

PUBLIC HEARING OF MAY 12, 1998

(Meeting convened at 2:00 p.m. and adjourned at 3:45 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

1. MOTION TO ADOPT Resolution(s) to assess land clearance liens.

ACTION: (B-36 & B-2723) Approved, as amended.

2. A. MOTION TO CONSIDER lease agreement between Broward County and Dry Marinas, Inc. (This is a continuation of the second of two public hearings. The first public hearing was held on Tuesday, March 24, 1998; the second was held on Tuesday, April 14, 1998.)

ACTION: (B-297) Approved, as amended.

B. MOTION TO APPROVE amendment to the payment plan for taxes for 1990 through 1994 with Dry Marinas to extend the plan over 10 years and impose interest on the principal after three years.

ACTION: (B-941) Approved, as amended.

3. MOTION TO CONSIDER enactment of ordinance 1998-12, the title of which is as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 1997-44 OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO COUNTY BOARDS; PROVIDING THAT THE DEFINITION OF EMPLOYEE DOES NOT INCLUDE ELECTED OFFICIALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR

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

(Sponsored by Commissioner Lori Nance Parrish)

ACTION: (B-1752) 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.

4. MOTION TO ENACT an ordinance changing the Zoning District classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is the first of two public hearings. The second public hearing will be held on Tuesday, May 26, 1998 at 2:00 p.m.)

REZONING PETITION 12-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 10, 11 AND 15, TOWNSHIP 49 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; R-2U, TWO-FAMILY DWELLING DISTRICT; R-3, LOW-DENSITY MULTIPLE DISTRICT; RSO, RESIDENTIAL, SINGLE-FAMILY DETACHED & OFFICE DISTRICT; R-1P, ONE-FAMILY DWELLING-PARKING DISTRICT; AND B-2, COMMUNITY BUSINESS DISTRICT; TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT; RS-6, ONE-FAMILY DETACHED DWELLING DISTRICT; RD-10, RESIDENTIAL DUPLEX DWELLING DISTRICT; B-2, COMMUNITY BUSINESS DISTRICT, UTILIZING THE 5% FLEXIBILITY RULE; AND S-1, RECREATIONAL 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-1771) No action taken. The second public hearing is scheduled for Tuesday, May 26, 1998 at 2:00 p.m.

5. MOTION TO ENACT an ordinance changing the Zoning District classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is the first of two public hearings. The second public hearing will be held on Tuesday, May 26, 1998 at 2:00 p.m.)

REZONING PETITION 17-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 7, TOWNSHIP 49 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT, TO RS-5, ONE-FAMILY DETACHED 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-1867) No action taken. The second public hearing is scheduled for Tuesday, May 26, 1998 at 2:00 p.m.

END OF QUASI-JUDICIAL HEARING

(At this time, the Chair advised that Items 45 and 56 which were tabled from the morning meeting will be heard prior to discussion of Item 6 (applicants for the position of County Attorney). Items 45 and 56 are shown in the morning meeting agenda, as well.)

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

45. MOTION TO ADOPT Resolution 1998-487 of the Board of County Commissioners of Broward County, Florida, amending and supplementing Resolution 91-88 adopted on January 29, 1991, as amended and supplemented by Resolutions 91-203 and 91-204; authorizing the issuance by the County of not exceeding \$60,000,000 in aggregate principal amount of Gas Tax Revenue Refunding Bonds, Series 1998, to refund all or a portion of the County's outstanding Gas Tax Revenue (Series 1991) and pay the costs of issuance of such bonds; pledging to secure payment of the principal of and interest on such bonds the County's portion of the Six-Cents Local Option Gas Tax, all moneys on deposit in and investments held for the credit of certain funds and the earnings on such investments; authorizing the distribution of a Preliminary Official Statement and an Official Statement; establishing criteria for determining the date, interest rates, provisions for redemption, and maturity schedule of such bonds; approving the form of and authorizing the modification and execution of an Escrow Deposit Agreement and authorizing the designation of an Escrow Agent thereunder; authorizing the County Administrator to award the sale of said Bonds to one or more of the Original Purchasers described herein on a negotiated basis and approving the execution of a Bond Purchase Agreement and the conditions and criteria of such sale; appointing the Finance Director as the Registrar and Paying Agent for the Bonds; amending certain provisions of Resolution 91-88 regarding the definitions of "Reserve Account Facility", "Variable Rate", "Debt Service Requirement", and "Authorized investments" and the covenant relating to Pledged Revenues; making certain covenants and agreements for the benefit of the holders of such Bonds; and providing an effective date.

ACTION: (B-1935) Approved.

COUNTY ATTORNEY

56. MOTION TO ADOPT Resolution 1998-488 amending Section 21.84 of the Broward County Administrative Code relating to the establishment of a quorum, attendance of meetings, and removal of members of Selection and Negotiation Committees created pursuant to the Broward County Procurement Code.

ACTION: (B-2100) Approved, as amended.

6. DISCUSSION: Applicants for the position of County Attorney. (Deferred from May 5, 1998)

ACTION: (B-2286) The applicants selected by the Board to be interviewed the second week in June for the position of County Attorney were Michael Brenner, Andrew DeGraffenreidt, III, Jorge L. Fernandez, and Willie Earl Hall.

NON AGENDA ITEM

7. ARENA DEVELOPMENT COMPANY: Deputy County Attorney Sharon Cruz advised that The Fourth District Court of Appeals came down with their order on the Arena Development Company vs. Broward County on the prevailing wage issue. The motion for a rehearing was denied. The only recourse now for Arena Development Company will be to go to the Florida Supreme Court.

ACTION: (B-2763) For informational purposes.

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