

# PUBLIC HEARING OF JANUARY 14, 1997

(Meeting convened at 2:00 p.m. and adjourned at 5:35 p.m.)

PLEDGE OF ALLEGIANCE - Led by the Chair

CALL TO ORDER

1. MOTION TO ADOPT Resolution 97-38 to vacate and abandon a utility easement, lying and being in Broward County, Florida, and located at 9600 Pines Boulevard in the City of Pembroke Pines. Petitioner: Golden Key Ltd. (Consul-Tech Engineering, Inc. - Agent) 2-V-97.

**ACTION: (A-30) Approved.**

2. MOTION TO ADOPT Resolution 97-39 to vacate and abandon rights-of-way, lying and being in Broward County, Florida, located at 11000 W. McNab Road and 1100 West Southgate Boulevard in the City of Tamarac. Petitioner: Pulte Home Corporation (CCL Consultants - Agent) 12-V-95.

**ACTION: (A-47) Approved.**

3. A. MOTION TO ADOPT Resolution 97-40 to vacate and abandon utility easement, lying and being in Broward County, Florida and located at 2895 NW 55th Court in unincorporated Broward County.

**ACTION: (A-55) Approved.**

B. MOTION TO ACCEPT aerial and utility easement executed by Gary Emert and Dennis Ladoff, and authorize the Chair and Clerk to execute and record same. Petitioner: Gary Emert and Dennis Ladoff (McLaughlin Engineering, Inc. - Agent) 31-V-96.

**ACTION: (A-55) Approved.**

4. A. MOTION TO ADOPT Resolution 97-41 to vacate and abandon flow through (drainage) easements, lying and being in Broward County, Florida and located at the SW quadrant of the intersection of the Sawgrass Expressway and the Florida Turnpike in the City of Coconut Creek. Petitioner: Lowell at Coco Lakes/RBG XIV LTD. (Carnahan-Proctor & Associates, Inc. - Agent) 25-V-96.

**ACTION: (A-63) Approved.**

B. MOTION TO ACCEPT drainage easement dated September 30, 1996 from Lowell at Coco Lakes/RBG XIV, Ltd. with two mortgage subordinations, and authorize the Chair and Clerk to execute and record same.

## **ACTION: (A-63) Approved.**

5. MOTION TO ADOPT Resolution 97-42 authorizing the exchange of County property with property owned by Next Coco Bay Ltd., a Florida limited partnership, in accordance with provisions of Section 125.37, Florida Statutes. Parcel 96-11.

## **ACTION: (A-75) Approved.**

6. MOTION TO CONSIDER County's legislative package for the 1997 Legislative Session.

*ACTION: (A-123) Approved as amended as follows: Insert language on Eminent Domain; include three issues from Board's meeting with the League of Cities, namely, competitive bidding, code enforcement, and oppose legislation on use of contingency fee audits; delete the Local Bill relating to Dennexation at the Airport. Without objection, the Board put on the record the reconsideration of item 8 from the Appropriations for one week.*

7. A. MOTION TO FILE proof of publication of a public hearing to receive public input on the 1997 Broward County Complementary Paratransit Service Plan Update in compliance with the Americans with Disabilities Act (ADA) of 1990 and the ADA Paratransit Handbook of September 1991 issued by the Urban Mass Transportation Administration (UMTA).

## **ACTION: (A-2599) Approved.**

B. MOTION TO ADOPT Resolution 97-43 of the Board of County Commissioners of Broward County, Florida, adopting the 1997 Broward County Plan Update for Complementary ADA Paratransit Services for Persons with Disabilities, and providing for an effective date.

## **ACTION: (A-2599) Approved.**

8. MOTION TO CONSIDER award of new licenses for Nonemergency Medical Transportation Service (NEMTS) to Broward Livery Service, Inc. and Tender Care Centers, Inc. (Continued from December 10, 1996 at 2:00 p.m.)

## **ACTION: (A-93) Approved.**

9. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING ARTICLE II, CHAPTER 12 OF THE BROWARD COUNTY CODE OF ORDINANCES, ENTITLED "EXPLOSIVES," AMENDING SECTION 12-16 PROVIDING FOR DEFINITIONS; AMENDING SECTION 12-37 PROVIDING FOR BLASTING PERMITS WITHIN LIMITS; AMENDING SECTION 12-38 SETTING FORTH THE REQUIREMENTS FOR THE ISSUANCE OF BLASTING PERMITS BY THE CODE AND ZONING ENFORCEMENT DIVISION; AMENDING SECTION 12-42 PROVIDING THE ELEMENTS OF BLASTING COMPLAINTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE

CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Lori Nance Parrish)

***ACTION: (A-5073) Filed proof of publication and enacted ordinance 1997-1 to be effective as provided by law.***

10. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 1, ARTICLE XVII, "QUASI- JUDICIAL PROCEEDINGS," BROWARD COUNTY CODE OF ORDINANCES; ADDING PROCEDURES TO ALLOW UNSWORN TESTIMONY OF PARTICIPANTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-5093) Filed proof of publication and enacted Ordinance 1997-2, as amended, to be effective as provided by law.***

11. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS ENACTED PURSUANT TO CHAPTER 163, FLORIDA STATUTES, AUTHORIZING PARTICIPATION IN THE NEIGHBORHOOD PRESERVATION AND ENHANCEMENT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-5154) Filed proof of publication and enacted Ordinance 1997-3 to be effective as provided by law.***

12. MOTION TO CONSIDER enactment of an ordinance amending the Broward County Land Development Code, the substance of which is as follows: (Continued from December 17, 1996)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; CREATING A NEW SUBSECTION 5-181 (n) RELATING TO EXPIRATION OF FINDINGS OF ADEQUACY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-5164) Filed proof of publication and enacted Ordinance, 1997-4 as amended, to be effective as provided by law.***

**NON AGENDA**

13. DISCUSSION: Commissioner Cowan commented on his being served, on behalf of the county, at his residence. He advised that the County Attorney has indicated that the Board could enact an ordinance or adopt a resolution that would authorize the County Attorney to accept the service on behalf of the county commission.

***ACTION: (B-312) The commissioners expressed their concerns, and it was suggested that the document should include the verbiage, "At the discretion of the Chair . . ." or "each commissioner can delegate that responsibility." The County Attorney will prepare appropriate document with suggested verbiage.***

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