

PUBLIC HEARING OF APRIL 14, 1998

(The meeting convened at 2:00 p.m. and adjourned at 4:01 p.m.)

PLEDGE OF ALLEGIANCE *was led by former Broward County School Board member Ms. Toni Siskin*

CALL TO ORDER

1. MOTION TO ADOPT Resolution 1998-327 to vacate and abandon a utility easement, lying and being in Broward County, Florida, and is located south of Sheridan Street and east of Dykes Road in the City of Pembroke Pines. Petitioner: Minto Communities (Pembroke) Inc. (Winningham & Fradley Inc. - Agent) 11-V-98.

ACTION: (B-70) Approved.

2. MOTION TO ADOPT Resolution 1998-319 to vacate and abandon easements and right-of-way, lying and being in Broward County, Florida and located at 7600 Royal Palm Boulevard in the City of Margate. Petitioner: Parkside Homes Inc. (Deni & Associates - Agent) 26-V-97.

ACTION: (B-83) Approved.

3. MOTION TO ADOPT Resolution 1998-320 to vacate and abandon right-of-way, lying and being in Broward County, Florida and located south of Vinkemulder Road, east of Lyons Road and north of Sample Road in the City of Coconut Creek. Petitioner: Harvey J. Breeding, Trustee (Ruden, McClosky, Smith, Schuster & Russell - Agent) 5-V-98.

ACTION: (B-90) Approved.

4. MOTION TO ADOPT Resolution 1998-321 to vacate and abandon utility easements, lying and being in Broward County, Florida and located north of Westview Drive between Coral Ridge Drive and Coral Springs Drive in the City of Coral Springs. Petitioner: The Adler Companies (Keith & Ballbe Inc. - Agent) 9-V-98.

ACTION: (B-98) Approved.

5. MOTION TO CONSIDER the award of a new license for Nonemergency Medical Transportation Service (NEMTS) to All American Transport Inc. contingent upon licensee satisfying all remaining requirements of Chapter 3½, Section 6(g) of the Broward County Code of Ordinances.

ACTION: (B-107) Approved.

6. MOTION TO CONSIDER the award of Class 1 - ALS Rescue Certificate of Public Convenience and Necessity (COPCN) to Dania Fire Rescue, Lauderdale Lakes Fire Rescue, Margate Fire Rescue, and

Sunrise Fire Rescue (renewals).

ACTION: (B-114) Approved.

7. MOTION TO CONSIDER the award of renewal licenses for Nonemergency Medical Transportation Service (NEMTS) to Handi-Van Inc. and Medics Transport Service Inc.

ACTION: (B-123) Approved.

8. MOTION TO CONSIDER a lease agreement between Broward County and Dry Marinas Inc. (This is the second of two public hearings. The first public hearing was held on Tuesday, March 24, 1998 at 2:00 p.m.)

ACTION: (B-131) Approved as amended with the exclusion of back taxes and needed improvements. The Board continued to May 12, 1998, the public hearing on the payment plan for the back taxes and needed improvements.

9. MOTION TO ADOPT Resolution 1998-322 amending Chapter 39, Broward County Administration Code, "Fees and Other Charges, Aviation"; providing a public parking policy; amending the schedule of rates, fees and charges for Airport Public Parking Facilities at Fort Lauderdale-Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code, and providing for an effective date.

ACTION: (B-1996) Approved.

10. A. MOTION TO APPROVE an agreement between Broward County and MediaOne of Greater Florida Inc. for cable casting of Broward County Board of County Commissioners' meetings. (Tabled from the 10:00 a.m. meeting, Item 34.)

ACTION: (B-2015) Approved as amended.

B. MOTION TO ADOPT Resolution 1998-323 of the Board of County Commissioners of Broward County, Florida granting a renewal of a non-exclusive right, privilege and franchise to MediaOne of Greater Florida Inc. to construct, operate and maintain a cable television system in certain unincorporated areas of Broward County for time period certain; providing for severability; and providing for an effective date.

ACTION: (B-2353) Approved.

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE INTERGOVERNMENTAL EMERGENCY COORDINATING COUNCIL; AMENDING SECTION 8-36 OF THE BROWARD COUNTY CODE TO INCREASE MEMBERSHIP; ADDING AND DELETING CERTAIN ORGANIZATIONS AND MODIFYING THE METHOD OF ESTABLISHING THE MEMBER REPRESENTING BROWARD COUNTY

GOVERNMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2769) The Board filed proof of publication and enacted Ordinance 1998-07 to become effective as provided by law.

12. A. MOTION TO APPROVE an agreement for property exchange among Broward County; Banyan Trails Inc., a Florida Corporation; and Engle Homes/Broward Inc., a Florida Corporation, and authorize the Chair and Clerk to execute same.

ACTION: (B-2788) Approved with addendum.

B. MOTION TO ADOPT Resolution 1998-324 authorizing exchange of County real property for real property owned by Banyan Trails Inc., and Engle Homes/Broward Inc., as provided in Section 125.37, Florida Statutes, and according to the terms and conditions of the agreement, and authorize acceptance and recordation of deeds to the County.

ACTION: (B-2788) Approved.

QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding quasi-judicial item is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

13. MOTION TO ENACT ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is the second of two public hearings. The first public hearing was held on Tuesday, March 24, 1998 at 2:00 p.m.)

REZONING PETITION 14-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 16 AND 21, TOWNSHIP 49 SOUTH, RANGE 42 EAST; FROM R-1B, ONE-FAMILY DWELLING DISTRICT; R-1C, ONE-FAMILY DWELLING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT AND R-3, LOW-DENSITY MULTIPLE DISTRICT; TO RS-3, ONE-FAMILY DETACHED DWELLING DISTRICT; RS-4, ONE-FAMILY DETACHED DWELLING DISTRICT; RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT; RM-10, MULTIPLE-FAMILY DWELLING DISTRICT; AND RM-16, MULTIPLE FAMILY DWELLING DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR

SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2870) The Board filed proof of publication, accepted the recommendations of staff and the Broward County Zoning Board, and enacted Ordinance 1998-6Z to become effective as provided by law.

14. MOTION TO ENACT ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida.

REZONING PETITION 16-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 17, TOWNSHIP 49 SOUTH, RANGE 42 EAST; FROM R-3, LOW-DENSITY MULTIPLE DISTRICT, TO RM-15, MULTIPLE-FAMILY DWELLING DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2963) The Board filed proof of publication, accepted the recommendations of staff and the Broward County Zoning Board, and enacted Ordinance 1998-7Z to become effective as provided by law.

END OF QUASI-JUDICIAL HEARING

OFFICE OF BUDGET AND MANAGEMENT POLICY

15. A. MOTION TO ADOPT budget Resolution 1998-325 within the General Fund transferring \$795,000 from the County Commission Reserve for Contingency to the Clerk of the Court to fund a settlement entered into by the Clerk of the Court in Case No. 95-6808 (Beverly Smith et al v. Robert E. Lockwood Clerk of Court). (Tabled from the 10:00 a.m. meeting, Items 38 A-C.)

ACTION: (B-3070) Approved.

B. MOTION TO ADOPT budget Resolution 1998-326 within the General Fund transferring \$200,000 from the Reserve for litigation expenses to the Clerk of the Court to fund a settlement entered into by the Clerk of the Court in Case No. 95-6808 (Beverly Smith et al v. Robert E. Lockwood Clerk of Court). (Tabled from the 10:00 a.m. meeting, Items 38 A-C.)

ACTION: (B-3070) Approved.

C. MOTION TO APPROVE the repayment program in the amount of \$995,000 from the Clerk of the Court to the County to repay funds advanced to the Clerk for the settlement of Beverly Smith et al v. Robert E. Lockwood, Clerk of Court. (Tabled from the 10:00 a.m. meeting, Items 38 A-C.)

ACTION: (B-3070) Approved as amended.

NON AGENDA

16. MOTION TO RECONSIDER Board action on Article V Assessment (Denied at the 10:00 a.m. meeting Item 39A). (Commissioner Lieberman)

ACTION: (B-3766) Approved. The Board directed staff to send a letter supporting the request from the Florida Association of Counties to participate in the education campaign with Floridians for Fairness in Court Funding.

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