

PUBLIC HEARING OF DECEMBER 8, 1998

(Meeting convened at 2:15 p.m. and adjourned at 5:35 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

1. MOTION TO ADOPT Resolution 1998-1194 to vacate and abandon a road right-of-way, lying and being in Broward County, Florida, and located at NW 67th Avenue in the City of Sunrise. Petitioner: City of Sunrise (Self-Agent) 28-V-98.

ACTION: (C-56) Approved.

2. MOTION TO ADOPT supplemental budget Resolution 1998-1195 within the General Fund in the amount of \$12,222,469 for prior year carryover commitments (\$6,553,636) for an increase in the Commission Reserve from unexpended Broward Sheriff's Office (BSO) funds (\$5,224,263) and for other commitments (\$444,570).

ACTION: (C-62) Approved.

3. A. MOTION TO ADOPT supplemental budget Resolutions 1998-1196 through 1998-1198 within Capital funds in the amount of -\$8,503,502 to adjust budgeted revenues and transfers and to appropriate funds for prior year commitments.

ACTION: (C-187) Approved.

B. MOTION TO ADOPT budget Resolution 1998-1199 transferring \$57,390 within the Unincorporated Area Capital fund to provide funds for public art and design in compliance with the public art and design ordinance.

ACTION: (C-187) Approved.

4. MOTION TO ADOPT supplemental budget resolutions 1998-1200 through 1998-1205 within Enterprise Funds in the amount of \$4,333,495 for prior year carryover commitments (\$3,878,705), and other commitments and reserves (\$454,790).

ACTION: (C-196) Approved.

5. MOTION TO ADOPT supplemental budget resolutions 1998-1206 through 1998-1208 within Internal Service Funds in the amount of \$8,717,268 to adjust budgeted revenues and to appropriate funds for carryover commitments.

ACTION: (C-201) Approved.

6. MOTION TO ADOPT supplemental budget Resolutions 1998-1209 through 1998- 1216 within the Special Revenue Fund in the amount of \$1,438,102 for prior year carryover commitments (\$1,436,202) and appropriations to reserves (\$1,900).

ACTION: (C-209) Approved.

7. MOTION TO ADOPT supplemental budget resolutions 1998-1217 through 1998- 1229 within the Special Purpose sub-funds of the General Fund in the amount of \$4,221,616 for prior year carryover commitments (\$3,271,516) and other commitments and reserves (\$950,100).

ACTION: (C-216) Approved.

8. MOTION TO ADOPT supplemental budget Resolutions 1998-1230 and 1998-1231 within Trust and Agency Funds in the amount of \$533,218 for prior year carryover commitments.

ACTION: (C-222) & (C-1003) Approved.

9. MOTION TO CONSIDER award of renewal licenses for Nonemergency Medical Transportation Service (NEMTS) to Tender Care Center, Inc. and B&L Services, Inc. d/b/a Healthcare Transportation, Inc.

ACTION: (C-290) Approved.

10. MOTION TO CONSIDER award of a new license for Nonemergency Medical Transportation Service (NEMTS) to Safe Ride Services, Inc. contingent upon licensee satisfying all remaining requirements of Chapter 3½, Section 8(e) of the Broward County Code of Ordinances.

ACTION: (C-309) Approved.

11. MOTION TO APPROVE amendment to lease and operating agreement between Broward County and King Ocean Service De Venezuela, S.A., and authorize the Chair and Clerk to execute same. (This is the second of two public hearings. The first public hearing was held on Tuesday, November 24, 1998. The resolution setting the public hearing was adopted by the Board on November 10, 1998.)

ACTION: (C-316) Approved.

12. MOTION TO CONSIDER amendment to lease between Broward County and Hvide Marine Incorporated due to the realignment and expansion of Eller Drive. (This is the first of two public hearings. The second public hearing will be held on Tuesday, December 22, 1998 at which time a motion for approval will be presented. The resolution setting the public hearing was adopted by the Board on November 24, 1998.)

ACTION: (C-320) Deferred for renewal of the advertisement.

13. MOTION TO CONSIDER enactment of ordinance 1998-45, the title of which reads as follows:
(Continued from 11/24/98, Item No.9)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE SALE OF FIREARMS; PROVIDING FOR THE REQUIREMENT OF A FIVE-DAY WAITING PERIOD IN CONNECTION WITH THE SALE OF FIREARMS IN BROWARD COUNTY; PROVIDING FOR A PROHIBITION AGAINST THE TRANSFERRING OR RECEIVING OF A FIREARM FOR FIVE DAYS FROM THE HOUR OF THE SALE, EXCLUDING WEEKENDS AND HOLIDAYS, WHEN THE SALE IS A TRANSFER OF MONEY OR OTHER VALUABLE CONSIDERATION, AND ANY PART OF THE SALE TRANSACTION IS CONDUCTED ON PROPERTY TO WHICH THE PUBLIC HAS THE RIGHT OF ACCESS; PROVIDING FOR THE REQUIREMENT OF A CRIMINAL HISTORY RECORDS CHECK IN CONNECTION WITH THE SALE OF FIREARMS IN BROWARD COUNTY; PROVIDING FOR A PROHIBITION AGAINST THE TRANSFERRING OR RECEIVING OF A FIREARM UNLESS A CRIMINAL HISTORY RECORDS CHECK IS PERFORMED IN CONNECTION WITH A SALE, WHICH IS A TRANSFER OF MONEY OR OTHER VALUABLE CONSIDERATION, AND ANY PART OF THE SALE TRANSACTION IS CONDUCTED ON PROPERTY TO WHICH THE PUBLIC HAS THE RIGHT OF ACCESS; PROVIDING FOR NON- APPLICABILITY OF THE ORDINANCE TO HOLDERS OF FLORIDA CONCEALED WEAPON PERMITS WHEN HOLDERS ARE PURCHASING A FIREARM; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

ACTION: (C-332) Approved, as amended.

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 ordinance 1998-44 amending the Broward County Comprehensive Plan to adopt a "Small Scale" amendment in the City of Hallandale, PC 98-14, the substance of which is as follows:

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; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (C-981) (C-1061) Approved.

15. MOTION TO ENACT an ordinance amending the Broward County Comprehensive Plan to adopt a "Small Scale" amendment in the City of Pembroke Pines, PC 98-15, the substance of which is as follows:

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 PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1000) Deferred to December 22, 1998 at the request of the Vice Chair.

16. MOTION TO ENACT an 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 is to be held on Tuesday, December 22, 1998 at 2:00 p.m.)

REZONING PETITION 14-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 13 AND 24, TOWNSHIP 50 SOUTH, RANGE 41 EAST; FROM A-1, AGRICULTURAL ESTATE DISTRICT, 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 B-2A, PLANNED BUSINESS CENTER DISTRICT, TO RS-2, ONE-FAMILY DETACHED DWELLING DISTRICT, RS-3, ONE-FAMILY DETACHED DWELLING DISTRICT, RS-4, ONE-FAMILY DETACHED DWELLING DISTRICT, RM-10, MULTIPLE-FAMILY DWELLING DISTRICT, RD-10, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT, RM-15, MULTIPLE-FAMILY DWELLING DISTRICT, A-3, UTILITY DISTRICT, CF, COMMUNITY FACILITY DISTRICT, S-1, RECREATIONAL DISTRICT, B-2, COMMUNITY BUSINESS DISTRICT, AND B-3, GENERAL BUSINESS 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: (C-1152) No action taken. The Second Public Hearing will be held on Tuesday, December 22, 1998 at 2:00 p.m.

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

REZONING PETITION 15-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 25, TOWNSHIP 51 SOUTH, RANGE 41 EAST; FROM R-2, TWO-FAMILY DWELLING DISTRICT, TO 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: (C-1240) Denied.

18. MOTION TO ENACT an 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 is to be held on Tuesday, December 22, 1998 at 2:00 p.m.)

REZONING PETITION 16-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 17, 18, 19 AND 20, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1A, ONE-FAMILY DWELLING DISTRICT, R-1C, ONE-FAMILY DWELLING DISTRICT, R-2, TWO-FAMILY DWELLING DISTRICT, AND R-2, TWO-FAMILY DWELLING DISTRICT ALLOCATING SIX (6) RESERVE UNITS, TO RS-3, ONE-FAMILY DETACHED DWELLING DISTRICT, RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT, RD-10, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT, AND RD-10, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT ALLOCATING NINE (9) RESERVE UNITS; 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 the County Commissioners)

ACTION: (C-2037) No action taken. The Second Public Hearing will be held on Tuesday, December 22, 1998 at 2:00 p.m.

END OF QUASI-JUDICIAL HEARING

**(Items 39, 41 and 42 were tabled from the 10:00 a.m. meeting to the 2:30 p.m. public hearing.)
(See Items 19 (42) 20 (39), and 24 (41).)**

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

19. DISCUSSION: Northwest Regional Library. (Commissioner Abramowitz)

ACTION: (C-2580) Directed staff to work with the City of Coral Springs to review the options offered and return with a recommendation underlying the options, those being: designate the site; County to transfer \$4 million from Wiles Road Library project to this new site for a Regional Facility; and accept the offer from Coral Springs to provide the County with \$4 million toward the development of the Regional Facility.

20. DISCUSSION: Interim County Attorney compensation and benefits.

ACTION: (C-2852) The Board directed that Mr. Morrison be paid during his tenure as Interim County Attorney in the same compensation package as Ms. Cruz during her tenure as Interim County Attorney, with the option that he have a county vehicle or a car allowance.

NON AGENDA ITEMS

21. REAPPOINTMENT: Commissioner Abramowitz advised that the Governor has advised him that he has been reappointed as Chairman of the Department of Elder Affairs for the State of Florida.

ACTION: (C-2937) For informational purposes.

22. CANCELLATION OF WARRANTS: Commissioner Lieberman advised that in canceling warrants, state law requires that checks in amounts for more than \$5.00 be issued; if less than \$5.00 they have to be requested. It has been suggested that one more item be added to the Legislative Program and that is to ask that the \$5.00 amount be raised.

ACTION: (C-3164) Directed staff to further research this issue.

23. STATUS OF SEARCH to fill the position of County Attorney for Broward County.

ACTION: (C-3495) The Commission Auditor advised he is following procedure and is not yet ready to make a recommendation. The Commission requested that he

contact some Broward County Search Firms.

END OF NON AGENDA ITEMS

24. ATTORNEY-CLIENT MEETING: Commencement of attorney-client session pursuant to Section 286.011(8), Florida Statutes, to discuss litigation strategy related to City of Hollywood v. Broward County, Seventeenth Judicial Circuit Court Case No. 98-1859 (18).

ACTION: (C-3650) The County Commission scheduled a closed attorney-client meeting at the

conclusion of the agenda today in Room 437. Upon returning to Room 422 at the end of the meeting, the Chair announced that the litigation between the City of Hollywood vs. Broward County has been finalized. A transcript will be available for inspection pursuant to the public records law.

[Back to previous page](#)