

# PUBLIC HEARING OF AUGUST 11, 1998

*(The meeting convened at 2:00 p.m. and adjourned at 4:15 p.m.)*

PLEDGE OF ALLEGIANCE - *led by Mr. Walt Dix, Broward County Professional Paramedics and Fire Fighters, International Association of Fire Fighters (IAFF), Local 333.*

## CALL TO ORDER

1. MOTION TO ADOPT Resolution 1998-745 to vacate and abandon an access easement, lying and being in Broward County, Florida and located at the southwest corner of Southwest 133 Avenue and State Road 84 in the Town of Davie. Petitioner: Helbar Investment Corp., Inc. (Richard D. Abraham - Agent) 20-V-98.

## **ACTION: (B-126) Approved.**

2. MOTION TO ADOPT Resolution 1998-746 to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 2966 Myrtle Oak Circle in the Town of Davie. Petitioner: Forest Ridge Community Development, Ltd. (Craven Thompson & Associates, Inc. - Agent) 16-V-98.

## **ACTION: (B-133) Approved.**

3. MOTION TO ADOPT Resolution 1998-747 to vacate and abandon a traffic control easement, lying and being in Broward County, Florida and located on the west side of Weston Road across from its intersection with Pacific Loop Road in the City of Weston. Petitioner: Equitable Life Assurance Society of The United States (Craven Thompson & Associates, Inc. - Agent) 18-V-98.

## **ACTION: (B-139) Approved.**

4. MOTION TO APPROVE the first amendment to an agreement of lease between Broward County and BCCC Hotel Limited Partnership, and authorize the Chair and Clerk to execute same. (This is the second of two public hearings. The first public hearing was held on July 14, 1998 at 2:00 p.m.)

## **ACTION: (B-141) Approved.**

5. A. MOTION TO FILE proof of publication of a public hearing to consider whether the issuance of 15 new taxicab permits should be authorized.

## **ACTION: (B-167) Approved.**

B. MOTION TO FILE proof of publication of a public hearing to consider whether the issuance of 7 new limousine permits should be authorized.

## **ACTION: (B-167) Approved.**

C. MOTION TO ADOPT Resolution 1998-748 directing the County Administrator to publish notice of public hearing for October 13, 1998 at 2:00 p.m., Room 422 of the Broward County Governmental Center, for the purpose of holding a drawing to award new taxicab and/or limousine permits to applicants.

## **ACTION: (B-167) Approved.**

D. MOTION TO DIRECT staff to explore the possibilities of allowing dividing the permits in order for individuals to become independant taxi drivers; similar to a current study reviewed in Miami-Dade County. (Commissioners Gunzburger and Lieberman)

***ACTION: (B-167) Approved. The Board directed staff to review how the ratio of individuals per taxi cabs and/or limousines were derived, if the numbers have changed; ensure that no more money is collected for new permits until the matter was resolved, and provide a report back to the Board.***

## **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.

6. MOTION TO ENACT 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, August 25, 1998 at 2:00 p.m.)

REZONING PETITION 3-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT; R-1P, ONE-FAMILY DWELLING-PARKING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; R-2P; TWO-FAMILY DWELLING-PARKING DISTRICT; AND R-3, LOW-DENSITY MULTIPLE DISTRICT; TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT; RS-6; ONE-FAMILY DETACHED DWELLING DISTRICT; RD-10, RESIDENTIAL DUPLEX DWELLING DISTRICT; AND RM-10, MULTIPLE-FAMILY 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-680) The Chair announced that the second public hearing will be held on Tuesday, August 25, 1998 at 2:00 p.m. and directed staff to report whether the rezoning designation would allow the flexibility provision to occur in the area.***

7. MOTION TO ENACT 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, August 25, 1998 at 2:00 p.m.)

REZONING PETITION 4-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 7, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1B, ONE-FAMILY DWELLING DISTRICT; R-1C, ONE-FAMILY DWELLING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; R-3, LOW-DENSITY MULTIPLE DISTRICT; AND R-5, MOTEL DISTRICT; TO RS-4, ONE-FAMILY DETACHED DWELLING DISTRICT; RD-9, RESIDENTIAL DUPLEX DWELLING DISTRICT ALLOCATING ONE (1) RESERVE UNIT; RD-10, RESIDENTIAL DUPLEX DWELLING DISTRICT; AND RM-15, MULTIPLE-FAMILY 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-880) The Chair announced that the second public hearing will be held on Tuesday, August 25, 1998 at 2:00 p.m.***

8. MOTION TO ENACT 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 public hearing was held on Tuesday, July 14, 1998.)

REZONING PETITION 20-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST; FROM R-1A, ONE-FAMILY DWELLING DISTRICT; R-1C, ONE-FAMILY DWELLING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; AND R-2U, TWO-FAMILY DWELLING DISTRICT; TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT; RM-10, MULTIPLE-FAMILY DWELLING DISTRICT; AND S-2, OPEN SPACE 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-1170) The Board filed proof of publications and enacted Ordinance 1998-10Z to become effective as provided by law.***

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

### **NON AGENDA**

9. DISCUSSION The Master Facilities Plan for the Libraries Division performed by Providence Associates Inc., the possibility of reviewing the library bond issue as an option, and the alternative of building additional library facilities with the county accepting long term leases to reduce costs. (Commissioner Cowan)

***ACTION: (B-1526) The Board directed the County Administrator to designate staff to:***

- explore the options of contracting with development entities to build facilities and the county accepting long term leases before examining the options of the bond issue for the March 1999 ballot;***
- investigate partnership opportunities with the School Board of Broward County (on its expansion of new high schools to include libraries and media centers for accessibility to the community), Broward Community colleges, Higher Education Facilities, bookstores, the Young at Art of Broward Inc. in the Town of Davie, Lauderhill City Hall, Graves Museum of Archeology and Natural History in Dania, Hollywood Beach Civic Center's Reading Room, the Cities of Tamarac, Weston and Miramar (Miramar has an interest in a public complex and to donate land to build a library);***
- determine the method of increasing the size and number of libraries to meet the needs of the community; assess whether it is warranted to build a neighborhood and regional library, and resolve the under served areas first;***
- examine the need for a computerized network to allow patrons to access library materials electronically;***
- research the National Association of Counties (NAC) to explore ways library services are offered;***
- review the plan with the time frame that meets changing needs in the community and provide a cost analysis to the Board, and***
- allow the Library Advisory Board, the Broward Public Library Foundation Inc., the Broward County Library Association, and the Friends of the Broward County Library an opportunity to review the plan and send the county commission their recommendation together with staff's analysis in one month.***

10. DISCUSSION Guidelines of adopting a comprehensive county-wide swimming program for every child in partnership with the Broward County League of Cities, Parks and Recreation Division, and the School Board of Broward County and making it a requirement as part of the county's licensing of day care centers, in order to prevent frequent drownings in the community due to the number of canals, lakes, and swimming pools in Broward County. (Commissioner Lieberman)

***ACTION: (B-3325) The Board directed the Human Services Department to provide a report to the Board within the next 30 days.***

11. DISCUSSION The Exempt Areas Located Within the Rural Ranches and Rural Estates Land Use Categories from Mandatory Water Connection Requirements Ordinance enacted at the July 14, 1998 2:00 p.m. public hearing, Item 6. (Commissioner Parrish)

***ACTION: (B-3204) The Board directed the County Attorney's Office to clarify the Board's action on the type of testing to be performed on the system which meets the specifications (by designating staff to purchase at Home Depot a water test kit and provide information on all the items it will test and to be included in the ordinance); the requirement for an affidavit to be submitted to the Broward County Health Department, and involve Mr. Steve Somerville, Department of Natural Resource Protection Director, in this matter.***

12. DISCUSSION At the Board's request, County Administrator Roger J. Desjarlais referred to a letter dated July 20, 1998 from Mr. Jamie Alan Cole, City of Hollywood Attorney, written to the members of the Group City Emergency Medical Coalition of Broward County, Florida Inc. and other affected cities regarding the Underpayment of "Minnet" Funds (amounts paid by the county to 11 municipalities that provide their own Emergency Medical Services (EMS) based on an audit conducted by an accounting firm) and noted the decision, due to the possible statute of limitations, to forward statutorily required notices to the county on the Coalition's intent to file suit.

Mr. Desjarlais mentioned staff's request for a copy of an audit which could not be obtained; noted the County Attorney's Office preparation of a public records request, and addressed the need for staff to have an opportunity to review same and advise the commission accordingly.

**ACTION: (B-3753) No action was taken.**

13. ANNOUNCEMENT The Chair referred to Wheelabrator South Broward Inc.'s letter dated July 6, 1998 regarding the Corporate Volunteer Council of Broward County's second annual Back to School Blowout on Saturday, August 8, 1998 at the Sawgrass Mills Mall. The commissioners reported on their experiences in participating with volunteer shoppers sponsoring needy children from the Urban League of Broward County and 4 Children's SAKE.

***ACTION: (B-4042) The Board publicly acknowledged the community service that Wheelabrator contributed.***

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