

# PUBLIC HEARING OF SEPTEMBER 23, 1997

*(The meeting convened at 2:07 p.m. and adjourned at 4:54 p.m.)*

1. MOTION TO CONSIDER the award or denial of a new license for Nonemergency Medical Transportation Service (NEMTS) to Health Trans of South Florida Inc. pursuant to Chapter 3½ of the Broward County Code of Ordinances.

**ACTION: (B-2279) Approved.**

2. MOTION TO CONSIDER the award of renewal licenses for Nonemergency Medical Transportation Service (NEMTS) to American Medical Response, E.M.V. Van Service Inc., Ready Wheels Corp. and Johnson Transportation Service.

**ACTION: (B-2501) Approved.**

3. MOTION TO CONSIDER the award or denial of a Class 3 - Advanced Life Support (ALS) Transfer Certificate of Public Convenience and Necessity (COPCN) to Medics Emergency Services Inc. (renewal).

**ACTION: (B-2506) Approved.**

4. A. MOTION TO ADOPT supplemental budget Resolution 1997-1018 within the General Fund in the amount of \$327,800 to address issues relating to the close of the fiscal year.

**ACTION: (B-2515) Approved.**

B. MOTION TO ADOPT supplemental budget Resolutions 1997-1019 through 1997-1024 within Debt Service Funds in the amount of \$1,468,094 to address issues relating to the close of the fiscal year.

**ACTION: (B-2524) Approved.**

C. MOTION TO ADOPT budget Resolution 1997-1025 transferring \$840,000 within the Municipal Services District Fund to increase the transfer to the Fire Protection Fund.

**ACTION: (B-2531) Approved.**

D. MOTION TO ADOPT supplemental budget Resolutions 1997-1026 through 1997-1028 within the Special Purpose Fund in the amount of \$36,770 to address issues related to the close of the fiscal year.

**ACTION: (B-2531) Approved.**

E. MOTION TO ADOPT budget Resolution 1997-1029 transferring \$17,000 within the Lot Clearing Fund due to additional clearing activity.

**ACTION: (B-2531) Approved.**

F. MOTION TO ADOPT budget Resolution 1997-1030 within the County Transportation Operating Fund in the amount of \$289,630 to address issues related to the close of the fiscal year.

**ACTION: (B-2536) Approved.**

G. MOTION TO ADOPT supplemental budget Resolutions 1997-1031 and 1997-1032 within the Special Revenue Fund in the amount of \$444,300 to address issues relating to the close of the fiscal year.

**ACTION: (B-2536) Approved.**

H. MOTION TO ADOPT supplemental budget Resolutions 1997-1035 and 1997-1036 within Capital Outlay Funds in the amount of \$1,472,500 to address issues relating to the close of the fiscal year.

**ACTION: (B-2543) Approved.**

I. MOTION TO ADOPT supplemental budget Resolution 1997-1037 within the Resource Recovery System Enterprise Fund in the amount of \$3,225,160 to address issues related to the close of the fiscal year.

**ACTION: (B-2548) Approved.**

J. MOTION TO ADOPT supplemental budget Resolution 1997-1033 within the Internal Service Fund (501) in the amount of \$70,000 to address issues relating to the close of the fiscal year.

**ACTION: (B-2555) Approved.**

K. MOTION TO ADOPT supplemental budget Resolution 1997-1034 within the Trust Fund (630) in the amount of (negative) \$104 to address issues relating to the close of the fiscal year.

**ACTION: (B-2555) Approved.**

5. MOTION TO ADOPT Resolution 1997-1038 amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation" amending the schedule of rates, fees and charges for terminal rates and charges, landing fees, and commuter terminal building rental; county operated gate use charges; rates for airport parking facilities; conference room charges; non-terminal rates and charges; other rates, fees, and charges and collection; and exhibits 39.A and 39.C for Fort Lauderdale-Hollywood International Airport and North Perry Airport; providing for severability; providing for

inclusion in the administrative code; and providing for an effective date.

## **ACTION: (B-2558) Approved.**

6. MOTION TO CONSIDER enactment of an ordinance amending the Broward County Land Development Code, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SUBSECTION 5-182 (m) RELATING TO SCHOOL IMPACT FEES AND STUDENT GENERATION RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-2668) The Board filed proof of publications and enacted the ordinance, as corrected, to become effective as provided by law.***

7. MOTION TO CONSIDER enactment of an ordinance amending the Broward County Land Development Code, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SUBSECTION 5-182 (m) RELATING TO ADEQUACY OF SCHOOL SITES AND FACILITIES AND SCHOOL CONCURRENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-3064) The Board filed proof of publications and enacted the ordinance, as corrected with addendum. Said ordinance shall apply to all development orders and development permits which are approved after 5:00 p.m. on the effective date of the Broward County Public School Facilities Element and shall become effective as provided by law.***

***The Board requested that the Development Review Division staff review the issue on impact fees and traffic concurrency fees assessed to preschools and elementary schools based on the national data and report back to the Board.***

8. MOTION TO CONSIDER enactment of proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO JUVENILES; INCORPORATING BY REFERENCE THE PROVISIONS OF SECTION 775.0833, FLORIDA STATUTES (COUNTY DELINQUENCY PREVENTION FINES); ADOPTING A MANDATORY THREE DOLLAR (\$3.00) COURT COST IN CERTAIN COURT CASES TO BE ASSESSED SPECIFICALLY FOR THE OPERATION AND IMPLEMENTATION OF THE JUVENILE ASSESSMENT CENTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN

EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-4085) The Board requested that the Commisison Auditor provide an audit report on the Juvenile Assessment Center. The Board filed proof of publications and enacted Ordinance 1997-39 to become effective as provided by law.***

9. MOTION TO ENACT ordinance, the substance of which is as follows:

(This is the first of two public hearings. The second public hearing will be held on Tuesday, October 14, 1997 at 2:00 p.m.)

TEXT CHANGE 9-T-97

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING ARTICLE XIII, CONDITIONAL USES, OF CHAPTER 39, BROWARD COUNTY ZONING CODE, BY ADDING SECTION 39-245, "TEMPORARY PROMOTIONAL SIGNS," TO PROVIDE FOR TEMPORARY SIGN PERMITS FOR CERTAIN TYPES OF COMMERCIAL ADVERTISING FOR CERTAIN COMMERCIAL PROMOTIONAL EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

***ACTION: (B-4106) The second public hearing will be held on October 14, 1997.***

## **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.

10. MOTION TO ENACT ordinance changing the zoning district 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, October 14, 1997 at 2:00 p.m.)

REZONING PETITION 6-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 10, 11, 12, 13, 14, AND 15, TOWNSHIP 48 SOUTH, RANGE 42 EAST; FROM R-1B (ONE-FAMILY DWELLING DISTRICT), R-1C (ONE-FAMILY DWELLING DISTRICT), R-2 (TWO-FAMILY DWELLING DISTRICT), R-2 (TWO-FAMILY DWELLING DISTRICT), ALLOCATING ONE RESERVE UNIT PER LOT, R-3

(LOW-DENSITY MULTIPLE DISTRICT), R-3U (ROW HOUSE DISTRICT), R-4A (PLANNED APARTMENT DISTRICT), R-4B (PLANNED APARTMENT DISTRICT), R- 5 (MOTEL DISTRICT), R-6 (HOTEL DISTRICT), RM-10 (MULTIPLE-FAMILY DWELLING DISTRICT), D-1 (SPECIAL ONE-FAMILY DISTRICT), A-1 (LIMITED AGRICULTURAL DISTRICT), B-3 (GENERAL BUSINESS DISTRICT) AND RSO (RESIDENTIAL SINGLE-FAMILY DETACHED AND OFFICE DISTRICT), TO RS-2 (ONE- FAMILY DETACHED DWELLING DISTRICT), RS-4 (ONE- FAMILY DETACHED DWELLING DISTRICT), RS-5 (ONE- FAMILY DETACHED DWELLING DISTRICT), RM-5 (MULTIPLE-FAMILY DWELLING DISTRICT), RM-10 (MULTIPLE-FAMILY DWELLING DISTRICT), RM-10 (MULTIPLE-FAMILY DWELLING DISTRICT), RM-10 (MULTIPLE-FAMILY DWELLING DISTRICT), ALLOCATING ONE RESERVE UNIT PER LOT, RM-12 (MULTIPLE-FAMILY DWELLING DISTRICT), RM-13 (MULTIPLE-FAMILY DWELLING DISTRICT), RM-14 (MULTIPLE-FAMILY DWELLING DISTRICT), RM-15 (MULTIPLE-FAMILY DWELLING DISTRICT), RM-25 (MULTIPLE-FAMILY DWELLING DISTRICT), T-1 (TRAVEL TRAILER PARK DISTRICT), CONSERVATION-2 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-4155) The second public hearing will be held on October 14, 1997.***

11. MOTION TO ENACT ordinance changing the zoning district 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, October 14, 1997 at 2:00 p.m.)

REZONING PETITION 7-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 23, 24, AND 25, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND SECTIONS 19 AND 30, TOWNSHIP 48 SOUTH, RANGE 43 EAST; FROM R-1B, ONE-FAMILY DWELLING DISTRICT, R-1C, ONE-FAMILY DWELLING DISTRICT, R-2, TWO-FAMILY DWELLING DISTRICT, R-2P, TWO-FAMILY DWELLING-PARKING DISTRICT, R-3, LOW-DENSITY MULTIPLE DISTRICT, R-4, APARTMENT DISTRICT, A-1, LIMITED AGRICULTURAL DISTRICT, B-2, COMMUNITY BUSINESS DISTRICT, AND B-2A, PLANNED BUSINESS CENTER DISTRICT TO RS-3, ONE-FAMILY DETACHED DWELLING DISTRICT, RS-4, ONE-FAMILY DETACHED DWELLING DISTRICT, RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT, RS-6, ONE-FAMILY DETACHED DWELLING DISTRICT, RM-10, MULTIPLE-FAMILY DWELLING DISTRICT, RM-16, MULTIPLE-FAMILY DWELLING DISTRICT, RM-25, MULTIPLE-FAMILY DWELLING DISTRICT, S-1, RECREATIONAL DISTRICT, B-2, COMMUNITY BUSINESS DISTRICT, AND CONSERVATION-2 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-4280) The second public hearing will be held on October 14, 1997. The Board requested that staff provide in writing before the next meeting information as to whether the reclassification of the 15-acre commercial site located on the corner of Copans Road and U.S. 1, City of Pompano Beach would affect the proposed redevelopment of the property which includes an 18-screen movie theater and if the reclassification would affect the current redevelopment of Shoppers Haven Shopping Center at Federal Highway and Sample Road.***

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

### **NON AGENDA**

12. INFORMATIONAL Commissioner Poitier announced that she will be leaving on October 14, 1997 to attend her nephew's swearing-in ceremony at the House of Parliament in Nassau, Bahamas.

***ACTION: (B-4741) The Board extended congratulations.***

13. MOTION TO REQUEST placing on the September 30, 1997 9:00 a.m. agenda the motion to approve the first amendment to an agreement with Anthony P. Carvalho for professional state legislative budget and financial analysis services to extend the current agreement for a three-month period from October 1, 1997 through December 31, 1997, and authorize the Chair and Clerk to execute same. (Comm. Parrish)

***ACTION: (B-4796) Approved by unanimous consent.***

14. DISCUSSION: The Board discussed the Convention Center Hotel lease agreement with Peebles Atlantic Development Corporation and the Board's direction at the August 26, 1997 meeting to consider the proposed draft document at the September 30, 1997 meeting.

***ACTION: (B-4863) The Board agreed that staff submit the final lease agreement for consideration at the October 14, 1997 meeting.***

15. DISCUSSION: Commissioner Rodstrom discussed the conversion of the agenda material to a diskette and the ability to scan the supplemental documents for easy access on to the lap top.

***ACTION: (B-5447) Staff agreed to research Commissioner Rodstrom's request.***

16. COMMISSIONER'S REQUEST Commissioner Rodstrom mentioned recent discussions on noise control at a homeowners' association meeting for the Broward County Unincorporated Area and requested that Sections 27-231 through 250 of the Broward County Code of Ordinances be reviewed.

***ACTION: (B-5556) The Board had no objections.***

17. COMMISSIONER'S REQUEST Commissioner Rodstrom requested that the Board expedite its

discussion on an alternative number for non emergency calls instead of dialing 911 especially for the Broward County Unincorporated Area residents .

***ACTION: (B-5647) The Board had no objections.***

18. COMMISSIONER'S REQUEST: Commissioner Rodstrom addressed the number of juveniles in the parks without enough supervision and suggested whether additional activities could be provided and the presence of Park Rangers in this regard.

**ACTION: (B-5647) No action was taken.**

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