

## PUBLIC HEARING OF MAY 13, 2003

(Meeting convened at 2:00 p.m.; recessed at 2:39 p.m.; reconvened at 5:18 p.m. and adjourned at 6:12 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Mayor Diana Wasserman-Rubin.

### CALL TO ORDER

1. MOTION TO CONSIDER renewal of a license for Nonemergency Medical Transportation Services (NEMTS) to ABET Enterprises, Inc., Coastal Limousine Service, Inc., and Professional Medical Transportation Corporation.

***ACTION: (Time-5:18 PM) Approved.***

2. MOTION TO ADOPT Resolution 2003-375 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to B & R Agencies, Inc., for a five-year term, to provide steamship agent services at Port Everglades, providing for severability; providing for an effective date, and authorizing the Mayor and Clerk to execute the franchise. The Resolution setting this Public Hearing was adopted on April 29, 2003.

***ACTION: (Time-5:18 PM) Approved.***

3. MOTION TO ADOPT Resolution 2003-376 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Lank Oil Company, for a five-year term, to provide vessel bunkering services at Port Everglades, providing for severability; providing for an effective date, and authorizing the Mayor and Clerk to execute the franchise. The Resolution setting this Public Hearing was adopted on April 29, 2003.

***ACTION: (Time-5:18 PM) Approved.***

4. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 3½, ARTICLE I, SECTION 3½-17 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO INSURANCE REQUIREMENTS FOR PROVIDERS OF NONEMERGENCY MEDICAL TRANSPORTATION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Lori Nance Parrish)

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

5. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 31½, "TAXATION," BY CREATING A NEW SUBSECTION 2, "REDUCTION IN ASSESSMENT FOR LIVING QUARTERS OF PARENTS OR GRANDPARENTS," TO PROVIDE FOR A REDUCTION IN THE ASSESSED VALUE OF HOMESTEAD PROPERTY, WHICH RESULTS FROM THE CONSTRUCTION OR RECONSTRUCTION OF THE PROPERTY FOR THE PURPOSES OF PROVIDING LIVING QUARTERS FOR ONE OR MORE NATURAL OR ADOPTIVE PARENTS OR GRANDPARENTS OF THE OWNER OR THE OWNER'S SPOUSE, AS AUTHORIZED BY LAW; PROVIDING FOR NOTICE TO THE PROPERTY APPRAISER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-5-19 PM) Filed proof of publication and continued the Public Hearing to Tuesday, June 10, 2003, at 2:00 p.m. See Page \*\*\*\*\****

6. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 27, ARTICLE 1, "POLLUTION CONTROL," SECTION 27-4, "DEFINITIONS," SETTING FORTH THE DEFINITION OF TERMS WITHIN THE CHAPTER; AMENDING ARTICLE XIV, "BROWARD COUNTY TREE PRESERVATION AND ABUSE ORDINANCE"; SECTION 27-403, "DOCUMENTS INCORPORATED BY REFERENCE," PROVIDING FOR THE INCORPORATION OF DOCUMENTS AND STANDARDS; AMENDING SECTION 27-404, "DEFINITION," SETTING FORTH THE DEFINITION OF TERMS; AMENDING SECTION 27-405, "GENERAL PROHIBITIONS," TO PROHIBIT THE CLEARING OF NATURAL FOREST COMMUNITIES WITHOUT A LICENSE; AMENDING SECTION 27-407, "MUNICIPAL CERTIFICATION," ESTABLISHING THE PROCEDURES FOR CERTIFICATION OF MUNICIPAL ORDINANCES AND AMENDMENTS; AMENDING SECTION 27-408, "TREE REMOVAL LICENSE REQUIREMENTS AND STANDARDS," PROVIDING THE REQUIREMENTS FOR OBTAINING TREE REMOVAL LICENSES; AMENDING SECTION 27-410, "TREE ABUSE," ESTABLISHING EXEMPTIONS AND REMEDIAL MEASURES FOR TREE ABUSE; CREATING SECTION 27-414 ENTITLED "STOP WORK ORDERS," PROVIDING FOR THE ISSUANCE OF STOP WORK ORDERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-5:51 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. See Page \*\*\*\*\****

7. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 9 OF THE BROWARD COUNTY CODE OF ORDINANCES, CONTRACTORS; AMENDING SECTION 9-6, EXAMINATIONS, REVIEW AND WAIVER, RELATING TO THE SCORE ON EACH PART OF EXAMINATION; AMENDING SECTION 9-7, CERTIFICATION, RELATING TO REQUIREMENTS OF APPLICATION PROCESS; AMENDING SECTION 9-14, COMPLAINTS, DISCIPLINARY ACTIONS, CIVIL PENALTY RANGES, RELATING TO PROBABLE CAUSE DETERMINATIONS AND REHABILITATION; AMENDING SECTION 9-20, RECORDS, RELATING TO RESOLUTIONS OF THE CENTRAL EXAMINING BOARDS; AMENDING SECTION 9-28, PENALTIES AND DISCIPLINARY ACTIONS, TO PROVIDE FOR THE ASSESSMENT OF CIVIL PENALTIES IN ACCORDANCE WITH SECTION 9-38; CREATING A NEW SECTION 9-38, SCHEDULE OF CIVIL PENALTIES, SETTING FORTH THE PENALTIES TO BE LEVIED FOR VIOLATIONS OF CHAPTER 9; AMENDING SECTION 9-42, MEMBERSHIP, APPOINTMENT, QUALIFICATION AND TERMS TO COMPLY WITH CHARTER REQUIREMENTS; AMENDING SECTION 9-43, ORGANIZATION, MEETINGS AND QUORUM TO COMPLY WITH CHARTER REQUIREMENTS; AMENDING SECTION 9-44, REMOVAL OF MEMBERS, VACANCIES; CREATING ARTICLE IX, CENTRAL EXAMINING BOARD RESTITUTION TRUST FUND, SECTIONS 9-141 THROUGH 9-143; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Ilene Lieberman)

***ACTION: (Time-6:03 PM) Filed proof of publication and enacted the Ordinance to become effective on June 1, 2003. See Page \*\*\*\*\****

8. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; PROVIDING FOR AMENDMENT TO CHAPTER 1, ARTICLE XXI, SECTION 1-384 OF THE BROWARD COUNTY CODE OF ORDINANCES CHANGING THE MEMBERSHIP OF THE WATER ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-6:04 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.***

9. MOTION TO CONSIDER adoption of Resolution 2003-377 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; DELETING PART XIV. BROWARD COUNTY WATER ADVISORY BOARD FROM THE BROWARD COUNTY ADMINISTRATIVE CODE; 12.145, "CREATION"; 12.146, "MEMBERSHIP"; 12.147, "MEETING AND ORGANIZATION"; AND 12.148, "DUTIES AND FUNCTIONS" FOR CONFLICTS WITH AND DUPLICATION OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (Time-6:05 PM) Approved.***

10. MOTION TO CONSIDER adoption of Resolution 2003-378 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 27 OF THE BROWARD COUNTY ADMINISTRATIVE CODE, "OPERATIONAL POLICY, PLANNING AND ENVIRONMENTAL PROTECTION"; PROVIDING FOR TITLE; ESTABLISHING PURPOSE AND INTENT; SETTING FORTH DEFINITIONS; PROVIDING GENERAL ELIGIBILITY CRITERIA FOR COMMUNITY GRANT PROGRAM AND BROWARD BEAUTIFUL PROGRAMS AND ACTIVITIES; PROVIDING FOR APPROPRIATION AND FUNDING OF COMMUNITY PROGRAMS; PROVIDING FUNDING METHODS FOR COMMITTEE EXPENDITURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (Time-6:05 PM) Approved.***

11. MOTION TO ADOPT Resolution 2003-379 authorizing the exchange of Broward County (COUNTY) property with property owned by the City of Weston (CITY), in accordance with the provisions of Section 125.37 of the Florida Statutes; authorize the Mayor and Clerk to execute agreement for land exchange for library/civic purposes; authorize acceptance and recordation of deeds. **(Commission District 8)**

***ACTION: (Time-6:05 PM) Approved.***

12. MOTION TO ADOPT Resolution 2003-380 of the Board of County Commissioners of Broward County, Florida, approving Broward County's Annual Action Plan for October 1, 2003 to September 30, 2004, for the U.S. Department of Housing and Urban Development (HUD) 29<sup>th</sup> Year Community Development Block Grant (CDBG) program in the amount of \$5,732,000; reprogrammed CDBG funds from prior years in the amount \$262,496; the HOME Investment Partnerships (HOME) Program in the amount of \$5,059,408; the Emergency Shelter Grants (ESG) Program in the amount of \$170,000; and program income derived from these programs in the amount of \$500,000; authorizing the County Administrator to transmit the Annual Action Plan and take necessary actions for implementation of the 29<sup>th</sup> Year grants; approving the standard agreement shell form; authorizing the County Administrator to execute approved standard agreements; providing for severability; and providing for an effective date. **(Countywide - All Districts)**

***ACTION: (Time-6:06 PM) Approved. See Page \*\*\*\*\****

**NON AGENDA**

13. PENALTIES FOR NOT MEETING SDBE REQUIREMENTS - COMMISSIONER JACOBS

***ACTION: (Time-6:06 PM) The Board directed the County Attorney to research the issue. See Page \*\*\*\*\****

14. SEND LETTER TO CHIEF JUDGE - COMMISSIONER PARRISH

***ACTION: (Time-6:06 PM) The Board directed staff to draft a letter to Chief Judge Dale Ross, from the Mayor, on behalf of the Board of County Commissioners, requesting that the Chief Judge assign, on a volunteer basis, the current waiting list to terminate parental rights, expediting the process. See Page \*\*\*\*\****

15. RELEASE FUNDS SUPERVISOR OF ELECTIONS - COMMISSION AUDITOR

***ACTION: (Time-6:10 PM) MOTION TO RELEASE FUNDS The Board advanced \$180,000 out of the Supervisor's current budget for the February 2003 election. The Board directed staff to release the balance of the unexpended funds (approximately \$75,000) that has been advanced out of the Supervisor of Elections' budget for the February 2003 election, which have been placed into the existing bank account, requiring joint signatures. All funds in the account to be expended in accordance with the direction approved by the Board of County Commissioners. See Page \*\*\*\*\****