

PUBLIC HEARING OF JUNE 9, 1998

(The meeting convened at 2:00 p.m. and adjourned at 5:00 p.m.)

PLEDGE OF ALLEGIANCE was led by Dick Brossard, Director, Public Works Department.

CALL TO ORDER

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BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS

BROWARD COUNTY COMPREHENSIVE PLAN

ITEM 1(A) AMENDMENT PCT 98-1

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revisions to Objective 10.02.00 and underlying Policies regarding “Regional Activity Centers” (Part 1) and revisions to Section IV. B “Permitted Uses in Future Land Use Categories”, pertaining to proposed Regional Activity Centers (Part 2).

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: *(B-0110) Approved the amendment per Planning Council recommendation.*

(B) MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST

ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT, AN AMENDMENT TO FUTURE LAND USE CATEGORIES REGARDING "REGIONAL ACTIVITY CENTERS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: *(B-0110) Filed proof of publication and enacted Ordinance 1998- 15 to become effective as provided by law.*

(C)AMENDMENT PC 98-7

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - TOWN OF DAVIE

FROM: Approximately 10 acres Estate (1) Residential, 80 acres Low (3) Residential, 144 acres Low (5) Residential, 338 acres Low-Medium (10) Residential, 141 acres Medium (16) Residential, 70 acres Medium-High (25) Residential, 41 acres Agricultural, 711 acres Community Facilities, 197 acres Commercial, 474 acres Industrial, 14 acres Recreation and Open Space and 24 acres Utilities

TO: Regional Activity Center

SIZE: Approximately 2,244 acres

LOCATION: in Sections 14, 15, 21, 22, 23, 26, 27, 28, 34 and 35, Township 50, Range 41; located east of University Drive, south of State Road 84/Interstate 595, west of the Florida Turnpike and north of Stirling Road.

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: *(B-0110) Approved the amendment per Planning Council recommendation.*

(D)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE

1989 BROWARD COUNTY LAND USE PLAN MAP IN THE TOWN OF DAVIE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: *(B-0110) Filed proof of publication and enacted Ordinance 1998- 16 to become effective as provided by law.*

ITEM 2(A)AMENDMENT PC 98-5

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF PEMBROKE PINES

FROM: Low Medium (10) Residential

TO: Commercial

SIZE: Approximately 30.6 acres

LOCATION: in Section 18, Township 51, Range 41; located east of Hiatus Road, south of Johnson Street and west of Northwest 108 Avenue; bound on the south by Pines Boulevard.

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: *(B-0579) Approved the amendment per Planning Council recommendation.*

(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: *(B-0579) Filed proof of publication and enacted Ordinance 1998- 17 to become effective as provided by law.*

ITEM 3(A)AMENDMENT PC 98-10

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF WESTON

FROM: Approximately 18.5 acres Commercial and 18.2 acres Industrial, all within a dashed-line area indicating an overall density of 1.83 dwelling units per acre

TO: Approximately 18.5 acres Industrial and 18.2 acres Irregular (1.83) Residential, all within a dashed-line area indicating an overall density of 1.83 dwelling units per acre

SIZE: Approximately 36.7 acres

LOCATION: in Section 35, Township 49, Range 39; located east of U.S. 27; bound on the north by Interstate 75; located west of Arvida Parkway and north of Southwest 26 Street.

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: *(B-0647) Approved the amendment per Planning Council recommendation.*

(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP SERIES TO REDESIGNATE THE LAND USE OF THE INDIAN TRACE DEVELOPMENT OF REGIONAL IMPACT LOCATED IN THE CITY OF WESTON; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-0647) Filed proof of publication and enacted Ordinance 1998-18 to become effective as provided by law.

ITEM 4(A)AMENDMENT PC 98-11

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF MIRAMAR

FROM: Approximately 14.3 acres Estate (1) Residential and 9.2 acres Recreation and Open Space

TO: Commercial

SIZE: Approximately 23.5 acres

LOCATION: in Section 29, Township 51, Range 40; located east of Southwest 172 Avenue, south of Pembroke Road and west of Southwest 160 Avenue; bound on the south by Miramar Parkway.

PLANNING COUNCIL RECOMMENDATION: Denial

ACTION: (B-0675) Continued the public hearing to June 16 1998, time certain, the first item following the consent agenda at the 10:00 a.m. commission meeting.

(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF MIRAMAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-0675) Continued the public hearing to June 16 1998, time certain, the first item following the consent agenda at the 10:00 a.m. commission meeting.

ITEM 5(A)AMENDMENT PCT 98-2

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revisions to the Goals, Objectives and Policies pertaining to promoting urban infill and redevelopment while enhancing urban services and protecting natural resources.

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: (B-1021) Approved the amendment per Planning Council recommendation.

(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT, AMENDING THE GOALS, OBJECTIVES AND POLICIES PERTAINING TO PROMOTING URBAN INFILL AND

REDEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-1021) Filed proof of publication and enacted Ordinance 1998- 19 to become effective as provided by law.

ITEM 6(A)AMENDMENT PCT 98-3

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revisions to existing policies pertaining to natural resources pursuant to the Broward County Land Use Plan Evaluation and Appraisal Report.

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: (B-1076) Approved the amendment per Planning Council recommendation.

(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT, AMENDING THE EXISTING POLICIES PERTAINING TO NATURAL RESOURCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-1076) Filed proof of publication and enacted Ordinance 1998- 20 to become effective as provided by law.

ITEM 7(A)AMENDMENT PCT 98-5

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revisions to include live-aboard vessels within the definitions and provisions of the Broward County Land Use Plan.

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: (B-1124) Continued the public hearing to June 23, 1998 at 10:00 a.m. to enable the Interim County Attorney to refine the language in the definition of live-aboard vessels.

ITEM 7(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT, TO INCLUDE LIVE-ABOARD VESSELS WITHIN THE DEFINITIONS AND PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-1124) Continued the public hearing to June 23, 1998 at 10:00 a.m.

ITEM 8(A)AMENDMENT PCNRM 98-1

AMENDMENT TO THE NATURAL RESOURCE MAP SERIES OF THE BROWARD COUNTY LAND USE PLAN

Annual amendment to update the Wetlands Map of the Natural Resource Map Series of the Broward County Land Use Plan.

PLANNING COUNCIL RECOMMENDATION: Approval

ACTION: (B-1114) Approved the amendment per Planning Council recommendation.

(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN, BY AMENDING THE WETLANDS MAP OF THE NATURAL RESOURCE MAP SERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-1114) Filed proof of publication and enacted Ordinance 1998- 21 to become effective as provided by law.

ITEM 9(A)AMENDMENT TO THE DEEPWATER PORT COMPONENT OF THE COASTAL MANAGEMENT ELEMENT

Annual Amendment to update the Deepwater Port Component/Coastal Management Element policies.

RECOMMENDED ACTION: Approve the amendment per Local Planning Agency recommendation.

ACTION: *(B-2124) Approved the amendment per Local Planning Agency recommendation.*

(B)MOTION TO ENACT AN ORDINANCE amending the Broward County Comprehensive Plan to adopt an amendment as part of the first annual 1998 amendment to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE DEEPWATER PORT COMPONENT OF THE COASTAL MANAGEMENT ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: *(B-2124) Filed proof of publication and enacted Ordinance 1998- 22 to become effective as provided by law.*

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10. MOTION TO ADOPT Resolutions 1997-571 thru 1998-605 to assess land clearance liens.

ACTION: (B-2150) Approved.

11. MOTION TO ADOPT Resolution 1998-606 to vacate and abandon a road reservation, lying and being in Broward County, Florida and located south of Hilton Road between Lyons Road and State Road 7 in the City of Coconut Creek. Petitioner: Green Land Trust & Virgil D. Green Revocable Living Trust (Winningham & Fradley, Inc.- Agent) 6-V-97.

ACTION: (B-2181) Approved.

12. MOTION TO ADOPT Resolution 1998-607 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Worldwide Shore Services, Inc., for time period certain, to operate as a steamship agent at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise.

ACTION: (B-2197) Approved.

13. A. MOTION TO ADOPT Resolution 1998-608 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non- exclusive franchise to Crowley American Transport, Inc.,

for time period certain, to conduct stevedoring operations at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise.

ACTION: (B-2207) Approved.

B. MOTION TO ADOPT Resolution 1998-609 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Crowley American Transport, Inc., for time period certain, to conduct cargo handling operations at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise.

ACTION: (B-2207) Approved.

14. A. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, approving Broward County's Annual Action Plan for Fiscal Year 1999 for the U.S. Department of Housing and Urban Development's Twenty-Fourth (24th) Year Community Development Block Grant Program in the amount of \$7,406,000; the Emergency Shelter Grants Program in the amount of \$244,000; the HOME Investment Partnerships Program in the amount of \$1,774,000; and \$310,000 of Program Income; providing for severability; and providing for an effective date.

ACTION: (B-2218) Deferred to June 23, 1998 at the 2:00 p.m. public hearing.

B. MOTION TO APPROVE contingency list of project(s) to be funded, should funds become available from completed or canceled projects approved in the previous program year.

ACTION: (B-2218) Amended the contingency list of items to be funded and deferred the item to June 23, 1998 at the 2:00 p.m. public hearing.

NON AGENDA

15. BOARD DISCUSSION - COUNTY ATTORNEY

The Board members discussed the options regarding the selection of the County Attorney.

ACTION: (B-4540) The Board will continue to review the options for selection of the County Attorney at its next commission meeting on June 16, 1998. The Commission Auditor was directed to provide a list of potential headhunters for the Board's consideration.

16. TOBACCO FUNDS - COMMISSIONER GUNZBURGER

Commissioner Gunzburger commented that Palm Beach County received \$2 million in Tobacco settlement funds for its primary health care. Commissioner Gunzburger stated that Broward County had requested the \$2 million, and asked staff to research whether Broward County could recover the \$2 million through another funding source for its primary health care.

ACTION: (B-5263) Staff was directed to research why the County did not receive any Tobacco funding and the possibility of recovering the \$2 million for primary health care through another

funding source.

17. SCHEDULE FOR TELEVISIONING COMMISSION MEETINGS - COMMISSIONER GUNZBURGER

Commissioner Gunzburger requested a schedule of when the County Commission meetings are televised.

ACTION: (B-5263) Staff will inquire as to the scheduling program for televised County Commission meetings.

18. TOWN HALL MEETING - COMMISSIONER GUNZBURGER

Commissioner Gunzburger invited Board members and interested parties to attend a Town Hall meeting she is conducting for her district (District 6) on June 30, 1998, from 7:00 p.m. to 9:00 p.m. at the Hollywood City Hall Chamber Room. The meeting will focus on the County's long range planning and the needs of her district for the next several years.

ACTION: (B-5290) No Board action was taken.

19. MENTAL HEALTH REFERRAL FACILITY - COMMISSIONER GUNZBURGER

Commissioner Gunzburger commented that she has been lobbied by some members of the legal community that the County Commission consider appropriating \$250,000 from its FY 1999 budget for a mental health referral facility.

ACTION: (B-5336) No board action was taken.

20. MITIGATION - AIRPORT/SEAPORT, WEST LAKE PARK & WORLD GATE ASSOCIATES, LIMITED PARTNERSHIP - COMMISSIONER RODSTROM

Following review of recent Miami Herald news articles, Commissioner Rodstrom expressed concerns regarding the impact on the County's Airport, Seaport and West Lake Park properties due to World Gate Associates' mitigation project near Port Everglades.

ACTION: (B-6127) Motion to rescind item 107 from the March 17, 1998 meeting will be placed on the agenda of the June 16, 1998 commission meeting for the Board's consideration. The County Attorney's Office was asked to confirm whether there was liability attached to the County if the Commission rescinds the motion, given the fact that it was a conceptual approval of the agreement.

21. ECONOMIC DEVELOPMENT - COMMISSIONER LIEBERMAN

Commissioner Lieberman referred to a letter she received from Fred Karnas Jr., Deputy Assistant Secretary for Economic Development, which states that they would find a statement of intent by the County acceptable evidence of its plan to match a portion of the County's Continuum of Care funding request with funds derived from local tax dollars upon the passage of the County's budget this fall.

ACTION: (B-6373) No Board action was necessary for informational purposes.

22. SOUTH FLORIDA ASTRONOMY ASSOCIATION, MARKHAM PARK

Commissioner Lieberman asked the County Administrator to research the South Florida Astronomy Association's contract for the Fox Observatory in Markham Park, relative to exactly what repairs the Astronomy Association was expected to make to the facility it occupies.

ACTION: (B-6403) Staff will review the South Florida Astronomy Association's contract to determine what repairs the Astronomy Association is responsible for.

23. SELECTION/NEGOTIATION COMMITTEE ATTENDANCE - THE CHAIR

Commissioner Parrish informed the Board that she was unable to attend the briefing on the Passenger Terminal due to the fact that she had to attend an editorial meeting with the County Administrator. She asked if she could be given special dispensation to remain on the Selection/Negotiation Committee.

ACTION: (B-6558) The Chair was advised by Interim County Attorney Sharon L. Cruz that the policy set forth by the Board must be followed; the commissioners must take formal action and reappoint the Chair to the Selection/Negotiation Committee. Without objection, Commissioner Parrish was reappointed to the Selection/Negotiation Committee.

24. COMMISSIONING OF USS HIGGINS (DDG 76) - THE CHAIR

The Chair relayed she received a letter from Joseph R. Millsaps, Chair, Broward Navy Days, Inc., for assistance in expressing the community's support for the commissioning of the USS Higgins (DDG 76) by writing the Commanding Officer a letter, on behalf of the County Commission, indicating its support of the commissioning at Port Everglades.

ACTION: (B-6645) The Chair, on behalf of the County Commission, will send a letter of support to Commander James "Red" Smith, USN, requesting that the commissioning of the USS Higgins (DDG 76) take place at Port Everglades.

[Back to previous page](#)