



Broward County

Legislation Text

File #: 21-1757, Version: 1

Broward County Commission Regular Meeting

Director's Name: Mark D. Bogen

Department: County Commission

Information

Requested Action

A. MOTION TO ADOPT Resolution No. 2021-488, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO MOTOR CARRIERS; WAIVING PERMIT FEES AND ABANDONMENT OF CERTIFICATES UNDER CHAPTER 22½ OF THE BROWARD COUNTY CODE OF ORDINANCES; MODIFYING THE TERM OF CERTIFICATES AND PERMITS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

ACTION: (T-1:04 PM) Approved. *Commissioner Sharief requested being added as a cosponsor to this item. (Refer to minutes for full discussion.) (See Regular Meeting Additional Material 57 and 58, dated October 5, 2021, submitted at the request of Environmental Protection and Growth Management Department.)*

VOTE: 9-0.

B. MOTION TO CONSIDER RESCISSION of the action taken by the Board of County Commissioners ("Board") in adopting Resolution No. 2021-466, Item 58 on the September 21, 2021, agenda of the Board, pertaining to waiver of the fees for motor carriers and modification of the term of certificates and permits for driver-owned taxicabs issued pursuant to Chapter 22½ of the Broward County Code of Ordinances (this is an alternate motion to be considered only if Motion A is not approved). (Commissioner Bogen)

(No Board action taken.)

Why Action is Necessary

A Resolution is necessary to waive or modify the fees for motor carriers and to modify the term of certificates and permits for taxicabs pursuant to Chapter 22½ of the Broward County Code of Ordinances ("Code").

What Action Accomplishes

Motion A enables the adoption of the above Resolution waiving fees and modifying the term of certificates and permits pursuant to the Code. Motion B, which would be considered only if Motion A is not approved, enables the Board to consider rescinding a previously-adopted Resolution.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Chapter 22½ of the Broward County Code of Ordinances (“Code”) provides that motor carriers that operate motor vehicles, including taxicabs, upon the streets of Broward County must obtain a certificate of public convenience (“Certificate”) and necessity and a valid permit (“Permit”). The Code provides for a term of one year for such Certificates and Permits, at fees set by the Board of County Commissioners (“Board”) by Resolution. The Code provides that the Board, by Resolution, may waive or modify the fees for motor carriers and modify the term of Certificates and Permits issued pursuant to Chapter 22½ to address the impacts of a declared state or local emergency.

Motion A permits the Board to consider a Resolution that, if adopted, will (i) extend the terms of Certificate and Permits that expired on June 30, 2021, until June 30, 2022; (ii) waive annual taxicab Permit fees and penalties for late renewal of taxicab Permits until June 30, 2022; (iii) extend the period of time after which Certificates that are not in use are deemed abandoned from 180 days to 360 days; and (iv) waive the abandonment of any Certificates that occurred from March 10, 2020, through the date the Resolution is adopted.

Motion B is in the alternative to Motion A, and will only be considered if Motion A is not approved by the Board. Pursuant to Section 18.7(j)(1) of the Broward County Administrative Code, a Commissioner seeking rescission of a prior action by the Board must first place a motion to consider rescission on the agenda. Motion B would consider rescission of the Board’s adoption of Resolution No. 2021-466 pursuant to Item 58 on the September 21, 2021, agenda of the Board. That Resolution approved certain relief relating to Certificates and Permits, but only for Certificates and Permits owned by current taxicab drivers. If Motion B is approved, a motion to rescind would be presented at the November 4, 2021, Board meeting.

This item is submitted after the applicable deadline for supplemental items, but the subject matter cannot be timely addressed at a subsequent Board meeting without adversely impacting the recipients of the relief proposed to be afforded.

Source of Additional Information

Fiscal Impact

Fiscal Impact/Cost Summary

Total financial impact is estimated to be \$200,000 or less.