

PUBLIC HEARING OF DECEMBER 14, 1993

(Meeting convened at 2:00 p.m. and adjourned at 6:45 p.m.)

PLEDGE OF ALLEGIANCE led by the Chair.

CALL TO ORDER

1. MOTION TO ADOPT Resolution 93-1396 to vacate and abandon utility and right-turn deceleration lane easements, lying and being in Broward County, Florida located at 2500 Rock Island Road in the city of Margate. Petitioner: Landstar Development Corp. (Schwebke-Shiskin & Assoc. - Agent) 20-V-93.

ACTION: (B-167) Approved.

2. MOTION TO ADOPT Resolution 93-1397 to vacate and abandon a utility easement, lying and being in Broward County, Florida located on the east side of Coral Ridge Drive north of Wiles Road in the city of Coral Springs. Petitioner: North Springs Improvement District (Fla. National Properties-Agent) 38-V-93.

ACTION: (B-176) Approved.

3. MOTION TO ADOPT Resolution 93-1398 to vacate and abandon road right-of-way, lying and being in Broward County, Florida located east of Southwest 61 Avenue and west of Southwest 58 Avenue between Stirling Road and Griffin Road in the Town of Davie. Petitioner: Seaside Group, Inc. (Leigh Kerr & Assoc. -Agent) 43-V-93.

ACTION: (B-182) Approved.

4. A. MOTION TO ADOPT Resolutions 93-1399 through 93-1435 to assess land clearance liens.

ACTION: (B-188) Approved.

B. MOTION TO ADOPT Resolution 93-1445 to assess land clearance liens.

ACTION: (C-119) Approved Invoice 930471, Folio 9215-01-345 at \$135.89 as amended.

5. MOTION TO ADOPT a resolution prescribing amended schedule of rates for operation and maintenance (O&M) treatment and disposal for sewer service by large users of the County's North Regional Wastewater Treatment Facility, and providing for an effective date.

ACTION: (B-365) Approved.

6. A. MOTION TO ADOPT supplemental budget resolution 93-1437 within the General Fund in the amount of \$8,318,737 for prior year carryover commitments and other miscellaneous commitments.

ACTION: (B-380) Approved.

B. MOTION TO ADOPT supplemental budget resolutions 93-1438 within the Special Purpose sub-funds of the general fund in the amount of \$3,528,859 for prior year carryover commitments and other

miscellaneous commitments.

ACTION: (B-380) Approved.

C. MOTION TO ADOPT supplemental budget resolution 93-1439 within the Debt Service Fund in the amount of \$115,985 to rebudget revenues not received in the prior fiscal year and the associated appropriation.

ACTION: (B-380) Approved.

D. MOTION TO ADOPT supplemental budget resolutions 93-1440 in the amount of \$15,661,066 within Special Revenue funds to reappropriate funds to meet prior commitments and to amend revenue appropriations to reflect year-end adjustments.

ACTION: (B-380) Approved.

E. MOTION TO ADOPT supplemental budget resolutions 93-1441 within Capital funds in the amount of \$348,060 to amend revenues and appropriations to reflect year-end adjustments.

ACTION: (B-380) Approved.

F. MOTION TO ADOPT supplemental budget resolutions 93-1442 within Enterprise Funds in the amount of \$116,869,327 to reduce appropriations which are no longer required, to amend budgeted revenues to reflect adjustments made in closing fiscal year 1993, and to provide funds for prior year commitments and other miscellaneous commitments.

ACTION: (B-380) Approved.

G. MOTION TO ADOPT supplemental budget resolution 93-1443 within an Internal Service Fund in the amount of \$418,020 to reappropriate funds for equipment purchases approved in the fiscal year 1993 budget.

ACTION: (B-380) Approved.

H. MOTION TO ADOPT supplemental budget resolution 93-1444 within the Trust fund in the amount of \$922,211 to reappropriate funds to meet prior commitments.

ACTION: (B-380) Approved.

7. MOTION TO APPROVE issuance of air construction license to Atlantic Burial Casket Company to install two 100 pounds per hour, natural gas fired, Industrial Equipment and Engineering, Model IE43-PP II human crematories to be located at 820 Northwest 57 Street, Fort Lauderdale, Florida 33309.

ACTION: (B-418) Approved.

8. MOTION TO CONSIDER the following variances to the Stage II requirements set forth in Section 27-315 of the Broward County Natural Resource Protection Code.

ACTION: (B-430) The Board directed the County Attorney to draft a procedure and develop a process that includes a hearing officer, through the Department of Environmental Protection, to hear similar

variance cases as outlined below.

A. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Charles K. Deeb, Project Manager for Chevron Station #202684, Plantation, Florida.

ACTION: (B-913) Approved staff's recommendation to deny.

B. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Sheldon H. Hoffman, attorney representing Arniel Crescenzo, Hollywood, Florida.

ACTION: (B-2949) Approved staff's recommendation to deny.

C. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Michael D. Stewart, attorney representing Wil-Dor, Inc., Fort Lauderdale, Florida.

ACTION: (B-3939) Approved staff's recommendation to deny.

D. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Eddie Nurieli, attorney representing West Hollywood Auto Center, Pembroke Pines, Florida.

ACTION: (B-4960) Approved staff's recommendation to deny.

E. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Nick Staropoli, owner of the Star Service Center, Wilton Manors, Florida.

ACTION: (C-346) Approved a motion granting the variance request extending it to July 1, 1994.

F. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Mitch Gans, owner of BP Station, Lauderdale Lakes, Florida.

ACTION: (C-1879) Approved a motion granting the variance request to Mr. Gans, the operator of the said location, extending it to May 15, 1994 with the understanding that the variance granted is non transferrable and the Stage II requirements must be installed by that date contingent upon DNRP receiving an executed agreement with the operator and BP by February 15, 1994.

G. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Kerry Stutz, owner of BP Station, North Lauderdale, Florida.

ACTION: (B-2236) Approved the motion granting the variance request to Mr. Stutz, the operator of the said location, extending it to May 15, 1994 with the understanding that the variance granted is non transferrable and the Stage II requirements must be installed by that date contingent upon DNRP receiving an executed agreement with the operator and BP by February 15, 1994.

H. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by James A. Wynne, Agent for 7-11 Store, Deerfield Beach, Florida.

ACTION: (C-2600) Approved the motion granting the variance request to Mr. Wynne extending it to December 30, 1993.

I. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by James A. Wynne, Agent for Amoco Service Station, Fort Lauderdale, Florida.

ACTION: (C-2842) Approved staff's recommendation to deny.

J. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Dawn Felton, Project Coordinator for Shell Gas Station, Fort Lauderdale, Florida.

ACTION: (C-2988) Approved the motion granting the variance request to Ms. Dawn Felton extending it to December 27, 1993.

K. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by George Bantis, Operator of BP Service Station, Pompano Beach, Florida.

ACTION: (C-2314) Approved the motion granting the variance request to Mr. Bantis, the operator of the said location, extending it to February 15, 1994 with the understanding that the variance granted is non transferrable and the Stage II requirements must be installed by that date contingent upon DNRP receiving an executed agreement with the operator and BP.

L. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by William J. Chalich, Operator of BP Service Station, Sunrise, Florida.

ACTION: (C-2314) Approved the motion granting the variance request to Mr. Chalich, the operator of the said location, extending it to February 15, 1994 with the understanding that the variance granted is non transferrable and the Stage II requirements must be installed by that date contingent upon DNRP receiving an executed agreement with the operator and BP.

M. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Marc Malloy, Operator of BP Service Station, Oakland Park, Florida.

ACTION: (C-2246) Approved the motion granting the variance request to Mr. Malloy, the operator at the said location, extending it to no later than May 15, 1994 with the understanding that the variance granted is non transferrable and the Stage II requirements must be installed by that date. The Board further requested that the operator provide a copy of the existing executed contract with BP to DNRP.

N. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by John Theodore, Operator of BP Service Station, Coral Springs, Florida.

ACTION: (C-2427) Approved the motion granting the variance request to Mr. Theodore, the operator at the said location, extending it to no later than May 15, 1994 with the understanding that the variance granted is non transferrable and the Stage II requirements must be installed by that date. The Board further requested that the operator provide a copy of the existing executed contract with BP to DNRP.

O. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Larry Karachalios, Operator of BP Service Station, Fort Lauderdale, Florida.

ACTION: (C-2452) Approved staff's recommendation to deny.

P. MOTION TO DENY a request for variance from the provisions of Section 27-315 of the Broward County Natural Resource Protection Code by Phillip Falkiewicz, Operator of BP Service Station, Pompano Beach, Florida.

ACTION: (C-2300) Approved the motion granting the variance request to Mr. Falkiewicz, the operator at the said location, extending it to no later than May 15, 1994 with the understanding that the variance granted is non transferrable and the Stage II requirements must be installed by that date. The Board further requested that the operator provide a copy of the existing executed contract with BP to DNRP.

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

AN ORDINANCE CREATING SECTION OF THE CODE OF BROWARD COUNTY, FLORIDA, REGULATING CABLE TELEVISION; PROVIDING FOR APPLICABILITY AND DEFINITIONS; PROVIDING FOR RATE REGULATION; CONSUMER PROTECTION AND CUSTOMER SERVICE STANDARDS; APPLICATION FEES; FRANCHISING PROCEDURES; FRANCHISE FEE AND PUBLIC PROPERTY CHARGES; FRANCHISE RENEWAL AND TRANSFER; INDEMNIFICATION; INSURANCE; PERFORMANCE BONDS; REGULATION AND INSPECTION OF CONSTRUCTION AND PERFORMANCE OF SYSTEMS; PRIORITY SERVICE AREAS; CONSUMER PROTECTION PROVISIONS; TERMINATION OF FRANCHISES; CONTINUITY OF SERVICE; PROHIBITING THEFT OF SERVICE; PROVIDING ENFORCEMENT; AMENDING SECTION RELATING TO PENALTIES; PROVIDING A GRANDPARENT PROVISION FOR CERTAIN WORK COMPLETED PRIOR TO ; PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, AND EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-118) Continued to the January 11, 1994 public hearing at staff's request.

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