

PUBLIC HEARING OF DECEMBER 12, 1995

(The meeting convened at 2:13 p.m. and adjourned at 5:22 p.m.)

PLEDGE OF ALLEGIANCE - led by *Commissioner Suzanne N. Gunzburger*

CALL TO ORDER

1. **MOTION TO ADOPT** Resolution 95-1111 to vacate and abandon utility and anchor easements, lying and being in Broward County, Florida, and located on the west side of South Park Road between Hollywood Boulevard and Madison Street in the city of Hollywood. Petitioner: Transeastern Hollywood Apartments Inc. (Consul-Tech Engineering, Inc. - Agent) 36-V-95.

ACTION: (B-128) Approved.

2. **MOTION TO ADOPT** Resolution 95-1112 to vacate and abandon a utility easement, lying and being in Broward County, Florida, and located at 3461 Northwest 40 Court in the city of Lauderdale Lakes. Petitioner: Cyril Ian McDavid and Sylvia E. Alleyne (David P. Phillips, Esq. - Agent) 11-V-93.

ACTION: (B-147) Approved.

3. **MOTION TO ADOPT** Resolution 95-1113 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Conti USA Inc. for time period certain; to perform steamship agent services at Port Everglades; providing for severability; and providing for an effective date.

ACTION: (B-157) Approved.

4. **MOTION TO ADOPT** a resolution adopting supplemental budgets to adjust revenues and appropriations.

ACTION: (B-169) Approved.

A.**MOTION TO ADOPT** supplemental budget resolution 95-1114 within the General Fund in the amount of \$4,676,996 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (B-169) Approved.

B.**MOTION TO ADOPT** supplemental budget resolutions 95-1115 through 95-1124 within the Special Purpose Sub-funds of the General Fund in the amount of \$1,634,463 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (B-169) Approved.

C.**MOTION TO ADOPT** supplemental budget resolutions 95-1125 through 95-1131 within the Special Revenue Fund in the amount of \$5,831,220 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (B-169) Approved.

D.MOTION TO ADOPT supplemental budget resolutions 95-1132 through 95-1140 within Capital Funds in the amount of \$1,482,633 to adjust fund balances and transfers and to appropriate funds to reserves and other commitments.

ACTION: (B-169) Approved.

E.MOTION TO ADOPT supplemental budget resolutions 95-1141 through 95-1145 within Enterprise Funds in the amount of \$10,160,872 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (B-169) Approved.

F.MOTION TO ADOPT supplemental budget resolutions 95-1146 through 95-1148 within Internal Service Funds in the amount of \$1,245,753 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (B-169) Approved.

G.MOTION TO ADOPT supplemental budget resolutions 95-1149 and 95-1150 within Trust and Agency Funds in the amount of \$844,315 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (B-169) Approved.

5.MOTION TO ADOPT Resolutions 95-1151 through 95-1178 to assess land clearing liens.

ACTION: (B-185) Approved.

QUASI-JUDICIAL PUBLIC 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 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.

6.MOTION TO ADOPT Resolution 95-1179 transmitting the proposed Sawgrass Exchange Development of Regional Impact (DRI) amendment to the Broward County Land Use Plan, an element of the Broward County Comprehensive Plan, to the Florida Department of Community Affairs for review pursuant to Chapter 163.3184(15), Florida Statutes.

ACTION: (B-200 & B-4737) Approved.

7.MOTION TO ENACT an ordinance amending the Broward County Land Use Plan and the Unincorporated Area Future Land Use Element, elements of the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE BROWARD COUNTY

LAND USE PLAN MAP OF THE BROWARD COUNTY LAND USE PLAN SERIES AND THE UNINCORPORATED AREA

FUTURE LAND USE ELEMENT TO REDESIGNATE THE LAND USE OF THE WESTON DEVELOPMENT OF REGIONAL IMPACT LOCATED IN UNINCORPORATED BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (B-789) The Board filed proof of publications and enacted the ordinance to become effective as provided by law.

8. MOTION TO CONSIDER proposed changes to the previously approved Indian Trace (Weston) Development of Regional Impact (1-DRI-95) and consideration of enactment of:

A. Master Development Order.

B. Incremental Development Order for the Arvida Increments I & II.

ACTION: (B-1342) Approved.

9. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 4-Z-95). (This is the second of two (2) Public Hearings. The first Public Hearing was held on Tuesday, November 28, 1995 at 2:00 p.m.)

REZONING PETITION 4-Z-95

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AMENDING AND RESTATING ORDINANCE NO. 94-11, WHICH ORDINANCE IS THE DEVELOPMENT ORDER FOR THE INDIAN TRACE DEVELOPMENT OF REGIONAL IMPACT (WESTON), AND WHICH IS THE AMENDED AND RESTATED PLANNED UNIT DEVELOPMENT ZONING OF ARVIDA INCREMENTS I AND II AND THE AREA FORMERLY KNOWN AS TISHMAN/SPEYER INCREMENT II OF INDIAN TRACE, WHICH INCREMENTS CONSIST OF AN AREA OF APPROXIMATELY 7,022.64 ACRES LOCATED GENERALLY WITHIN AN AREA BOUNDED ON THE NORTH BY STATE ROAD 84, ON THE EAST BY INTERSTATE 75, ON THE SOUTH BY GRIFFIN ROAD, AND

ON THE WEST BY U.S. ROAD 27; PROVIDING FOR A NEW CONCEPTUAL SITE DEVELOPMENT PLAN; 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-3471) The Board filed proof of publications and the enacted ordinance, as amended, to become effective as provided.

END OF QUASI-JUDICIAL PUBLIC HEARING

10. 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; AMENDING CHAPTER 1, BROWARD COUNTY CODE OF ORDINANCES BY CREATING ARTICLE XVII ENTITLED QUASI-JUDICIAL PROCEEDINGS; PROVIDING FOR INTENT; PROVIDING DEFINITIONS; PROVIDING PROCEDURES RELATED TO QUASI-JUDICIAL PROCEEDINGS, INCLUDING BUT NOT LIMITED TO EX-PARTE COMMUNICATIONS, NOTIFICATION, CONDUCT OF HEARING, AND ORDER OF PROCEEDING; PROVIDING FOR CONTINUANCES AND DEFERRALS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-6378) The Board filed proof of publication and enacted the ordinance to become effective as provided by law.

11. MOTION TO CONSIDER enactment of Ordinance 95-53 the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 27, BROWARD COUNTY CODE OF ORDINANCES, AS FOLLOWS: REPEALING SECTIONS 27-301 THROUGH 27-315, RELATING TO STORAGE TANKS; ADOPTING ARTICLE X, SECTIONS 27-301 THROUGH 27-320, RELATING TO STORAGE TANKS; DECLARING INTENT; PROVIDING DEFINITIONS; ESTABLISHING PROHIBITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR REQUIRED NOTIFICATIONS; PROVIDING FOR LICENSE AND OPERATING REQUIREMENTS; ESTABLISHING PERFORMANCE STANDARDS; ESTABLISHING GENERAL RELEASE DETECTION STANDARDS; PROVIDING FOR REPAIRS TO STORAGE TANK SYSTEMS; PROVIDING FOR FINANCIAL RESPONSIBILITY; ESTABLISHING RECORD KEEPING AND INVENTORY REQUIREMENTS; ESTABLISHING OPERATING REQUIREMENTS FOR CATHODIC PROTECTION; PROVIDING FOR CERTIFIED CONTRACTORS; PROVIDING FOR DISCHARGE RESPONSE; PROVIDING FOR APPROVAL OF SYSTEMS AND EQUIPMENT; PROVIDING FOR OUT-OF-SERVICE SYSTEM AND CLOSURE REQUIREMENTS; PROVIDING FOR CLOSURE ASSESSMENTS; PROVIDING FOR VAPOR RECOVERY; PROVIDING FOR LEAK TESTING OF CERTAIN GASOLINE TANKER TRUCKS; PROVIDING FOR POWERS OF THE DEPARTMENT OF NATURAL RESOURCE PROTECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (C-35) The Board filed proof of publication and enacted Ordinance 95-53 to become effective as provided by law.

12. MOTION TO CONSIDER enactment of Ordinance 95-51, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH; AMENDING SECTION 30-458(e) OF THE BROWARD COUNTY CODE TO PROVIDE FOR GREATER ENFORCEMENT OF UNPAID COLLECTION SERVICES FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (C-85) The Board filed proof of publications and enacted Ordinance 95-51, as amended, to become effective as provided.

13. MOTION TO CONSIDER enactment of Ordinance 95-52, the substance of which is as follows:

AN ORDINANCE OF THE BROWARD COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH; AMENDING SECTION 8½-16 OF THE BROWARD COUNTY CODE TO ADD A CIVIL PENALTY FOR SANITARY NUISANCE VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.”

(Sponsored by the Board of County Commissioners)

ACTION: (C-85) The Board filed proof of publications and enacted Ordinance 95-52 to become effective as provided by law.

NON AGENDA

14. S/NC - FINANCIAL ADVISOR The Vice Chair announced that the Selection/Negotiation Committee for Financial Advisor for the Proposed Broward County Civic Center Bonds has been scheduled for this afternoon at 3:00 p.m. of which Commissioners Cowan, Gunzburger, Parrish, and Poitier are members.

ACTION: (B-3404 & 5419) The Commission directed staff to notify Evensen Dodge Inc., a joint venture with Fidelity Financial Services, and Stafford Sports Ventures LP, that they would be asked to make oral presentations on December 18, 1995 at 10:00 a.m. when the S/NC next meets. The Board requested that staff reschedule the S/NC on Janitorial Services at the Airport to another time.

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