

# PUBLIC HEARING OF JULY 11, 1995

(The meeting convened at 2:00 p.m. and adjourned at 3:50 p.m.)

## CALL TO ORDER

1. MOTION TO ADOPT Resolution 95-655 to vacate and abandon right-of-way lying and being in Broward County, Florida, located at Northwest 6 Court between Northwest 42 Street and State Road 7 (U.S. 441) in the city of Plantation. Petitioner: Bolton-Hooley, Inc. (McLaughlin Engineering Co. - Agent) 37-V-92.

ACTION: (B-1560) Approved.

2. MOTION TO ADOPT Resolution 95-656 to vacate and abandon rights-of-way, lying and being in Broward County, Florida, located at 2700 Northwest 12 Court, 2700 Northwest 13 Street, and 1200 Northwest 24 Terrace, all in Unincorporated Broward County. Petitioner: The School Board of Broward County. 11-V-95.

ACTION: (B-1567) Approved.

3. A. MOTION TO ADOPT Resolution 95-657 to vacate and abandon road utility easements, lying and being in Broward County, Florida, located at the southwest corner of Dykes Road and Stirling Road in unincorporated Broward County.

ACTION: (B-1581) Approved.

B. MOTION TO ACCEPT utility easement executed by the Sikh Society of Florida Inc. dated April 21, 1995, and authorize recordation of same. Petitioner: Sikh Society of Florida, Inc. (Leigh-Robinson Kerr and Associated - Agent) 17-V-95.

ACTION: (B-1581) Approved.

4. A. MOTION TO CONSIDER enactment of Ordinance 95-29, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CALLING FOR A REFERENDUM ON THE QUESTION OF WHETHER A ONE-CENT DISCRETIONARY SALES SURTAX SHALL BE LEVIED IN BROWARD COUNTY FOR A PERIOD OF SEVEN (7) YEARS ON ALL TRANSACTIONS IN BROWARD COUNTY SUBJECT TO STATE SALES TAX, IN ACCORDANCE WITH SECTION 212.055(2), FLORIDA STATUTES; SETTING A TIME FOR A REFERENDUM; PROVIDING FOR BALLOT LANGUAGE; AUTHORIZING LEGAL ADVERTISEMENTS; PROVIDING FOR ELECTION PROCEDURES; SETTING FORTH THE USES OF THE SURTAX; PROVIDING FOR DISTRIBUTION OF THE PROCEEDS OF THE SURTAX; LEVYING THE SURTAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-205) The Board filed proof of publications and enacted Ordinance 95-29, as amended, to become effective as provided by law.

B. MOTION TO APPROVE the form of Sales Tax Interlocal Agreement between Broward County, the School Board of Broward County, Florida, and various municipalities, and to authorize the Chair and Clerk to execute same upon the approval by each signatory municipality.

ACTION: (B-205) Approved.

5. MOTION TO CONSIDER the award of Certificates of Public Convenience and Necessity, Class 1 - Advanced Life Support Rescue (renewal) to Broward County; the cities of Deerfield, Hallandale, Hollywood, Miramar, Oakland Park, Pembroke Pines, and Pompano Beach.

ACTION: (B-1585) Approved.

6. MOTION TO CONSIDER the award of Certificates of Public Convenience and Necessity, Class 3 - Advanced Life Support Transfer (renewal) to American Ambulance Service, Inc. and LifeFleet Atlantic Ambulance.

ACTION: (B-1592) Approved.

7. MOTION TO CONSIDER the award of a Certificate of Public Convenience and Necessity, Class 5 - Advanced Life Support Air Rescue (renewal) to Broward County.

ACTION: (B-1597) Approved.

8. MOTION TO APPROVE the award of licenses (renewal) to provide Nonemergency Medical Transportation Services (NEMTS) to AAA Wheelchair Wagon Service, Inc.; city of Margate; and Village Car Service, Inc.

ACTION: (B-1600) Approved.

9. MOTION TO APPROVE the award of a license (new) to provide Nonemergency Medical Transportation Services (NEMTS) to American Ambulance Service, Inc.

ACTION: (B-1609) Approved.

10. MOTION TO CONSIDER a Certificate of Public Convenience and Necessity, Class 1 - Advanced Life Support (ALS) Rescue and Class 8 - ALS First Responder (new) to the city of North Lauderdale.

ACTION: (B-1614) Approved Class 8 effective immediately and Class 1 effective October 1, 1995.

11. MOTION TO CONSIDER a Certificate of Public Convenience and Necessity, Class 1 - Advanced Life Support (ALS) Rescue and Class 8 - ALS First Responder (new) to the city of Pembroke Park.

ACTION: (B-1668) Approved.

12. MOTION TO CONSIDER a Certificate of Public Convenience and Necessity, Class 1 - Advanced Life Support (ALS) Rescue and Class 8 - ALS First Responder (new) to the Town of Davie.

ACTION: (B-1674) Approved Class 8 effective immediately and Class 1 effective October 1, 1996.

13. A. MOTION TO ADOPT Resolution 95-658 approving Broward County's Consolidated Strategic

Plan for the five-year period 1996-2000, and one year (Fiscal Year 1995-1996) Action Plan for the U.S. Department of Housing and Urban Development 21st Year Community Development Block Grant Program in the amount of \$8,787,000; the Emergency Shelter Grants Program in the amount of \$254,000; the HOME Investment Partnerships Program in the amount of \$1,875,000 and \$545,000 of Program Income, and authorize the County Administrator to take the necessary administrative actions for implementation of these grants.

ACTION: (B-1938) Approved.

B. MOTION TO APPROVE a contingency list of projects to be funded, should funds become available from completed or cancelled projects.

ACTION: (B-1938) Approved.

14. A. MOTION TO APPROVE a compliance agreement with the Florida Department of Community Affairs (DCA) regarding Broward County Land Use Plan Amendments PCNRM Nos. 94-6, 94-7, and 94-8 establishing an urban infill area and urban redevelopment areas exempt from Broward County's traffic concurrency requirements.

ACTION: (B-2068) Approved.

B. MOTION TO CONSIDER enactment of a proposed ordinance amending the following Traffic Circulation Element of the Broward County Comprehensive Plan consistent with the provisions of the compliance agreement with the Department of Community Affairs:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, AMENDING THE TRAFFIC CIRCULATION ELEMENT PERTAINING TO THE URBAN INFILL AREA WITHIN EASTERN BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2068) The Board filed proof of publications and enacted the ordinance to become effective as provided by law.

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

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING ARTICLE VII, CHAPTER 5 OF THE BROWARD COUNTY CODE OF ORDINANCES, ENTITLED "AREA PLANNING COUNCIL," AMENDING SECTION 5-115 PROVIDING FOR DESIGNATION OF LOCAL PLANNING AGENCIES TO INCLUDE AN AGENCY FOR A PUBLIC SCHOOL ELEMENT; AMENDING SECTION 5-116 PROVIDING FOR DUTIES, POWERS AND RESPONSIBILITIES OF THE LOCAL PLANNING AGENCY AND BOARD OF COUNTY COMMISSIONERS TO INCLUDE THE PREPARATION OF A PUBLIC SCHOOL ELEMENT; AMENDING SECTION 5-117 PROVIDING FOR PUBLIC MEETINGS AND RECORDS AT LOCAL PLANNING AGENCY MEETINGS; AMENDING SECTION 5-118 PROVIDING FOR

A TECHNICAL ADVISORY COMMITTEE TO AID LOCAL PLANNING AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND

PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2073) The Board filed proof of publications and enacted the ordinance to become effective as provided by law.

16. A. MOTION TO CONSIDER enactment of Ordinance 95-30, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO PERSONNEL; AMENDING CHAPTER 26 OF THE BROWARD COUNTY CODE CONCERNING PERSONNEL; AMENDING SECTION 26-1 REGARDING AUTOMOBILE INSURANCE; REVISING AUTOMOBILE INSURANCE REQUIREMENTS; AMENDING SECTION 26-3 REGARDING CLASSIFICATIONS OF EMPLOYEES; CHANGING REFERENCE FROM CLASSIFICATION OF EMPLOYEES TO CLASSIFICATION OF POSITIONS; AMENDING SECTION 26-6 REGARDING ADVERSE ACTION AGAINST PERSONS FOR DISCLOSING INFORMATION OF SPECIFIED NATURE; DELETING "GROSS MISMANAGEMENT" FROM STATEMENT OF LEGISLATIVE INTENT; EXCEPTING FROM COVERAGE CERTAIN PERSONS SUBJECT TO CARE, CUSTODY, OR CONTROL OF STATE CORRECTIONAL SYSTEM; AUTHORIZING DESIGNATION OF COUNTY STAFF TO SERVE ON REVIEW PANEL; AMENDING SECTION 26-13 REGARDING DEDUCTIONS FOR SOCIAL SECURITY AND TAXES; REVISING REFERENCE TO COVERED EMPLOYEES FROM "PERMANENT" TO "ONGOING"; AMENDING SECTION 26-14 REGARDING SPECIAL BENEFITS; DELETING SPECIFIC ELIGIBILITY REQUIREMENT AND TYPES OF HEALTH INSURANCE PLANS TO BE OFFERED; AMENDING SECTION 26-16 REGARDING ELECTED PUBLIC OFFICE; DELETING REQUIREMENT THAT EMPLOYEES RUNNING FOR ELECTIVE OFFICE TAKE UNPAID LEAVE; DELETING OBSOLETE REFERENCE TO PERSONAL DAYS; AMENDING SECTION 26-28 REGARDING LEAVES GRANTED; REMOVING REFERENCE TO SPECIFIED TYPES OF LEAVE; AMENDING SECTION 26-49 RELATING TO "EMPLOYEES" DEFINED; DELETING OBSOLETE REFERENCE TO EMPLOYEES OF EMBROCO FEDERAL CREDIT UNION; AMENDING SECTION 26-57 REGARDING ESTABLISHMENT AND ADMINISTRATION OF AWARDS PROGRAMS; CHANGING REFERENCE FROM "ADMINISTRATIVE" LEAVE TO "SPECIAL PAID" LEAVE; CREATING SECTION 26-69 REGARDING ADDITIONAL STANDARDS AND POLICIES; CONFIRMING AUTHORITY OF COUNTY ADMINISTRATOR TO ESTABLISH ADDITIONAL ETHICS STANDARDS; AMENDING SECTION 26-82 REGARDING CIVIL SERVICE, PURPOSE AND AUTHORITY, ETC.; ADDING AS A MERIT PRINCIPLE FLEXIBILITY TO CONDUCT COUNTY BUSINESS IN EFFICIENT AND COST-EFFECTIVE MANNER; AMENDING SECTION 26-83 REGARDING SCOPE AND APPLICATION OF CIVIL SERVICE; DELETING WORD "CONTINUING" AS UNNECESSARY; RELOCATING COUNTY ADMINISTRATOR'S AIDE IN LIST OF CLASSIFICATIONS EXCLUDED FROM CLASSIFIED CIVIL SERVICE; REVISING REFERENCE FROM "TEMPORARY POSITIONS" TO "TEMPORARY PERSONNEL"; AMENDING SECTION 26-85 REGARDING ADMINISTRATION; DELETING REFERENCE TO PERSONNEL REVIEW BOARD; ADDING ROLE OF HEARING OFFICERS; DELETING PROVISION CONCERNING AFFIRMATIVE ACTION ADVISORY COMMITTEE; DELETING PROVISIONS REGARDING VETERANS PREFERENCE POINTS; ADDING TO RESPONSIBILITIES OF DIRECTOR OF HUMAN RESOURCES, THE DEVELOPMENT AND IMPROVEMENT OF FRINGE BENEFITS AND THE PREPARATION OF HEARING PROCEDURES FOR CONDUCT OF EVIDENTIARY HEARINGS; REVISING HUMAN RESOURCES DIRECTOR'S REPORTING REQUIREMENTS; AMENDING SECTION 26-86 REGARDING PERSONNEL REVIEW BOARD; REPEALING CREATION OF PERSONNEL REVIEW BOARD; PROVIDING FOR HEARING OFFICERS;

ESTABLISHING POWERS AND AUTHORITY OF HEARING OFFICERS; AMENDING SECTION 26-87 REGARDING THE PERSONNEL ADVISORY BOARD; DELETING OBSOLETE REFERENCE TO ORDINANCE 79-36; ESTABLISHING ADDITIONAL STANDARDS OF CONDUCT; PROVIDING FOR REMOVAL OF SELECTED EMPLOYEE MEMBERS FOR CAUSE; PROVIDING PROCEDURE FOR REMOVAL; PROVIDING FOR SWEARING IN OF SELECTED MEMBERS; REVISING REPORTING REQUIREMENTS; AMENDING SECTION 26-90 REGARDING EQUAL EMPLOYMENT OPPORTUNITY GUARANTEED; CHANGING REFERENCES TO THE EQUAL EMPLOYMENT OPPORTUNITY DIRECTOR TO DIRECTOR OF THE OFFICE OF EQUAL OPPORTUNITY; PROVIDING THAT AN EMPLOYEE WHO ALLEGES DISCRIMINATION IN ANY PERSONNEL TRANSACTION MAY COUNSEL WITH AND REQUEST A FORMAL INVESTIGATION BY THE OFFICE OF EQUAL OPPORTUNITY; AMENDING VARIOUS SECTIONS OF CHAPTER 26 TO ACCOMPLISH THE FOLLOWING: CHANGE REFERENCES FROM "HANDICAP" TO "DISABILITY," AND FORMS THEREOF; CHANGE REFERENCES FROM "PERSONNEL" TO "HUMAN RESOURCES," AND FORMS THEREOF; CHANGE REFERENCES FROM "HEADS" OF DEPARTMENTS, DIVISIONS, AND OFFICES, TO "DIRECTORS" OF SUCH AGENCIES, AND FORMS THEREOF; CHANGE REFERENCES FROM "EXEMPTION" OR "EXCEPTION" FROM CLASSIFIED CIVIL SERVICE TO "EXCLUSION," AND FORMS THEREOF; EXPANDING REFERENCES TO CIVIL SERVICE RULES BY ADDITION OF "AND REGULATIONS" WHERE APPROPRIATE; CHANGE TO GENDER-NEUTRAL LANGUAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2112) The Board filed proof of publications and enacted Ordinance 95-30, as amended, to become effective upon adoption.

B. MOTION TO ADOPT Resolution 95-659 amending Broward County Civil Service Rules and Regulations, making various ministerial and substantive changes to the Rules, and amending Chapter 19 of the Administrative Code concerning Whistleblower procedures.

ACTION: (B-2112) Approved as amended.

## **QUASI-JUDICIAL HEARING**

Please be advised that the following items on the County 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. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

17. MOTION TO ENACT Ordinance 95-4Z changing the zoning district of certain lands within the unincorporated area of Broward County, Florida, subject to dedication of road right-of-way (Rezoning Petition 3-Z-95).

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 13, TOWNSHIP 50 SOUTH, RANGE 41 EAST; FROM R-2, TWO-FAMILY DWELLING DISTRICT AND B-3, GENERAL BUSINESS

DISTRICT TO B-3, GENERAL BUSINESS 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-3185) The Board filed proof of publications; enacted Ordinance 95-4Z to become effective as provided by law, and accepted the Hearing Officer's findings of fact and conclusions of law that the requested zoning is consistent with the Broward County Comprehensive Plan and Land Use Map which meets the applicable criteria set forth in the Broward County Zoning Code, Section 39-1352. Additionally, the Board approved staff's recommendations to delete the title of the subject item which includes "subject to the dedication of road right-of-way".

## **END OF QUASI-JUDICIAL HEARING**

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