

PUBLIC HEARING OF NOVEMBER 10, 1998

(The meeting convened at 2:22 p.m. and adjourned at 4:37 p.m.)

PLEDGE OF ALLEGIANCE - *led by Commissioner Sylvia Poitier*

1. MOTION TO APPROVE the second amendment to an agreement of lease between Broward County and Broward County Convention Center Hotel Limited Partnership, and authorize the Chair and Clerk to execute same. (This is the second of two public hearings to be held. The first public hearing was held on October 27, 1998. The resolution setting the public hearing was adopted by the Board on October 13, 1998.)

ACTION: (B-3682) Approved.

2. MOTION TO APPROVE a lease agreement between Broward County and Seaboard Marine, Ltd. Inc., and authorize the Chair and Clerk to execute same. (This is the second of two public hearings to be held. The first public hearing was held on October 27, 1998. The resolution setting the public hearing was adopted by the Board on October 6, 1998.)

ACTION: (B-3794) Approved.

3. A. MOTION TO ADOPT Resolution 1998-1122 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Seaboard Marine Ltd. 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.

ACTION: (B-3704) Approved.

B. MOTION TO ADOPT Resolution 1998-1123 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Seaboard Marine Ltd. Inc., for time period certain, to conduct cargo handling operations 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 October 27, 1998.)

ACTION: (B-3704) Approved.

4. A. MOTION TO ADOPT Resolution 1998-1124 of the Board of County Commissioners of Broward County, Florida, renewing the franchise of Florida Stevedoring Inc., for time period certain, to conduct stevedoring operations at Port Everglades; providing for severability; providing for an effective date, and authorizing the Chair and Clerk to execute the franchise.

ACTION: (B-3730) Approved with the removal of any provision for an assignment of the franchise.

B. MOTION TO ADOPT Resolution 1998-1125 of the Board of County Commissioners of Broward County, Florida, renewing the franchise of Florida Stevedoring Inc., for time period certain, to conduct

cargo handling operations 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 October 20, 1998.)

ACTION: (B-3730) Approved with the removal of any provision for an assignment of the franchise.

5. MOTION TO ADOPT Resolution 1998-1128 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Southern Waste Services Inc., for time period certain, to provide vessel sanitary waste water removal services at Port Everglades; 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 October 20, 1998.)

ACTION: (B-3865) Approved.

6. MOTION TO ADOPT Resolution 1998-1129 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Magnum Environmental Services Inc., for time period certain, to provide vessel oily waste removal 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 October 20, 1998.)

ACTION: (B-3879) Approved.

7. MOTION TO ADOPT Resolution 1998-1130 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Cliff Berry Inc., for time period certain, to provide vessel oily waste removal 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 October 20, 1998.)

ACTION: (B-3886) Approved.

8. MOTION TO ADOPT Resolution 1998-1131 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Coastal Fuels Marketing 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 October 20, 1998.)

ACTION: (B-3892) Approved.

9. MOTION TO ADOPT Resolution 1998-1132 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Consolidated Oil Co., 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 October 20, 1998.)

ACTION: (B-3900) Approved.

10. MOTION TO ADOPT Resolution 1998-1133 of the Board of County Commissioners of Broward County, Florida, granting a franchise to DLS Petroleum Inc. d/b/a Anchor Petroleum, 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 October 20, 1998.)

ACTION: (B-3909) Approved.

11. MOTION TO ADOPT Resolution 1998-1134 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Diversified Oil Company, 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 October 20, 1998.)

ACTION: (B-3916) Approved.

12. MOTION TO ADOPT Resolution 1998-1135 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Port Petroleum 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 October 20, 1998.)

ACTION: (B-3925) Approved.

13. MOTION TO ADOPT Resolution 1998-1136 of the Board of County Commissioners of Broward County, Florida, granting a franchise to Tropic Oil Company, 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 October 20, 1998.)

ACTION: (B-3932) Approved.

14. 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 4 OF THE BROWARD COUNTY CODE RELATING TO ANIMAL CARE AND REGULATION; AMENDING SECTION 4-2 BY CLARIFYING THE DEFINITION OF "AT LARGE" AND "CITATION," CHANGING THE DEFINITION OF "HEALTH DEPARTMENT" AND ADDING DEFINITIONS FOR ADULT DOG OR CAT, JUVENILE DOG OR CAT, AND HOME CONFINEMENT; AMENDING SECTION 4-3 BY REQUIRING THAT CITATIONS BE ISSUED FOR ALL INFRACTIONS OF SECTION 4-3; AMENDING SECTION 4-4 BY AUTHORIZING THE DIVISION TO CHARGE FOR TRAPS; AMENDING SECTION 4-7 BY ELIMINATING DEPOSIT GUARANTEEING STERILIZATION AND ESTABLISHING A NON-REFUNDABLE ADOPTION FEE DEPOSIT; AMENDING SECTION 4-11 BY DELETING RETENTION OF PORTIONS OF LICENSE TAG FEES AND ADDING JUVENILE DOG AND CAT TAG REQUIREMENTS; AMENDING SECTION 4-12 BY DELETING VICIOUS DOG

INSURANCE REQUIREMENTS AND REDEFINING REGISTRATION AND LICENSING REQUIREMENTS; AMENDING SECTION 4-13 BY CLARIFYING REGISTRATION, LICENSING, USE, AND TREATMENT OF GUARD DOGS; AMENDING SECTION 4-14 BY REFLECTING NAME CHANGES AND ESTABLISHING NEW SERVICES AND FEES; AMENDING SECTION 4-15 BY AUTHORIZING THE DIVISION TO CONDUCT EMERGENCY RABIES CLINICS TO PROTECT THE PUBLIC; AMENDING SECTION 4-16 BY REFLECTING NAME CHANGE; AMENDING SECTION 4-28 BY AMENDING PARAGRAPHS B, C, D, E AND F AND ELIMINATING THE PROVISION FOR DISMISSAL OF CITATIONS; AMENDING SECTION 4-29 BY ELIMINATING REFERENCE TO SPECIFIC CIVIL PENALTY AMOUNTS; AMENDING SECTION 4-30 BY REFLECTING NAME CHANGE; CREATING SECTION 4-33 BY AUTHORIZING THE DIVISION TO IMPOSE A FEE ON

RECLAIMED IMPOUNDED, UNSTERILIZED PETS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

ACTION: (B-3948) The Board filed proof of publications and enacted Ordinance 1998-41 to become effective as provided by law.

15. 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 34, ARTICLE II, SECTION 34-38, EXEMPTIONS AND EXCEPTIONS, BROWARD COUNTY CODE OF ORDINANCES, TO EXEMPT AREAS LOCATED WITHIN THE RURAL RANCHES AND RURAL ESTATES LAND USE CATEGORIES FROM MANDATORY WATER CONNECTION REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-3965) The Board filed proof of publications and enacted Ordinance 1998-40 to become effective as provided by law.

16. MOTION TO ENACT an ordinance amending the Broward County Comprehensive Plan to adopt an amendment as part of the second annual 1998 amendment 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 SECOND ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE TOWN OF DAVIE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-4675) Continued Broward County Land Use Plan Proposed Amendment PC 98-12 until such time the Town of Davie adopts the respective zoning designation.

17. MOTION TO ENACT an ordinance amending the Broward County Comprehensive Plan to adopt an

amendment as part of the second annual 1998 amendment 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 SECOND ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-5858 & C-1802) Continued Broward County Land Use Plan Proposed Amendment PC 98-4 to the November 24, 1998 meeting in order for the City of Pembroke Pines to respond to the State of Florida Department of Community Affairs's Objections, Recommendations and Comments (ORC) report for the city amendment.

18. MOTION TO ENACT an ordinance amending the Broward County Comprehensive Plan to adopt an amendment as part of the second annual 1998 amendment 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 SECOND ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; BY AMENDING THE URBAN INFILL, URBAN REDEVELOPMENT AND DOWNTOWN REVITALIZATION AREAS MAP OF THE NATURAL RESOURCE MAP SERIES OF THE BROWARD

COUNTY LAND USE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-3986) Withdrawn at the City of Coral Spring's request.

19. MOTION TO ENACT an ordinance amending the Broward Comprehensive Plan to adopt an amendment as part of the second annual 1998 amendment 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 SECOND ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; BY AMENDING THE CULTURAL RESOURCES MAP OF THE NATURAL RESOURCE MAP SERIES OF THE BROWARD COUNTY LAND USE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-6284) The Board filed proof of publications and enacted Ordinance 1998-38, as amended, to become effective as provided by law.

20. MOTION TO ENACT an ordinance amending the Broward County Comprehensive Plan, as part of the second annual 1998 amendment 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 SECOND ANNUAL 1998 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; BY REPLACING THE TRAFFIC CIRCULATION, MASS TRANSIT, BIKEWAYS, PORT EVERGLADES, FORT LAUDERDALE- HOLLYWOOD INTERNATIONAL AIRPORT, AND GENERAL AVIATION ELEMENTS WITH A TRANSPORTATION ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (C-11) The Board filed proof of publications and enacted Ordinance 1998-39 to become effective as provided by law.

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 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.

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

REZONING PETITION 13-Z-98.

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 29, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT, AND B-2, COMMUNITY BUSINESS DISTRICT, TO M-2, MEDIUM INDUSTRIAL 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-4536) The Board filed proof of publications and enacted Ordinance 98-17Z to become effective as provided by law.

END OF QUASI-JUDICIAL HEARING

NON AGENDA

22. SENIOR OLYMPICS Commissioner Abramowitz referred to a recent telephone call from one of the world's champion senior olympian in the discus and hammer throwing categories; mentioned his conversations with Mr. Bob Harbin, Parks and Recreation Division Director, regarding the county's intent to locate a park facility with track and field for senior olympians in the community to participate in, and addressed the plan to submit said proposal, once identified, before the Board for consideration at its future meeting.

ACTION: (C-1648) For informational purposes.

23. MOTION TO DIRECT the County Attorney's Office to draft an ordinance amending the Consumer Protection Board's ordinance on the attendance requirements to require members of the board to volunteer to serve on hearing panels, a minimum of four times per year in addition to regular meetings. (Commissioner Gunzburger)

ACTION: (C-1648) Approved by unanimous consent.

24. ARENA DEVELOPMENT CORPORATION Commissioner Lieberman referred to a memorandum dated November 6 from Ms. Sharon L. Cruz, Interim County Attorney, regarding the Broward County Civic Arena: Maintenance Contribution, Art in Public Places Ordinance to be considered by the Board on its November 17, 1998 agenda. She recognized the previous conversations held between Mr. Roger J. Desjarlais and the Arena Development Corporation (ADC) and inquired whether Ms. Cruz' suggestions have been addressed with ADC.

ACTION: (C-1743) County Administrator Roger J. Desjarlais had no objections to Commissioner Lieberman's request to pursue the issue with ADC as recommended in Ms. Cruz' memorandum.

25. TALLAHASSEE FLIGHTS Commissioner Lieberman referred to her conversations with Mr. Bill Sherry, Aviation Department Director; pointed out the November 6, 1998 Miami Herald article "Executives Push for Flights to Tallahassee Lauderdale Airport Lacks Nonstop Service", and noted questionnaire to all concerned with the lack of air service to Tallahassee regarding the number of times one travels between Fort Lauderdale-Hollywood International Airport and to Tallahassee. She requested that the questionnaire be completed and returned and that any county commissioner who is aware of any individuals who regularly travel to Tallahassee from Miami and live in Broward County, ought to provide Aviation Department with information on same.

ACTION: (B-1767) No action was necessary.

26. MOTION TO DIRECT the Human Services Department staff to respond to the letter dated November 5, 1998 from Mr. Andres Pinaluga, Hispanic Unity of Florida, regarding awarding the \$300,000 challenge grant (\$100,000 each year for three years and the two-to-one match from October 1, 1998 to September 30, 1999). (Commissioner Parrish)

ACTION: (C-2134) By unanimous consent, the Board had no objections to the request.

27. INFORMATIONAL The Chair referred to a correspondence she received from Mr. Bill Norkunas, Disabled Assisting Disabled (DAD), was selected from the southeast area by the Secretary of Treasury to deal with tax payer problems. Said letter addressed his willingness to assist any constituent with an

Internal Revenue Service (IRS) problems and indicated that the Citizens' Advisory Panel would be holding its first public meeting on Saturday, November 14, 1998.

ACTION: (C-2156) No action was necessary.

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