

PUBLIC HEARING OF SEPTEMBER 23, 2003

(The meeting convened at 2:00 p.m. and adjourned at 4:44 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

1. **MOTION TO ADOPT** Resolution 2003-754 to vacate and abandon a utility easement, lying and being in Broward County, Florida, and located at 751 NE 44th Court in the City of Oakland Park. Petitioner: D-Square Properties, Inc. (Jay Deuschle) (2003-V-14) **(Commission District 4)**

ACTION: (Time-3:23 PM) Approved.

2. **MOTION TO CONSIDER** issuance of a new Class 1 – ALS Rescue Certificate of Public Convenience and Necessity (COPCN) to the Sheriff of Broward County, Florida. **(Commission Districts 4, 5, and 8)**

ACTION: (Time-3:23 PM) Approved.

3. **MOTION TO CONSIDER** issuance of a new Class 4 – ALS Air Rescue Certificate of Public Convenience and Necessity (COPCN) to the Sheriff of Broward County, Florida.

ACTION: (Time-3:23 PM) Approved.

4. **MOTION TO ADOPT** Resolution 2003-755 of the Board of County Commissioners of Broward County, Florida, granting renewal of a non-exclusive franchise to Perma-Fix of Fort Lauderdale, Inc. for a five-year term, to provide vessel oily waste removal services at Port Everglades; providing for severability, providing for an effective date, and authorizing the Mayor and Clerk to execute the franchise. The Resolution setting this Public Hearing was adopted on September 9, 2003.

ACTION: (Time-3:24 PM) Approved, as corrected. (Scrivener's error - See County Administrator's report: In the Requested Action, and the line What Action Accomplishes: Take out the word "stevedore" and add the words "vessel oily waste removal" services at Port Everglades. Also, in the Fiscal Impact Statement, first line where it says \$1,200 should read: \$1,250.)

5. MOTION TO ADOPT Resolution 2003-756 of the Board of County Commissioners of Broward County, Florida, amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation" amending Section 39.2, "Rates, Fees and Charges, Fort Lauderdale-Hollywood International Airport," to amend landing fees, security charges, and courtesy parking, and to delete airline relief incentive program; amending Section 39.4, "Other Rates, Fees, and Charges and Collections," to amend fiber optic charge and to add a charge for network/wireless connection; and amending Exhibit 39.A; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (Time-3:24 PM) Approved. See Page *****

6. MOTION TO ADOPT Resolution of the Broward County Board of County Commissioners, amending Section 37.5 of the Broward County Administrative Code entitled "Fees for Taxicabs and Limousines," providing for permit renewal late fees; providing for annual vehicle inspection late fees; providing for semi-annual vehicle inspection late fees; providing for revised wording; providing for a revision in ordering; providing for severance; providing for inclusion in Administrative Code; and providing for an effective date.

ACTION: (Time-3:29 PM) Filed proof of publication and continued the Public Hearing to October 14, 2003, following the first item after the Consent Agenda at 10:00 a.m. The Board directed staff to notify the industry and conduct a workshop to gather further input and work to resolve the issue. Also, in the future, staff will workshop issues of this nature with the industry that will be affected prior to going before the Board for consideration and all information regarding the workshops and other pertinent information will be included in staff's agenda report. See Page *****

7. MOTION TO ADOPT Resolution 2003-757 of the Board of County Commissioners of Broward County, Florida, amending, in part, Section 37.10, Retail Price List for Lost Materials, Section 37.11, Fines Schedules and Loan Periods, and Section 37.12, Miscellaneous Charges. These changes will amend the Broward County Administrative Code, Chapter 37, Fees and Other Charges, Community Services, Part II, Libraries; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-3:45 PM) Approved, as amended.

8. MOTION TO ADOPT Resolution 2003-758 of the Board of County Commissioners of Broward County, Florida, amending Chapter 37 of the Broward County Administrative Code; providing a revised Parks System Fee Schedule for Fiscal Year 2004; providing for the addition of new Sections 37.55 and 37.56 relating to fees for the batting cage and tennis/racquetball courts respectively; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-3:34 PM) Approved.

9. MOTION TO CONSIDER 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 20, ARTICLE VII, CONSUMER PROTECTION CODE, OF THE BROWARD COUNTY CODE OF ORDINANCES BY ADDING AATI CERTIFICATION AS AN ALTERNATIVE CERTIFICATION SATISFYING LICENSING REQUIREMENTS FOR MOTOR VEHICLE BODY REPAIR AND MOTOR VEHICLE PAINTING SHOPS AND TECHNICIANS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Lori Nance Parrish)

ACTION: (Time-3:45 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. See Page *****

10. MOTION TO CONSIDER adoption of a Resolution 2003-759 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, VOLUME I, CHAPTER 23, "OPERATIONAL POLICY, HUMAN SERVICES" BY ADDING SECTION 23.91, "MORTGAGE SATISFACTION AND SUBORDINATION; RELEASES OF RESTRICTIVE COVENANTS"; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (Time-4:01 PM) Approved.

11. MOTION TO CONSIDER 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 27, ARTICLE I, "NATURAL RESOURCE PROTECTION," OF THE BROWARD COUNTY CODE OF ORDINANCES, RELATING TO THE MISSION STATEMENT; DECLARATION OF INTENT; DEFINITIONS; CONFIDENTIAL RECORDS; APPROPRIATIONS; RIGHT TO INSPECT AND ACCESS PROPERTY; COMPUTATION OF TIME; AUTHORITY; NOTIFICATION OF VARIANCE AND HEARING; APPLICATION FOR VARIANCE; REQUIREMENTS FOR VARIANCE; ADMINISTRATIVE REVIEW OF DPEP DETERMINATIONS; AUTHORITY OF THE HEARING EXAMINER; HEARING EXAMINER'S FINAL ORDER; ASSESSMENT OF A CIVIL PENALTY AND ORDER FOR CORRECTION OF THE VIOLATION AND ANY ENVIRONMENTAL DAMAGE; ADJUDICATORY PROCEDURES, INCLUDING LIABILITIES AND REMEDIES; GENERAL VIOLATIONS AND PROHIBITIONS; JUDICIAL REMEDIES; ADMINISTRATIVE REMEDIES; CITATIONS; SERVICE OF NOTICES OF VIOLATIONS AND CITATIONS; COLLECTION AND RECOVERY OF CIVIL PENALTIES; POLLUTION PREVENTION AND RECOVERY FUND; COMBINED AGENCY AND STATE LICENSES; LICENSES REQUIRED; STANDARDS FOR ISSUING OR DENYING LICENSES; LICENSE APPLICATIONS; LICENSE REQUIREMENTS; RENEWAL AND EXTENSION OF LICENSES; CHANGE IN OWNER OF A LICENSED FACILITY OR PROJECT; ACCEPTANCE OF LICENSE CONDITIONS, SUSPENSION AND REVOCATION; FINANCIAL RESPONSIBILITY; APPROVALS REQUIRED PRIOR TO THE ISSUANCE OF A COUNTY OR MUNICIPAL BUILDING PERMIT, AND LAND DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-4:01 PM) Filed proof of publication and enacted the Ordinance, as amended, with correction of scrivener's error, to become effective October 6, 2003. (Scrivener's error: Page 73, lines 16 and 17. The words "Broward County Comprehensive Plan" were inadvertently deleted; the words "Broward County Comprehensive Plan" must be

inserted back into the Ordinance.)

*See Page ******

* **The following item was continued from September 9, 2003 - Item No. 17**

12. MOTION TO ADOPT Resolution 2003-760 of the Board of County Commissioners of Broward County amending the Broward County Administrative Code, Volume Two, Chapter 42, Sections One, Four, Five, Six, Seven, and Nine of Port Everglades Tariff No. 11, codified as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code; providing for addition to radio equipment; change in transit sheds; name change of tug service provider, providing for adjustments in charges for dockage, cargo, passenger, and wastewater wharfage, wharf use, fresh water, cargo storage, wharf demurrage, fresh water, harbormaster, linehandlers, electricity, labor and equipment, overtime, Fire Rescue permits and inspections, container gantry cranes, and electricity for refrigerated containers; changes in free time allowances for cargo; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-4:02 PM) Approved. The Board directed staff to submit a report to the Board in six (6) months and explore efficiencies and ways to reduce the Tariff rates. See Page *****

13. MOTION TO TRANSMIT to the Broward County Planning Council proposed Amendment 04-1-M1 to the Broward County Land Use Plan (BCLUP) Map Series and the Future Unincorporated Area Land Use Element Map Series, subject to LPA recommendations. **(Commission District 9)**

ACTION: (Time-2:24 PM) The Board moved the transmittal without recommendations. See Page *****

14. MOTION TO DEFER TRANSMITTAL to the Broward County Planning Council Amendment 04-1-M2 to the Broward County Land Use Plan (BCLUP) Map Series and the Future Unincorporated Area Land Use Element (FUALUE) Map Series of the Broward County Comprehensive Plan. **(Commission District 5)**

ACTION: (Time-3:20 PM) The Board moved the transmittal without recommendations. See Page *****