

2:00 P.M. PUBLIC HEARING OF SEPTEMBER 28, 1999

(The meeting convened at 2:10 p.m. and adjourned at 4:40 p.m.)

PLEDGE OF ALLEGIANCE - led by former City of Lauderdale Commissioner

George Miles

CALL TO ORDER

1. **MOTION TO ADOPT** Resolution 1999-1356 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Ship Supply of Florida, Inc., for time period certain, to provide steamship agent services at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise. (The resolution setting the public hearing was adopted by the Board on August 31, 1999.)

ACTION: (B-121) Approved.

2. **MOTION TO ADOPT** Resolution 1999-1357 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to USA Petroleum Corporation d/b/a Anchor Marine Agency, for time period certain, to provide steamship agent services at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise. (The resolution setting the public hearing was adopted by the Board on August 31, 1999.)

ACTION: (B-131) Approved.

3. **MOTION TO ADOPT** Resolution 1999-1358 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to B.V. Oil Company, Inc., for time period certain, to provide vessel bunkering services at Port Everglades; providing for severability; providing for an effective date; and authorizing the Chair and Clerk to execute the franchise. (The resolution setting the public hearing was adopted by the Board on August 31, 1999.)

ACTION: (B-149) Approved.

4. **MOTION TO ADOPT** Resolution 1999-1377 amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation" amending the schedule of rates, fees and charges for Fort Lauderdale-Hollywood International Airport; providing for severability; providing for inclusion in the administrative code; and providing for an effective date.

ACTION: (B-157), (B-3669) and (Tape 99-121-1058) At the 6:00 p.m. Fiscal Year 2000 Budget Public Hearing, the Board approved the item with the direction that small carrier airlines, with special circumstances affected by the rate increase, be given an opportunity to meet with staff to resolve same. Staff agreed that in future small carrier airlines would be provided with the opportunity to be given advance notice on any rate increases.

5. A. **MOTION TO ADOPT** supplemental budget Resolutions 1999-1359 through 1999-1364 within Capital Funds in the amount of \$1,121,198 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (B-187) Approved.

B. MOTION TO ADOPT supplemental budget Resolution 1999-1365 within the Public Art and Design Trust Fund (6310) in the amount of \$11,430 to appropriate funds for public art and design projects in accordance with the public art and design ordinance.

ACTION: (B-187) Approved.

6. A. MOTION TO ADOPT budget Resolution 1999-1366 transferring \$475,000 from reserve within the Municipal Service District Special Purpose Fund to transfer funds to the Fire Protection Special Purpose Fund.

ACTION: (B-205) Approved.

B. MOTION TO ADOPT supplemental budget Resolution 1999-1367 within the Fire Protection Special Purpose Fund in the net amount of \$0 to adjust various revenues.

ACTION: (B-205) Approved.

C. MOTION TO ADOPT budget Resolution 1999-1368 transferring \$900,000 within the E-911 Special Purpose Fund to establish a transfer to General Capital Outlay to appropriate the 911 related portion of the project to relocate the fire rescue dispatch center to the Emergency Operations Center.

ACTION: (B-205) Approved.

D. MOTION TO ADOPT supplemental budget Resolution 1999-1369 within the Commercial Paper Debt Service Special Purpose Fund in the amount of \$3,500,000 to recognize a transfer from the General Fund to reduce Commercial Paper debt.

ACTION: (B-205) Approved.

7. MOTION TO ADOPT budget Resolutions 1999-1370 through 1999-1373 within Enterprise Funds in the amount of \$1,201,022 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (B-215) Approved.

8. MOTION TO ADOPT supplemental budget Resolution 1999-1374 within the 1999 First Florida Debt Service Fund in the amount of (\$3,500,000) to reduce budgeted debt payments that will not be expended in Fiscal Year 1999.

ACTION: (B-245) Approved.

9. MOTION TO ADOPT supplemental budget Resolution 1999-1375 within the General Fund in the amount of \$214,427 to amend revenues and appropriations prior to the close of the fiscal year.

ACTION: (B-254) Approved.

10. MOTION TO ENACT an ordinance amending Chapter 39 (Zoning Code) of the Broward County Code of Ordinances.

TEXT CHANGE 9-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, AMENDING ARTICLE XV, "RURAL AND ESTATE DISTRICTS"; SECTION 39-265, "SIZE OF PLOT," AMENDING MINIMUM PLOT SIZES IN RURAL AND ESTATE DISTRICTS FOR CONSISTENCY WITH THE FUTURE UNINCORPORATED AREA LAND USE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Zoning Code Services Division)

ACTION: (B-359) The Board filed proof of publications and enacted Ordinance 1999-50 to become effective as provided by law.

11. MOTION TO CONSIDER the 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 9 OF THE BROWARD COUNTY CODE OF ORDINANCES, "CONTRACTORS," ARTICLE VI "MECHANICAL AND SPECIALTY MECHANICAL CONTRACTORS," SECTION 9-102, "QUALIFICATIONS FOR CONTRACTORS," CHANGING THE QUALIFICATIONS FOR TEST AND BALANCE CONTRACTORS AND IMPLEMENTING NEW QUALIFICATIONS FOR TEST AND BALANCE CONTRACTOR FOR SMOKE EVACUATION CERTIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-367) The Board filed proof of publications and enacted Ordinance 1999-51 to become effective as provided by law.

12. A. MOTION TO CONSIDER the enactment of an ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE PERSONNEL ADVISORY BOARD; AMENDING SECTION 26-85 OF ARTICLE VI OF CHAPTER 26, BROWARD COUNTY CODE, RELATING TO ADMINISTRATION; AMENDING SUBSECTION (B) OF SAID SECTION REQUIRING ESTABLISHMENT OF A PERSONNEL ADVISORY BOARD; AMENDING PARAGRAPHS (10) THROUGH (16) OF SUBSECTION (H) OF SECTION 26-85; DELETING REQUIREMENT THAT DIRECTOR OF HUMAN RESOURCES CONSULT WITH THE PERSONNEL ADVISORY BOARD; RENUMBERING PARAGRAPHS; ELIMINATING REFERENCES TO THE PERSONNEL ADVISORY BOARD AND MAKING TECHNICAL CORRECTIONS; REPEALING SECTION 26-87, BROWARD COUNTY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN BROWARD COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-378) The Board filed proof of publications and enacted Ordinance 1999-52 to become effective upon filing with the Department of State.

B. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, relating Personnel Advisory Board; repealing Section 14.15, Broward County Administrative Code, relating to Personnel Advisory Board; amending Subsection C. of Section 14.21, Broward County Administrative Code; deleting requirement that Human Resources Division Director review the results of Personnel Advisory Board's advisory review of Employee Classification Plan appeals; amending Subsection B. of Section 14.257, Broward County Administrative Code; deleting authority for Personnel Advisory Board to review and make recommendations regarding grievances; amending Section 14.260, Broward County Administrative Code; repealing Subsection D. relating to Step IV Grievance Process; amending Subsection G. of Section 14.261, Broward County Administrative Code, relating to Hearing Officer Powers and Authority; deleting provision requiring delivery of hearing officer decisions to Personnel Advisory Board for information; amending Subsection C. of Section 14.269, Broward County Administrative Code, relating to Penalty and Definition; deleting reference to Personnel Advisory Board; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (B-378) Approved.

13. MOTION TO CONSIDER the enactment of an ordinance, the title of which is as

follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, REVISING CHAPTER 27, ARTICLE XII, SECTIONS 27-351 THROUGH 27-357, "HAZARDOUS MATERIAL," RELATING TO DEFINITIONS, PROHIBITIONS, EXEMPTIONS, NOTIFICATIONS, REQUIRED LICENSES AND APPROVALS, AND POWERS OF THE DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION; REVISING ARTICLE XIII, "WELLFIELD PROTECTION," SECTION 27-379, RELATING TO PROHIBITIONS, RESTRICTIONS, AND LICENSING WITHIN ZONES OF INFLUENCE; PROVIDING FOR THE CREATION OF ARTICLE XVII, SECTIONS 27-434 THROUGH 27-439, "WASTE TRANSPORTERS," RELATING TO DECLARATION OF INTENT, APPLICABILITY, DEFINITIONS, PROHIBITIONS, EXEMPTIONS, AND WASTE TRANSPORTER LICENSE REQUIREMENTS AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-437) The Board filed proof of publications and enacted Ordinance 1999-53 to become effective as provided by law.

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 items 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.

14. MOTION TO ENACT an ordinance changing the zoning district of certain lands with 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 12, 1999 at 2:00 p.m.)

REZONING PETITION 19-Z-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA; FROM R-3, LOW-DENSITY MULTIPLE DISTRICT, B-3, INTENSE COMMERCIAL BUSINESS DISTRICT, AND RM-10, MULTIPLE-FAMILY DWELLING DISTRICT, TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT, RD-5, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT, RM-5, MULTIPLE-FAMILY DWELLING DISTRICT, RM-10, MULTIPLE-FAMILY DWELLING DISTRICT, RM-15, 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-445) The second public hearing will be held on Tuesday, October 12, 1999 at 2:00 p.m.

15. MOTION TO ENACT an ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida.

REZONING PETITION 20-Z-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 19, TOWNSHIP 51 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA; FROM R-1C, ONE-FAMILY DWELLING DISTRICT TO B-1, LIMITED COMMERCIAL DISTRICT UTILIZING THE 5% FLEXIBILITY RULE; 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-721) The Board filed proof of publications, approved staff's recommendation of denial on the proposed Limited Commercial District (B-1); amended the proposed classification to One-Family Detached Dwelling District (RS-5) consistent with the proposed zoning of the surrounding area, and enacted Ordinance 1999-16Z to become effective as provided by law.

END OF QUASI-JUDICIAL HEARING

[Back to previous page](#)