate the use of property within Broward County for the unlawful sale, delivery, manufacture, cultivation, and felony possession of any controlled substances, and to abate

prostitution-related public nuisances and criminal street gang-related activities.

The Board of County Commissioners of Broward County hereby transfers the roles and responsibilities of the Broward County Drug, Prostitution, and Criminal Street Gang-Related Public Nuisance Abatement Board (f/k/a the "Broward County Drug, Prostitution, Youth, and Street Gang-Related Public Nuisance Abatement Board") to the Consumer Protection Board. The name of the board is being changed to conform to changes in Florida statutes.

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 11.****Date: 06/23/2009****Sunsetting Various Boards****Department:** County Attorney

Information**Requested Action**

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, SUNSETTING VARIOUS BOARDS, PERTAINING TO THE BROWARD BEAUTIFUL COMMITTEE, THE BROWNFIELDS REDEVELOPMENT TASK FORCE, THE CITY-COUNTY LIAISON GROUP OF BROWARD COUNTY, FLORIDA, THE ELDERLY AND VETERANS' SERVICES ADVISORY BOARD, THE INTERGOVERNMENTAL RELATIONS GROUP, THE LAND PRESERVATION AND ACQUISITION ADVISORY BOARD, THE BROWARD COUNTY MUNICIPAL SERVICES ADVISORY BOARD, AND THE BROWARD COUNTY DRUG, PROSTITUTION, AND YOUTH AND STREET GANG-RELATED NUISANCE ABATEMENT BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:24 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board approved, as amended, per the purple-sheeted additional material dated June 23, 2009.

VOTE: 9-0. Commissioner Lieberman voted via teleconferencing.

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 9, 2009.

What Action Accomplishes

Sunsets the Broward Beautiful Committee; sunsets the Brownfields Redevelopment Task Force; sunsets the City-County Liaison Group of Broward County, Florida; sunsets the Elderly and Veterans' Services Advisory Board; sunsets the Intergovernmental Relations Group; sunsets the Land Preservation and Acquisition Advisory Board; sunsets the Broward County Municipal Services Advisory Board; and sunsets the Broward County Drug, Prostitution, and Youth and Street Gang-Related Nuisance Abatement Board.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

As part of the Sunset Review Process, the County Commission voted to sunset the aforementioned boards on December 9, 2008, and directed the Office of the County Attorney to prepare this Ordinance. Accordingly, this Ordinance responds to that directive.

Fiscal Impact**Fiscal Impact/Cost Summary:**

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 12.****Date: 06/23/2009****Section 1-233****Department:** County Attorney

Information**Requested Action**

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 ADVISORY AND OTHER BOARDS; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES TO REFLECT ALL ENTITIES TO WHICH IT APPLIES; SPECIFYING THE DURATION OF BOARD APPOINTMENTS; CLARIFYING THE PROHIBITION AGAINST APPOINTING NON-ELECTED PERSONS TO MORE THAN ONE (1) BOARD; PROVIDING THAT BOARDS MEET QUARTERLY WITH CERTAIN EXCEPTIONS; MODIFYING THE NUMBER OF ABSENCES PERMITTED IN A CALENDAR YEAR PRIOR TO AUTOMATIC BOARD REMOVAL; PROVIDING FOR A PROCEDURE TO BE FOLLOWED PRIOR TO AUTOMATIC REMOVAL; REQUIRING BOARD COORDINATORS TO SUBMIT ATTENDANCE RECORDS TO COUNTY ADMINISTRATION WITHIN TWO (2) WEEKS AFTER EACH MEETING; REQUIRING BOARD MEMBERS TO NOTIFY BOARD COORDINATORS REGARDING THEIR INTENDED ATTENDANCE OR ABSENCE FROM A PROPERLY NOTICED BOARD MEETING; ESTABLISHING QUORUM REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:25 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8-0. Commissioner Lieberman voted via teleconferencing. Commissioner Wasserman-Rubin was out of the room during the vote.

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 9, 2009.

What Action Accomplishes

Amends Section 1-233 of the Broward County Code of Ordinances.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

This Ordinance has been updated to clarify the requirements for advisory and other board appointments. Pursuant to the Board's direction at the June 9 public meeting, Subsection 1-233(a)(2)b. has been amended to clarify the duration of fixed-term appointments.

Subsection 1-233(e)(4) has also been amended to clarify the attendance notification requirement for board appointees.

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 13.****Date: 06/23/2009****CBE Ordinance****Department:** County Attorney

Information**Requested Action**

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 COUNTY PROCUREMENT AND CONTRACTING OPPORTUNITIES FOR COUNTY BUSINESS ENTERPRISES; REPEALING IN ITS ENTIRETY SECTION 1-81 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO COMMUNITY DISADVANTAGED BUSINESS ENTERPRISES AND REPLACING IT WITH THE COUNTY BUSINESS ENTERPRISE ACT OF 2009, RELATING TO AND GOVERNING COUNTY BUSINESS ENTERPRISES; PROVIDING ELIGIBILITY CRITERIA AND CERTIFICATION PROCESS FOR COUNTY BUSINESS ENTERPRISES; ESTABLISHING A CUMULATIVE GOAL FOR COUNTY BUSINESS ENTERPRISE PARTICIPATION IN COUNTY CONTRACTING OPPORTUNITIES; PROVIDING CRITERIA FOR SETTING CONTRACT GOALS AND RESERVES; PROVIDING CRITERIA TO DETERMINE WHETHER CONTRACT GOALS HAVE BEEN MET; PROVIDING THAT COMMUNITY DISADVANTAGED BUSINESS ENTERPRISE GOALS IN PENDING CONTRACTS BE MET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:27 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

The Board approved, as amended, per the purple sheeted additional material dated June 23, 2009, submitted by Commissioner Gunzburger. (Refer to minutes for full discussion.)

VOTE: 7-1. Commissioner Jacobs voted no. Commissioner Lieberman was not present during the vote.

ACTION: (T-5:05 PM) The Board approved, as amended, the inclusion of the original Ordinance language, as well as inserting a parenthetical after "contractual relations," to indicate "to the extent they demonstrate affiliation." (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioners Jacobs, Lieberman and Mayor Ritter were not present during the vote.

ACTION: (T-5:11 PM) Commissioner Jacobs requested being shown voting in the affirmative.

VOTE: 7-0.

ACTION: (T-5:30 PM) The Board approved, as amended, language to read, "which consent shall not be unreasonably withheld." In addition, the final proposed language addressing "material breach" was approved to be added to the second paragraph of the proposed amendment. Finally the Board reduced the cap on personal net worth from \$1 million to \$750,000. (Refer to minutes for full discussion.)

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

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 9, 2009.

What Action Accomplishes

Repeals Section 1-81 of the Broward County Code of Ordinances and replaces it with the County Business Enterprise Act of 2009.

Is this Action Goal Related

Previous Action Taken

Summary Explanation/Background

The Broward County Office of Equal Opportunity recommends approval of this item.

The proposed Ordinance repeals Section 1-81 of the Broward County Code of Ordinances, the Community Disadvantaged Business Enterprise ("CDBE") program and replaces it with the County Business Enterprise Act of 2009, establishing the County Business Enterprise ("CBE") program. The primary differences between the CDBE program and the CBE program are:

1. CDBE goals could only be set in five discreet business categories. CBE goals can be set on all county contracting opportunities except where SBE or DBE goals apply.
 2. The net worth cap was slightly increased, from \$827,250 to \$1 million.
 3. Goals can only be set when there are subcontracting possibilities. The term "subcontracting possibilities" was redefined to make clear that prime contractors are not required to subcontract work they would otherwise perform.
 4. Under the CDBE program, annual goals were required to be set for each of the five (5) covered business categories. Under CBE, a single, fixed, overall goal of 25% is established. It can be changed without further amendment to the Ordinance, but if unchanged it remains in effect.
 5. The CDBE program did not allow for any contracting opportunities to be reserved for CDBEs. The CBE program expressly allows for reserves under limited circumstances.
-

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 14.****Date: 06/23/2009****Traffic Surcharge****Department:** County Attorney

Information**Requested Action**

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 SURCHARGE OF TRAFFIC-RELATED INFRACTIONS AND VIOLATIONS; AMENDING CHAPTER 10, ARTICLE I, SECTION 10-4 OF THE BROWARD COUNTY CODE OF ORDINANCES TO INCREASE THE SURCHARGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Ilene Lieberman)

ACTION: (T-5:13 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 9, 2009.

What Action Accomplishes

Amends Section 10-4 of the Broward County Code of Ordinances to increase the surcharge from \$15.00 to \$30.00, as approved by the Florida Legislature in Senate Bill 2108.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The Board of County Commissioners of Broward County, Florida, is authorized to impose a surcharge for certain traffic-related infractions and violations and desires to amend Section 10-4 of the Broward County Code of Ordinances to increase the surcharge from \$15.00 to \$30.00, as provided in Florida Senate Bill 2108.

Fiscal Impact**Fiscal Impact/Cost Summary:**

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing
Date: 06/23/2009
Sexual Offender and Sexual Predator Residency
Department: County Attorney

Item #: 15.

Information

Requested Action

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 SEXUAL OFFENDER AND SEXUAL PREDATOR RESIDENCY; AMENDING CHAPTER 21, ARTICLE XI, SECTION 21-167 OF THE BROWARD COUNTY CODE OF ORDINANCES, RELATING TO PROHIBITION EXCEPTIONS BY EXTENDING THE REPEAL DATE OF THIS ORDINANCE FROM JULY 13, 2009, TO OCTOBER 12, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:13 PM) Filed proof of publication. This Ordinance shall become effective as provided by law, and shall be automatically repealed on October 12, 2009.

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

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 2, 2009.

What Action Accomplishes

Extends the repeal date from July 13, 2009, to October 12, 2009.

Is this Action Goal Related

Previous Action Taken

Summary Explanation/Background

The purpose of this Ordinance is to extend the repeal date to October 12, 2009.

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.

Broward County Commission Public Hearing**Item #: 16.****Date: 06/23/2009****PC 09-4****Department:** Planning Council

Information**Requested Action**

MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt a "Small Scale" land use plan amendment, PC 09-4, in the city of Fort Lauderdale (**Commission District 9**), the substance of which is as follows:

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 FORT LAUDERDALE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

Why Action is Necessary

Pursuant to Section 163.3184(15), Florida Statutes, Broward County Comprehensive Plan amendments shall be adopted by Ordinance by the Broward County Board of County Commissioners, serving as the local governing body.

What Action Accomplishes

The Ordinance adopts Broward County "Small Scale" land use plan amendment, PC 09-4, in accordance with Section 163.3187(c), Florida Statutes.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The Planning Council, as the Local Planning Agency (LPA) responsible for the Broward County Land Use Plan, considered the following proposed Small Scale amendment to that plan at its April 23, 2009, and May 28, 2009, public hearings:

AMENDMENT PC 09-4**Amendment to the Broward County Land Use Plan - City of Fort Lauderdale****From Recreation and Open Space to Community Facilities**

Approximately 1.6 acres in Section 28, Township 49, Range 42; generally located on the north side of Northwest 19 Street, between Interstate 95 and Northwest 15 Avenue.

Fiscal Impact

Fiscal Impact/Cost Summary:

No Fiscal Impact.

Broward County Commission Public Hearing**Item #: 17.****Date: 06/23/2009****PCT 09-1 and PC 09-1****Department:** Planning Council

Information**Requested Action**

A. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 09-1, establishing a "Transit Oriented Corridor" in the city of Miramar, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 8**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE CITY OF MIRAMAR TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

B. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 09-1, establishing a "Transit Oriented Corridor" in the city of Miramar, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 8**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP TO ADDRESS THE CITY OF MIRAMAR TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

Why Action is Necessary

Pursuant to Section 163.32465(5), Florida Statutes, Broward County Comprehensive Plan amendments shall be adopted by ordinance by the Broward County Board of County

Commissioners, serving as the local governing body.

What Action Accomplishes

The Ordinances adopt Broward County Land Use Plan amendments PCT 09-1 and PC 09-1, in accordance with Section 163.32465(5), Florida Statutes.

Is this Action Goal Related

Previous Action Taken

Summary Explanation/Background

The Planning Council, as the Local Planning Agency (LPA) responsible for the Broward County Land Use Plan, considered the following proposed amendments, PCT 09-1 and PC 09-1, at its February 26, 2009, and May 28, 2009, public hearings:

A. AMENDMENT PCT 09-1

Amendment to the Broward County Land Use Plan Text

Amendment to the Broward County Land Use Plan text corresponding to proposed Broward County Land Use Plan map amendment PC 09-1, in the City of Miramar.

B. AMENDMENT PC 09-1

Amendment to the Broward County Land Use Plan – City of Miramar

126.4 acres of Medium (16) Residential, 107.3 acres of Commercial, 107.2 acres of Low (5) Residential, 92.8 acres of Low-Medium (10) Residential and 6.0 acres of Recreation and Open Space to Transit Oriented Corridor (TOC)

Approximately 439.7 acres in Sections 23, 24 and 25, Township 51, Range 41; generally located on the west side of State Road 7/U.S. 441, between Pembroke Road and County Line Road

Fiscal Impact

Fiscal Impact/Cost Summary:

No Fiscal Impact.

Broward County Commission Public Hearing**Item #: 18.****Date: 06/23/2009****PCNRM 09-1****Department:** Planning Council

Information**Requested Action**

MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan amendment, PCNRM 09-1, of the Broward County Natural Resource Map Series, regarding the update of the Broward County Environmentally Sensitive Lands Map, as a part of the first annual proposed 2009 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 FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TO UPDATE THE BROWARD COUNTY ENVIRONMENTALLY SENSITIVE LANDS MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

Why Action is Necessary

Pursuant to Section 163.32465(5), Florida Statutes, Broward County Comprehensive Plan amendments shall be adopted by Ordinance by the Broward County Board of County Commissioners, serving as the local governing body.

What Action Accomplishes

The Ordinance adopts Broward County Land Use Plan amendment, PCNRM 09-1, in accordance with Section 163.32465(5), Florida Statutes.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The Planning Council, as the Local Planning Agency (LPA) responsible for the Broward County Land Use Plan, considered the following proposed amendment, PCNRM 09-1, at its February 26, 2009, and May 28, 2009, public hearings:

AMENDMENT PCNRM 09-1**Amendment to the Natural Resource Map Series of the Broward County Land Use Plan**

Amendment to update the Broward County Environmentally Sensitive Lands Map of the

Land Use Plan Map Series.

Fiscal Impact

Fiscal Impact/Cost Summary:

No Fiscal Impact.

Broward County Commission Public Hearing**Item #: 19.****Date: 06/23/2009****PCT 06-6 and PC 06-19****Department:** Planning Council

Information**Requested Action**

A. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 06-6, establishing a "Transit Oriented Corridor" in the town of Davie, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 7**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE TOWN OF DAVIE TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:38 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 6-3. Commissioners Gunzburger, Jacobs and Rodstrom voted no.

B. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-19, establishing a "Transit Oriented Corridor" in the town of Davie, as a part of the first annual proposed 2009 amendments to the Broward County Comprehensive Plan (**Commission District 7**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2009 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP TO ADDRESS THE TOWN OF DAVIE TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:38 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 6-3. Commissioners Gunzburger, Jacobs and Rodstrom voted no.

Why Action is Necessary

Pursuant to Section 163.3184(15), Florida Statutes, Broward County Comprehensive Plan

amendments shall be adopted by ordinance by the Broward County Board of County Commissioners, serving as the local governing body.

What Action Accomplishes

The Ordinances adopt Broward County Land Use Plan amendments PCT 06-6 and PC 06-19, in accordance with Section 163.3184(15), Florida Statutes.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The Planning Council, as the Local Planning Agency (LPA) responsible for the Broward County Land Use Plan, considered the following proposed amendments, PCT 06-6 and PC 06-19, at its June 22, 2006, and November 30, 2006, public hearings:

A. AMENDMENT PCT 06-6**Amendment to the Broward County Land Use Plan Text**

Amendment to the Broward County Land Use Plan text corresponding to proposed Broward County Land Use Plan map amendment PC 06-19, in the Town of Davie.

B. AMENDMENT PC 06-19**Amendment to the Broward County Land Use Plan - Town of Davie**

From 614.9 acres of Industrial, 182.5 acres of Transportation, 47.9 acres of Commercial, 39.7 acres of Low-Medium (10) Residential, 13.6 acres of Community Facilities and 5.1 acres of Utilities to Transit Oriented Corridor

Approximately 903.7 acres in Sections 24, 25 and 36, Township 50, Range 41; generally located south of Interstate 595 and approximately ½ mile north of Stirling Road, between State Road 7/U.S. 441 and Florida's Turnpike.

Fiscal Impact**Fiscal Impact/Cost Summary:**

No Fiscal Impact.

Broward County Commission Public Hearing**Item #: 20.****Date: 06/23/2009****Board of Rules and Appeals****Department:** Board of Rules and Appeals

Information**Requested Action**

MOTION TO CONSIDER adoption of a Resolution 2009-453 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO FEES FOR THE BROWARD COUNTY BOARD OF RULES AND APPEALS; AMENDING CHAPTER 43 OF THE BROWARD COUNTY ADMINISTRATIVE CODE, "FEES AND OTHER CHARGES, MISCELLANEOUS," PART I, "BOARD OF RULES AND APPEALS FEES," SECTION 43.1, "FEE IN CONNECTION WITH PERMITS," AND SECTION 43.2, "OTHER FEES TO BE COLLECTED BY BOARD OF RULES AND APPEALS," PROVIDING FOR FEES ASSOCIATED WITH SERVICES PROVIDED BY THE BOARD OF RULES AND APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of Rules and Appeals)

ACTION: (T-5:17 PM) Approved.

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

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider adoption of the Resolution amending the Administrative Code was adopted by the Board of County Commissioners at its Commission meeting of June 2, 2009.

What Action Accomplishes

Amends fees to be charged for building permits and by the Broward County Board of Rules and Appeals for provision of services.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

On April 13, 2009, the Broward County Office of Management and Budget provided an independent analysis of the revenues and expenditures of the Broward County Board of Rules and Appeals ("BORA"). Based upon historical actual revenues and expenditures, as well as current economic conditions and the poor forecast for fiscal year 2009, the Office suggested corrective action to maintain a balanced budget. On April 2, 2009, the BORA approved cuts in operating and capital expenses of 5.66%, including the reduction of its permanent workforce from 12 to 11 positions, with the understanding that additional action would need to be taken. In addition, on May 14, 2009, the BORA voted to end the existing building code lobbyist agreement at the end of the current one (1) year contract, at an annual rate of savings of \$16,200.

The fees currently charged for services provided by the BORA have remained the same since their adoption in 1987. However, overall revenues received pursuant to these fees decreased by 35.1% in FY2008, as compared to FY 2007. These facts resulted in the BORA recommending approval of the proposed amendments to the Administrative Code at its meeting of May 14, 2009. The proposed amendments provide for the following:

- increase current fee of 35 cents per \$1,000 of construction value to 60 cents per \$1,000 of construction value
- amend the definition of "total construction cost" to be calculated from contracts or other methods, rather than the current square foot basis
- delete certification fees currently charged for inspectors as being outdated and little relationship to costs

Fiscal Impact

Fiscal Impact/Cost Summary:

N/A

Broward County Commission Public Hearing**Item #: 21.****Date: 06/23/2009****Public School Facilities Element****Department:** Environmental Protection **Division:** Planning & Redevelopment

Information**Requested Action**

MOTION TO ENACT Ordinance to adopt a proposed amendment to the Public School Facilities Element of the Broward County Comprehensive Plan, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:19 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

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

Why Action is Necessary

Florida Statutes require the enactment of an Ordinance during a public hearing to adopt comprehensive plan amendments.

What Action Accomplishes

This action adopts amendments to the Public School Facilities Element of the Broward County Comprehensive Plan.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The Environmental Protection and Growth Management Department, Planning and Redevelopment Division (PRD), recommends approval of the motion.

The County Commission voted to set a public hearing on this agenda item at the June 9, 2009 meeting.

On March 24, 2009, the Broward County Board of County Commissioners voted to transmit the proposed amendment to the Public School Facilities Element to the Department of Community Affairs (DCA) for review. DCA had identified no comments or issues regarding this amendment.

The proposed amendment updates the Public School Facilities Element (PSFE) to address the current five-year period (2008-2013) for the School Board's adopted Short Range, Five-Year Plan and the Long Range, Ten-Year Plan as required by state statute.

The Board of County Commissioners adopted the PSFE into the Broward County Comprehensive Plan as a result of Senate Bill 360, F.S. 163.3177(12) on January 15, 2008.

The Broward County PSFE is required to be consistent with the Interlocal Agreement for School Facilities Planning (ILA) and the municipal PSFE's.

Fiscal Impact

Fiscal Impact/Cost Summary:

No Fiscal Impact

Broward County Commission Public Hearing**Item #: 22.****Date: 06/23/2009****Urban Design Element****Department:** Environmental Protection **Division:** Planning & Redevelopment

Information**Requested Action**

MOTION TO ENACT Ordinance to adopt a proposed amendment adding an Urban Design Element to the Broward County Comprehensive Plan, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY CREATING AN URBAN DESIGN ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:19 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 6-0. Commissioners Eggelletion, Gunzburger and Lieberman were not present during the vote.

ACTION: (T-5:25 PM) Commissioner Gunzburger requested being shown voting in the affirmative.

VOTE: 7-0.

Why Action is Necessary

Florida Statutes require the enactment of an Ordinance during a public hearing to adopt comprehensive plan amendments.

What Action Accomplishes

This action adopts an amendment to add an Urban Design Element to the Broward County Comprehensive Plan.

Is this Action Goal Related**Previous Action Taken****Summary Explanation/Background**

The Environmental Protection and Growth Management Department, Planning and Redevelopment Division (PRD), recommends approval of the motion.

The County Commission voted to set a public hearing on this agenda item at the June 9, 2009 meeting.

On March 24, 2009, the Broward County Board of County Commissioners voted to transmit the Urban Design Element to the Department of Community Affairs (DCA) for review. DCA had no comments or issues regarding this amendment. The Florida Department of Transportation (FDOT) had one comment regarding Policy 18.1.3 that the policy be revised

to reflect the MPO's current focus on transit and identify "high capacity transportation corridors". Policy 18.1.3 states that "Broward County shall encourage quality redevelopment and growth in appropriate urbanized areas and along Broward County's Metropolitan Planning Organization (MPO) 2030 Long Range Transportation Plan high capacity transportation corridors and nodes, which are compact, context sensitive and pedestrian friendly." In response, staff has revised the Element to define high capacity transportation corridors consistent with the MPO adopted 2030 Long Range Transportation Plan and the MPO's emphasis on transit. In addition, the Policy 18.1.3 will be amended to reflect the 2035 Long Range Plan, which is under development once it is adopted by the MPO.

A new Urban Design Element is proposed to further the principles of the Broward County County-wide Community Design Guidebook approved by the County Commission in 2005. The Element promotes pedestrian friendly development; directing development to high capacity transportation corridors; lowering greenhouse gas emissions; climate sensitive design; green certification of buildings; and, the principles of NatureScape Broward.

Fiscal Impact

Fiscal Impact/Cost Summary:

No fiscal impact.

Broward County Commission Public Hearing**Item #: 23.****Date: 06/23/2009****Safe Neighborhood Districts****Department:** County Attorney

Information**Requested Action**

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 SAFE NEIGHBORHOODS, AMENDING CHAPTER 5 OF THE BROWARD COUNTY CODE OF ORDINANCES, "BUILDING REGULATIONS AND LAND USE," ARTICLE XV, "SAFE NEIGHBORHOOD DISTRICTS," SECTIONS 5-502 THROUGH 5-506, PROVIDING AUTHORIZATION AND PROCEDURES FOR THE CREATION OF SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-5:24 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 6-0. Commissioners Eggelletion, Gunzburger, and Lieberman were not present during the vote.

ACTION: (T-5:25 PM) Commissioner Gunzburger requested being shown voting in the affirmative.

VOTE: 7-0.

Why Action is Necessary

Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its Commission meeting of June 2, 2009.

What Action Accomplishes

The proposed Ordinance amends the Broward County Code of Ordinances consistent with Florida Statutes relating to Safe Neighborhood Improvement Districts.

Is this Action Goal Related**Previous Action Taken**

Fiscal Impact**Fiscal Impact/Cost Summary:**

Fiscal Impact Statement by Office of Management and Budget attached as Exhibit 2.