

PUBLIC HEARING OF SEPTEMBER 9, 2003

(The meeting convened at 2:00 p.m. and adjourned at 3:08 p.m.)

PLEDGE OF ALLEGIANCE was led by Clerk of the Court Howard Forman.

CALL TO ORDER

1. MOTION TO ADOPT supplemental budget Resolution 2003-699 within the Internal Service Fund in the amount of \$210,000 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (Time-2:19 PM) Approved.

2. A. MOTION TO ADOPT supplemental budget resolutions 2003-700 & 2003-701 within the Enterprise Funds in the amount of \$3,869,866 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (Time-2:19 PM) Approved.

- B. MOTION TO ADOPT budget Resolution 2003-702 within the Enterprise Funds in the amount of \$100,733 to amend appropriations prior to the close of the fiscal year.

ACTION: (Time-2:19 PM) Approved.

3. MOTION TO ADOPT supplemental budget Resolutions 2003-703 thru 2003-705 within the Debt Service Funds in the amount of \$5,207,840 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (Time-2:20 PM) Approved.

4. MOTION TO ADOPT supplemental budget Resolution 2003-706 within the General Fund in the amount of \$1,031,220 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (Time-2:20 PM) Approved.

5. MOTION TO ADOPT supplemental budget Resolutions 2003-707 thru 2003-710 within the Special Purpose and Grant sub-funds of the General Fund in the amount of \$456,157 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (Time-2:20 PM) Approved.

6. MOTION TO ADOPT supplemental budget Resolutions 2003-711 thru 2003-714 within the Special Revenue Funds in the amount of \$3,392,096 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (Time-2:20 PM) Approved.

7. A. MOTION TO ADOPT supplemental budget Resolutions 2003-715 thru 2003-718 within the Capital Funds in the amount of \$10,379,504 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (Time-2:20 PM) Approved.

- B. MOTION TO ADOPT budget Resolution 2003-719 transferring \$400,000 within the Capital Fund to amend appropriations prior to the close of the fiscal year.

ACTION: (Time-2:20 PM) Approved.

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

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION VIII OF THE WASHINGTON PARK NEIGHBORHOOD ENHANCEMENT PLAN RELATING TO STRATEGIES TO IMPLEMENT THE PLAN; CREATING A NEW SECTION IX PROVIDING FOR DESIGN STANDARDS FOR CONSTRUCTION OF NEW SINGLE FAMILY HOMES; CREATING A NEW SECTION X PROVIDING FOR COMPLIANCE WITH THE WASHINGTON PARK

NEIGHBORHOOD ENHANCEMENT PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-2:21 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. The Board directed staff to work with the Washington Park Neighborhood Enhancement Council to devise a strategy to deal with the business component of the Neighborhood Enhancement Plan and have staff return before the Board with a proposed amendment to the Zoning Code. See Page *****

9. MOTION TO ENACT an Ordinance to adopt proposed amendment to the Future Unincorporated Area Land Use Element Map Series Volume 2 of the Broward County Comprehensive Plan (03-1-M1), subject to the recordation of the restrictive covenants, the title of which is as follows (**Commission District 1**):

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT MAP SERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (Time-2:22 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Office of Urban Planning and Redevelopment Services Division and the Local Planning Agency (Broward County Department of Planning and Environmental Protection) recommendations.

- 10. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" Land Use Plan Amendment in the City of Hallandale Beach, PC 03-4, the substance of which is as of which is as follows: **(Commission District 8)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF HALLANDALE BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-2:24 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Planning Council's recommendation. See Page *****

- 11. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" Land Use Plan Amendment in the City of Plantation, PC 03-5, the substance of which is as of which is as follows: **(Commission District 1)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PLANTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-2:25 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Planning Council's recommendation.

- 12. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt proposed Land Use Plan Text Amendment, PCT 03-2, as part of the first annual 2003 amendments 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 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE BROWARD COUNTY LAND USE PLAN TO ADDRESS COMPATIBILITY OF IDENTIFIED GREENWAYS WITH ADJACENT LAND USES;

PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-2:26 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Planning Council's recommendation.

13. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan Amendment, PCNRM 03-1, of the Broward County Natural Resource Map Series, as part of the first annual 2003 amendments 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 2003 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE HISTORIC RESOURCES SITES OF THE 1989 BROWARD COUNTY LAND USE PLAN ADDING HISTORIC SITES TO THE CULTURAL RESOURCES/LOCAL AREAS OF PARTICULAR CONCERN MAP SERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-2:26 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Planning Council's recommendation.

14. 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 4 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO ANIMAL CARE AND REGULATION; AMENDING SECTION 4-30 RELATING TO THE ANIMAL CARE TRUST FUND ACCOUNT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN

CODE; AND PROVIDING FOR AN EFFECTIVE DATE AND AN AUTOMATIC REPEAL DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-2:26 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law and shall be automatically repealed on September 30, 2008. See Page *****

15. MOTION TO CONSIDER adoption of a Resolution 2003-720 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 37.61, BROWARD COUNTY ADMINISTRATIVE CODE, RELATING TO THE FEE SCHEDULE FOR ANIMAL CARE AND REGULATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (Time-2:28 PM) Approved. This Resolution shall become effective October 1, 2003.

16. MOTION TO ADOPT Resolution 2003-721 of the Board of County Commissioners of Broward County, amending the Broward County Administrative Code, Volume Two, Chapter 42, Section Four Foreign Trade Zone No. 25, Tariff No. 4, codified as Exhibit 42.B and incorporated in Section 42.29, of the Broward County Administrative Code, providing for amending the provision for the annual fee charged to Subzone Operators; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-2:28 PM) Approved.

*** Staff Requests that the following item be continued to September 23, 2003**

17. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County amending the Broward County Administrative Code, Volume Two, Chapter 42, Sections One, Two, Four, Five, Six, Seven, and Nine 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 addition to radio equipment; change in transit sheds; name change of tug service provider, changes in business insurance requirements; providing for adjustments in charges for dockage, cargo, passenger, and wastewater wharfage, wharf use, fresh water, cargo storage, wharf demurrage, fresh water, harbormaster, linehandlers, electricity, labor and equipment, overtime, Fire Rescue permits and inspections, container gantry cranes, and electricity for refrigerated containers; changes in free time allowances for cargo; providing for

severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-2:28 PM) Filed proof of publication and continued the Public Hearing to Tuesday, September 23, 2003.

NON AGENDA

18. COMMENTS - FUTURE OF BROWARD COUNTY ELECTION'S PROCESS - COMMISSIONER GRABER

ACTION: (Time-2:30 PM) No board action was taken. See Page *****

19. WATER UPDATE - SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S BUDGET - COMMISSIONER JACOBS

ACTION: (Time-2:32 PM) Commissioner Jacobs gave the Board a brief update regarding the SFWMD budget. Budget items for water projects in Broward County that were previously taken out of the District's funding recommendations have been put back into the budget. The District will vote this day. See Page *****

20. CRUELTY TO ANIMALS ORDINANCE - PETS LOCKED IN CARS - COMMISSIONER GUNZBURGER

ACTION: (Time-2:33 PM) Commissioner Gunzburger requested that the County Attorney's office draft an amendment to the County's Cruelty to Animals Ordinance relating to prohibiting people from locking pets in parked cars, similar to the Ordinance that was recently passed in Palm Beach County. See Page *****

21. WATER CONTROL DISTRICT ADVISORY BOARD MEMBERSHIP - COMMISSIONER PARRISH

ACTION: (Time-2:34 PM) No Board action was taken. See Page *****

22. MUNICIPAL SERVICES BOARD - RECOMMENDATION - UTILITIES PROVIDERS - EMERGENCY TELEPHONE NOTIFICATION SYSTEM - COMMISSIONER PARRISH

ACTION: (Time-2:35 PM) The Board directed the County Attorney to draft a letter, on behalf of the Mayor, asking utility providers serving the Unincorporated Area to provide an emergency notification system to area residents when utility services are interrupted for street closings, chemical spills and other emergency situations. Further, that the County Attorney will explore how the municipalities are requiring the utility providers to use door hangers to notify residents of utility service interruptions. See Page *****

23. RE-APPOINTMENT OF HENRY GRAHAM TO THE LAND PRESERVATION ADVISORY BOARD - COMMISSIONER PARRISH / COMMISSIONER GUNZBURGER

ACTION: (Time-2:36 PM) Commissioner Gunzburger advised that she was handling the re-appointment of Mr. Graham. See Page *****

24. CLEAN AIRPORT PARTNERSHIP RECOMMENDATIONS PRESENTATION TO THE COMMUNITY - COMMISSIONER PARRISH

ACTION: (Time-2:37 PM) No Board action was taken at this time. See Page *****

25. BROWARD ALLIANCE - VICE MAYOR LIEBERMAN

ACTION: (Time-2:42 PM) Vice Mayor Lieberman explained that the Broward Alliance has asked for an extension of the date required to submit its 2004 Business Plan to enable the Alliance to develop an international global business development component. As the Commission Liaison to the Alliance, the Vice Mayor recommended that the Board require the Broward Alliance to submit their 2004 Business Plan, as scheduled and written and not grant an extension. The Alliance must focus on their core mission before expanding their development plan and responsibilities, which must go before the Board of County Commissioners for consideration and approval. There was no objection from the Board. See Page *****

26. LEGAL ACTION - AUTO TAG DEALERSHIPS SENDING BUSINESS TO MIAMI-DADE COUNTY - VICE MAYOR LIEBERMAN

ACTION: (Time-2:59 PM) The Board directed the County Attorney to research what legal remedies the County can take against CVR and any auto tag dealers in Broward County that are avoiding the Broward County tag system and diverting business outside of Broward County. See Page *****

27. REVISIT BENEFITS CONSULTANT TO INDEPENDENTLY STUDY COUNTY'S INSURANCE FY 2004 BENEFITS - VICE MAYOR LIEBERMAN

ACTION: (Time-2:59 PM) No Board action was taken. See Page *****

28. APPOINT TO SELECTION/NEGOTIATION COMMITTEE - RLI 30613-0 - COMMISSIONER EGELLETON

ACTION: (Time-3:04 PM) Commissioner Egelleton asked that he be placed on the Marine Terminal Operations Southport Port Everglades Selection/Negotiation Committee, RLI #30613-0. There was no objection. See Page *****

29. WEB CASTING NOT FUNCTIONING - COMMISSIONER JACOBS

ACTION: (Time-3:06 PM) The Board directed staff to look into why the County's web casting system is not broadcasting the Commission meetings. See Page *****