

PUBLIC HEARING OF MAY 14, 2002

(Meeting convened at 2:00 p.m. and adjourned at 5:29 p.m.)

PLEDGE OF ALLEGIANCE was led by attorney Sam Fields, from the law firm of Ruden & McClosky.

CALL TO ORDER

1. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:
(Continued from April 23, 2002 - Item No. 2)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 2, AIRPORTS AND AIRCRAFT, OF THE BROWARD COUNTY CODE OF ORDINANCES, RELATING TO HOUSEKEEPING CHANGES; AMENDING ARTICLE 1, GENERAL PROVISIONS, SECTION 2-2, DEFINITIONS; AMENDING ARTICLE II, DIVISION 1, OPERATIONS ON THE AIRPORT OPERATIONS, MOVEMENT AND NONMOVEMENT AREAS, MODIFYING SECTION 2-20(i), RELATING TO NOISE ABATEMENT CONSIDERATIONS AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; ADDING SECTION 2-20(k), PROHIBITING ACTIONS THAT ENCOURAGE THE CONGREGATION OF BIRDS OR WILDLIFE ON THE AIRPORT OPERATIONS AREA; ADDING SECTION 2-20(l), REQUIRING HURRICANE PREPAREDNESS ON THE AIRPORT OPERATIONS AREA; MODIFYING SECTION 2-21(g) RELATING TO TAXIING SPEED ON THE NONMOVEMENT AREA; ADDING SECTION 2-25(a), REGARDING VEHICLE AND UNESCORTED ACCESS TO THE SECURE AREAS OF THE AIRPORT ON NON-TERMINAL EXCLUSIVELY LEASED PREMISES; AMENDING SECTION 2-26, RELATING TO GROUND SUPPORT EQUIPMENT; AMENDING SECTION 2-30, RELATING TO REMOVAL OF DERELICT AIRCRAFT AND VEHICLES FROM THE AIRPORT; AMENDING ARTICLE II, DIVISION 2, LANDSIDE OPERATIONS, SECTION 2-31(a), RELATING TO THE USE OF THE EMPLOYEE PARKING FACILITIES; AMENDING SECTION 2-31(b), RELATING TO COURTESY PARKING IN THE PUBLIC FACILITY; DELETING SECTION 2-32(j), MAINTENANCE OF TERMINAL AND COMMON AREAS; AMENDING ARTICLE III, FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, DIVISION 1, GENERAL PROVISIONS, ADDING SECTION 2-38 (h), MAINTENANCE OF TENANT AND COMMON AREAS; ADDING SECTION 2-38(i), PROHIBITING COMMENCING REPAIRS OR CONSTRUCTION WITHOUT PRIOR AUTHORIZATION OF THE DEPARTMENT; ADDING SECTION 2-38(j), RELATING TO COMPLIANCE WITH MINIMUM STANDARDS PROMULGATED FOR PERSONS ENGAGING IN OPERATIONS AND ACTIVITIES AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; ADDING SECTION 2-38(k), PROHIBITING ENCOURAGING THE CONGREGATION OF BIRDS OR OTHER WILDLIFE; AMENDING SECTION 2-39, PROVIDING FOR ENHANCED SECURITY REQUIREMENTS, BY ADDING CONSENT TO SEARCHES AND INSPECTIONS WHILE ON THE AIRPORT OPERATIONS AREA, RESTRICTING WEAPONS ON THE AIRPORT, AND ADDING FOR ENFORCEMENT OF SECURITY REGULATIONS BY AUTHORIZED PERSONNEL; ADDING SECTION 2-40(f), REQUIRING OPERATORS OF OFF-AIRPORT PARKING FACILITIES TO OBTAIN A PERMIT PRIOR TO USING THE AIRPORT TERMINAL ACCESS ROADWAYS; ADDING SECTION 2-40(g), REQUIRING COMPLIANCE WITH RULES AND REGULATIONS FOR USE OF AIRPORT ROADWAYS BY COMMERCIAL VEHICLES; AMENDING ARTICLE V, NORTH PERRY AIRPORT, TO ADD SECTION 2-137(m), TO REQUIRE SECURITY BADGES FOR ACCESS TO THE AIRPORT OPERATIONS AREAS; AMENDING SECTION 2-140, RELATING TO GROUND VEHICLE OPERATIONS AT NORTH PERRY AIRPORT; AMENDING SECTION 2-142(e), TO REQUIRE TENANT PREPARATIONS IN THE EVENT OF A HURRICANE; ADDING SECTION 2-143, RELATING TO COMPLIANCE

WITH MINIMUM STANDARDS PROMULGATED FOR PERSONS ENGAGING IN OPERATIONS AND ACTIVITIES AT NORTH PERRY AIRPORT; ADDING SECTION 2-144, PROVIDING FOR AIRSPACE PROTECTION FOR NORTH PERRY AIRPORT PURSUANT TO CHAPTER 333, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-2:52 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. See Page*****

2. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows: (Continued from April 23, 2002 - Item No. 3)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 8½, *CODE ENFORCEMENT*, BROWARD COUNTY CODE OF ORDINANCES, TO PROVIDE ALTERNATIVE CODE ENFORCEMENT FOR VIOLATIONS OF CHAPTER 2, *AIRPORTS AND AIRCRAFT*, BROWARD COUNTY CODE OF ORDINANCES, RELATING TO THE RULES AND REGULATIONS FOR THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AND NORTH PERRY AIRPORTS; PROVIDING FOR ISSUANCE OF CITATIONS; PROVIDING A SCHEDULE OF CIVIL PENALTIES FOR VIOLATIONS OF CHAPTER 2; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-3:23 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. See Page*****

3. A. MOTION TO ADOPT Resolution 2002-440 to vacate and abandon road right-of-way and utility easement, lying and being in Broward County, Florida and located at 10200 Sunset Strip, in the City of Sunrise. Petitioner: City of Sunrise (Gerson Garcia - Agent) 2002-V-01. (**Commission District 1**)

ACTION: (Time-3:31 PM) Approved. See Page*****

B. MOTION TO ACCEPT utility easement executed by the City of Sunrise at a nominal cost of \$1 to the County, for right-of-way and utility easement located at 10200 Sunset Strip in the City of Sunrise.

ACTION: (Time-3:31 PM) Approved. See Page*****

C. MOTION TO ACCEPT Traffic Control Devices Easement executed by the City of Sunrise at a nominal cost of \$1 to the County for a right-of-way and traffic control devices easement located at 10200 Sunset Strip in the City of Sunrise.

ACTION: (Time-3:31 PM) Approved. See Page*****

4. A. MOTION TO ADOPT Resolution 2002-441 of the Board of County Commissioners of Broward County, Florida, approving Broward County's Annual Action Plan for October 1, 2002 to September 30, 2003 for the United States Department of Housing and Urban Development (HUD) 28th year Community Development Block Grant (CDBG) program in the amount of \$4,949,000; the Emergency

Shelter Grants Program (ESG) in the amount of \$171,000; the HOME Investment Partnerships Program (HOME) in the amount of \$1A. MOTION TO ADOPT Resolution 2002-441 of the Board of County Commissioners of Broward County, Florida, approving Broward County's Annual Action Plan for October 1, 2002 to September 30, 2003 for the United States Department of Housing and Urban Development (HUD) 28th year Community Development Block Grant (CDBG) program in the amount of \$4,949,000; the Emergency Shelter Grants Program

ACTION: (Time-3:31 PM) Approved. See Page*****

B.MOTION TO ADOPT Resolution 2002-442 of the Board of County Commissioners of Broward County, Florida, amending various annual action plans for the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program in the amount \$57,000; the Emergency Shelter Grants Program (ESG) in the amount \$62,536; and the HOME Investment Partnerships Program (HOME) in the amount \$216,011 to transfer and allocate unexpended funds to the 28th Year Annual Action Plan: authorizing the County Administrator to implement same; providing for severability; and providing for an effective date.

ACTION: (Time-3:31 PM) Approved. See Page*****

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO KOSHER FOOD SALES CONSUMER PROTECTION, AMENDING CHAPTER 20, ARTICLE VII OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SECTION 20-165 BY DELETING THE SAID SECTION AND CREATING A NEW SECTION 20-165; PROVIDING FOR DEFINITIONS; PROVIDING FOR POSTING OF INFORMATION; PROVIDING FOR UNLAWFUL PRACTICE; PROVIDING FOR PRESUMPTIONS; PROVIDING FOR INSPECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-3:31 PM) Filed proof of publication and enacted the Ordinance to become effective upon filing with the Department of State. See Page*****

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO CIVIL PENALTIES FOR VIOLATION OF KOSHER FOOD SALES CONSUMER PROTECTION ORDINANCE; AMENDING CHAPTER 8½, ARTICLE II OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SECTION 8½-16 BY CREATING A NEW SUBSECTION 8½-16(h); PROVIDING CIVIL PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-3:32 PM) Filed proof of publication and enacted the Ordinance to become effective upon filing with the Department of State. See Page*****

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 the 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.

7. MOTION TO CONSIDER enactment of an 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 hearing was held on April 9, 2002 at 2:00 p.m. (This is a Quasi-Judicial Hearing). **(Commission Districts 4 and 7)**.

REZONING PETITION 1-Z-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PARCEL OF LAND LYING IN SECTIONS 21, 22, 27, 28 AND 34, TOWNSHIP 50 SOUTH, RANGE 42 EAST, INCLUDING ALL OF THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT LOCATED WITHIN THE UNINCORPORATED AREA OF BROWARD COUNTY, FLORIDA; FROM UNZONED, —2, GENERAL MANUFACTURING AND INDUSTRIAL DISTRICT, AND M-3, INTENSE MANUFACTURING AND INDUSTRIAL DISTRICT, TO AT, AIRPORT TRANSPORTATION 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: (Time-3:32 PM) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board and enacted the Ordinance to become effective as provided by law. See Page*****

END OF QUASI-JUDICIAL HEARING

CONTINUED FROM 10:00 AM MEETING

PORT EVERGLADES DEPARTMENT

/U<50.>

MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Volume Three, Chapter 42, Section Seven of Port Everglades Tariff No. 11, codified as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code providing for garage parking rates, establishing a rate for oversized vehicles; housekeeping changes to disabled parking provision; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-11:53 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting. See Page *****

ACTION: (Time-3:45 PM) Deferred to September 2002. See Page *****

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

/U<52.>

MOTION TO APPROVE four form interlocal agreements between Broward County and its municipalities for the acquisition, improvement/enhancement, operation and management of sites purchased through the Land Preservation Bond program.

ACTION: (Time-12:14 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting. See Page *****

ACTION: (Time-4:12 PM) Approved. See Page *****

COUNTY ATTORNEY

/U<54.>

DISCUSSION: Status report on the proposed contract for the Tree Canopy Program between the County and Broward League of Cities.

ACTION: (Time-12:20 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting. See Page *****

ACTION: (Time-4:10 PM) The Board approved the contract for the Tree Canopy Program between the County and Broward League of Cities, as amended.

See Page *****

COUNTY COMMISSION

/U<55.>

MOTION TO DISCUSS action taken on April 9, 2002, Item No. 9, including debarment proceedings against Broward County Community Development Corporation, Inc. ("Broward CDC"), to discontinue any and all contractual relationships with Broward CDC, and rescind the 25th and 26th HOME federal program funding year awards to the Broward CDC. (Commissioner Wasserman-Rubin)

ACTION: (Time-12:30 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting. See Page *****

ACTION: (Time-3:48 PM) The Board voted to withdraw the debarment proceedings against Broward County Community Development Corporation, Inc. (Broward CDC”) See Page *****

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SUPPLEMENTAL AGENDA

/U<57.>

MOTION TO FILE letter from World Medical Manufacturing Corporation, notifying Broward County of the reductions in force on or about July 9th, 2002 at their facility located in Sunrise, Broward County, Florida.

ACTION: (Time-12:30 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting. See Page *****

ACTION: (Time-4:12 PM) Withdrawn. See Page *****

58. MOTION TO DISCUSS current status of the Fire Rescue Task Force and all of its subcommittees. (Commissioner Wasserman-Rubin)

ACTION: (Time 12:30 PM-) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting. See Page *****

ACTION: (Time-4:16 PM) The Board directed the County Administrator to bring back all of the costs associated, and a clear distinction between the cost to the unincorporated Broward County residents and the fire stations that are staffed with overtime verses all of the recommendations of the task force.

See Page *****

NON AGENDA

59.

REGISTRATION FEES FOR MUNICIPAL SERVICES ADVISORY BOARD - COMMISSIONER JACOBS

ACTION: (Time-5:00 PM) The Board agreed to pay the registration and travel fees for the Municipal

Service Advisory Board to travel to Tampa, not to exceed a cost of \$500.

60. RATES IN ENVIRONMENTAL TRUST FUNDS - COMMISSIONER JACOBS

ACTION: (Time-5:01 PM) The Board directed the County Attorney to look into whether or not the County could sue the State of Florida on the ratings on some environmental trust funds.

61. RANKINGS BY THE LAND PRESERVATION ADVISORY BOARD - COMMISSIONER JACOBS

ACTION: (Time-5:01 PM) The Board agreed to look into the rankings by the Land Preservation Advisory Board and whether or not the agenda item passed in September of last year should be rescinded or amended.

62. RESOURCE RECOVER BOARD LEGAL FEES - COMMISSIONER GRABER

ACTION: (Time-5:07 PM) The Board directed the Commission Auditor to examine the records of the Resource Recovery Board, specifically relating to legal fees and determine the accuracy of them.

63. S/NC COMMITTEE ON JANITORIAL SERVICES AT FORT LAUDERDALE AIRPORT - COMMISSIONER GRABER

ACTION: (Time-5:11 PM) The Board discussed that visitors to the airport felt Fort Lauderdale Airport was one of the cleanest airports in the country.

64. PORT OF MIAMI REQUEST FOR TUG BOAT SUPPORT - COMMISSIONER GRABER

ACTION: (Time-5:12 PM) The Board commented that Broward County was able to help the Port of Miami in unhooking a freighter that had gotten lodged on some rocks and that Broward County had the only tug boats strong enough to do it.

65. TASK FORCE RESOLUTION - COMMISSIONER RODSTROM

ACTION: (Time-5:13 PM) Commissioner Rodstrom informed the Board that the Task Force had passed a resolution today requesting the County Commission to place on the agenda, a request to update the master plan and look at other options.

66. HERALD ARTICLE ON CONGRESSMAN PETER DEUTSCH - COMMISSIONER RODSTROM

ACTION: (Time-5:14 PM) The Board discussed Congressman Deutsch's request for an expanded EIS going out 30-40 years.

67. WINTER OLYMPICS MENTION - COMMISSIONER LIEBERMAN

ACTION: (Time-5:15 PM) Commissioner Lieberman pointed out to the Board that not only did the Board have Olympic skater Jenny Rodriguez appear before them, but an Olympic Bronze Medal recipient in snow-boarding by the name of Chris Klugg received a liver transplant last year.

68. UN-LICENSED CONTRACTORS- COMMISSIONER LIEBERMAN

ACTION: (Time-5:01 PM) The Board directed the County Attorney to check on the County's ordinance regarding advertising in newspapers of un-licensed contractors.

69. CANCELLATION OF SWIM CENTRAL'S SUMMER PROGRAM - COMMISSIONER LIEBERMAN

ACTION: (Time-5:17 PM) The Board directed the County Administrator to find out what type of application was made by SWIM Central for \$200,000, and to bring it back at the next Commission meeting.

70. SIGNAGE IN FRANKLIN PARK - COMMISSIONER EGGELLETON

ACTION: (Time-5:23 PM) The Board directed the County Administrator to look into the watering of palm trees and see whether or not a truck could be sent out to water the trees.

71. ACTIVITY REPORT-JANITORIAL SERVICES - COMMISSIONER EGGELLETON

ACTION: (Time-5:24 PM) The Board directed the County Administrator to look into the bids from janitorial cleaning services to determine whether or not the County should be accepting the lowest bid.

72. LETTER RECEIVED FROM NICHOLE FONTAYNE-MACK - COMMISSIONER PARRISH

ACTION: (Time-5:26 PM) The Board agreed to have the Chair get together with the County Administrator and send a letter if they deem it appropriate.

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