

COMMISSION MINUTES

September 11, 2007

Meeting 10:11 a.m.

COMMISSION MINUTES

MEETING OF SEPTEMBER 11, 2007

(The meeting convened at 10:11 a.m.; recessed at 12:43 p.m.; reconvened at 4:55 p.m.; and adjourned at 5:26 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner, John E. Rodstrom, Jr.

MOMENT OF SILENCE

In memory of all those who lost their lives six years ago on September 11, 2001.

County Commission employees who have lost their parents; the father of Priscilla Rogers, the mother of Vicki Pearson, the mother of Nancy Fear, and the mother of Cheryl Austin.

All the soldiers that have given their lives for the cause of freedom in Iraq, Afghanistan, and other places around the world.

Miami-Dade School Board Member, Robert Ingram.

Maury Hernandez, BSO officer, and BSO Sergeant, Christopher Reyka.

CALL TO ORDER: Mayor Josephus Eggelletion, Jr. called the meeting to order and declared a quorum present.

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

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Ritter and unanimously carried to approve the Consent Agenda, consisting of Items 1 through 64. At the request of the Mayor, Regular Agenda Items 68, 69, 74, and 77 were transferred to the Consent Agenda.

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The following Items were withdrawn/deferred: Items 14, 45, and 46 were withdrawn for further staff review.

The following items were pulled by Board members and considered separately: 10, 11, 15, 16, 18, 19, 21, 31, 47, 49, and 54. Items 2 and 8 were pulled by a member of the audience.

1. **BOARD APPOINTMENTS**
(NONE)

ACTION: (T-10:20 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Fourth Amendment to the agreement between Broward County and Harris Miller Miller & Hanson, Inc. (HMMH) for acoustical consulting services at Fort Lauderdale/Hollywood International Airport (RLI 20021015-0-AV-01), increasing the agreement amount not to exceed \$200,000; from \$545,731 to \$745,731; exercising the second one-year option, extending the agreement from October 1, 2007 to September 30, 2008, and authorize the Mayor and Clerk to execute same.

(This item was pulled by a member of the audience.)

ACTION: (T-10:28 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

3. MOTION TO APPROVE Amendment No. 7 to the Airline-Airport Lease and Use Agreement between Broward County, Florida and United Airlines, Inc. (United) at the Fort Lauderdale-Hollywood International Airport (FLL), which provides for the transfer of all rights, title, and interest in United's baggage make-up and conveyor belt system ("Equipment") to the County at no cost; effective upon approval; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.

4. MOTION TO APPROVE modification of existing interagency agreement with the Transportation Security Administration (TSA) as enumerated in confidential exhibits from the Interim Director of Aviation to the Broward County Board of County Commissioners (Board); and authorize the County Administrator to make the necessary administrative and budgetary actions to execute same.

ACTION: (T-10:20 AM) Approved.

5. MOTION TO APPROVE modification of existing aviation security interagency agreement, as enumerated in confidential exhibits from the Director of Aviation to the Broward County Board of County Commissioners (Board); and authorize the County Administrator to make the necessary administrative and budgetary actions to execute same.

ACTION: (T-10:20 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

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HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

6. A. MOTION TO ADOPT Resolution 2007 – 522 accepting a Warranty Deed, at a nominal cost to the County of \$10; executed by Westpoint Business Park II, LTD., a Florida Limited Partnership, for right-of-way located along the north side of Commercial Boulevard, west of Nob Hill Road. **(Commission District 3).**

ACTION: (T-10:20 AM) Approved.

B. MOTION TO ADOPT Resolution 2007 – 523 accepting a Warranty Deed, at a nominal cost to the County of \$10; executed by Community Christian Church of Fort Lauderdale, Inc., a Florida Non-Profit Corporation, for right-of-way located along the north side of Commercial Boulevard, west of Nob Hill Road. **(Commission District 3)**

ACTION: (T-10:20 AM) Approved.

7. MOTION TO ADOPT Resolution 2007 – 524 accepting a Warranty Deed, at a nominal cost to the County of \$10; executed by Sembler Family Partnership No. 41, LTD., a Florida Limited Partnership, for right-of-way located on the south side of Commercial Boulevard between NW 82nd Avenue and University Drive, in the City of Lauderhill. **(Commission District 1)**

ACTION: (T-10:20 AM) Approved.

REAL PROPERTY SECTION



8. MOTION TO APPROVE Contract for Sale and Purchase between Broward County and John F. McCluskey III, and Gloria McCluskey, husband and wife, for the purchase by the County of West Lake Parcel 106, located in the subdivision known as Hollywood Central Beach, Plat Book 4, Page 20, Lot 15, Block 83, in the amount of \$12,000. The Parks and Recreation Division authorized Real Property Section to acquire this parcel using funds approved by Aviation Department and Port Everglades Department; authorize the Mayor and Clerk to execute Contract for Sale and Purchase, and authorize acceptance and recordation of deed. **(Commission District 6)**

(This item was pulled by a member of the audience.)

ACTION: (T-10:30 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

9. MOTION TO APPROVE list of computer checks issued from April 1, 2007 through April 30, 2007; May 1, 2007 through May 31, 2007; and June 1, 2007 through June 30, 2007.

ACTION: (T-10:20 AM) Approved.

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10. MOTION TO FILE Tangible Property Asset Disposal Certificate No. 438.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:34 AM) Approved. **Commissioner Lieberman directed staff to examine new technologies as to theft prevention devises that can not be removed from laptops.** (Refer to minutes for full discussion.)

VOTE: 9 – 0.

11. MOTION TO APPROVE travel outside the continental United States for the County employee on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 – County Employee Travel.

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-10:39 AM) Approved. (Scrivener's error – See County Administrator's report: In the motion change employee to employees; in Fiscal Impact/Cost Summary – change \$1,321.14 to \$4,674.14; in Exhibit 1 – change trip to trips; in Exhibit 2 – change Memo from Al Simon to Cynthia S. Chambers, dated August 22, 2007, to Justification memos.) **Commissioner Gunzburger expressed concern as to the government potentially paying monies to enhance other businesses, and suggested that the Board discuss policy issues at a later date.** (Refer to minutes for full discussion.)

VOTE: 9 – 0.

PURCHASING DIVISION

For Aviation Department

12. MOTION TO APPROVE release of retainage and final payment in the amount of \$232,305.93, to Hill York, Inc., for air handler unit replacement at the Fort Lauderdale/Hollywood International Airport, Bid No. L-8-02-181-CF.

ACTION: (T-10:20 AM) Approved.

13. MOTION TO APPROVE release of retainage and final payment in the amount of \$124,246.62, to James A. Cummings, Inc., for the Fort Lauderdale/Hollywood International Airport, Terminal 4 Federal Inspection Services Expansion, Phase 1A, RLI No. 20041013-0-AV-01 for the Aviation Department.

ACTION: (T-10:20 AM) Approved.

14. MOTION TO AWARD fixed contract to low responsive, responsible bidder, Weekley Asphalt Paving, Inc., for the construction of the North Perry General Aviation Airport maintenance facility access road, Bid No. N307079CF, in the amount of \$270,713.10, for the Aviation Department subject to the receipt and acceptance of insurance, performance and payment guarantee; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Withdrawn for further staff review.

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For Public Works and Transportation Department

15. A. MOTION TO ADOPT budget Resolution transferring funds within the Engineering Capital Projects Fund (3150) for the Highway Construction and Engineering Division in the amount of \$18,480,493; for improvements to Wiles Road to the Constitutional Gas Tax Capital Projects Fund.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:44 AM) (Tabled to later in the meeting to allow staff to bring back further information.) (Refer to minutes for full discussion.)

ACTION: (T-12:25 PM) Deferred to September 25, 2007, to allow staff to amend the item and address noise impacts. (Refer to minutes for full discussion.)

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

B. MOTION TO ADOPT unanticipated revenue Resolution within the Constitutional Gas Tax Capital Projects Fund (3155) for the Highway Construction and Engineering Division, in the amount of \$18,480,493 for improvements to Wiles Road.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:44 AM) (Tabled to later in the meeting to allow staff to bring back further information.) (Refer to minutes for full discussion.)

ACTION: (T-12:25 PM) Deferred to September 25, 2007, to allow staff to amend the item to address noise impacts. (Refer to minutes for full discussion.)

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

C. MOTION TO APPROVE licensing agreement between Broward County and the State of Florida Department of Transportation for the construction of a bridge associated with the widening and reconstruction of Wiles Road at no cost to the County; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:44 AM) (Tabled to later in the meeting to allow staff to bring back further information.) (Refer to minutes for full discussion.)

ACTION: (T-12:25 PM) Deferred to September 25, 2007, to allow staff to amend the item to address noise impacts. (Refer to minutes for full discussion.)

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

D. MOTION TO WAIVE the timely submittal of revised bid sheet page number 32D, as required in Addendum No. 3.

(This item was pulled by Commissioner Lieberman.)

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ACTION: (T-10:44 AM) (Tabled to later in the meeting to allow staff to bring back further information.) (Refer to minutes for full discussion.)

ACTION: (T-12:25 PM) Deferred to September 25, 2007, to allow staff to amend the item to address noise impacts. (Refer to minutes for full discussion.)

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

E. MOTION TO AWARD fixed contract to low bidder, Russell Engineering, Inc., for construction of the Wiles Road extension from west of the Florida Turnpike to Powerline Road, Bid No. H906499CAF in the amount of \$18,542,706.34, for the Highway Construction and Engineering Division, subject to the receipt and acceptance of insurance and performance and payment guarantee, and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:44 AM) (Tabled to later in the meeting to allow staff to bring back further information.) (Refer to minutes for full discussion.)

ACTION: (T-12:25 PM) Deferred to September 25, 2007, to allow staff to amend the item to address noise impacts. (Refer to minutes for full discussion.)

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

16. MOTION TO AWARD open-end contract to low bidder, All Florida General Contracting, LLC, a certified Broward County Small Business Enterprise, for canal maintenance Bid QZ06395B2, for Items 1 thru 27 in the estimated two-year amount of \$697,603.12, including pass-thru amounts for debris and trash disposal tipping fees, totaling \$200,000 for the Water Management Division, and authorize the Purchasing Director to renew the contract for a one-year period for a total potential three-year amount of \$1,046,404.68. The award and initial contract commencement date is contingent upon the receipt and acceptance of insurance and shall terminate two years from that date.

(This item was pulled by Vice Mayor Wexler.)

ACTION: (T-11:06 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 2. Commissioner Rodstrom and Vice Mayor Wexler voted no. Commissioner Wasserman-Rubin was out of the room during the vote.

17. MOTION TO AWARD open-end multiple award contracts to the lowest, responsive, responsible bidders for each group, as indicated below:

Bennett Auto Supply, Groups: 2-7, 9-11,13,15-17 and19-23
General GMC, Groups: 3-7, 9-11,15,17-19 and 21
Vehicle Maintenance Program, Inc., Groups: 2,11,22 and 23
Total Truck Parts, Inc., Groups: 2,6,14,16-19,22 and 23.

These contracts are for miscellaneous automotive parts, Bid No. C307078B2 (Re-bid) in the estimated annual amount of \$410,000 for the Fleet Services Division; and authorize the Purchasing Director to renew the contract for two, one-year periods for a potential three-year estimated amount of \$1,230,000. The initial term shall begin on the date of award and shall terminate one year from that date.

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ACTION: (T-10:20 AM) Approved.

18. MOTION TO AWARD open-end multiple-award contracts to all responsive, responsible, certified Broward County Small Business Enterprise (SBE) bidders for each group, as indicated below:

Bidders:	Contract Groups:
Horizon Tire and Automotive, Inc.	Groups 1, 4, 4A, 4B, 5, 8, 9, 11 through 15, 17, 17A and 19.
Southeast Truck Specialist, Inc.	Groups 2, 3A, 5, 5A, 7, 14, 15, 17A, 19A, 19B, 19C and 23.
A Better Sign and Supply Company, Inc.	Group 16 (Lettering/Striping/Graphics).

These contracts are for repair services for vehicles and heavy equipment, Bid No. C507154B1, in the estimated annual amount of \$309,259.00, which includes an estimated \$29,900.00 for "parts on a pass thru", and authorize the Purchasing Director to renew the contract for two one-year periods for a total estimated amount of \$927,777.00 for the Fleet Services Division. The initial contracts shall begin on September 20, 2007 and shall terminate one year from that date.

(This item was pulled by Vice Mayor Wexler.)

ACTION: (T-11:06 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 2. Commissioner Rodstrom and Vice Mayor Wexler voted no. Commissioner Wasserman-Rubin was out of the room during the vote.

19. MOTION TO AWARD open-end contract to low bidder, Terra Renewal Services, Inc., for sludge hauling and land application, Bid No. Q607194B2, Items one and two, for Water and Wastewater Services in the estimated two-year amount of \$3,220,000; contingent upon the receipt and acceptance of performance and payment guaranty; and authorize the Purchasing Director to renew the contract for a one-year period for a total potential amount of \$4,830,000. The contract shall commence upon the receipt and acceptance of performance and payment guaranty and shall terminate two years from that date. **(Commission District 2)**

(This item was pulled by Vice Mayor Wexler.)

ACTION: (T-11:06 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 2. Commissioner Rodstrom and Vice Mayor Wexler voted no. Commissioner Wasserman-Rubin was out of the room during the vote.

HUMAN SERVICES DEPARTMENT

CHILDREN'S SERVICES ADMINISTRATION DIVISION

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20. 

A. MOTION TO RETROACTIVELY APPROVE Subcontract 07RCP27 between Broward County and the Florida Council Against Sexual Violence (FCASV), from July 1, 2007, through June 30, 2010, in the amount

of \$66,448 for the purpose of maintaining professional crisis intervention and advocacy services to sexual violence victims; and authorize the Mayor to execute same.

ACTION: (T-10:20 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2007 – 525 within the State Grant Fund (7535) for the Children’s Services Administration Division/Sexual Assault Treatment Center Section, in the amount

of \$66,448 for the purpose of maintaining professional crisis intervention and advocacy services to sexual violence victims.

ACTION: (T-10:20 AM) Approved.

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21. 

A. MOTION TO ACCEPT grant award for Cooperative Agreement No. 5U79SM54475-06 and Terms And Conditions Of Award (Children's Services Grant No. 5U79 SM54475-06) between Broward County and the United States Center for Mental Health Services, Substance Abuse and Mental Health Services Administration Division (SAMHSA) in the amount of \$1,000,000; from September 30, 2007 through September 29, 2008, for the sixth year of a six year project for the purpose of developing a system of care that delivers effective comprehensive community mental health services for children and adolescents with serious emotional disturbance and their families. The required in-kind match is provided by Children's Services Administration Division and Children's Services Council of Broward County through existing children's mental health services contracts.

(This item was pulled by Commissioner Wasserman-Rubin.)

ACTION: (T-11:47 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

B. MOTION TO ADOPT unanticipated revenue Resolution 2007 – 526 within the Children's Services Administration Division (CSAD) Grant Fund 9735, in the amount of \$1,000,000 for the purpose of developing a system of care that delivers effective comprehensive community mental health services for children and adolescents with serious emotional disturbance and their families.

(This item was pulled by Commissioner Wasserman-Rubin.)

ACTION: (T-11:47 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

C. MOTION TO ADOPT Resolution 2007 – 527 of the Board of County Commissioners of Broward County, Florida; making a finding and determination that the work and services of certain organizations and individual providers serve a public purpose; authorizing one time appropriation and disbursement for the organizations and individual providers in the amount of \$665,055; approving funding for not-for-profit organizations, for-profit organizations and governmental entities; authorizing the County Administrator on behalf of the Board to execute amendments to the previously approved contracts; providing for severability; and providing for an effective date.

(This item was pulled by Commissioner Wasserman-Rubin.)

ACTION: (T-11:47 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

22. 

A. MOTION TO APPROVE agreement between Broward County and the Early Learning Coalition of Broward County, Inc., formerly known as the Broward County School Readiness Coalition, Inc., from September 11, 2007 through June 30, 2008 in the amount of \$97,223 for the purpose of monitoring select informal child care providers for health and safety requirements in family child care homes and Voluntary

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Pre-kindergarten (VPK) Providers for minimum State of Florida program standards in licensed child care facilities in Broward County; and authorize the Mayor to execute same.

ACTION: (T-10:20 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2007 -528 within the State Grant Fund for the Children's Services Administration Division, Child Care Licensing and Enforcement Section, in the amount of \$97,223 for the purpose of monitoring select informal child care providers for health and safety requirements in family child care homes and VPK Providers for minimum State of Florida program standards in licensed child care facilities in Broward County.

ACTION: (T-10:20 AM) Approved.

C. MOTION TO INCREASE number of positions within the State grant fund for the Children's Services Administration Division, Child Care Licensing and Enforcement Section by one position, consisting of a Childcare Licensing Specialist I. This position will provide monitoring select informal child care providers for health and safety requirements in informal family child care homes and Voluntary Pre-kindergarten (VPK) Providers for minimum State of Florida program standards in licensed child care facilities in Broward County.

ACTION: (T-10:20 AM) Approved.



23. MOTION TO APPROVE Amendment to Agreement No. 03-CSAD-8367 between the Broward County and Family Central, Inc. for the purpose of extending the term of the agreement for one additional year from October 1, 2007 to September 30, 2008 in the amount of \$1,677,564; to provide subsidized child care to eligible working poor families in Broward County, and authorizes Mayor to execute same.

ACTION: (T-10:20 AM) Approved.



24. MOTION TO APPROVE agreement between Broward County and Prison Health Services, Inc., from October 1, 2007 through September 30, 2010 in the amount of \$679,273.92, for the purpose of providing forensic medical examinations of adults and children involved in allegations of sexual abuse; and authorize the Mayor to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions in the option periods.

ACTION: (T-10:20 AM) Approved.

ELDERLY AND VETERANS SERVICES DIVISION

25. MOTION TO APPROVE Agreement No. 08-EVSD-8209-01 between Broward County and the Areawide Council on Aging of Broward County, Inc. from October 1, 2007 to September 30, 2008 in the amount of \$684,920 for the purpose of providing local match funding of senior services, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.

FAMILY SUCCESS ADMINISTRATION DIVISION

26. MOTION TO APPROVE agreement between Broward County and Urban League of Broward County, Inc., in an amount not to exceed \$41,370; from date of execution through June 30, 2008, for the

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purpose of providing funding for the administration and implementation of the Assets for Independence (AFI) grants program; and authorize the Mayor and Clerk to execute the same.

ACTION: (T-10:20 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

27. MOTION TO APPROVE second amendment to agreement between Broward County and Hollywood Animal Hospital, P.A., extending the term of the agreement from September 30, 2007 through March 31, 2008, for the purchase of relief veterinary services and emergency medical and surgical treatment for injured animals after 5:00 p.m. Monday through Friday; all day Saturday, Sunday, and holidays, at no additional cost; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION

28. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by WSSA Florida, LLC as a site for compensatory mitigation for wetland impacts for the construction of a US Border Patrol Facility in the City of Dania Beach. **(Commission District 4)**

ACTION: (T-10:20 AM) Approved.

29. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from Industrial Development Co. of America, LLLP for preservation of a mitigation area comprising 3.968 acres of real property located at the Tamarac Business Park in Section 07, Township 49 South, Range 41 East, on the east side of Hiatus Road, north of Commercial Boulevard, in the City of Tamarac. **(Commission District 3)**

ACTION: (T-10:20 AM) Approved.

30. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from the City of Tamarac for preservation of a mitigation area comprising 1.61 acres of real property located at the McNab Road Park in Section 07, Township 49 South, Range 41 East, on the south side of McNab Road, west of Hiatus Road, in the City of Tamarac. **(Commission District 3)**

ACTION: (T-10:20 AM) Approved.

31. MOTION TO DIRECT County Attorney to draft an Ordinance amending Chapter 27, Broward County Code, to provide for fees associated with implementation of the Boat Facility Siting Plan.

(This item was pulled by Commissioners Lieberman, Ritter, Rodstrom, Wasserman-Rubin, and Vice Mayor Wexler.)

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ACTION: (T-11:46 AM) Approved. Commissioner Jacobs requested that the Marine Advisory Board's opinion be shared with the County Commission. Mr. Newton advised that in terms of fee amounts, and for purposes of notice requirements, the Ordinance language should read, "not to exceed \$750.00." Commissioner Lieberman asked staff to examine reducing operation costs as to allow possible decreased fees. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Jacobs was out of the room during the vote.

ACTION: (T-11:55 AM) Later in the meeting, Commissioner Jacobs requested being shown voting in the affirmative.

VOTE: 9 – 0.

WATER RESOURCES DIVISION

32. MOTION TO ADOPT Resolution 2007 – 529 of the Board of County Commissioners of Broward County, Florida requesting the federal government and the legislature of the State of Florida to take any and all actions necessary to preserve and protect the levee system surrounding Lake Okeechobee; and providing for an effective date.

ACTION: (T-10:20 AM) Approved.

ACTION: (T-5:22 PM) The Mayor allowed a member of the audience to speak on this item. (Refer to minutes for full discussion.)

PORT EVERGLADES DEPARTMENT



33. A. MOTION TO APPROVE System and Services Agreement between Broward County and Homedata (Rochester) Inc., for the procurement of foreign-trade zone inventory control and recordkeeping software, and authorize the Mayor and Clerk to execute same. The cost of the software license, including initial services and the first year's maintenance, is \$200,000.

ACTION: (T-10:20 AM) Approved.

B. MOTION TO APPROVE Software License Agreement between Broward County and Homedata (Rochester) Inc., for the licensing and maintenance of foreign-trade zone inventory control and recordkeeping software, and authorize the Mayor and Clerk to execute same. The cost of maintenance services for the last five years of the six-year agreement is a total of \$75,000 (\$15,000 per year for years two through six).

ACTION: (T-10:20 AM) Approved.

34. MOTION TO APPROVE Consent to Sublease between Port Everglades Cold Storage, Inc., and Cargill Meat Solutions Corporation for three 8,000 square foot warehouse bays, along with the 2,000 square foot loading dock appurtenant to each, together with associated office, restroom, and parking area, effective upon Board approval; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.

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35. 

A. MOTION TO APPROVE System and Services Agreement between Broward County and Klein Systems Group Ltd. (Klein) for implementation of KleinPort MIS, an integrated port management system, along with third party products and other deliverables which make up the system, for a cost of \$1,340,500; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.

B. MOTION TO APPROVE Software License Agreement between Broward County and Klein, for a royalty-free, perpetual, non-exclusive site license for the licensed software, and an unlimited number of concurrent end user licenses for a cost of \$1,142,500; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.

36. MOTION TO APPROVE U. S. Government Lease for Real Property between Broward County and The Government of the United States of America for Suite No. 4, consisting of 500 square feet of office space in Building 611 (Amman Building) at Port Everglades, for the period of September 25, 2007 through September 24, 2012, with rent in the approximate amount of \$52,800 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.



37. MOTION TO ADOPT Resolution 2007 – 530 authorizing an Expansion Application and submission of a letter to the Foreign-Trade Zones Board requesting their approval of the Expansion Application for Foreign-Trade Zone No. 25, to permanently designate certain Broward County sites for the use of current and potential businesses, and authorize the Port Director, Port Everglades Department, to effectuate same.

ACTION: (T-10:20 AM) Approved.

38. A. MOTION TO AUTHORIZE the Port Director to execute Grant Award and Special Conditions documents between Broward County and the U.S. Department of Homeland Security for Fiscal Year 2007 Infrastructure Protection Program (IPP)-Port Security Grant Program, and to accept funds for Broward County Port Everglades Department in the amount of \$270,000 (requiring \$90,000 in matching funds from the County) in accordance with the grant application for additional security enhancements at Port Everglades.

ACTION: (T-10:20 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2007 – 531 within Port Everglades Capital Grant Fund (4740) for Port Everglades Department in the amount of \$360,000 for additional security enhancements at Port Everglades.

ACTION: (T-10:20 AM) Approved.

OFFICE OF TRANSPORTATION

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39. MOTION TO DECLARE 10 hybrid, 70-passenger ferry vessels and landings ("Equipment") surplus; and authorize the County Administrator, or designee, to obtain FHWA approval to transfer the equipment to other FHWA eligible recipients or to dispose of the equipment competitively as authorized by law; and authorize the County Administrator, or designee, to take all necessary actions including the execution of documents to convey the equipment.

ACTION: (T-10:20 AM) Approved.

ACTION: (T-11:47 AM) Later in the meeting, **Mayor Eggelation directed Ms. Brangaccio to bring agreements back to the Board before agreements are reached.** (Refer to minutes for full discussion.)

OFFICE OF MANAGEMENT AND BUDGET

40. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Tamarac, to implement the annexation of Boniello Gardens into the City.

ACTION: (T-10:20 AM) Approved.

GREATER FORT LAUDERDALE CONVENTION AND VISITORS BUREAU

41. MOTION TO APPROVE first amendment to the agreement between Broward County and M. Silver Associates, Inc., for public relation services for the Greater Fort Lauderdale Convention and Visitors Bureau, for the purpose of extending the agreement term from September 30, 2007 to September 30, 2008, to maintain a positive presence in media outlets throughout major target markets in the U.S. and world wide, for an amount not to exceed the sum of \$500,000; and to allow a provider for this service to be selected through a fair and competitive process; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:20 AM) Approved.

COUNTY AUDITOR

42. A. MOTION TO FILE County Auditor's Report – *Review of Airport Employee Parking Lot Costs.*

ACTION: (T-10:20 AM) Approved.

B. MOTION TO ADOPT County Auditor's Recommendations.

ACTION: (T-10:20 AM) Approved.

COUNTY ATTORNEY

43. MOTION TO APPROVE Settlement in the amount of \$82,500; including costs and attorney's fees, in the case of *Kaphleen Rejouis vs. Broward County*, 17th Judicial Circuit Court Case No. 06-12184 (05).

ACTION: (T-10:20 AM) Approved.

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44. MOTION TO AUTHORIZE the Mayor and Clerk to execute and deliver a Satisfaction of Mortgage for a certain mortgage executed by Thomas Ferrara, Jr., and Sylvia Ferrara, husband and wife, for the purpose of posting an appearance bond in the case of State of Florida v. Thomas Ferrara, Seventeenth Judicial Circuit Case No. 05-18373CF10A.

ACTION: (T-10:20 AM) Approved.

COUNTY ADMINISTRATION

45. MOTION TO APPROVE payment of \$10,000 to One Broward Network Initiative, to fund the County's proportionate share of a feasibility study.

ACTION: (T-10:20 AM) Withdrawn for further staff review.

46. A. MOTION TO ADOPT unanticipated revenue Resolution within the General Fund (0010) for the Supervisor of Elections, in the amount of \$4,596,900 for the purchase of state certified voting equipment and services, and \$483,283 for Ballot on Demand printers.

ACTION: (T-10:20 AM) Withdrawn for further staff review.

B. MOTION TO ADOPT budget Resolution transferring within the General Fund the amount of \$843,150 from the Commission Reserve for the purchase of additional state certified voting equipment.

ACTION: (T-10:20 AM) Withdrawn for further staff review.

47. MOTION TO DIRECT County Attorney to draft a Resolution creating the Broward County Public Safety Coordinating Council Advisory Board.

(This item was pulled by Vice Mayor Wexler.)

ACTION: (T-11:55 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

48. MOTION TO DIRECT the County Attorney to prepare an amendment to the Broward County Code of Ordinances relative to court surcharges authorized in State Statute 318.18 (court facility fee) and 939.185 (court costs), to be consistent with changes made during the last Legislative Session.

ACTION: (T-10:20 AM) Approved.

COUNTY COMMISSION

49. MOTION TO APPROVE allocation of \$6,650 in County District 5 Commissioner's Discretionary Bond funds to the City of Pembroke Pines for a planned 9/11 Memorial at the new City Hall in the City Place Plaza. **(Commission District 5)** (Vice Mayor Wexler)

(This item was pulled by Vice Mayor Wexler for a comment.)

COMMISSION MINUTES

ACTION: (T-10:20 AM/11:55 AM) Approved. (Scrivener's error – See County Administrator's report: In the summary explanation/background – 2nd paragraph – the word, "statutory" should be "statuary.")

REQUEST TO SET FOR PUBLIC HEARING

50. MOTION TO ADOPT Resolution 2007 – 532 directing the County Administrator to publish Notice of Public Hearing to be held in Room 422 of the Governmental Center on Tuesday, September 25, 2007 at 5:01 P.M., to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 38.20 OF CHAPTER 38, PART III OF THE BROWARD COUNTY ADMINISTRATIVE CODE, TO PRESCRIBE A REVISED SCHEDULE OF WASTEWATER LARGE USER RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(Commission Districts 1,2,3,7,9)**

ACTION: (T-10:20 AM) Approved.

51. MOTION TO ADOPT Resolution 2007 – 533 directing the County Administrator to publish Notice of Public Hearing to be held in Room 422 of the Governmental Center on September 25, 2007 at 5:01 P.M., to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 38.18 OF CHAPTER 38, PART III OF THE BROWARD COUNTY ADMINISTRATIVE CODE, TO PRESCRIBE CHANGES TO THE SCHEDULE OF WATER AND WASTEWATER SERVICES RATES, FEES AND CHARGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(Commission Districts 1,2,3,4,6,7,8,9)**

ACTION: (T-10:20 AM) Approved.

52. MOTION TO ADOPT Resolution 2007 – 534 directing the County Administrator to publish Notice of Public Hearing to be held at the Broward County Governmental Center, Room 422; on Tuesday, September 25, 2007 at 5:01 P.M. to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 38.19 CHAPTER 38, PART III OF THE BROWARD COUNTY ADMINISTRATIVE CODE, TO PRESCRIBE A REVISED SCHEDULE OF RAW WATER LARGE USER RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(Commission Districts 1,2,3,6,7,8,9)**

ACTION: (T-10:20 AM) Approved.

53. MOTION TO ADOPT Resolution 2007 – 535 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 25, 2007, at 2:00 P.M. in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

COMMISSION MINUTES

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 40.23 OF THE BROWARD COUNTY ADMINISTRATIVE CODE, ENVIRONMENTAL PROTECTION DEPARTMENT FEE SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:20 AM) Approved.

54. MOTION TO ADOPT Resolution 2007 - 536 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 25, 2007, at 2:00 P.M., in Room 422 of the Governmental Center, to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ESTABLISHING THE COMMUNITY DISADVANTAGED BUSINESS ENTERPRISE (CDBE) PROGRAM; PROVIDING A SHORT TITLE; PROVIDING FOR PROGRAM OBJECTIVES AND PROGRAM DEFINITIONS; PROVIDING FOR PROGRAM ELIGIBILITY CRITERIA; PROVIDING FOR PROGRAM ADMINISTRATION; PROVIDING FOR ESTABLISHMENT OF PROGRAM ANNUAL GOALS; PROVIDING FOR ESTABLISHMENT OF CONTRACT GOALS; PROVIDING FOR CERTIFICATION OF PROGRAM PARTICIPANTS; PROVIDING FOR COMPLIANCE WITH PROGRAM AND CONTRACT REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-12:17 PM) Approved, as amended, to designate a cost of living index and allow sufficient time to obtain a broader index by the County Auditor. (Refer to minutes for full discussion.)

VOTE: 6 – 2. Vice Mayor Wexler, and Commissioner Gunzburger voted no.



ACTION: (T-12:18 PM) **Approved.** (Refer to minutes for full discussion.)

VOTE: 9 – 0.

55. MOTION TO ADOPT Resolution 2007 – 537 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 25, 2007, at 2:00 P.M., in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 27, OPERATIONAL POLICY, PLANNING AND ENVIRONMENTAL PROTECTION, BY DELETING APPENDIX A OF THE TRAFFIC REVIEW AND IMPACT PLANNING SYSTEM (TRIPS) SUMMARY DESCRIPTION ENTITLED "TRIP RATES BY PURPOSE"; BY AMENDING APPENDIX A OF THE TRIPS SUMMARY DESCRIPTION ENTITLED "TRIP RATES BY LAND USE"; BY AMENDING APPENDIX B ENTITLED "CONCURRENCY FEES BY DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

COMMISSION MINUTES

ACTION: (T-10:20 AM) Approved.

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

56. MOTION TO ADOPT Resolution 2007 – 538 Phasing the Installation of Improvements and securing the cost of the improvements, as a condition of plat approval, related to the “Franklin Park Estates Plat” (001-UP-06), providing for severability, providing for recordation in the Public Records of Broward County, Florida, and providing for an effective date. **(Commission District 7)**

ACTION: (T-10:20 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

57. DISCUSSION: of plat entitled “Deerfield Beach FAU – Plat 2” - **Commission District 2**, (011-MP-07).

ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

58. DISCUSSION: of plat entitled “Estates at Sunshine Ranches II” - **Commission District 5**, (036-MP-06).

ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

59. DISCUSSION: of plat entitled “Griffin Landmark” - **Commission District 7**, (088-MP-06). (Deferred from August 7, 2007).

ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

60. DISCUSSION: of plat entitled “Village Walk II” - **Commission District 8**, (007-MP-07).

ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

61. DELEGATION: Janna P. Lhota regarding request to amend the note on the Marketplace Partnership Center Plat - **Commission District 8**, (076-MP-96).

ACTION: (T-10:20 AM) Approved, subject to staff’s recommendations.

COMMISSION MINUTES

62. **DELEGATION:** Cynthia Pasch regarding request to revise the non-vehicular access line on the Farris Corner Plat - **Commission District 2**, (080-MP-05). (Deferred from August 7, 2007).

ACTION: (T-10:20 AM) Approved, subject to staff's recommendations.

63. **DELEGATION:** Paul E. Brewer regarding request to revise the non-vehicular access line on the Ring Power Facility Plat - **Commission District 2**, (018-MP-06).

ACTION: (T-10:20 AM) Approved, subject to staff's recommendations.

64. **DELEGATION:** Donald J. Doody, representing the Broward County Housing Authority, regarding request to amend the non-vehicular access line on the Atlantic Federal Lauderhill Plat No. 2 - **Commission District 9**, (176-MP-81). (Deferred from April 17, 2007).

ACTION: (T-10:20 AM) Approved, subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

COMMISSION MINUTES

REGULAR AGENDA

DELEGATION

65. DELEGATION: Mr. Robert Walsh wishes to address the Commission with regard to recent actions of the Mayor of the City of Fort Lauderdale.

ACTION: (T-12:30 PM) The Board heard comment from Robert Walsh. (Refer to minutes for full discussion.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

66. MOTION TO APPOINT Selection Committee (SC) to select a firm to provide design/build services for the replacement of soffits at terminals 2, 3 and 4 at Fort Lauderdale-Hollywood International Airport; and approve the Request for Letters of Interest (RLI) No. 20070618-0-AV-01 for the attached Step One solicitation for the Aviation Department.

ACTION: (T-12:35 PM) Approved.

VOTE: 9 – 0.

The Board approved the following to serve on the Selection Committee, (SC): Commissioner Keechl; Commissioner Ritter; Acting Director, Aviation Department/Planning & Development Division, (Chair); Director, Aviation Department/Maintenance Division, Director, Public Works and Transportation Department/Construction Management Division; plus administrative support staff from the offices of the County Attorney, Commission Auditor, Small Business Development Division, Risk Management Division, Purchasing Division, and the requesting agency.

COMMISSION MINUTES

67. A. MOTION TO RATIFY Fifth Amendment to the agreement between ShuttlePort Florida, L.L.C. (ShuttlePort) and Broward County extending the term for six months to April 30, 2008, and modifying the driver employment criteria.

ACTION: (T-5:00 PM) Approved, as amended. The Board directed staff to delete any language in the RLI, that references language, "proposer to purchase buses," specifically pages 1 of 14, pages 2 of 14, and pages 9 of 14, and replace language to read, "buses must be leased from Broward County, or companies are to provide their own fleet." Additionally, the Board approved the following to serve on the Selection Committee, (SC): Mayor Eggelletion; Vice Mayor Wexler; Commissioner Gunzburger; Commissioner Keechl; Commissioner Lieberman; Commissioner Ritter, and Commissioner Rodstrom; Director, Aviation Department/Operations Division, (Chair) Director, Office of Transportation; Deputy Director, Port Everglades Department, plus administrative support staff from the offices of the County Attorney, County Auditor, Small Business Development Division, Risk Management Division, Purchasing Division, and the using agency. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

B. MOTION TO APPOINT Selection Committee (SC) to select the most qualified firm to provide shuttle bus services at the Fort Lauderdale/Hollywood International Airport and approve the Request for Letters of Interest (RLI) No. 20070314-0-AV-01).

ACTION: (T-5:00 PM) Approved, as amended. The Board directed staff to delete any language in the RLI, that references language, "proposer to purchase buses," specifically pages 1 of 14, pages 2 of 14, and pages 9 of 14, and replace language to read, "buses must be leased from Broward County, or companies are to provide their own fleet." Additionally, the Board approved the following to serve on the Selection Committee, (SC): Mayor Eggelletion; Vice Mayor Wexler; Commissioner Gunzburger; Commissioner Keechl; Commissioner Lieberman; Commissioner Ritter, and Commissioner Rodstrom; Director, Aviation Department/Operations Division, (Chair) Director, Office of Transportation; Deputy Director, Port Everglades Department, plus administrative support staff from the offices of the County Attorney, County Auditor, Small Business Development Division, Risk Management Division, Purchasing Division, and the using agency. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

For Environmental Protection Department

68. MOTION TO NOTE FOR THE RECORD Request for Proposal (RFP) No. 20070328-0-EQ-1 for an inductively coupled plasma mass spectrometer analytical instrument and service (ICP-MS) for the Environmental Protection Department, that has not been presented to the Board and has not been evaluated, for which Commissioners may choose to join the Evaluation Committee.

ACTION: (T-10:20 AM) Approved.

(Scrivener's error – See County Administrator's report: Exhibit 1, Page 20, Legal Requirements #1, Standard Agreement Language: The first sentence should read: "A library of standard agreement terms and conditions resides at <http://www.broward.org/purchasing/bids/cafi01.pdf>.)

For Finance and Administrative Services Department

COMMISSION MINUTES

69. MOTION TO APPROVE renewal of an Interlocal Agreement between Broward and Miami-Dade Counties providing for reciprocity of local preference ordinances and programs, authorizing the Mayor to execute the Interlocal Agreement, and directing the County Administrator to file the renewal in accordance with Section 163.01, Florida Statutes.

ACTION: (T-10:20 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

70. MOTION TO DISCUSS draft interlocal agreements between Palm Beach County, Broward County and the City of Parkland, related to apportionment of public debt for the property known as the "Wedge" that would be transferred to Broward County and the City, due to boundary changes if the conditions outlined in Chapter 2007-22 Laws of Florida are satisfied.

ACTION: (T-12:38 PM) Board discussion took place. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

AVIATION DEPARTMENT

71. MOTION TO APPROVE Amendment No. 4 to Lease Agreement dated September 30, 2005, between Broward County and Sheltair Aviation Center, LLC, for approximately 36 acres for the operation of a fixed based operation on the westside of the Fort Lauderdale-Hollywood International Airport (FLL) (Westside Lease), to extend the time periods for which the annual additional rent installments are due, the construction completion deadline and the expiration date by one year; and Amendment No. 4 to Lease Agreement dated September 30, 2005, between Broward County and Sheltair Aviation Center, LLC, for approximately one acre for the operation of an aircraft fuel farm at FLL (Fueling Facility Lease), to extend the construction completion deadline and the expiration date by one year; and authorize the Mayor and the clerk to execute same.

ACTION: (T-12:43 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY ATTORNEY

72. MOTION TO DISCUSS proposed Resolution amending the Broward County Administrative Code relating to Chapter 18, "Operational Policy, Board of County Commissioners", the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CREATING SECTION 18.45 OF CHAPTER 18, "OPERATIONAL POLICY, BOARD OF COUNTY COMMISSIONERS," OF THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING FOR REPRESENTATION OR REIMBURSEMENT OF ELECTED OFFICIALS, EMPLOYEES, AND APPOINTEES WHEN NAMED AS DEFENDANTS IN CIVIL LITIGATION MATTERS ARISING FROM ACTIONS WITHIN THE COURSE AND SCOPE OF THEIR SERVICE TO THE COUNTY; PROVIDING FOR REPRESENTATION OR REIMBURSEMENT OF LEGAL EXPENSES IN CONNECTION WITH CERTAIN ETHICS COMPLAINTS; PROVIDING FOR PAYMENT OF CERTAIN JUDGMENTS OR SETTLEMENTS; PROVIDING FOR PRESERVATION OF IMMUNITIES; PROVIDING FOR AUTHORIZATION OF FUNDING; PROVIDING FOR RESERVATION OF RIGHTS; PROVIDING FOR

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APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-5:03 PM) The Board will draft amendments to be ensconced in the agreement and provide them to the County Attorney. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

73. MOTION TO DISCUSS proposed Resolution amending the Broward County Administrative Code relating to Chapter 18, "Operational Policy, Board of County Commissioners".

ACTION: (T-12:37 PM) Board discussion took place. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY COMMISSION

74. MOTION TO ACCEPT NOMINATION of Charlene Lakhdar to the South Broward Utility Advisory Board. (Vice Mayor Wexler)

ACTION: (T-10:20 AM) Approved.

75. MOTION TO CONSIDER adoption of a Resolution 2007 – 647 opposing FDOT’s planned construction of elevated, reversible toll lanes on I-595. (Vice Mayor Wexler)

ACTION: (T-5:21 PM) Approved.

(Scrivener’s error – See County Administrator’s report: Motion should read (Vice Mayor Wexler and Commissioner Rodstrom.)

9 – 0.

PUBLIC HEARING

BOARD OF COUNTY COMMISSIONERS SITTING AS
THE GOVERNING BOARD OF THE
COCOMAR WATER CONTROL DISTRICT

76. A. MOTION TO OPEN the meeting as the Governing Board of the Cocomar Water Control District.

ACTION: (T-12:36 PM) Approved.

VOTE: 9 – 0.

B. MOTION TO APPROVE Amendment to the Agreement extending the contract deadline between the Cocomar Water Control District and the City of Coconut Creek for Restoring Lake Julie Area, South Creek, from September 30, 2007, until September 30, 2008, with no increase in cost, effective upon execution.

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ACTION: (T-12:36 PM) Approved.

VOTE: 9 – 0.

C. MOTION TO CLOSE the meeting as the Governing Board of the Cocomar Water Control District.
(Commission District 2)

ACTION: (T-12:37 PM) Approved.

VOTE: 9 – 0.

END PUBLIC HEARING

77. **COUNTY ADMINISTRATOR’S REPORT**

- Completed Commission Action List Update
ACTION: (T-10:20 AM)

78. **MAYOR’S REPORT**

ACTION: (T-5:25 PM) No report was filed.

SUPPLEMENTAL AGENDA

COUNTY ADMINISTRATION

79. MOTION TO APPROVE Amendment to the Broward County Board of Commissioners’ meeting/workshop schedule.

ACTION: (T:5:26 PM) Approved.

VOTE: 9 – 0.

MEETING/WORKSHOP NOTICES

PUBLIC HEARING ON FY 2008 BUDGET AND PROPERTY TAX RATES
Tuesday, September 11th, in Room 422 at 5:01 PM

COMMISSION MINUTES

THE BROWARD COUNTY
BOARD OF COUNTY COMMISSIONERS
MEETING OF
SEPTEMBER 11, 2007
10:00 A.M.

A meeting of the Broward County Board of County Commissioners, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida at 10:11 a.m., Tuesday, September 11, 2007.

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

CALL TO ORDER

MAYOR EGGELLETON: Good morning. I would like to call the Board of County Commissioners of Broward County, Florida, meeting to order on September 11th, 2007. And I would ask Commissioner Rodstrom to lead us in the Pledge, but before we do the Pledge, Commissioner, I would just ask that everyone stand and please, let's observe a moment of silence in remembering all of those who lost their lives six years ago about this time on September 11th in New York, in Washington, and in Pennsylvania.

I'd also like to remember four of our employees in the -- four employees of the County Commission who in the last two weeks have lost their parents: The father of Priscilla Rogers, the mother of Vicki Pierson, the mother of Nancy Fear, and the mother of Cheryl Austin.

Additionally, I would ask that we also use this moment of silence to pay homage to all of our soldiers that have given their lives for the cause of freedom in Iraq and Afghanistan and other places around the world.

Additionally, we should remember School Board member Robert Ingram, who passed away on Wednesday, February -- who passed away this past Wednesday, September 5th.

Dr. Ingram was known to have worn a lot of hats. In the last six decades, including a stint in the U.S. Armed Services, he and Clarence Dixon became the two first black police officers in the history of Miami-Dade years ago. He also became the first elected Mayor of the City of Oakland Park, and now on the School Board in Miami-Dade, passed away.

Additionally, our prayers are for Murray Hernandez, the BSO detective who still continues to cling to his life in a hospital. And we want to remember him, as well as BSO Sergeant Chris Reyka.

COMMISSION MINUTES

And my prayers are to all these persons, and let's just hope that the person responsible for the murder of the BSO deputy is found at some point.

If you would, please, a moment of silence.

(Moment of silence.)

MAYOR EGGELETION: Thank you. Commissioner Rodstrom.

(PLEDGE OF ALLEGIANCE WAS LED BY COMMISSIONER RODSTROM. BROWARD COUNTY COMMISSIONER, DISTRICT 7.)

(COMMISSIONER LIEBERMAN AND VICE MAYOR WEXLER ENTERED THE ROOM.)

CONSENT AGENDA

MAYOR EGGELETION: Good morning, members.

Today, ladies and gentlemen, the Consent Agenda items is Items 1 through 64. The Regular Agenda is Items 65 through 68.

We have one Supplemental Item, Item 79.

If there would be no objection from the Board, I would like to move Item 68, 69, 74, and 77 to the Consent Agenda. These are primarily appointment issues. 68, 69, 74, and 77, there be no objection.

COMMISSIONER GUNZBURGER: (Inaudible.)

MAYOR EGGELETION: Yes. If you don't want it moved, Commissioner, I'll leave it where it is. Would you --

COMMISSIONER GUNZBURGER: No, I don't care, but it's not a --

COMMISSIONER LIEBERMAN: Even on Consent, somebody wants to serve, they can pull it themselves.

COMMISSIONER GUNZBURGER: Okay.

COMMISSIONER LIEBERMAN: It's a notice. That's all.

COMMISSIONER GUNZBURGER: Okay.

MAYOR EGGELETION: Okay? All right.

So without objection, show items 68, 69,74, and 77 moved to Consent.

We have withdrawals and deferrals. Item 14, withdrawn for further staff review Item 45, withdrawn for further staff review. Item 46, have been withdrawn for further staff review.

COMMISSION MINUTES

Please pay attention to the meeting notices that are posted on the website, as well as in the backup of the agenda. I'm not going to read them all. There are quite a few of them.

Additionally, members, we have scrivener's errors on Item 11. In the motion, change "employee" to "employees." In Fiscal Impact/Cost Summary Change, I guess it's \$1,321.14 to \$4,674.14. In Exhibit 1, change "trip" to "trips." Exhibit 2, change the "Memo from Al Simon to Cynthia S. Chambers, dated August 27, 2007," to "Justification memos."

Item 49. In the summary explanation backup, two paragraphs, the word "statutory" should be "statuary."

On Item 68, Exhibit 1, Page 20, "Legal Requirement, Number 1, standard agreement language." The first sentence should read: "A library of standard agreement items and conditions reside at: www.broward.org/purchasing/bid/CAF101.pdf. quotations.

Item 75, the motion should read: "Vice Mayor Wexler and Commissioner Rodstrom."

Additionally, there are additional yellow sheeted items: Item 11, 31, 37, 39, 54, 67, and 75.

With that, I will accept any pulls from Commissioners at this point.

Commissioner Ritter, are there any pulls?

COMMISSIONER RITTER: 31, Mayor.

MAYOR EGGELETTION: 31.

Commissioner Wasserman-Rubin, any pulls?

COMMISSIONER WASSERMAN-RUBIN: 21, and 31 also.

MAYOR EGGELETTION: Commissioner Gunzburger, any pulls?

COMMISSIONER GUNZBURGER: Yes, 11 and 54.

MAYOR EGGELETTION: Commissioner Jacobs, any pulls?

COMMISSIONER JACOBS: No, Mayor, no pulls.

MAYOR EGGELETTION: Commissioner Keechl, any pulls?

COMMISSIONER KEECHL: No pulls.

MAYOR EGGELETTION: Commissioner Rodstrom, any pulls?

COMMISSIONER RODSTROM: The 31, yeah. Yeah.

MAYOR EGGELETTION: 31? Okay.

COMMISSIONER RODSTROM: Please, Mayor.

COMMISSION MINUTES

MAYOR EGGELETTION: Okay.

Commissioner Lieberman, any pulls?

COMMISSIONER LIEBERMAN: Yes. I have 10, 15, 31 -- 31, 54. Yeah, that's it.

MAYOR EGGELETTION: Vice Mayor Wexler, any pulls?

VICE MAYOR WEXLER: Yes. I'd like to take 16, 18, and 19 together.

COMMISSIONER WASSERMAN-RUBIN: Which ones?

VICE MAYOR WEXLER: 16, 18, and 19, all those living wage ones.

MAYOR EGGELETTION: Is that it?

VICE MAYOR WEXLER: No. Item 31, Item 47.

And I'm going to ask for a point of personal privilege on Item 49, let it go on Consent, but may I recognize the Mayor of Pembroke Pines –

MAYOR EGGELETTION: Yes.

VICE MAYOR WEXLER: -- on 49? I don't need to pull it. It can go on Consent.

MAYOR EGGELETTION: I understand.

VICE MAYOR WEXLER: Okay. Thank you.

MAYOR EGGELETTION: Okay. Okay. And since y'all have pulled these items, I'll just -- there's only one or two that I'm interested in.

Are there any pulls from members of the audience? If there is any member of the audience who wish to pull an item, please come to the microphone and be recognized.

Yes, ma'am?

MS. CHALIFOUR: Yes. Good day, Mr. Mayor.

MAYOR EGGELETTION: Good morning, Mrs. Chalifour. How are you today?

MS. CHALIFOUR: Fabulous. And yourself?

MAYOR EGGELETTION: Great.

MS. CHALIFOUR: Items Number 2 and 8, please.

MAYOR EGGELETTION: 2 and 8.

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MS. CHALIFOUR: Thanks.

MAYOR EGGELETTION: Any other member from the audience wishing to pull an item from the Consent Agenda?

Seeing that there is no other member from the audience who wish to pull an item from the Consent Agenda, the pulled items are Item 2, 8 -- okay. The items are -- the pulled items are 2, 8, 10, 11, 31, 21, 54, 15, 16, 18, 19, 47, and 49.

COMMISSIONER GUNZBURGER: And 54.

MAYOR EGGELETTION: I did say 54. Okay?

COMMISSIONER GUNZBURGER: I'm sorry, your Honor.

MAYOR EGGELETTION: I'll take a motion on the Consent Agenda.

COMMISSIONER GUNZBURGER: So moved.

MAYOR EGGELETTION: The Consent Agenda has been moved by Commissioner Gunzburger; seconded by Commissioner Ritter.

Any objection to the Consent Agenda, with the exceptions of the items that are mentioned that has been pulled?

Seeing that there is no objection, show the Consent Agenda passed with the exception of the items that we have mentioned.

I would now recognize Vice Mayor Wexler for a point of personal privilege. You're recognized.

VICE MAYOR WEXLER: Thank you, Mayor.

I had the opportunity probably about six months ago to receive a phone call from -- a couple of phone calls from two outstanding leaders in Pembroke Pines, both Mayor Frank Ortis and Commissioner Angelo Castillo, and they had asked if I would be kind enough to assist them in their efforts. And it's particularly telling today, being 9-11, that this item is on the agenda today to fund a piece of marble to honor those fallen heroes and those people that lost their lives in this tragedy.

I understand -- and Frank, if you would come forward and explain a little bit about the project to my -- there's some bugs flying around here -- to my colleagues, I -- I'm more than thrilled to do it.

It wound up being in Commissioner Gunzburger's district, near City Hall, and she's more than happy to support it today, I understand.

COMMISSIONER GUNZBURGER: Absolutely.

VICE MAYOR WEXLER: And it's my honor to be able to identify this small amount from our discretionary dollars.

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MAYOR ORTIS: Thank you, Vice Mayor and Mayor, Commissioners. Good morning. It's certainly a pleasure to be here today. And I want to give all the credit to Commissioner Castillo, who really was the impetus behind this effort on 9-11.

We had a beautiful 9-11 remembrance ceremony this morning at City Hall, and we can all remember where we were, I'm sure. I happened to be flying from Washington. I was standing by from a Delta flight that I had in the afternoon. I was able to get on in the morning early. And I was flying, and we had just been in flight about an hour and the flight attendants came by, took everything, cleaned up.

And I asked -- I was familiar with one the flight attendants. I asked what happened, and she said, "Something's happening in New York." And we had a hurricane around the area at the time, thought that was it.

But then the pilot came on and he said, "Folks, we're going into Jacksonville, and we're going in now." And certainly he went in then, put the air brakes on and went straight into Jacksonville. Still did not know what was going on until we got on the ground and saw all the airplanes there together. And when we get out, all the reporters.

My son called me on the phone and said, "Do you know what happened?" I said, "well, how would you know I had an emergency?" And he told me what happened. So I did remember that day, as well.

And, Vice Mayor, we are sculpting in our oldest fire station in Pembroke Pines -- no longer in service -- but the sculptor is sculpting a gorgeous rendition of a firefighter police officer to go on this marble. And I just witnessed -- I just went down and saw it and it, and it is really a work of art. And I can't draw two lines, and how these sculptors can do all these things, it's just remarkable.

So on behalf of the City of Pembroke Pines and the residents, I want to thank you so much.

COMMISSIONER WASSERMAN-RUBIN: Mayor?

MAYOR EGGELLETON: Yes, Commissioner?

COMMISSIONER WASSERMAN-RUBIN: Congratulations, as the other Commissioner who represents you, everything west of I-75.

MAYOR ORTIS: Yes.

COMMISSIONER WASSERMAN-RUBIN: Thank you.

MAYOR ORTIS: Thank you for representing us so well, Commissioner Gunzburger as well. We have the privilege, Mayor, as you know of having three great Commissioners in our city.

COMMISSIONER GUNZBURGER: Thank you.

VICE MAYOR WEXLER: I don't think they have any money left.

(Laughter.)

MAYOR EGGELLETON: Thank you so very much.

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MAYOR ORTIS: Vice Mayor, I understand that.

COMMISSIONER GUNZBURGER: But I -- I thank you for stepping up to the plate, Vice Mayor Wexler, and I know the project originally was going to be your district.

VICE MAYOR WEXLER: You know, it was. But it's --

COMMISSIONER GUNZBURGER: But then it moved.

VICE MAYOR WEXLER: It's better here.

COMMISSIONER GUNZBURGER: Right.

VICE MAYOR WEXLER: It's a more --

MAYOR EGGELETTION: Okay. All right. Thank you so very much, ladies and gentlemen.

VICE MAYOR WEXLER: Thank you, Frank.

MAYOR EGGELETTION: Thank you.

MAYOR ORTIS: Thank you all.

MAYOR EGGELETTION: Thank you, Mayor. It's good --

VICE MAYOR WEXLER: Thank you, mayor.

MAYOR EGGELETTION: -- seeing you here today.

AGENDA ITEM 2

MAYOR EGGELETTION: Let's move right into the Consent Agenda. Item 2, Mrs. Chalifour, you're recognized.

MS. CHALIFOUR: Thank you, Mr. Mayor. Good morning.

Item Number 2 is a continuation of a contract with HMMH for noise monitoring, acoustical -- acoustical consultant services. And it looks like -- and I could stand corrected, but we're spending over three-quarters of a million dollars over several years to monitor noise. Give me three-quarters of a million dollars, I'll tell you, we have noise.

You're monitoring it. What are you doing with the data?

The reason I had raised that is you're about to move forward on a Part 150 Study. The basis for that study is noise contours. The noise contours that have been produced for the Part 150 come out of a model; and as you all know, garbage in, garbage out.

Why are we not using the data that we're spending this money to accumulate to create the noise contours? Is it because it reflects reality? Is it because the noise contours are much larger than reflected in your Part 150? Reality versus a model.

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Another question I have regarding this: The scope of work mentions that the Partnership for Quieter Skies will be included in the Part 150. Well, you've been reviewing the Part 150 and, to my knowledge, I haven't seen anything about that in there. So the public is unaware that that may be another mitigation measure, and it really ought to be disseminated.

Additionally, I'd like to know the status of the monitor, the noise monitor that Commissioner Gunzburger asked for at John U. Lloyd Beach State Park. Of course, why bother monitoring the noise, you're not going to do any mitigation, according to the feds.

Additionally, December 9, 2003, a day that will go down in infamy in Broward County. You all voted to give us single-noise event contours. You're about, once again, to go through the process of adopting a Part 150, and you have not provided us with that data. It's scary.

And as it relates to the Part 150, to relate almost everything to what everybody else is doing in the country is inappropriate. Florida prides itself in being unique in its environment. We're below the subtropical line. We are in the subtropics. We are different than everyone else. Noise is much different here than anywhere else, as is our fabulous environment.

Thank you.

MAYOR EGGELLETON: Thank you so very much. Don't go anywhere, Mrs. Chalifour.

Any questions, Members of the Board? Seeing that there is no question --

COMMISSIONER LIEBERMAN: Move Item Number 10.

MAYOR EGGELLETON: The item has been moved by Commissioner Gunzburger; seconded by Commissioner Wasserman-Rubin -- I mean, I'm sorry, Commissioner Lieberman. She gave me the strangest look.

It's been moved by Commissioner Lieberman; seconded by Commissioner Wasserman-Rubin.

Any objection? Any objection?

Without objection, show Item 2 pass unanimously, without objection.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 8

MAYOR EGGELLETON: Item 8, Mrs. Chalifour, you're recognized.

MS. CHALIFOUR: Thank you. I guess it's more effective if I just go out in the hall and bang my head up against a wall.

In any event, Item Number 8 is to purchase a lot in Westlake, which is an admirable thing, always has been. You continue to do it. We appreciate that. The more acreage there, the better.

However, the underlying purpose for it is mitigation for a proposed runway. I'll just leave you with the question, because you're continuing to do this and the amounts are continuing to add up. If and

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when -- I like to say when -- there is no expansion of the South Runway, who's liable for these dollars? Where will they come from? How will you cover the costs?

Again, it's tough, because, sure, there is mitigation needed there; but to use airport monies and port monies for something that hasn't been approved, I don't understand. I don't get it. In the event we might. You're not. It hasn't been approved. So I don't understand, quite frankly, how those dollars can continue to be funneled into an advanced mitigation program when you don't have a product requiring mitigation.

Just giving you time to think about it. And actually, I think the next three minutes I do here will simply be rattling off one through thousands of people who are impacted by your actions. Thank you.

MAYOR EGGELLETON: Thank you so very much, Mrs. Chalifour.

Any questions from Board Members? Seeing that there is no questions from Board Members, I'll take a motion on the item.

The item has been moved by Commissioner Ritter; seconded by Commissioner Wasserman-Rubin. Any objection?

Without objection, show Item 8 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 10

MAYOR EGGELLETON: Item 10. Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: The only reason I -- I'll move Item Number 10, but I wanted to move it with a comment.

I had asked a question, because we seem to be losing a lot of laptops, as to what we do to try and make sure that we don't lose them. And the answer I got back is, there's a chip, and only if they connect to the Internet. Because the only time it'll be connected to the Internet would be if, by mistake, it went to another agency. Unlikely if someone has helped themselves to the laptop.

I want to know how easy it is to take that chip out, if it's common knowledge, what other mechanism besides a chip we can use, because laptops seem to have legs. Every year, there's a large number of laptops which are reported missing. It is probably the single biggest problem. And it doesn't appear to be the chips are working, because the only laptops we found were those that we found in other agencies.

So I'll move it, asking that staff take a look at whether there's some other theft prevention device that can't be removed that we can put in the laptops.

VICE MAYOR WEXLER: One follow-up question?

MAYOR EGGELLETON: Yes. Vice Mayor Wexler, for a follow-up.

VICE MAYOR WEXLER: I took the staff's response about the chip being trackable once they access the Internet to not mean our intranet but the actual Internet. Whatever -- whatever --

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COMMISSIONER LIEBERMAN: Unless you remove the chip.

VICE MAYOR WEXLER: Well, that's another story. But let's -- let's assume they don't know that this chip exists, okay?

COMMISSIONER LIEBERMAN: I don't know that I would assume that.

UNIDENTIFIED SPEAKER: They now do.

VICE MAYOR WEXLER: Well, now they -- now the whole world does. Okay. Forget that. We'll have to find another method, Anyway, maybe a leash or something, some kind of an alarm system.

But when the answer was about the Internet, whether they get on -- whatever, it doesn't have to be through the County's Internet.

COMMISSIONER LIEBERMAN: No.

VICE MAYOR WEXLER: Any Internet ---

UNIDENTIFIED SPEAKER: Correct.

VICE MAYOR WEXLER: -- is, if they access it, they -- they are trackable; isn't that correct? Right?

MS. BRANGACCIO: I'm -- I'm going to ask John Pryor or Michael Geoghegan if you can respond to that one.

VICE MAYOR WEXLER: Because I can't imagine that the people taking these wouldn't access the Internet, So then the other assumption would be they must know how to dismantle it.

MAYOR EGGELLETON: Mr. Geoghegan?

MR. GEOGHEGAN: Any accessing the Internet from any location would trigger -- would then activate -- once it was reported stolen, would -- would activate the software and they could track where the location is.

VICE MAYOR WEXLER: Anywhere in the country or the world?

MR. GEOGHEGAN: They can -- you know --

VICE MAYOR WEXLER: You don't know?

MR. GEOGHEGAN: I don't know the answer to that.

VICE MAYOR WEXLER: All right.

MAYOR EGGELLETON: Any other questions?

VICE MAYOR WEXLER: There just needs to be a lot more looking into. Thank you, Commissioner, for bringing this point forward.

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MAYOR EGGELETTION: Thank you.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: The only point I was making, Vice Mayor, is the chips are not a new technology. It's common knowledge. I -- I think people know, and anyone who would be sophisticated enough knows the inner workings. And there are some new technologies. I just think we need to look into this more to stem the loss of laptops.

MAYOR EGGELETTION: Thank you so very much. You know, one -- you know --

COMMISSIONER LIEBERMAN: And I already moved it.

MAYOR EGGELETTION: Thank you. But, you know, one way you can do that is just have every employee that's assigned one to check in with their supervisor once a month, make sure that they're there.

COMMISSIONER LIEBERMAN: I think staff need to just figure out how to --

MAYOR EGGELETTION: I got it.

COMMISSIONER LIEBERMAN: -- take the legs off the laptops.

MAYOR EGGELETTION: I got it. I got it. Thank you so very much.

The item has been moved by Commissioner Lieberman; seconded by Vice Mayor Wexler.

Any objection? Any objection?

Without objection, show Item 10 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 11

MAYOR EGGELETTION: Item 11. Commissioner Gunzburger, you're recognized.

COMMISSIONER GUNZBURGER: Thank you. I -- I read the backup to my question of this employee who was invited to speak at this conference, but I have some -- I'm troubled by the fact that this is to promote a private business. And I want to know if this is something we do routinely, and then it's at our expense that we have to promote it and we send several of our employees, as well. It's really not this person or this particular business; it's really a philosophy, and I'd like someone to help me understand this.

MAYOR EGGELETTION: Mrs. Brangaccio, the question has been put. Will the employee travel to this particular conference, is the employee traveling for the purpose of promoting a business?

MS. BRANGACCIO: They've actually been asked to be a speaker at the conference. The attendees at the conference will be other local government types in terms of the use of the system, but there is a

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private vendor involved in terms of the actual conference. And I know, Mike Geoghegan, you looked at this and we looked at our policies.

MR. GEOGHEGAN: Yes, it's -- I would -- this is a user's conference for -- it's not too dissimilar for the accounting system, when people travel to their annual users' conference. And the users actually are the ones that are conducting some of the sessions, so that's -- It's not out of the ordinary.

COMMISSIONER GUNZBURGER: I understand that. But it really helps the business rather than those who are just users; and that's what troubles me, that the government, our government, is paying to enhance the business of this particular company -- which I'm not going to mention publicly. It's not relevant.

It's a part of a philosophy that I think we need to look at, and I don't know what -- what the proper thing to do is, but I have concerns when it looks like -- although I'm sure they would have paid for this person to have gone to the conference, rather than us, I understand why we pay for that person to go. And we're sending three others, as well.

I have grave concerns about what sort of precedent it is and what sort of -- we have never had a policy on this particular item. I don't think it's ever come up before. I can't remember it since I've been here. And that's a problem. I don't know how the rest of the Commission even feels about this, because it's the first time I've seen it and we can discuss it.

Mr. Mayor, I don't know if anybody else is at all --

MAYOR EGGELLETON: Is that a question?

COMMISSIONER GUNZBURGER: -- concerned about this and the policy.

MAYOR EGGELLETON: Well, I think that staff has -- you have indicated, Mr. Geoghegan, that you have vetted this; is that correct?

MR. GEOGHEGAN: That's correct. I mean, this is not out of the ordinary. I mean, there are these users' conferences that take place. Like CGIAMS is our vendor for the accounting system. They have user conferences --

MAYOR EGGELLETON: Right.

MR. GEOGHEGAN: -- that we attend and speak at. So it's not -- we can certainly -- we make sure we pay the registration and pay all the expenses, but it's not --

COMMISSIONER GUNZBURGER: I understand.

MR. GEOGHEGAN: -- there's -- there's benefit to both sides.

COMMISSIONER GUNZBURGER: I mean, I'll move it, but I think at some time we have to discuss some sort of policy in regards to this. I understand they're all users, there isn't anybody looking to use it and get new business for this company. They're not -- there's nobody looking because of our presentations that would expand the business of this particular firm?

MAYOR EGGELLETON: I think with that, you answered your question, Commissioner.

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COMMISSIONER GUNZBURGER: I can answer each one of those questions, and that's what upsets me.

MAYOR EGGELETTION: All right.

COMMISSIONER GUNZBURGER: I'm not saying this employee or we are doing anything wrong. I think we were put in a position where we don't have much to gain, but the company does.

MAYOR EGGELETTION: Okay. Yes.

COMMISSIONER KEECHL: Commissioner Gunzburger, I had the same concern when I read it, especially when it said somewhere "nonbusiness related." But the revised Exhibit 2 allayed my concerns when it said "Broward County's participation in this conference gives the opportunity to learn from other customers who are using the same products and servers."

So while I think that your concerns are valid, and I had the same concerns, I think our employee is also going to be learning something, and so it's probably appropriate in this instance.

MAYOR EGGELETTION: Thank you.

COMMISSIONER GUNZBURGER: I'll move it, but I'd like us to look further into it.

MAYOR EGGELETTION: The item has been moved by Commissioner Gunzburger. It's been seconded by Commissioner Keechl.

Any objection?

Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 15

MAYOR EGGELETTION: Item 15, Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: I pulled this item because a couple of weeks ago I brought an item to this Board about the need for noise walls when we do construction, and this Board had a discussion about amending the policy and bringing the policy back. And I notice the policy has not been back; but we're doing another construction, and there's nothing in it about noise mitigation.

MS. BRANGACCIO: That's probably a Mr. Hui question. I know we are working on the policy. We'll let you get out of this one, Mike and Brenda.

MR. HUI: Commissioner, at the last discussion we had with regards to the noise wall, there was a tremendous amount of information that was requested, and it also -- because there was a potential that we would want to consider a change in the County policy with regards to the noise wall, there's a significant amount of information we have to gather. We're in the process of gathering it right now, and as soon as that's available we'll be forwarding a summary memo for your consideration and discussion.

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COMMISSIONER LIEBERMAN: Here's my concern, Mr. Hui. I think the majority of the Board said we understand that there needs to be a change in County policy; the same standard we hold FDOT to, we need to hold ourselves to.

Here we're doing another construction which has to do with improvements to Wiles Road. Commissioner Jacobs, a lot is your district. And we talked about the need to take a look at noise mitigation, and I didn't see anything in this that dealt with that issue.

So I'm not prepared to vote in favor of this until we know what we're doing with noise mitigation, unless staff will tell me they'll do an addendum that deals with noise mitigation and we let this go forward.

And I'd love to hear from the District Commissioner, because I think she feels the same way I do on noise mitigation.

MAYOR EGGELETON: Okay. First of all, let me recognize Commissioner Jacobs.

COMMISSIONER JACOBS: Thank you, Mayor. Commissioner Lieberman, my impression -- I guess staff would have to -- there is an attachment that was missing on the back -- In fact, I asked for it this morning -- which is a schematic. It says it's part of Exhibit 5, but it wasn't there.

But my memory serves that there are no residential areas in this extension. It is solely industrial. While I share your concern with a noise wall and think it's appropriate wherever we're going to be impacting residential areas, if, in fact, there's no residential areas that would be affected by this policy I would encourage the Board to allow this item to go forward, as the widening of the Turnpike is coming through and the urgency for Broward County to finish our portion of the widening of this roadway will access -- as you know, on the northern part of the county there are not too many east/west thoroughfares in order to get through. And this -- this opening of this road will be a great asset in moving traffic.

If you've ever been on 10th Street -- and I know, Commissioner Ritter -- if you've ever been on 10th Street trying to exit going one way or the other, we are desperately in need of a road that connects to the east/west, and this is what this road would offer for us.

So I would ask, Mayor, through if -- and Ms. Brangaccio, if Mr. Hui or whoever might be able to comment on whether there's any residential areas that would be affected by this segment of Item 15.

COMMISSIONER LIEBERMAN: Or the Turnpike segment that this is being done to accommodate.

MAYOR EGGELETON: Mr. -- Just a minute. Mr. Hui or Ms. Brangaccio..

MR. HUI: It's an industrial area. It's -- there's no residential.

MAYOR EGGELETON: There's no residential adjacent to the roadway widening.

COMMISSIONER LIEBERMAN: What about the section of the Turnpike that this is being widened to accommodate? Is there residential along there, and is the Turnpike putting up noise walls?

UNIDENTIFIED SPEAKER: Are you talking across the bridge, basically at the bridge? Not at the -- not right at the roadway adjacent to the property.

COMMISSIONER JACOBS: It's a landfill.

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COMMISSIONER LIEBERMAN: Is there residential?

UNIDENTIFIED SPEAKER: I'm not too sure about that.

MR. HUI: One other comment on that, too, Commissioner, is that --

COMMISSIONER LIEBERMAN: Can we just lay this on the table until they can find out whether there's residential by the Turnpike?

COMMISSIONER JACOBS: I -- Mayor?

UNIDENTIFIED SPEAKER: That has nothing to do with this (inaudible).

MAYOR EGGELETTION: Wait just one moment. Commissioner Lieberman has the floor. Everyone will be recognized.

COMMISSIONER JACOBS: Actually, I had the floor.

COMMISSIONER LIEBERMAN: I'm sorry.

COMMISSIONER JACOBS: I had the floor, Mayor.

MAYOR EGGELETTION: I'm sorry. Commissioner Jacobs has the floor. Everyone will be recognized at the appropriate time.

Commissioner Jacobs, you may continue.

COMMISSIONER JACOBS: Thank you. My question was: Are there any residences that would be affected by this, affected by this project? The landfill is at the foot of the bridge.

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER JACOBS: I don't believe there's any residential on the other side, as well.

UNIDENTIFIED SPEAKER: No.

COMMISSIONER JACOBS: So while there may be some residential somewhere along the extension of the Turnpike or the widening of the Turnpike, we are merely crossing over, extending Wiles on over the Turnpike, and continuing along what is now Greene Road, past the landfill up to power line. And I believe there is no residential.

But having said that, I share the Commissioner's concern about widening impacts and noise impacts on adjacent residential areas. So I would -- although she didn't have the floor, her question was: Could we put this on the table until we find out? And, Mayor, I would support doing that, just to ensure there are no residences by. And barring that, I would ask that we move the item forward.

COMMISSIONER LIEBERMAN: I just ask that we put it on the table for them to answer the question about the Turnpike, because obviously this is being done to accommodate the widening. We've made a point with the Turnpike about noise walls. I just want to know if that portion of the widening that this is being done to accommodate has residential.

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MAYOR EGGELLETON: The Commissioner wishes to lay the item on the table and to bring it back at a later time in the meeting. I think we should accommodate that. Are there any objections to doing that?

Seeing that there are no objections, the item is laid on the table.

With respect to the Turnpike, if it slows it down, I think we ought to kill the project so to will stop the Turnpike widening. The Turnpike is one of the most cooperative -- uncooperative state agencies I've ever known. So, you know, if it kills the Turnpike project, I'm all for us not even funding it.

So the item is laid on the table. Bring us back the information we need.

Okay.

AGENDA ITEMS 16, 17 & 18

MAYOR EGGELLETON: That takes us to Item 16, 17, and 18 will be taken en bloc.

Vice Mayor Wexler, you're recognized.

VICE MAYOR WEXLER: Thank you, Mayor. I really pulled these, because I didn't want it to pass on Consent Agenda because I wanted the opportunity to vote no.

Late yesterday, probably around 6:00 o'clock or so, we had delivered I believe the report, or some kind of a book with a report in it. Wasn't that the study? Unfortunately, I didn't have the opportunity to read it overnight, but -- and so I cannot comment on it. However, this makes no rhyme or reason to me. It's illogical that Number 16 deals with maintenance of canal banks, Number 19 deals with sludge hauling. And Number 17 and 18, if you do your parts repair in-house -- and that was your question -- then living wage doesn't apply; but if you do your parts repair externally, then labor per hour and living wage does apply.

So -- yes. And I am just really very disgusted with what I see in front of me for the last two weeks, and so it's really a protest vote.

COMMISSIONER LIEBERMAN: Mayor.

VICE MAYOR WEXLER: And I'm not going to support 16, 18, or 19 today until I have an opportunity to read the report. And hopefully we will have a workshop, Mayor, set ASAP so that we can have -- we can -- we can define what it is that we need.

MAYOR EGGELLETON: You know, I would love to have that workshop if y'all just say: "Hey, you know, here's a date in my schedule." It's just kind of hard to get everybody to do a workshop.

But Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: I'm going to support the items that are in front of us. I agree with you, we need to look at living wage and some problems. But you can't waive living wage on the dais. It's an ordinance of Board of County Commissioners.

That being said, quite some time ago we approved a study to determine whether living wage was doing businesses were adhering to it. Do we know when we're getting that study back?

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MAYOR EGGELLETON: It was delivered yesterday.

COMMISSIONER LIEBERMAN: I don't think it --

MAYOR EGGELLETON: That's the economic impact, isn't it?

COMMISSIONER JACOBS: It's not the study.

COMMISSIONER RODSTROM: I was shocked when I saw it.

COMMISSIONER LIEBERMAN: Well, I think I have the floor, with all due respect to everybody.

MAYOR EGGELLETON: Commissioner Lieberman. Commissioner Lieberman, go ahead.

COMMISSIONER LIEBERMAN: Okay. So the first part is, I want to know when we're going to have the study, because I don't know that we can meaningfully discuss the amendments to the ordinance until we have the study.

And then the second part to this is, notwithstanding the study, there's an opportunity for us to collect data. See, here's the issue: Some of the procurements that come to us, living wage is no big deal because they're already paying above that to their employees, and in some cases they're paying health benefits. Having been one of the Commissioners who was here when we adopted living wage, my concern was for those businesses that would have to have two sets of payroll books. You know, some employees got paid at X rate because they were doing Broward County's work, but their normal rate was something different, and it might cause a difficulty in operating the business.

Are we asking in our procurements for them to tell us what their normal payroll rate is for an employee to perform under this contract, versus the living wage requirement, to see whether or not there's an impact on that business?

MR. GEOGHEGAN: Ms. Billingsley will answer that.

MS. BILLINGSLEY: Sure. Currently we're not, Commissioner. That's our plan, to change our procurement process to ask for that in our bid submittals.

COMMISSIONER LIEBERMAN: See, I think, more than any other study, what would really be helpful for the Board to make a meaningful discussion on this would be to change when our RFP's and RLI's and bids go out to include a section that says, "Please list all of the classifications of employees who will be providing work, identify their current hourly or payroll, identify what additional" -- you know, "what the living wage would make you pay." You need to wordsmith the language.

Then you have a body of data to look at. Some of these contracts, I understand, the living wage is less than they're paying their employees, So it may not be an impact. That's what we're missing. So, I mean, I'm going to support it only because -- not because I don't think the ordinance needs work -- I think it does -- but because you can't waive an ordinance on the dais.

COMMISSIONER GUNZBURGER: Mr. Mayor?

MAYOR EGGELLETON: Thank you. Commissioner Gunzburger, you're recognized.

COMMISSIONER LIEBERMAN: I know; I can protest it, but we've got to vote.

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MAYOR EGGELETTION: Commissioner Gunzburger, you're recognized.

COMMISSIONER GUNZBURGER: I have been hearing everyone bringing up -- not everyone -- some people bringing up living wage on various contracts. And I have been thinking about it, and I've given it a lot of thought. And we talked about the reason that we wanted a living wage was that people who do business with the government should not be the same people that are struggling to support their families.

Now, we have never done a study on -- we've done a disparity study on those who get minority -- how much of our business goes to minority, women, and small businesses, but we've never done a study on how much more that costs. None of us would want to get rid of our goals; one, they can be reinstated for minority business.

To me, this is exactly the same thing. If we're talking about quality of life for people who live in Broward County, living wage is no different than having goals for a participation by minorities, women, and small businesses. To me, it's the same thing, and I don't think there's one person on this Board that would want to get rid of that. But to get rid of living wage so that some of our people who do business with us do not have the ability to live on the salaries that they're getting and support their families, I think, is wrong.

MAYOR EGGELETTION: Commissioner Jacobs, followed by Commissioner Rodstrom.

COMMISSIONER JACOBS: Thank you, Mayor. You know, Commissioners, I so look forward to the opportunity where we have a workshop to really discuss all of these issues. The book that was delivered yesterday, with all of the reading that we had last night, I read -- I read a great deal of it, and much of it I was already familiar with some of the work that we've been doing in our office to understand how we got to where we are.

So I want to make sure, though, that none of you misunderstand that that is not the study. The few pages, the report from Mr. Nissen, who was hired to at least begin the parts of a study, learned when he got here that we weren't collecting the kind of data that would enable him to do a study. So this is his look at what he would need to do to re- -- what we would need to do in order to get the data to do a study.

Now, keep in mind that that is what one tab in this whole book. There is a lot of information in there that basically we have a very -- which is not news to anyone here -- a very flawed procurement system. We cannot tell you, staff cannot tell you what parts are -- of the increased cost for these contracts are as a result of living wage. They cannot tell you, because they didn't negotiate them this way. They cannot tell you, because the RLI's didn't go out and set it up in such a way that the costs can be defined. And they still will not be able to tell you, even after a study, what the living wage costs are.

We need to do this differently. We need to take a look at the living wage ordinance. There are costs that companies are bearing within the ordinance that need to be changed. The contracts that have been pulled, or the agenda items today, I think they're -- I don't have my glasses on -- 16, 14 -- what are they? 16, 18, and 19. Not one of these companies are -- they are living wage contracts by virtue of the seven service categories they fit into, but all of these companies are already paying above the living wage. But they're going to be required -- because they're, quote/unquote, a living wage contract, they're going to be required to do additional reporting information, which Commissioner Lieberman just referenced, which costs them money and doesn't make sense.

It seems to me that some point, if a company is walking in the door and you know their employees are already being paid more, there should be some sort of waiver or something that the contract administrator would be able to free them up from. It is my hope that we can get through the

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things that are wrong with living wage to fix those issues that are costing us money, those issues where staff just rolled over 100 percent and didn't even negotiate for a lower cost. I can point to you contracts that we could have paid half of what those contracts are, had we bothered to negotiate for a lower wage, and in similar contracts were not-for-profits and the County ourselves are doing the exact same work for half the cost and paying a living wage.

So there are -- there are lots of things I think we need to fix. And, in fact, I plan to bring -- next weekend would be interested in anyone that wants to co-sponsor an item that would ask the auditor to go in and review these contracts and try to get to the bottom of where those costs are. If the answer that there are -- there is no way under the way it's structured, but if you did X and so you might be able to get to it in the future. At least that's what I'm hoping to hear back, some direction from him, and that's the item that I plan to bring forward next week.

The booklet that you have has a series of I believe ten recommendations going forward, what we need to do. Many of the mistakes are from people who are no longer employed by the County. The Division has changed completely and is trying to go in a different direction, and I applaud the efforts that they've made so far.

This report is really looking at the road that we've been down in the past and gives us some new ideas about where we might go in the future. So I look forward to having a full discussion when we've had a chance to truly digest all of the data recommendations that are in that report. And in the interim, I will be bringing forward an item just to get the other information that I believe only the Auditor can go in and find at this point.

And with that, because the living wage contracts are not affected monetarily by these -- I'm sorry, these contracts are not affected monetarily by the living wage, they are already -- all three of them, 16, 18, and 19 are already paying above the living wage, I would support the items moving forward. And Mayor, when we'd like a motion, I'll be happy to make one.

MAYOR EGGELLETON: I'm not going to accept it at this point, because there's still people on the queue.

COMMISSIONER JACOBS: I understand.

MAYOR EGGELLETON: Commissioner Rodstrom, you're recognized.

COMMISSIONER RODSTROM: You know, I had hoped that before we had our budget hearing today that we would have some data on living wage, and that was the impression I thought -- I took with me from our workshops that we had all last year. And so when I got the book this morning, I was pleasantly surprised until I opened it and read it. Then I realized it wasn't anything that I had thought I was going to receive. Although there was something in there that was sort of telling, and that was what we had asked for about paratransit. It did say that the paratransit contracts that we all entered into equated to a 6.2 million dollar cost increase because of living wage. So it actually put a dollar amount to what that contract was.

COMMISSIONER JACOBS: That's a caveat.

COMMISSIONER RODSTROM: Okay, but you know what, it was an attempt. It's an attempt. I mean, we can caveat anything, anyway. But it left me, together it's 5,000,000 or 8,000,000 or 7,000,000 or 6,000,000, there is a cost to having living wage.

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And Commissioner Gunzburger would like you all to believe that this is a social thing that we ought to do because it's the right thing to do. But, you know, I don't look at it that way, because I got my insurance bill a couple days ago, and I'm paying \$7,500 to insure my house. You know, that's -- my insurance and my taxes are more than my mortgage payment. And people are leaving this County because our taxes and their insurance is too high. So I don't think that we should be sitting here deciding for those people that we're going to pay -- require that every person who does business with the County should pay their employees a living wage at the taxpayers' expense. Philosophically, you and I are very different. I don't believe that. I'd rather cut their taxes and give their money back to them. And that's what I -- that's what I did.

And so, Commissioner Wexler, I would tell you that -- and I applaud your efforts to ask those questions this morning. And I think that any time there's a close decision on whether a living wage applies or not, I'm going to go down on the side that it does not apply. And, you know, what are they going to do, sue us? And who are they going to sue? And who is going to be the folks that are going to take issue with this? That's the question I would ask.

And so I want to resolve in the taxpayers' -- on the taxpayers' side, and so I'm not going to support anything where there's a close decision until such time as our legal folks can give us a better determination on what -- where it applies and where it doesn't apply. So I'm going to support Commissioner Wexler.

MAYOR EGGELLETON: Okay.

Commissioner Keechl, you're recognized.

COMMISSIONER KEECHL: Thank you. Not getting into the philosophical discussion that two of my colleagues are having here; Commissioner Rodstrom, our Legal Department is giving us an opinion with regard to this. I'm the first one to admit we've got a problem with this ordinance. I want to see the data. Every comment that's been made here from both sides is legitimate, but -- unless I'm wrong, Mr. Newton, you are opining as to each of these contracts and all the contracts that we've been discussing for the last month; is that correct?

MR. NEWTON: Yes, we assist the Purchasing Division with respect to any interpretation --

COMMISSIONER KEECHL: Okay.

MR. NEWTON: -- in terms of whether or not a contract exists, and -- and sometimes we're actually splitting hairs with respect to that interpretation.

COMMISSIONER KEECHL: Okay, right.

MR. NEWTON: And part of the problem is is you need -- we need a better bright line test for --

COMMISSIONER KEECHL: And you said that two weeks ago?

MR. NEWTON: Yes.

COMMISSIONER KEECHL: But when I look at these agenda items, I have to rely on the opinion you're giving me --

MR. NEWTON: And I think --

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COMMISSIONER KEECHL: -- and for these three, you've given an opinion?

MR. NEWTON: Exactly.

COMMISSIONER KEECHL: Okay. So I think we have to rely on the attorney's opinion, and if -- if he thinks or they think it's a close call, in theory, I think you need to be telling us that in the future so that Commissioner Rodstrom and others can say, you know, "This is too close. I'm going to vote no."

But these are the ones you've opined yes or no to, so I think we have to go with your legal opinion.

Thank you, Mayor.

MAYOR EGGELLETON: Thank you so very much.

Anything new, Commissioner?

(COMMISSIONER WASSERMAN-RUBIN LEFT THE ROOM.)

COMMISSIONER JACOBS: Just a -- just a point. If -- and I apologize that I may have read parts of the report more thoroughly than -- than some of you, given the time that we had and the volume of reading.

But to the point that the paratransit contracts cost X amount of dollars, you will read in there that staff says after having said on the first blush it looks like this, but they can't capture whether it's really from living wage. They don't -- the way that the RLI went out, there's no way to tell, so that what they're telling you is a difference to pre and post. But to say that it's all living wage or to say that the companies could squirrel in a lot of costs and attribute it to living wage, we can't differentiate between that.

And, second, that the staff did not negotiate a different deal, that they just looked at the amount that the vendors put forth and rolled over for it.

So two points: We could have paid in the look that we have given -- and in my office a very hard look at that contract, as well as others. We could have had that contract for half of what we paid for it, had we negotiated it. And second of all, there are not-for-profits and the County doing the exact same service right now: Paying a living wage, and doing it for less than these companies are with a living wage that we -- that they passed on to the County.

So clearly -- and if you -- and the other telling thing in the report is look at the letters. You'll recall that we asked the -- we directed staff to ask these vendors would they agree to take living wage out of their contracts? Because, in fact, if it's not costing them anything, they're passing it on to us, then it shouldn't matter to them, correct?

Do you know, read the letters, read what each one of these companies said. They all said, "Absolutely not." They said their businesses would fail, they would go back to the way that it was before. They would be in big trouble.

So the truth is, these companies are passing a cost on to us that should have been their own cost. Our staff didn't negotiate anything different. We need to fix the way that we negotiate. We need to figure the way these contracts are let out, the wording that allows them to tuck these kind of costs in, and our inability to tell you even today what the real living wage costs are.

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To me, I think we can get their doing both ways. We can do what Commissioner Rodstrom wants, to be fiscally responsive -- responsible. That's what we all want, myself included. But we also want to know, we want those people who are working for Broward County, either directly or indirectly through a contract, to be able to afford to live in this county and live with dignity. And that was the purpose behind the living wage.

MAYOR EGGELLETON: Commissioner Rodstrom.

COMMISSIONER RODSTROM: That must have been a long bidding. But, you know, I think -- I think you -- I read those letters, and they were almost comical because it would make you believe that these companies couldn't survive unless they paid a living wage; and yet, three months ago before they signed the contracts, they were doing very well, thank you. But they love that 6.2 million dollars a heck of a lot more, and they don't want to give that up.

And so it just amazes me that they've been in business, been able to be in business all these years and not having paid a living wage. And suddenly they wake up one day, the County says "You have to pay a living wage," and their business has been transformed and it's now a a great and wonderful thing and they can never give it up.

You know, I had to read those letters. And they were almost comical; I have to tell you, I found them very amusing. But the problem is, it's not amusing to the taxpayer, and I'm not amused. And we just need to be tougher, and we should -- we really -- really need to think about -- you know, look, if it was up to me, I'd exercise the 30-day clause, termination for convenience, and go out and rebid those things and get my money back. That's if it was up to me.

MAYOR EGGELLETON: Thank you.

COMMISSIONER LIEBERMAN: I want to call the question.

MAYOR EGGELLETON: Well, just a minute. Thank you, Commissioner Rodstrom. I think you make the point. I think Commissioner Jacobs made your point. But, you know, here's the issue, and I want to comment on this. With respect to the paratransit contract, if you can remember, I asked y'all to just go with the vendors you had and -- and give the others 30 days to -- or the end of month to either come to the table. Y'all disagreed. So.

COMMISSIONER: I didn't.

MAYOR EGGELLETON: So -- so -- so -- so you allowed them to do exactly what they did, and they jacked up the rates big time. Okay? Wherein if we played -- if we had played hardball with those contractors, they would have reduced their rates accordingly, but you all wanted them to have all their lead way. I -- I -- I didn't want that, you know. I objected to it strenuously. So we are where we are.

COMMISSIONER RODSTROM: I was with you on that, Mayor.

VICE MAYOR WEXLER: (Inaudible).

MAYOR EGGELLETON: Yeah, thank you. I appreciate it. Six million dollars more. Imagine what that could have purchased this year.

You know -- you know, here's a point. I think what we have, Mr. Newton, is a broad interpretation, as you will, of the ordinance by staff. And I think what the Board is saying is they want a more narrow interpretation of the ordinance, and I think that's the own thing that's been said here.

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But make no mistake about it, I don't think any one of the Board Members up here object -- because we all supported it, object to persons earning a living wage. And I don't want anyone to get that impression, that we object to people making a living wage.

What the Board is objecting to is the broad interpretation of what our original intent was. And what we have to do is to ratchet down that really narrow intent.

It is certainly not my intent that everyone that do business with the County that I got to pay them more, you know, than what they normally pay their normal employees, normal -- than what is normal in the industry. That is certainly not my intent, and I think that's what we're trying to get to; and hopefully, we'll get to it. But I think what you have here is the way government work very, very slow. It's what I hate the most, how long it take us to get things done.

With that, Commissioner Lieberman move -- moves the item. Vice Mayor Wexler --

VICE MAYOR WEXLER: No.

MAYOR EGGELLETON: Commissioner Gunzburger seconds it. Any objection? Any objection? Those of you that object to Item 16, please --

VICE MAYOR WEXLER: It's 16, 18, and 19, Mayor.

MAYOR EGGELLETON: Okay. We're going to take all these together, 16, 18, and 19.

All in favor, aye?

All object?

VICE MAYOR WEXLER: No.

COMMISSIONER RODSTROM: No.

MAYOR EGGELLETON: No. Let it reflect that the item pass with two no votes, Commissioner Rodstrom and Vice Mayor Wexler. Okay.

VOTE PASSES 7 TO 2, WITH VICE MAYOR WEXLER AND COMMISSIONER RODSTROM VOTING NO.

MAYOR EGGELLETON: All right. That brings us to Item 21.

Commissioner Wasserman-Rubin, you're recognized.

COMMISSIONER LIEBERMAN: She's not on the dais.

MAYOR EGGELLETON: Okay. She's not on the dais, We'll come back to her.

AGENDA ITEM 31

COMMISSION MINUTES

MAYOR EGGELLETON: Item 31, we have several persons on this item. That would be Commissioner Ritter, followed by Commissioner Wasserman-Rubin, followed by Commissioner Lieberman, followed by Vice Mayor Wexler. Commissioner Ritter, you're recognized. And we have several persons from the audience on this item: Frank Herhold from the marine industry, as well as Jack Loos.

Commissioner, what's your pleasure? Do you want to hear from the audience first?

COMMISSIONER RITTER: Yes, Mayor, please. Thank you.

MAYOR EGGELLETON: Okay. Let's hear from Mr. Herhold. Mr. Her hold, on Item 31, you're recognized. Her hold.

COMMISSIONER GUNZBURGER: Two syllables.

MAYOR EGGELLETON: I've known Frank for 15 years, and I've called him the same thing. Go ahead, Frank.

UNIDENTIFIED SPEAKER: It never changes, does it? Thank you.

Mr. Mayor, Commissioners, County Attorney, County Manager, my name is Frank Her hold. I represent the 800 members of the Marine Industries Association of South Florida.

Broward's marine industry is a huge, huge economic engine representing 134,000 jobs, generating 10.8 -- almost 11 billion of economic impact in the County for almost one-third of Florida's gross marine sales.

In recent years, we've experienced a tremendous loss of our working water truck with the conversion of marine facilities to high-end residential. Other facilities have or will be or are selling the slips as rack-a-miniums or dock-a-miniums, as the laws of supply and demand takes over, thus elevating the cost of boating well beyond the means of the typical small boaters.

As a matter of fact, your Broward County Office of Economic Development is currently evaluating the situation and will have a report for you at a future workshop. I know the report will not -- will not recommend excessive fees, stifling new development and raising the cost of boating beyond what is reasonable.

Now a few minutes ago I left a meeting with Zack Williams and APD staff. I want to thank Zack for his leadership. We've all agreed to ask you to move Item 31 forward, but without specifying the fees. A special new stakeholder group will be convened to ensure -- to evaluate the fees and ensure they are fair, equitable, and support the plan. A new stakeholder group will be established, including the representatives of those who will actually be paying the fees, and since this plan will be entirely funded by user fees.

So I thank you and ask that you -- as we requested, move the plan forward without specifying fees.

MAYOR EGGELLETON: Thank you so very much. Any questions of Mr. Her hold?

COMMISSIONER LIEBERMAN: (Inaudible) questions of staff.

MAYOR EGGELLETON: Okay. We'll get to your questions of staff in just a minute. Okay?

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Commissioner -- Mr. Loos, you're recognized.

MR. LOOS: I'll be brief, as it looks like, hopefully, with your blessing we'll have some more time to try and work this out. As one of those who will be paying these fees, I endorse the compromise or the agreement recently worked out where this will be deferred while the industry and the stakeholders get together to try and work something out that doesn't -- doesn't discourage the construction of docks.

I'm a marine owner. I'm trying to develop a very modest marina. My customers are 25- to 30-foot boat owners. They are not wealthy people. Most of the facilities will be dry stack. And I -- I had bought this site originally -- I'm a real estate developer, as most of you know -- to build townhouses on. I was convinced by my son, who operates a marina who has grown up with boats and loves them, that we should keep it as a marina and redevelop it.

He and several of his friends have been running the marina and frankly have built it up with very modest facilities and are -- it's a positive. It's gone from employing a couple people. We now employ about 16 people. But, again, we're working with the more modest boat owner.

I would encourage you and staff and -- to involve those of us paying the fees; and when they look at the fees, look at who the service is being provided to and what the ability of those people to absorb the costs that are going to be put onto us. Because, frankly, the boat that sits in the dry stack is not the same as the boat that sits in the water, as far as how much it's used. The boat that -- a 20 -- a guy -- a person with a 25-foot open fisherman is not having the same impact that somebody with a 60- or 80-foot motor yacht is having. They don't have the same ability to absorb things.

Frankly, the majority of the boaters here in Broward are not wealthy people. They're good, middle-class people, and they're here -- one of the reasons they're here is to enjoy our water, enjoy fishing, enjoying that. And you'll find they're some of the biggest conservationists you'll find, because they're the people who are actually enjoying that.

So I would encourage the Commission and the staff, as we take a look at this, to look at something that really works. So often in the marine, people look at, "Oh, it's a rich guy that has a big boat." The reality is, I'd invite any of you to come to our little marina, and you won't see any rich guys or gals, you'll just see regular working people.

And I hope we can work something out that allows them to continue to enjoy boating and allows me to keep this as a marina and not as a waterfront townhouse site for the next wave of residential development.

So I -- I ask for your help and support and your staff's help and support as we work this out and come back to you. Thank you.

(VICE MAYOR WEXLER LEFT THE ROOM.)

MAYOR EGGELLETON: Thank you so very much. There are a lot of pending questions here.

Commissioner Ritter, you're recognized.

COMMISSIONER RITTER: Thank you, Mr. Mayor.

A couple of questions about the -- the staff working within the marine industries. And I thank you for that, because we got a lot of e-mails and letters about this and raised a lot of questions.

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(COMMISSIONER WASSERMAN-RUBIN AND VICE MAYOR WEXLER RETURNED TO THE ROOM.)

In the -- in the agenda item, it says that "Fish and Wildlife maintains that a reliable funding element is critical to the final approval of the plan and that Florida Statutes require the impact fees be adopted by ordinance." If we don't put a fee specification as we pass this -- well, if we draft an ordinance without a specific fee in it, will that conflict with the requirement of the Florida statutes that their -- that we -- that we adopt impact -- an impact fee? Do you have to adopt a specific impact fee, or can we just say we're adopting impact fees by ordinance?

MAYOR EGGELLETON: Is that a question, Commissioner, to the attorney?

COMMISSIONER RITTER: Do you want to answer it, Mr. --

MR. NEWTON: I was going to call on Mr. Michael Owens, Senior Assistant County Attorney, who has a response to that question, I do believe.

MAYOR EGGELLETON: Thank you.

Mr. Newton, Mr. Owens, you're recognized, sir.

MR. OWENS: Thank you, Mayor, Vice Mayor, Commissioner Ritter.

I believe your question went to whether or not adopting an ordinance without a fee specifies in it would conflict with the requirement for impact fees to be adopted in an ordinance. It would not, because there wouldn't be an impact fee adopted. The remaining question may be whether or not it meets the requirements of the FWCC for adopting a fee that funds the program.

COMMISSIONER RITTER: Yeah. Well, there were two -- there was actually two. It's sort of a two-part question. But going back to the first, if Florida Statutes requires that an impact fee be adopted by ordinance; that means that if we adopt one it has to be by ordinance, but we don't have to adopt an impact fee?

MR. OWENS: We would have to adopt a fee to fund this program.

COMMISSIONER RITTER: But does --

MR. OWENS: It is described as an impact fee, and Florida Statutes specifies that impact fees are in ordinance. So that's a proper location, if we wish to adopt a fee to fund this program.

COMMISSIONER RITTER: Okay.

MAYOR EGGELLETON: (Inaudible) Commissioner?

COMMISSIONER RITTER: Well, I just -- I -- now I'm more confused.

MR. NEWTON: I was thinking of a question, too.

COMMISSIONER RITTER: You're thinking of a -- are we thinking of the same question? I'm thinking of a question. It's like a Johnny Carson routine.

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Are you saying that -- well, now I don't even know what to ask. Of course you do. I know that.

MR. NEWTON: Mr. Owens, are you saying that -- are you -- are you saying that the impact fee could be -- is required to be included in the ordinance, but the Board could essentially adopt an impact fee which is zero and, therefore, not have it specified?

MS. BRANGACCIO: I think that that was not staff's intent. And I don't know, if Mr. Williams or Frank can tell us. Eric, you were at the meeting. What -- what I think what you were saying is move it forward in terms of scheduling it for a public hearing but that you would have your meeting in between so that you would have a fee for the Board to adopt?

MAYOR EGGELETTION: Okay. Mrs. Brangaccio, who would you like to answer the question, ma'am.

MS. BRANGACCIO: Eric Myers, if you were at the meeting.

MAYOR EGGELETTION: Mr. Myers, you're recognized.

MR. MYERS: Good morning. Eric Myers, Biological Resources Division. I think I might have created some of this confusion back in June when the original boat facility siting plan came before you. At that point in time we had some anticipated, you know, fees; both an impact fee and an annual yearly slip fee. And I sat here and explained that it was my understanding that those fees would be placed in and approved by the /commission into the administrative code.

Mr. Owens subsequently told me that, because of the nature of an impact fee which goes beyond that necessary to process an application that that has to be approved by ordinance, as opposed to being put in the administrative code.

So understanding that, this Item Number 31 before you, Mr. Owens and I sat down and we determined that the appropriate procedure for getting an impact code approved by the Board of County Commissioners is to -- basically, it's a three-step process.

The first is for you to direct the County Attorney to amend Chapter 27 to include the fee, and then we have to advertise and then hold a public hearing to approve the fee.

Now, the Agenda Item 31 contains some numbers that were in the boat facility siting fee as anticipated dollars. Part of our difficulty with this is, we're looking proactive -- we're trying to look proactively into the future. We have many, many applications in-house for a number of slips. Some of them are complete and ready to be issued. Many of them are in the review process and have met what we call the good-faith stage, at which time we allocate slips to those particular applications. And then there's also a third group of applications which is not yet complete enough to be deemed good faith-slips.

So the question becomes, the FWC has said, "We want you to ensure that your plan is fully funded to carry out the various aspects that we've committed to do." Depending upon how soon you project issuing licenses and the number of slips that are contained in those licenses sort of depend on the impact fee that you set. So we have, you know, made substantial progress in getting more applications complete so we would have a larger group of, you know, licenses and slips that we anticipate issuing the first year.

So what we would like to do is sit back down with the representatives, the stakeholders, and see -- you know, work out something that provides with some reasonable contingencies that this thing will be a fully funded program for several years into the future.

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COMMISSIONER RITTER: All right. Mr. Mayor, with your permission, I will yield the floor to my older and wiser colleague, Commissioner Lieberman, who knows the right questions to ask -- or should I say more seasoned?

COMMISSIONER LIEBERMAN: I'm not next.

COMMISSIONER RITTER: Oh, you're not next?

COMMISSIONER LIEBERMAN: Vice Mayor Wexler knows the same questions.

VICE MAYOR WEXLER: I'm older too.

MAYOR EGGELLETON: She's not next; but she is certainly in line, as quite a few of you are, including myself.

Commissioner Wasserman-Rubin, you're recognized.

COMMISSIONER WASSERMAN-RUBIN: I yield to the Vice Mayor.

MAYOR EGGELLETON: The Commissioner yields to the Vice Mayor.

Vice Mayor Wexler, you're recognized.

VICE MAYOR WEXLER: (Inaudible). You know, what I -- what I did is -- you know how data driven I am. I actually asked a question yesterday that produced documents this morning that led to a lot of confusion, because the agenda item indicates an impact fee of \$750. Mr. Herhold's letter to us indicates an impact fee of \$350. And the chart that was submitted this morning has both of those variations, plus a new one of a \$500 impact fee.

And so I think Mr. Her hold is exactly on the right track. I believe that we do have to give direction to the attorney to draft the ordinance; and, in between, that people sit down. Mr. Williams has been charged, it sound like, with facilitating this to a fruitful end to identify what is the right number to keep us whole and still have a viable program that is fully funded through a user fee.

One of the -- that's -- that's how I understand what's before us today. I -- I wanted to see the data. I wanted to see Mr. -- Ms. Brangaccio, Mr. Myers, how your \$750 impact fee number was attained. And I'm -- I'm really -- I'm not even comfortable with what we had originally passed in the way of the costs. You indicated you were going -- or someone was going to work, see if they could get a less expensive rate than the \$262,000 for the first year for law enforcement, which is the bottom of your Exhibit 1, regarding you were going to look at the Fish and Wildlife and see -- I mean, you were going to go outside of BSO and see if there was something less costly to the County.

I'm going to suggest -- and I know it's way out there, but I just thought of it -- those vessels that we used as Water Taxis, could one of those vessels be saved and used as a patrol boat this year, this next year, instead of investing this much money? I mean the \$262,000, is \$162,000 of it for a new patrol boat?

MAYOR EGGELLETON: Okay. Mr. Myers, you're being asked whether the police should patrol in the Jungle Queen.

VICE MAYOR WEXLER: It's not the Jungle Queen.

COMMISSION MINUTES

MAYOR EGGELLETON: Mr. Myers.

COMMISSIONER RODSTROM: It's the African Queen.

MAYOR EGGELLETON: The African Queen.

COMMISSIONER RODSTROM: That's the one it looks like.

VICE MAYOR WEXLER: Jungle Queen?

COMMISSIONER RODSTROM: From the movie, remember that? It looks just like it.

UNIDENTIFIED SPEAKER: I would defer to BSO Marine Unit on that particular question, but I can tell you a little bit. We did go back and reach out to BSO again, and they have agreed to go with a smaller vessel which would save about \$30,000. We've also met with the Fish and Wildlife Conservation Commission, and they expressed the -- sort of the situation that they're in, that they -- they cannot recruit successfully. They have many more vacancies than they are allocated for, and they are not looking to take on more since they can't recruit to fill their existing vacancies.

So I believe we do need to go with BSO. We have gotten a small reduction in cost, per your direction, back in June.

VICE MAYOR WEXLER: I'm just thinking out of the box here. I mean, I know it's kind of a little laughable. I certainly wouldn't keep it yellow. It would be painted the BSO colors, and certainly that is with the insignia "Broward Sheriff's Office." But that would be at a cost, as well.

And so it's really for me a matter of, in this interim period getting together, coming up with what is the correct number so that a year -- and I very much support a yearly review, a yearly review of these fees so that we are -- we're sure that the number is correct and that it shouldn't be lowered or raised, or whatever it might be, and that the County is kept whole. Because we were clear about it being cost neutral to the County. Thank you.

MAYOR EGGELLETON: Thank you so very much.

The next person on the queue is Commissioner Lieberman, followed by Commissioner Keechl, who will be followed by Commissioner Rodstrom, who will be followed by Commissioner Jacobs.

COMMISSIONER LIEBERMAN: Thank you. Let me apologize to Commissioner Ritter. It just -- we have fun doing this, Commissioner, because you're new. Ask Commissioner Jacobs what we did when she was green as a grasshopper. This is your turn. Okay.

The issue is not for today, but eventually we're going to have to show the Department It's financially feasible. So it's a question of how do we move the issue forward while dealing with financial feasibility.

I guess one of the things I want to challenge is we've made a determination that this proposal is going to be revenue neutral, so we're putting all of the costs on the boating industry, which is an important economic industry for Broward County. And nowhere in the backup is there -- nowhere in the backup is there any discussion of what the impact this is on this industry.

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I don't know that by putting 100 percent of the cost on boaters that we're not impacting the industry.

(COMMISSIONER GUNZBURGER LEFT THE ROOM.)

COMMISSIONER LIEBERMAN: We've somehow just made a decision we're not going to use any general funds and it's going to be revenue neutral. My concern about this is when you read the Manatee Protection Plan and the Boat Facility Siting Plan, there are manatee deaths that are not the result of people using private, personal watercraft. They're from other sources. Nothing in this ordinance recaptures from those sources.

The Florida Power & Light plant is a magnet for the manatees because of the warm water discharge. They're not assessed anything under this plan, and they're the attraction. They're like the -- I want to say they're the attractive nuisance, but they're a necessity, but they're a cause.

Out-of-state visitors. There are people who come to Port Everglades or to portions of the Intracoastal because they're going to go to dock their boat at Shooter's and go to the restaurant. It's one slip that we're going to have a \$45 or \$25 impact, but they could have many boats going in and out of that. In fact, I don't even think they have five. They're probably not covered.

So I am concerned that the financing mechanism -- I am concerned that the financing mechanism doesn't really recapture costs from all of the impacts while putting a very high burden on an industry that we want to maintain. It's not just people owning watercraft. I mean, many times we've heard our community referred to as the Venice of America because of all the canals and the boaters who come and winter with us and use our waterways.

So in this interim period, I really want staff to look at some of the other drivers to the manatee deaths and see if there is some way to lessen the burden on just one segment of what's driving this situation.

And then the second thing is, I was surprised about their comment about from licensing they think they're only going to get 70 percent of the licenses. The current proposal that's in front of us is, they're going to charge either a \$20 or a \$45 fee per slip from all marinas. I think that's pretty easy to collect, because they're all licensed as marinas. They had to get a Broward County occupational license. And if there's some way that you could hook it into the occupational license, like you can't get your license renewed unless you pay your slip fees, I'll bet you'll get more than a 70 percent collection rate.

Similarly, the new slip impact is easy: You don't get your permit unless you pay the slip impact. I'll bet you that'll raise the collection rate, so you could lower the amount that you're charging because you can have a better than 70 percent collection if you think of the natural connectors to what we do that allows us to make our collection rate higher.

But, you know, most importantly, this is just a request to draft an ordinance. It will take a while before it comes back, and then we have to notice it for public hearing. But in the interim period, I need more than a meeting of the stakeholders. I need some creative thought here as to really all of the issues that are driving the manatees, because there -- there are -- there are other impacts to manatees in the community which aren't being assessed a fee at all. And whether or not this needs to be revenue neutral, because there is an economic development to maintaining the boating industry in Broward County.

MAYOR EGGELLETION: Thank you so much.

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Commissioner Rodstrom, followed by Commissioner Keechl.

COMMISSIONER RODSTROM: I guess the concern I have -- I mean, this has been going on for years now, and, you know, we've gone around on the number of slips. We've settled on that. Now we're going around on the fees. By not making a decision on the fees today, does that in any way jeopardize our ability to go forward?

UNIDENTIFIED SPEAKER: I believe that if we could make the decision within the next two weeks, we could go forward in a very timely manner and continue to have the ordinance amended at the October 23rd Commission meeting.

COMMISSIONER RODSTROM: I mean, you know, one of the items in the backup today had to do with the fact that we didn't think we'd collect all this money. And, um, you know, my sense is, you know, this is a fee that's going to be living and breathing, that it's not going to be static, because if it's meant to recoup all the money it's going to change.

So -- so there's two pieces to this; there's the fee, and there's the expense side of the equation.

And Commissioner Wexler, you raise a great point. I mean, the City of Fort Lauderdale has all these boats that are sitting out there that are unused. And, I mean, maybe we should approach them and ask them --

UNIDENTIFIED SPEAKER: It's a drug boat.

COMMISSIONER RODSTROM: -- if they'd let us have a boat. You know -- you know, we could buy a boat a little less expensive than going out and buying a top-of-the-line, \$200,000 boat. I mean, that -- that is pretty insane, when you think about that, that we'd even think about spending that kind of money for a boat to do this kind of work. I mean, you know, all you need is a police boat, and Florida, let me tell you, has a lot of them. We should ask them to buy one of their used boats and save a lot of money.

But notwithstanding that, you know, I really think we should -- I mean, I just -- I'm okay with deferring this or moving this on without a number if -- if I can be guaranteed by you that this will not result in another delay, another extension. Because, if so, then I would just as soon set the higher fee today with the intent that I would rebate it next year, or I would set a lower fee with the intent that I would increase it next year. But the higher fee, at least we know all the bills will get paid, and then we give everybody a rebate the following year.

But the last thing I want to do is see this thing not go forward because of some minor technicality, because I think the State will use any -- any -- any opportunity they can to delay this thing further, because obviously this has been delayed and folks want to see it delayed.

MAYOR EGGELLETON: Mr. Newton.

MR. NEWTON: Just -- just on -- on a point that Commissioner Rodstrom raised. Just to ensure that we meet whatever notice requirements exist in Florida law, we may be able to get away with advertising the -- the ordinance with an amount not to exceed. So we would put in there "not to exceed \$750," and then you could lower it, but you just couldn't go above that -- that figure.

COMMISSIONER RODSTROM: So that will be in the ordinance, and then subject to negotiation it could drop?

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MR. NEWTON: Yes, that's what I'm thinking, that we would be able to do that in order to meet notice requirements in terms of what the fee might be..

COMMISSIONER RODSTROM: That makes perfect --

MAYOR EGGELLETON: Very good.

Commissioner Keechl.

COMMISSIONER KEECHL: Thank you.

Commissioner Rodstrom is basically reading my notes. I agree with him a hundred percent.

But let's remember how we got here. We had a long discussion regarding the boat siting plan and the manatee protection element, and I thought we had a 9/0 vote and a consensus among us that it's appropriate that we don't use property tax money to pay for this.

(COMMISSIONER GUNZBURGER RETURNED TO THE ROOM.)

COMMISSIONER KEECHL: And so in order to reach a fair resolution to those who were concerned about the manatees' deaths, those who wanted additional boats, that we would have a -- have this user fee.

And according to the backup, there was a public workshop on August 22nd, during which stakeholders, Advisory Board members, and the general public were invited to provide comments on the proposed fees. They were posted on our website, And an address was provided for the submission of written comments. No significant concerns were raised during this process.

So now after us having discussed this, looking at the \$750-per-slip number, looking at the mitigation fee of -- manatee mitigation fee of \$20, we now get the memorandum from Mr. Myers that says: "If all of the assumptions in the spreadsheet attached to their letter were to hold true, the projections indicate that the plan would be funded for six years. If any of the funding assumptions are not met, there is a potential that this would be underfunded and that there are no known additional sources of money at this time."

I don't know what Mr. Myers is going to come back and say to me in two weeks that's going to alleviate my concern, because this needs to be rev- -- revenue neutral. That's how we got here. So I'm going to keep this with me when I see your next memo.

I have no problem, Commissioner Rodstrom, doing the up-to number; but I'm telling you, this plan has it has been proposed to us was absolutely fair when we passed it 9/0. And I'm sure everybody is working and acting in good faith, but unless something new hits me, you know, I'm going to stick with this number, because I'm not going to take a chance that we're using taxpayers' money to fund this. Because if we are, we better we raising our millage rate this afternoon -- this evening, which none of us are willing to do.

UNIDENTIFIED SPEAKER: You're right.

COMMISSIONER KEECHL: Thank you.

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MAYOR EGGELLETON: Thank you. Commissioner Jacobs, you're recognized.

COMMISSIONER JACOBS: Well, the benefit of being the last one is that everybody has basically said everything.

UNIDENTIFIED SPEAKER: Well, good.

COMMISSIONER JACOBS: The issue -- the issue -- my first note was the issue over compliance. And I'm concerned that -- that if we are going -- whatever the number is, if it's 70 percent or 100 percent, that we don't -- to echo that of Ken Keechl, that we don't overestimate the amount of dollars that we're going to have in and ultimately -- or underestimate, rather, and ultimately not have enough to fund the program.

I agree completely that this needs to be a self-supporting program, it cannot be supported out of General Fund. I would not want to see it do that. However, the points raised by Commissioner Lieberman that we be creative and look at withholding permits and so forth until such time as those dollars have been collected, we do it on the forefront of all kinds of other initiatives, so we ought to do it here, as well; anything that would bump those numbers up and give us greater assurance that we're going to have all of the dollars that are required.

And then finally, we don't know what's going to happen on January 29th, and any leap of faith that we might take about General Fund opportunities, I think would be a very huge misstep for this Board to take. And I would encourage us to make sure that we err on the conservative side, that this program pays for itself, and whatever unforeseen costs -- whether it's law enforcement or some of the other things that are mentioned in the backup about enforcement that includes surveys from the air. And there's a lot more to this than we think.

At the end of the day, the FFWC is going to approve it or not, and if they don't believe that we have a viable program that's going to have the dollars to fund the broad spectrum of everything that needs to be done, they're not going to approve it and we're going to be right back here debating this issue.

And, finally, Ms. Brangaccio, I would ask that staff -- my understanding, a brief call from my office to the Marine Advisory Board that the fee -- while they looked at the ordinance, the fee structure has not been taken up by them. So he was not even aware of what the fee structure was, but tended to support staff and what was going out to the Board.

So I would ask that when it comes back for us again that someone that could demonstrate to me and the rest of the Board that the Marine Advisory Board, for which this item should have been to before, on fees in particular before it got to us, that that issue be addressed and their opinion be shared with the Board.

MAYOR EGGELLETON: Thank you.

I just have a question. Mr. Myers, if I understand you correctly, did I not hear you say earlier, sir, that making this program revenue neutral would depend on funding, and that depending on how soon you project the issuing of the license and the fees that you set; is that correct, sir?

MR. MYERS: Yes.

MAYOR EGGELLETON: Okay. Let me -- you know, I -- see, this is why I -- this is why I sort of have a strong distaste in my mouth for bureaucratic governments.

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We've been fooling with this item forever. And in my opinion, we have punished the boating industry enough. You know, I guess conservative here means how liberal you want to be in jacking up the fees to punish Wally and Jane Cleaver -- and June Cleaver for owning a 25- or 30-foot boat that local government has said that you can no longer keep this boat on a trailer in your yard, so now you have to take it to a marina, put it in a dry stack, go and get it out with your family, lower it in the water to have a good time with your kids in what we all refer to as paradise, right?

So we want to jack up the fees on the back of these individuals in Florida, who create thousands of jobs for everyone.

Let me remind you that years ago, members of Congress said to the automobile industry, "You have to have a crash-proof bumper to avoid damage and to avoid unnecessary dents on the front of your car." I have yet to see one bumper that is crash-proof. I have yet to see one bumper that prevents excessive damage to cars, ever.

Additionally, I will tell you that it doesn't matter what you do. You know, the only way that you're going to stop any manatee deaths is don't let people operate boats and let them all die by natural causes. I don't think anyone intentionally go out with a sonar looking for a manatee and say, "Let me run over that manatee. You know, let me find him. Let me run over that manatee." I don't think anybody do that. But we you know that manatees that sometimes get injured; you know, it happens.

So it doesn't matter what fee you charge here. It's not going to stop manatee deaths. We can try all we want to prevent them, and that's what we ought to be doing. And I think that's what you ought to do, but you ought to do so in a manner that is reasonable. I believe -- and correct me if I'm wrong, Mr. Myers or Mr. Her hold. One of y'all need to let me know. But I think in South Florida we have about, what, 100 marinas about? Is that what you have registered, about 100 marinas?

UNIDENTIFIED SPEAKER: Probably, that's the general range, yes.

MAYOR EGGELLETON: Yeah, about 100 marinas. Now I believe that everybody that have a boat in that marina gets a bill every month from the owner of that marina saying, "You owe me X number of dollars to keep your boat here." How difficult is it for one person to go to 100 marinas and say, "How many boats do you have? Here's the money I want. Here's what you need to turn it in." How difficult is it that? I mean, I can't understand staff saying, "Well, we don't know if we can collect this money. Oh, it's so difficult. We're going to have such as hard time. I've got to look at 100 marinas. I've got 365 days to look at 100 marinas," you know, with an extra staff person at that.

How difficult is that? To me, that is not difficult. The only difficulty that I see in this is on multifamily facilities, where you may have a condo complex that may have five or six slips; You know, you don't know who owns those. You have to go to the condo unit owners and say, "Who owns these boats?" That's your only difficulty, and there's not that many of them around.

I mean, you know, so this doomsday scenario that I hear staff painting here, you know, I just don't believe it.

Secondly, when you sit in good faith and you negotiate something and you come out from negotiations, and we get a memo that's issued to us at -- early this morning at quarter to 9:00, I get this -- quarter to 10:00 my staff say, "Oh, you've got a yellow-sheeted item in your box that we did not have," after you have an agreed-to number, I think is unconscionable.

And personally, I don't like going to the 700-and-some odd number, but for the very reason that Mr. -- Mr. Myers cited. And that is, he said, "This depends on licensing and funding." If you jack the

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rate up too high, certainly you're going to have people that's going to try to avoid paying it. If you have it at a reasonable rate that support the program, it's done. And then I can always come back and adjust my fees.

So I would agree to, you know, what the County Attorney said; up to. But what I don't want to get to is having to wait until the last minute and then I've got to go through another fight like we did before with this with someone jacking the marine industry up at the last minute, saying -- you know -- putting a gun to their head and saying, "You either agree to this number, or else."

(COMMISSIONER JACOBS LEFT THE ROOM.)

MAYOR EGGELETTION: I mean how long do we have to hold up permits for marinas in Broward County for us to get the message that we're -- you know, I've seen the enemy. Guess what? In this particular case, it's us. It's not the industry, it's us. We're the one that have delayed this. This is the bureaucratic stuff that I hate about government that keep us here forever and ever and ever, jerking private business around. I mean, I mean, I can't stomach this stuff.

So, Ms. Brangaccio, please, please get your staff to sit down and negotiate in good faith. Let's come away with a number and stop constantly getting to the goalpost and then we move it away and say, "Oops, you know, I forgot X, Y, Z."

If we're going to hire people to work, doggone it, they ought to work. And if they don't want to work, they need to find another job. I don't see the difficulties in looking at 100 marinas. How difficult is that? It's not difficult to me. It's just a matter of a person doing their job and getting it done.

MS. BRANGACCIO: A couple of points, Mayor.

MAYOR EGGELETTION: Yes, ma'am.

MS. BRANGACCIO: The 750 fee was actually included in what was adopted in June by the Board of County Commissioners. It was actually part of what we sent to the State. And the letter that was received on September 7th that prompted all of this -- which we actually are glad that it was sent because it's given us the opportunity to sit down -- was from the marine industry. So we started at the 750, and staff is working within the marine industry to bring it down.

MAYOR EGGELETTION: Right. To get it --

MS. BRANGACCIO: So that's our goal, too.

MAYOR EGGELETTION: -- to get it at a number that's reasonable.

And even with the 350 number, if I look at the numbers correctly -- correctly, it project a surplus. So I want to know, once we create this huge surplus of dollars, what are we going to do with it? Are we going to go in there and hire another person, say, "Well, you know, that poor old guy, you know, it's taken him too long to look at 100 marinas. We need two guys and split them up 50 each?" I mean, you know, that's the sort of thing that I look at, and -- and -- and that's the way I sort of view it. So if I'm wrong, fine, I apologize.

But the bottom line is: We need to get on with doing the business and make sure we stop jacking up private industry and a valuable industry to this particular county and to the State of Florida. I want to protect manatees, always have. I've been on the right side of the vote when I was in the legislature on manatees, have been on the right side here. But I believe you've got to be reasonable in

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what you do. There's no way in the world you can guarantee 100 percent certainty that no one is going to hit a manatee.

Commissioner Lieberman, last comment.

COMMISSIONER LIEBERMAN: I'm going to move the item with a comment.

I think staff needs to look at more than just negotiating with the industry on a fee. It needs to look at the range of issues we've discussed and at least needs to look at the issues brought up by Vice Mayor Wexler, because if you can reduce your operating costs, if there's another way to do it, you can reduce your fee. I still think, even if the Board decides it wants to be revenue neutral, there are revenue sources that we are not collecting, and there is an economic impact for maintaining the industry. So I'll move it with those comments.

VICE MAYOR WEXLER: Second.

MAYOR EGGELLETON: Item has been moved by Commissioner Lieberman; seconded by Vice Mayor Wexler.

Any objection? Any objection?

Without objection, show the item pass.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELLETON: And the wording is going to be "up to"; is that correct, Mr. Newton?

MR. NEWTON: For purposes of the notice. You will set, however, the fee at the public hearing.

MAYOR EGGELLETON: Very good.

AGENDA ITEM 39

MAYOR EGGELLETON: I know we passed an item on the Consent Agenda, and that's Item 39. I don't want to reconsider the item, but I do want to say this. And that is, you know, maybe we should look at these boats that we thought we were going to get all this money for, okay, that we wound up paying. And maybe we should think about giving those boats to the TMA if they want to operate them.

COMMISSIONER GUNZBURGER: Give them?

MAYOR EGGELLETON: You're not going to get anything for them. You're going to see this.

MS. BRANGACCIO: They're on our list and we are talking to the Mayor, and we've got a number of public entities. Actually Bridgeport, Connecticut, are actually flying down this week to inspect the vessels, too, so we've got a number of serious folks. And as of yesterday, we were working through Commissioner Rodstrom's office yesterday talking to the TMA.

MAYOR EGGELLETON: Yeah, I understand that. But let's see what they're going to give us for them, versus what we could put them to good use for here in Broward County. If they can be operated by the TMA, you know, that's fine.

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COMMISSIONER GUNZBURGER: No.

MS. BRANGACCIO: It's our intent to give them to other agencies.

MAYOR EGGELETTION: I understand your intent is to give everybody a fair shot at it, right? Okay.

COMMISSIONER: Let's discuss it when we have that information.

MAYOR EGGELETTION: That's good. But before you sell any of them, please bring it back to the Board before you reach any agreement, okay? Thank you.

(COMMISSIONER JACOBS RETURNED TO THE ROOM.)

MAYOR EGGELETTION: All right. Item 21 we moved over, because Commissioner Wasserman-Rubin was not on the dais. I'm going to go back to that item.

AGENDA ITEM 21

MAYOR EGGELETTION: Commissioner Wasserman-Rubin, you're recognized on Item 21.

COMMISSIONER WASSERMAN-RUBIN: Yeah. I simply pulled the item to congratulate our department, and particularly the grant writers, because this is a significant amount of money for a significantly important program, and I just wanted to congratulate all of them.

MAYOR EGGELETTION: Okay. Item 47, Commissioner Wexler.

Well, we need to move Item 21. It's been moved by Commissioner Wasserman-Rubin; seconded by Commissioner Ritter.

Any objection? Any objection?

Without objection, show Item 21 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 47

MAYOR EGGELETTION: Item 47, Vice Mayor Wexler.

VICE MAYOR WEXLER: Thank you, Mayor.

When I was -- when I read the agenda item, what I was actually questioning was -- and it's an opportunity for me to ask Commissioner Keechl, who is our representative on there. I -- we have currently a Public Safety Coordinating Council, but this action is --

COMMISSIONER GUNZBURGER: I asked the same question.

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VICE MAYOR WEXLER: My question is a little bit different than yours. This is -- this is actually formalizing it through the -- I guess through a resolution process or through an ordinance process?

MAYOR EGGELLETON: Commissioner Keechl, why don't you explain? You've been over there, and I think you understand the issue.

COMMISSIONER KEECHL: I do.

MAYOR EGGELLETON: And let me just publicly thank you for the fine work that you have done over there. It has sort of gotten us out of a little hot water with a federal judge here, and I want to publicly thank you for the fine work you and that committee have done so far. And I think you're bringing something to us that we need to look at.

You're recognized, Commissioner Keechl, to answer Vice Mayor Wexler's question.

COMMISSIONER KEECHL: Thank you, Mayor, for the kind words.

I've been on the Public Safety Coordinating Council for five months now, which meets monthly with a number of stakeholders within regard to the jail population: Sheriff, State Attorney, Public Defender, Chief Criminal Judges, and others. And I've been working very closely with Mr. Corwin on this.

We've come to the conclusion that we need to, to continue to make the progress that we need to make with regard to our jail overcrowding and other issues facing the criminal justice system that we need to revamp the Public Safety Coordinating Council.

And so what we're doing here is we're expanding the number of players who come to the table to include what we call the Palm Beach County model, which is where the Palm Beach County Public Safety Coordinating Council has been in existence and has been very successful. So really, what this does is it expands the group so that we have more players at the table dealing with these issues, including jail overcrowding.

And Mr. Corwin could give you more details of you want to know them, but everybody is in favor of this.

VICE MAYOR WEXLER: As I am too. And I compliment the hard work of yourself, and support -- pardon me, the support staff.

There was one section of it that I had asked about, and that's Section 5(C), which is the term of appointments. And there's a section in there that exempts them from requirement from our Ordinance 2006-17 that allows them to serve on more than one county board.

And when I pulled a copy of the originating ordinance up and saw the language in there, what that language says is that if we are not the sole appointing authority -- and we are not in this; they come from all different venues, particularly through the sheriff and the courts -- automatically they're exempt. And that's the part that I'm -- here, I'm on Page 4 of the original ordinance, which is our ordinance to the governing for the related county boards and authorities.

(COMMISSIONER RITTER LEFT THE ROOM.)

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VICE MAYOR WEXLER: And it says: "Shall be prohibited from simultaneously serving as an appointee of another board if the Board of County Commissioners is the sole appointing authority to such other board, the authority, or agency."

So if there -- it's my -- it seems to me, and I ask that you take a look at it, that the authority is already in there to permit that there wouldn't be a conflict.

COMMISSIONER KEECHL: Okay.

MR. NEWTON: It's certainly implied, based on the language that you've read.

VICE MAYOR WEXLER: Yes. And -- and so that's, because I --

MR. NEWTON: But maybe to be safer than potentially sorry, they specifically wanted to exempt that.

VICE MAYOR WEXLER: I just -- I just want -- I try very hard to abide by this ordinance --

MR. NEWTON: You're correct, you're absolutely correct.

VICE MAYOR WEXLER: -- when I make my appointments. And when we, you know, when people, "Oh, I'd love to serve on two committees or two boards," or whatever. And this is the ordinance, and it works, and it has worked, and we spread opportunity for people to serve.

I believe that that authority is already imbedded in the ordinance, because we are not the sole appointing authority. And so if you -- between Mr. Corwin and Legal, if you would verify that, that was my concern.

Other than that, I applaud you. I think that this is an outstanding composition of members.

MAYOR EGGELLETON: Commissioner Gunzburger, you're recognized.

COMMISSIONER GUNZBURGER: I want to thank you. I first thought we were going to have two boards. Then when I discovered it wasn't redundant, but we were expanding the Board, it's great. I sat on that board for a year or two, and it was very frustrating because at that time we were dealing with significant jail overcrowding and under court order. So thank you.

COMMISSIONER KEECHL: You're welcome. You're welcome. And thank you to Pete Corwin. You're doing a fantastic job with this.

MAYOR EGGELLETON: Okay. I just need to ask a question of the attorney. Of these appointees -- and, Commissioner Keechl, maybe you can help us out with this -- today the Chair of this is --

COMMISSIONER GUNZBURGER: Hank Mack.

MAYOR EGGELLETON: -- Hank Mack, right?

COMMISSIONER KEECHL: Yes, he is.

COMMISSIONER GUNZBURGER: The Chair for life.

MAYOR EGGELLETON: He's a community person.

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Okay. It has two -- oh, I see; two community representatives by the Council. So the Council will choose a community representative?

COMMISSIONER KEECHL: Right, two.

MAYOR EGGELLETON: From the members on here, It will choose two persons from the community?

COMMISSIONER KEECHL: Right.

MAYOR EGGELLETON: Okay. All right. I just -- yeah, okay. Is that the way it's done today?

COMMISSIONER KEECHL: No.

MAYOR EGGELLETON: How is that person chosen? Pete, how did Hank Mack get there? Was he appointed by the governor? Who chose him?

Mr. CORWIN: He's appointed by a Commissioner.

MAYOR EGGELLETON: A County Commissioner?

MR. CORWIN: Correct, correct. The difference here would be the council would recommend to the Board of County Commissioners, and then you would appoint.

MAYOR EGGELLETON: So the council would recommend, but it wouldn't -- you know, we don't necessarily -- is there anything here that say we must take that Council's recommendation?

MR. CORWIN: Absolutely not. You have the authority to appoint.

MAYOR EGGELLETON: Okay. I just want to make sure that we have that authority to do that. Okay. All right. Thank you so very much.

And thank you, Commissioner Keechl, for the fine work you're doing over there. With that --

(COMMISSIONER RITTER RETURNED TO THE ROOM.)

VICE MAYOR WEXLER: I think Commissioner Keechl should move the item, and I'd be happy to second it.

COMMISSIONER KEECHL: So moved.

MAYOR EGGELLETON: Commissioner Keechl moves Item 47. Vice Mayor Wexler second.

Any objection?

Do you want to speak on that item?

COMMISSIONER JACOBS: Oh, no, Mayor. I just wanted to be recognized as voting in the affirmative on Item 31. I raised by hand for after this vote.

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MAYOR EGGELETTION: Okay. Seeing that there is no objection, Item 47 pass unanimously, without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 49

MAYOR EGGELETTION: Okay. Let's move to Item 49. Vice Mayor Wexler.

VICE MAYOR WEXLER: I pulled 49?

MAYOR EGGELETTION: Yes, you did. Oh, we did that? That's right, that was for a recognition.

Item 54, Commissioner Gunzburger.

COMMISSIONER GUNZBURGER: That's me.

MAYOR EGGELETTION: And Commissioner Lieberman.

COMMISSIONER GUNZBURGER: Thank you. What I'm concerned about is this \$750,000 net worth. I think there are -- if we're talking about a small business and there are several owners, then we end up with maybe several people adding to a very large net worth, and that's not what the intent of this ordinance was. And that is my biggest concern. And what happens if it's a husband-and-wife concern and their assets are equally divided? This is without their home, because the home is exempt -- I read this, I did my homework -- and without the business. This is a lot of money to most people in Broward County.

And I read that it's the federal guideline. But, Ms. Brangaccio, if one of your staff members -- I see Gwen sitting there, and others -- can allay my fears that this is not going to live up to the spirit of this ordinance, but may give an undo advantage to those that have a lot more money than other small businesses.

MS. BRANGACCIO: Yes, Ms. Warren has been working --

MAYOR EGGELETTION: Ms. Brangaccio.

MS. BRANGACCIO: -- has been working on that point, if you'd like to address that. And then we also have questions we need to address for Commissioner Lieberman.

MAYOR EGGELETTION: Okay. Why don't we get all the questions out and let you address them --

COMMISSIONER GUNZBURGER: All right.

MAYOR EGGELETTION: -- at one time.

COMMISSIONER GUNZBURGER: I mean, I understand.

MAYOR EGGELETTION: You understand Commissioner Gunzburger's question?

COMMISSIONER GUNZBURGER: I understand it's a federal guideline, but I think it has an awful lot of wiggle room.

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MAYOR EGGELETTION: Okay. You have Commissioner Gunzburger's question. Commissioner Lieberman, your questions, and then we'll get into the discussion of the questions.

COMMISSIONER LIEBERMAN: You may recall, and I have the minutes that when this item was discussed in front of the Board I asked how we got the \$750,000 number. And I was told that we got it by simply adopting the federal guidelines. We called the federal department, and they said it was a national average, which meant it included net worth in Omaha, Nebraska, and, you know, throughout the country. And I raised at our meeting that it needed to be geographically adjusted for Broward County, much in the same way when we hired Mr. Newton. They said, "Here's what he made in Orange County, and here's what he needs in Broward County numbers that would make him whole."

I never got that information. I asked that question again, and the response I got back from staff was about a COLA and what would be an appropriate COLA, but I never got the number adjusted for it being a Broward County versus a national number.

The problem with the 750, as I see it -- and I'm not prepared to move the 1.5 the way Miami did. They had no basis for that. It was a number they plucked out of the air. It's not what I want to do.

Here's my concern. You could have a small, disadvantaged business that was started by someone late in life. It's possible they have a pension plan or they have an IRA, and they have aggregated assets because they've been a saver all their life; but, nonetheless, their annual business income will fall under these guidelines. By using this 750, they would be precluded from being in the program because they have been a good saver.

Let's take another circumstance. Somebody who has a business and they work very hard. It's a small, disadvantaged business, has a great-aunt who had no kids. The great-aunt dies and says, "You were always my favorite nephew, and I'm going to \$800,000."

This business says, "I love what I do. It's not going to change my life. I'm going to put it away for retirement." They will no longer qualify under this proposal.

You know, we need to do something, I agree. But I'm really uncomfortable with this net worth figure because it, by itself, is simply a red herring. It may or may not relate to the value of the business.

The real critical issue for me, if you look at someone who has a better net worth may not need bank loans to get started as an entrepreneur in a small business. They may be able to fund themselves.

If our intent is -- and it should be -- to help grow small businesses in Broward County, I think all of us could tell plenty of stories about businesses that have grown from small operations to be mega-businesses. The purpose of this is to help grow them into big companies, or at least mainline companies, that could compete for business like everybody else.

So for me, the only valid number that's in here is gross sales. That's what you're looking at for the business is, what's the amount of sales that this business has in the course of a year? Because that will tell you what the size of the business is. As Ms. Warren learned, employees may knock a certain federal requirements require certain staffing levels that still make that business fall under the gross sales number, but would have more than employees.

So I need someone to explain to me why we would do anything other than use the gross sales of the business, because I can give you a downside for every one of the other requirement that are in here.

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And although 750,000 may sound like a lot, if you're a 60-year-old person who started a business and you've had an IRA you've had since you've 21, it's not such a big number.

MAYOR EGGELETTION: Do you understand the second question?

Ms. WARREN: I do believe I do.

MAYOR EGGELETTION: Okay. The second question is -- do you want to repeat it, Commissioner, so she'll know the question.

COMMISSIONER LIEBERMAN: I need to understand what any basis net worth has to do with growing a small business that nonetheless has its gross annual sales within the numbers for a small business. And I need to know -- and I understand Ms. Warren may not be the right person, because her memo to me simply gave me a COLA -- is what does 750 as a nationwide average mean in Broward County dollars?

UNIDENTIFIED SPEAKER: Right, and we can handle --

MAYOR EGGELETTION: We've got the second question. Third question.

COMMISSIONER LIEBERMAN: That's it.

MAYOR EGGELETTION: Vice Mayor Wexler, you're recognized for a third question.

VICE MAYOR WEXLER: I have a third question that would help me understand this better, as far as the 750,000. I understand that this is pretty much based on the current federal DBE program. The individual owners of the company with the CDBE program each could have, under this proposed language, a net worth of \$750,000. Is that identical to the requirements of the federal DBE program? You're shaking -- you're ready to answer that right now?

MS. WARREN: Yes, ma'am. Oh, I'll wait a few minutes

VICE MAYOR WEXLER: The Mayor wants you to accumulate the questions and then answer them.

MS. WARREN: The answer is "Yes."

MAYOR EGGELETTION: Is that your question?

VICE MAYOR WEXLER: That's my question.

MAYOR EGGELETTION: Any other questions from the board? Any other questions from the Board?

Seeing that there is no other questions from the board, Mrs. Warren, you're recognized to address first Commissioner Gunzburger's question; second, Commissioner Lieberman's question; and third, Vice Mayor Wexler's question. You're recognized, ma'am.

MS. WARREN: Yes. Mr. -- Mrs. -- Commissioner Gunzburger's question as to whether or not the program net worth is for larger firms and not smaller firms. Just a little reminder, the County does, in fact, have an SBE program or a small business program that is designed to work with smaller Broward County firms. This particular program that we're looking at now, the disadvantaged business program is intended to be an interim program until such time as a disparity study is completed. And if at that time we desired to reimplement a program based on the facts, we would do it at that time. But this program is an interim

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program, so it's pretty much designed to meet the income as well as business categories of those businesses that fall in the same economic category.

So we're looking at larger than micro businesses or new startups, but not large firms. So we're looking at the average middle-sized firm or small firm, again excluding micro businesses in Broward County.

And your business that you talked about, Commissioner Gunzburger, would be covered under our SBE program where the requirements are lower, The income levels are definitely lower, and the contract maximum for the sheltered market program is 250,000. This one would allow businesses to either bid for or be subcontractors on contracts larger than 250. So capacity, bonding, and other issues -- factors are important.

MAYOR EGGELETTION: Did that answer your question, Commissioner?

COMMISSIONER GUNZBURGER: Yes.

MAYOR EGGELETTION: Commissioner Lieberman's question.

MS. WARREN: Commissioner Lieberman's question is a rather complex question. Staff truly looked at how small businesses -- programs of the size that we're looking at were operated throughout the country and the region. And generally, when there was a lack of economic data, people deferred to the federal standards.

I think the question that she raises as to whether or not personal income, coupled with business size standards, is duplicative or unnecessary is a question I think should be discussed at a local policy level. There is -- just as the government, federal government has not raised the 750,000 since 1999, it's a very difficult issue to look at on a national or a regional level. We are very solid about the business size standard, but whether or not you want to then talk about the personal capacity of the business owner is a policy issue, and staff does not have a -- has no -- what do I want to say?

MAYOR EGGELETTION: You have no dog in that fight?

MS. WARREN: That's -- our puppy's asleep, yes.

MAYOR EGGELETTION: Do you have the demographic number, is I believe what the Commissioner wanted.

MS. BRANGACCIO: Actually on the indexing, we talked this morning both to our Planning Department, our HR Department, and then also our County Auditor, and the County Auditor has come up with something for us.

MAYOR EGGELETTION: Mr. Lukic, you're recognized.

MR. LUKIC: Thank you. In looking for a cost-of-living index to compare us to other communities, we found that the Clay County Chamber of Commerce has such an index, which is published quarterly.

Based on that index and the USA being 100, just as an example. There are other indices like this, you'd just have to search them out. The index for Miami, Florida, which is the closest we come, is 116.3, versus the 100 index for the country. So that would mean you would take the index, the \$750,000, and multiply by 116 percent, which would give you \$872,000.

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COMMISSIONER LIEBERMAN: I would insert that as an amendment.

MAYOR EGGELLETON: Okay. So much for John thrashing Clay County.

All right. So we have that question answered, and I'll take any amendments in a minute.

However, on that, you want to ask Mrs. Warren another question? Okay. Let her answer the third, and then I will let you ask your fourth question.

Go ahead.

Vice Mayor Wexler's question, Mrs. Warren.

MS. WARREN: Vice Mayor Wexler's question went to the issue of the individual wealth of or net worth of the business individ- -- each business owner. Again, we adopted the federal standards, probably for safety reasons. We know that it would withstand a challenge, because it is the federal standards and not local ones.

But to answer your question directly, each individual person's income would be counted. And where there is a couple only, that portion of the combined properties would be counted toward that individual person.

COMMISSIONER: It's identical?

MS. WARREN: It's identi- -- we went -- because of the issues we're facing, we stuck with the federal standards because they were safe and also were applied across the nation.

MAYOR EGGELLETON: Okay. Very good.

Commissioner Jacobs, you're recognized for a question to Mrs. Warren.

COMMISSIONER JACOBS: Thank you, Mayor.

I guess four Commissioners asked the same question, which was about the employee cap. And in your memo, you speak to the issue that -- and recommend that you agree with the argument and that the employee cap be removed.

What I wanted to make sure was inherent in the discussion today and amendments that are coming forward that that recommendation, A, still stands; and I see her nodding her head that it does. And that it does, that whatever we do today that the employee cap goes forward as being removed from --

MS. WARREN: It is part of the ordinance that is being proposed before you that it was removed.

COMMISSIONER JACOBS: Okay.

COMMISSIONER LIEBERMAN: It's not in here.

COMMISSIONER JACOBS: I was going to say, It says it's recommending, but it didn't seem to me it was still in there.

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MAYOR EGGELETTION: It's out of the ordinance.

MS. WARREN: We got it in enough time. And we also had a meeting with our advisory board since then, and they also supported the change. And it was just a positive thing to do.

COMMISSIONER JACOBS: All right. Thank you.

MAYOR EGGELETTION: I have a question. Then I'm going to recognize Commissioner Lieberman for an amendment to the ordinance.

Does this include the pension in its aggregate? And I'll use me -- an IRA, does it include that? For instance, a person who has been saving?

MR. ATKINSON: Chris Atkinson.

MAYOR EGGELETTION: Yes.

MR. ATKINSON: Office of Equal Opportunity. The net worth would include based on the requirements that are in the ordinance for each of the parties. So it's -- if there's something like a pension, it would be for each of the people that's involved. So it's figured individually.

MAYOR EGGELETTION: That's a problem.

MR. ATKINSON: In the 750, each one gets --

MAYOR EGGELETTION: That's a problem. Let me give you an example. All of us -- or not all of us. Some of us may have -- some -- well, all of us are in the FRS, for instance. Some of us additionally have created through ICMA additional pension. You can't touch that in ICMA until you leave your employment, period. But you may want to start a business on the side, All right?

I have -- I mean, and ICMA is pretty firm. You cannot go in there and touch that money in any way, shape, form, or fashion, unless it is for an emergency. Like they allowed some people to tap it for the hurricanes, to repair their homes. Unless it's to defend yourself against a criminal action. And I think there is one or two other reasons, but that's it.

So although you may have that money sitting there, they don't have access to the money unless they leave their employment of the County. So if I -- or the employment of that pension plan, wherever that pension plan is through.

So if I were to start a business, what you're telling me is -- and I wanted to do business with Broward County, not only would you count my -- however many years I have. For instance, I have 30-some odd years in the FRS. You would count all of my money that's been accumulated in the FRS. You would also count all of the money that I may or may not have in ICMA. You would count all that as my net worth, although I may have only two nickels to my name in real cash; is that correct?

MS. WARREN: This is correct. So, again, we're suggesting that this is a local policy issue. We adopted the federal standards, like the cap.

MAYOR EGGELETTION: Well, let's -- let's move ahead, and then I can see at the time we adopt this we're going to certainly have some other amendments. And I just have to figure something out to deal

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with that issue, because it could be that you want to make an amendment that you exempt that out if the person cannot touch that money in some way, shape, form, or fashion. I don't know how you do that, but I don't think that ought to be held against a person, particularly if they cannot get to the asset, and that's -- I have a problem with that.

I'm going to recognize Commissioner Keechl, and then I'm -- well, I was going to recognize you for an amendment.

COMMISSIONER LIEBERMAN: Okay.

MAYOR EGGELLETON: But I think he has a question. Do you have a question, Commissioner?

COMMISSIONER KEECHL: I have a comment-slash-question, real quickly.

I'm still concerned with what Commissioner Lieberman said earlier, which is a personal net worth issue. Both sides of the equation: You've got the pension issue over here, which is possibly disadvantaging somebody who has been saving their money and they can't save it. Yet you're creating a huge loophole over here with not including the value of the underlying company, which may not be too much because of the gross receipts issue, but the amount of equity in their home.

So unless I get a comfort level, which I don't have yet, I cannot support this with this net worth definition for the pension side and the equity side. Thank you -- mortgage equity side.

MAYOR EGGELLETON: Okay. Very good. I'm going to come back.

Commissioner Ritter, did you have your hand up? Who was that? Commissioner Jacobs, and then I'm going to come to Vice Mayor Wexler, and then I'll come back to Commissioner Lieberman.

Commissioner Jacobs, you're recognized.

COMMISSIONER JACOBS: While I share some of the same concerns that have been raised, I also have an overriding concern that the farther we wander from the federal standard, the more hot water we find ourselves in.

And so as an interim policy we don't really like it, but at this point it was stepping away from the federal policies that got us in trouble in the first place. So the federal policies definitely need some work; I mean, they haven't changed their level, their barometer, since 1999. This is a problem.

So, you know, the underlying premise of the program is problematic, but I don't see that we're really in a position right now to fix -- fix this. I would say our attentions need to go when the disparity study comes back and address all of these issues, because they are valid concerns. We need to make sure, though, that we don't run afoul of the federal standards.

MAYOR EGGELLETON: Thank you so much for that observation.

Vice Mayor Wexler.

VICE MAYOR WEXLER: I am not going to be repetitive. Commissioner, you've said it exactly. Please, this is an interim program and it is defensible.

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COMMISSIONER: Exactly.

MAYOR EGGELETTION: Okay. Thank you.

Commissioner Lieberman, you're recognized for an amendment.

COMMISSIONER LIEBERMAN: Because it's an interim program, the amendment I want to move is to index the dollar number according to Evan's calculations to that dollar amount, which I'd ask you to repeat. And I think it is still defensible, because those were indexes that people used to make it geographically relevant to them.

But I want you to know, Commissioner Keechl, you and I share the same concern. I almost think it's more valid to use the worth of the business than the individual worth of the individual, because the purpose of the program is to grow small businesses. So really, it's the worth of the business, not an individual, that's at issue here. But I'm prepared, because it's an interim program, to simply make that one amendment while we work through the other issues.

MAYOR EGGELETTION: Okay. Let's take up --

COMMISSIONER LIEBERMAN: So I'd ask Mr. Lukic to tell me my number.

MAYOR EGGELETTION: What would the number be, Mr. Lukic?

MR. LUKIC: Well, I would like to make a suggestion, if I may. Rather than keying on a number today, I would prefer that you would -- you would amend it to indicate that you'd have a cost-of-living index to allow use sufficient time to find -- to make sure that we're using the broader index, rather than simply relying on this Clay County index which we gathered quickly this morning.

COMMISSIONER LIEBERMAN: I don't have a problem, as long as the County Attorney tells me that the advertising of the item will be sufficient to cover what you want to do.

MR. NEWTON: Once we figure out what index we're utilizing, we'll make certain that the advertisement is sufficient.

COMMISSIONER KEECHL: Mayor, real quick. I'm sorry, real quick. I've got a quick question.

MAYOR EGGELETTION: Yes, Commissioner.

COMMISSIONER KEECHL: How long do we think this interim measure is going to be in place before our disparity study is done and we're back?

MS. WARREN: Approximately a year, maybe a little more.

COMMISSIONER KEECHL: Thank you.

MAYOR EGGELETTION: Okay. Let's try to not to stretch this beyond a year, okay?

Ms. WARREN: Absolutely.

MAYOR EGGELETTION: Okay. All right.

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Let me just remind you, this is just a notice for a public hearing. Mr. Newton, you have heard the concerns of the Board. I don't think we need -- first of all, does anyone have any objections to the changes posed on the issue by Commissioner Lieberman?

VICE MAYOR WEXLER: I do, but, you know what -- I do, but --

MAYOR EGGELLETON: Wait a minute, Let's just take a vote. Okay? That's all right.

Commissioner Lieberman poses an amendment. Is there a second to her motion to amend it? It's been seconded by Commissioner Jacobs. Any objection?

VICE MAYOR WEXLER: I object. I don't want to index it.

MAYOR EGGELLETON: Okay, you object. Okay. That's all right.

All those in favor -- let's take a vote.

All those in favor?

All those opposed?

Let the record reflect that there are two opposed, Commissioner Gunzburger, Vice Mayor Wexler. Okay.

The item pass.

VOTE PASSES 7 TO 2 WITH COMMISSIONER GUNZBURGER AND VICE MAYOR WEXLER VOTING NOT.

MAYOR EGGELLETON: Okay. Now -- the amendment pass. Let's take up the item. The item, as amended, is now in front of us. All those --

COMMISSIONER LIEBERMAN: The item has been moved.

MAYOR EGGELLETON: The item has been moved by Commissioner Lieberman, seconded by Commissioner Jacobs.

Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 15

MAYOR EGGELLETON: Okay. Okay. That -- let me just look at my list. I think that might be the last item.

COMMISSIONER JACOBS: Mayor?

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MAYOR EGGELLETON: Yeah, that's the last item. We're going to come back to Mr. Hui. We had an item earlier, Item 15. Mr. Hui, you're recognized. We laid Item 15 on the table.

Mr. Hui, you're recognized on Item 15, sir.

MR. HUI: Thank you, Mayor.

We went back and researched the questions that were raised in more -- in more specifics.

Let me just take a step back.

(COMMISSIONER KEECHL LEFT THE ROOM.)

MR. HUI: The proposed project is to extend Wiles Road beginning on the east side of Turnpike, traveling for about a mile, goes over the Turnpike, and then travels down on the west side of the Turnpike for about 1,000 feet to connect to the existing dead-end of Wiles Road.

On the -- where the bulk of the construction is done, which is on the east side of the Turnpike, it is industrial and it is a commercial area, as we had stated earlier. When we travel over the Turnpike coming down to that last 1,000 feet of connection, there is an apartment complex on the northwest corner between the Wiles Road and the Turnpike. That -- that apartment complex, and beyond that going to the north side along the Turnpike, there's also some single-family residential houses along the Turnpike.

What we -- we took the liberty of contacting the Turnpike's project manager for the expansion of the Turn- -- that extension of the Turnpike project. The intention of the Turnpike is that they will install sound walls on the west side of the Turnpike as part of that expansion. So -- and what we -- you know, what we have done is, we have not included any sound wall design in that -- along that apartment complex on the west side of the Turnpike along Wiles Road.

MAYOR EGGELLETON: So if I understand you, Mr. Hui, it would be the Turnpike authority that will place the sound walls there?

(VICE MAYOR WEXLER LEFT THE ROOM.)

MR. HUI: Right. That's our understanding, right.

MAYOR EGGELLETON: Okay. Commissioner Jacobs, you're recognized, followed by Commissioner Lieberman.

COMMISSIONER JACOBS: Here's the thing. The Turn- -- these -- the -- it's Banyan Trails that's in that corner. Banyan Trails is a condominium complex, townhouse project about a thousand feet that the existing Wiles Road that was created and dead-ends just before it gets to the Turnpike.

(COMMISSIONER KEECHL RETURNED TO THE ROOM.)

COMMISSIONER JACOBS: If the Turnpike Authority, now with their new bonding capacity, moves the project up to 2009 and that expansion is going forward and the wall is included on the Turnpike's north/south part. But the east/west connection that we'll be building will not have any walls, as the part that was already constructed doesn't have any walls.

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But additionally, I have learned from staff that it is their impression that our County policy doesn't include sound walls for multifamily. Now, I've been here a long time. We've had a lot of conversations about sound walls on the Turnpike and whether a multifamily or single-family needed to be protected from sound. That was never, as far as this Commission was concerned, a delineating factor. If you were residential and you were along a turnpike or county road, the discussion is that you need to have the same protections whether you're in a condo or a single-family home.

So I'm sorry -- the other issue is -- thank you, Sue. The wall -- the area where the road is is 100 feet from the beginnings of the face of these buildings. So it is very close, this new chunk.

So I -- Commissioner Lieberman, thank you for bringing forward this issue, because my impression was that it was all industrial, but there is a thousand feet of residential that we're going to be impacting.

Now I understand that we have tasked staff with coming up with some ways to address these myriad issues that are happening around the county, but you'll remember that that last discussion started for those homeowners who currently do not have a road who now are going to be faced with the impact of the road.

And I would remind you, too, that once this missing link which is actually 48th Street that connects through Wiles Road, 48th and then into Greene Road, this whole chunk brings forward an east/west corridor, the ability to move in the north part of the county. You either have Hillsboro or you have 10th, and that's not really -- has not been very successful in moving traffic. They're completely backlogged. This road is the reliever for that system, and the traffic that will be going by is going to be intense as the years go by and it continues to develop.

So I would ask that -- I certainly don't want to put us in a position where we are not able to get the kind of sound walls and protections from the Turnpike expansion that we would be due as a part of their project in any delays to this project, but I cannot vote for a project that's going to leave this 1,000 feet of homes unprotected from sound.

(VICE MAYOR WEXLER RETURNED TO THE ROOM.)

COMMISSIONER JACOBS: So, Mayor, I'm not sure if the best way to go at this point rather would be only to delay this item for a week, if staff believes that they could come back with some recommendations for this particular 1,000 feet in a week and address this 1,000 feet --

(COMMISSIONER RODSTROM LEFT THE ROOM.)

COMMISSIONER JACOBS: -- understanding that the broader issues that we have raised as a board for general policy making are going to take longer, but we can't let projects like this continue to move forward and ignore residences that are 100 feet away.

MAYOR EGGELLETON: Mr. Hui, if I understand you correctly, you're indicating that the Turnpike Authority said that they will erect a noise wall --

COMMISSIONER: Only --

MAYOR EGGELLETON: -- or a sound wall --

COMMISSIONER: Not --

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MAYOR EGGELLETON: -- on the west side along the Turnpike; is that correct?

MR. HUI: That is correct, on the Turnpike.

MAYOR EGGELLETON: Are there current plans to do that continually down that corridor? Because you not only have those condos there, this is right near my wife's school. Okay? Weston Park Elementary, okay? But you have single-family homes all the way down there. Okay?

(COMMISSIONER JACOBS LEFT THE ROOM.)

(COMMISSIONER JACOBS RETURNED TO THE ROOM.)

MR. HUI: Mayor --

MAYOR EGGELLETON: Do they intend on doing that? Yes or no?

MR. HUI: It's -- Mayor --

MAYOR EGGELLETON: Yes or no?

MR. HUI: I don't know the exact answer to that.

MAYOR EGGELLETON: Okay. You don't know the answer. I see someone is here from the Turnpike Authority. There's no one here from the Turnpike?

COMMISSIONER LIEBERMAN: Mayor, you had recognized me, and then you started talking.

MAYOR EGGELLETON: I'm sorry. Be ready, sir.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I'm going to support Commissioner Jacobs' motion to defer this item, and I'm going to tell you why. For me, this item is about consistency and equity. There is a portion of Wiles which currently doesn't have a road. If we approve this item -- and it would be our road, it'd be Wiles -- that will then exist. So we're putting a road next to residential where none existed before. I don't know how we hold ourselves out to a different standard than we hold the Turnpike Authority or anyone else to.

So I think her motion, if she would make it, to defer this to the next meeting to allow staff to amend the item so that we can deal with the noise impacts where we're putting the wall -- where we're putting a road where currently there's no road. I think that's the way to go.

MAYOR EGGELLETON: Well, there's a motion for deferral. I don't care. We can defer it forever, as far as I'm concerned, you know. That's the way I personally feel about it, because if the Turnpike can't expand without it, I think that's great.

So, you know, you've got to -- you've got to create leverage on people you're trying to negotiate with to get them to the table. If y'all keep letting folk off the hook, you blow your leverage. And so my deal is, let's defer it.

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And so there's a motion to defer. It's a nondebatable motion. It's been seconded by Commissioner Jacobs.

COMMISSIONER LIEBERMAN: No, She's the maker. I'm the seconder.

MAYOR EGGELLETON: Okay, she's the maker. Commissioner Jacobs is the deferral maker, Commissioner Lieberman is the second. Any objection?

Without objection, show the item deferred.

COMMISSIONER JACOBS: I'm sorry, just to clarify that the Turnpike Authority is building the wall. It's Broward County that is not, and that's why the item is coming back.

MAYOR EGGELLETON: I clearly understand they're building a wall now.

COMMISSIONER JACOBS: Okay.

MAYOR EGGELLETON: I don't know whether their intent was to build a wall all along there. I looked at the plans earlier.

COMMISSIONER JACOBS: They -- they were.

MAYOR EGGELLETON: I didn't see them.

COMMISSIONER JACOBS: Mayor, they --

MAYOR EGGELLETON: And I can tell you if they build a wall there, those houses and whatnot are as far away as other places are in Tamarac, where they do not intend to build a wall. So I don't understand that arbitrary standard by the Turnpike Authority, and that's my point. Okay?

COMMISSIONER LIEBERMAN: But it's deferred?

MAYOR EGGELLETON: So it's deferred. Thank you.

MR. HUI: May I ask just a question for clarification? The direction to staff is to come back with a proposal to include a sound wall as part of this design; is that correct?

MAYOR EGGELLETON: No, no. Oh, no.

COMMISSIONER JACOBS: Yes.

MAYOR EGGELLETON: No, absolutely not, because we have never voted on that as a policy by this Board. The Board has never said you're going to put sound walls in residential areas where we own the streets, because if you do that, you're going to certainly go back and put them in areas in my district, Commissioner Rodstrom's district, Commissioner Wexler's district, where we put roads that were not there before. And areas where we've got roads coming right next to folk's houses, you ought to have sound walls there.

(COMMISSIONER RODSTROM RETURNED TO THE ROOM.)

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COMMISSIONER JACOBS: Mayor, my motion was to defer, to direct staff to come back and find a feasibility of buffering this 100-foot-away homes from a road that currently does not exist. If it is the suggestion of this Board that we will continue blithely building roads 100 feet away from residential areas and not putting in walls, then I will vote against every road building and widening project that ever comes forward.

We -- well, I mean, that's just -- to me, that is -- we cannot sit here and say to the Turnpike Authority, "You must build walls," and then we build walls and create -- or we create walls and don't build walls. That's, to me, absolutely absurd. So that was my motion.

MAYOR EGGELETTION: Commissioner, I'm not disagreeing with you. The only thing that I'm saying is, I believe that when you create a policy you ought to observe the tenets that define this nation in the Fourteenth Amendment to the Constitution, the Equal Protection Clause. So now if you're going to disadvantage one community by an arbitrary decision, then understand what arbitrary decisions result in. And the only thing I'm saying to you is, I don't disagree with what you're saying; what I'm saying is be fair and consistent and equal in your application of your policies. That's all I'm saying.

COMMISSIONER LIEBERMAN: Mayor --

COMMISSIONER WASSERMAN-RUBIN: Don't we have a motion to defer?

MAYOR EGGELETTION: Okay. You've got a motion for deferral. It's passed. We're really going to move on here. We're running out of time.

COMMISSIONER: Can we vote?

MAYOR EGGELETTION: Okay. Let's move on.

COMMISSIONER LIEBERMAN: It's deferred.

MAYOR EGGELETTION: The item is deferred. That's the last item on the morning agenda -- I mean on the Consent Agenda.

REGULAR AGENDA

MAYOR EGGELETTION: Let's try to plow through as much as we can on the Regular Agenda. It is my intent to stop in about five minutes, so let's see how fast we can get through with this stuff.

I think Item 65 was moved to the Consent Agenda, right? Oh, that's a speaker. I'm sorry.

Mr. Walsh. Is Mr. Walsh here? Mr. Walsh, I'm sorry. You're recognized, Mr. Walsh.

Mr. Walsh has a delegation request. Mr. Walsh, let me remind you, on a delegation request, we do not make issues personal to the Board.

MR. WALSH: Right.

MAYOR EGGELETTION: And you have three minutes to address the Board. You are recognized, Mr. Walsh, for your delegation request.

MR. WALSH: Good morning, Mr. Mayor. How do you pronounce your name, Mr. Mayor?

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VICE MAYOR WEXLER: Eggelletion.

MR. WALSH: Okay. I observed all of you during the last month in regard to the Mayor's comments. I'm not going to get into Mayor Naugle's comments. I'm sure you know what he said and how detrimental his comments were to the GLBT community.

This all started around -- in June. They were -- he was -- he had a petition in front of him to put like a bathroom on Sebastian Street parking lot. And from my understanding it did pass, and on July 4th in the newspaper he came out that it was going to have a lock on the door, and that what he was planning on doing -- in other words, the bathroom was going to have a timer on it so people couldn't stay in there for more than a minute or two minutes. And he made the comment that it would deter public sex in the bathrooms, especially among the homosexual men.

And I found this to be very offensive, and I tried speaking to him, and I tried calling my city commissioner, which would be City Commissioner Charlotte Rodstrom, and she never called me back. I guess this type of subject is too sensitive for her or she's too embarrassed by it. But when you are a city commissioner or county commissioner, every one of your constituents is important, no matter what the subject is.

And concerning the parking lot where the bathroom was going to be on Sebastian Street lot, I petitioned the parking manager and found out that that particular parking lot grosses about almost \$200,000 a year. And Mrs. Alicon sent me this in the mail. So essentially, this parking -- this outhouse, rather, I'm sorry -- would pay for itself in less than two years.

So I -- but he made this his own agenda or his own propaganda in regards to the homosexual community or the GLBT community. And that's why it's so important to separate your faith between your work. Just what he's done is not right.

And I heard all you during your last meeting chastise him and what he did was wrong, and that was -- I felt good about you guys as a body and what you said, but it seems like -- and you, Mrs. Gunzburger, you said that he's like a child, a child who has a temper tantrum, you have to ignore it. But, you know, I've been doing a pretty good job of ignoring it during the last couple of months, but -- my -- it's still a little personal. I know I've got to be brief.

My mom, who is 70 years old, is planning on visiting me. She called me a couple weeks ago and she says to me, she says, "You know, Bob, if I come down there, I'm not going to see men having sex in bathrooms around the beach, am I?"

So that kind of hit home to me, seeing I -- at first, I left it alone. I figured it's just a local -- can I conclude, Mayor, please?

MAYOR EGGELETTION: Sir, you need to bring your comments to a swift conclusion.

MR. WALSH: Okay.

MAYOR EGGELETTION: Sir, you need to bring your comments to a swift conclusion.

MR. WALSH: Okay. While I'm --

MAYOR EGGELETTION: Swift.

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MR. WALSH: While I'm before you, I'd like to put in a motion or petition to you people to censure him?

MAYOR EGGELETTION: Okay.

MR. WALSH: Or what suggestions do you have that -- It just seems like this is a horse that's been beat to death.

MAYOR EGGELETTION: Okay. Thank you, sir.

MR. WALSH: And I'd like to know what type of --

MAYOR EGGELETTION: Thank you.

MR. WALSH: -- resolutions you have for this matter.

MAYOR EGGELETTION: Thank you.

MR. WALSH: Or if you could do a censure item.

MAYOR EGGELETTION: Thank you, sir. Your time has expired.

MR. WALSH: Okay.

MAYOR EGGELETTION: Thank you.

Okay. Ladies and gentlemen -- yes, Commissioner Rodstrom?

COMMISSIONER RODSTROM: I just want to make one comment, that my wife, to the best of my knowledge, returns all of her phone calls. There were over 6,000 e-mails, and maybe more, and so she will get back to you. I don't know where you called her, if you called her at home or you called her at the city or the cell phone. I don't know need to know that, but the fact that you called. But she does return her phone calls. But for the fact that, you know, I know she had. hundreds of phone calls on this item. So, you know, it's sort of laborious. We do sleep, we do have our lives other than this, and we do our best, though, to get back to everybody. So --

MAYOR EGGELETTION: Commissioner Keechl.

COMMISSIONER KEECHL: Thank you. Just briefly. I wanted to say something about Commissioner Rodstrom of Fort Lauderdale. I believe she was out of town, maybe in North Carolina. And I called her along, with Commissioners Moore, Hutchinson -- and who am I missing -- Teal. And all of them called me back. So clearly, we all got hundreds of phone calls and hundreds, if not thousands, of e-mails. But each of the city commissioners in Fort Lauderdale responded to my personal phone calls, including Commissioner Rodstrom.

Thank you, Mayor.

AGENDA ITEM 66

COMMISSION MINUTES

MAYOR EGGELETION: Thank you very much. It's my intent to adjourn, but let me take up the rest of this. But there are a couple of items I think we can do rather quickly. For instance, Item Number 9 -- 69. Is there any -- anyone -- oh, yeah, 69 did go to Consent, you're right. What about Item 70?

MS. BRANGACCIO: Mayor, 66 is --

MAYOR EGGELETION: 66. Let's go ahead and take --

MS. BRANGACCIO: 66 is an SC.

MAYOR EGGELETION: Let's take 66. Is there a motion on 66?

COMMISSIONER GUNZBURGER: Move it.

MAYOR EGGELETION: It's been moved by Commissioner Gunzburger; seconded by Commissioner Lieberman. Who would like to serve?

COMMISSIONER LIEBERMAN: I move Commissioner Keechl and Commissioner Ritter.

MAYOR EGGELETION: Keechl, Ritter. Who else? Okay. Those two will serve on it.

COMMISSIONER RODSTROM: What agenda item is that?

MAYOR EGGELETION: That's on 66 on the airport. You want to serve on that? Soffits, Terminal 2 and 3?

MAYOR EGGELETION: Okay. Move it, with Commissioner Keechl and Ritter serving on the SC. Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 76

MAYOR EGGELETION: Let's go to Item 76. That's one that we have to do anyway. That's the Cocomar Water Control District. Okay. Let me go to 76. This is --

COMMISSIONER LIEBERMAN: Move to open the meeting of the governing board of the Cocomar Water district.

COMMISSIONER GUNZBURGER: Second.

MAYOR EGGELETION: The item has been moved by Commissioner Lieberman, seconded by Commissioner Gunzburger. The Board of County Commissioners now sitting as the governing board of Cocomar Water Control District.

I'll take a motion on Item 76.

VICE MAYOR WEXLER: Move it.

COMMISSION MINUTES

MAYOR EGGELETION: Item 76A has been moved, A and B has been moved, by Vice Mayor Wexler; seconded by --

VICE MAYOR WEXLER: Item B.

MAYOR EGGELETION: Item B has been moved by Vice Mayor Wexler; seconded by Commissioner Lieberman. Any objection? Any objection?

Show the item passed unanimously, without objection.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETION: I'll take a motion to close on Item C.

COMMISSIONER JACOBS: Moved.

MAYOR EGGELETION: The item has been moved by Commissioner Jacobs; seconded by Commissioner Lieberman that we close the governing board of the Cocomar Water Control District.

Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETION: What about item -- what about 7- --

COMMISSIONER: 79 is on there.

MAYOR EGGELETION: What about 75?

VICE MAYOR WEXLER: I think there might be some folks that would like to speak, if they're here.

MAYOR EGGELETION: Okay. Okay, we'll -- we'll -- we'll hold on Item 75.

VICE MAYOR WEXLER: But they're here -- if they're here?

MAYOR EGGELETION: That's all right. We'll hold on Item 75.

Item 73, do y'all want to do that one? Okay.

AGENDA ITEM 73

MAYOR EGGELETION: Okay, Item 73. It's just a -- it's just a resolution amending the Broward County Administrative Code on an operational policy. It's not --

COMMISSIONER KEECHL: I have a quick, short amendment to this one.

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MR. NEWTON: Okay, that -- that was just for a discussion. We can do the amended --

COMMISSIONER KEECHL: Okay, discussion. We can do the amended later.

MR. NEWTON: I can notice it as it is, and we can do the amendments at the time of the notice.

COMMISSIONER KEECHL: That's fine.

MAYOR EGGELETION: Do you want to move it, Commissioner Keechl?

COMMISSIONER KEECHL: Yes, so moved.

MAYOR EGGELETION: Commissioner Keechl moves it and Commissioner Ritter seconds it. Any objection?

COMMISSIONER LIEBERMAN: No, objection, but do those amendments include publishing the supplemental by 5:00 p.m. and distributing it? Then I'm fine. Okay.

MAYOR EGGELETION: Okay. Do you want to take it up later, Commissioner? Is it your wish, Commissioner Gunzburger?

COMMISSIONER KEECHL: It's going to come back.

MAYOR EGGELETION: Okay. The item has been moved by Commissioner Keechl; seconded by Commissioner Lieberman. Any objection?

Without objection, show Item 73 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETION: Item 72 is just a -- is just a motion to --

COMMISSIONER LIEBERMAN: Oh, I have some comments.

MAYOR EGGELETION: You have some -- okay? So we'll wait on 72. 71? 70?

VICE MAYOR WEXLER: I never got an answer to 73, actually.

MAYOR EGGELETION: Okay. And I know that 66 and 67 is -- I mean, 67 is going to take some time.

AGENDA ITEM 70

COMMISSIONER LIEBERMAN: 70 we can move.

COMMISSIONER RITTER: I would move 70 to consent.

MAYOR EGGELETION: You want to move 70?

COMMISSIONER LIEBERMAN: Second.

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MAYOR EGGELETION: Okay. Are you sure?

COMMISSIONER LIEBERMAN: This is the wedge, it's just --

MAYOR EGGELETION: Okay. Item 70. Any objection?

Commissioner Ritter moves Item 70.

COMMISSIONER LIEBERMAN: I second.

MAYOR EGGELETION: It's been seconded by Commissioner Lieberman. Any objection?

Without objection, show Item 70 pass unanimously, without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 71

MAYOR EGGELETION: That brings us to 71.

VICE MAYOR WEXLER: Mayor, did we pass 73 then? I think record --

COMMISSIONER KEECHL: We did.

MAYOR EGGELETION: It's just -- It's just a motion to discuss. You can send all your comments to the County Attorney.

VICE MAYOR WEXLER: All right. I will.

MAYOR EGGELETION: So 70 passes.

71, does everybody want to take this up and pass it? It's pretty -- it's pretty cut and dried.

COMMISSIONER LIEBERMAN: Move 71. I don't think we have much to talk about.

COMMISSIONER KEECHL: I second.

MAYOR EGGELETION: Commissioner Lieberman moves 71; seconded by Commissioner Jacobs. Okay.

Public comments on 71. Okay. You're going to fill it out later, right?

MS. CHALIFOUR: Sure. Sorry for hollering.

MAYOR EGGELETION: Thank you. That's all right.

MS. CHALIFOUR: I didn't think you'd get there.

MAYOR EGGELETION: Thank you.

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MS. CHALIFOUR: For the record, Brenda Chalifour; for the record, speaking for myself -- although once again, many people do agree with my opinions, although I am not representing them, being paid or not.

In any event, Item 71 is to extend the lease, which we advised you way back in 2004 not to do with Sheltair. The original lease did three things, and this is back in October 2004. It gave Sheltair the use of 36 acres on the west side, plus an option on one acre at another portion of the airport.

Recognize, this agreement, again, was approved almost three years ago. And according to the agreement, you were supposed to receive additional rent for extending this lease. Okay? This is very confusing, very complex. It's very much like voodoo economics, if you recall that.

The contract clearly says -- and I'm referring you to Exhibit 3, Page 3, Item Number 8, for anyone who happens to be listening. "In consideration of the extension of the amortization of the facilities existing on the premises." This is in exchange for what is existing on the premises, Sheltair shall pay you money. In the first year \$950,000; in the second year, 1.2 million dollars; in the third year, 1.4.

Had this contract not been extended every year for the last three years, you would have had, in consideration of what they currently have, 3.5 million dollars.

But you keep extending it, and you keep saying, "Get to it the fourth year, the fifth year."

I don't understand that. Why is this happening? This has nothing to do with the construction. The clause within the contract clearly says, "In consideration of the extension of the amortization for the facilities existing on the premises." Where is the 3.5 million dollars? Why do you keep putting it off? This is not to mention the fact that they're supposed to also be making payments for an option for that one acre, which they are. But interestingly enough, you have put this contract off; therefore, the increases in the amount they're supposed to be giving you every year is not done.

Beyond that, if they don't take the option, you've got to give them their money back. I would love to have one of these contracts. Thank you. 3.5 million.

MAYOR EGGELLETON: Thank you.

Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: Mayor, I want to move Item No. 1. I'm kind of surprised that Ms. Chalifour, in all her reading, missed the letter from the FAA that said they wouldn't improve any improvements until they issued a record of decision.

MAYOR EGGELLETON: Okay. All right.

The item has been moved by Commissioner Lieberman; seconded by Commissioner Gunzburger.

Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

COMMISSION MINUTES

MAYOR EGGELLETON: Ladies and gentlemen, those items that are remaining on the agenda, we will take up at the 2:00 o'clock afternoon public hearing. I'd like to apologize. I think there are two items left. They're going to take some -- some time to discuss, and we will take those items up at the 2:00 o'clock public hearing.

With that, I move we rise.

(THE MEETING RECESSED AT 12:43 P.M. AND RECONVENED AT 4:55 P.M.)

AGENDA ITEM 67

MAYOR EGGELLETON: Okay. That -- thank you very much. That moves us to Item 67 from the morning meeting. Item 67, I've already indicated what it is.

Any comments on Item 67?

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Yeah. I don't have any comments on A. I do have some comments on B.

In Section B, in the RLI, it states -- and I realize that Ms. Billingsley gave us an amendment which said that either they would buy it or the County ownership. This is a management contract, and I've never really been comfortable with management contract, because it seems to me what we do is we put someone in business. We pay all their costs of operation, They assume no risk, and we make them wealthy. It's a great deal.

But what concerns me about this is, if you require them to buy the buses, one private company buying another company's shuttles is a taxable event. You will then reimburse the second company under a management contract for the taxes they pay to buy the shuttle from the first company.

It seems to me, if -- if it is the airport's determination that they wish to have a management contract, then we ought to own the buses or the shuttles. Because if we own them, if we take ownership, there's no tax, and then we could lease them for a dollar a year to a vendor. But it just makes no sense to me to have any provision in here that -- that would require the other vendor to purchase it. If they have to finance it, there's going to be a financing cost they're going to pass on to us. There ought to be a way we can take ownership and we can get an agreement in the lease that would indemnify us totally for the use of buses. So, I mean -- or the shuttles, whichever they would use.

So I'd want to see deleted any and all requirements that the vendor have to purchase the buses. It may be that the vender -- and I understand we've already bought the buses and we've reimbursed somebody. Those buses -- that's the problem with management contracts. Some other provider who may not get the new contract brought shuttles, and we paid them. And, you know, they're really -- we're trying to work out something where the money that we paid to this vendor is not lost to us.

I just think we need to take the shuttles. We keep the ownership. It shouldn't be a requirement to buy them. It ought to be a requirement to lease them.

MAYOR EGGELLETON: What's the impact of that, Ms. Brangaccio?

MS. BRANGACCIO: Right now, we had proposed an amendment that says either take ownership of the buses or operate the buses under ownership by the County. Of course, vendor ownership, you've

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already covered that, Commissioner. So I would look, if you want to address that as airport staff in terms of actual the management contract.

MAYOR EGGELETION: I want you to address Commissioner Lieberman's comments. What's the impact of that financially of that to the County?

MS. BOWERS: Based on the book value of the buses, we estimate a little under \$200,000.

COMMISSIONER LIEBERMAN: If we take back the buses?

MS. BOWERS: If it has to transfer from one vendor to another vendor, my understanding --

COMMISSIONER LIEBERMAN: But if we take back the buses, there's no impact?

MS. BOWERS: Absolutely.

COMMISSIONER LIEBERMAN: Exactly. That was my question. That's my point.

MAYOR EGGELETION: Okay. What's the financial hit to the County?

COMMISSIONER LIEBERMAN: None.

MS. BOWERS: If we take the buses back, take title back of the buses, there is no tax ramifications. We've also checked the insurance ramifications, and it looks like based on the reimbursables that we're paying now that that's minimal, if anything.

MAYOR EGGELETION: Okay.

So what's the amendment, Commissioner?

COMMISSIONER LIEBERMAN: So my amendment would be that we delete any language requiring any proposal to buy the buses, and instead replace it with language that says they're going to have to lease the buses from us or provide their own fleet, but they don't have to buy them.

And I would accept the proper language from staff. I just raise the issue because it's a management contract..

MAYOR EGGELETION: That's fine. There's an amendment and a second.

COMMISSIONER KEECHL: Second.

MAYOR EGGELETION: Discussion on the amendment?

Commissioner Gunzburger.

COMMISSIONER GUNZBURGER: I would want in the amendment some provision that the buses remain in reasonable condition and allow for wear and tear, because if we own them and they don't, I want to make sure that they will maintain them, whoever they are.

COMMISSION MINUTES

COMMISSIONER LIEBERMAN: That would be in the lease, Commissioner. When you do the lease, you would have a number of conditions for maintenance absolving you of any liability. All of that would be in the lease between the vendor and the County.

MAYOR EGGELETION: There's already a service agreement here, maintenance that we pay for, so I think that's already done.

All right. Any other comments?

Okay. Let's vote on the amendment. All those in favor of the amendment? All those opposed?

Show the amendment adopted.

COMMISSIONER LIEBERMAN: Just for staff, there are three places I'll need to amend, Page 1 of 14, 2 of 14 and 9 of 14. Item 14 will require an amendment to reflect the decision of the Board.

MAYOR EGGELETION: Okay. Let the amendment be ensconced in all places in the agreement that's applicable.

Any other comments? Okay.

COMMISSIONER LIEBERMAN: Move Item A and B as amended.

MAYOR EGGELETION: The item is moved by Commissioner Lieberman, it's been seconded by Commissioner Ritter.

Any objection? Any objections?

Without any objections, show Item 67 from this morning's meeting pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETION: Okay. Who wants to serve on the S/NC? Raise your hand. Let the record reflect that it's Ritter, Lieberman, Eggeletion, Vice Mayor Wexler, Gunzburger, and Commissioner Keechl. Okay.

VICE MAYOR WEXLER: Rodstrom.

MAYOR EGGELETION: And Commissioner Rodstrom, as well. So, okay, you've got all but one. Thank you. Did we have any other items? Was it Item 72?

VICE MAYOR WEXLER: 75.

COMMISSIONER LIEBERMAN: And 72.

AGENDA ITEM 72

MAYOR EGGELETION: 72. Let's take up 72. Want to hurry up and dispose of this. Item 72.

COMMISSION MINUTES

COMMISSIONER GUNZBURGER: Did we do 68?

MAYOR EGGELETTION: Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I think this is a good start, but it has some problems with it. First of all, we need an indemnity policy. But as I've talked to the County Attorney, one of the concerns that I have is that the current case law says that you're entitled to a defense at County costs for actions within the scope of employment. And then there's a question of reasonable attorneys' fees. And I asked him what -- because he's saying at conflict counsel rates. What are the conflict counsel rates? And although that may be reasonable for civil litigation or ethics matters, it's probably not reasonable under a criminal matter.

And lest anybody think this is unusual, I don't know a company that doesn't have an indemnity policy for its officers and directors. So all we're doing is bringing our operations into accord with what people would do for officers and directors of which we are, or board members or employees.

The -- probably what you want to do, and I'd ask the -- I'd ask the Board's permission if what you want to do is, I'll work with the County Attorney and give him these suggestions. But I have a couple of them, including that if he determines there's a conflict that the person's choice of attorney and rates be approved by the Board so there's no surprises and that there be language inserted that deals not just with civil litigation, but it's proceedings of all kind, claims, it could be a DOHA hearing. There are a number of matters.

MAYOR EGGELETTION: All right. Let me just advise the Board. I want to try to get this thing started on time this afternoon. Obviously we're not going to do that, but we're running out of time here.

This is just -- this is just putting us on notice that it's going to the County Attorney and it's coming back to us. Those of you who have amendments,, just write your amendments, give them to the County Attorney, and he will ensconce them in the agreement. You know, do we have a motion on the item?

VICE MAYOR WEXLER: Move the item.

COMMISSIONER KEECHL: Second.

MAYOR EGGELETTION: The item has been moved by Vice Mayor Wexler. Seconded by Commissioner Keechl.

Any objection? Any objection?

Without objection --

COMMISSIONER LIEBERMAN: It's not an objection, but I just want to know that we'll have an opportunity --

MAYOR EGGELETTION: He indicated yes.

Mr. NEWTON: What I will do --

MAYOR EGGELETTION: He indicated yes. Okay. Let it reflect that the Item 70 pass unanimously.

VOTE PASSES UNANIMOUSLY

COMMISSION MINUTES

MAYOR EGGELLETON: What was the last item?

VICE MAYOR WEXLER: Item 75, and they've been waiting here for quite a few hours.

MAYOR EGGELLETON: Item 75. Item 75. This is a motion to consider adoption of a resolution opposing FDOT plan to construct an elevated reversible toll lane on I-595.

Commissioner Wexler -- Vice Mayor Wexler, you're recognized. Wait just a minute. It's actually Item 79?

VICE MAYOR WEXLER: No, this is 75. There's two we haven't done yet.

MAYOR EGGELLETON: That's fine. I need a motion to extend.

COMMISSIONER LIEBERMAN: So moved.

MAYOR EGGELLETON: The item has been moved by Commissioner Lieberman, seconded by Commissioner Keechl.

Any objection? Any objection?

Without objection, show the meeting extended. Okay.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELLETON: Let us get to your item. Commissioner -- Vice Mayor Wexler, you're recognized.

VICE MAYOR WEXLER: Mayor, I'm going to ask for support on this item.

COMMISSIONER GUNZBURGER: I can't hear this.

VICE MAYOR WEXLER: Well, there's a slight buzz out there.

COMMISSIONER GUNZBURGER: Yeah, I know.

VICE MAYOR WEXLER: I'm going to ask for support on this item from my colleagues. I know you saw this morning's paper, and certainly FDOT is leaning towards and going to ask the federal government to take what were elevated lanes down the center of 595 and put them on ground level. There's a second project that they're looking at, which is elevating on the south side of 595 now between State Road 84 and 595; some type of rapid transit, mass transit, something like that, that hasn't been determined yet. I, you know, want to get this out just as quickly as possible to let you know that it's -- I have --

MAYOR/ EGGELLETON: Do you have a question?

VICE MAYOR WEXLER: Both -- well, I want to make a statement. Both Commissioner Rodstrom and I share along 595, Plantation and Davie. And for me personally, I want to try to strike a balance. Putting the --

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MAYOR EGGELETTION: Wait just a minute. I'm going to ask those of you that are coming into the room for the public hearing to please do so quietly. We are still in a meeting from this morning, and to hold your comments down. Thank you.

You're recognized, Vice Mayor.

VICE MAYOR WEXLER: It is -- it is not only an environmental, a noise, and a health impact, but to make an elevated lane beginning at 22 feet in the air, and that's the base of the roadway, then building the roadway, and then the -- whatever travels on top of it, well, it would be somewhere above 30 feet in the air. And quite frankly, there's no way to shield anybody from that.

That's the same type of transport that they're now considering for the south side of 595. So you might see something come forward again.

Mr. Pincowski -- Dr. Pincowski, I appreciate all of your suggestions. Many of them have tremendous merit. I want to study and ask the questions of FDOT and our staff which ones might we be able to support, might I be able to support. Not everything looks -- not everything is the way it looks on its cover. You always have to peel the onion back to get to what it really means.

And I'm extremely comfortable and happy today to be able to have and keep this resolution alive and moving forward. We need a position. Elevated lanes down the center of 595 some 30 some-odd feet in the air is not a good thing. So it looks like that FDOT has agreed. They have to move through the process with the federal government, and at some point we will know very shortly. I understand Mr. Wolf will be coming before the MPO on September 20th. So four of us will hear the presentation that the Town of Davie heard last week.

MAYOR EGGELETTION: We have some speakers.

VICE MAYOR WEXLER: I'm more than welcome -- you have some speakers signed up?

MAYOR EGGELETTION: Yes.

VICE MAYOR WEXLER: Well, I'm going to be quiet now and listen to the speakers.

MAYOR EGGELETTION: We have some speakers on the item. Mr. Jack Pincowski, you're recognized, sir.

MR. PINCOWSKI: Thank you, 10701 Blue Palm Street, Plantation.

Thank you, Mayor and Vice Mayor, Commissioners, for the opportunity to speak on the proposed resolution. I strongly encourage you to get that resolution out as soon as you can, because it is not a done deal.

And just to correct a few things that you mentioned about the height of the proposed roadway that now has an alternative proposal, the height of the proposed roadway would be in excess of 50 feet, because it would have to clear the existing traffic on 595 and allow for a vehicle and a station above the air at the overpasses. So it's quite substantially high.

It would have a detrimental impact to Broward County, and just as in the FHA issue, there's as Federal Highway Administration issue. In this case, it's an interstate road, and the recommendation of the Florida Department of Transportation has to be approved by the Federal Highway Department, and

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they have currently approved the highway-in-the-air proposal. So your resolution in opposition to that proposal, joining that of the City of Plantation, the Town of Davie, is most important as soon as possible.

At the same time, the alternative proposal is wonderful. The administrators at FDOT have made an alternative to put the highway lanes at ground, which would do a great benefit for the citizens of Broward County and the commercial tax base in the Town of Davie. It would also enable sound walls to be built on the residential communities along 595, on both sides. It would allow the possibility of a transit corridor on the south side in the future.

And here's the most important thing. The transit corridor is not building transit. This one suggestion does not make a ladder of transit east and west across our county that is very needed. It's not anything that's definitely going to happen. It's just that the state Department of Transportation, through the Federal Highway Administration, is going to provide the transitway that in the future some other commission will decide what that transit looks like.

This is a win/win for Broward County, the alternative proposal, and I would strongly encourage you to add to your resolution that is in opposition to the elevated highway, endorsing and thanking them for the alternative proposal, which would be adding the highway lanes at grade with a lot of benefits to the economic base of Broward County, as well as the ecology and the citizens who live and work here.

Thank you very much for extending the meeting and the opportunity to express my opinion.

MAYOR EGGELLETON: Thank you very much.

The next speaker that we have is Mr. -- this looks like Mitchell Chester. Mr. Chester, you're recognized, sir.

MR. CHESTER: Thank you, Mr. Mayor, and thank you all for extending the meeting, as was said -- as was reflected.

We started 595alert.org because of our extreme concern about this particular this particular road and what they were going to do. The safety problems, talking about response time, the much longer response time, because there would be no exit, there would be no entrance in Davie or in Plantation for the Davie Fire Department to respond. Any fire department that's responding for Fire Rescue would take a long time to get through to the accident, get off the bridge, and it would cause probably loss of life.

The access is restricted. The air quality is a problem. The higher you are, the greater the dispersal. The air quality analysis of FDOT is a big concern and needs to be delved into with much greater detail.

There are design problems, also; as I mentioned, the sound. But also, at the elevated levels, will there be access for emergency vehicles on sufficient shoulders on one side or on either side? Remember, these will be reversible toll lane, congestion pricing, and what will happen is that during one part of the day, there they will be going one way; during another part of the day, they will be going another way. Consequently, it all adds to the mix about safety.

There's financing problems. The P3 consent, the Public/Private Partnership concept which has been adopted by the governor in House Bill 989 and signed this year, the details are nebulous. What we're seeing is that a corporation, an international or a national corporation, may in fact run this road, maintain it, build it, and have it for up to 35 to 50, maybe as high as 75 years.

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The cost is more expensive when you elevate it than at grade level. The Town of Davie, as you've heard, has has opposed it with resolution, and also the City of Plantation. Many public have done so, as well. The *Sun-Sentinel* article this morning is very important, and I'll finish up. FDOT needs to hear your opposition to the elevated roadway; because with that, with that statement, they can then go back to the Federal Highway Administration and say, "Don't tie our hands. Let us go to grade level." And we can get rid of this monstrosity, this miles-long -- five-, six-mile-long road over central Broward County that will not serve central Broward County.

So your statement today is crucial. We thank you very much.

MAYOR EGGELETTION: Thank you, sir.

The last speaker I have on this is Mr. David Weiss. Mr. Weiss, you're recognized, sir.

MR. WEISS: Thank you very much. First of all, I want to thank Commissioners Wexler and Rodstrom for bringing this matter to the attention of the Commission. I want to thank everyone on the Commission. It's been a learning process for us all, from Concerned Citizens for a Better 595. The idea is that government can work, both on a local level, on a state level, and certainly on a federal level, which is where we're going next. The citizens have spoken. The citizens have met with DOT, and surprisingly DOT is responding. We want to thank Jim Wolf and everyone at DOT for being flexible, admitting that there is a better alternative and solution, in our view. And we're looking forward to working with FDOT and working within the Commission and everyone else to try and find a better mass transit solution for Broward County. I want to thank you very much.

MAYOR EGGELETTION: Thank you, sir.
Commissioner Wexler? Vice Mayor Wexler?

Commissioner Rodstrom?

VICE MAYOR WEXLER: I have spoken.

MAYOR EGGELETTION: Commissioner Rodstrom?

VICE MAYOR EGGELETTION: Commissioner Rodstrom, did you have --

COMMISSIONER RODSTROM: No, I just -- I welcome this opportunity. I think we needed to weigh in and let DOT know how we feel about this, and I think this resolution does that. And I think we're in good company. The cities are opposed to it, and now the County is, too -- should you vote for it.

VICE MAYOR WEXLER: Thank you.

MAYOR EGGELETTION: And let me just let the general public and the Board know. We're trying very desperately to plan a workshop on October 16th. The first part of that workshop would be with the MPO, and the County Attorney has append -- has append recently the MPO's position with respect to the statutes, and I think all of you have a copy of that, and their responsibilities.

Additionally, following that workshop, we want to have sort of an informational workshop with the general public, which would be the first in a series of public hearings that we intend to have over the next 18 to 24 months with the general public with respect to transit in Broward County to begin the dialogue so that we can address the appropriate transit needs for this county in a comprehensive way, while working hand in hand with the RTA, with the MPO, with Miami-Dade, with Palm Beach County, and of course with

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our own municipalities in Broward County so that we can somehow understand where we're going to be in the next 20 to 30 years with respect to transportation.

It's going to take a long time to do that. We're not trying to rush it, but there will just be a series of meetings planned out over the next 18 to 24 months so that we can have an open, frank, and honest discussion with the general public so that everybody will understand what the needs are and how we intend or how shall I say the general public intends for us, the Board of County Commissioners, and the MPO and the RTA, to address those needs.

Commissioner Jacobs, you're recognized.

(COMMISSIONER WASSERMAN-RUBIN RETURNED TO THE ROOM.)

COMMISSIONER JACOBS: Thank you, Mayor. I'll be brief, in the interest of time. I was thrilled to see this item come before us. It has, as you know, been a frustration of mine that FDOT has been plowing forward with this plan. My initial meetings with Jim Wolf were that they wanted to have this wrapped up during the summer, and I complained to him about the numbers of people that are gone during the summers and the inability of the public to really grasp this project and what it means to our future.

I think it's a bad project. I think it's ill-conceived. There are many points of it, in addition to a 50-foot bridge that goes all the way out basically so the folks on the very western extremes of the County get a break, but nobody in between. To me, that is not a proper use of the dollars.

Additionally, the idea of congestion pricing, I don't know if you all understand what that means. What that means is, the price goes up. As the lane gets full, they raise the price. And Mr. Wolf told me he would have no problem continuing to escalate the price to bleed traffic back out of that lane so that it flowed freely. The point is to keep the flowing freely. It is based on the California model, and there are many more throughout the country that are.

I don't think we've seen any of these models in existence long enough to know whether they are going to be successful or not in the long-term. Private companies also, if you look across the country at these types of agreements that are building these types of tollways, in order for them to guarantee that they have enough revenue to pay back the cost of building this road, they -- the local governments and the states enter into agreements that say they will -- that preclude them from other roadway enhancements, because any other roadway enhancements that take people away from the 595 corridor would hurt their ability to pay for the debt associated with building this highway.

It is, in my opinion, very ill-conceived. It has nowhere near had enough public airing, and I am very much looking forward to all the joint meetings, Mayor, where we really talk about transit and the future of this county. We can only build roads so wide. We're going to have to start talking about the "T" word and how we really start to move people around.

As we continue to crowd our roads, We're going to start finding delays in public safety, our response times. This roadway that is elevated so high, if you got in an accident in the middle of the roadway, there would be no way to get to you, no way for others that are backed up behind the accident to get off. It's -- it's just plain crazy to me to have any project like this proposed as it is.

The at-grade is a step in the right direction, but I still have concerns about two things. Once you get on, you can't get back off, So anybody in the middle is not benefited from it. And the congestion pricing, where we would take in essence they're called Lexus lanes. To me, these are the supreme Lexus lanes, because it is only one on, and one on way, and one way to get off.

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But to continue elevating those prices really it says to me that you're not looking at all of the population and the needs of all commuters. You're looking at those who can most afford to zip where they need to be, and the rest of us just have to sit there in traffic. And to me, that's not a democratic principle that I would support.

So I do support the item, and thank you for bringing it forward.

MAYOR EGGELETTION: Thank you.

Commissioner Keechl, you're recognized.

COMMISSIONER KEECHL: Thank you, Mayor. I'll be brief. I hate voting on things when I have very little information. And this is no criticism of anybody on the dais, but we had an agenda item which I was interested in, and then the resolution.

One of the first thing that happened when I got elected was I had my FDOT meeting where they discussed the elevated lanes, and I think they met with each of us. And the one interesting thing they said was, with the elevated lanes, we still will have the possibility one day of a commuter rail going between the 595 lanes. So if -- I also said to the FDOT gentleman: "Why are you even giving me a briefing on this?" Literally, I'd been on the dais -- or the Commission for three or four days. "Do I have a say? Do I get a vote?" And he said, "No, not really." So it's kind of interesting that we're doing a resolution. This reminds me, sort of, of the coal-generated power plant in Glades, where some of us said, "You know what? We don't do resolutions if we can't say anything."

However, having said all those comments, I hear what you're saying. I've received your e-mails. There are problems with this. And if that's the will of the Board, then I will vote in favor of the resolution to make it unanimous. Thank you.

MAYOR EGGELETTION: Okay. I just -- again, I just want to remind the Board, and certainly the community will be reminded in public service announcements and/or the newspaper, of the first of a series of public meetings that will begin in Broward County and extend itself over the next 18 to 24 months dealing with transportation. And so I just want to remind you of that.

Having said that, the item has been put by Commissioner -- Vice Mayor Wexler. It's been seconded by Commissioner Rodstrom.

Any objection? Any objection?

Without objection, show the resolution pass unanimously without objection.

VOTE PASSED UNANIMOUSLY

AGENDA ITEM 32

MAYOR EGGELETTION: Now, we have one item left in front of us from this morning. This morning, there was a gentleman here who had intended to pull Item 32. He did not get an opportunity to do so. I indicated to him that we would give him an opportunity under the non-agenda to deal with the item.

COMMISSIONER RODSTROM: Mayor, but you're on the morning agenda?

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MAYOR EGGELLETON: Yes, yes. So we're going to allow that gentleman to come forward. He has been here all this time, since 10:00 a.m. this morning. And I'm certainly going to allow him on Item 32, which is a Water Resource Division issue, which was a resolution passed by the Board of County Commissioners requesting the federal government and the legislature of the State of Florida to take any and all necessary action to preserve, protect the levy system surrounding Lake Okeechobee.

Mr. Rand, you're recognized.

MR. RAND: Thank you. I apologize for commenting on this that slipped by when I arrived a little late.

As I've said before, this isn't just Lazy Lake that's proposing that the government, the federal and state take all action, et cetera. This is you, you people, and providing for an effective date. The reality is that the federal and state provided an effective date two years ago. They lowered the lake two or three feet. There's no probability whatsoever of a breach of the levy at this point in time.

Now we're in a curious position, where we have a pray for a series of hurricanes to strike a couple hundred miles north of us, in Orlando to fill the lake up. It's at a critically low level, critically low. And if we're off in our prayers, then what happened two years ago will get crisscrossed, and not -- not Orlando, where my relatives are.

So you're trying to essentially close the barn door after the horses are let out. I'm a concerned citizen, former employee of the County environmental agency, and was hired 18 years before Commissioner Gunzburger was elected.

Those are good questions, Ms. Gunzburger. The answer is in the future, we'll brush our teeth by taking cruises out of Port Everglades to use their recycled water. That's the reality of it and all. There's just not enough water to go around. If you don't have water in your tank, you can't flush your toilet. And the tank at the lake is dry. It's empty. You heard Mr. Hui say they're not going to supply any more water from the lake.

This is the crisis that was talked about 25 years ago, when the voters -- taxpayers voted down regional water system, and that didn't fly. So we're in the crisis in the future that was talked about over a quarter of a century ago.

As I say, all we can do is keep praying that that backup supply is replenished. And the state and the federal government isn't going to spend a nickel. They're not going to put one more pebble on that levy, when New Orleans needs serious rebuilding with their levy system. And that's the greatest disaster in the United States so far. As I told you, I survived a hurricane 52 years ago in Connecticut and keep talking about it, because you ain't seen nothing yet.

And the greatest disaster in the United States hasn't occurred yet, and we're just sitting out here in a much bigger and more precarious situation than New Orleans, and we're still dealing with the financial repercussions of a couple of minor storms, really minor.

So this is great, wishful thinking, but it's just not practically based. We need to take other efforts to conserve water. And I pray for the day when we have a unified plan to shut down the system when a hurricane approaches. They have snow days up north. They figured out blizzards. We haven't figured it out down here. A hurricane watch means: "Watch, somebody is going to die." A warning is, "You're going to die." You need to shut down the system; I mean, days in advance. We're losing critical satellites, critical intensification computer models, and the hurricane director left. We're in a crisis.

MAYOR EGGELLETON: Thank you, sir. Your time has expired.

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Mr. RAND: Thank you, Mr. Mayor.

AGENDA ITEM 79

MAYOR EGGELETION: Ladies and gentlemen, I inadvertently failed to take up Item 79, which is the calendar.

COMMISSIONER GUNZBURGER: Yes.

MAYOR EGGELETION: Commissioner Wexler, because you're such a kind and gracious person, I'm going to cut my hunting trip short somehow to come back on the 27th. That is a very tough decision for me.

VICE MAYOR WEXLER: You're going to be gone for two weeks?

MAYOR EGGELETION: I'm going to be elk hunting, Commissioner. So I'm sorry, I'm going to come back.

COMMISSIONER GUNZBURGER: Well, the ducks are celebrating.

MAYOR EGGELETION: It's not ducks this time. It's elks, elks, elks. Okay. All right? Okay.

All right. Very good. Is there a motion on Item 79?

COMMISSIONER KEECHL: So moved.

COMMISSIONER GUNZBURGER: Second.

MAYOR EGGELETION: It's been moved by Commissioner Keechl; seconded by Commissioner Gunzburger.

Any objection? Any objection?

Without objection, show Item 79 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETION: Ladies and gentlemen, the hour is now 5:23 in the afternoon. It was our intent to begin the public hearing at 5:01. It is my understanding that the minutes secretary has been there for a long period of time and need to take a break. So we have to allow her to take a break for the restroom, and I imagine all of you. We have been here since 2:00 o'clock, really, this afternoon, in addition to this morning. I think that we can come back at, say, 5:30. Is that okay with everyone? Okay, 5:30. We're going to take a five-minute recess. Thank you.

Well, actually we adjourn until 5:30, yes.

(THE MEETING ADJOURNED AT 5:26 P.M.)

(THIS IS NOT A VERBATIM TRANSCRIPTION OF THE MINUTES.)

COMMISSION MINUTES

(CD-07-89A)

Public Hearing 2:14 p.m.

PUBLIC HEARING MINUTES

PUBLIC HEARING OF SEPTEMBER 11, 2007

(The meeting convened at 2:14 p.m. and adjourned at 4:55 p.m.)

PLEDGE OF ALLEGIANCE was led by Jennifer Doss, Mrs. Broward County 2007, who will be representing Broward County in the Mrs. Florida Pageant in 2008.

CALL TO ORDER: Mayor Josephus Eggelletion, Jr. called the meeting to order and declared a quorum present.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Not Present *
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

1. MOTION TO ADOPT supplemental Budget Resolution 2007-539 within the General Fund in the amount of \$46,315 to amend revenues and appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:39 PM) Approved.

VOTE: 8 – 0.

2. MOTION TO ADOPT supplemental Budget Resolutions 2007-540 to 2007-541 within the Internal Service Fund in the amount of \$1,223,500 to amend revenues and appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:40 PM) Approved.

VOTE: 8 – 0.

3. A. MOTION TO ADOPT supplemental Budget Resolutions 2007-542 to 2007-548 within the Special Purpose and Grant sub-funds of the General Fund in the amount of \$3,359,530 to amend revenues and appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:40 PM) Approved.

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VOTE: 8 – 0.

** Commissioner Rodstrom was present for vote on Item 29 only.*

B. MOTION TO ADOPT Budget Resolution 2007-549 with the Special Purpose and Grant sub-funds of the General Fund in the amount of \$19,940 to amend appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:40 PM) Approved.

VOTE: 8 – 0.

4. A. MOTION TO ADOPT supplemental Budget Resolutions 2007-550 within the Special Revenue Funds in the amount of \$192,850 to amend revenues and appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:41 PM) Approved.

VOTE: 8 – 0.

B. MOTION TO ADOPT Budget Resolution 2007-551 within the Special Revenue Funds in the amount of \$65,000 to amend appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:41 PM) Approved.

VOTE: 8 – 0.

5. MOTION TO ADOPT supplemental Budget Resolutions 2007-552 to 2007-554 within the Capital Funds in the amount of \$4,902,173 to amend revenues and appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:41 PM) Approved.

VOTE: 8 – 0.

6. MOTION TO ADOPT supplemental Budget Resolution 2007-555 within the 2006 First Florida Debt Service Fund in the amount of \$5,000 to amend revenues and appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:42 PM) Approved.

VOTE: 8 – 0.

7. MOTION TO ADOPT supplemental Budget Resolution 2007-556 within the Enterprise Funds in the amount of \$633,010 to amend revenues and appropriations prior to the close of the Fiscal Year.

ACTION: (T-2:42 PM) Approved.

VOTE: 8 – 0.

COMMISSION MINUTES

8. MOTION TO CONSIDER adoption of a Resolution 2007-557 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 35, "FEES AND OTHER CHARGES, FINANCE AND ADMINISTRATIVE SERVICES," BY AMENDING PART III, "COUNTY RECORDS," SECTION 35.20, "COPYING FEES," TO INCREASE THE NOTARY FEE PERFORMED BY COUNTY RECORDS FROM FIVE DOLLARS TO TEN DOLLARS; AND BY AMENDING SECTION 35.21, "DOMESTIC PARTNERSHIP REGISTRATION FEES," TO INCREASE THE NOTARY FEE PERFORMED BY COUNTY RECORDS FROM TWO DOLLARS TO TEN DOLLARS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-2:43 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 1. Commissioner Ritter voted no.

9. MOTION TO ADOPT Resolution 2007-558 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT ADDING A PUBLIC SCHOOL FACILITIES ELEMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; AND PROVIDING AN EFFECTIVE DATE.

ACTION: (T-2:45 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 1. Commissioner Gunzburger voted no.

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10. MOTION TO ADOPT Resolution 2007-559 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-2:50 PM) Approved.

VOTE: 8 – 0.

11. MOTION TO ADOPT Resolution 2007-560 transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs (DCA), the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-2:51 PM) Approved.

VOTE: 8 – 0.

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12. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" land use plan amendment, PC 07-18, in the City of Pompano Beach (**Commission District 2**) 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 POMPANO BEACH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-2:52 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

13. A. MOTION TO ENACT an 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 2007 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 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE DAVIE TRANSIT ORIENTED CORRIDOR (TOC); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:02 PM) Deferred at the request of the Town of Davie.

B. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-19, designating a "Transit Oriented Corridor" in the town of Davie, as a part of the first annual proposed 2007 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 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE TOWN OF DAVIE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:02 PM) Deferred at the request of the Town of Davie.

14. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-24, located in the city of North Lauderdale, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 9**), the substance of which is as follows:

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AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:03 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

15. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-27, located in the city of Plantation, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 1**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF PLANTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:12 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

16. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 07-3, located in the city of Deerfield Beach, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 2**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF DEERFIELD BEACH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:13 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

COMMISSION MINUTES

17. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 07-4, located in the city of Hollywood, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 5**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF HOLLYWOOD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

COMMISSION MINUTES

18. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 07-5, located in the city of Miramar, as a part of the first annual proposed 2007 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 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF MIRAMAR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 4 – 3. Commissioners Keechl, Gunzburger, and Lieberman voted no and Commissioner Wasserman-Rubin was not present in the meeting room at the time of the vote. (Refer to minutes for full discussion.)

ACTION: (T-3:17 PM) The Board reconsidered Item 18 as Commissioner Wasserman-Rubin returned to the meeting room.

VOTE: 8 – 1. Commissioner Jacobs voted no for reconsideration.

ACTION: (T-3:20 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 5 – 3. Commissioners Keechl, Gunzburger and Lieberman voted no.

19. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 07-6, located in the city of North Lauderdale, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 9**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:22 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

COMMISSION MINUTES

20. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 07-7, located in the city of Plantation, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 9**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF PLANTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:23 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

21. A. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 07-1, establishing a "Transit Oriented Development" in the city of Hollywood, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 6**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE HOLLYWOOD TRANSIT ORIENTED DEVELOPMENT (TOD) LOCATED IN THE CITY OF HOLLYWOOD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:23 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

COMMISSION MINUTES

B. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 07-1, designating a "Transit Oriented Development" in the city of Hollywood, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 6**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF HOLLYWOOD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:23 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

COMMISSION MINUTES

22. A. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 07-2, establishing a "Transit Oriented Corridor" in the city of Margate, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 2**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE MARGATE TRANSIT ORIENTED CORRIDOR (TOC) LOCATED IN THE CITY OF MARGATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:25 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

B. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 07-2, designating a "Transit Oriented Corridor" in the city of Margate, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 2**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF MARGATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:25 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

23. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 07-3, MainStreet – Coconut Creek Regional Activity Center, as a part of the first annual proposed 2007 amendments to the Broward County Comprehensive Plan (**Commission District 2**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2007 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE COCONUT CREEK REGIONAL ACTIVITY CENTER (RAC) LOCATED IN THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

COMMISSION MINUTES

ACTION: (T-3:28 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8 – 0.

24. MOTION TO ADOPT Resolution 2007-641 of the Board of County Commissioners of Broward County, Florida, amending Chapter 37, Part IV, of the Broward County Administrative Code; providing a revised parks system fee schedule for Fiscal Year 2008; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (T-3:29 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 1. Commissioner Ritter voted no.

25. MOTION TO CONSIDER whether or not there should be a taximeter rate adjustment in accordance with Section 22 ½ - 11 of the Broward County Code (Motor Carriers Ordinance).

ACTION: (T-3:42 PM) Approved. The Board adopted staff's recommendation to not raise the rates and further directed staff to develop a system going forward that will provide information regarding luxury car permits versus taxicab permits. (Scrivener's error – See County Administrator's report: Exhibit 2, in the last column labeled "Additional Charges" should read "NO" for Broward County, and "YES" for Miami-Dade. Refer to minutes for full discussion.)

VOTE: 8 – 0.

26. MOTION TO ADOPT Resolution 2007-642 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, VOLUME TWO, CHAPTER 42, SECTIONS TWO THROUGH TWELVE INCLUSIVE OF PORT EVERGLADES TARIFF NO. 12, CODIFIED AS EXHIBIT 42.A AND INCORPORATED IN SECTION 42.25 OF THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING FOR INCREASES IN DOCKAGE, WHARFAGE, CONTAINER CRANE RENTAL, SECURITY, AND GENERAL PORT SERVICES; PROVIDING RULES AND REGULATIONS TEXT UPDATES TO SECTIONS 2, 3, 4, 7, 8 AND 10; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-4:02 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

27. MOTION TO ADOPT Resolution 2007-643 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Seabulk Towing, Inc. d/b/a Port Everglades Towing, to operate a tugboat and towing concern at Port Everglades, Florida; providing for findings of fact; providing for award of franchise; providing for the authorization of the Mayor and Clerk to execute franchise agreement; providing for a ten-year term; providing for non-discrimination/applicable law; providing for severability; and providing for an effective date. The Resolution setting this Public Hearing was adopted on August 28, 2007 (Item 53).

ACTION: (T-4:15 PM) Approved.

VOTE: 8 – 0.

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28. MOTION TO ADOPT Resolution 2007-644 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Tugz Company, LLC d/b/a McAllister Towing of Port Everglades, to operate a tugboat and towing concern at Port Everglades, Florida; providing for findings of fact; providing for award of franchise; providing for the authorization of the Mayor and Clerk to execute franchise agreement; providing for a ten-year term; providing for non-discrimination/applicable law; providing for severability; and providing for an effective date. The Resolution setting this Public Hearing was adopted on August 28, 2007 (Item 54).
ACTION: (T-4:15 PM) Approved.

VOTE: 8 – 0.

COMMISSION MINUTES

THE FOLLOWING ITEM
CONTINUED FROM THE AUGUST 28, 2007 - 2:00 PM PUBLIC HEARING



29. A. MOTION TO REOPEN Public Hearing relating to the proposed issuance of Broward County, Florida Airport Facility Revenue Bonds (Embraer Aircraft Holding, Inc. Project), Series 2007A and Series 2007B, in an aggregate principal amount not exceeding \$17,000,000; continued from August 28, 2007. (Continued from August 28, 2007 – Item No. 14)

ACTION: (T-4:33 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

B. MOTION TO ADOPT Resolution 2007-645 of the Board of County Commissioners of Broward County, Florida, approving the issuance of one or more series of not to exceed \$17,000,000 Broward County Airport Facility Revenue Bonds, Series 2007A and Series 2007B (Embraer Aircraft Holding, Inc. Project) by Broward County for the purpose of Sections 142 and 147(f) of the Internal Revenue Code of 1986, as amended; and providing for an effective date.

ACTION: (T-4:33 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 2. Commissioner Lieberman and Vice-Mayor Wexler voted no.

*ACTION: (T-4:55 PM) Commissioner Rodstrom entered the meeting room at this time and requested that he be shown as voting no.

VOTE: 6 – 3.

COMMISSION MINUTES

THE FOLLOWING ITEM

CONTINUED FROM THE AUGUST 7, 2007 - 10:00 AM PUBLIC HEARING

30. MOTION TO ADOPT Resolution 2007-646 of the Board of County Commissioners of Broward County, Florida, amending Chapter 39 of the Broward County Administrative Code, "Fees and Other Charges, Aviation;" amending Section 39.2, "Rates, Fees and Charges, Fort Lauderdale-Hollywood International Airport," revising terminal rates and charges, landing fees, security charges, employee parking lot fees, public parking facilities fees, courtesy parking, and lost keys; amending Section 39.3 "Non-terminal Rates and Charges - Fort Lauderdale-Hollywood International Airport and North Perry Airport," revising fuel flowage fees, and equipment rental rates; amending Section 39.4, "Other Rates, Fees, and Charges and Collection", revising terminal recheck fee; providing severability; providing for inclusion in the Administrative Code; and providing for an effective date. (Continued from August 7, 2007 – Item No. 76)

ACTION: (T-2:57 PM/4:17 PM) The Board approved as amended, per the purple-sheeted agenda material submitted on September 11, 2007, to delete the Non-Signatory rate increase; eliminate the employee parking rate increase; and change the effective date to October 1, 2007. (Refer to minutes for full discussion.)

VOTE: 6 – 2. Mayor Eggelton and Commissioner Jacobs were out of the meeting room at the time of the vote.

END PUBLIC HEARING

COMMISSION MINUTES

THE BROWARD COUNTY
BOARD OF COUNTY COMMISSIONERS
MEETING OF
SEPTEMBER 11, 2007

2:00 P.M.

A meeting of the Broward County Board of County Commissioners, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida at 2:00 p.m., Tuesday, September 11, 2007.

COMMISSIONER	DISTRICT	ATTENDANCE
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Not Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

CALL TO ORDER

MAYOR EGGELETION: Good afternoon. Good afternoon, ladies and gentlemen. If you would, please, I would like to call the 2:00 p.m. public hearing of September 11, 2007, of the Board of County Commissioners to order.

GOOD AND WELFARE

MAYOR EGGELETION: Ladies and gentlemen, today we want to stand for the Pledge of Allegiance. But this afternoon, we have a very, very special member of our community to honor, and her name is Jennifer Doss. And she is Mrs. Broward County 2007.

Ms. Doss.

(Applause.)

MAYOR EGGELETION: Jennifer is going to represent Broward County in the 2008 Ms. Florida Pageant that will be held at the end of May. Now, Jennifer works as a marketing executive with the Seminole Hard Rock Hotel and Casino and volunteers extensively as a mentor to Kids in Distress, an organization which she has passionately supported over the years.

Jennifer, I want to wish you the best of luck in Mrs. Florida Pageant, and we want you to make Broward County proud.

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MS. DOSS: That's right.

MAYOR EGGELLETON: I also want to take a quick moment to congratulate Jennifer and her husband, Derrick, on the two-year anniversary of their marriage was yesterday. So, Derrick, it looks like you did all of us -- you married up.

(Applause.)

MAYOR EGGELLETON: To congratulate her for being crowned Mrs. Broward County, I would like to welcome Jennifer Doss and ask her to lead us in the Pledge of Allegiance. And, Jennifer, we have this package for you.

MS. DOSS: Thank you.

MAYOR EGGELLETON: Thank you so very much. And, Jennifer, you are recognized to lead us in the Pledge of Allegiance.

UNIDENTIFIED SPEAKER: Thank you. Thank you. All right. Are we ready?

(PLEDGE OF ALLEGIANCE WAS LED BY MRS. JENNIFER DOSS, MRS. BROWARD COUNTY 2007, WHO WILL BE REPRESENTING BROWARD COUNTY IN THE MRS. FLORIDA PAGEANT IN 2008.)

MAYOR EGGELLETON: Would you like to address the Commissioners?

MS. DOSS: I just want to say thank you for having me here and honoring me. This is a big deal to me. I'm very excited to represent Broward County and take it to the next level. And, um, my husband -- my husband and I are thrilled to be working with Kids in Distress. We do this together. It's very important to us. So thanks again.

MAYOR EGGELLETON: Okay. Thank you so very much, Jennifer, and congratulations. Do us proud.

MS. DOSS: I will.

MAYOR EGGELLETON: The next person that we have that doesn't show on our sheet but certainly shows on mine is the president of United Homes who has a special presentation to present to the County at this time.

So if Tony Mijares is here. Mr. Mijares, you're recognized.

MR. MIJARES: Good afternoon, Mr. Mayor, members of the Commission.

As you are all aware, in early World War II, 13 African-American cadets began flight training in what the United States called The Tuskegee Experiment. Despite overwhelming bigotry, the number of these black pilots grew to over 950 by 1943. Identified by the bright red tails on their fighters, the Tuskegee Airmen became the most successful bomber escorts in the European Theater.

Although 66 Tuskegee pilots were killed and 32 more captured, not one American bomber was lost while escorted and protected by the Red Tail Airmen.

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Today, on behalf of United Homes, we would like to present to the Broward County Board of County Commissioner -- Commissioners this limited edition signature print called "The Red Tail" that we obtained at the Boys' and Girls' Clubs's Concourse to Elegance fund-raiser in February of this year.

This print, with over 60 signatures of the original Tuskegee Airmen, includes a piece of the P-51C Mustang, which is in restoration and also includes a collector coin.

It was our intent, in addition to assisting the Boys' and Girls' Club of Broward County that this framed, limited edition signature print be prominently hung in the African-American Research and Cultural Center here in Broward. And we're here to present this to the Board today. Thank you.

(Applause.)

MAYOR EGGELETTION: Mr. Mijares, on behalf of my colleagues, we want to thank you very much for presenting this to us. And I'm quite sure at the African-American Research Library, this will hang prominently there, particularly since encased in this is a piece of the original aircraft. That's very special. Thank you so very much.

MR. MIJARES: It is our honor. Thank you.

MAYOR EGGELETTION: Now I would like to recognize my colleague, Commissioner Diana Wasserman-Rubin, for a presentation for National Alcohol and Drug Addiction Recovery Month.

Commissioner Rubin, you're recognized.

COMMISSIONER WASSERMAN-RUBIN: Thank you, and good afternoon.

And Mr. Mijares, you're a class act and this should be evident to everyone that we of the minority populations in Broward County get along just fine, and we respect each other's commitments and each other's contributions to our -- to our county and our -- and our state. Thank you.

It is my pleasure and my honor to recognize a few people that seldom get recognized but who are out there and work very, very hard to make our county a better place to live and raise our children.

And this month is known as National Alcohol and Drug Addiction Recovery Month. And I would like the following people to please join me here. Paul Jayquith, Division Director, Substance Abuse and Health Care Services. Pam Kramer, Circuit 17 Program Supervisor. Andrea Katz, CEO, Archways, Inc. Joel Kauffman, Vice President Executive Director, United Way's Broward County Commission on Substance Abuse. Cheryl Clarity, Peer Specialist, Recovery Educator, Broward Regional Health Planning Council. And someone who we all know is Mr. Rocky Rodriguez, president of the Broward County Alcohol and Drug Abuse. Thank you.

And the proclamation reads as follows: "Whereas, 22.2 million people in the United States" -- 22.2 million -- "have faced a substance use disorder in the past year and all deserve to experience the many benefits of recovery. Approximately 180,000 Broward County residents are at risk of having substance use disorders and may be in need of treatment. Treatment reduces reported job problems, including incomplete work and absenteeism, by an average of 75 percent.

Treatment is cost-effective, with some measurements indicating that substance use disorders treatment cost \$1,583 per person on average, but as a monetary benefit to society of nearly 11,487 for each person treated.

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The cost of providing treatment in a community-based program is approximately \$11 per day, while housing a person in the county jail costs approximately \$92 a day. We must recognize the financial savings associated with treatment services and ensure that such services are really available -- are readily available to those who need assistance. And prohibitive costs and lack of insurance clearly present obstacles to those who need access to treatment facilities and want to re-establish their place in the community.

Treatment for substance abuse has a positive and powerful impact on our community being just as effective as treatment for any other chronic conditions.

And whereas, it is critical that we raise awareness and educate our community members and local businesses that substance use disorders are a treatable yet serious health care problem, and by taking steps to address such disorders as well as provide support for the families and children of those with these disorders, we can save both lives and dollars.

We would like to acknowledge the achievements of our citizens who have sought treatment and share in their recovery. We would like to acknowledge the hard work and devotion of the staff of the Broward Addiction Recovery Center, as well as all other public and private organizations that provide recovery assistance throughout our community.

Whereas, the United States Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, Broward Addiction Recovery Center invite all residents of Broward County, Florida, to participate in a National Alcohol and Drug Addiction Recovery Month.

Now, therefore, be it proclaimed by the Board of County Commissioners of Broward County, Florida, that the Board hereby declares September 2007 as National Alcohol and Drug Addiction Recovery Month in Broward County, Florida, and calls upon the residents to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme: Join the voices for recovery, saving lives, saving dollars."

It is my pleasure and my honor to have worked with all of these people and to call them all my friends, and I would like to present them with these proclamations. Thank you for all you do.

(Applause.)

COMMISSIONER WASSERMAN-RUBIN: Is it obvious that I need help over here? Wait. We have three cameras, and you're not looking -- you're not looking at any of them. I really do know all these people. I like to kiss, you know, but these guys I really know.

(Laughter.)

COMMISSIONER WASSERMAN-RUBIN: Rocky would like to speak.

MR. RODRIGUEZ: On behalf of my colleagues, everyone in recovery, and your staff, and I want to thank you also. I travel the State of Florida with the Florida Substance Abuse and Health Corporation. Commissioners, Broward County is light years away from many other programs. And when I hear about Broward County, I always say it's the foresight and the dedication and commitment of this Commission.

So having said that, I'd like to remind you that the Board continues to raise funds through the Steven Poor Memorial. We're having the gala on October 5th, and we have elected to give the Steven Poor award to our good friend, Secretary Bob Butterworth, so we love to see a lot of you there. And I

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know that your schedule is real tight, but if you're not there you'll be there in spirit. And thank you very much for everything you do on behalf of rehabilitation and treatment because, trust me, it does work. Thank you.

(Applause.)

MAYOR EGGELETON: Thank you. It's good seeing you, Rocky. Congratulations.

Thank you so very much. Thank you so very much for all you do. Thank you. Thank you.

Now, ladies and gentlemen, we're going to have Commissioner Kristin Jacobs will present -- we have a presentation to make on behalf of Water Resource -- or Water Reuse Week, rather.

Commissioner Jacobs, you're recognized.

COMMISSIONER JACOBS: Thank you, Mayor.

It's my pleasure to be able to read this proclamation today and to welcome to the podium Burt Waters, appropriately the Director of South Florida Water Management District's Broward Service Center -- how apropos -- and also to have at the podium with us today Dr. Jennifer Jurado, who is our new Director of the Water Resources Division.

And so to talk about reuse, reuse in Broward County -- we only reuse about 5 percent of the water in Broward County. And this Board has worked hard to start going in a different direction, and the Water Management District is encouraging, not only Broward County, but many other counties to move toward a 100 percent water reuse and mirror, actually, our neighbor to the north, Palm Beach County.

And so as working toward that goal, it's my pleasure to be able to present this proclamation to you today.

"Whereas safe, clean, and sustainable water resources are essential to Broward County's environment, economy, citizens, and visitors;

And whereas water reuse provides a means for conserving and augmenting Broward's water resources;

And whereas the State of Florida encourages the development of reuse as a valuable water resource and has become a national leader in water reuse;

And whereas the State of Florida has declared September 9th through September 15th, 2007, to be Water Reuse Week in Florida;

And whereas the protection and sustainability of local and regional water resources has been a longstanding priority for Broward County;

And whereas Broward County supports the development of alternative water supplies, including reuse, as a responsible water management strategy to help protect the Everglades, meet future water supply needs, and provide for drought management" -- as long as we put it where it belongs.

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"Whereas, Broward County encourages the investigation of new and advanced treatment technologies and innovative reuse applications as part of its efforts to develop reuse as a significant water resource within the County.

Now, therefore, be it proclaimed by the Board of County Commissioners of Broward County, Florida, that the Board hereby designates September 9th through September 15th as Water Reuse Week in Broward County, Florida, and urges water utilities and municipalities to consider water quality reuse programs as a part of their long-term water supply planning efforts."

And it's signed by our Mayor, Josephus Eggelletion.

MR. WATERS: Thank you very much.

COMMISSIONER JACOBS: You're welcome. Congratulations.

(Applause.)

COMMISSIONER JACOBS: Wait. Let's come away from the podium.

MR. WATERS: Thank you, Commissioner Jacobs, and Mr. Mayor, and members of the Commission. On behalf of my Governing Board Member, Ms. Shannon Estenoz, and our Executive Director, Ms. Carol Ann Wehle, we thank you all for presenting this proclamation to the South Florida Water Management District.

As we continue to embark on water reuse in this part of the state, South Florida, we will continue to work with each and every one of you to make that happen. And so with that, we thank you very much for this proclamation.

MAYOR EGGELETION: Thank you.

(Applause.)

MAYOR EGGELETION: Okay. Thank you. We just had a little -- I found out that Burt and Vice Mayor Wexler attended the same high school, and we were trying to figure out who graduated before whom.

VICE MAYOR WEXLER: And I said I'm old enough to be your mother.

MAYOR EGGELETION: Okay. All right. Next we're going to have the Port Director, Phil Allen, who –

COMMISSIONER GUNZBURGER: Everyone is the same year.

MAYOR EGGELETION: Yeah, well.

MR. Allen, you're recognized for a presentation.

MR. ALLEN: All right. Commissioner Jacobs, as our representative to the Water Management District, could you join me?

COMMISSIONER JACOBS: I'd be happy to.

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MR. ALLEN: And it's also very apropos to the previous recognition here. Steve Neilson, please come to the podium. Steve Neilson is the Vice President for Princess Cruise Lines. Earlier -- earlier this spring, when Broward County was placed under Phase 3 water emergencies, the Port asked all of our cruise lines if they could voluntarily reduce their use of water. We purchase about 300,000,000 gallons of water a year from the City of Fort Lauderdale that we then turn around and sell to the cruise lines, with a little profit added on top of it.

But I asked the cruise lines what they could do to assist us in reducing their consumption. Sent a letter out. Steve responded immediately, said, "Put us in for 50 percent reduction." And two days later, he says, "No. By the way, put us in for 100 percent reduction." And over the six weeks then that we monitored the use of water by the cruise lines, Princess Cruise Lines eliminated the use of over a million gallons of water during that six-week period.

COMMISSIONER JACOBS: Wow.

MR. ALLEN: Other cruise lines, including --

COMMISSIONER GUNZBURGER: (Inaudible).

MR. ALLEN: Water reuse.

No, the cruise lines had -- most of the major cruise lines have the capability to produce water while they're underway through desalinization. The impact on their operations, however, is significant, because in order to do that they have to use energy to run the generators to do the desalinization. But Princess stepped up. We also had Carnival Cruise Lines came in with significant savings, as well as Discovery Cruise Line.

But in recognition of that, I'd like to present a plaque on behalf of Port Everglades, from the Green Team at Port Everglades, presented to Princess Cruises.

Yes, we have a Green Team. We are -- one of our major priorities under our master plan is sustainability.

But on behalf of Princess Cruise Lines, on your commitment to environmental protection 2007, Phillip Allen, Port Director, Port Everglades. Steve?

(Applause.)

MR. NIELSON: Thank you. I just want to say, on behalf of Princess Cruises, thank you for letting us be good responsible corporate citizens in Broward County, as a partnership. You asked how we do it. We -- as Phil said, we burn more fuel to make the water onboard. Being a resident of Broward myself, I want to make sure that we have plenty of water for our local residents, so we save it on board the ship. Thank you very much.

MAYOR EGGELLETON: Thank you.

Phil and Steve, we all had some ingenious ideas of how that water reuse was going, with 3,500 passengers on board. We had our own ideas that we will not reveal at this time.

(Laughter.)

MAYOR EGGELLETON: Okay. Ladies and gentlemen, that ends the Good and Welfare.

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PUBLIC HEARING

MAYOR EGGELETTION: We have 30 items on the Public Hearing Agenda today. Please bear in mind, if we get involved in a long discussion I'm going to move it, move that agenda item, so we can take up some of the noncontroversial items and dispose of those things quickly, because we still have a couple of things from the morning agenda. And I want to get to those things, because we still have people here from the 10:00 a.m. meeting, and I don't want them waiting here all day.

Yes, Commissioner Gunzburger?

COMMISSIONER GUNZBURGER: Are you planning, though, to stop whatever we are doing at 5:01 for the --

MAYOR EGGELETTION: That's exactly it. And we know we may be here very long. We don't know. We are arranging to have supper.

COMMISSIONER LIEBERMAN: And breakfast?

MAYOR EGGELETTION: We had breakfast, I think y'all had a good breakfast.

COMMISSIONER LIEBERMAN: No, tomorrow.

MAYOR EGGELETTION: Well, we're not going to be here. You know, I'm not going to do like my mother would tell you: You're going to eat for dinner what you had for breakfast because you didn't finish it. Right? So I'm not going to do that.

By the way, if there are anyone here on Item 30, on Item 30 today, we are not taking up the employee parking fees portion of that today. So if you're here to speak about the employee fee parking today, it is not -- it will not be dealt with today. Okay? So I just want to make you aware of that if you are here on that item.

Again, we have 30 items on the Public Hearing Agenda today. There's additional agenda information on the purple sheets. They are for Items 24, 26, 29, and 30. There are scrivener's errors on one item, Item 25, Exhibit 2, in the last column labeled "Additional Charges," it should read, "No for Broward County and yes for Miami-Dade."

Withdrawals and deferrals, Item 13 has been deferred at the -- requested by the town of Davie and will be continued.

Ladies and gentlemen, those of you who wish to speak to an item on the public agenda, please fill out the appropriate form with the Minutes Secretary on the end, give it back to her so that I can have it here so that I can recognize you at the appropriate time.

AGENDA ITEM 1

MAYOR EGGELETTION: Again, this is a public hearing. The public hearing portion is now open for public comment. The first item is Item 1. It's a motion to adopt a supplemental budget resolution within the General Fund --

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COMMISSIONER LIEBERMAN: So moved.

MAYOR EGGELETTION: -- in the amount of 46,315.

This is a public hearing. Anyone from the public wishing to speak on the item? Hearing none, the public hearing is now closed.

Comments from the Commission?

COMMISSIONER LIEBERMAN: Move Item 1.

MAYOR EGGELETTION: Hearing none, the item has been moved by Commissioner Lieberman, seconded by Commissioner Gunzburger.

Any objection? Any objection?

Without objection, show Item 1 pass without objection.

VOTE PASSED UNANIMOUSLY

AGENDA ITEM 2

MAYOR EGGELETTION: Item 2 is a motion to adopt a supplemental budget resolution within the Internal Service Fund in the amount of \$1,223,500 to amend the revenues of appropriation prior to the close of the fiscal year.

This is a public hearing. Anyone from the public wishing to speak to Item 2? Seeing that there is no one from the public wishing to speak to Item 2, the public hearing is now closed.

Comments from the Board?

COMMISSIONER LIEBERMAN: Move Item 2.

MAYOR EGGELETTION: Seeing that there is no comments from the Board, the item has been moved by Commissioner Lieberman; seconded by Commissioner Gunzburger.

Any objection?

Without objection, show Item 2 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 3

MAYOR EGGELETTION: Item 3. Item 3 is a motion to adopt a supplemental budget resolution within the Special Purpose and Grants Subfund in the General Fund in the amount of \$3,359,530, to amend revenues and appropriations prior to the close of the fiscal year.

This is a public hearing. Anyone from the public wishing to speak to Item 3? Seeing that there is no one wishing to speak to Item 3, the public hearing is closed.

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Are there comments from the Commission? Hearing none, I'll accept a motion.

COMMISSIONER LIEBERMAN: Move Item Number 3.

MAYOR EGGELETION: Item 3 has been moved by Commissioner Lieberman; seconded by Commissioner Gunzburger.

Any objection? Any objection?
Without objection, show Item 3A and B pass without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 4

MAYOR EGGELETION: Item 4 is a motion to adopt a supplemental budget resolution within the Special General -- within the Special Revenue Fund in the amount of \$192,850 to amend revenues for the appropriation prior to the close of the fiscal year.

This is a public hearing. Anyone from the public wishing to speak to Item 4?
Seeing none, the public hearing is now closed.

Comments from the Board?

COMMISSIONER LIEBERMAN: Move Item No. 4.

MAYOR EGGELETION: Seeing that there is no comments from the Board, the item has been moved by Commissioner Lieberman; seconded by Commissioner Keechl.

Any objection? Any objection?

Without objection, show Item 4A and B pass without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 5

MAYOR EGGELETION: Item 5, a motion to adopt supplemental budget resolution within the Capital Fund in the amount of \$4,902,000 -- 902,173 dollars to amend revenues for appropriation prior to the close of the fiscal year.

This is a public hearing. Anyone from the public wishing to speak to Item 5? Seeing that there is no one from the public wishing to speak to Item 5, the public hearing is now closed.

COMMISSIONER LIEBERMAN: Move Item 5.

MAYOR EGGELETION: Comments from the Board?

COMMISSIONER KEECHL: Second.

MAYOR EGGELETION: There is no comments.

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Commissioner Lieberman moves Item 5. It's been seconded by Commissioner Keechl.

Any objection?

Without objection, show Item 5 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 6

MAYOR EGGELLETON: Item 6 is the motion to adopt the supplemental budget resolution in the 2006 First Florida Debt Service Fund in the amount of \$5,000 to amend revenues and appropriation prior to the close of fiscal year.

This is a public hearing. Anyone -- anyone from the public wishing to speak to Item 6? Seeing that there is no one from the public wishing to speak to Item 6, the public hearing is now closed.

COMMISSIONER LIEBERMAN: Move Item Number 6.

COMMISSIONER KEECHL: Second.

MAYOR EGGELLETON: The Commissioner Lieberman moved Item 6; seconded by Commissioner Keechl.

Any objection? Any objection?

Without objection, show Item 6 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 7

MAYOR EGGELLETON: Item 7 is a motion to adopt a supplemental budget resolution within the Enterprise Fund in the amount of \$633,010 to amend revenues and appropriation prior to the close of fiscal year.

Anyone from the public wish to speak to the item? Seeing there is no one from the public wishing to speak to the item, the public hearing is now closed.

Any comments from the Commission?

COMMISSIONER LIEBERMAN: Move Item 7.

COMMISSIONER KEECHL: Second.

MAYOR EGGELLETON: Seeing there is no comment, Commissioner Lieberman moves Item 7. It's been seconded by Commissioner Keechl.

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Any objection?

Without objection, show Item 7 pass unanimously, without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 8

MAYOR EGGELLETON: Item 8 is a motion to consider adoption of a resolution administering Administrative Code, the title of which is as follows: "A resolution of the Board of County Commissioners of Broward County, Florida, amending Chapter 35 fees and other charges, Finance and Administrative Services, by amending Part 2 of the County records, Section 35.20, Copying Fees, to increase the notary fees performed by the County Records from \$5 to \$10 and by amending Section 35.21, Domestic Partnership Registration Fees, to increase the notary fees performed by the County Records from \$2 to \$10 providing for severability.

This is a public hearing. Anyone from the public wishing to speak? Seeing there is no one wishing to speak to Item 8, the public hearing is now closed.

Comments from the Board. Seeing that there is no comments from the Board --

Commissioner Ritter, comment?

COMMISSIONER RITTER: Yes, Mr. Mayor. I would just like to be recorded as a no vote on this item, please.

MAYOR EGGELLETON: That's fine. Anyone else?

Any comments on Item 8? Any comments on Item 8? I'll accept a motion from the Board.

COMMISSIONER GUNZBURGER: So moved.

COMMISSIONER KEECHL: Second.

MAYOR EGGELLETON: This item has been moved by Commissioner Gunzburger; seconded by Vice Mayor Wexler. Show -- let the record reflect that the item pass -- well, let's take a vote. Let's take a vote.

All those in favor of the item, please raise your hand. All those opposed. Let the record reflect that the item pass 8 to 1, with Commissioner Ritter voting --

COMMISSIONER JACOBS: 7 to 1.

MAYOR EGGELLETON: 7 to 1 with --

COMMISSIONER LIEBERMAN: Commissioner Rodstrom is not on the dais.

MAYOR EGGELLETON: Oh, yeah. 7 to 1, with Commissioner Ritter voting in opposition. And show that Commissioner Rodstrom absent, excused.

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VOTE PASSES 7 TO 1 WITH COMMISSIONER RITTER VOTING NO.

AGENDA ITEM 9

MAYOR EGGELLETON: Item 9 is a motion to adopt a resolution transmitting proposed text amendment Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs, the title of which is as follows: "A Resolution of Board of County Commissioners of Broward County, Florida, transmit a proposed amendment adding the public school facility element to the Broward County Comprehensive Plan to the Department of Community Affairs and providing for an effective date."

This is a public hearing. Anyone from the public wishing to speak to Item 9? Seeing none, the public hearing is now closed.

Comments from the Board?

COMMISSIONER GUNZBURGER: I have one.

MAYOR EGGELLETON: Comments. Commissioner Gunzburger, you're recognized.

COMMISSIONER GUNZBURGER: Thank you. On Pages -- Page 16-6 -- and let me get to it, Policy 17.2.2. Now even I have to find it. Does this -- I want to make it abundantly clear that schools do -- we are not allowing schools to co-locate in Broward County Parks, that we want to keep that space green. And I want to know if it mandates us to allow that, whether we want it or not.

MAYOR EGGELLETON: Ms. Brangaccio, you're recognized to answer the Commissioner's question.

MS. BRANGACCIO: Yes, sir. We had sent a response. And it does not mandate it, Commissioner. It is encouraged in the state statute, so that's what the language references, but it's not mandating.

COMMISSIONER GUNZBURGER: Because I understand that they are looking at Bonaventure Park, Bonaventure Golf Course, to site a school.

MAYOR EGGELLETON: That's a different issue. It's zoned to do that already, Commissioner.

COMMISSIONER GUNZBURGER: Well, I guess we'll have the discussion here at some time here in the future.

MAYOR EGGELLETON: Absolutely. "Shall," doesn't that mean "must?"

MAYOR EGGELLETON: Any other comments, Commissioner?

COMMISSIONER GUNZBURGER: Let me ask the attorney. It says "shall." Doesn't that mean "must?" I'm not a lawyer.

MS. AZSCOITIA: This language tracks the language of the statute that says that the local governments and the school boards will look for a co-location, but it doesn't necessarily mean that you have to allow a school on park property. There's things like ballfields and community facilities and things like that that can be shared.

VICE MAYOR WEXLER: Mayor?

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COMMISSIONER GUNZBURGER: Okay. I -- I have real reservations on that, because we have public spaces, and I don't want to allow those public spaces to go to buildings, even if it's a school. I'll listen to my colleagues.

MAYOR EGGELLETON: Okay. Thank you. Commissioner -- I mean, Vice Mayor Wexler, you're recognized.

VICE MAYOR WEXLER: Thank you.. I've lived with this for such a long time, Commissioner, and we actually in our park covenants that we've passed, Maite, what, about eight months ago, ten months ago?

MS. AZSCOITIA: Almost a year.

VICE MAYOR WEXLER: In that time frame. It was very specific about the conversation and what as far as co-location. It was not about buildings. It was not about permanent structures at all. And the only way that the restrictive covenant can be overrode is with a supermajority of this Commission. So we built that into it already. And that -- am I using the right terminology -- supersedes this as far as co-location is concerned. And I hope that gives you a little bit of comfort.

MAYOR EGGELLETON: Okay. Commissioner Jacobs, you're recognized.

COMMISSIONER JACOBS: You're right that it does give a supermajority vote to the Commission. And the concern I have is not so much this Board and the intent of this Board where we sit now, but 20 years from now, 30 years from now, when we're not here anymore and it may be we're seeing in certain cities a supermajority is the snap of a finger to go take open space and build something here.

So I do think that we still have some ways to go in strengthening that ordinance down the road and make sure -- ultimately, I'd like to see it a vote of the public to take away public lands.

But at any rate, the protections that it offers for our park space that we have now, I think, are sufficient.

The other concern I have and always have had to raise about co-location is that it's still a part of our Land Development Code, that co-location should be considered for industrial sites for location of schools. And I have always maintained that while you could probably get away with that and be clever with a technical school or even on a high school, I don't think it's appropriate to co-locate industrial -- schools in industrial sites for elementary and middle.

So I just raise that objection. I wouldn't be consistent if I didn't. I've been raising it for a long, long time. And so far we have not gone that route to allow it, but it's still just a concern that's out there.

MAYOR EGGELLETON: Thank you. I'll entertain a motion. Yes, Commissioner Keechl, for a comment.

COMMISSIONER KEECHL: Just briefly. I have a question of the attorney. You're telling us that under the statute we're required to put this language in here?

MS. AZSCOITIA: Yes.

COMMISSIONER KEECHL: So we don't have the discretion to vote against it for any reason because the statute is requiring it?

MS. AZSCOITIA: The element requires this language, yes.

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COMMISSIONER KEECHL: Okay. Thank you.

MAYOR EGGELLETON: Any other comments from the Board? I'll entertain a motion.

VICE MAYOR WEXLER: Move it.

MAYOR EGGELLETON: The item has been moved by Vice Mayor Wexler. It's been seconded by Commissioner Ritter.

Any objection? Any objection?

Okay. Let the record reflect that the vote is 7 to 1, with Commissioner Gunzburger -- Gunzburger opposed, Commissioner Rodstrom being absent.

VOTE PASSED 7 TO 1 WITH COMMISSIONER GUNZBURGER VOTING NO.

AGENDA ITEM 10

MAYOR EGGELLETON: Okay. Item 10, a motion to adopt a resolution transmitting proposed text amendment, Volume 2 of Broward County Comprehensive Plan to the Florida Department of community affairs, the title of which is as follows: "A Resolution of the Board of County Commissioners of Broward County transmitting a proposed amendment to the intergovernmental coordinating -- coordination element of the Broward County Comprehensive Plan to Department of Community Affairs, providing for an effective date."

This is a public hearing. Anyone from the public wishing to speak to the item? Seeing that there is no one from the public wishing to speak to the item, the public hearing is now closed.

COMMISSIONER LIEBERMAN: Move Item 10.

MAYOR EGGELLETON: Comments from the Board?

Seeing that there is no comment, Commissioner Lieberman moves Item 10.

COMMISSIONER KEECHL: Second.

MAYOR EGGELLETON: Commissioner Keechl seconds the item. Any objection? Any objection?

Without objection, show Item 10 pass unanimously, without objection.

VOTE PASSES UNANIMOUSLY

(VICE MAYOR WEXLER LEFT THE ROOM.)

AGENDA ITEM 11

MAYOR EGGELLETON: Item 11 is a motion to adopt a resolution transmitting a proposed text amendment to Volume 2 of the Broward County Comprehensive Plan to the Florida Department of Community Affairs, the title of which is as follows: A resolution of Board of County Commissioners of

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Broward County transmitting a proposed amendment to the capital improvement element of Broward County Comprehensive Plan for the Department of Community Affairs, providing for an effective date."

This is a public hearing. The public hearing session is now open. Anyone from the public wishing to speak to the item? Seeing that there is no one from the public wishing to speak, the public hearing is now closed.

Comments from the Board?

COMMISSIONER LIEBERMAN: Move Item 11.

MAYOR EGGELETTION: Seeing that there is no comment --

COMMISSIONER KEECHL: Second.

MAYOR EGGELETTION: -- Commissioner Lieberman moves the item, Commissioner Keecher seconds it.

Any objection? Any objection?

Without objection, show Item 11 pass unanimously, without objection.

VOTES PASSES UNANIMOUSLY

(VICE MAYOR WEXLER RETURNED TO THE ROOM.)

AGENDA ITEM 12

MAYOR EGGELETTION: Item 12, an ordinance amending the Broward County Comprehensive Plan to adopt a "Small Scale" Land Use Amendment PC 07-18 in the City of Pompano Beach, the substance of which is as follows: An Ordinance of Broward County, Florida adopting a "Small Scale" Amendment, Broward County Comprehensive Plan, amending 1989 Broward County Land Use Plan Map in the City of Pompano Beach, providing for severability, providing for an effective date.

COMMISSIONER: Mr. Mayor.

MAYOR EGGELETTION: The public hearing is now open. Anyone from the public wishing to comment on the item? There is one person from the public wishing to comment. Yes.

MS. MISKEL: Mr. Mayor, we've been asked just to make public some of the proffers that my client has agreed to as a result of conversations with Commissioner Jacobs and the community.

MAYOR EGGELETTION: Okay. Please identify yourself for the record and make sure you fill out an appearance card, Ms. Miskel.

MS. MISKEL: Yes, thank you. Bonnie Miskel with Siegel, Lipman, 3355 Town Center Road, Boca Raton, Florida.

We have committed to the following and would like to place that on the record. First of all, we've committed to construct a gazebo and corresponding landscaping on the North Broward Park, which is just

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north of our property. We've also agreed to a decorative wall located along the west side and north side of our property also contiguous to the -- to the park. We've agreed to a strip of low shrub -- shrubbery and trees to be planted at commencement of construction such that they would mature significantly by the time the project is completed.

And then finally, along the westerly boards on the park side of the property, we've agreed to additional landscaping as a commitment to improve the park facility.

Finally, you have in your package a restrictive covenant that is for the age restriction. That was issued for the benefit of the City of Pompano Beach. We would also like to add the County as a party.

And I think that covers our commitments.

MAYOR EGGELETTION: Commissioner Gunzburger, you're recognized.

COMMISSIONER GUNZBURGER: Thank you.

My comment really isn't for you so much as it's one that I'm going to ask Ms. Brangaccio to bring up our Water Department, who I see is sitting back there.

MAYOR EGGELETTION: Ms. Brangaccio.

COMMISSIONER GUNZBURGER: Mr. Hui.

MS. BRANGACCIO: Mr. Hui.

COMMISSIONER GUNZBURGER: I have a question that I sent in, and you-all should have seen, that I really think needs some discussion. And it applies to Items 12 through 23, all of them.

When I was running the first time for office in '92 for the County, I was concerned about all the residential that was going in. I saw each house as a giant drinking straw going into the Biscayne Aquifer. Each one of these has an objection from DCA on potable water. Each one then has an answer: "Yes, we've solved this particular application."

Has anyone looked at all of these, 12 through 23, in total to see that there is enough potable water for every single one of these when they are built out?

MAYOR EGGELETTION: Mr. Hui, you're recognized to respond to the Commissioner's question.

MR. HUI: Thank you, Mayor.

Commissioner, it's -- in terms of each one of these applications, I can speak in generality on all of them, but only in specifics on two that relates to the County utility. What is very clear is, and the District had made it perfectly clear in the past, that the Biscayne Aquifer going forward is no longer going to be a source of additional water supply for the County.

What it behooves us, and is the responsibility of each individual utility within Broward County, to come up with alternative sources of water supply to deal with growth issues as we go forth. So each individual utility within their own service area has come up with plans which has been submitted to the Planning Council as part of the documentations as they pertain to these applications of methods, of ways to develop alternative water supplies for their respective utility.

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As you may recall, within the budget workshop that we had several weeks ago we had some discussion on some of the extensive and costly and expensive water supply options that we will need going forth and into the future. So each individual utility is going to have to deal with that, and it is the responsibility of the individual utility to do that, because the South Florida Water Management District has made it very clear that the Biscayne Aquifer is no longer going to be an additional source for Broward -- within Southeast Florida.

COMMISSIONER GUNZBURGER: Thank you. But you've given me a very general answer that doesn't get down to what I'm asking. Maybe Mr. Sniezek is the person I need to address, but I'm not hearing that there's a financially feasible plan to supply water for all of our developments that are going forward. I'm not going to even get close to that word that starts with the middle letter of the alphabet.

MS. BRANGACCIO: Commissioner, I think you're right, there is --

COMMISSIONER GUNZBURGER: And I don't know -- if I want -- if I'm going to be responsible in this position in dealing with growth, to me transportation has been critical. School concurrency, they're finally going to come up with a feasible plan and we're going to have concurrency. But, my goodness, water concurrency is what I'm calling it. I don't know if we have even anywhere near a financially feasible plan to deal with all of this growth.

Mayor, I'm sorry, but to me, I think this is a crisis. And we've got so much where every single one talks about potable water and the problems with having enough. I'd like to ask Mr. Sniezek if his board has looked at it in a universal rather than individual way.

MS. BRANGACCIO: And Mayor, can I just -- just for a sec, too there? Henry, you might want to take them, too. There is a -- there's a generic letter in here behind all of these land uses that's dated the 10th of August from our South Florida Water Management District. Plantation, Hollywood, Miramar, Deerfield Beach all have current water capacity. Margate, there's a specific section relating to what they're doing in terms of developing alternate resources and new capacity. And there's also discussion, as Mr. Hui said, on Coconut Creek and North Lauderdale, which we provide their water.

Mr. Sniezek, do you want to review that letter?

MR. SNIEZEK: Yes. Good afternoon. Henry Sniezek, Broward County Planning Council.

Really, I can confirm what the County Administrator and Mr. Hui have said. The Planning Council does look at all these things holistically. We do rely on information from water providers. Some water providers provide water for more than one amendment, and in that case they'll look at it together. And there is an agency that does look at all water holistically, besides the Planning Council and the County Commission. That is the Water Management District, and they have issued comments which give us comfort that, in this case, the objections have been -- have been addressed.

MAYOR EGGELLETON: Does that -- does that answer your question, Commissioner?

COMMISSIONER GUNZBURGER: Yes.

MAYOR EGGELLETON: Thank you.

COMMISSIONER GUNZBURGER: Does that mean going forward that there's going to be some real in-depth looking? Because I understand you, Mr. Hui, only have a very small amount that we service.

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MR. SNIEZEK: Yes. In February, the Water Management District adopted a plan for which all the utilities providers, municipalities, including the County, have to update their comprehensive plans within 18 months -- so a year from now -- to address existing and future potable water needs to address population growth.

MAYOR EGGELLETON: Thank you.

MAYOR EGGELLETON: Thank you very much. Anyone else wishing to speak to the item? Commissioner Jacobs, you're recognized.

COMMISSIONER JACOBS: Thank you, Mayor. If I could have Ms. Miskel back to the microphone, please.

There were other issues that were discussed by the developer in terms of making this project a go, and I wanted to go over those that maybe you had not -- that you didn't mention. The first was building 100 affordable housing units, either somewhere in the City of Pompano Beach. I understand that there are two sites. You are either going to build them or pay to have them built; is that correct?

MS. MISKEL: Yes. I believe that is in your staff report. But we have committed to a minimum of 100 affordable units in the City of Pompano.

COMMISSIONER JACOBS: Thank you. The other issue was that the site would be certified and landscaped by Broward County as a NatureScape Broward site, that is sustainable and using best management practices in water conservation and pollution recovery

MS. MISKEL: That is correct, yes.

COMMISSIONER JACOBS: Okay. The other issue was -- that was a topic of discussion was tapping into Pompano Beach's reuse opportunities, which are very nearby, and that all -- all energy would we expended to be able to draw that -- those reuse opportunities up to this site for outdoor irrigation.

MS. MISKEL: Yes, we have no problem. If reuse is available, we certainly will tap in.

COMMISSIONER JACOBS: Okay. And we don't do site planning here on the County Commission. We give the go-ahead for land use. But I have seen the elevations of this site that were purposely stacked back from the roadway, from Federal Highway, but also stacked back for the community on the west side with landscaping that was not only as you have testified today, but landscaping as well as on top of the building that's stacked back to buffer the impact from the residents. So I just wanted you to state on record that those kinds of thing that were a part of the discussion and that the drawings and so forth, elevations, are the very thing that you-all will be building.

MS. MISKEL: Yes. Not only did we commit to you, Commissioner, but we also committed to the City of Lighthouse Point that we would have that extensive landscaping surrounding our building, including on top of the building. And we are committed to that, yes.

COMMISSIONER JACOBS: Very good. Thank you. With that, I have no further questions and I would move the item.

COMMISSIONER KEECHL: Second.

MAYOR EGGELLETON: The item has been by Commissioner Jacobs; seconded by Commissioner Keechl.

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Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTES PASSES UNANIMOUSLY

AGENDA ITEM 13

MAYOR EGGELETTION: That brings us to Item 13. It has been withdrawn, correct.

AGENDA ITEM 14

MAYOR EGGELETTION: That brings us now to Item 14. Item 14 is a motion to enact an ordinance to amend the Broward County Comprehensive Plan to adopt the Broward County Land Use Plan Map Amendment, PC 06-24, located in the City of North Lauderdale as part of the First Annual Proposed 2007 amendment to the Broward County Comprehensive Plan, the substance of which is as follows: "An ordinance of Broward County, Florida, adopting an amendment to the part of the First Annual 2007 Amendment to the Broward County Comprehensive Plan amending the 1989 Broward County land use plan map located in the City of North Lauderdale."

We have a speaker from the general public, Mr. John -- this looks like Cummings.

MR. CUMMINGS: Right.

MAYOR EGGELETTION: Mr. Cummings, you're recognized, sir.

MR. CUMMINGS: Thank you. Mr. and Mrs. and Ms. Commissioners and staff, I'm the only adjoining property owner that appears to be here. There's one other property owner, and that's the personal storage facility that is also up against the southern boundary of this particular property.

By the way, when this was brought before the Commission approximately six months ago, I came to speak and was in the middle of speaking and complaining that I had only received a notice a week before that meeting. Today I'm here to say I've only received a notice a week before this meeting, and I don't understand how that can happen. I stay in touch with the City of North Lauderdale about this scenario of what's been going on.

And my problem with this is not the intent that the -- that the people have to build apartments, although I think the County has a problem with the impact for the traffic and the schools and other things, including water. Unless they plan on buying water from Princess Cruises, I don't know where they're going to get it.

But my intent to be here is to say that by changing the use of the property that joins me that is currently the same zoning as my property, which is an industrial use zoning, that I will be impacted by the change of that zoning because of the City of North Lauderdale ordinance that state that there are certain things that I will no longer be able to or will have to do with reservation, or at expense of berms and buffers and so forth, because of residential use adjoining my property.

So you're going to presumably approve the use of a property next to me that's going to have a negative impact on me, and I don't think that's right. I think that is smack up against Burt Harris Act. And while I have no objection to the apartments going in there, not once has a developer come to me and said, "Jack, don't worry about this. You know, we'll take the burden of the berm on our property." Which

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they have 14 and-a-half acres and the piece of property that I have against them is less than a third of an acre. And for me to have to berm out on my side is a -- is a great hardship for me and the tenant that I have that's there.

I would like to have some -- to acknowledge as to whether or not the County can say, "Okay. Well, Mr. Cummings, we'll put the burden of any berm or anything that would fall on you because of them having the benefits of requesting for rezoning." I'm not here requesting a rezoning. I just want to be able to use the property the way the zoning allows me to do it.

MAYOR EGGELLETON: Thank you, sir.

Commissioner Lieberman, you're recognized for a comment. You don't have to go, sir. You can stay there in case you want to answer questions.

COMMISSIONER LIEBERMAN: Mr. Cummings --

MR. CUMMINGS: Yes?

COMMISSIONER LIEBERMAN: The item that's in front of us is the transmission of a proposed land use plan.

MR. CUMMINGS: That's right.

COMMISSIONER LIEBERMAN: It's not the adoption of a land use plan.

MR. CUMMINGS: I understand.

COMMISSIONER LIEBERMAN: By sending it forward it gets reviewed, and then after all the comments come back it comes back for adoption. You keep mentioning zoning. We have no zoning authority. Zoning is done by the City of North Lauderdale, in whose community this is in.

MR. CUMMINGS: I understand that.

COMMISSIONER LIEBERMAN: So the kind of things you're talking about you need to address to the City Commission in North Lauderdale. Ours is strictly to transmit a land use plan amendment for review.

MR. CUMMINGS: I understand that.

COMMISSIONER LIEBERMAN: And I would urge you to do that.

But with respect to the issue of notice, I would ask that the County Administrator review where notice was sent for this individual so that we can see what the problem would be. There is a notice requirement in our Code, and I believe it's a little bit more than a week. If memory serves me right, it's about ten days, but it may be longer than that. And to see why he didn't get the appropriate length of time for notice.

But all of your issues relating to buffering, site planning would have to be addressed to the City Commission in North Lauderdale.

MR. CUMMINGS: As I -- as I said when I began, that that becomes an issue by virtue of what you do here today. And if you allow them to move forward towards a rezoning --

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COMMISSIONER LIEBERMAN: No, it doesn't. We have no -- that's why I tried to explain. We have no zoning authority. That's a city issue. All we look at is the underlying land use. Just by changing the land use doesn't necessarily bring about -- and I believe your property is developed; you already have industrial property, and there's a storage unit on it?

MR. CUMMINGS: No, the storage unit is not on my property. It used to be at one time, was my property, but it's a different owner there now.

COMMISSIONER LIEBERMAN: Okay.

MR. CUMMINGS: The car lot that adjoins us is my property.

COMMISSIONER LIEBERMAN: But it's not vacant?

MR. CUMMINGS: No, it's a use of a car lot.

COMMISSIONER LIEBERMAN: There's a use already going on there.

MR. CUMMINGS: Yes, but you have to understand the City of North Lauderdale. They tell me that if I change -- change it from a car lot to a -- a used car lot to a new car lot, that's a change of use and that violates --

COMMISSIONER LIEBERMAN: And that's an issue you need to address with the City of North Lauderdale. We simply are land use. But this is transmittal. You're free to raise your comments here. You're free to send a letter to accompany, your transmittal, to notify DCA -- which is where this eventually will end up. But it comes back after review and makes the same round. But I want you to urge you to voice your concerns to the City of North Lauderdale.

MR. CUMMINGS: I have done that.

COMMISSIONER LIEBERMAN: Okay. Thank you.

MR. CUMMINGS: And I am still here, because they don't respond.

MAYOR EGGELLETON: Thank you, sir.

COMMISSIONER LIEBERMAN: Thank you.

MAYOR EGGELLETON: Let me call on the County attorney for some clarification.

MS. AZSCOTIA: I just want to clarify. I agree that site planning and zoning are city issues, and that seems to be the gentleman's concern.

COMMISSIONER LIEBERMAN: It's adopting.

MS. AZSCOTIA: This is an adoption hearing.

COMMISSIONER LIEBERMAN: It's the adoption stage.

MAYOR EGGELLETON: This is adoption, yes.

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COMMISSIONER LIEBERMAN: So it's been through those processes.

MAYOR EGGELETTION: It's been through those processes.

COMMISSIONER LIEBERMAN: And it will go back, but it's still a North Lauderdale issue --

MS. AZSCOITIA: Correct.

MAYOR EGGELETTION: Correct, correct.

COMMISSIONER LIEBERMAN: -- with respect to the buffering and the zoning. It's not a County Commission.

MAYOR EGGELETTION: Correct. All of the questions that you're asking, sir, really, we can't resolve that for you.

COMMISSIONER LIEBERMAN: We can't resolve it.

MAYOR EGGELETTION: We can't resolve it. You have to go to --

MR. CUMMINGS: I wasn't asking you to resolve those issues. What I was asking is, can you put any caveat in in moving this forward that if they have some problems that cause me to lose my rights --

MAYOR EGGELETTION: No, sir.

COMMISSIONER LIEBERMAN: No.

MAYOR EGGELETTION: No, sir.

COMMISSIONER LIEBERMAN: Those are zoning issues.

MAYOR EGGELETTION: The City of North Lauderdale has home rule authority. We don't have any authority over what they do with their zoning.

COMMISSIONER LIEBERMAN: Right.

MAYOR EGGELETTION: None, zero. Florida Constitution and statutes won't allow us to.

MR. CUMMINGS: But when you change the land use amendment and allow a use that -- that triggers, has nothing to do with the zoning of the property next door. It has to do with what my zoning is with regard to a use next door.

MAYOR EGGELETTION: Okay. Thank you, sir.

All right. Let's move the item. Comments?

COMMISSIONER GUNZBURGER: I'd like to know, seeing that this is 225 residential units, I'd like to know if there is a 15 percent set aside for affordable housing by the developer.

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MAYOR EGGELLETON: They're probably all affordable in North Lauderdale.

COMMISSIONER GUNZBURGER: I would like to know that.

MAYOR EGGELLETON: Is the applicant here?

Mr. Mijares, you're recognized.

COMMISSIONER GUNZBURGER: Because I know what you build, but I didn't see it listed anywhere, Mr. Mijares.

MR. MIJARES: That's quite all right. Tony Mijares, Chairman of the United Homes. And the entire project is affordable, not just 15 percent.

COMMISSIONER GUNZBURGER: That's all. I'm fine.

MAYOR EGGELLETON: Any other comments? Commissioner Jacobs.

COMMISSIONER JACOBS: Just, Mr. Mijares, while you're there. The gentleman's concern seems to be surrounding the fact that he's going to have some other obligation to buffer the existing use against the new residential use, but my understanding of the kinds of project that your company builds is that the residential area will be very well buffered from his commercial site.

MR. MIJARES: That is correct. And not only that, but if his car lot is on the front at 441, we have commercial abutting his property, not residential. The residential, I believe, abuts the storage place. And, yes, there will be landscaping to buffer that, along with other security measures.

MR. MIJARES: Yes, ma'am.

COMMISSIONER JACOBS: No other questions.

COMMISSIONER LIEBERMAN: Move Item 14.

MAYOR EGGELLETON: All right. Commissioner Lieberman moves the item. It's been seconded by Vice Mayor Wexler.

Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 15

MAYOR EGGELLETON: That brings us to Item Number 15. Item 15 is a motion to enact an ordinance amending Broward County Comprehensive Plan to adopt Broward County Land Use Plan Map Amendment PC 06-27, located in the City of Plantation, as part of the First Annual Proposed 2007 Amendment to the Broward County Comprehensive Plan.

COMMISSIONER LIEBERMAN: Move Item 15.

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MAYOR EGGELLETON: Item 15. This is a public hearing. Anyone from the public wishing to speak to the item? Seeing that there is no one from the public wishing to speak to the item, the public hearing is now closed.

The Board will comment.

Seeing that there is no comment from the Board, Commissioner Lieberman moves the item. The item has been seconded by Commissioner Wexler.

Any objection? Any objection?

Without objection, show Item 15 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 16

MAYOR EGGELLETON: Item 16 is an ordinance amending Broward County Comprehensive Plan to adopt Broward County Land Use Map Amendment PC 07-3, located in the City of Deerfield Beach, as part of the First Annual Proposed 2007 Amendment to the Broward County Comprehensive Plan.

This is a public hearing. Anyone from the public wishing to speak to the item? Seeing that there is no one from the public hearing wishing to speak to the item, the public hearing is now closed.

The Board will comment. Seeing that there is no comments from the Board, I'll accept a motion on the item.

COMMISSIONER JACOBS: Move the item.

COMMISSIONER GUNZBURGER: Second.

MAYOR EGGELLETON: The item has been moved by Commissioner Jacobs; seconded by Commissioner Gunzburger.

Any objection? Any objection?

Without objection, show Item 16 pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 17

MAYOR EGGELLETON: Item 17 is an ordinance amending Broward County Comprehensive Plan to adopt the Broward County Land Use Map, Amendment PC 07-4, located in the City of Hollywood, as part of the First Annual Proposed 2007 Amendment to the Broward County Comprehensive Plan, an Ordinance of Broward County adopting an amendment as part of the First Annual 2007 Amendment amending 1989 Broward County Land Use Map.

This is a public hearing. Anyone from the public wishing to speak to the item? Seeing there is no one from the public wishing to speak to the item, the public hearing is now closed.

COMMISSION MINUTES

The Board will now comment.

COMMISSIONER GUNZBURGER: Move it.

VICE MAYOR WEXLER: I would move the item. It's in my district.

COMMISSIONER GUNZBURGER: I thought it was in mine.

VICE MAYOR WEXLER: No, it's mine. I have part of Hollywood.

COMMISSIONER GUNZBURGER: Then I'll second it.

MAYOR EGGELLETON: Seeing there's no comment. Excuse me, there's no -- seeing that there is no comments from the Board, Vice Mayor Wexler moves the item, Commissioner Gunzburger seconds the item.

Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 18

MAYOR EGGELLETON: Item 18 is a motion to enact an ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land use Map, Amendment PC 07-5, located in the City of Miramar, as part of the First Annual Proposed 2007 Amendment to the Broward County Comprehensive Plan.

This is a public hearing. Anyone from the public wishing to speak to the item? Seeing there is no one from the public wishing to speak to the item, the public hearing is now closed.

The Board will now comment. Seeing that there is no comment -- comments, Commissioner Keechl?

COMMISSIONER KEECHL: Thank you, Mr. Mayor.

Colleagues, I get very little time to speak with you about policy issues all together because of the Sunshine Law which, as I've learned as an elected official for 11 months, works to my disadvantage.

To say it quite quickly and clearly, another one bites the dust here. I want to use this opportunity very briefly to again thank you. I'm going to do this every time until we get there, for your 9/0 vote to initiate the comprehensive land use plan amendments that will strongly discourage the conversion of golf courses in the future and will require environmental audits, along with other steps.

So I would like to say to each of you that I am well aware that you are now being lobbied -- and if you haven't been, you will be -- by those who have a different vision than the people of Broward County who elected me and who elected some, if not all, of you.

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And so this application made it through the process before we amended our land use plan, and I'm under no misconception as to what the vote is going to be here. But I would remind you again that we will be addressing all of the issues with regard to the amendment. We'll -- we will be listening to our learned attorneys with regard to the fact that there's no Burt Harris issue, as the developers will want you to believe and as they've told the Dade or *Broward Review*. And, again, hopefully this will stop, and your children and your grandchildren and my nieces and nephews and their children will have a greener Broward County. And I'm going to vote against this.

Thank you, Mayor.

MAYOR EGGELETTION: Thank you. Any there other comments from the Board? Seeing that there is no --

VICE MAYOR WEXLER: I'll move the item.

MAYOR EGGELETTION: Seeing that there is no comments from the Board, Commissioner Wexler -- Vice Mayor Wexler moved the item. It's been seconded by Commissioner Lieberman. Any objection?

COMMISSIONER KEECHL: Objection.

MAYOR EGGELETTION: Okay. Let's -- All those in favor of the item, raise your hand, please. All those opposed? Let the record reflect that the item pass 5 to 2.

COMMISSIONER KEECHL: No, it failed.

MAYOR EGGELETTION: Wait a minute. Wait a minute.

VICE MAYOR WEXLER: We need five votes, five affirmative votes.

COMMISSIONER KEECHL: It failed.

MAYOR EGGELETTION: Well, is -- well, let's --

COMMISSIONER KEECHL: It failed.

VICE MAYOR WEXLER: Well, Just a second. Can you wait for a minute, please? I think this is an (inaudible)district happens to be there.

COMMISSIONER KEECHL: You know --

MAYOR EGGELETTION: Well, you can always reconsider that.

COMMISSIONER KEECHL: That's fine. I know how it works. You're right, absolutely. Let's get it out of the way now.

MAYOR EGGELETTION: We can move -- Mr. --

COMMISSIONER KEECHL: No.

UNIDENTIFIED SPEAKER: Can I make just a brief comment, Mr. Mayor?

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MAYOR EGGELETTION: Make sure you fill out an appearance form, but you lost when we had -- it was open for public comment. Here's what I want to do.

It's very clear to me that some members here may or may not support this, the item, because we need five --

COMMISSIONER GUNZBURGER: Affirmative.

MAYOR EGGELETTION: -- affirmative votes. There were, as I understand it --

COMMISSIONER KEECHL: It was 4/3.

MAYOR EGGELETTION: I thought there were five affirmative votes. There were four.

COMMISSIONER GUNZBURGER: Four. No, I was a no vote.

MAYOR EGGELETTION: Oh, you were a no vote? Oh, I didn't see that. I'm sorry.

COMMISSIONER KEECHL: There will be a fifth in a second.

MAYOR EGGELETTION: That's all right. That's all right. I didn't know. Seeing that there was -- there was -- the motion failed -- wait a minute. Wait a minute. The item -- the rules allow for the item to be reconsidered; is that correct? Okay. Now, if you want the item reconsidered, we can reconsider the item. So anybody can make a motion to reconsider. Yes?

COMMISSIONER KEECHL: I will -- listen, I want to be fair here. I want to say I appreciate everything I said earlier. I think -- whose district is this in, Commissioner Rubin? She was not -- not here. I'm a fair person. I'll make the motion to reconsider.

MAYOR EGGELETTION: Excuse me.

COMMISSIONER GUNZBURGER: (Inaudible.)

MAYOR EGGELETTION: Wait a minute. Ladies and gentlemen, Commissioner Keechl has made the motion to reconsider the item. It's been seconded by Commissioner Lieberman.

COMMISSIONER JACOBS: Point of information, Mayor.

MAYOR EGGELETTION: Wait a minute. Just one moment. The item is in front of you for reconsideration. All those in favor of reconsideration.

COMMISSIONER JACOBS: Mayor, point of information before you do that.

MAYOR EGGELETTION: All those in favor of reconsideration, please raise your hand.

COMMISSIONER JACOBS: A point of information, I'm sorry, supersedes a vote. Since Commissioner Wasserman-Rubin was off the dais, she has simply to cast her vote now and we don't have to reconsider the item.

MAYOR EGGELETTION: No, she doesn't. The item was passed -- it failed, Commissioner. That's my interpretation. You don't have the chair. I'm sorry.

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COMMISSIONER JACOBS: Mayor, a point of information is when a Commissioner is off the dais and returns to the dais, they can cast their vote.

MAYOR EGGELLETON: No, it's not. No, it's not. Okay? The item is up for reconsideration.

COMMISSIONER JACOBS: Then why are we wasting (inaudible) showing the prevailing side of a vote when we're not there?

MAYOR EGGELLETON: Those of you wishing to vote to reconsider the item, raise your hand. Okay. Those that oppose, raise your hand. Let the record reflect that Commissioner Jacobs opposed reconsideration.

VOTE PASSED 7 TO 1 WITH COMMISSIONER JACOBS VOTING NO.

MAYOR EGGELLETON: The item is back in front of you. Is there a motion on the item?

COMMISSIONER WASSERMAN-RUBIN: Do I make a motion, Commissioner?

COMMISSIONER JACOBS: Yes.

COMMISSIONER WASSERMAN-RUBIN: I move -- I move the item.

MAYOR EGGELLETON: Commissioner Wasserman-Rubin moves the item. Is there a second? Commissioner Wexler second the item.

All those in favor of the item, please raise your hand.

All those opposed.

Now let the record reflect that the item pass. Thank you.

VOTE PASSED 5 TO 3, WITH COMMISSIONERS KEECHL, GUNZBURGER AND LIEBERMAN VOTING NO

COMMISSIONER WASSERMAN-RUBIN: I'm sorry.

MAYOR EGGELLETON: Commissioner Ritter, you're recognized.

COMMISSIONER RITTER: Thank you, Mr. Mayor.

There's just something that Commissioner Keechl said which -- which I might have not heard correctly, and I just wanted to clarify that for --

COMMISSIONER KEECHL: The thank you part?

COMMISSIONER RITTER: You had said that when we reviewed the golf -- the ordinances, as you had requested and as we all -- as we all had agreed, that an environmental review would be done -- that an environmental review is done.

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Now -- and Mr. Sniezek, if he's still here, can attest to the fact that the land is checked for environmental purposes today. I want it made very clear that when we pass these, an environmental review has already been done with respect to any pollutants that --

COMMISSIONER KEECHL: Not with regard to arsenic-laden herbicides, because I've talked to the head of Environmental Protection Department, and that's why we're doing all this.

COMMISSIONER RITTER: Okay. But you didn't say that, Commissioner Keechl. You said an environmental review. You did not specify what you were talking about. And I want it made clear that there's an environmental -- it may not be the kind you like, but there is one that is done.

COMMISSIONER KEECHL: I don't like any kind of pollution, Commissioner Ritter, but --

COMMISSIONER RITTER: I'm not arguing with you. I just want to make it clear.

MAYOR EGGELETTION: Commissioner -- wait a minute. Commissioner, please, let's not talk across the dais.

Any other comments, Commissioner Ritter?

COMMISSIONER RITTER: No, sir.

COMMISSIONER KEECHL: Can I respond to Commissioner Ritter? Thank you, Commissioner, you're absolutely --

MAYOR EGGELETTION: Keep it as a comment, sir.

COMMISSIONER KEECHL: Yes, I want to make a comment to Commissioner Ritter to clarify what I said.

MAYOR EGGELETTION: You're recognized, sir.

COMMISSIONER KEECHL: So no one interprets my statement as misleading.

COMMISSIONER RITTER: Thank you.

COMMISSIONER KEECHL: There is some kind of environmental review done, but golf courses traditionally have arsenic-laden herbicides, called MSMA, all over them. And they do not have that requirement, nor can we force the landowner to do one of those. Although I've now learned that before the housing is built, something will be checked out.

So the environmental review that I hope all of you 9/0 will vote for is Phase 1 and a Phase 2 audit. Commissioner Ritter, thanks. And thank you, Mayor.

MAYOR EGGELETTION: Thank you so very much.

AGENDA ITEM 19

MAYOR EGGELETTION: Ladies and gentlemen, that brings us to Item 19. Item 19 is -- is a motion to enact an ordinance amending the Broward County Comprehensive Plan to adopt the Broward County Land Use Plan Map

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Amendment PC 07-6 located in the City of North Lauderdale as part of the First Annual Proposed 2007 Amendment.

This is a public hearing. The public hearing section comment? Seeing that there is no one from the public wishing to comment, the public hearing is now closed.

Board to comment? Is there a comment, Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I want to move the item on behalf --

MAYOR EGGELLETON: Is there a comment Commissioner Lieberman?

COMMISSIONER LIEBERMAN: Yes, we share North Lauderdale. I want to move the item.

MAYOR EGGELLETON: Okay. Item -- Commissioner Lieberman moves the item. Commissioner Wexler second the item.

Any objection? Any objection.

Show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 20

MAYOR EGGELLETON: Item 20 is a motion to enact an ordinance amending the Broward County Comprehensive Plan to adopt the Broward County Land Use Plan Map Amendment PC 07-7, located in the City of Plantation, as a part of the. First Annual 2007 Amendment for the Broward County Comprehensive Plan.

This is a public hearing. The public hearing is now open. Anyone from the public wishing to excellent? Seeing that there is no one from the public wishing to comment, the public hearing is now closed.

Comments from the Board?

VICE MAYOR WEXLER: Move the item on behalf of the Mayor.

COMMISSIONER KEECHL: Second.

MAYOR EGGELLETON: The item has been moved by Vice Mayor Wexler; seconded by Commissioner Lieberman.

Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

COMMISSION MINUTES

AGENDA ITEM 21

MAYOR EGGELETION: Item 21 is a motion to enact an amendment to the Broward County Comprehensive Plan to adopt a Broward County Land Use Plan Text Amendment PCT 07-1, exhibiting -- establishing, rather, a transit-oriented development in the City of Hollywood, as part of the First Annual Proposed 2007 Amendment to the Broward County Comprehensive Plan.

This is a public hearing. Anyone from the public wishing to speak to the item? Seeing that there is no one from the public wishing to speak to the item, the public hearing is now closed.

Comments from the Board.

COMMISSIONER GUNZBURGER: I'm going to move it.

MAYOR EGGELETION: Seeing that there is no comments from the Board, Commissioner Gunzburger moved the item and it's been --

COMMISSIONER GUNZBURGER: I just wanted you-all to know that I was not different. This developer is going to set aside 20 percent for affordable housing. This developer is setting aside six acres for a park and preserving a historic building and, it's going to be a Green Lead Certified Village.

MAYOR EGGELETION: Thank you so very --

COMMISSIONER GUNZBURGER: Other than that, they're doing everything else wrong.

(Laughter.)

MAYOR EGGELETION: Thank you so very much.

Commissioner Keechl seconds the motion. It's been moved and seconded.

Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEMS 22A AND 22B

MAYOR EGGELETION: This brings us to Item 22 A and B. This is a motion to enact an ordinance amending the Broward County Comprehensive Plan to adopt the Broward County Land Use Plan Text Amendment PCT 07-2 to establish a transit-oriented corridor in the City of Margate as part of the First Annual Proposed 2007 Amendment to the Broward County Comprehensive Plan.

This is a public hearing. The public hearing is now open for comment. I do have a public speaker. This says Mr. B. -- and it looks like Mayer. Okay, you're recognized, sir, to speak on Item A and B.

MR. MAYER: Right. A few days ago, I received a letter from Broward County Board of County Commissioners, and --

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COMMISSIONER GUNZBURGER: Can you pull the mike down?

MAYOR EGGELETTION: Mr. Mayer, can you pull the mike closer to you? Thank you, sir.

MR. MAYER: I own the property on 2700 North State Road 7 in Margate. And I have a map here that says that there's going to be some sort of transit-oriented corridor. I want to know how it will effect my property.

MAYOR EGGELETTION: Okay. Mrs. Henry, is there someone from the staff you want to address the gentleman's question?

MS. HENRY: Mr. Sniezek.

MAYOR EGGELETTION: Mr. Sniezek, you're recognized to address the gentleman's question. Do you understand the gentleman's question, sir?

MR. SNEIZEK: Yes, sir.

MAYOR EGGELETTION: Okay.

MR. SNEIZEK: Mr. Mayor, I think I can address his question if I knew specifically where he lived. I'd be happy to meet with him and address his question more specifically, or I can talk in general about the transit-oriented corridor.

MAYOR EGGELETTION: Okay.

MR. MAYER: This is a commercial property. It's on Route 7.

MAYOR EGGELETTION: You want to talk into the microphone, sir? Sir --

MR. MAYER: I said this is a commercial property. Okay?

MAYOR EGGELETTION: Yes, sir. Mr. Sniezek, why don't you take a seat at the table so that you don't have to share the microphone.

MR. MAYER: So you can tell me if this is something that will effect me either way.

MAYOR EGGELETTION: Mr. Sniezek to address the gentleman's question.

MR. SNEIZEK: Assuming the property is designated commercial right now, actually your potential bundle of rights will increase because you can have potential -- have residential and other types of noncommercial uses on the property, but it would also include retaining the commercial use, and I believe the City can come up and confirm that.

MAYOR EGGELETTION: Okay. Is that okay, sir?

MR. MAYER: So I can -- I can -- it will not affect my status of the property, correct?

MR. SNEIZEK: I don't believe so, but I'd probably recommend that the City come up and confirm that.

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MR. MAYER: Okay. Thank you.

MAYOR EGGELETTION: Thank you.

I think what Mr. Sniezek is saying is that actually it will enhance your ability to do more on the property than you currently can do --

MR. MAYER: I see. Thank you.

MAYOR EGGELETTION: -- presently, sir. Is that all right for you?

MR. MAYER: Huh?

MAYOR EGGELETTION: Is that okay for you?

MR. MAYER: That's fine. I understand. Thank you.

MAYOR EGGELETTION: Anyone else from the public wishing to comment on the item? Seeing that there's no one -- you're wishing to comment, sir? Did you fill out a card? Make sure you fill out an appearance card after you speak, sir. Please identify yourself for the record.

MR. SCHULTZ: Richard Schultz. It's just more on his question. I guess I'd like to talk to you afterwards. Is that possible?

MR. SNIEZEK: Oh, certainly.

MAYOR EGGELETTION: Are you okay?

MR. SCHULTZ: Yeah.

MAYOR EGGELETTION: Seeing that there's no one else, please, identify -- sir, make sure you just fill out an appearance card. Thank you.

Seeing that there is no one else from the public wishing to speak to the item, the public hearing is now closed.

The comments from the Board? Seeing that there is --

COMMISSIONER JACOBS: I'd like to move the item, Mayor.

MAYOR EGGELETTION: Okay. The item has been moved by Commissioner Jacobs; seconded by Commissioner Lieberman.

Any objections? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

COMMISSION MINUTES

AGENDA ITEM 23

MAYOR EGGELLETON: That brings us to Item 23. Item 23 is an ordinance amending the Broward County Comprehensive Plan to adopt a Broward County Land Use Plan, Text Amendment PCT 07-3, Main Street Coconut Creek Regional Activity Center, as part of the First Annual Proposed 2007 Amendment to the Broward County Comprehensive Plan.

This is a public hearing. The public hearing is now open. Anyone from the public wishing to comment on Item 23? Seeing that there is no one from the public wishing to comment on Item 23, the public hearing is now closed.

Comments from the Board.

COMMISSIONER JACOBS: Move Item 23.

COMMISSIONER LIEBERMAN: Second.

MAYOR EGGELLETON: There is no comments from the Board. The item has been moved by Commissioner Jacobs; seconded by Commissioner Lieberman.

Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 24

MAYOR EGGELLETON: Item 24 is a resolution by the Board of Broward County Commissioners of Broward County, Florida, amending Chapter 37, Part 4, of Broward County Administrative Code, providing for a revised park system fee schedule, Fiscal Year 2008, providing for severability, providing for the inclusion of a Broward County Administrative Code.

This is a public hearing. The public hearing is now open for comment. We have one person to comment on this, and that is Christopher Brennan.

MR. BRENNAN: Correct.

MAYOR EGGELLETON: Mr. Brennan, you're recognized, sir.

MR. BRENNAN: Good afternoon. It's good to see you all again.

MAYOR EGGELLETON: Thank you, sir.

MR. BRENNAN: For those of you who don't know, my name is Christopher Brennan. I'm a lifelong resident of Broward County, and I've also been a Park Ranger for the past six years. I think everyone in this room is aware of how precious little green space we have left, and I fully support the idea that we might have to pay a little more to utilize that green space. I think it's well worth it, every penny of it. If I have to pay \$1 more to get in the parks, I'll gladly do so.

COMMISSION MINUTES

What I don't agree with is the 480,000 taxpayer dollars that are being spent on a private security company that's under federal investigation. The public has made it clear that they want a Park Ranger program, and the \$180,000 that Parks claims to be saving doesn't justify your disregard for public opinion. I want to know why the Commission has pressed forward with this decision, despite the hundreds of e-mails the Mayor and the Director of Parks have received and the thousand signatures collected in opposition of private security.

I guess my question to the Commission, the director, why are you ignoring this public outcry against hiring Wackenhut Security?

MAYOR EGGELETTION: Is that a question to me, sir?

MR. BRENNAN: That's a question, yeah, to anyone on the Commission.

MAYOR EGGELETTION: Let me just ask the Administrator to answer your question. Mrs. Henry. By the way, your question has nothing to do with the item.

MR. BRENNAN: I'm aware of that. The item hasn't been brought forth for public discussion.

MAYOR EGGELETTION: I understand. Your question is not a part of the item that is in front of the Board, but we're going to attempt to answer your question anyway. His question is: Why has the Board continued to employ Wackenhut Security. Is that your question, sir?

MR. BRENNAN: More or less. Again, just a more of a public loss.

MAYOR EGGELETTION: Is that your question?

MR. BRENNAN: Yes.

MAYOR EGGELETTION: And I believe the answer to your question is because I believe we have a contract with Wackenhut Security; is that correct?

COMMISSIONER LIEBERMAN: Well, the issue is the Park Rangers.

MAYOR EGGELETTION: For Park Rangers.

MS. HENRY: For Park Ranger services; is that what you're referring to?

MR. BRENNAN: Yeah. As of October 1st you'll be replacing the remaining Park Rangers with Wackenhut Security.

MAYOR EGGELETTION: Sir, you know, I think your question may be appropriately responded to this evening at 5:01. Now we do have Larry -- Mr. Lietzke, who is over that division, but it's considered a part of the budget. But, Mrs. Henry, would you like Mr. Lietzke to address this?

MS. HENRY: That -- that -- that would be correct, unless --

COMMISSIONER LIEBERMAN: Mr. Lietzke is here.

MAYOR EGGELETTION: Mrs. Henry, go ahead.

COMMISSION MINUTES

COMMISSIONER LIEBERMAN: But Mr. Lietzke is here.

MAYOR EGGELLETON: Would you like Mr. Lietzke to address this?

MS. HENRY: Mr. Lietzke or Mr. Harbin, would you like to respond, please?

MR. LIETZKE: Larry Lietzke, Community Services Department. The Parks and Recreation Division is using Wackenhut as an alternative to having its own Park Rangers, because there's a contract with Wackenhut and that's what is used for that service.

MAYOR EGGELLETON: Yes, Vice Mayor Wexler.

VICE MAYOR WEXLER: There must be an echo. There must be an echo in here. I think that's exactly what I heard a moment ago. That's not what the gentleman is really asking. Let's answer this -- this fellow's question.

MAYOR EGGELLETON: Yes.

VICE MAYOR WEXLER: I think the answer really is that it's a cost saving for the County to move toward Wackenhut to provide that service, rather than Park Rangers.

MR. BRENNAN: Correct. From what I understand, it's to the tune of \$180,000.

VICE MAYOR WEXLER: I mean am I saying something that's not correct?

MR. BRENNAN: Absolutely.

VICE MAYOR WEXLER: Right? Okay. I want -- let's say what it is.

MAYOR EGGELLETON: Mrs. Henry.

MS. HENRY: The Vice Mayor is correct. I was trying to make sure that I -- if there were other issues that you wanted to bring forward on that question. But clearly, we made the decision to use Wackenhut quite some time ago for cost saving method -- means. If there are other issues, please explain.

MR. BRENNAN: Well, there's an undisclosed amount of money being spent on a bar code tracking system to monitor those guards in our parks to make sure they're actually doing their job. Wackenhut has got a fairly poor track record, actually.

MAYOR EGGELLETON: Okay. Commissioner Keechl, you're recognized.

COMMISSIONER KEECHL: Yeah, I have a question to Ms. Henry. I think I remember this gentleman from the last time, and if my recollection serves me, you're a Park Ranger and now Wackenhut is taking over your job. Maybe I should be asking you, sorry. Were you offered another job within Broward County?

MR. BRENNAN: I've been offered several jobs, but nothing in my field of interest. I've declined them. I'm moving on to the private sector. I'm more here as a taxpayer today. It's not about saving my job. It's about putting an inferior service in our parks.

COMMISSION MINUTES

COMMISSIONER KEECHL: One more question. You said something about a thousand people have opposed this.

MR. BRENNAN: Well, I approached the Board in I think it was June, and I had collected over 2,000 signatures in opposition of the Wackenhut changeover. But I reviewed the minutes of that meeting, and no one really responded when I told you all that.

COMMISSIONER KEECHL: I didn't even remember that myself. Thank you. Appreciate you being here.

MAYOR EGGELLETON: Thank you.

Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: Ms. Henry, Ms. Brangaccio, since you're back, I think what the issue is, is the gentleman is saying two things that he needs an answer to. One is whether or not it's more or less costly to use the Wackenhut contract, versus private security, versus our own Park Rangers. And what he's saying is that it's costing us more to use Wackenhut than to have the Park Rangers.

And the issue that was presented to the Board showed the opposite, it showed the total cost for the Park Rangers versus the Wackenhut contract. And my understanding is that originally what happened is I believe there were some vacancies, and originally what staff did, what park staff did was they were using Wackenhut to fill in for the vacancies.

MR. BRENNAN: That's correct.

COMMISSIONER LIEBERMAN: And then it became a replacement issue. But the two issues that he raises I don't think this Board has discussed. So I would ask, you know, for the budget hearing at 5:01 that we have the information that shows what the cost was for the Park Rangers versus Wackenhut.

And then he raises an issue about problems with Wackenhut. So if there are any reported incidents -- and I see Mr. Harbin and Mr. Lietzke here -- about problems with Wackenhut, I'd like to know that at the budget hearing, as well.

MS. BRANGACCIO: Right, and if you're not able to be here, we can get you a copy of that. But we'll go ahead and pull something together for the 5:01.

COMMISSIONER LIEBERMAN: Thank you.

MS. BRANGACCIO: But it had been a multiyear program in terms of going with Wackenhut, multiphased, and this is the last year of it. But we will pull together a report for the Board for 5:01.

MR. BRENNAN: One final question is why hasn't a grant-based program been considered or a community volunteer? I know a lot of police departments offer a service of senior citizens that patrol on a basis, like a citizen observer board. Or with a grant-based program their salaries would actually be paid through a university, and you would have people in that area of study in your parks patrolling.

MAYOR EGGELLETON: Well, I can't answer that, but let me call on Commissioner Jacobs. But I would imagine, with volunteers, it becomes a liability for us; if they were to get hurt there and they're volunteering, who is responsible. And that's -- that's -- that's something that I would -- that would certainly send my antennas up.

COMMISSION MINUTES

But Commissioner Jacobs, you're recognized.

COMMISSIONER JACOBS: Thank you, Mayor. I had equal concerns about relying on volunteers, as it makes the job much more difficult and certainly not consistent. But I would ask that when the issues -- the information that Commissioner Lieberman asked for comes back that we also -- Ms. Brangaccio, I'm curious to know what other tasks a Park Ranger performed that was more park-like than perhaps Wackenhut does. That's what -- that's what I'm -- I mean, there may be a certain cost savings, but there are things that Park Rangers do that I don't believe Wackenhut does. And if Wackenhut is -- if we're going to continue in this transition, then it would seem that what are we -- the next question would be: What is Wackenhut going to do to come up to speed to be more like a Park Ranger?

So I would like to understand the disparity between the two, because my understand is Wackenhut is that they are simply security. They just drive around and look for something wrong. But they may not be able to point out what's going on in the park, what the flora and fauna are, and some of the other amenities of the park.

MAYOR EGGELETTION: Okay. That's a good question.

COMMISSIONER LIEBERMAN: So compare and contrast the two responsibilities.

MAYOR EGGELETTION: Yes. Commissioner Gunzburger, you're recognized.

COMMISSIONER GUNZBURGER: And I think Ms. Brangaccio also said that this was a multiyear phaseout and that everyone had one year of notice that they would be -- their position would be phased out and others would be offered. Is that true with you?

MR. BRENNAN: On that note, the County has given me ample time to prepare for being laid off in October. They've been absolutely wonderful trying to find me a position within the County.

As I said before, I'm just here as a concerned taxpayer. I would really hate to see a lack in service due to, you know, guards that have no knowledge of our native plants, animals, and insects in the parks.

COMMISSIONER GUNZBURGER: You're right.

MAYOR EGGELETTION: Commissioner Lieberman.

COMMISSIONER LIEBERMAN: You had said you were offered some positions. What positions were you offered?

MR. BRENNAN: I was going to -- it was the water treatment. It was plant operator. And when I went to for the interview, it was to clean out the filters at the water treatment plant. In all respect, I can't hardly stand to drive past that place, let alone work there.

COMMISSIONER LIEBERMAN: Not a Park Ranger. Was that the only -- was that the only position you were offered?

MR. BRENNAN: I was also offered a maintenance worker job at Quiet Waters Park; but, again, that really doesn't appeal to my sense of career.

COMMISSION MINUTES

COMMISSIONER LIEBERMAN: Okay.

MAYOR EGGELETTION: He wants to be a Ranger. Well, FWCC is looking at some able bodies, I can tell you that.

MR. BRENNAN: They have an application from me.

MAYOR EGGELETTION: Absolutely. And they're looking for them, and they're short. And they're telling us, "If you know where they are, send them to us." So you might want to check with the Florida Conserve -- you know, Florida, the FWCC, formally referred to as the Fish and Game Commission. Okay?

Any other questions? Your questions will be addressed, sir, this evening at 5:01 during the budget hearing.

Additionally, Mr. Newton, the question that I'm most interested in is a question involving any fraud or any criminal activities or any legal thing pending with respect to the company, understanding the position that the Board has taken or previously with respect to these items. Okay? That's what I'm most interested in, and if I can have or something of that type, knowing that we're going to have two budget hearings. Even if you don't get it today, I'd like to have it at least by the second budget hearing. Okay? Thank you so very much.

Any other comments from the Board?

MR. BRENNAN: Thank you.

MAYOR EGGELETTION: Any other member of the Board wishing to speak to this item?

Seeing that there is no one else from the public wishing to speak to this item, the public hearing is now closed.

Comments from the Board? Seeing that there is no comments from the Board, the Board comment period is closed. I'll accept the motion.

VICE MAYOR WEXLER: I move the item.

MAYOR EGGELETTION: Item has been moved by Vice Mayor Wexler. It's been seconded by Commissioner Jacobs.

Any objections?

COMMISSIONER RITTER: I've got one.

MAYOR EGGELETTION: Any objection?

Without objection -- okay. Those in favor of the item, raise your hand, please. All those opposed.

Let the record reflect that Commissioner Ritter voted in opposition to the item.

COMMISSION MINUTES

COMMISSIONER: You know, I'd like to tell Commissioner Ritter something. If our old colleague who is downstairs on the first floor were here, what she would be asking of you each time vote against this is where you're going to replace this money from.

MAYOR EGGELETTION: Okay. Thank you.

VOTE PASSES 7 TO 1 WITH COMMISSIONER RITTER VOTING NO.

AGENDA ITEM 25

MAYOR EGGELETTION: All right. Item 25. Item 25 is a motion to consider whether or not there should be a taxi meter rate adjustment, in accordance with Section 22-1/2-11 of the Broward County Code, Motor Carriers Ordinance.

This is a public hearing. The public hearing is now open for public comment. I do have several persons to speak to this item. The first person is, it looks like, Duvra Ivalier.

MR. DUVRA: Yes.

MAYOR EGGELETTION: Hey. How ya doin'? Pronounce your last name for me again.

MR. DUVRA: My name is Ivalier Duvra.

MAYOR EGGELETTION: Okay.

MR. DUVRA: Glad to see you guys again. We new know about the meter increase going to be today. So as a Cab Driver Association member, we gather together. And there's litigation, Mr. Franz Pierre and myself, to urge the Board to vote against the meter rates for this time, because we have an economic problem for sure at this time. But I don't think this be a good time to increase the taxi meters. Any help would be good for the taxi now. The problem that we face now is the way the limousine is working in the same bracket with the taxi, but it's the taxi meter at this time.

We urge again the Commission, the Board of Commissioners, to vote against meter increase for this time. Thank you.

MAYOR EGGELETTION: Thank you.

All right. The second person is Mr. Jesse Gaddis.

MR. GADDIS: Mayor, Commissioners, I don't have much to say.

MAYOR EGGELETTION: Mr. Gaddis, you're recognized. Go ahead.

MR. GADDIS: I only came here because I get beat up on every time something comes up. I just want to respond to some of the people and some of their accusations, from time to time.

MAYOR EGGELETTION: Okay. Thank you, sir.

Mr. Dan McCarthy, you're recognized, sir.

COMMISSION MINUTES

MR. MCCARTHY: Mr. Mayor, Madam Vice Mayor, Commissioners. I would ask that you postpone a decision on this thing, on this matter at this time, until such time -- until such time as the taxi drivers can really be consulted with. There really was no consultation. The first notice that we got was when the agenda item was posted on Thursday afternoon. And I would tell you that there are some 1,500 drivers out there who work 24/7 all over the county, and it would be physically impossible to contact them between Thursday and Tuesday just because they are scattered so far and wide.

And I believe that this Commission is ill-served by a Consumer Affairs Division that tells you a half truth. They tell you here that -- and they remind you that two years ago you gave us a 25 percent increase. They don't remind you that 24 hours after you gave us that increase, two-thirds of the drivers had the vast majority of it taken away by the previous speaker. And the people -- the first speaker here represents an independent cab operator who did not work and does not work for Yellow Cab.

There has been an 8 and-a-half percent increase in the Consumer Price index in the past two years, and this will be frozen for another two years if you do not consider an increase again.

But in any event, I believe that when it affects the livelihood of 1,500 families that they should be notified of what your actions may or may not be so that they can have the right to have their voice heard. And therefore, we ask you to instruct the Consumer Affairs Division on this point: If you grant the decision to postpone it, to notify the drivers through direct mail at their home addresses that you will be voting on something that affects their economic well-being for the next two years. And that in the future, when permit lotteries are taken, that they be notified. Because quite often -- quite often -- the interests of the cab operators who are dictating to Consumer Affairs is not the same interest of the taxi drivers who put their life on the line every day to transport people in Broward County.

And besides, on the RLI, there most probably will be requests for an airport origination fee, which is the only way an outside operator can operate profitably at the airport. And so I ask you again to postpone this.

MAYOR EGGELETTION: Thank you, sir. Your time has expired.

MR. MCCARTHY: Thank you, Mr. Mayor.

MAYOR EGGELETTION: The next speaker we have in the public comment is Mr. Joe Davis. Mr. Davis, you're recognized, sir.

MR. DAVIS: Mayor Eggelletion, Commissioners. My name is Joe Davis. I'm vice president and general manager of Yellow Cab and have been working there for the past 18 years. I can assure you that there is no representative in this audience who represents all of the cab drivers in Broward County. They are all independent contractors, a thousand of them who are which in the system I manage. Those drivers -- I can tell you one thing about cab drivers in Broward County. If there's a money issue, they're aware of it.

They are aware of the meter increase, the proposal for it today, and they chose not to come here and speak because they're not interested in it.

Consumer Affairs does do their job. Your staff does an excellent job out here for us. They have people on the street, they have people at the airport, they have informative people letting these drivers know what's going on.

The previous speaker who is up here speaking doesn't work at the airport. He says he represents people at the airport, and he does the work there.

COMMISSION MINUTES

In addition to that -- I'm going to keep my cool here with this guy -- he's had the opportunity for the past five years to join the airport system and has never once approached us to do so, yet he speaks on the airport issues as if he's an authority.

I just would like to make myself available to you if there are any questions that you have about cab drivers, about the cab business of Broward County. I'd be happy to come down to visit with you at any time. I thank you.

(VICE MAYOR WEXLER LEFT THE ROOM.)

MAYOR EGGELLETON: Thank you, sir. The next speaker is Mr. Pierre. You're recognized, sir.

MR. PIERRE: My name is Franz Pierre for, Broward County Association for the Cab Drivers. At the same time, we own Ambassador Taxi Service as partnership. And Mr. Johnny (Inaudible) and I and Mr. Jaffra, and the other members in the organization, we met with the drivers yesterday, So we're not interested of any increase right now for the taxi system, because the situation is so not comfortable for us. There is no business (inaudible) program right now, because we work everywhere. I'm a taxi driver also, and we --we -- we do service the airport. At the same thing -- at the same time, we work on the street too. So how the program right now, (inaudible)at the airport is to label (Inaudible)the same as taxi. So they charge the same price as taxi. All we ask for right now for the customer to check on limo service price, because if we are taking somebody to Miami, which costs 65, 70 dollars, the limo express or the private car, whatever they're calling themselves, they charge the same thing.

(VICE MAYOR WEXLER RETURNED TO THE ROOM.)

MR. PIERRE: That's what we are interested for as taxi drivers in Broward County. We're not interested of any increase right now. Thank you.

MAYOR EGGELLETON: Thank you, sir. The next speaker for the public hearing is Mr. Bob Bonner. You're recognized, sir.

MR. BONNER: Bob Bonner, Intercity Taxi. Today's issue is not to speak of the airport or of limo rates. It is about our meter rate increase.

As Mr. Gaddis stated back on the March 20th meeting, airport revenue since the last meter increase is down 10 percent. I'm here to tell you that in the local neighborhoods, it's even more. It's closer to 15 percent. We see people that regularly took our cabs to work, to the hospital, to the doctor, to go shopping, now standing, waiting for buses in the rain. They can no longer afford us. This is enough. We had to go up. By have spiked gas prices, higher insurance costs, but this is enough. Any more would be disastrous to our industry. Thank you.

And Consumer Affairs does a great job.

MAYOR EGGELLETON: Thank you. Anyone else from the public wishing to speak to the item? Seeing that there is no one else from the public wishing to speak to the item, the public comment period is now closed.

The Board comments?

Vice Mayor Wexler, you're recognized.

COMMISSION MINUTES

VICE MAYOR WEXLER: The way that I understand this agenda item is that the rates would remain exactly the same. The recommendation is that it remain exactly the same.

My -- my question is, do we review this yearly or every two years? Every two years?

MAYOR EGGELLETION: Mrs. Brangaccio.

MS. BRANGACCIO: It's every two, Vice Mayor.

VICE MAYOR WEXLER: I'm getting hand signals from the audience.

MS. BRANGACCIO: No hand signals. If you move up a little bit, and do talk about the outreach efforts, please.

VICE MAYOR WEXLER: That's exactly what my next question was going to be, if I may ask it a little with more detail, though.

MS. FANDEL: Yes. Mona Fandel, Director, Consumer Affairs. We're required every two years to bring the taxi rate to the Board's attention; and they can either increase it, decrease it, or remain the same.

VICE MAYOR WEXLER: I want to ask you a little bit more detailed about the methodology or the process that you use, Because this -- the backup here indicates that you met with driver representatives and operator representatives. And was it a survey-type meeting? Was something mailed out to people? Was -- how -- how -- and did you decide who and how many people actually participated?

MS. FANDEL: Okay. We spoke to all the taxicab companies. We called them and we brought the issue up. In addition, they have always come to us on these issues. I can tell you that we had a workshop on another taxi port issue on -- when was it -- on July 16th, in which two presidents of the taxi associations were there. We raised the issue that the rate is coming up. We asked for their input.

And the input that we got was, "We'd like it to remain the same, but keep in mind that if the gasoline spikes that don't wait two years, that something should be done then."

VICE MAYOR WEXLER: So --

MS. FANDEL: We've also canvassed the taxicab drivers that have come to our office and asked their input. We have approximately between 5- and 6,000 chauffeurs in Broward County, and it would be an enormous and very expensive task for us to mail out information to 5- to 6,000 people. But what we'll do, and do it even more carefully, that all information will be posted and brought to the taxi companies so they will be aware of all these issues. But so to undertake such a vast mailing, we just don't have the funds for that.

VICE MAYOR WEXLER: So if someone was an independent driver there, would not be part of this communication?

MS. FANDEL: They would be in one -- they're dispatched, and all those dispatch companies would get that notice. And we'll make sure that they get some kind of flyer to be posted.

VICE MAYOR WEXLER: Okay. All I'm trying to understand is that you go through a defined process to reach people and that it is an inclusionary process rather than exclusionary?

COMMISSION MINUTES

MS. FANDEL: Yes. And the next thing coming up will be the lottery. I can tell you that we go to all the cab companies. We go to the airport and give out fliers. We go where we can. We're on the Internet. We have signs in our office, and we're available. People seem to know about especially the lottery. We get calls all the time.

VICE MAYOR WEXLER: Thank you.

MAYOR EGGELLETON: Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: Is there any annual renewal for the cab medallions?

MS. FANDEL: I'm sorry?

COMMISSIONER LIEBERMAN: Is there any annual renewal of the cab medallions?

MS. FANDEL: Yes.

COMMISSIONER LIEBERMAN: Okay. Could we change the timing of this so that when they're getting their annual renewal notice they also get notice in the very same envelope of a proposed change to the rates?

MS. FANDEL: Well, it's different, because being a cab driver doesn't mean you have a certificate of public need or necessity. And the cab drivers renew every two years at different dates. There's no set date.

COMMISSIONER LIEBERMAN: So there's no set date?

MS. FANDEL: So it's not -- it doesn't really matter.

COMMISSIONER LIEBERMAN: I was hoping it was like occupational licenses, it was one set date.

MS. FANDEL: Yeah, we don't do that in the taxis.

COMMISSIONER LIEBERMAN: So your notice in the same.

MS. FANDEL: It's either your birthday or two years from the date that you got your license. So we do all this all year around.

COMMISSIONER LIEBERMAN: And your recommendation is that we not increase the rates?

MS. FANDEL: Yes.

COMMISSIONER LIEBERMAN: And you base that because you -- I believe you had at least one, if not two, meetings with representatives of the industry?

MS. FANDEL: We did do that. We've raised it. We've spoken to the cab -- some of the cab drivers, the two presidents of the association. The only thing they said to us, "If, you know, gas really goes up, then come back and try to do something."

COMMISSION MINUTES

COMMISSIONER LIEBERMAN: And there's an opportunity to come back if that happens and put a fuel tax surcharge?

MS. FANDEL: Which we did the last time. There is a process in place for emergency increases.

COMMISSIONER LIEBERMAN: So if that were to happen, we have a process that allows us to do that before the next time that you would consider a rate increase?

MS. FANDEL: Yes.

COMMISSIONER LIEBERMAN: About how many people were at each of the work- -- the meetings you held?

MS. FANDEL: I wasn't at the first one. We had -- definitely Mr. McCarthy was there, Mr. Pierre was there. And they are the presidents of taxi associations.

COMMISSIONER LIEBERMAN: Okay. And at the second one?

MS. FANDEL: At the second one Mr. McCarthy was personally invited, and he did intend. We only had three or four people at that one.

COMMISSIONER LIEBERMAN: Okay. Can you -- do you know of any other way that you could -- I know we post on the Internet when we're having the meeting. They're public meetings.

MS. FANDEL: I think we will go to all the cab companies and will post there, because all cab drivers, I would think, would have some contact at that company. And then, again, when we have the lottery, we physically go out to the airport, to the Port where the cab drivers, are and try to give them notice.

COMMISSIONER LIEBERMAN: Okay. Thank you.

MAYOR EGGELLETION: Thank you. Vice Mayor Wexler for a follow-up. Ms. Fandel, don't go anywhere.

VICE MAYOR WEXLER: Ms. Fandel, I just want to -- I want to be comfortable as we move forward. The number of independent cab drivers in Broward County, can you give me a ballpark figure of how many we may be talking about here?

MS. FANDEL: We have about 3- 27- to 3,000 cab drivers a year, and it's a two-year permit. So cab drivers come in and out of the system. It's almost impossible to find where they are.

VICE MAYOR WEXLER: Are you saying it's somewhere between 2- and 3,000 independent cab drivers?

MS. FANDEL: Well, part of it are -- are -- we don't -- there's cab drivers, they're van drivers, they're limo drivers. We do not distinguish between what they drive.

VICE MAYOR WEXLER: So you don't have -- the system -- the technology in order to put in a sort is not there for an independent cab driver versus a limo driver?

COMMISSION MINUTES

MS. FANDEL: No, because many times when they come to us they don't each have a job. They're getting the license first and then get a job. Or they're constantly moving to different companies, and I don't have the technique for them to come back and tell us where they are.

VICE MAYOR WEXLER: I would ask that in the future you be a little bit more definitive in the agenda item as to how you accessed participation.

MS. FANDEL: Okay.

VICE MAYOR WEXLER: Okay? That would raise my comfort level.

COMMISSIONER LIEBERMAN: Me too.

MAYOR EGGELLETON: And I think you really need to do that, Ms. Fandel.

MS. FANDEL: Okay.

MAYOR EGGELLETON: I think what you're saying -- and I understand what you're saying. You're saying that people apply for a license. They get a license to operate a taxi. However, we can distinguish between those that operate luxury vehicles and taxis, because that's a different license, isn't it?

MS. FANDEL: No.

MAYOR EGGELLETON: It's not? It's the same license?

MS. FANDEL: No, it's the same license.

MAYOR EGGELLETON: So when we draw, whenever we go to draw, we're only going to be drawing licenses for taxicab drivers, not luxury cars; is that correct?

MS. FANDEL: When you have the taxicab driver lottery, they have to prove to us they that they have been a taxicab driver for three years.

MAYOR EGGELLETON: That's not what I asked you.

MS. FANDEL: Okay.

MAYOR EGGELLETON: I asked when we draw --

MS. FANDEL: Right.

MAYOR EGGELLETON: -- are we going to be drawing only for taxicab drivers and not luxury cars; is that correct?

MS. FANDEL: No. We do the luxury sedans --

MAYOR EGGELLETON: So if you do luxury sedans, then you know what these people are drawing a license for; do you not?

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MS. FANDEL: That's the owner of the permit.

MAYOR EGGELETTION: I understand.

MS. FANDEL: Okay.

MAYOR EGGELETTION: But that's -- but you -- but so then -- well, maybe we're phrasing the question incorrectly.

The owner of the -- do you know who owns what permits in the system; luxury, taxis, et cetera?

MS. FANDEL: Yes, I know the owner of the permits.

MAYOR EGGELETTION: Okay. So, therefore, we can clearly distinguish between owners of luxury car permits versus owners of tax permits, could we not?

MS. FANDEL: Right.

MAYOR EGGELETTION: Okay. And we do know that -- I think that it would behoove you, and I hear my colleagues saying they want to know whether or not a driver is driving for a company, because we do know that certain drivers want to drive for certain companies. And we do know that certain drivers want to be independent operators. We do know that certain companies have so many cars within their fleet.

MS. FANDEL: Correct.

MAYOR EGGELETTION: I think -- I think that some -- somewhere down the line, I think what I'm hearing my colleagues say -- and y'all tell me if I'm hearing this incorrectly -- that you want to see a system developed so that we can have that information. Is that what I'm hearing y'all say? Okay. And that's all they're saying. Okay?

MS. FANDEL: Okay.

MAYOR EGGELETTION: All right. Thank you.

Is there a motion on the item?

COMMISSIONER LIEBERMAN: Move the item.

MAYOR EGGELETTION: The item has been moved by Commissioner Lieberman; seconded by Vice Mayor Wexler.

Any objection?

COMMISSIONER LIEBERMAN: Well, I guess it's just a motion to consider, really.

MAYOR EGGELETTION: The motion --

COMMISSIONER LIEBERMAN: It should be not to raise --

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MAYOR EGGELETTION: The motion is, I guess, to adopt the staff use recommendation, which is not to raise the rates.

COMMISSIONER LIEBERMAN: (Inaudible).Right.

UNIDENTIFIED SPEAKER: (Inaudible).

MAYOR EGGELETTION: It's not to raise. The item has been moved by Commissioner Lieberman; seconded by Vice Mayor Wexler.

Any objection? Any objection?

Show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 26

MAYOR EGGELETTION: That brings us to Item 26. Item 26 is a motion to adopt a resolution amending the Administrative Code, the title of which is as follows: "A Resolution of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Volume 2, Chapter 42, Section 2 through 12, inclusive, of Port Everglades Tariff Number 12, codified as Exhibit 42A and incorporated in Section 42.25 of the Broward County Administrative Code providing for an increase in docking, wharfage, and container crane rental, security, general port services, providing for rules and regulations text updates in Sections 2, 3, 4, 7, 8, and 10, providing for severability, providing for inclusion in the Broward County Administrative Code, providing for an effective date.

This is a public hearing. The public hearing is now open. We have a person from the public signed up to speak to the item.

Mr. Platt, you're recognized, sir.

MR. PLATT: Good afternoon, Commissioners and Mayor. George Platt from Shutts & Bowen on behalf of Florida International Terminals.

I just want to, as you're moving to adopt these changed fees and tariffs, I wanted to just share a couple of thoughts with you. And I know this has some momentum, I fully understand that, but I think it's important that this Board be aware of the competitive aspects of these fees and charges.

FIT, by the way, will probably exceed 75,000 containers in the Port this year. They're a major player. There are many other people that are the container terminal operators who are not here today, but I can assure you that they are all concerned about -- about these issues.

The Port of Miami is currently offering a 50 percent discount on published dockage and wharfage charges. I've seen letters that have gone out to our customers in Port Everglades offering them a 50 percent discount on wharfage and dockage on new cargo shipping services if they commence in the Port by September 30th, or 45 percent discount if they commence between October 1 and December 31. These discounts are valid for a year, so long as the company stays there for 18 months.

So the comparative chart that you have is not 100 percent accurate that was in the report that I just had a chance to look at a little while ago for those companies that are being hit on here in Port

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Everglades. By tariff in Miami, in the Port of Miami, the Port director has authority to grant a 35 percent discount. But through this emergency, it's called the temporary emergency charges to tariff, the Director is authorized to make emergency changes to tariff -- by himself, without approval of the County Commission -- in order to negotiate these discounts in order so that it says, quote: The Port of Miami can remain competitive with other ports.

So quite frankly, just down the road a piece here, we've got a port that is engaging in some major predatory policies that, quite frankly, could have an impact on Port Everglades. And they are, indeed, talking to the people who are your tenants and customers and certainly customers of Florida International terminal.

I saw the report today. I'm sorry I didn't get a chance to look at it earlier, but I do want to mention that one other aspect of this that you need to be aware of. And that's that the security fees are going up 50 percent. You know, when are we going to have sort of a comprehensive review of the security impacts, the financial impacts of the security fees? Maybe now that there's been a shakeup at the Sheriff's Office, you know, we can recognize that maybe some of the things that are being done by BSO could be done by the private sector. If you're doing it in your parks, you can do it in part of Port Everglades. And I would certainly encourage you to take a look at that so that we can, in fact, try to get some control on these issues. Thank you all very much.

MAYOR EGGELETON: Thank you, sir. Your time has expired.

Anyone else wishing to speak to the item from the general public? Okay.

Comments from the Board? I just want to bring Mr. Allen up to address the comments that -- of being noncompetitive. Mr. Allen, you're recognized, sir.

MR. ALLEN: Mr. Mayor, members of the Commission. Mr. Platt's explanation of the recent correspondence from the Port of Miami is somewhat misplaced. That was not correspondence from the Port of Miami. That was correspondence from POMTOC, which is a third-party operator in the Port of Miami, similar -- almost exactly like FIT is a third-party stevedore at Port Everglades.

This is a matter of a competition between stevedores. This is not a matter of competition between ports.

We conducted a review this past year under the auspices of the Florida Ports Conference, which allows ports to look at each other's rates.

(COMMISSIONER GUNZBURGER LEFT THE ROOM.)

MR. ALLEN: Normally, as part of maritime law, you cannot get into direct rate negotiation with other ports. But through the conference, the ability to do that through the conference, that review indicated that at that point in time we were about 5 percent lower overall in cargo rates than the Port of Miami.

That was not enough difference in anybody's mind to cause business to relocate from the Port of Miami to Port Everglades. In fact, over the last year, Port Everglades has become the number-one ranked container port in the state of Florida, surpassing the Port of Miami. We are now Number 11 now in the United States.

We don't feel that the rates that we have currently or the rates that we are proposing places us at a competitive disadvantage. In fact, we have so many advantages relative to the transportation network that those more than overcome issues of rates with the Port of Miami.

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The POMTOC agreement with the Port of Miami, they already have the authority to a 50 percent. They had previously authorized -- POMTOC had authorized a 35 percent discount. So it's really only a 15 percent incentive on one very small part of the rates, wharfage and dockage. That is not enough to cause us any concern relative to our competitive position.

MAYOR EGGELETTION: Vice Mayor Wexler.

VICE MAYOR WEXLER: You do a very nice job, Mr. Allen.

MR. ALLEN: Thank you.

VICE MAYOR WEXLER: I wanted to tell you that publicly.

And I think that we are very competitive, and thank you for straightening the information that we received out for us. And I --

MAYOR EGGELETTION: I'm sorry. I've been told that I had not closed the public hearing. The public hearing is now closed. It's comments from the Board. I apologize. So go ahead

VICE MAYOR WEXLER: I'm not going to repeat myself, though. One compliment is enough a day. That's all you get.

Mr. Allen, I wouldn't trade the cost of the driver of any truck having to wait in traffic down at the Port of Miami or wasting gas down there with our maybe slightly higher cost, any day of the week. I think that's a real easy decision to make.

MR. ALLEN: Thank you.

VICE MAYOR WEXLER: Thank you.

MAYOR EGGELETTION: Thank you. Thank you, Mr. Allen. The only thing I want to say is we need to just monitor this. I know we can't get into collusion with any port. We're not even recommending that. The rates have to stay competitive. But as I often point out to the Board, our competition is not necessarily the Port of Miami or Palm Beach or Jacksonville, it's Charleston and Savannah and those other ports, and we need to make sure our rates stay competitive with respect to that.

There was one point with this Board, if you can remember when we first started South Florida terminal, our rates were so high that it was noncompetitive that they could not get anyone into the Port to come because the rates was to high. We adjusted the rates so that we were competitive.

Our volume has increased. I just believe that, you know, the rate is justified at this particular point. It should move forward, but we need -- we need to be very mindful of where the real competition is here.

And, you know, sometimes you can overcome things with -- with advantages that you have, such as first in/first out, other modern conveniences that we have to constantly update at the Port.

I do believe, however, at some point -- I know when we talked to the sheriff, former Sheriff Jenne some time ago, he indicated to us, Mr. Allen, that he would review those security fees to determine and would come back to the Board with some suggested ways in which we can save money. I don't know if

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he's done that with you yet or if he hasn't, but perhaps it is time to take a very serious look at our -- at our fees and to determine what other methodologies that are available to us to utilize with respect to security, particularly given the legislation that passed a couple years ago that gives us the ability to do that.

So I would strongly urge us to take a look at that because those fees, members, are passed on to the users; and if those fees get out of whack, you're going to lose those individuals, and I don't want to lose them. I want to continue to grow our business at Port Everglades.

Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: Mayor, I agree with you about Port Everglades and the importance of being competitive. One of the reasons why the Management and Efficiency Subcommittee of the Governance Subcommittee looked at ways to reduce costs between the airport and the seaport is because, similar to what you're saying, there -- especially in security, there have been such an increase in costs --

(COMMISSIONER GUNZBURGER RETURNED TO THE ROOM.)

COMMISSIONER LIEBERMAN: -- not just for us, but for other ports, as well-- which makes business much more expensive. And the port and the airport are two gigantic engines for Broward County.

That being said, with security, I know that Mr. Allen who worked with our Governance Subcommittee to come up with eight different areas where we could reduce costs by combining functions of the airport and the seaport.

(COMMISSIONER GUNZBURGER LEFT THE ROOM.)

COMMISSIONER LIEBERMAN: Top among them was security, and they're moving in that direction about having a combined security for the airport and the seaport, which I understand will help us in reducing costs as well as give us better service.

Mr. Allen?

MR. ALLEN: There were discussions prior to the situation at the Sheriff's Office. I'm sure those will continue.

(COMMISSIONER GUNZBURGER RETURNED TO THE ROOM.)

MR. ALLEN: There are opportunities for the combined command that the Commissioner speaks to. There are other issues that we have already built into our proposed security plan amendments and are now before the FDLE for approval. Further, there are capital infrastructure changes that we can make in closing certain gates as part of the convention center carve-out that will save significant amount of money.

The largest number that we're looking at is the potential opportunity to shift from CSA's to perhaps private security guards. As the Mayor points out, last year the legislature approved legislation authorizing a training program for Class D guards to become certified seaport guards. The curriculum is still being developed on that by the state committee. Hopefully, soon they will have the curriculum in place and we can look again at the opportunity to look to, particularly as it relates to gate entries and gate activities, that those oper- -- those positions could be privatized.

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COMMISSIONER LIEBERMAN: And the reason -- you know, I had mentioned those items is I give Mr. Allen a lot of credit. He was responsible for a lot of the recommendations that we came out with from our subcommittee, because once he started looking at functions, as is his background, he actually saw where we could save money by moving in that direction.

And this, to me, is an interim step, because I think as we move forward his emphasis is to take a look at how he makes sure that this giant economic engine remains competitive and continues to be an important part of the economy of Broward County. So despite, you know, some of the tariff increases that are in here, I know that at the same time he's working to see how he can change his operation so that he can reduce the overall operating cost, because I know that's what he did when he was in our subcommittee.

MAYOR EGGELLETON: Thank you so very much. Is there a motion?

COMMISSIONER LIEBERMAN: I'm going to move the item.

MAYOR EGGELLETON: The item has been moved by Commissioner Lieberman. It's been seconded by Vice Mayor Wexler.

Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 27

MAYOR EGGELLETON: That brings us to Item 27. And ladies and gentlemen, just let me tell you that I do intend before 5:01 to go back and pick up the item that we moved -- that we missed from this morning and try to deal with that item. There's two items. I certainly want to try to get them off the agenda before 5:01. So govern your comments accordingly, because I don't think these people need to be here until 9:00 o'clock at night, or whatever.

But let's go back. Item 27. Item 27 is a motion to adopt a resolution of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Seabulk Towing, Incorporated, doing business as Port Everglades Towing, to operate a tugboat and towing concern in Port Everglades, Florida, providing for a finding of fact, providing for an award of franchise, providing for an authorization of the Mayor and Clerk to execute a franchise agreement providing for a ten year term, providing for nondiscrimination/applicable law, providing for severability, providing for an effective date.

COMMISSIONER LIEBERMAN: Move Item 27.

MAYOR EGGELLETON: This is a public hearing. Public hearing is now open. Anyone from the public wishing to comment on Item 27? Seeing that there is no one from the public wishing to comment, the public hearing is now closed.

Are there comments from the Commission? Seeing that there is no comments from the Commission --

COMMISSIONER LIEBERMAN: I'd already moved it.

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MAYOR EGGELLETON: -- Commissioner Lieberman moves Item 27. It's been seconded by Vice Mayor Wexler.

Any objection? Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

AGENDA ITEM 28

MAYOR EGGELLETON: Item 28. Item 29 is a resolution by the Board of County Commissioners of Broward County, Florida, granting a nonrenewal -- granting a renewal, rather, of a nonexclusive franchise to Tugz Company, LLC, doing business as McAllister Towing at Port Everglades, Florida, to operate a tugboat and towing concern at Port Everglades,. Providing for findings of fact, providing for award of franchise, providing for authorization of the Mayor and Clerk to execute the franchise agreement, providing for a ten-year term, providing for nondiscrimination/applicable law, providing for severability, and providing for an effective date.

This is a public hearing. Anyone from the public wishing to speak to the item? Seeing that there is no one from the public wishing to speak to the item, the public hearing is now closed.

Comments from the Board?

COMMISSIONER LIEBERMAN: Second.

MAYOR EGGELLETON: Seeing that there is no comments from the Board, Commissioner Gunzburger moves the item. The item has been seconded by Commissioner Lieberman.

Any objection?

Without objection, show the item pass unanimously without objection.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELLETON: That brings us to Item 29. And let me just tell you, if we get bogged down on this item, I'm going to go back --

UNIDENTIFIED SPEAKER: And pull out your hair?

MAYOR EGGELLETON: No, I'm going to -- I'm going to -- I'm going to ask for a motion to --

COMMISSIONER LIEBERMAN: No, he's done that already.

MAYOR EGGELLETON: -- to go back to the morning meeting to take up the items that was left on the agenda. Persons have been here since 10:00 a.m. this morning to get to that item, and I don't want them, because at 5:01 we start the budget hearing. I don't know at what time or how late into the evening that may or may not go, so I definitely want to try to get those persons from the 10:00 a.m. meeting taken care of. Okay? Do what? Do y'all -- do y'all want to do those items from the morning now and then we come back to this?

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COMMISSIONER GUNZBURGER: 30 from here, because that should be fast. They took out employee parking.

MAYOR EGGELETTION: Item 30? Y'all want to go to Item 30, then?

COMMISSIONER GUNZBURGER: Yeah.

AGENDA ITEM 30

MAYOR EGGELETTION: Okay. Let's go to Item 30. Okay. Item 30 is a motion to adopt a resolution of Board of County Commissioners of Broward County, Florida, amending Chapter 39 of Broward County Administrative Code, fees and other changes, aviation. Amending Section 3 2.2, rates, fees, charges, Fort Lauderdale-Hollywood International Airport, advising terminal rates and charges, landing fees, security charges, employee -- well, we've taken that out, so let me just stop there.

COMMISSIONER LIEBERMAN: I want to move the amendments, Mayor. We have a purple sheet with the amendments.

(COMMISSIONER RITTER LEFT THE ROOM.)

MAYOR EGGELETTION: Well, first of all, this is a public hearing. Public comment is now open.

I do have one speaker on the item, Mrs. Brenda Lee Chalifour. Mrs. Chalifour, you're recognized on Item 30.

MS. CHALIFOUR: Thank you so much. Actually the backup is a little confusing, so I was looking for a little clarification whether the nonsignatory airlines are going to be paying landing fees or not. Can't tell.

MAYOR EGGELETTION: Is that a question?

MS. CHALIFOUR: Yeah, it is.

(COMMISSIONER RITTER RETURNED TO THE ROOM.)

MAYOR EGGELETTION: Okay. I'll note your question. Keep going.

MS. CHALIFOUR: If not, they should be. The employee parking, in our out?

COMMISSIONER LIEBERMAN: It's out. It's --

MS. CHALIFOUR: What about based and nonbased, all of that is out? Is the based or nonbased --

COMMISSIONER GUNZBURGER: All the employee --

MS. CHALIFOUR: Is it based or nonbased? For the moment.

COMMISSIONER GUNZBURGER: All the employee parking --

MAYOR EGGELETTION: Wait just one minute. Wait one minute. That needs to be answered by the staff, Mrs. Brangaccio.

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COMMISSIONER LIEBERMAN: Actually, we need to let her finish speaking.

MAYOR EGGELETTION: Why don't you ask all your questions, and we'll have someone to address it.

MS. CHALIFOUR: I'll try to do that, but it's very unclear. And of course my comments would relate -- I would like to respond to your answers, but I know you're not going to do that.

Anyway, the moral of the story on this entire piece. December 9, 2003, you told us "costs not on the backs of taxpayers." The massive increase in fees here are to the general public to raise 16.3 million dollars. Who the heck do you think that is? Broward County taxpayers. We're the ones that are footing the bill.

For what? In order to mitigate escalating operating costs and implement a program to develop the airport, it is necessary to raise airport rates and charges. Rate increase will generate additional revenues to offset increased expenses and finance upcoming capital improvement projects.

Who is paying? The 16.3 million dollars is coming from the general public. December 9, 2003, once again, did you fib us again? You told us on December 9, 2003, that the airlines would pay. Now you're telling me the airlines are not paying their landing fees.

It is clear we, the taxpayers, are paying more and more, but of course you won't feel it because there's this fabulous piece in here in this same ordinance raising 16.3 million dollars on the backs of the Broward County taxpayers, courtesy parking for federal officials, members of the state and federal legislative delegation, Miami-Dade County and Palm Beach County, cabinet members, Aviation Department Division Directors, each member of the Broward County Board of Commissioners. Gosh love ya.

I know, you're on official business. Well, God bless the mom and dad who finally get the money saved up to take the kids to Orlando, and the parking rate is 16.3 million dollars. Taxpayers, but you're on official business. God bless ya.

MAYOR EGGELETTION: Thank you so very much.

Okay. There's another speaker on this item. Mr. George Platt, you're recognized on Item 30.

MS. CHALIFOUR: I make friends and I influence people.

MR. PLATT: That's a hard act to follow.

COMMISSIONER LIEBERMAN: Mayor, point of information.

MAYOR EGGELETTION: Point of information.

COMMISSIONER LIEBERMAN: I respect Ms. Chalifour's passion and advocacy for her issue, but, Mayor, I'm going to ask you to please enforce the provisions of our Code. Our code has a decorum for presenting your information to the Board of County Commissioners. Calling the members of the Board liars is clearly prohibited by our Code.

MS. CHALIFOUR: I did not use that word.

COMMISSIONER LIEBERMAN: No, you said we fibbed.

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MS. CHALIFORM: Did you?

COMMISSIONER LIEBERMAN: That's what you said. I'm just repeating your comment, Ms. Chalifour.

MAYOR EGGELLETON: Commissioner, just continue.

COMMISSIONER LIEBERMAN: And I would ask you to please enforce the provisions of our Code. I more than welcome her ability to communicate with us, express her opinion, be factual in her data, and give information. Each of us hears that, and though we may come to different conclusions based on our review of the information, our Code does not permit this conduct, Mayor, and I would ask that you please enforce the Code.

MAYOR EGGELLETON: Thank you, Commissioner.

Mr. Platt, you're recognized.

MR. PLATT: Commissioners, George Platt, Shutts & Bowen. That's a hard act to

COMMISSIONER LIEBERMAN: No, it isn't.

MR. PLATT: I'm kidding.

MAYOR EGGELLETON: Continue, Mr. Platt.

MR. PLATT: I'm here to support the staff recommendation and thank the staff and the consultants for having worked with my client, National Jets, and the other FBO's. I do want to request, however, that the staff recommended amendment that deletes that Section 2A; just in case it gets overlooked, I would ask that you please make sure that that gets adopted as part of this so it does eliminate that duplication and conflict that exists. Thank you.

VICE MAYOR WEXLER: Thank you, Mr. Platt. I don't have your notes though.

Are there any other public speakers? If not, we're going to close the public part of the meeting and open it up to Commissioners.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Yes, the first part, Vice Mayor, is there are amendments that have been purple sheeted, and these amendments make it clear that we are not raising the parking rates for employees and the parking rates stay at the existing level. And it also deletes the section about the non-signatory airlines. And I want to move these amendments so that they travel with the item.

VICE MAYOR WEXLER: Okay. Thank you.

COMMISSIONER LIEBERMAN: That would be my first motion.

VICE MAYOR WEXLER: There's a motion. Is there a second?

COMMISSIONER WASSERMAN-RUBIN:@ Second.

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COMMISSIONER KEECHL: I want to discuss it.

VICE MAYOR WEXLER: I need a second to get it on the floor for discussion.

COMMISSIONER LIEBERMAN: I just want to get them on the floor.

VICE MAYOR WEXLER: Commissioner Keechl.

COMMISSIONER KEECHL: Who made -- although I'm not opposed to it, who made the decision to eliminate the employee parking rate increase? Because last time we -- hold on a second. Last time we were here, there was a -- and the backup has a parking rate increase, which I'm not in favor of. This week, it's now been deleted. Does that mean staff has changed its mind?

MS. BRANGACCIO: No, no, actually we haven't. It's a great question. We numbed you into submission or you numbed us into submission last Tuesday, because at one point during the ten hours, what we said when we discussed the parking audit that the Auditor had completed was that we would come back to you in 60 days with a plan in terms of parking, reducing the cost of the parking operation related to the airport employees. So what we did then was admit through the purple sheet, we pulled that out of this particular action.

COMMISSIONER KEECHL: I see. Okay. And explain to me again the reason for deleting the non-signatory rate increase.

MS. BRANGACCIO: We had actually screwed up the language on that originally. This one goes back to the last time we talked about it. We had kind of lumped in there the CFR, FAR 121 operators.

COMMISSIONER LIEBERMAN: Right.

MS. BRANGACCIO: And what Ms. Chalifour said, obviously all the airlines pay, because there are airport airline lease agreements.

And if the airport staff wants to clarify that more, mark or Mike, feel free.

VICE MAYOR WEXLER: Any other questions, Commissioner?

COMMISSIONER KEECHL: Well, is this the issue that was raised by the speaker two weeks ago?

VICE MAYOR WEXLER: Yes.

COMMISSIONER KEECHL: And he said your language is --

COMMISSIONER LIEBERMAN: Yes.

COMMISSIONER KEECHL: I got it. No more questions. Thank you.

VICE MAYOR WEXLER: Thank you. Any other comments on the amendment?

Commissioner Gunzburger.

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COMMISSIONER GUNZBURGER: Are you saying that we are going to look at the airline employees' rates again in the near future?

MS. BRANGACCIO: Yes, in the 60 days, when we bring back to you the report on the operations that are concerned with the employee parking, we may bring rate forward -- increases forward. We haven't talked about it as staff. We're waiting for Mr. George to come on board, quite frankly, in October to assist us in polishing up that review.

COMMISSIONER GUNZBURGER: Then I'm going to have to ask Mr. Newton a question. Mr. Newton?

MR. NEWTON: Yes.

COMMISSIONER GUNZBURGER: If we were to adopt the amendment, wouldn't that not allow us to make the changes that may be necessary? Because I thought the airline employee lot increase was going to mean over \$2,000,000 more that was needed in the airport.

MS. BRANGACCIO: We gave you in last week's presentation, in terms of what the rates and charges, which will be coming to you in October also to set. It's sort of a chicken and egg in what comes forward. But in terms of rates and charges, and this will be in terminal rents, landing fees, and the cost per enplaned passenger, we gave you the rate differential with a parking increase, without the employee parking increase. Cost per enplaned passenger on that would be 550. If we were to include the employee --

COMMISSIONER GUNZBURGER: I'm just talking about the employee parking lot.

MS. BRANGACCIO: Right.

COMMISSIONER GUNZBURGER: Wasn't that over a 2,000,000 dollar --

MS. BRANGACCIO: It was a little under 2,000,000. In the original presentation we gave you, it was under about 1.4, 1.4 million. And we would not be seeing that revenue if we did not move forward in FY '07/'08, but we're comfortable with the cost per enplaned passenger. And Mike or Mark, if you want to speak up, that's fine in terms of what we presented without that particular 1.4 million.

VICE MAYOR WEXLER: Commissioner Gunzburger, you still have the floor.

COMMISSIONER GUNZBURGER: I still would like an answer from Mr. Newton.

MR. NEWTON: That's my understanding as well, and in terms of the amendment --

COMMISSIONER GUNZBURGER: No, no, no, my question was: If the amendment is adopted and ensconced in this resolution, then how do we have any ability to change anything next month when Mr. George is here?

MR. NEWTON: You can bring up the resolution at any point in time and just advertise in five days and change it.

COMMISSIONER GUNZBURGER: All right. That's all I needed to know.

VICE MAYOR WEXLER: Thank you.

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On the amendment, Commissioner Lieberman.

COMMISSIONER LIEBERMAN: The reason that I moved that amendment forward is because if you read Mr. Lukic's audit of certain options, and also I've had some discussions with him about some other options, it's clear to me that we can reduce the expenditure costs for the employee parking by relocating where employee parking is. Once you reduce the cost, which it's possible to reduce them 3, maybe \$3,000,000 or more, this increase no longer becomes necessary; because there may be an increase necessary, but this one may not be necessary. Because really, what you're doing is, you're using underutilized capacity short-term that's not -- that's just staying vacant. So -- and you could eliminate the shuttle bus. And I just think until -- if you may recall at the workshop, staff asked for 60 days to work with Mr. George, and they can bring that back after they do that review. But really, my goal is to see how we relocate employee parking to reduce operating costs.

VICE MAYOR WEXLER: Are there any other comments on the amendment? If not, all in favor, indicate by aye.

Opposed, like sign.

On the item as amended and the other comments --

COMMISSIONER LIEBERMAN: Move it.

COMMISSIONER GUNZBURGER: Second it.

VICE MAYOR WEXLER: -- were moved by Commissioner Lieberman; seconded by Commissioner Gunzburger.

All those in favor indicate by aye.

Opposed, like sign.

Thank you.

VOTES PASSES UNANIMOUSLY

(MAYOR EGGELLETON RETURNED TO THE ROOM.)

AGENDA ITEM 29

VICE MAYOR WEXLER: We're back to Item 29. Mayor.

MAYOR EGGELLETON: Okay. 29, Item 29 is a motion to reopen the public hearing relating to the proposed issuance of Broward County for airport facility revenue bonds, Embraer Air Holding, Incorporated, projects, Series 2007A and Series 2007B, in the aggregate principal amount not to exceed \$17,000,000, continued from August 28th, 2007.

For the record, this hearing is held under the authority pursuant to Section 147F of the Internal Revenue Code of 1986. The purpose of the hearing is to hear comments and discussion concerning financing relating to the use of the proceeds from the issuance of Broward County of its Airport Facilities Revenue Bond Series 2007A and Series 2007B, which are to be loaned to Embraer Air Aircraft Holding, Incorporated, in the total collective amount not to exceed \$17,000,000.

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Comments made at the hearing will be used by the Board to determine whether the approval issuance of the bond. The project is in the airport facility located on land leased to Embraer Air Holdings, Incorporated, from Broward County at 276 Southwest 34th Street, Fort Lauderdale, Florida, located at the Fort Lauderdale-Hollywood International Airport. A legal ad appeared in the August 14th, 2007, issue of the *Sun-Sentinel* daily newspaper advertising this public hearing.

At this time, we'll take comments concerning this issue. Those of you who want to comment on the issue, some of you have already filled out an appearance card. Others who have not, make sure you fill out an appearance card. When you are called, please come to the lectern -- to the lectern, give your name, your affiliation, and your comments. At this particular time, this is a public hearing. We open the public hearing for public comment. On the item, 29, Mrs. Brenda Lee Chalifour, you're recognized.

MR. NEWTON: Mayor, just so -- because it was styled as a motion to reopen, why don't you go ahead and vote on the motion to reopen.

MAYOR EGGELETTION: Yes, this is a motion to reopen. Is there a motion?

COMMISSIONER KEECHL: So moved.

MAYOR EGGELETTION: The item has been moved by Commissioner Keechl, seconded; seconded by Commissioner Wexler.

Any objection? Any objection?

Without objection, show that the public hearing has been reopened.
Mrs. Chalifour, you're recognized.

MS. CHALIFOUR: Good day. For the record, Brenda Lee Chalifour speaking for myself, and actually speaking more to the general public than anybody up on that dais.

Item Number 29 is to approve the issuance of \$17,000,000 in airport facility revenue bonds, which according to the County Commission backup, and I quote directly from your backup. Quote: The purpose of the hearing is to hear comments and discussion concerning a financing relating to the use of proceeds from the issuance of Broward County of its airport facility revenue bonds which are to be loaned to Embraer Aircraft Holding in a total collectable amount not to exceed 17,000,000. Emphasis is on, "which are to be loaned to Embraer Air Holding in a total collective amount not to exceed 17,000,000."

I'm not making this up. This is what is in your backup. This is what it clearly says. This is what it said the last time we saw this item. This item proposes to issue 17,000,000 dollars in tax-exempt bonds to benefit Embraer Aircraft, and one of its sublessors, Wayne Huizenga.

The problems presented by this item are twofold. First, this 17,000,000 in tax-exempt bonds is to facilitate development on the north side of the airport by a private concern. You are well aware that the FAA has concerns about this development. In fact, the FAA has told you if you choose -- if they choose an option for expansion that requires the relocation of these facilities, the County -- the County, not the FAA -- will have to pay for relocation.

And I wonder who will pay the debt service and be responsible on the bonds when Embraer is unable to pay. There's a period where there will be relocation. They will not be able to pay. Who will pay?

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Secondly, I just wonder, I question, what impact, if any, the recent Supreme Court case Strand v. Escambia County, has not only on this bond issue but on any other contemplated bond issues. I hope that somebody could address that. You know, I guess it isn't fibbing. I guess it isn't lying. I guess it's just a change in policy during a Shade Meeting. Thanks.

MAYOR EGGELETTION: Thank you. Any -- any other member from the public wishing to comment on the item? Seeing that there is no other public -- wait a minute. There is another person. Okay. All right. Please state your name for the record, sir.

MR. SWINDELL: Good afternoon. I'm Bob Swindell. I work with the Broward Alliance.

MR. Mayor, Vice Mayor, Commissioners, I just very quickly wanted to touch on what I see as the overall benefits of this project. Mr. Taylor is here as well and knows firsthand that competitive markets are going after our best and brightest companies in Broward County, and I see it on a daily basis.

Embraer Air is the type of company that we've all talked about that we want to draw to Broward County. International company. This is a \$17,000,000 investment into Broward County, 184 existing jobs. These are high-skill jobs, with the possibility of adding 21 jobs in the first year and over 60 jobs in the course of five years.

International Regional Headquarters; again, the type of companies that we're looking to draw to Broward County. This is an opportunity, without cost to Broward County government, to offer an incentive to keep this company in Broward County. Believe me, there are several communities out there that would do a lot more than what we're asking today to bring a company like Embraer to their community. And we've got to maintain the understanding that we are in a very competitive environment right now. As our costs in Broward County continue to grow, it gets harder and harder to do what the Broward Alliance and what you ask us to do on a regular basis.

So I'd ask you to please keep this in mind as you consider today's motion. Thank you.

MAYOR EGGELETTION: Thank you, sir.

Is there anyone else from the public wishing to comment on the item? Seeing that there is no one from the public wishing to comment on the item, the public comment period is now closed.

Comments from the Board. Comments from the Board. I'll start with Commissioner Gunzburger, Commissioner Lieberman, and then Vice Mayor Wexler.

Commissioner Gunzburger, you're recognized.

COMMISSIONER GUNZBURGER: Thank you. I have a question of the opinion from Mr. Newton. It says: If the bond are issued and are secured by a mortgage against Embraer's leasehold, the County would pay the buy-out amount to the leasehold mortgagee under the bonds. Does it mean the County or the airport funds?

MR. NEWTON: I think it would be eligible for airport funds. Let me just double-check with Christine on that.

COMMISSIONER GUNZBURGER: It would be the Airport Enterprise Funds?

MR. NEWTON: Airport Enterprise Funds, correct.

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COMMISSIONER GUNZBURGER: Thank you.

MAYOR EGGELLETON: Thank you.

Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: I don't want to belabor the point. I would love to support this item, because I like Embraer. We're just putting them in the wrong place until we finish and have a record of decision. I understand and I read the chronology by the County Administrator. It's unfortunate it came to the Board at such a last date. But I just -- I think we're being put on notice by the FAA that says: Please be aware, you know, if, in fact, we come up with another alternative, that it will be County funds, and it would be airport funds. It would be funds from the airport, which we've seen, you know, is running low on funds, which would have to pay for buying out these bond issues. So it troubles me greatly, because I think Embraer is a great company. I would have to keep them here. I asked whether they looked at on the west side of the airport. And, in fact, staff said that at one point they said no, then they said they'd consider it, then they said staff changed their mind.

COMMISSIONER GUNZBURGER: Ten times.

COMMISSIONER LIEBERMAN: I understand their frustration in, you know, feeling like it was a constantly changing scenario, but I'm concerned we're on notice by the FAA.

MAYOR EGGELLETON: Okay. Seeing that there is -- oh, Vice Mayor Wexler, I'm sorry.

VICE MAYOR WEXLER: Thank you. I'm not going to belabor the point. We had a very hearty discussion last Tuesday at our work retreat -- excuse me, all day. And I didn't vote for this the first time it came before us to give direction, and I just don't want to be on the hook at this point in time. The FAA has been very clear about who would be responsible. It might not be County General Funds, Commissioner, but it's Airport Enterprise Funds, and that's us also. Thank you.

MAYOR EGGELLETON: Thank you.

Commissioner Keechl, you're recognized.

COMMISSIONER KEECHL: Thank you, Mayor. I don't want to belabor the point, either. We've had this discussion, and quite honestly nothing has changed my mind since the discussion several weeks ago when we voted 5/4 on the other related issue. I think it's unfair of us at this point to change or position. The letters that were -- that were received -- or the letter -- by the FAA, as we all know from the workshop, is simply a letter putting us on notice that the alternative that we did not vote for 6/3, one of the alternatives, the D2 alternative, if it were selected by the FAA, the ramifications of that with this project would be detrimental financially.

Fair enough. We didn't vote for that alternative. And as I said, although at least one of you disagreed at the workshop, I do not believe that we will ever see that alternative, and this Commissioner won't vote for that alternative, although I voted for the B1C extension.

We made a decision. We need to stick with it. I understand that there is some risk here, but this Board takes risk all the time. And I know I said I wasn't going to say it again, but I'm going to say it again. We took risk when we spent 2 more million with the People Mover. We take risk. This is a good business partner with us. We should not be changing our mind now because of the remote possibility that an alternative that we haven't selected for a runway, that isn't going to be built, is going to be built.

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And I'm going to support the item, as I did. And I hope that my four colleagues who voted for it on the related item also vote for it.

MAYOR EGGELETTION: Thank you, Commissioner Keechl.

Commissioner Ritter, you're recognized.

COMMISSIONER RITTER: Thank you, Mr. Mayor. I did not actually speak on this issue last week when it came up, although I did vote in favor of it and I intend to do the same today. And actually, my position is more solid than it was last -- well, actually I guess it wasn't last week we voted on it, a week before, after the aviation retreat, where I continue to hear that there are rumblings out there from the public and some of our own that the north runway is still an option for this County Commission, and that we shouldn't do things on the north side because we may decide that we really didn't mean it when we voted 6 to 3 in June that we wanted a South Runway.

Well, I really did mean it, and I think that the other five who supported the South Runway meant it, as well. I believe that this send a message to the FAA that while you may hear rumblings from others that the North Runway is still considered an option for this County Commission, the members of the County Commission no longer consider the North Runway a viable alternative and that the only alternative that we will support is the one we supported in June, which is the South Runway.

So while I agree Embraer is a great corporate client and I'm going to support it notwithstanding that, I believe that it send a clear and concise message to the FAA that we support the South Runway, we continue to support the South Runway, and the rumblings that they're hearing are not coming from the six members of this Board that supported the South Runway in June. Thank you.

MAYOR EGGELETTION: Thank you very much.

Mr. Newton?

MR. NEWTON: Just one other issue that was raised by the speaker, and that was the Escambia County v. Strand case, which I actually read last Wednesday when it came out. It deals with tax increment and financing and the abilities to pledge the revenues related to that. Absolutely nothing to do with this. This is a conduit financing.

MAYOR EGGELETTION: Correct, absolutely. I was going to say that. But you're the attorney, you're supposed to advise us of that, because I had all kind of phone calls as a result of that. But you're absolutely correct.

Commissioner Wasserman-Rubin, you're recognized.

COMMISSIONER WASSERMAN-RUBIN: Yes. I think I would be remiss if I didn't at least for the record remind you that Brazil is the number-one trading partner with Broward County, and Embraer is a very large part of the Brazil connection. And I would hate to jeopardize the tremendous amount of revenue that we receive from that country for this particular issue. So I intend to vote in favor of this.

MAYOR EGGELETTION: Thank you. Any other comments?

The only thing that I want to say here, I want to echo Commissioner Keechl's point, and that is the FAA was very clear that the letter that they sent is a standard letter that they send to all airports on all facilities at all airports. And so, you know, the letter will stand, even if you -- even if you do the South

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Runway, the facilities there, it would say the exact same thing. It's a standard letter they normally send in.

And the last thing I want to say, this is not General Revenue Funds. This is only serving as a conduit, a pass-through. Embraer is using the credit of Broward in order to obtain the loan. This doesn't cost the taxpayers one dime. Okay?

I understand that Commissioner Rodstrom is in -- is in the building. I was trying to wait for him to come to take a vote. But if he can't be here, we're going to have to take the vote.

Commissioner Wasserman-Rubin.

COMMISSIONER WASSERMAN-RUBIN: Mayor, with your permission, if I could call through you, through Ms. Brangaccio, Mr. Taylor to the podium, please.

MAYOR EGGELLETON: Mrs. Brangaccio, Mr. Taylor has been asked to approach the microphone.

Mr. Taylor, you're recognized.

COMMISSIONER WASSERMAN-RUBIN: Thank you.

MR. TAYLOR: Good afternoon, Commissioners.

COMMISSIONER WASSERMAN-RUBIN: Yes. Mr. Taylor, do you have a number or a figure on the -- I think you have it someplace -- on the amount of revenues that we get from Brazil from our joint ventures -- not joint ventures, but our relationship with Brazil?

MR. TAYLOR: Is your question the amount of business that we do with Brazil?

COMMISSIONER WASSERMAN-RUBIN: Approximately.

MR. TAYLOR: I did not come prepared with that number. But as you indicated before, Brazil is Florida's largest trading partner in Latin America.

COMMISSIONER WASSERMAN-RUBIN: Does 25,000,000 sound right?

MR. TAYLOR: 25,000,000?

MAYOR EGGELLETON: That's just for Broward, that's not Florida.

MR. TAYLOR: It's much larger for that than the State of Florida.

COMMISSIONER WASSERMAN-RUBIN: Oh, yes. No, that's what I'm just showing, for Broward.

MR. TAYLOR: Yes. I'm afraid I don't have that number for you for Brazil.

COMMISSIONER WASSERMAN-RUBIN: But I'm not too far off the mark?

MR. TAYLOR: It is our largest trading partner.

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MAYOR EGGELLETON: Okay. All right.

Yes, Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Mayor, with all due respect, this for me is not a matter of whether or not Embraer is a good business. It is. Whether or not Embraer should be accommodated, although not at this location, at the airport, but in close proximity.

So all of the discussion that we're having with respect to Embraer, I don't want their to be a misunderstanding on anyone's part that any of us thinks Embraer is not a good business. The problem is being put on notice by the FAA. Constructing a runway is going to be an expensive process at the airport, no matter what. You're going to have to raise fees and costs. We're being put on notice, as we were in our workshop by the FAA, that certain decisions of this Board taken once the FAA has issued these letters and before they have issued a record of decision means they won't reimburse us, making our share of relocating improvements larger than it would be if we didn't do that. So I just want to make sure that it's clear that for me anyway -- for me anyway, it's not a question about whether this is a good company, it's just a question about being put on notice from the FAA and incurring a bigger risk than I want to incur at this point.

MAYOR EGGELLETON: Thank you very much. It is my understanding -- yes, go ahead.

COMMISSIONER JACOBS: I'd like to move the item, Mayor.

COMMISSIONER KEECHL: Second.

MAYOR EGGELLETON: The item has been moved by Commissioner Jacobs. It's been seconded by Commissioner Keechl.

And let me just say I do intend once, we get Commissioner Rodstrom on the phone, although we might vote the item out, to allow him to cast his vote and make the comments that he wants to make. As a courtesy to a member, I intend on doing that. I want y'all to understand that.

Okay. All right. Is he phoning in, Mrs. Henry? Okay.

The question has been -- the question has been put. All those in favor of the item, please raise your hand. Okay.

All those opposed.

Okay. The item passes. When Commissioner Rodstrom phone in, I do intend to stop whatever we're doing and get to that particular item. Okay?

VOTE PASSES 6 TO 3 WITH COMMISSIONERS LIEBERMAN, VICE MAYOR WEXLER AND COMMISSIONER RODSTROM VOTING NO.

MAYOR EGGELLETON: So that's 29A and B; is that correct, Mr. Newton? Okay. So I think that that brings the public hearing to a close.

We'll go back -- we want to go back to the morning meeting. I want to readjourn the 10:00 a.m. meeting of the Board of County Commissioners of Broward County, Florida, and I want to take up item -- I want to take up Item 67.

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COMMISSIONER LIEBERMAN: Which one is 67?

MAYOR EGGELETTION: 67 is a motion to ratify the Fifth Amendment Agreement between ShuttlePort, Florida, LLC, and Broward County.

(COMMISSIONER RODSTROM RETURNED TO THE ROOM.)

MAYOR EGGELETTION: Okay. Commissioner Rodstrom is here. Commissioner, before I take this item up, I'm going to give you the opportunity to comment on the other item. Go ahead, sir.

COMMISSIONER RODSTROM: On the Embraer item?

MAYOR EGGELETTION: Yes, sir.

COMMISSIONER RODSTROM: I guess the first question I have -- excuse me, I'm a little out of breath.

COMMISSIONER WASSERMAN-RUBIN: Why don't you give him a minute.

COMMISSIONER RODSTROM: I guess the first question I have is for staff, and my question is: Why wasn't the Commission notified about the FAA concerns?

MS. BRANGACCIO: You were notified when we received the formal notice. We did go back and ask staff about the e-mail that you were referencing.

COMMISSIONER RODSTROM: Yes.

MS. BRANGACCIO: And there was a young planner who works for the FAA regularly who sent an e-mail to Mr. Bielek and I think Ms. Broward -- Bowers was also cc'd, but I did ask Mr. Bielek that specific question after the workshop, and you saw his response on the e-mail. He did not believe that the FAA had the ability literally to shut down the airport in terms of additional leases. And it was, at the time, an informal conversation between a staff person and FAA. So the formal notice by FAA was received after you took the vote in June.

COMMISSIONER RODSTROM: But, okay. So here you -- here you have an FAA objection, although it's not in writing. And that doesn't rise to the level of coming to the Commission when the Commission has this debate regarding the Embraer project. It didn't occur to Mr. Bielek or anybody from staff to say: "Hey, Commissioners, by the way, this is out there?" That didn't occur to anybody? You didn't feel like that was your responsible to responsibility to have to tell us that at the time before this Commission voted?

Ms. BRANGACCIO: Well, as you noted by reading the e-mail, myself and Ms. Henry were not cc'd on any of those e-mails and we were not aware of the conversation from the junior staffer.

COMMISSIONER RODSTROM: So what is your opinion about the airport director not advising you of that?

MS. BRANGACCIO: Actually, I appreciate that he didn't, in the sense that it was informal. I don't know at what level that conversation occurred, quite frankly. It occurred back in the beginning of May. As soon as we got the formal notice, we did discuss that with the FAA and then we brought it to the Board when you came back from break.

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COMMISSIONER RODSTROM: It just -- to me, I guess my problem is, it seems the fact of the timing of it, it just strikes me as being awkward and suspicious. My mind is suspicious, because I find it to be very coincidental, the timing in how this item seems to me to be rushed in.

But notwithstanding that, you know, I guess I'm going to just vote no. I'm not going to belabor this. But I will tell you that, you know, we ought to, as part of the motion, make sure the prospective bondholders know that there is a possibility, depending upon what happens with the FAA, depending on what happens with this County Commission, that those bonds will be called and they will not get the benefit of the interest rate that they think they're getting. And I think that, at the minimum, we should give them the notice under the 15C212 provision.

Is that -- Mr. Mayor, can I incorporate that as a friendly amendment?

MAYOR EGGELETTION: Well, I want to know the impact of the amendment. Mr. Geoghegan. We'll reconsider to allow the Commissioner to vote.

COMMISSIONER GUNZBURGER: You have to reopen the meeting.

MAYOR EGGELETTION: Mr. Geoghegan, could you please advise the Board of what that means to us?

MR. GEOGHEGAN: Well, the financing documents will be coming back to the Board, so you will have an opportunity at that time to add that language. We'll also be discussing it with bond counsel prior to that.

COMMISSIONER RODSTROM: Great.

COMMISSIONER LIEBERMAN: And we'll know whether it's still an issue.

COMMISSIONER RODSTROM: Great.

MAYOR EGGELETTION: Okay. Anything else? Commissioner?

COMMISSIONER RODSTROM: No. I'd like to be recorded as a no vote, and thank you for giving me the opportunity to speak.

MAYOR EGGELETTION: Thank you, Commissioner. Let the record reflect that Commissioner Rodstrom wishes to be recorded as a no vote on the question that we previously considered.

(THE MEETING ADJOURNED AT 5:26 P.M.)

(THIS IS NOT A VERBATIM TRANSCRIPTION OF THE MINUTES.)

(CD-07-89B)

COMMISSION MINUTES

Budget Meeting 5:01 p.m.

THE BROWARD COUNTY

BOARD OF COUNTY COMMISSIONERS
BUDGET MEETING OF
SEPTEMBER 11, 2007
5:01 P.M.

A budget meeting of the Broward County Board of County Commissioners, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida at 5:44 p.m., Tuesday, September 11, 2007.

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

CALL TO ORDER

MAYOR EGGELLETON: Good evening. It seems as though we have a quorum; As such, our other colleagues will be joining us shortly. They have been sitting in their seats, most of them, since 10:00. We took a break at about 12:35. We came back at the dais at 2:00, and we have been here until you came in just shortly.

Ladies and gentlemen, this is the FY 2008 tentative budget and millage rate and ad valorem assessment. I'd like to call the budget hearing for September 11, 2007, to order. And the time is now 5:44 p.m. in the afternoon.

Good evening. I am Josephus Eggleton, Jr. I am Mayor of Broward County. I would like to introduce my colleagues. From my left, Commissioner Stacy Ritter. Directly next to her is Commissioner Kristin Jacobs. And of course, next to me is Commissioner Ilene Lieberman. On my extreme right is Commissioner Ken Keechl. And of course, next to me is your next Mayor, the Vice Mayor today, Vice Mayor Lois Wexler. Coming to the dais as I speak is Commission Susan Gunzburger -- Suzanne Gunzburger, I should say, okay? She doesn't like to be called Susan. And of course, missing from the dais right now -- and they'll be up shortly -- would be Commissioner Rodstrom to my right and Commissioner Diana Wasserman-Rubin to my left.

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Tonight the Broward County -- oh, let me introduce our staff. Let me apologize. Over on the end is the County Attorney, Mr. Jeff Newton. And, Jeff, who is that behind you? Oh, it's Deputy County Attorney Larry Lymus Johnson. And to the extreme right over here is our captioner. And next to her is the Deputy County Administrator, Mrs. Bertha Henry; the County Administrator, Mrs. Pam Brangaccio; our Budget Director, Ms. Kayla Olsen. And next to her is the capable Marcy Gelman. And Marcy is the assistant budget director; is that correct?

UNIDENTIFIED SPEAKER: Yes.

MAYOR EGGELLETON: Okay. And of course our auditor, Mr. Evan Lukic.

Tonight, the Broward County Board of County Commissioners will conduct public hearings on the proposed millage rates, budgets, and special assessments that will support the county services during Fiscal Year 2008. This is the first of two public hearings, as required by law. The purpose of the hearing is to receive comments regarding the County's budget, tax, and assessment levies, to provide information on the budget, and to explain any proposed amendments.

The public hearings will be conducted in three sections. The first section will include public hearings on countywide and unincorporated area millage rates and budget.

The second section includes public hearings on proposed special assessments for Fire Rescue and garbage collection in the unincorporated area.

The third section will include public hearings on the millage rates and budgets for the County's dependent water control districts.

An agenda listing all the items to be discussed and the order of the items is available at the entrance. If you are interested in addressing the Board of County Commissioners about an item on the agenda, please register with a county staff member at the entrance. Staff is also available at the entrance to answer any questions about the notice of proposed property taxes.

With that introduction, let's begin. For Fiscal Year 2008, there is a 5.4 aggregate decrease in property taxes when, compared to the taxes generated from the rolled-back rate. The rolled-back rate tax amount is approximately the same amount of taxes as the prior year, plus taxes generated from new buildings added to the tax rolls.

The aggregate millage rate of 4.9310, as compared to the aggregate rolled-back rate of 5.1926, includes ad valorem taxes levied by the County and its independent districts, with the exception of voted debt service taxes. This aggregate millage rate is based -- is the basis for the state-required advertisements concerning the budget and taxes. The rolled-back millage rates and the percent change in property taxes are based on the assessments certified -- on the assessment rolls certified by the Property Appraiser.

The public is hearing open on the general countywide millage rates and budget. The proposed millage rate for the general county purposes, exclusive of debt service, is 4.8889, which represents a 5 percent decrease in property taxes as compared to the rolled-back rate of 5.1463.

The proposed millage rate for voted debt service is .3979. When combined, the two above elements, the proposed millage rate for all general accounting purposes, including debt service, is 5.2868.

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I would like to introduce the County Administrator, Pam Brangaccio, to provide an overview of the proposed budget and millage rate.

Mrs. Brangaccio, you're recognized.

MS. BRANGACCIO: Yes, sir, Mayor.

In terms of tonight's public hearing, the medium homestead property owner should experience \$140 decrease in countywide nonvoted taxes levied by the County Commission if they've owned the property for more than one year. Owners of nonhomesteaded properties, representing approximately 40 percent of the Broward County properties, would only pay higher taxes if their percent increase in taxable value exceeds the percentage decrease in the millage rate.

The Fiscal Year 2008 proposed budget is supported with 862.2 million in nonvoted property taxes. This is 29.5 million less than the 891.7 million budgeted in FY Fiscal Year 2007.

The Fiscal Year 2008 proposed property tax-supported budget is a fiscally responsible document that fulfilled two objectives for the Board of County Commissioners. It reduces property taxes and focused our limited property tax dollars on County Commission funding priorities and goals.

The County implemented at the beginning of 2007 a zero-based program performance outcome budgeting process to evaluate cost in programs under eight vision and goals areas established by the County Commission and to bridge a 90,000,000 gap between projected revenues and expenditures.

This effort -- and this was a combined effort of staff and the Board of County Commissioners, resulted in a proposed tax-supported budget that includes program reductions and eliminations determined by weighing the contribution of these programs against the desired outcomes.

In addition to program reductions and eliminations, there were efficiencies resulting in less cost without service impacts identified by staff and the Board. The property tax-supported capital program has also been reduced with a focus on maintaining our existing facilities in reasonable condition, rather than adding new facilities.

The Fiscal Year 2008 General Fund budget of 1.315 billion is 18,000,000 less than the Fiscal Year 2007 adopted budget of 1.333 billion. The Fiscal Year 2008 county budget, including the operating capital and debt service budgets for all funds, decreases from 3.692 billion in FY 2007, to 3.576 billion for Fiscal Year 2008, which is a decrease overall of approximately 3 percent.

This decrease in the overall budget is primarily due to the budgeting of fewer capital projects, as previously discussed, compared to the prior fiscal year.

MAYOR EGGELLETON: Thank you, Ms. Brangaccio.

Ladies and gentlemen, the first speaker on the countywide millage rate and budget is Sheldon Kulik. Is that individual here, that person here? He will be followed by Laura Hansen.

Please make yourself ready. Each of you will have two minutes to address the Board with respect to its budget. Thank you, sir, and you're recognized.

MR. KULIK: Okay. Thank you very much, Mayor, and Honorable Commissioners. I'm Sheldon Kulik, and I live in Tamarac, Florida. I've been in the employ of Broward County for 20 years and in the DEC for 15 years. I know the majority of you on the dais from a lot of campaigns, from the J.J. Stake conventions, meetings, school board, and from certainly a lot of different functions.

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And the Democrats have always been for labor. Our personal budget, my budget and a lot of people -- and I've spoken to many, many people -- are hurting. And Broward County is second in size and 13th, close to 14th, in wages and compensations. And I want to do it on a personal scale about our quality of life and back to the vision and goals, 2008 goals for the economic opportunities that are said are endless and cooperative and coordinated funding.

I'd like to see everybody here on the dais -- and we expanded, you know, actually from seven to nine, and we did the work ourselves with some of our, you know, quality employees in many works and projects at the aviation and maybe 500-plus sites around the county, To shift the priority of funding to budget an additional part of 1 percent from the Enterprise, the General Fund, 862,000,000 dollars, and reserves the programs like 46 percent to increase our salary and compensation package to be more competitive and to start to catch up and to have the equality to our surrounding market area, job classes, to be in line with Palm Beach County, Metro-Dade, West Palm Beach, City of Hollywood, Polk, the South Florida Water Management District, and many, many, many others.

We've had, the majority of us, no cost of living or market adjustment for over 19 years. The last 12 months in Broward County, there has been a boost in the cost of living of 14.9 percent, and that's also 3 percent, as said. So I want to -- let me just close.

MAYOR EGGELETTION: Sir, your time has expired.

MR. KULIK: Okay. Thank you very much. I hope that all of you --

MAYOR EGGELETTION: Thank you, sir. Your time has expired.

MR. KULIK: Appreciate it. Thank you.

MAYOR EGGELETTION: Thank you.

Mrs. Hansen, you're recognized.

MS. HANSEN: Thank you.

MAYOR EGGELETTION: Mrs. Hansen will be followed by Joanne Cancelo. Yes.

Thank you.

You're recognized, Ms. Hansen.

MS. HANSEN: Thank you, Mayor, and Commissioners. For those of you who don't know me, my name is Laura Hansen, and I work with the Coalition to End Homelessness. I also serve as the chair of the Living Wage Oversight Board for Broward County. And in that position, I have been attending many of these budget hearings, and I've come to know a great deal more about Broward County's overall budget than I ever really cared to, and I've spent many hours studying it.

And I guess my comment is, overall and on behalf of those that I serve and we all serve, I'm dismayed really to see how much of the money is spent overall on things that I don't think are as important and how little of it is spent on human services.

COMMISSION MINUTES

We currently have over 90 homeless families on the waiting list for emergency shelter, representing over 150 children. This is a huge increase, and it's been going -- that list has been going up and up. Many of our children and families are unable to meet their basic expenses. It seems to me that this should be a high priority and a higher priority than many of the other issues I've heard discussed here during all of these budget hearings.

The problem of homelessness in Broward is not likely to improve, with the growing mortgage crisis. And the previous speaker mentioned the increase in the cost of living. The current homeless system is significantly overburdened. Demands for rent or mortgage assistance are increasing. And while the poor and homeless in Broward County number in the tens of thousands, they do not often exercise their right to advocate on their own behalf.

Therefore, I ask on behalf of those who cannot that you specifically increase funding for human services in Broward County and that, in general, you take every possible opportunity to help those who need it most. Thank you.

MAYOR EGGELLETON: Thank you very much.

Mrs. Joanne --

MS. CANELO: Cancelo.

MAYOR EGGELLETON: Cancelo.

MS. CANELO: Yes.

MAYOR EGGELLETON: You're recognized, ma'am.

MS. CANELO: Thank you. I'd like to thank you for the opportunity to speak here today. I'm representing over 2,000 members of the Friends of the Library System. While we understand the need for budget cuts, I would like to talk about some of the impacts these type of cuts are going to have.

Number one, the reduction of 6.4 million dollars will result in the loss of 89 staffing positions, which means less staff to assist customers. Also, there will be 70,000 less materials available for customers, resulting in longer wait times for access to the 8.6 million items that were checked out last year alone.

There will also be fewer classes for the 36,000 members that attended classes last year. I'd like to thank the Commission for all the past support that they have offered the Library Division and hope that the appropriate consideration be given to the number-one library system in the country with the highest number of programs and attendees. Thank you.

MAYOR EGGELLETON: Thank you.

The next speaker is Ms. Debra Hohler.

MS. HOHLER: Hohler.

MAYOR EGGELLETON: Okay. We couldn't make that out. But thank you so very much.

COMMISSION MINUTES

You'll be followed by Cosmo and Maria Castaldo. Yes, sir; thank you. You'll be next, after the young lady at the microphone. You're recognized, ma'am.

MS. HOHLER: As place that offers something for everyone. That is how libraries are frequently described, and that is what makes them a great investment.

My name is Deborah Hohler, and I represent over 2,000 Broward Friends of the Library and more than one million Broward County library cardholders.

Our library's division is the ninth-largest library in the country, serving a population over one million people. The Friends of Broward County Libraries thank the County Commission for their continued support.

As a member of the business community, the Broward County Friends, and of the Junior League of Greater Fort Lauderdale, I believe in investing in my community and giving back to my community. Our libraries are not a luxury. They are, to many of the diverse people in this community, a lifeline. Broward County Libraries support small business and our community through much-needed programs listed in the magazine which you all receive each month.

Many people believe the Internet will replace the library. Trust me, monster.com will never replace our libraries or the programs they provide. Career, resume, and job search, classes on interview techniques, GED prep courses, and one-on-one small business counseling classes will always be needed in our community.

The Library Division's budget is already facing a 9 percent reduction on top of reductions from prior years. Please look at what our community receives through library program and services and what the people of our community will lose if any further cuts are made.

Thank you for your time and for your continued support.

MAYOR EGGELETION: Thank you.

MR. CASTALDO: My name is Cosmo Castaldo. My wife, Castaldo Maria, she's outside. I bought this property on Edgewood Arm. It's a condo. The property identification number, it's 494319NP0350. I bought this property in 1997. In '98, I applied for the homestead, and the first year they denied me for the homestead for me, understand that about communication. I don't know why. So then they gave the homestead in '99. From '99 up to 2004, I never interrupt me the homestead. In '94, I paid my regular tax. And then after two months, they come up to me, not a communication. They say: "You lost the homestead" for some reason.

MAYOR EGGELETION: Sir?

MR. CASTALDO: Yes?

MAYOR EGGELETION: Here's what I'm going to do. There is someone here. Mr. Templeton is here.

COMMISSIONER LIEBERMAN: Mayor, I have his tax bill. He still has homestead.

MAYOR EGGELETION: Okay. The Commissioner -- as some of y'all speak, we're pulling up all your information in front of us. Commissioner Lieberman indicates that you still have your homestead. Here's what I'm going to do.

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COMMISSIONER LIEBERMAN: Here's the situation.

MAYOR EGGELETTION: Mr. Templeton is here from the Property Appraiser's Office. He's right behind you. And for everybody here who have questions on your tax bill, there are members here from the Property Appraiser's Office that's willing to walk with you outside and to assist you with any issues that you may or may not have with respect to your taxes.

COMMISSIONER LIEBERMAN: Mayor.

MAYOR EGGELETTION: With that, let me recognize Commissioner Lieberman for a comment.

COMMISSIONER LIEBERMAN: I appreciate that Mr. Templeton is here. I pulled up this gentleman's information from your website. And apparently what the issue is, is that because he lost homestead for some period in time, when his homestead was reinstated, it wasn't reinstated back to the time in which he lost it. So as a result, his Save Our Homes value is very close to what the current assessed valuation is, even though he originally paid \$130,000 for the unit. So I'd ask that you take a look at that.

MAYOR EGGELETTION: So, sir, the gentleman right behind you, he's going to work with you to find what your problems are and help you to resolve it. Okay?

MR. CASTALDO: Okay. Thank you.

MAYOR EGGELETTION: Thank you so very much, sir.

The next two speakers would be Dr. Trudy -- it looks like, yeah, Jermanovich, followed by Mattie Pierre.

DR. JERMANOVICH: Hi. My name is Dr. Trudy Jermanovich. I'm a long-time resident of Broward County and a retired educator, with over 35 years of experience.

I'm also representing the Friends of the Library, a group which you've heard from earlier in this session. Libraries have always been a symbol of a literate society, and they also have become places of lifelong learning. We all know our society has become fractured and disconnected, with major problems stemming from economic disparity. Libraries could and should provide a means of equalizing resources for all. Broward County libraries have always been partners with schools, higher education institutions, and the business community through many programs they provide. They are second homes for some children, as they were for many of us.

Some say libraries are no longer needed in this technological age, but as a long-time user of things technological, I know that sometimes things go wrong and you have to write things out by hand. So the library system is and should be a people-based resource available to all citizens. The library system can also be a valuable technological tool, but only if the entire system is properly funded. I realize you have tough decisions to make, but, please reconsider the library funding in your budget. I know each and every one of you want to provide equality for all citizens to this valuable resource to truly support a literate society.

Thank you for reconsidering the library resources in this year's budget.

MAYOR EGGELETTION: Thank you so very much.

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The next speaker is Mattie Pierre. Is Mrs. Pierre here? Ms. Mattie Pierre?

The next person would be Mrs. Evelyn Grooms, followed by, this looks like, Valerie Tanitsia or Todinoa.

Mrs. Grooms, you're recognized.

MS. GROOMS: I'm Evelyn Grooms, and I'm a resident of Broward County, Fort Lauderdale. And first of all, I would like to thank the Commission for supporting the Broward County library system over the years. The decisions you've made in the past regarding libraries have made the system the envy of the state and across the nation. I also represent more than 2,000 Friends of the Library members, and we are appalled at the drastic cuts that are proposed for the -- for staff, books, and other materials across the system.

When staff is reduced, this means that the number of services will also be reduced. For example, students who rely heavily on computer usage for homework and other school-related reports would be greatly impacted, as it would have a residual effect on overall performance and success.

Also, as an ex-officio member of the Broward Public Library Foundation, we are concerned about the partnership between the County and Nova Southeastern University. We ask that this private-public partnership continue, as it would mean continued financial support to the foundation that subsequently supports the libraries. For the past six years, Nova has been a major contributor to the foundation's Literary Feast Fund-Raiser. This event draws thousands from across the nation to Broward, which support other consumer services. So we hope that Nova and the County can keep this private partnership.

Lastly, AARLACC. AARLACC is the pride of that county community. It was built on partnership dollars, and we hope that you will consider that particular resource in the community. Thank you.

MAYOR EGGELETTION: Thank you.

You will be followed by Gene Fitzgerald, who will be followed by Dee Maynard.

MS. TODINO: Hello, everybody. I really thank you very much for taking the time to listen to me tonight. I am very desperate and devastated about the (Inaudible) and the property tax that came this year. In 2005 and 2006, we built a new house. We spent \$300,000, or more or less. I have all the receipts attached here. And to have a small farm over there. And I want to tell you out of concern that we really cannot pay this money, and we are in a chance to lose everything if you don't take into consideration our real market value that we paid for the house. And we make most of the work. My husband made 75 percent of the work. And I would like you to take into consideration this and take all my information.

I'm sorry, I cannot speak anymore.

MAYOR EGGELETTION: That's okay, ma'am. We do have your information, and there's someone here from the Property Appraiser's Office who is going to walk with you outside, and they will work with you to see what the problems are and try to resolve it.

COMMISSIONER LIEBERMAN: Mayor, if I can.

MAYOR EGGELETTION: Commissioner Lieberman, you're recognized.

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COMMISSIONER LIEBERMAN: Mr. Templeton?

MR. TEMPLETON: Yes, ma'am.

COMMISSIONER LIEBERMAN: I don't know what's going on on this property, but she has a warranty deed for \$320,000. And the building just apparently came on the market -- came in her tax -- she was only being taxed for land until this year, and she was taxed at \$150 last year. This year, \$904,010 was put on for the building alone.

COMMISSIONER GUNZBURGER: That must have been a hit.

MR. TEMPLETON: We'll look into it.

MAYOR EGGELLETON: Yeah, that is a shocker.

MR. TEMPLETON: We'll look into it.

COMMISSIONER GUNZBURGER: That must be some house.

MAYOR EGGELLETON: Commissioner Wasserman-Rubin.

MS. TODINO: Okay. Thank you very much.

COMMISSIONER WASSERMAN-RUBIN: I'm just wondering if we're going to do this with everyone that steps up, I think that's going to be very time-consuming. It's just better off if they take them off to the side. (Inaudible.) They should have that, then. They should have come prepared for that.

MAYOR EGGELLETON: I don't know if the Property Appraiser --

COMMISSIONER RODSTROM: I think it's the Value Adjustment Board and Ilene that's helping these folks out.

MAYOR EGGELLETON: But at any rate --

COMMISSIONER LIEBERMAN: The three of us sit on the Value Adjustment Board.

COMMISSIONER RODSTROM: And I think they -- if we can help them, we should. That's why they're here. I mean, they can -- if the tax assessor can do it --

MAYOR EGGELLETON: Yeah.

COMMISSIONER RODSTROM: -- the property appraiser can do it, we can do it.

MAYOR EGGELLETON: I mean, the bottom line, is at the end of the day this is one of our responsibilities.

COMMISSIONER RODSTROM: That's right.

MAYOR EGGELLETON: -- and I'm just not going to run away from that. And I pride in this Board on the fact that we have reduced taxes, but I want to continue to move.

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COMMISSIONER RODSTROM: Sure.

MAYOR EGGELLETON: Mr. Gene Fitzgerald, will be followed by Dee Maynard. Followed by Christopher Brennan.

Mr. Fitzgerald, you're recognized, sir.

MR. FITZGERALD: Thank you, Mr. Mayor, Honorable Commissioners. Good evening. My name is Gene Fitzgerald. As you just heard, I'm here today to urge your continuing support of the Broward County Public Library System. Our library system is, in the literal sense of the word, unique, and I believe fully deserving of your continued support. Here's a quick profile of the County libraries.

The African-American Research Library and Cultural Center -- you heard it referred to as AARLACC earlier tonight -- which houses more than 75,000 books and other material related to the lives and experiences of men and women of African descent, is one of only three such research and cultural institutions in the United States. If you've visited, you know it is a dream come true for this community.

A second jewel in our libraries' crown is the Bienes Museum of the Modern Book in the main library, just across the street. Here, too, there is a priceless collection of books and manuscripts, most of them donated to the library over the years by local citizens. They include a Federal Writers Project Collection of some 2,000 titles that began with a donation of a private collection of 600 titles.

I believe the Broward County Libraries' Federal Writers Collection is the largest and most diverse in the world, surpassing even that in the library Congress. The Broward Library System encompasses the main library, the African-American Research Library, five regional libraries, 29 branch libraries, all serving the County with modern, up-to-date facilities including electronic reference, books of all kinds, access to the National Interlibrary Loan System. But it is the rare and special collections of AARLACC and the Bienes Museum which make our system unique. I sincerely urge your continued support. I thank you for this opportunity to speak, and good evening.

MAYOR EGGELLETON: Thank you, Mr. Fitzgerald. You're right on time, as usual.

Mrs. Dee Maynard, followed by Christopher Brennan, followed by Deborah P. Rubin.

Mrs. Maynard, you're recognized.

MS. MAYNARD: I thank you very much for this opportunity to come before you again, Mayor Eggelleton. You may remember me from coming before you two years ago asking for affordable housing for teachers. I did get your message to come to the legislative meeting, and I couldn't come because I was working.

And I see all the striving you've done in the past two years to help us get affordable housing. I had bought a condo in Riverside, and you were trying to have meetings about that. I thank you for that.

There's good news and bad news to this. I did end up having to sell my condo this year. One of the reasons was the taxes were -- didn't come down low enough for me in time. I know they're still coming down, but it wasn't in time for me.

I'm not here today about that, so much as a more disturbing issue, being involved as a teacher in Broward County, public schoolteacher at Cypress Elementary School in Pompano Beach. I'm a third-grade teacher.

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And the salt in the wound having to sell my condo, if you remember two years ago, I told you I wanted to retire here and live, teach by the beach. I love Fort Lauderdale and the kids. It was very disappointing, therefore, for me to have to sell my condo this year.

Luckily, the good news is I got cheaper rent in Fort Lauderdale and I can still live here and afford here a nice, little apartment for lower rent.

But I'm here for very disturbing issue. There is apparent misuse of property tax money by School Board administrators at my school. And it really bothers me. It's like salt in the wound. First I pay a lot of taxes, and then I go to school. The minority children at my children have been systematically denied materials and services that are supposed to be purchased with our tax money, as well as with Title I funds.

I brought a folder of e-mails I got from my school administrators asking the school staff to falsify grade books and to falsify Title I documents to parents, applying to parents about the materials they got, that the kids never got. These minority students are failing because there not getting these materials that our tax money pays for. So I'd like to give these to you to review and ask for accountability with our School Board.

MAYOR EGGELETTION: Here is what I'd like you to do. I don't know when the School Board are having -- will be having their public hearings on their budget. But they are required, as we are, to hold public hearings.

I would strongly urge and suggest to you and recommend that you do, in fact, take the documents and present them at the School Board public hearing. If those are copies and you have others, I'd be more than happy to take them to forward on to the superintendent.

MS. MAYNARD: I think you need to. I -- when I refused to fraud these documents, I was retaliated against. And I was forbidden by the School Board to talk to anybody about it. And I'm under investigation now, so --

MAYOR EGGELETTION: I understand, but the School Board cannot deny you the right to address it at a public meeting. If you would bring the documents to me --

MS. MAYNARD: But I need your help with getting to them.

MAYOR EGGELETTION: I understand. If you're to bring them to me, I'll be more than happy to forward them to the appropriate authorities. Thank you. Thank you so very much. I appreciate it.

And if we could be provided with a copy of the testimony so that I can forward that to the School Board, as well.

Thank you so very much.

MS. MAYNARD: They're aware of it. I just need your help in getting (inaudible).

MAYOR EGGELETTION: Thank you.

Mr. Christopher Brennan, followed by Dorothy Rubin, followed by this looks like Altif Ali. Yes, sir, you're recognized, sir.

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MR. BRENNAN: I'm just here for answers to an earlier question.

MAYOR EGGELETTION: Okay. That's right. Staff, this gentleman asked questions earlier. Do we have the answers to his questions?

MS. BRANGACCIO: Yes, sir. Yes, sir; we did.

MAYOR EGGELETTION: I don't have them. Where is it?

MS. BRANGACCIO: There's a memo here from our Parks staff.

MAYOR EGGELETTION: Okay.

MS. BRANGACCIO: And let me get you a copy of it right here.

COMMISSIONER LIEBERMAN: Why don't you take a little time to read that, and I'll come back to you? Is that all right? Okay.

Ms. Dorothy P. Rubin, you're recognized.

MS. RUBIN: Good evening, everybody. I was one of the original members of the fund-raising committee for the African-American Research Library and Cultural Center. I'm an AARLACC friend and volunteer there now. I recently reread the media's comments about the projected future of AARLACC, which is how we refer to it.

This wasn't going to be just another branch library. This was going to be a unique cultural icon for the area's black population and black Diaspora, where anybody who was interested could and did learn about African heritage and ancestors. Additionally, AARLACC, through its programming, educates the white community about the black community. I happen to be one of them who -- who learned a lot, really. I've also along the way made some wonderful friends in the group.

I believe that all those people who talked about the future of AARLACC might be somewhat disappointed to learn that the goals and mission declared then are being diminished because of funding cuts affecting staff programming and other necessities. We say we're one of only three similar libraries in the country, but to retain our bragging rights we need to ensure that we're actually implementing and will continue to implement our *raison d'être* for which we collected a lot of money and built that library.

I respectfully request that cuts in AARLACC library hours, staffing, programming, and other necessities are done with a snip and not a slash so we don't wind up as just a pretty white building on the corner of 27th Avenue and Sistrunk Boulevard.

A 93-year-old lady came Friday night asking about a book that she had when she was a kid in school. And guess what? We found it for her. That's all. Thanks a lot.

MAYOR EGGELETTION: Thank you. Short and sweet and to the point.

There are going to be a lot of questions, Board Members, with respect to the African-American Research Library, based on the comment cards that we have. If you were to stay around -- well, let me just say as they are doing this, Mrs. Brangaccio, here's what I'd like the staff to address at the end of all these comments, particularly with respect to the African-American Research Library.

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It seems to me that I have a document that indicates that in 2002, when the African-American Research Library and Cultural Center opened, the proposed staff were supposed to be 65 positions. Instead, it only received 55 positions. In 2002 to 2006, there were 49 core positions, a total of 55 positions, including two assistants and secretaries. In other words, the implication here is that some of these were transferred to other libraries. Some of the positions have been left vacant for long periods of time. There was a graduate intern in Youth Services.

So I guess the point that I want addressed at the end of this is, one, what was supposed to be the original positions at the African-American Research Library? Two, has the African-American Research Library ever had full staffing as it was intended? And, three, what are the staffing levels at that particular library today? And, four, given the staffing situation at the library, can they fulfill the mission that it was originally intended to do?

With that, let me move to the second -- to the next speaker, Mr. Ali. Or this looks like Altaf Ali. Is that person here? They're not here.

I'll move to the next person. This looks like -- this looks like Albert Miniaci, 1411 Southwest 31st Avenue, Pompano Beach. Is that person here?

Okay. I'll move to Bob Cavalerri. He'll be followed by Betty Martinez.

MR. CAVALERRI: Hello, everyone. I'm not sure this is the right place, but I have a comment about the proposed tax restructuring. And I'm not sure if it should be done here, or I should contact the governor. Maybe you can advise me on that.

MAYOR EGGELETTION: Well, sir, it depend on what it is. When you say "tax restructuring," what are you referring to?

MR. CAVALERRI: The -- the tax restructuring that's being proposed. If you look at the effect on your taxes, it turns out that I think most -- if you looked at a few properties in my neighborhood, and their taxes -- all their taxes will go up, even though some were resold in the last year or so.

MAYOR EGGELETTION: So are you talking about the legislative recommendation --

MR. CAVALERRI: Yes.

MAYOR EGGELETTION: -- with respect to tax reduction?

MR. CAVALERRI: Yes.

MAYOR EGGELETTION: Let me just say this. I think the appropriate place would be the legislative delegation. I think they have a meeting, when is it, this week or next week, the legislative delegation? We will contact you and let you know. I know I have -- I don't think -- I know we have a legislative -- no, there's a public hearing here with the legislative --

MS. BRANGACCIO: Yes. The committee is actually coming, the Tax Reform Committee. And we can get you that date. They're actually going to hold a hearing here in our building.

MAYOR EGGELETTION: So you need to attend that meeting, number one. Number two, know this: That this Board, ever before the legislature passed its legislation, took positive steps to reduce the tax

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burdens on residents in Broward County. Last year, we reduced that tax burden by 20,000,000 dollars and a full 1 mill drop, I believe. Mrs. Olsen, correct me if I'm wrong.

And this year, we are reducing it by \$90,000,000, which is a substantial reduction in taxes.

If you were to look at your tax bill, and this goes for everyone out there, I hope that you also attend the School Board hearing. They make up about a third of the -- of the -- of the taxes that you receive on your bill, a huge percent. In fact, if the legislature had just taken a little kind note, they would have noticed of all the state taxes that the School Board makes up -- the schools around the state of Florida makes up more than a third of the taxes. And, therefore, I think their approach was sort of backwards; but, you know, nevertheless --

MR. CAVALERRI: The proposed legislation really doesn't promote good gift tax relief, really.

MAYOR EGGELLETON: Yeah. Well, we understand that.

MR. CAVALERRI: Yeah.

MAYOR EGGELLETON: But we didn't -- we promised you that we'd --

MR. CAVALERRI: You didn't generate it. I realize that.

MAYOR EGGELLETON: -- reduce your taxes, and we did do that.

What I'm saying is, the "drop like a rock" slogan just simply didn't drop like rock. It's sort of falling through the sky like a feather.

Mr. CAVALLERI: Yeah. But we'll see what happened at the end of the day. But that's what we refer to here as bumper sticker politics, a lot of slogan. But like the lady says on the commercial: "Where is the beef?"

MS. BRANGACCIO: Mayor, I've got that date. I've got that -- I'm sorry.

MAYOR EGGELLETON: What is the date? Let me just give him the date right here.

MS. BRANGACCIO: It's a State Taxation and Budget Reform Committee. And they'll be meeting here in Room 430, which is just as you get to the top of the escalator. And it's October 11th, 11:00 a.m.

MAYOR EGGELLETON: October 11th. Those are some very important individuals that are proposing to reform the state taxing system. So that's the group you really need to address.

MR. CAVALERRI: You people are probably affected worse than I am. So thank you.

MAYOR EGGELLETON: Yes, that's true. Thank you.

Yes, Commissioner Jacobs.

COMMISSIONER JACOBS: If I could, I think the gentleman was referring to the proposal that's coming up for a vote on January 29th when he made the comparisons of what it will cost. That was specific to the proposal that's about to come before voters.

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So, sir, in talking to the Taxation Budget Reform Commission, that is a State constitutionally mandated group that comes together every 20 years. It is trying to do the very same thing. But this referendum on the 29th will come before that group has its recommendations to come before the voters in November of next year.

So keep in mind that if you want someone to understand what you think about it, the best bet is your vote at the -- on the ballot box on January 29th. If you're looking for -- should that item fail, the Taxation and Budget Reform Commission, which is holding public hearings around the state and will be here in these chambers on October 11th, would be a good board for you to at least take a look at what they may be proposing. Their proposal will be completely different.

And keep in mind, too, that between the Budget and Taxation Reform Commission's recommendations and your vote on January, your state legislature will be convening in another session, coming up with even more ideas about how to reform.

So it is still very important that you talk to your legislative delegation here in Broward County, as well as at the state level. And I would encourage you to make that call to the governor's office and let your voice be heard and let him know that this proposal on the 29th is not saving you any money and that there is and should be some real reform statewide.

MR. CAVALERRI: Thank you.

COMMISSIONER JACOBS: You're welcome.

COMMISSIONER GUNZBURGER: I have one another comment.

MAYOR EGGELETION: Commissioner Gunzburger.

COMMISSIONER GUNZBURGER: If he wants to know what his specific home, how much his taxes would be under our current millage rate under the new system on January 28th --

COMMISSIONER JACOBS: He did that.

COMMISSIONER GUNZBURGER: Pardon?

COMMISSIONER JACOBS: He did that for he and his neighbors. That's what he's complaining about. It does -- it's going to cost him money.

COMMISSIONER GUNZBURGER: Right. And you know there's no cap on the value of your home, unlike under Save Our Homes, that they can raise it as market rate increases, if it ever does again.

MAYOR EGGELETION: Yeah, but there's also a local -- I see Mrs. Madison in the room. Mrs. Madison, isn't there a local delegation meeting coming up really soon?

MS. MADISON: Their first meeting (Inaudible).

MAYOR EGGELETION: Okay. Thank you.

All right. The next speaker, Mrs. Betty Martinez, followed by, this looks like Carlos Enrique, followed by Anita Paoli. Is Betty Martinez here? She's not here.

COMMISSION MINUTES

Carlos Enrique?

MR. INIQUEZ: It's Carlos Iniguez.

MAYOR EGGELLETON: Iniguez. I'm sorry. Thank you, sir.

Thank you.

MR. INIGUEZ: Good evening, Mr. Mayor and Commissioners. I'm here because I'm a property taxpayer of multiple properties in Broward County, and I have read that property values have increased in Broward County by 10 percent.

To me, this is a myth. I don't know anyone personally whose residential property -- and I know a lot of people in Broward -- that has increased in the second half of 2006 or 2007. However, I do know many people, including myself, whose property values have decreased by 10 to 20 percent. In the past, tens of thousands of people -- hundreds of thousands, for that matter -- were attracted to Broward each year for its beautiful beaches, good weather, and affordable living. This is not the case anymore. With skyrocketing insurance and property taxes, Broward County has become unaffordable to many.

This fact was corroborated that reads by the *Sun-Sentinel* report of January 11, 2007, that reads: "For the first time in 30 years, United Van Lines, Incorporated, says it moved more people out of Florida than in, and analysts see that as a sign that consumers are looking elsewhere for cheaper" -- "for a cheaper slice of life.

The nation's largest moving company reported 16,212 inbound shipments to Florida last year and 17,019 outbound shipments. Skyrocketing insurance costs and high property taxes are keeping people away from Broward County. Residents that want to sell their properties cannot, because the buyers are very scarce. High property taxes, I believe, also threaten the long-term growth and prosperity of this county.

Folks like the snowbirds who are in financial pain are beginning to look elsewhere. And landlords, in an effort to keep up with property tax increases, are forced to raise the rent, affecting the rental market and the poor.

In closing, Broward taxpayers are really hurting financially and we want to see serious and meaningful tax relief. Thank you for the opportunity.

VICE MAYOR WEXLER: Thank you, sir.

The next speaker is Anita Paoli, Rique Ennis. No, the one that spoke is Carlos.

Are you Rique? Thank you. You have two minutes.

MR. ENNIS: My name is Rique Ennis, and I'm a resident of Fort Lauderdale. Lady chair and Commissioners, you've heard a number of speakers actually speak about the library and the library system. I'm here to add my voice. As an individual who regards the library as home from home, I look at the possibility of you making a cut in the funding for the library as important and significant.

I think back to after the period of enslavement when Africans did not have the means to buy books and things like that, and the only place that they could go was the library. I remember Joel Rogers actually writing many books because, of course, his ability to actually go around on railways and ask someone to actually go into the library to borrow books for him to read. Now we understand that there's only about 3 or 4 percent of the population of the United States who have a free library card.

COMMISSION MINUTES

To cut at this particular time, instead of to empower people to grow into the library seems to me to be, well, out of step. What I'm actually saying in effect is that I hope that you don't cut your fundings to the library. It impacts African-Americans especially. At a time when we're talking about, "Well, African kids don't do a lot of reading, they watch television more," our aim is to get the schools to get individuals to get into the library so that they can use the vast resources that they have there.

AARLACC -- the African-American Research Library, is home to so many different organizations; not least of all mine, the Kipra African-American study group, where we meet on Saturdays to actually discuss African history. Then of course there's the Sherman Library at Nova University, where in fact the resources there are just so phenomenal that one is actually saying, "How can we lose some of this?"

In short, ladies and gentlemen, I request, I beg, that you please actually make your cut, if you have to, as minimal as is possible. Thank you for your time.

VICE MAYOR WEXLER: Thank you, sir.

The next speaker is Carolyn Seabright.

Russell Rand. Mr. Rand, you have two minutes this time. Thank you.

MR. RAND: Thank you. I thought I'd have to wait until the last speaker again.

VICE MAYOR WEXLER: You're on.

MR. RAND: As I spoke earlier, we're following the natural cycle of nature, which is boom and bust; you know, too much water or not enough. And consequently, we're following economic boom and bust that continues through Florida. And it's a valiant effort that you have to nip some of the budget off. Unfortunately, you're getting rid of programs and people that you don't like; you're throwing them overboard. And instead of really delicately carving the fat that's ingrained in your budget -- and there's plenty of fat, because I know, I worked for 29 years and one month for you and did a lot of just ridiculous, frivolous things. As you know or should know, I've been contaminated for 31 years now, having been forced to sweep the asbestos out of the boiler room with no protection. In 31 years, I was sent for one chest x-ray.

VICE MAYOR WEXLER: Mr. Rand, please stay on the topic of the budget.

MR. RAND: The budget? The budget? I have no job, I have no house. I've had everything taken away from me. And if you continue to punish the wrong people for right doing and continue to reward the wrong management for the wrongdoing, then you're sending the wrong message, and one of us is going down the wrong road, really.

And what you do to me, you do to every citizen, voter, and taxpayer in Broward County, because there's just an awful lot of inappropriate activities going on in Broward County.

You send a clear message: If you step forward and tell the truth, you're fired. That's the bottom line. So it's difficult to step forward and tell the truth, but I can't lie, cheat, or steal. I can't. Thank you.

VICE MAYOR WEXLER: Thank you, Mr. Rand.

The next speaker is Ernest Triumph.

COMMISSION MINUTES

MR. TRIUMPH: I don't know what you're talking about, 5 percent decrease in taxes. My taxes are going to go up 600 percent. My mother died. She left her house to myself, my -- my brother, and my sister. I'm the only one living there, and I'm going to have to pay the taxes.

And the whole idea of -- they tell me I can't get homestead exemption. I lived there for 56 years, all my life. It's been my residence. I can't get homestead exemption? It's ridiculous. The whole idea of taxes based on the property values of someone's house and yard, where the roof over their head, the ground beneath their feet, it's ridiculous. It's a -- a land speculator should not determine what I should pay for the services that I get from government. What do you give me for what I'm paying? And what's the basis which I'm being charged for for what you're giving me? That's all I have to say. Thank you.

VICE MAYOR WEXLER: Thank you.

Mr. Triumph, sir, if you would like to speak to Mr. Templeton from the Property Appraiser's Office, he would accompany you outside. Thank you, sir.

I'd like to ask Mr. Christopher Brennan if you've had an opportunity to review, and if you wish to address the Commission regarding Park Ranger Program at this time.

MR. BRENNAN: I certainly have.

VICE MAYOR WEXLER: Okay.

MR. BRENNAN: The subject is that we're replacing Park Ranger Program with privatized security at a savings of \$180,000, which in the grand scheme of things is kind of a drop in the bucket. But what I've reviewed here, a lot of the things here that I do offer the public as a Park Ranger; two years ago, I had to defibrillate a man who had a heart attack at softball, and I was able to access the AD machine and get it to him in time to save his life. I question if Wackenhut is going to be able to do that.

Provide information on the park. Wackenhut is not going to have knowledge of our native plants, animals, and insects, knowledge of the geography or the amenities.

One of the things we do is we build a relationship with our regular park patrons, and with the high turnover of Wackenhut Security you're not going to have that because you're going to have a different guard from time to time.

And my main question I asked earlier was how much will the bar code tracking system cost that we're going to be putting in place to make sure these guards are actually doing their job, and what will the annual upkeep of that system be? That's not here.

VICE MAYOR WEXLER: Somebody is writing down your questions, and they will be answered when you're all finished. Are you finished with your comments?

Mr. BRENNAN: I'm -- i'm finished. That was my final question.

VICE MAYOR WEXLER: Thank you. I hope somebody has written down Mr. Brennan's question or questions.

MS. BRANGACCIO: We are, and some of these -- we'll be here again in two weeks at 5:01, and some of them, if Mr. Harbin doesn't have the answer tonight we'll have to get back to you on.

COMMISSION MINUTES

And Vice Mayor, do you want us to wait until the end or now in terms of the specifics?

MAYOR EGGELETTION: I beg your pardon?

MS. BRANGACCIO: Mayor, would you like us to answer the specific questions now or do you want us to wait until the end?

MAYOR EGGELETTION: Let's answer them. He deserves an answer. So who would like to address? Mr. Harbin?

MS. BRANGACCIO: Yes.

MR. HARBIN: Bob Harbin, County Parks. The bar codes are \$60 to each to set them up. What you're talking about is you get like a credit card, and you swipe through so you get know where the security person was at what time.

MR. BRENNAN: How many will there be?

MR. HARBIN: I don't know that.

MR. BRENNAN: There could be a lot of them at \$60 apiece. That might end up equaling more than \$180,000. Could I get an answer on that at a later date?

MAYOR EGGELETTION: Yes.

COMMISSIONER KEECHL: We'll all get an answer on that one.

MAYOR EGGELETTION: Is there other questions you need answered?

MR. BRENNAN: Well, just, that's my budget question. The other one would be, why are we pressing forward when there's public outcry against this move, a great deal of public outcry?

MAYOR EGGELETTION: I don't know, sir. You indicated earlier in the day that 1,000 e-mails had some in.

I don't remember receiving those.

MR. BRENNAN: That's incorrect. I collected over a thousand signatures. There's been hundred of e-mails.

MAYOR EGGELETTION: Okay. I have not -- did you turn those in, because I have not seen them?

MR. BRENNAN: Well, they were to yourself and the Director of Parks and Recreation.

MAYOR EGGELETTION: Well, where are they?

MR. BRENNAN: In your e-mail box, I assume.

MAYOR EGGELETTION: I don't think so, sir.

COMMISSION MINUTES

MR. BRENNAN: Several of them were cc'd to me.

MAYOR EGGELETTION: I'm going to ask my staff again -- I know that they're listening to this -- if they received those, and bring them out. Mr. Harbin, do you remember receiving a thousand signed petitions?

MR. HARBIN: I would say I've received probably 25 to 30 e-mails from various either Park Rangers or friends of the Park Rangers.

If I might iterate, this is all in last year's budget that this was done. It's not in this year's budget reductions.

MAYOR EGGELETTION: Correct.

MR. HARBIN: The \$20,000,000 that you talked about earlier that we did last year, well, that was a part of that.

MAYOR EGGELETTION: Okay.

MR. BRENNAN: Why did it come as such a surprise to the public, then, if it was -- the decision was made so long ago?

MAYOR EGGELETTION: Well, because we dealt with it last year, sir. These were proposed changes, and that's why they have given you every opportunity to find -- and they have been very -- and you, yourself, have said that they have been very kind and gracious.

MR. BRENNAN: Oh, absolutely. This isn't about saving my job. This is about ripping off the taxpayers basically.

MAYOR EGGELETTION: It's about a policy decision that the Board made a policy on last year to go in this direction. And it's all about cash, at the end of the day.

MR. BRENNAN: Well, there is -- there is a good possibility this bar code tracking system might cost in excess of \$180,000.

MAYOR EGGELETTION: It's a good possibility that it might save us \$280,000, so we don't know that until we try it.

MR. BRENNAN: How is that possible, if you're eliminating --

MAYOR EGGELETTION: I don't know, but let's try it. I'm not going to get into a debate with you back and forth.

MR. BRENNAN: No, no, absolutely not. We shouldn't do that.

MAYOR EGGELETTION: Sir, we've addressed your issues, and we appreciate you coming, and I'll be more than happy to sit and talk with you at a later date to try to --

MR. BRENNAN: I'd love to set that up, Mr. Mayor.

COMMISSION MINUTES

MAYOR EGGELETION: Thank you. All right.

MR. BRENNAN: Have a nice night.

MAYOR EGGELETION: Okay. We have another speaker, Mr. Brian -- it looks like Coldwell or Codwell. Coldwell, I believe.

MR. COLDWELL: Good evening. How are you doing? I'll keep my question pretty brief. It might have been asked already. But regarding property taxes, it's not specific to my issue. We purchased a home, and the taxes on it are about triple what they were prior. We knew that going in, so no complaints, but I'm just looking for a straight answer on where I can find all of the excess income that is being received from the increased property taxes, where -- where that goes.

MAYOR EGGELETION: Okay. Is that a question, sir?

Mr. COLDWELL: I believe so.

MAYOR EGGELETION: Let me just say, we have not increased property taxes, sir. Since I've been on this Board in 2000, we have cut property -- we have cut our millage every single year. And last year, as noted even in the newspaper, we cut our millage the largest percent in the last, I believe --

COMMISSIONER JACOBS: 25 years.

MAYOR EGGELETION: 25 years?

COMMISSIONER JACOBS: Yeah.

MAYOR EGGELETION: 25 years.

M4. COLDWELL: Not -- not as a percentage, though.

COMMISSIONER JACOBS: Mayor, if I could?

MR. COLDWELL: Because on my tax bill last year, the people paid 1,500 and this year I'm paying 4,800, which is three times more. And that happened to most people, So I know it went up.

MAYOR EGGELETION: Here's what I'd like to do.

COMMISSIONER JACOBS: It's Save our Homes. He's quoting the old homeowner's price.

MAYOR EGGELETION: Here's what I'd like to do. Is there someone here from the Property Appraiser's Office?

UNIDENTIFIED SPEAKER: Yes.

MAYOR EGGELETION: Can you please work with the gentlemen?

Commissioner Lieberman has just pulled up your --

UNIDENTIFIED SPEAKER: Just as a point of information, he bought the property --

COMMISSION MINUTES

COMMISSIONER JACOBS: Your microphone's not on, Annie.

COMMISSIONER LIEBERMAN: He bought the property April 1, 2006, for \$270,000.

MR. COLDWELL: Yes.

COMMISSIONER LIEBERMAN: His assessed evaluation is \$222,600. The issue is that the prior individual who owned the home had a Save Our Homes differential. So his problem is that he bought it in '06. His homestead didn't kick in until January 1st of this year. Now, as far as his -- that's the only reason there's an increase in his taxes, is because there was a change in ownership on the property. And by state law, not by action of this Board, not under the Property Appraiser, but by state law, when you -- when ownership transfers, they have to assess the property at its current market value. And I see Mr. Templeton is here. But this is a property that was purchased --

MR. COLDWELL: No, no, I understand how all that works, and we knew going in that our taxes were going to be triple what they paid. That -- that all made sense. My only question is that since property values have increased so drastically since like the early 2000's, anytime property changes hands this happens, which means over the past five years or so the amount coming in from property taxes should be significantly higher than it was, say, in like '99 to 2000. What's being used -- where can I find out how all this definitely increased amount of money is being used?

MAYOR EGGELETTION: Here's what I'd like to do. We will be more than happy to provide you with a copy of the budget of Broward County. It's public record.

COMMISSIONER LIEBERMAN: It's on our website.

MAYOR EGGELETTION: And it's on our website. You can go to the website at www.Broward.org. Then you would link to Budget, and you can see exactly how that money is being spent, every dime. Okay?

MR. COLDWELL: Sounds beautiful.

MAYOR EGGELETTION: Thank you.

MR COLDWELL: See ya.

MAYOR EGGELETTION: You're welcome.

Okay. The public hearing is now closed. So we will now move -- wait, we will now take comments from the Board of County Commissioners. Comments?

Vice Mayor Wexler, you're recognized for comments, followed by Commissioner Lieberman.

VICE MAYOR WEXLER: First, Mayor, there were a lot of questions that were asked about our library system. I would very much like a response from staff. Would you prefer that I go on to another topic first?

MAYOR EGGELETTION: Well, that was the largest one, so why don't we get those over with first.

COMMISSION MINUTES

VICE MAYOR WEXLER: I would like to have a response from staff: The Mayor asked a question specific about staffing pattern at the African-American Research Library. My question is even broader than that. There was inference out there, a number of the speakers indicated that we were cutting library hours for this next year beginning October 1st, and I didn't remember that we were. I remember that we had spoken about if budget crisis became worse, and I'd like confirmation of my -- what I recall. And if I'm incorrect, I really want to be corrected.

MS. BRANGACCIO: No. There was discussion among the Commissioners, and, in fact, Mr. Cannon had presented a formula that would have reduced library hours, but that was not adopted by the Board. And what was adopted instead was the cuts that were outlined originally by staff back in June. We're not aware of any greater percentage cuts in terms of one library than the other, obviously, with the exception in the letter we received from Coral Springs and the closure of one library, which we'll be bringing forward to you on the 25th of September.

Mayor, I couldn't answer tonight the original positions. We'll have to get back to you on that in terms of African-American Library. But the full staffing number was 49. Today the staff number is at 45. But we'll get back to you in terms of what was originally proposed for there. We did not have that readily available in the budget book.

VICE MAYOR WEXLER: I still have the floor. Thank you.

I also want to make a motion. I think it would be appropriate at this time. If you recall at our last workshop, I brought up the identifying from the reserve of the Pay Telephone Trust Fund in Broward County that we identify \$300,000 of that for the Junior -- excuse me, Juvenile Firesetter Prevention and Intervention Program. The Fire Marshal has provided, as you requested multiple attachments. I made sure that they did get out to you over the course of the last week. You had three years' worth of Children's Services Council. I'm sorry, Commissioner Gunzburger, you had to see it again. But three years of your analysis of performance, of which they did outstanding.

You also had -- a number of you asked how could the program continue to be provided with \$200,000 less revenue, and it's identified very succinctly in Attachment A that was provided.

And then a couple of you had also asked about a sliding scale, and that was addressed, as well. So I at this time want to make a motion for one time this year \$300,000 from the Pay Telephone Trust Fund. It is not in our budget. It is what we discussed, though, at our workshop.

COMMISSIONER LIEBERMAN: Second.

VICE MAYOR WEXLER: Thank you.

COMMISSIONER LIEBERMAN: It's my understanding we have additional funds that were not appropriated.

VICE MAYOR WEXLER: \$1.2 million extra.

MAYOR EGGELLETON: Excuse me. Excuse me, ladies and gentlemen. We have a motion on the floor.

COMMISSIONER LIEBERMAN: And a second.

MAYOR EGGELLETON: It's been seconded by Commissioner Lieberman. Can you restate the motion so that everybody will clearly understand, just the motion itself?

COMMISSION MINUTES

VICE MAYOR WEXLER: Certainly, Mayor. To amend --

MAYOR EGGELETTION: The motion is?

VICE MAYOR WEXLER: To amend the proposed Fiscal Year 2007-'08 budget to include \$300,000 from the revenue reserve within the Pay Telephone Trust Fund for Broward County Juvenile Firesetter Prevention and Intervention Program.

MAYOR EGGELETTION: Okay. You heard the motion. There's a second.

Commissioner Gunzburger, discussion.

COMMISSIONER GUNZBURGER: I'd rather make an addition. There will be \$150,000 match from the Children's Service Council to this \$300,000.

VICE MAYOR WEXLER: That would make the program whole.

MAYOR EGGELETTION: Okay. So you're just adding that as a comment?

COMMISSIONER GUNZBURGER: Yes.

MAYOR EGGELETTION: We don't vote on that \$150,000.

COMMISSIONER GUNZBURGER: No, you don't get to vote on it. I just thought that was a nice comment to add.

MAYOR EGGELETTION: Thank you.

Commissioner -- Commissioner Ritter, you're recognized.

COMMISSIONER RITTER: Thank you. I have a question. When we discussed this at a workshop, Commissioner Rodstrom brought up a very interesting idea, which was to possibly provide for a sliding scale with respect to income for those who are serviced. Is that --

VICE MAYOR WEXLER: It was attached to -- it was sent to you a week ago. It was e-mailed to everybody.

MAYOR EGGELETTION: Your microphone, your microphone.

VICE MAYOR WEXLER: It was e-mailed to every Commissioner and their aide, Attachment A, Attachment B. And Attachment B is the sliding scale. It's three paragraphs as to the challenges as to why this really wouldn't -- couldn't be done easily for this type of a program, because it is a program that's of public -- I mean, I could read it, or I could make copies.

COMMISSIONER RITTER: You could make -- if you'd -- that's fine. Or just pass me that one and I'll read it right now. Thank you.

MAYOR EGGELETTION: Okay.

COMMISSIONER: Thank you.

COMMISSION MINUTES

MAYOR EGGELLETON: Any other comments on this item, on this item? I have others on the queue to speak to the budget, but on this item.

Commissioner Keechl.

COMMISSIONER KEECHL: I apologize, Vice Mayor, but I just want to clarify something because I was looking down at my notes from something -- from somebody else's comments. Did you explain to the public that the money from these pay phones can only be used for certain purposes?

VICE MAYOR WEXLER: Yes.

COMMISSIONER KEECHL: And this is one of them?

VICE MAYOR WEXLER: Certainly.

COMMISSIONER KEECHL: As opposed to using this money for some other use?

VICE MAYOR WEXLER: Certainly. The County Commission has rules that govern, the Broward County Pay Telephone Commission's trust fund, and those dollars can be used very specifically. They are: Implementing and providing youth programs, victim relief, witness programs, homeless assistance programs, establishment of scholarship endowment, and for the Boys and Girls Club, as well as medical care of prisoners. That's it. Those are the only -- these are the limitations of how those dollars -- there is a \$1.2 million reserve in this trust fund this year.

MAYOR EGGELLETON: Thank you. Let me advise the Board that if the Board amends the tentative budget and the millage rate is revised, the recomputed millage rate must be announced at this point, and that would cause us -- I don't know whether or not that would cause us to recompute it.

VICE MAYOR WEXLER: It's a trust fund.

MAYOR EGGELLETON: It's a trust fund issue, so it would not require it. Okay. I just want to have that on the record. Okay. So I do have a question, Vice Mayor. If this money -- you're proposing to move \$300,000 and it has a reserve of 1,000,000? It would leave 700,000 in the trust fund?

VICE MAYOR WEXLER: It actually has a reserve of 1.228 million.

MAYOR EGGELLETON: 1.228 million?

VICE MAYOR WEXLER: Yes, sir.

MAYOR EGGELLETON: Unallocated dollars; is that correct?

VICE MAYOR WEXLER: Yes, that's the reserve.

MAYOR EGGELLETON: Okay. There's an amendment proposed.

COMMISSIONER RODSTROM: One time.

MAYOR EGGELLETON: It's a one-time amendment. One time.

COMMISSION MINUTES

VICE MAYOR WEXLER: One time right now, yes.

MAYOR EGGELETTION: Well, Commissioner, I just want to know before I vote. Do you intend on doing this every year?

VICE MAYOR WEXLER: I hope not. I hope not.

MAYOR EGGELETTION: Because it's going to affect my vote.

VICE MAYOR WEXLER: I hope not, Mayor.

MAYOR EGGELETTION: Okay.

VICE MAYOR WEXLER: All I can tell you is that this is -- this is an important program to Broward County. It's a national trend-setting program. If the cities can't and fire departments in this -- I hope that next year the Sheriff, instead of cutting it, decides to put it back in the budget.

MAYOR EGGELETTION: I just want to know one question, Commissioner. Is this a one-time --

VICE MAYOR WEXLER: I cannot -- I'm hoping it's one time. I'm hoping it's one time.

MAYOR EGGELETTION: Is it your intent then for this to be one time.

VICE MAYOR WEXLER: It is not my intent to come back to this fund again.

MAYOR EGGELETTION: Okay. Thank you.

VICE MAYOR WEXLER: But I can't tell you.

MAYOR EGGELETTION: That's fine. You answered the question.

VICE MAYOR WEXLER: This program has to stay in place.

MAYOR EGGELETTION: You answer the question.

Commissioner Jacobs.

COMMISSIONER JACOBS: See, here's the thing. We had wrapped up our budget and we had said we weren't going to do a wish list that affected the budget. And Vice Mayor brought forward something that did not attach or need dollars from the budget that we had agreed to and worked months and months and months on. She found another way to get it funded for this year.

To honor that, in my opinion, which we have worked so hard, which was to go create a budget and not start bringing up all this "me too" stuff at the end of the day. So the Vice Mayor has found another way around it.

Next year, trying to find a way to get it back in the budget. Because, remember, there were things that the Sheriff brought forward that he was going to jettison that was his part -- part of his reduction. Boys and Girls Club could have been one of them.

COMMISSION MINUTES

And those weren't real dollars that were saved by the Sheriff's Department. We needed up making that difference. So the point that next year this should be back in there and funded where it was, in my opinion, will be back. But to do what we're doing this year is to save it, keep it in, keep the door open, keep the valuable program in place. And next year when we go through I'm sure just as difficult budget deliberations as we did this year.

COMMISSIONER GUNZBURGER: Or worse, or worse.

COMMISSIONER JACOBS: Hopefully, not worse. But whenever we do, this program will be at the front of the program -- or the front of the discussions, rather than at the end, because we didn't know how the Sheriff's recommendations were going to play out.

MAYOR EGGELETTION: Very good.

Commissioner Lieberman, you're recognized.

COMMISSIONER LIEBERMAN: We had a lot of people who came tonight to talk to us about libraries, and my first issue was within the libraries, which I think staff has addressed. There are not recommended cuts in operating hours that will severely impact the libraries in this library -- in this budget.

But the second thing that I want to say is we all agreed at our workshop that basically this was an unusual year. This is a year when the state legislature had determined that we had to take our Fiscal Year '07 budget, reduce it by 90,000,000 dollars, and somehow not affect people's lives.

That happens in fairyland. That does not happen in real life. We all know that. And this was very difficult for all of us to work through the budget. And I didn't want anybody who was here tonight to think that I or any one of my colleagues didn't painfully hear what you had to say about what this meant to you personally, if it was libraries or parks or your benefits at work.

The problem is that we're dealing with a situation that we started on early, we worked through. We had the public at our workshops. And we had agreed this year that we would not bring wish list items forward at this time that would impact the budget.

That being said, I also want to make it clear that this for me is no different than any other budget. It's a one-year budget. There may be recommendations here that when we go into next year's budget we find didn't work and there are programs that might be reduced, that might be reinstated, or programs that were saved that might not be here anymore.

But I did want everyone to know that I know that we all heard your comments. But we're working under a situation where we're faced with a dilemma, because very little of the portion of our budget, which is about a third of the countywide property taxes collected by the Board of County Commissioners, is actually under the authority of this Board. The vast majority of the money we collect is either one of the four constitutional officers, or state and federal requirements, or CRA payment to cities. State requirements alone send 64,000,000 dollars of your Broward County taxes to pay for Tallahassee responsibilities. Thank you.

MAYOR EGGELETTION: Thank you.

Commissioner Rodstrom, you're recognized.

COMMISSION MINUTES

COMMISSIONER RODSTROM: Well, first, I would -- I would hope -- I would hope that this is not an unusual budget. You know, I'm thinking that this is going to be the normal budget, and if we don't -- if we understand that, then there's a big disconnect between us and the public.

You know, maybe it's only because in the last few days I got my insurance bill and also my tax bill, it's readily apparent to me that the costs of owning a home have skyrocketed significantly over the last number of years. And it's incumbent upon us, if we're going to have people who can still afford to live here, to bring their taxes back in line.

And first of all, I want to compliment the Mayor. You know, Mayor Eggelletion, you got this Board going early on. Our budget, frankly, was wrapped up in June. That's a first. Normally we'd come back in August and have a lot of budget workshops. We didn't need to have it. And your whole mantra was be needed to go back to the rolled-back rate, something this Commission has never done.

And so when the legislature said we had to go back to the rolled-back rate and then some, we were prepared to do that. And it doesn't something that we had to sit here until midnight, like last year, trying to find the cuts. So I truly applaud your leadership, and -- but also say to the Board that this is not an unusual budget year. This is going to be the norm, and we have to do this every year, and we have to continue to find ways to be more efficient and to cut our spending.

What troubles me about this particular item is this is coming from the Children's Service Council. This is a -- this was funding the Children's Service Council funded and now are not funding and the County Commission is picking that up.

COMMISSIONER GUNZBURGER: No, no, no.

COMMISSIONER RODSTROM: Well, that's my understanding.

COMMISSIONER GUNZBURGER: No, it was the Fire -- Fire Department -- the Sheriff's Department.

COMMISSIONER RODSTROM: The memo I had here said that the council was advised the County would assume full support for this program, building it to its base budget. And so when they did not, there's a \$300,000 shortfall, only a partial allocation was created. This is the memo I have here.

COMMISSIONER GUNZBURGER: Well, it's wrong. The Children's Services Council?

COMMISSIONER RODSTROM: It says they had picked this up, and during the budgetary process they dropped it because they thought we were going to fund it. And now we end up having to fund something they funded.

COMMISSIONER GUNZBURGER: No, we dropped it when the Sheriff's Department told us they would not.

COMMISSIONER RODSTROM: "As a result, Council funding was redirected to meet other identified needs." This is a memo I have from the Children's Service Council.

MAYOR EGGELETION: Okay. Wait just -- wait just one minute, please.

COMMISSIONER RODSTROM: They didn't fund this to the tune of \$300,000 and created a shortfall.

MAYOR EGGELETION: Commissioner Gunzburger serves on that. And respond to Commissioner Rodstrom's inquiry.

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COMMISSIONER GUNZBURGER: I think that whoever wrote the memo misspoke. We always funded the \$150,000. The Sheriff's Department --

VICE MAYOR WEXLER: Regional Fire.

COMMISSIONER GUNZBURGER: Regional -- under the Sheriff's Department, the Regional Fire Service came to the Children's Service Council and asked for matching funds, and they started the program. And we only gave the \$150,000 as matching funds.

COMMISSIONER RODSTROM: Okay. Well, then, that's even more troubling for me, because what's happened in the past I've been told time and time again when I have said repeatedly that the Children's -- that the voters spoke, that the Children's Services Council should do what it does and we should not be in the Children's Services Council business.

I have said this repeatedly, and the comment that I've always gotten back in return is if. We can't take our Children's Services and have the Council pick them up, because that was legislated by the legislature.

COMMISSIONER GUNZBURGER: That is correct.

COMMISSIONER RODSTROM: So now if that's the case, we suddenly take this funding on, the Children's Service Council won't be able to pick up its shortfall next year. So we've boxed ourselves in by taking up this expenditure.

VICE MAYOR WEXLER: That's not true.

COMMISSIONER RODSTROM: Well, then how --

MAYOR EGGELLETON: Wait a minute. Let's please, ladies and gentlemen. Let Commission Rodstrom --

COMMISSIONER RODSTROM: My question is: How is the Children's Service Council going to look at this next year in picking up this funding if we fund it this year? I guess that's my question.

MAYOR EGGELLETON: Commissioner Gunzburger to respond.

COMMISSIONER GUNZBURGER: We had always agreed to be a partner originally with the firefighters. They dropped it. It was never a part of our mission to do this particular thing. We agreed to do it for \$150,000. When we were told that they were not going to do it, then there was no point in putting our \$150,000 in the program because it would not be whole. It wouldn't even be half. And what we are hoping is that the new Sheriff, with his fire service or her fire service, whoever the new Sheriff is -- well, I'm not going to be sexist -- will see the worth of the program. And because of the firefighters that are employed by the Sheriff, they will refund it again next year and the Children's Service Council will continue funding their portion.

COMMISSIONER RODSTROM: So they have no intention of picking it all up?

COMMISSIONER GUNZBURGER: No.

COMMISSIONER RODSTROM: No. And so -- so then -- and, frankly --

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COMMISSIONER GUNZBURGER: Well, it isn't that we have no intention. We don't have the funds.

COMMISSIONER RODSTROM: Again, I have the floor. I have the floor. I'm just saying that, you know, you have the funds. You've chose not to spend it here. You will have the funds next year. You have unappropriated dollars, So you can fund whatever you want to fund. That's up to you.

All I'm saying is the Sheriff, in his wisdom decided not to fund this program because he had to make his own tough decisions within his budget that we made him live up to. And this was a decision he made. And now we come running in at the eleventh hour and pick up this program. And furthermore, I find out tonight that this is a program that it has nothing to do with what your parents earn. So there are many parents who could afford to pay something for this program to defray the cost of this, but it's not going to the needy. We don't know who it's all going to. If it were only going to the needy, I would be much more supportive because I think fire prevention and folks that have a propensity to start fires, they need help.

That said, I still think that the families who can afford it ought to be paying something, and that is my problem here. I mean, look, none of us -- I'm not heartless, but it's all a decision-making process.

COMMISSIONER GUNZBURGER: You turned your mike off.

MAYOR EGGELETTION: Would you like to propose an amendment?

COMMISSIONER RODSTROM: But it says that they can't do it.

MAYOR EGGELETTION: Why can't they? What does it say?

COMMISSIONER RODSTROM: It says they are not going to allow or they cannot -- they cannot income base this program.

MAYOR EGGELETTION: Why can't they? I mean, somebody tell me why. I mean, we can do whatever we want to do fiscally.

COMMISSIONER RODSTROM: The program may be a little fall her because of it.

MAYOR EGGELETTION: Okay. Excuse me a minute.

Just state your name for the minute, sir.

MR. KERN: Ed Kern. I'm the president of the Fire Chiefs Association of Broward County.

MAYOR EGGELETTION: Okay. Can you address Commissioner Rodstrom's issue with respect to indexing the program?

MR. KERN: The sliding scale, what we looked at, we talked to some of the experts that deal with sliding scales, especially with the juvenile program, how it would-- in effect, that effects public safety. We want people to stay in the program. They go in the program or what. Whether or not they pay or not, the issue comes down to that they won't pay, then we will have someone not in the program, and then public safety itself will be exposed -- will be an issue of public safety in general, those around us.

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Juvenile firesetters affect everybody. They don't only affect their families. They affect those that live next door, those that live above them, below them, around them. And that's what we're afraid, that we will have an effect, that we'll lose people out of program that need to really be in there because of the dollars, you know, so that's -- and it's not recommended on this type of program, from -- a social program.

COMMISSIONER RODSTROM: You know, I mean -- look, again, I don't want to belabor this. But I think, you know, many kids -- most kids have a propensity to play with matches. I did. I started a fire in my parent's house. I didn't have the benefit of going -- fortunately they got it out. My grandma smelled the smoke and came in and put the fire out. You know, and I'm sure every kid is fascinated -- most kids are fascinated with matches and fire. It's something that we all have a fascination. And, frankly, every child should probably be exposed to some sort of fire starter prevention.

MR. KERN: If I may, that's what part of the program is.

COMMISSIONER RODSTROM: But -- but, you know, we're not the Broward County School Board, and that's probably where this should be addressed. This is the Broward County Board of County Commissioners. And, you know, and this program you could expand or you could contract. I mean, you know, really. It's one of those programs that frankly could be expanded to every child in this county.

But -- but, you know, it's a dollar thing, and that's -- and all I'm saying is to me, if I'm going to have to make the tough choices -- and this budget is going to get tougher, tougher, tougher -- I cannot justify a program that folks can afford to pay for. But your belief is that if we charge them, we'll have less kids in the program. And that, to me, isn't the right right answer; that, to me, is the wrong answer.

So as long as we're having to work under this budgetary restraint, you know, I feel like, you know, it's not fair. And we ought to be -- we ought to be looking at funding it for the folks that can't afford to pay.

MAYOR EGGELLETON: Let me ask the County Attorney a question. Is there anything in statute that says that on this appropriation that we can't say that we're going to provide -- we're going to provide this based on -- on your income? In other words, if I was the son of Bill Gates, and my kids -- and I'm Bill Gates' son and I start a fire --

MR. NEWTON: Can I be his son?

MAYOR EGGELLETON: -- then they pay for it, as opposed to Bill Gates paying maybe to a \$10 fee.

MR. NEWTON: No, I'm not aware of anything in the statute that would prohibit it from being on a sliding scale.

MAYOR EGGELLETON: So there's no statutory prohibition against us doing that, except that's not what their public philosophy is; is that right, sir?

MR. KERN: The correct word, we feel that limiting that -- putting a fee on the sliding scale would limit the participation and also it would expose the public.

MAYOR EGGELLETON: How would it eliminate participation?

MR. KERN: It would limit --

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MAYOR EGGELLETON: I'm a multimillionaire. I've got to pay \$10. How does that eliminate my participation, when I'm going and buying \$160 sneakers for my son or daughter? Tell me, how is that the case?

MR. KERN: I -- I would say a couple things. One is tracking the money, collecting it. There's a process to that. Getting -- getting people to participate in it. It's not something that's simple. A lot of this is done -- it's a regional program. The municipalities participate by having their fire prevention people also do a public education program and also walk the kids through with the parents. So it's not just a small program that affects a handful of people. It's actually countywide.

MAYOR EGGELLETON: Got it.

Commissioner Keechl.

COMMISSIONER KEECHL: Thank you, Mayor. The problem that I have, I understand what Commissioner Rodstrom is saying, but I also understand what the speaker is saying. And it's not the multimillionaire that's going to be not paying the fee. It's the middle class, middle-income family that may not put his son or daughter in the program because of the amount.

We all agree that this is necessary. We all agree that there's a limited amount of funds. You're right, Commissioner Rodstrom, this isn't fair that we have to do this, but it's the right thing to do. So let's just do it this year and see where we are next year, and let's get on with this.

But -- but it isn't fair that we're in this situation. But, come on, you don't want kids burning houses down because their fathers or mothers are too cheap to pay the fee. I mean, this is common sense. Thanks.

MAYOR EGGELLETON: Okay.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I just want to call the question, and the reason I want to call the question is because on January 30th we'll know about next year's budget, which will be a whole different dynamic. This is a budget that's reached its final form. I want to call the question; you vote it, up or down. Nobody's mind is going to be changed.

MAYOR EGGELLETON: Let me just, before I take that, let me just comment here. You know what? I kind of agree with Commissioner Rodstrom. There's a whole lot of things I'd like to fund. I mean, we have cut social service programs for elderly, for the poor. Okay? I mean, we've raised bus fares. We've done all kind of things.

And let me just tell you something. There comes a time when you've got to make very, very, very hard decisions, period. Tough decisions. I don't mind making that tough decision. Commissioners, I will tell you, I would love to see us somehow have a sliding scale on this program. The answer he gave me is just not a good-enough answer, for me. I mean, it's just my personal opinion. I mean everybody is entitled to theirs. It's just not a good enough answer for me, sir. It just really isn't. I'm just going to be honest with you.

Now, let me just tell you something. I'm going to vote for this program this time. But I will not -- I will not -- vote for this program again. They need to find -- I see the firefighters out on the corner. Maybe this need to be something, you know, with the boot that y'all need to do this. Because, I mean -- let me just tell you something. Everybody is making sacrifices.

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COMMISSIONER RODSTROM: Right.

MAYOR EGGELETTION: I mean, I've got elderly people that won't have meals. So I'm just telling you that that's where we are. And I'm going to vote for it this year, but that's it.

COMMISSIONER RODSTROM: And the folks riding the bus are going to be paying more this year.

COMMISSIONER LIEBERMAN: But you can't use these fund for that.

COMMISSIONER RODSTROM: I understand that. I clearly understand that.

MAYOR EGGELETTION: I clearly understand that. Okay. The question has been put. Commissioner Lieberman -- excuse me. Commissioner Lieberman makes the motion.

COMMISSIONER LIEBERMAN: Calls the question.

MAYOR EGGELETTION: Calls the question. The item has been moved by Vice Mayor Wexler. It has been seconded by Commissioner Lieberman.

Any objection? Any objection?

Without objection, show that the item is adopted in the budget as amended.

Okay. Now, this is the time, Board Members, if you have any comments at this point, to make them.

I do have one comment I want to make. Members, let me just thank each and every one of you for your hard work.

Mrs. Brangaccio, I'd like to thank your staff personally, Mrs. Olsen and her staff, for the fine work that they have done to get us to this point.

However, I would like to see us in the -- you know, over the next year. We know we're going to zero base. It's going to be easier to make these kind of decisions, Vice Mayor, under your watch, because you're going to have the data that will help you to make it.

I hope, Mrs. Brangaccio, if it's not too much of a workload, that every maybe 120 days or so that this Board gets some sort of brief feedback as to how some of these departments are faring with respect to their -- to their goals and objectives.

Secondly, it was a part of our position going forward and one of the things I think you've got to have to make good funding decisions is, you have to know what your business plan is in every single core sector of this organization. I have yet to see those business plans come forward. You've got to have a business plan so you know what your goals and objectives are so that when we budget and we do zero base we know what it is.

This Commissioner -- I can't speak for everybody else, but I hope that those business plans come forward real, real soon. We need to have them, because if they don't have them, where is the road map

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to get to where they've got to go? So we really need a business plan for every single sector of county government coming forward.

Thirdly, I believe that next year is going to be a tougher year, irrespective of what may occur in January. I believe that the Budgeting Tax Reform Commission, at least on some of the members that I've spoken to about three or four of them, of the key members, are going to certainly close some tax loopholes. I believe that there are going to be some issues placed on the ballot that may reduce taxes substantially across the board.

Having said that, I think that we need to start, Vice Mayor, at your calling at some point, drawing up our budget very early on, getting the staff used to dealing with goals and objectives and zero base to determine the appropriate place to be in the future. I mean, just like we found that we had all these vacant positions this year, members, we didn't know that. But, you know, the point is, nobody is trying to say we want to cut employees. We did -- I want everybody to understand, we did this budget, we cut \$90,000,000 from this budget and didn't lose one employee, not one.

COMMISSIONER LIEBERMAN: We lost one, because he(Inaudible).

MAYOR EGGELLETON: Well, that's on his own choosing.

But the fact is is that this Board made a conscious decision that no employee would get a pink slip, no employee would go home and say to their son or daughter or husband or wife that they have to sell the car or do something differently because they have lost their jobs.

I think that all of you at to be commended for that, because you looked out for the most valuable thing in the -- or most valuable person, shall I say, in the organization, and that's the people that work for us on a day-to-day basis. At least I want those employees to know that we value their participation. We value their service. We appreciate what they do for us and how hard they work.

I want members and the constitutional officers to know that they we value what they do and how important it is, what they do. The things that we say we don't want people to take personal, it is just very tough budget decisions that we have to make.

And, you know, I just think that we have done one heck of a job, and I think, Mrs. Brangaccio, all of your department heads and everybody has done one heck of a job in getting things done and putting us ahead of the curve in the State of Florida.

And, you know, I can't tell you when I talk to members even in -- from delegations from rural counties of how amazed they are in how well we have handled our budget this year. Really, we ought to be commended. It was just fabulous. And I know we're going to get even better at it in the years to come. Not to say that we haven't been better in the past, but every year I believe that you ought to get better with what you do.

But one of the things I do know, if we keep doing things the way we have always done them, we will get the same results. And so I believe that you come up with new and better ideas that you're going to just get better results.

So with that, I think we need to move right into the budget, if there be no other comments from Board Members.

Okay.

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RESOLUTION NUMBER 2007-561

MAYOR EGGELETTION: Commissioner -- or shall I say Vice Mayor Wexler moves Resolution Number 2007-561. It is seconded by Commissioner Rodstrom, establishing the proposed millage rate for the general accounting purposes.

All in favor, say aye. All those opposed, say no.

Let the record show that the item passes unanimously.

VOTE PASSES UNANIMOUSLY

RESOLUTION NUMBER 2007-562

MAYOR EGGELETTION: Commissioner -- Vice Mayor Wexler moved Resolution 2007-562; seconded by Commissioner Rodstrom, adopting the tentative budget for the general accounting purposes.

All in favor?

All say those opposed?

VOTE PASSES UNANIMOUSLY

UNINCORPORATED MUNICIPAL SERVICE TAXING UNIT MILLAGE AND BUDGET

MAYOR EGGELETTION: Let the record show that the public hearing on the general countywide millage rate and budget is now closed.

Let's move to the Unincorporated Municipal Service Taxing Unit Millage and Budget. The public hearing is open for the purpose of millage rate and tentative budget for the Unincorporated Municipal Service Taxing Unit to provide funds for the municipal-level services in the unincorporated area. The proposed millage rate for this purpose is 2.3353, which represents a 5 percent decrease in property taxes as compared with a rolled-back rate of 2.4582.

The County Administrator will give an overview of the millage and budget for the Unincorporated Municipal Service Taxing Unit. Mrs. Brangaccio, you're recognized.

MS. BRANGACCIO: Yes, sir. The Unincorporated Municipal Service Taxing Unit millage rate decreases 9.5 percent from the prior year rate. An average single-family homestead property owner, owning their property for at least one year, will pay approximately \$17 less next year.

MAYOR EGGELETTION: Are there anyone here from the public who wishes to speak to the Unincorporated Municipal Service Taxing Unit Millage and Budget Rate?

Seeing that there is no one, is there anyone from the Board of County Commission who wishes to comment on the Unincorporated Millage and Budget Rate?

Okay. If the Board amends the tentative budget rate and the millage rate is revised, the recomputed millage rate must be announced at this point.

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MR. NEWTON: We're not doing that.

MAYOR EGGELETTION: Seeing that we're not doing that, Commissioner Gunzburger moves Resolution Number 2007-563; seconded by Commissioner Keechl, establishing the proposed millage rate for Unincorporated Municipal Service Taxing Unit.

All in favor?

All opposed?

Let the record show that it passed unanimously.

VOTE PASSES UNANIMOUSLY

RESOLUTION NUMBER 2007-564

MAYOR EGGELETTION: Commissioner Gunzburger now moves Resolution Number 2005-564 (sic); seconded by Commissioner Keechl, adopting the tentative budget for the Unincorporated Municipal Service Taxing Unit.

All in favor?

All opposed?

Let the record reflect that it passes unanimously.

VOTE PASSES UNANIMOUSLY

FIRE RESCUE MUNICIPAL SERVICE TAXING UNIT TAX RATE

MAYOR EGGELETTION: The public hearing for Unincorporated Municipal Service Taxing Unit millage rate and budget is now closed.

The Fire Rescue municipal taxing unit millage rate and budget. The public hearing is open for the proposed millage rate for tentative budget for Fire Rescue and municipal service taxing unit to provide funds for Fire Rescue services in the unincorporated area. The purpose of the millage rate for this purpose is 2.5224, which represents a 3 percent decrease in property taxes as compared with the rolled-back rate of 2.6004.

The County Administrator will give an overview of the Fire Rescue Municipal Service Taxing Unit tax rate.

MS. BRANGACCIO: The Fire Rescue Municipal Service Taxing Unit millage rate decreases 7.6 percent from the prior year rate. An average single-family homestead property owner, owning their property for at least one year, will pay approximately \$13 less next year.

MAYOR EGGELETTION: Are there any one -- is there anyone in the audience wishing to speak on the Fire Rescue Municipal Service Taxing Unit rate?

COMMISSION MINUTES

Seeing that there is no one here, the public comment section is now closed.

I will now take comments from the Commission. Are there comments from the Commission? Seeing that there is no comments from the Commission, I just want to advise the Board if the Board amends the tentative budget and the millage rate is revised, the recomputed millage rate must be announced at this point.

RESOLUTION NUMBER 2007-565

MAYOR EGGELETTION: Seeing that there is no revision, Commissioner Ritter moves Resolution Number 2007-565; seconded by Commissioner Jacobs, establishing the proposed millage rate for Fire Rescue Municipal Service Taxing Unit.

All in favor?

All opposed?

Let the record reflect that the item pass unanimously.

VOTE PASSED UNANIMOUSLY

RESOLUTION 2007-566

MAYOR EGGELETTION: Commissioner Wasserman-Rubin moves Resolution 2007-566; seconded by Commissioner Lieberman, adopting the tentative budget for the Fire Rescue Municipal Service Taxing Unit.

All in favor?

All opposed?

Let the record show that it pass unanimously.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETTION: The public hearing for the Fire Municipal Service Taxing Unit Millage Rate and Budget is now closed.

STREETLIGHTING DISTRICT MILLAGE AND BUDGET

MAYOR EGGELETTION: Streetlighting District millage and budget. The public hearing is open for the proposed millage rate and tentative budget for Streetlighting District to provide funds for streetlights in portions of the unincorporated area. The proposed millage rate for this purpose is .3743, which represents a 5 percent decrease in property taxes as compared to the rolled-back rate of .3940. The County administrator will give an overview of the Streetlighting District tax rate.

Mrs. Brangaccio, you're recognized.

COMMISSION MINUTES

MS. BRANGACCIO: The Streetlighting District tax rate decreases 17.4 percent from the prior year rate. The average single-family homestead property owner, owning their home for at least -- their property for at least one year, will pay approximately \$7 less next year.

MAYOR EGGELETTION: Is there anyone here to speak to the Streetlighting District tax rates? Seeing there is no one here, the public comment is now closed.

Is there anyone -- any comments from the Board of County Commission?

RESOLUTION NUMBER 2007- 567

MAYOR EGGELETTION: Seeing as there are no comments from the Board of County Commissioners, Commissioner Lieberman moves Resolution Number 2007- 567, seconded by -- seconded by Vice Mayor Wexler, establishing the proposed millage rate for the Streetlighting District.

All in favor?

All opposed?

Let the record reflect that the item pass unanimously.

VOTE PASSES UNANIMOUSLY

RESOLUTION NUMBER 2007-568

MAYOR EGGELETTION: Commissioner Lieberman moves Resolution Number 2007-568, seconded by Vice Mayor Wexler, adopting the tentative budget for the Streetlighting District budget.

All in favor?

All opposed?

Let the record reflect it passed unanimously.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETTION: The public hearing for Streetlight District Millage Rate and Budget is closed.

SPECIAL ASSESSMENT FOR UNINCORPORATED FIRE RESCUE SERVICES

MAYOR EGGELETTION: Special assessment for Unincorporated Fire Rescue Services. The public hearing is open for the proposed special assessment within the Fire Rescue Municipal Service Taxing Unit. This non-ad valorem assessment will provide funds for Fire Rescue service in the unincorporated -- unincorporated area.

The County Administrator will give an overview of the proposed Fire Rescue non-ad valorem assessment rates. Ms. Brangaccio, you're recognized.

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MS. BRANGACCIO: Homes in the unincorporated area will pay \$6 less next year.

MAYOR EGGELETION: Is there anyone here who wishes to speak to the special assessment of Unincorporated Fire Rescue services? Seeing that there is no one here to speak, the public comments are closed.

Are there any comments from the Board? Seeing no board member has a comment, the Board public comment is closed.

RESOLUTION NUMBER 2007-569

MAYOR EGGELETION: Commissioner Rodstrom moves Resolution Number 2007-569, seconded by Commissioner Gunzburger, establishing special assessment rates within the Fire Rescue Municipal Service Taxing Unit.

All those in favor?

All opposed?

Let the record reflect that it pass unanimously.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELETION: The public hearing for the Fire and Rescue special assessment is now closed.

SPECIAL ASSESSMENT FOR UNINCORPORATED GARBAGE AND TRASH COLLECTION

MAYOR EGGELETION: Special Assessment for Unincorporated Garbage and Trash Collection. The public hearing is now open on the proposed special assessment within the Garbage and Trash Collection Municipal Service Taxing Unit. This non-ad valorem assessment provides funds for the collection and the disposal of garbage and trash within the unincorporated area.

The County administrator will give an overview of the proposed non-ad valorem assessment rate. Ms. Brangaccio, you're recognized.

MS. BRANGACCIO: Single-family homes and multifamily complexes with nine units or less will pay the same amount for waste collection and disposal services next year.

MAYOR EGGELETION: Is there anyone here from the public who wishes to speak to the item, wishes to speak to the Garbage and Trash special assessment? Seeing there is no one, the public comment is now closed.

Are there any comments from the Board?

RESOLUTION NUMBER 2007-570

MAYOR EGGELETION: Seeing as no Board member wishes to comment Commissioner Jacobs moves Resolution Number 2007-570; seconded by Commissioner Ritter, establishing a special assessment rate for the Garbage and Trash Services Unit.

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All in favor?

All opposed?

Let the record reflect that it passes unanimously.

VOTE PASSES UNANIMOUSLY

MAYOR EGGELLETON: The public hearing on Garbage and Trash Special Assessment is now closed.

WATER CONTROL DISTRICT NUMBER 2 MILLAGE AND BUDGET

MAYOR EGGELLETON: Water Control District Number 2 millage and budget. The public hearing is open on the proposed millage rate and tentative budget for Water Control District 2.

Oh, really? I didn't know that wasn't on. I'm sorry. Okay.

The proposed millage rate for this purpose is 1.31, which represent a 5 percent decrease in property taxes as compared to the rolled-back rate of .1296.

Mr. NEWTON: Mayor, just one correction, it was .1231.

MAYOR EGGELLETON: .1231, yes, which represents a 5 percent decrease in property taxes, as compared to the rolled-back rate of .1296. I apologize.

Thank you, Mr. Newton, you're Johnny-on-the-spot.

Is there anyone here to wishes to speak to Water Control District 2 millage and budget? Seeing that there is no one here, the public comment is now closed.

Any comments from the Board?

RESOLUTION 2007-571

MAYOR EGGELLETON: Seeing that there is no comments from the Board, Commissioner Keechl moves Resolution 2007-571, seconded by Commissioner Wasserman-Rubin, establishing the proposed millage rate for Water Control District 2.

All in favor?

All opposed?

Let the record reflect that the item pass unanimously.

VOTE PASSED UNANIMOUSLY

RESOLUTION 2007-572

COMMISSION MINUTES

MAYOR EGGELLETON: Commissioner Keechl moves Resolution 2007-572, seconded by Commissioner Wasserman-Rubin, adopting the tentative budget for Water Control District 2 budget.

All in favor?

All opposed?

Let the record reflect that the item pass unanimously.

VOTE PASSED UNANIMOUSLY

MAYOR EGGELLETON: The public hearing on Water Control District 2 millage rate and budget is now closed.

Water Control District 3 millage and budget. The public hearing is open for the proposed millage rate and tentative budget for Water Control District 3. The proposed millage rate is .1676, which represents a 5 percent decrease in property taxes as compared with the rolled-back rate of .1764.

Is there anyone here from the public wishing to speak to Water Control District 3 millage and budget? Seeing that there is no one here, the public comment is now closed.

We'll now take comments from the Board.

RESOLUTION NUMBER 2007-573

MAYOR EGGELLETON: Seeing that there is no member of the Board wishes to speak, Commissioner Gunzburger moves Resolution Number 2007-573; seconded by Commissioner Rodstrom, establishing the proposed millage rate for water Control District 3.

All in favor?

All opposed?

Let the record reflect that the item pass unanimously.

VOTE PASSES UNANIMOUSLY

RESOLUTION 2007-574

MAYOR EGGELLETON: Commissioner Gunzburger moves Resolution 2007-574; seconded by Commissioner Rostrom, adopting a tentative budget for Water Control District 3 budget.

All in favor?

All opposed?

Let the record reflect that the item pass unanimously.

VOTE PASSES UNANIMOUSLY

COMMISSION MINUTES

MAYOR EGGELETTION: The public hearing for Water Control District 3 millage and budget is now closed.

WATER CONTROL DISTRICT 4 MILLAGE AND BUDGET

MAYOR EGGELETTION: Water Control District 4 millage and budget. The public hearing is open for the proposed millage rate and tentative budget for Water Control District 4 and its four subdistricts. The proposed millage rate for Subdistrict 4A is .0149, which represents a 5 percent decrease in property taxes as compared to the rolled-back rate of .0157.

The proposed millage rate for Subdistrict 4B is .0318, which represents a 5 percent decrease in property taxes as compared with a rolled-back rate of .0335.

The proposed millage rate of Subdistrict 4C is .1276 which represents a 5 percent decrease in property taxes as compared with a rolled-back rate of .1343.

The proposed millage rate for Subdistrict 4D is 3.241, which represent a 5 percent decrease in property taxes as compared with a rolled-back rate of .3412.

Is there anyone here from the public who wishes to speak to the Water Control District No. 4 millage and budget? Seeing there is no one, the public hearing is now closed.

We'll now take Board comment.

RESOLUTION NUMBER 2007-575

MAYOR EGGELETTION: Seeing that there is no comment from the Board, Commissioner Rodstrom moves Resolution Number 2007-575, seconded by Vice Mayor Wexler, establishing the proposed millage and budget rate for Water Control District 4 and its subdistricts.

All in favor?

All opposed?

VOTE PASSED UNANIMOUSLY

RESOLUTION 2007-576

MAYOR EGGELETTION: Commissioner Rodstrom moves Resolution 2007-576, seconded by Commissioner -- Vice Mayor Wexler, adopting the tentative budget for water Control District 4 and its subdistricts.

All in favor?

All opposed?

Let the record reflect that the item pass unanimously.

VOTE PASSED UNANIMOUSLY

COMMISSION MINUTES

MAYOR EGGELETTION: The public hearing for Water Control District Number 4 millage rates and budget is now closed.

THE COCOMAR WATER CONTROL DISTRICT MILLAGE AND BUDGET

MAYOR EGGELETTION: The Cocomar Water Control District millage and budget. The public hearing is open for the proposed millage rate and tentative budget for Unit Area No. 1 of the Cocomar Water Control District. The proposed millage -- the proposed millage rate for this purpose is .1446, which represents a 5 percent decrease in property taxes as compared to the rolled-back rate of .1522.

Is there anyone here from the public wishing to speak to the water -- Cocomar Water Control District millage and budget? Seeing there is no one here, the public hearing is now closed.

Comments from the Board?

RESOLUTION NUMBER 2007-577

MAYOR EGGELETTION: Seeing that there is no comments from the Board, Commissioner Lieberman moves Resolution Number 2007-577, establishing the proposed millage rate in Unit Area 1 of the Cocomar Water Control District.

All in favor?

All opposed.

Let the record reflect that it pass unanimously.

VOTE PASSES UNANIMOUSLY

RESOLUTION NUMBER 2007-578

MAYOR EGGELETTION: Commissioner Lieberman moves Resolution Number 2007-578; seconded by Commissioner Wasserman-Rubin, adopting the tentative budget for the Cocomar Water Control District.

All in favor?

All opposed?

Let the record reflect that it pass unanimously.

VOTE PASSED UNANIMOUSLY

MAYOR EGGELETTION: The public hearing for the Cocomar Water Control District millage rate and budget is now closed.

There will be a public hearing to finalize the County's millage rates and budgets at 5:01 p.m. on September 25th at the Broward County Governmental Center, Room 422, at 115 South Andrews Avenue in Fort Lauderdale.

COMMISSION MINUTES

This concludes the Broward County Public Hearing to adopt the tentative budget rates -- budgets, tax rates, and final assessment rates for FY 2008.

Thank you for attending the Broward County Board of County Commissioners' Public Hearing.
If there be no other business in front of board, I move we adjourn.

(THE MEETING ADJOURNED AT 7:37 P.M.)

(THIS IS NOT A VERBATIM TRANSCRIPTION OF THE MINUTES.)

(CD-07-89C)