

PUBLIC HEARING OF DECEMBER 10, 1996

(Meeting convened at 2:00 p.m. and adjourned at 6:39 p.m.)

PLEDGE OF ALLEGIANCE - Led by Commissioner Cowan.

1. MOTION TO ADOPT Resolution 96-1108 to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 5951 Colonial Drive in the City of Margate. Petitioner: Beverly Enterprises - Florida, Inc. (Gee & Jenson - Agent) 34-V-96.

ACTION: (A-54) Approved.

2. MOTION TO ADOPT Resolution 96-1109 to vacate and abandon access, utility and drainage easements, lying and being in Broward County, Florida, and located North of NW 48th Street between Powerline Road and the Florida Turnpike in the City of Deerfield Beach. Petitioner: Ledds International, Inc. (McLaughlin Engineering - Agent) 2-V-91.

ACTION: (A-59) Approved.

3. MOTION TO ADOPT Resolution 96-1110 to vacate and abandon right-of-way, lying and being in Broward County, Florida and located on a portion of Blue Gill Road running eastward from SW 148th Avenue in the City of Miramar. Petitioner: Windsor Palms Corporation (Robert B. Lochrie, Esquire - Agent) 22-V-96.

ACTION: (A-69) Approved.

4. MOTION TO ADOPT Resolutions 96-1111 through 96-1132 to assess land clearance liens.

ACTION: (A-74) Approved.

5. MOTION TO CONSIDER award of new licenses for Nonemergency Medical Transportation Service (NEMTS) to Broward Livery Service, Inc. and Tender Care Centers, Inc.

ACTION: (A-81) Continued to January 14, 1997 at 2:00 p.m. and directed the County Attorney's Office to bring back language to provide standards of conduct for these services.

6. MOTION TO CONSIDER award of renewal license for Nonemergency Medical Transportation Service (NEMTS) to B & L Services, Inc.

ACTION: (A-146) Approved.

7. MOTION TO ADOPT Resolution 96-1133 of the Board of County Commissioners of Broward County, Florida, approving renewal of a non-exclusive franchise to Florida Stevedoring, Inc. for time period certain; to conduct cargo handler operations at Port Everglades; providing for severability; and

providing for an effective date; and authorize the Chair and Clerk to execute franchise.

ACTION: (A-152) Approved.

8. MOTION TO ADOPT Resolution 96-1134 of the Board of County Commissioners of Broward County, Florida, approving renewal of a non-exclusive franchise to Florida Stevedoring, Inc. for time period certain; to conduct stevedoring operations at Port Everglades; providing for severability; and providing for an effective date; and authorize the Chair and Clerk to execute franchise.

ACTION: (A-160) Approved.

9. MOTION TO FILE proof of publication of a public hearing to receive public input on the expenditure of Local Law Enforcement Block Grant funds.

ACTION: (A-171) Approved.

10. A. MOTION TO ADOPT supplemental budget Resolution 96-1135 within the General Fund in the amount of \$7,766,794 for prior year carryover commitments and other commitments.

ACTION: (A-171) Approved.

B. MOTION TO ADOPT supplemental budget Resolutions 96-1136 through 96-1148 within the Special Purpose Sub-Funds of the General Fund in the amount of \$2,406,549 for prior year carryover commitments and other commitments.

ACTION: (A-171) Approved.

C. MOTION TO ADOPT supplemental budget Resolutions 96-1149 through 96-1156 within the Special Revenue Fund in the amount of \$5,267,002 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (A-171) Approved.

D. MOTION TO ADOPT supplemental budget Resolutions 96-1157 through 96-1160 within Capital Funds in the amount of \$1,928,831 to adjust budgeted revenues and transfers and to appropriate funds for prior year commitments.

ACTION: (A-171) Approved.

E. MOTION TO ADOPT budget Resolution 96-1161 within the Unincorporated Capital Fund to transfer \$92,830 to the Art and Public Design Fund (631) as required by the Art and Public Design ordinance.

ACTION: (A-171) Approved.

F. MOTION TO ADOPT supplemental budget Resolutions 9-1162 through 96-1169 within Enterprise Funds in the amount of \$6,631,112 for prior year carryover commitments and other commitments.

ACTION: (A-171) Approved.

G. MOTION TO ADOPT supplemental budget Resolutions 96-1170 through 96-1172 within Internal Service Funds in the amount of \$9,608,272 to adjust budgeted revenues and to appropriate funds for prior year commitments.

ACTION: (A-171) Approved.

H. MOTION TO ADOPT budget Resolution 96-1173 in the amount of \$22,600 within the Fleet Management Fund (501) to transfer capital recovery funds to the Engineering Capital Projects Fund (315).

ACTION: (A-171) Approved.

I. MOTION TO ADOPT supplemental budget Resolution 96-1174 within the Debt Service Fund (228) in the amount of \$4,000 to reappropriate funds for prior year costs.

ACTION: (A-171) Approved.

J. MOTION TO ADOPT supplemental budget Resolutions 96-1175 and 96-1176 within Trust and Agency Funds in the amount of \$725,179 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (A-171) Approved.

11. MOTION TO ADOPT Resolution 96-1177 proposing to amend Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation;" amending the schedule of rates, fees and charges for non-concessionaire motor vehicle rental business or service at Fort Lauderdale-Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-179) Approved.

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, IMPOSING AN ADDITIONAL FINE UPON CRIMINAL OFFENDERS; PROVIDING FOR COLLECTION AND ACCOUNTING OF FUNDS; PROVIDING FOR EXPENDITURE OF

FINES TO COVER THE COSTS OF COLLECTION, CRIME-PREVENTION PROGRAMS, AND SAFE-NEIGHBORHOOD PROGRAMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-536) Filed proof of publication and enacted Ordinance 96-41 to be effective as provided by law.

13. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-33 RELATING TO FAMILY CHILD CARE HOMES; PROVIDING FOR INCLUSION OF REVISED STATE REGULATIONS RELATING TO MINIMUM STANDARDS FOR LICENSURE AND OPERATION OF FAMILY CHILD CARE HOMES; PROVIDING FOR REVISED BACKGROUND SCREENING REQUIREMENTS; PROVIDING FOR REVISED RATIOS OF PERSONNEL TO CHILDREN; PROVIDING FOR STANDARDS FOR NIGHT TIME CHILD CARE; PROVIDING FOR TEMPORARY SUSPENSION OF A FAMILY CHILD CARE HOME LICENSE WHEN NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF CHILDREN IN CARE; PROVIDING FOR ENFORCEMENT OF UNLICENSED FAMILY CHILD CARE HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-539) Filed proof of publication and enacted Ordinance 96-42 to be effective as provided January 1, 1997. Further, the Board requested staff prepare a report to be submitted to the commissioners six months after implementation on whether or not there have been improvements, have additional homes become licenses, or did the opposite happen and there are fewer homes registered.

14. A. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TO BE ENTITLED THE BROWARD COUNTY WORK RELEASE PROGRAM AND FACILITY ORDINANCE; AUTHORIZING A COUNTY WORK RELEASE PROGRAM; AUTHORIZING THE OPERATION AND MAINTENANCE OF A COUNTY WORK RELEASE FACILITY BY A PRIVATE ENTITY; SETTING STANDARDS FOR FACILITY EMPLOYEES; PROVIDING FOR APPOINTMENT OF A CONTRACT MONITOR; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-903) Filed proof of publication and enacted Ordinance 96-43 to be effective as provided by law.

B. MOTION TO APPROVE Resolution 96-1178 in accordance with Section 21.6c of the Broward

County Procurement Code to waive the Procurement Code for the provision of work release beds through a tri-party agreement among Broward County, the Broward County Sheriff and Wackenhut Corrections Corporation.

ACTION: (B-1875) Approved.

C. MOTION TO APPROVE five-year agreement among Broward County, the Broward County Sheriff and Wackenhut Corrections Corporation for the provision of 300 work release beds at a cost of \$4,334,010 for the first year of services.

ACTION: (B-1875) Approved as amended per the addendum from Pete Corwin, Assistant to the County Administrator, adding the verbiage "subject to execution by all parties." Also, the Board requested that staff seek comments from the cities surrounding the area.

15. 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"; CREATING A NEW SUBSECTION 5-181 (n) RELATING TO EXPIRATION OF FINDINGS OF ADEQUACY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2361) Continued the public hearing to December 17, 1996 at 10:00 a.m.

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. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

16. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida the substance of which is as follows:

(This is the second of two public hearings; the first was held on Tuesday, November 26, 1996 at 2:00 p.m.)

REZONING PETITION 12-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 20 AND 29, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT; R-2, TWO-FAMILY

DWELLING DISTRICT; R-3, LOW-DENSITY MULTIPLE DISTRICT; R-1T, MOBILE HOME DWELLING DISTRICT; T-1 TRAVEL TRAILER PARK DISTRICT; RM-5, RESIDENTIAL MULTIPLE-FAMILY DWELLING DISTRICT; S-2, OPEN SPACE DISTRICT; B-3, GENERAL BUSINESS DISTRICT; M-1, LIGHT INDUSTRIAL DISTRICT AND M-2 MEDIUM INDUSTRIAL 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-1820) Enacted Ordinance 96-16(Z) to be effective as provided by law.

17. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida the substance of which is as follows:

(This is the second of two public hearings; the first was held on Tuesday, November 26, 1996 at 2:00 p.m.)

REZONING PETITION 13-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 31, TOWNSHIP 47 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT TO RS-4, ONE-FAMILY DETACHED DWELLING; 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-1835) Eacted Ordinance 96-17(Z) to be effective as provided by law.

18. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida the substance of which is as follows:

(This is the second of two public hearings; the first was held on Tuesday, November 26, 1996 at 2:00 p.m.)

REZONING PETITION 17-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT

BOUNDARIES BY REZONING A PORTION OF SECTION 15, TOWNSHIP 48 SOUTH, RANGE 41 EAST; FROM R-4, APARTMENT DISTRICT TO RM-19, 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: (B-1835) Enacted Ordinance 96-18(Z) to be effective as provided by law.

19. MOTION TO CONSIDER enactment of an ordinance regarding a development order for the Weston (Indian Trace) Increment III Development of Regional Impact the substance of which is as follows:
(Continued from November 26, 1996)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA ADOPTING THE INCREMENTAL DEVELOPMENT ORDER FOR INCREMENT III OF THE INDIAN TRACE DEVELOPMENT OF REGIONAL IMPACT (WESTON); WHICH INCLUDES APPROXIMATELY 2475.56 ACRES GENERALLY LOCATED NORTH OF SADDLE CLUB ROAD, WEST OF ARVIDA PARKWAY, SOUTH OF INTERSTATE 75, AND EAST OF STATE ROAD 27, IN THE CITY OF WESTON, FLORIDA AND IS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; PROVIDING THAT THE APPROXIMATE 2475.56 ACRE DEVELOPMENT MAY CONSIST OF 2,047 DWELLING UNITS, INDUSTRIAL/OFFICE/COMMERCIAL USES, WATER BODIES, MITIGATION, SCHOOLS, HOTEL UNITS, PARKS, FIRE STATION, AND OPEN SPACE, PROVIDING THE CONDITIONS AND THE REQUIREMENTS RELATING TO THE DEVELOPMENT OF ARVIDA INCREMENT III; PROVIDING FOR THE EFFECT OF VIOLATION OF CONDITIONS; PROVIDING FOR THE RESPONSIBLE COUNTY OFFICIAL; PROVIDING FOR RECORDING; PROVIDING FOR THE COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS; PROVIDING FOR THE CONDITIONS ON ZONING OR INTENSITY REDUCTION; PROVIDING FOR A TERMINATION DATE; PROVIDING FOR ANNUAL MONITORING REPORT; PROVIDING FOR RESOLUTION OF CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1445) Motion to approve failed with a 3-3 vote. This ordinance was rolled over to the meeting of December 17, 1996 at 10:00 a.m. .

19. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida the substance of which is as follows:
(Continued from November 26, 1996)

REZONING PETITION 19-Z-96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AMENDING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF INCREMENT III OF THE INDIAN TRACE DEVELOPMENT OF REGIONAL IMPACT (WESTON)

MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" FROM A-1, LIMITED AGRICULTURAL DISTRICT TO CONSERVATION-2 DISTRICT; AMENDING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF INCREMENT III OF THE INDIAN TRACE DEVELOPMENT OF REGIONAL IMPACT (WESTON) MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" FROM A-1, LIMITED AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT (PDD) INCLUDING PLANNED RESIDENTIAL COMMUNITIES, PLANNED COMMERCIAL CENTERS, PLANNED INDUSTRIAL PARKS AND PLANNED SPECIAL COMPLEXES; PROVIDING FOR LIMITATIONS, CONDITIONS AND QUALIFICATIONS; PROVIDING FOR A NEW CONCEPTUAL SITE DEVELOPMENT PLAN AS DESCRIBED IN EXHIBIT "C"; PROVIDING FOR THE USE OF THE 20% INDUSTRIAL FLEXIBILITY RULE AS PROVIDED BY THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT; PROVIDING FOR NOTICE TO PROPERTY OWNERS; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-1810) Without objection, this ordinance was continued to December 17, 1996 at 10:00 a.m.

END OF QUASI-JUDICIAL HEARING

[Back to previous page](#)