

# MEETING OF JANUARY 6, 1998

(Meeting convened at 10:00 a.m. and adjourned at 11:30 a.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

## CONSENT AGENDA

### PUBLIC WORKS DEPARTMENT

### OFFICE OF ENVIRONMENTAL SERVICES

### FISCAL OPERATIONS DIVISION

1. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien to release liens recorded for unpaid water and/or sewer charges.

**ACTION: (A-453) Approved.**

### OFFICE OF GENERAL SERVICES

2. MOTION TO APPROVE Second Amendment to the agreement between Broward County and Courthouse Foods, Inc. for the provision of food services in the Public Safety Complex and the Judicial Complex, and authorize the Chair and Clerk to execute same.

**ACTION: (A-453) Approved.**

### OFFICE OF TRANSPORTATION

### ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 1998-1 accepting a grant of access easement executed by WCI Communities, L.P., donating right-of-way for Coral Ridge Drive in Section 5, Township 48 South, Range 41 East. (Deferred from December 2, 1997)

**ACTION: (A-453329) Approved.**

**FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

4. MOTION TO APPROVE tri-party grant agreement among Broward County, City of Fort Lauderdale and Performing Arts Center Authority, and authorize the Chair and Clerk to execute same.

**ACTION: (A-453) Approved.**

**OFFICE OF HOUSING FINANCE**

5. MOTION TO APPROVE form of mortgage assumption agreement between Broward County Community Development Corporation, Broward County, and buyer for State Housing Incentives Partnership (SHIP) Lease/Purchase Program for the assumption of loans from Broward County in the SHIP Lease/Purchase Program.

**ACTION: (A-453) Approved.**

6. A. MOTION TO APPROVE loan purchase agreement between Broward County and SunTrust Bank/South Florida, National Association, for the purchase of one loan from SunTrust in the State Housing Incentives Partnership (SHIP) Lease/Purchase Program.

**ACTION: (A-453) Approved.**

B. MOTION TO APPROVE agreement of deed restrictions among Broward County, Broward County Community Development Corporation and SunTrust Bank/South Florida, National Association for the purpose of placing deed restrictions on one property (1590 NW 43rd Terrace, Apt. 101, Building 1, Fort Lauderdale, Florida) purchased through the SHIP Lease/ Purchase Program.

**ACTION: (A-453) Approved.**

**ACCOUNTING DIVISION**

7. MOTION TO APPROVE closure of Federal Emergency Management Agency (FEMA) Grant for reimbursement of damage incurred from Hurricane Andrew in August 1992 and accept \$5,923,764 as total reimbursement for the costs incurred by Broward County in the clean-up efforts after the disaster.

**ACTION: (A-453) Approved.**

**COUNTY RECORDS DIVISION**

8. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commissioners meeting of October 7, 1997; and minutes of the Twin Lakes Water Control District of October 7, 1997.

**ACTION: (A-453) Approved.**

## **PURCHASING DIVISION**

For Aviation Department

9. MOTION TO APPROVE Optional Services Work Authorization No. TO-05-12 pursuant to the Agreement between Broward County and Hellmuth, Obata & Kassabaum, Inc. (Consultant) dated July 9, 1996 in a maximum not-to-exceed amount of \$79,500 including \$4,500 in reimbursable costs for wind tunnel testing and analysis for the structural components and exterior cladding elements for new North Passenger Terminal at the Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

**ACTION: (A-453) Approved.**

10. MOTION TO APPROVE Seventh Amendment to the Agreement between Broward County and Williams, Hatfield & Stoner (WH&S) for general engineering consulting services related to Broward County-owned airports in an amount not to exceed \$1,056,650 (for a new total of \$4,703,435) for Fiscal Year 1998, and authorize the Chair and Clerk to execute same.

**ACTION: (A-453) Approved.**

## **REVENUE COLLECTION DIVISION**

11. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Liens.

**ACTION: (A-453) Approved.**

## **HUMAN SERVICES DEPARTMENT**

### **CHILDREN'S SERVICES ADMINISTRATION**

12. MOTION TO APPROVE Amendment No. 1 to Agreement No. 98-055 between Broward County and Outreach Broward, Inc. from January 6, 1998 to September 30, 1998 increasing the value of the Agreement by \$811,966 from \$453,392 to \$1,265,358 for the purpose of providing Coordinated Case Management Services, and authorize the Chair and Clerk to execute same.

**ACTION: (A-453) Approved.**

## **ALCOHOL AND DRUG ABUSE SERVICES**

## **DIVISION**

13. MOTION TO APPROVE Agreement No. ADAS-WAGES-01 between Economic Opportunity Family Health Center, Inc. and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$135,200 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

**ACTION: (A-453) Approved.**

14. MOTION TO APPROVE Agreement No. ADAS-WAGES-02 between Jodi Samuels Shir, Ph.D. and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$62,400 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

**ACTION: (A-453) Approved.**

15. MOTION TO APPROVE Agreement No. ADAS-WAGES-03 between Larry David Capp, Ph.D. and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$62,400 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

**ACTION: (A-453) Approved.**

16. MOTION TO APPROVE Agreement No. ADAS-WAGES-04 between Linda Graditor, LMHC, M.S. and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$41,600 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

**ACTION: (A-453) Approved.**

17. MOTION TO APPROVE Agreement No. ADAS-WAGES-05 between Joyce A. King, CAP, ICADC and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$41,600 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

**ACTION: (A-453) Approved.**

18. MOTION TO APPROVE Agreement No. ADAS-WAGES-06 between Dianna S. Combs, M.A. and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$41,600 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

**ACTION: (A-453) Approved.**

19. MOTION TO APPROVE Agreement No. ADAS-WAGES-07 between Marie L. Delinois, B.S. and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$15,600 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

## **ACTION: (A-453) Approved.**

20. MOTION TO APPROVE Agreement No. ADAS-WAGES-08 between Betty Caldwell Moore, MSW and Broward County from January 6, 1998 through June 30, 1998 in the amount of \$15,600 to provide substance abuse treatment services, and authorize the Chair and the Clerk to execute same.

## **ACTION: (A-453) Approved.**

### **DEPARTMENT OF NATURAL RESOURCE PROTECTION**

21. MOTION TO APPROVE settlement agreements between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Natural Resource Protection (DNRP). The respondents were cited for violations of the Broward County Code of Ordinances for the attached violations and have agreed to pay Broward County for the penalties in full:

1. M & M Chemical & Equipment Company, Inc.
2. Community Acres Associates Limited Partnership & Nassau Daddy & Son Septic Tank, Inc.

## **ACTION: (A-453) Approved.**

### **DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT**

### **COMMUNITY DEVELOPMENT DIVISION**

22. MOTION TO APPROVE satisfaction of mortgage on a 3% direct payment loan in the amount of \$284,750 made to Equity Partners One, LTD. & Equity Ventures, Inc.,

General Partner, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

23. MOTION TO APPROVE satisfaction of mortgage on a 1% direct payment loan in the amount of \$24,400 made to Robert Rogers and Lois Rogers, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

24. MOTION TO APPROVE satisfaction of mortgage on a 5% direct payment loan in the amount of \$54,000 made to Janice D. McClendon, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

25. MOTION TO APPROVE satisfaction of mortgage on a 0% direct payment loan in the amount of \$22,000 made to Bernell Wells and Mae Lizzie Wells, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

26. MOTION TO APPROVE satisfaction of mortgage on a deferred payment loan in the amount of \$15,000 made to Betty Louise Thompson and Nathaniel Thompson, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

27. MOTION TO APPROVE satisfaction of mortgage on a deferred payment loan in the amount of \$9,500 made to Norman C. Schiff and Anita A. Schiff, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

28. MOTION TO APPROVE satisfaction of mortgage on a benefit payment loan in the amount of \$33,500 made to Rosetta Brinkley (now deceased), and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

29. MOTION TO APPROVE satisfaction of mortgage on a deferred payment loan in the amount of \$19,210 made to Josephine M. Lombardo, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

## **PORT EVERGLADES DEPARTMENT**

30. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida, and Edwards Courtesy Transport, Inc. and Need A Ride, Inc., respectively, in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1998, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

31. MOTION TO APPROVE renewal of Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida, and the companies listed on Schedule A attached hereto, effective January 1, 1998 through December 31, 1998, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

32. MOTION TO APPROVE renewal of Port Everglades Mobile Motorized Food/Drink Service Business Permits between Broward County, Florida, and Evelio A. Collazo d/b/a E.A.C. Box Lunch and Ulysses McClover Sr. d/b/a McClover Catering, respectively, effective January 1, 1998 through December 31, 1998, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

## **OFFICE OF BUDGET AND MANAGEMENT POLICY**

33. MOTION TO APPROVE business travel for County employees in accordance with Administrative Order 105.

## **ACTION: (A-453) Approved.**

34. MOTION TO ADOPT budget Resolution 1998-2 transferring \$470,000 within the 1988 First Florida Capital Fund to provide funds for telephone equipment, data communications equipment and cabling at the North Broward Detention Complex.

## **ACTION: (A-453) Approved.**

## **GREATER FORT LAUDERDALE**

## **CONVENTION & VISITORS BUREAU**

35. MOTION TO APPROVE grant application from Florida Tourism Industry Marketing Corporation in the amount of \$12,000 to support the National Tennis Association's 1998 National Championships, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-453) Approved.**

## **BOARD APPOINTMENTS**

36. MOTION TO APPROVE reappointment of Mr. Marvin Price to the Code Enforcement Board of Broward County (Second-Land Use Permits, etc.). (Commissioner Parrish)

## **ACTION: (A-453) Approved.**

# REQUEST TO SET FOR PUBLIC HEARING

37. MOTION TO ADOPT Resolution 1998-6 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 27, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE IMMOBILIZATION OF MOTOR VEHICLES; AMENDING CHAPTER 20 OF THE BROWARD COUNTY CODE OF ORDINANCES, (A/K/A THE TOWING ORDINANCE OF BROWARD COUNTY); PROVIDING FOR THE LICENSING AND REGULATION OF THE BUSINESS OF IMMOBILIZING MOTOR VEHICLES; PROVIDING FOR DEFINITIONS, APPLICATION AND LICENSING OF OPERATORS ENGAGED IN VEHICLE IMMOBILIZATION ON PROPERTY; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (A-602) Approved, as amended, maintaining five (5) mile radius for towing a vehicle.***

38. MOTION TO ADOPT Resolution 1998-7 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 27, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 8½ OF THE BROWARD COUNTY CODE; PROVIDING CIVIL PENALTIES FOR TOWING COMPANIES (LICENSEES) TO HAVE REQUIRED LIABILITY INSURANCE OR TO MEET MINIMUM OPERATIONAL AND SAFETY REQUIREMENTS AS CITABLE OFFENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (A-1920) Approved.**

## REGULAR AGENDA

39. **COUNTY ADMINISTRATOR'S REPORT** - The County Administrator advised that he will be working with Commissioner Parrish's aides to set up the goal setting session which, hopefully, will be completed by the first week of March. As soon as the date and other plans have been finalized, additional discussions will be held. The jail report of January 6, 1998 was submitted for the record that today's jail population is 3,903 which is 167 over the cap.

***ACTION: (A-531) No Board action necessary.***

## 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. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

## **DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT**

### **DEVELOPMENT MANAGEMENT DIVISION**

40. DISCUSSION of plat entitled "Pod 5 at Monarch Lakes"- District 5, (038-MP-97).

***ACTION: (A-1086) Approved plat subject to staff recommendations as outlined in the Development Review Report.***

41. DELEGATION: Jim Kahn regarding request to revise the note on the Center Port Plat (112-MP-96).

***ACTION: (A-573) Deferred to August 4, 1998, or sooner, under Section 5-181(i) of the Land Development Code to study traffic concurrency.***

42. DELEGATION: Gayle Easterling, representing the Town of Davie, regarding:

A. Request to amend the note on the Calusa Ridge Plat (079-MP-89).

***ACTION: (A-1110) Approved, per staff's recommendations.***

B. Request for waiver of road impact fees.

***ACTION: (A-1110) Approved, per staff's recommendations.***

C. MOTION TO ADOPT budget Resolution 1998-3 transferring funds within the County Transportation Trust Fund in the amount of \$110,421 from the Reserve for County Commission for the purpose of allocating the funds to the Reserve for Road Impact Fee Waivers.

***ACTION: (A-1110) Approved,, per staff's recommendations.***

43. DELEGATION: Hoyt Holden, representing the City of Pembroke Pines, regarding request to amend the note on the Pembroke Lakes South Plat (146-MP-81).

***ACTION: (A-719) Approved, as amended, per staff's recommendations.***

44. DELEGATION: Hoyt Holden, representing the City of Pembroke Pines, regarding request to amend the note on the Vulcan Materials Company Plat No.2 (063-MP-93).

***ACTION: (A-1030) Approved, per staff's recommendations.***

45. DELEGATION: Hoyt Holden, representing the City of Pembroke Pines, regarding request to amend the non-vehicular access line on the Vulcan Materials Company Plat No.2 (063-MP-93).

***ACTION: (A-1067) Approved, pr staff's recommendations.***

46. DELEGATION: Paul Lingerfeldt regarding request to amend the non-vehicular access lines on the G.L.C. Plat (172-MP-86) and on the Powerline Properties Section One Plat (013-PL-79).

***ACTION: (A-1132) Approved, per staff's recommendations.***

## **END OF QUASI-JUDICIAL HEARING**

47. DELEGATION: Courtney Callahan regarding request for time extensions to record note amendment agreements for the Centre of Deer Creek (063-MP-80) and Brighton Gardens/NA 34 (128-MP-88) Plats.

***ACTION: (A-573) Deferred to January 20, 1998 at applicant's request.***

**FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

## **PURCHASING DIVISION**

For Finance and Administrative Services Department

48. MOTION TO ADOPT Resolution 1998-4 of the Board of County Commissioners of Broward County, Florida amending Chapter 21, Section 21.113, of the Broward County Administrative Code to add certain subsections concerning donations of surplus personal property; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

***ACTION: (A-1157) Approved.***

## **COMMUNITY SERVICES DEPARTMENT**

### **PARKS AND RECREATION DIVISION**

49. MOTION TO APPROVE Conceptual Master Plan for the natural area known as Woodmont Bonaire in the City of Tamarac.

***ACTION: (A-1179) Approved.***

## **PORT EVERGLADES DEPARTMENT**

50. NOTE FOR THE RECORD economic terms of the lease between Dry Marinas, Inc. and Broward County, and the economic terms of other tenants at Port Everglades and to approve an amendment to the lease between Port Everglades Authority and Dry Marinas, Inc. subject to final rent determination. (Deferred from December 9, 1997)

*ACTION: (A-1203) Deferred to January 20, 1998 at request of Commissioner Lieberman.*

## **OFFICE OF BUDGET AND MANAGEMENT POLICY**

51. MOTION TO APPROVE travel for County employees on the attached list in accordance with Administrative Order 105.

**ACTION: (A-1299) Approved, as amended.**

52. MOTION TO ADOPT budget Resolution 1998-5 transferring funds within the General Fund in the amount of \$83,130 from the Reserve for litigation for the Clerk of Courts for reimbursement of lawsuit expenses.

**ACTION: (A-1307) Approved.**

53. MOTION TO ADOPT unanticipated revenue Resolution within the Law Enforcement Trust Fund in the amount of \$73,000 to provide funding for Peoples Resources Organization Families Against Drugs and Domestic Violence Program, The Matthew Project, and the Daily Bread Food Bank. (Deferred from December 22, 1997)

*ACTION: (A-1336) Deferred to January 20, 1998.*

## **SUPPLEMENTAL AGENDA**

### **REQUEST TO SET FOR PUBLIC HEARING**

54. MOTION TO ADOPT Resolution setting a public hearing for Tuesday, January 27, 1998 at 2:00 p.m. in Room 422 of the Governmental Center and directing the County Administrator to publish notice of public hearing to consider transfer and assignment of a cable television franchise.

*ACTION: (A-1411) Deferred to January 13, 1998.*

## **COUNTY COMMISSION**

55. MOTION TO APPROVE agreement between Broward County and Pasedena At Imagination Farms, Inc. for legal services relating to Imagination Farms East Plat. (Commissioner Parrish)

# **ACTION: (A-1677) Approved.**

56. MOTION TO NOMINATE Mr. Randy Wilds to the Housing Finance Authority Board.

*ACTION: (A-413) Withdrawn. Open for nominations at the January 13, 1998 meeting.*

57. MOTION TO REAPPOINT Mr. Samuel Sherrard to the Code Enforcement Board. (Commissioner Lieberman)

*ACTION: (A-453) Approved, as part of the consent agenda.*

## **NON AGENDA ITEMS**

58. INTRODUCTION: Commissioner Parrish introduced and welcomed the new County Administrator, Roger Desjarlais, on behalf of the County Commission.

ACTION: (A-70) Informational Item.

59. EMPLOYEE SERVICE RECOGNITION: On behalf of the Commission, Commissioner Parrish presented pins and certificates, in recognition of their years of County service to the following employees: For twenty (20) years of service - Alma M. Ahlfs, Libraries; Charles Benjamin, Aviation; William Burgs, Jr., Parks & Recreation; Anne C. Harris, Libraries; John J. Howe, Traffic Engineering; Judith Ann Michau, Traffic Engineering; Donna Lou Hernandez, County Records; Stanley E. Jenkins, Animal Control; Linda Jo Johnson, DNRP Pollution Prev/Remed; Bobby Lee Mash, Engineering; Deborah A. Passalacqua, Libraries; Marion P. Simmons, Risk Management; Clara B. Smith, Grants Management; Stephen P. Vitiello, Traffic Engineering; and Randolph Williams, OES Water Supply. For twenty-five years of service - Ralph Colon, Traffic Engineering; Christopher Corbe, Facilities Management; Susanne S. McKee, Parks & Recreation; Kevin W. O'Mara, Bureau of Children/Family; Joseph C. Randazzo, OES Engineering Admin.; and John W. Tillman, Bureau of Children/Family. For thirty years of service - Samuel L. Wilkin, Fire Rescue.

ACTION: (A-50) Each employee honored today, accepted and thanked the Commission for the service pins, certificates and for the day off of their choice.

60. PRESENTATION: - On behalf of the Commission, Commissioner Parrish presented a Plaque to Phillip Allen, Director of Finance & Administrative Services, expressing their appreciation for the fine job he did as Interim County Administrator.

ACTION: (A-75) Mr. Allen accepted and thanked the Commission for the Plaque and for the cooperation he received from everyone.

61. DISCUSSION: - Commissioner Cowan discussed the presentation made to the court by the County Attorney's Office regarding the relocation of adult entertainment businesses. He also expressed concerns that the issue was misrepresented by the media.

ACTION: (A-1940) For informational purposes.

62. DISCUSSION: - Commissioner Cowan raised concerns regarding the issue of a strong Chief

Executive (Mayor) for Broward County and single member districts and suggested that the Board send notice to the Legislative Delegation of its opposition. Further, asserting that such initiatives should be reviewed by the Charter Review Board and presented as a Charter Amendment, if the Review Board deemed them appropriate. The Board asked the County Attorney to research its authority as it relates to Charter Revisions.

**ACTION:** (A-2020) Deferred to January 13, 1998 to give the County Commission time to respond to the issues discussed.

63. **INFORMATIONAL ITEM:** - The County Attorney advised that relating to the adult entertainment litigation, the Commissioners who received subpoenas are released from those subpoenas and do not have to be on standby for the rest of the week for the trial; and secondly, the Judge ruled in the County's favor as to Ordinance 9318 relating to adult licensin.

**ACTION:** (A-2740) *For informational purposes.*

64. **DIRECTIVE:** - Commissioner Parrish requested that the Miramar Park project be placed on the January 13, 1998 agenda for discussion.

65. **DIRECTIVE:** - Commissioner Parrish requested that discussion take place at the January 13, 1998 Commission meeting regarding appointment of lobbyists to Tallahassee.

**ACTION:** (A-2798) *Staff to place item on agenda.*

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