

MEETING OF JANUARY 10, 1995

(Meeting convened at 10 a.m. and adjourned at 11:15 a.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

1. MOTION TO APPROVE a lease agreement between Broward County and the State of Florida Department of Juvenile Justice, 10th District for use in the Low Rise Building, 2600 SW 4 Avenue, Fort Lauderdale, Florida for the provision to provide a Juvenile Assessment Center (as stated in Exhibit "A") from October 1, 1994 through September 30, 1999 with an option to renew for two (2) five-year terms, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

OFFICE OF GENERAL SERVICES

2. MOTION TO APPROVE five agreements between Broward County and Florida Power & Light Company to change the current electric rate for various facilities from the GS-1 rate to the GSD-1 rate to realize an annual savings of \$3,612, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO APPROVE agreement between Broward County and the City of Hollywood for the joint funding of the Johnson Street/North 64th Avenue intersection improvement, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

4. MOTION TO ADOPT Resolution 95-31 accepting and ratifying recordation of an access easement deed executed by Regency Lakes, a Florida joint venture, comprised of Regency Development II, Inc., a Florida corporation, and Oriole Joint Venture, Ltd., a Florida limited partnership, donating right- of-way

for an access easement east of State Road 7 in Sections 6 & 7, Township 48 South, Range 42 East.

ACTION: (A-1065) Approved.

5. A. MOTION TO ADOPT Resolution 95-32 accepting a warranty deed executed by EBE Enterprises, donating right-of-way for Nob Hill Road in Section 18, Township 49 South, Range 41 East.

ACTION: (A-1065) Approved.

B. MOTION TO ADOPT Resolution 95-33 accepting an access easement executed by EBE Enterprises, donating right-of-way for Nob Hill Road in Section 18, Township 49 South, Range 41 East.

ACTION: (A-1065) Approved.

C. MOTION TO ADOPT Resolution 95-34 accepting a cross access easement executed by EBE Enterprises, donating right-of-way for Nob Hill Road in Section 18, Township 49 South, Range 41 East.

ACTION: (A-1065) Approved.

D. MOTION TO ADOPT Resolution 95-35 accepting a utility easement executed by EBE Enterprises, donating right-of-way for Nob Hill Road in Section 18, Township 49 South, Range 41 East.

ACTION: (A-1065) Approved.

6. MOTION TO ADOPT budget resolution 95-36 transferring funds within the Engineering Division Capital Outlay Fund in the amount of \$99,169 to cover cost of an out-of-court settlement in the case of BP Exploration & Oil, Inc., an Ohio corporation v. Broward County, Case No. 93-00294 (18).

ACTION: (A-1065) Approved.

7. A. MOTION TO ADOPT budget resolution 95-37 transferring funds within the Engineering Capital Projects Fund (315) for the Engineering Division in the amount of \$847,000 for the cost of parcel settlement and attorney's fees in inverse condemnation case of First Baptist Church of Southwest Broward, Inc. v. Broward County, Case No. 90-20059 (05), known as Palm Avenue Road Expansion Project.

ACTION: (A-1065) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 95-38 within the 1978 Public Improvement Bonds Capital Outlay Fund (313) for the Engineering Division in the amount of \$847,000 for the cost of parcel settlement and attorney's fees in inverse condemnation case of First Baptist Church of Southwest Broward, Inc. v. Broward County, Case No. 90-20059 (05), known as Palm Avenue Road Expansion Project.

ACTION: (A-1065) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

8. MOTION TO APPROVE the minutes of the 5:15 p.m. public hearing of November 29, 1994.

ACTION: (A-1065) Approved.

9. MOTION TO APPROVE for filing supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (A-1065) Approved.

PURCHASING DIVISION

For Aviation Department

10. MOTION TO APPROVE first amendment to the agreement between Stoner and Associates and Broward County in the amount of \$50,000 for general land surveying consultant services for fiscal year 1994-1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

11. MOTION TO APPROVE the third amendment to the agreement between Broward County and Williams Hatfield, & Stoner (WH&S) for general engineering consulting services related to Broward County-owned airports for FY 94-95 in the amount of \$724,000, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

12. MOTION TO APPROVE second amendment to the agreement between Broward County and Leigh Fisher Associates for general planning consultant services related to Broward County-owned airports in the amount of \$903,400, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

For Department of Natural Resource Protection

13. MOTION TO APPROVE Work Authorization No. 1 in accordance with the agreement between Broward County and Montgomery Watson to provide environmental consulting services for a total guaranteed maximum of \$60,000 and a time period of 120 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

For Public Works Department

14. MOTION TO AWARD fixed contract to low bidder, Gateway Construction Co., for 12" water main (Deerfield H.S.) (Bid B-10-94-19-OF) in the total base bid amount of \$207,115 for the Environmental Engineering Division, subject to receipt and acceptance of insurance/performance and payment guaranty.

ACTION: (A-1065) Approved.

15. MOTION TO REJECT all bids for janitorial services for the Library for the Facilities Management Division (Bid G-09-94-11-36).

ACTION: (A-1065) Approved.

16. MOTION TO APPROVE an increase in the Change Order allowance in the amount of \$20,623.61 for construction of the Broward County Library - Sunrise Branch, Contract P-04-92-07-OF with Altman-Barry Construction Inc., from \$201,491.82 (9.64%) to \$222,115.43 (10.63%) of the base contract amount of \$2,090,025. (Project: Sunrise Library.)

ACTION: (A-1065) Approved.

REVENUE COLLECTION DIVISION

17. MOTION TO APPROVE AND EXECUTE satisfaction of claim of liens against Polly Landers, Bruce D. Raticoff, Thompson Children, Stephen A. Dyer, and Shane McLachlan, a child.

ACTION: (A-1065) Approved.

RISK MANAGEMENT DIVISION

18. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim #91 WC 0761 SM/PT in the amount of \$215,000.

ACTION: (A-1065) Approved.

HUMAN SERVICES DEPARTMENT

BUREAU OF CHILDREN'S SERVICES

19. MOTION TO APPROVE Amendment No. 1 to Agreement 95-60 between Broward County and The Young Men's Christian Association of Broward County, Inc. from October 1, 1994 to September 30, 1995, changing the unit cost in Exhibit A, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

HEALTH CARE MANAGEMENT

ACTION: (A-1065) Approved.

20. MOTION TO APPROVE the first amendment to two agreements between Broward County and Center One, Anyone in Distress, Inc. under Ryan White Title I, C.A.R.E. Act Formula, and Supplemental 1993 Carryover Funding, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Withdrawn at request of staff.

21. MOTION TO APPROVE agreement between Broward County and North Broward Hospital District (Primary Care) from July 1, 1994 to January 31, 1995 in the amount of \$31,325 for the purpose of providing medical treatment and diagnostic services under FY 94 Ryan White Title I, C.A.R.E. Act Title I Formula Carryover Funding, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

22. A. MOTION TO APPROVE the South Florida Cultural Consortium budget in accordance with Section 7 of the interlocal agreement for the period October 1, 1994 to September 30, 1995 in the amount of \$275,000.

ACTION: (A-1065) Approved.

B. MOTION TO FILE a report of activities of the South Florida Cultural Consortium in accordance with Section 19 of the interlocal agreement.

ACTION: (A-1065) Approved.

PORT EVERGLADES DEPARTMENT

23. MOTION TO APPROVE the 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, 1995 through December 31, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

24. MOTION TO APPROVE the renewal of Port Everglades crane service business permit between Broward County, Florida and Gold Coast Crane Service, Inc., effective January 1, 1995 through December 31, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

25. MOTION TO APPROVE the renewal of Port Everglades car rental service business permits between Broward County, Florida, and Air & Sea Rent-A-Car, Inc. d/b/a Florida Auto Rental, and Dollar Rent-A-Car of Florida, respectively, effective January 1, 1995 through December 31, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

26. MOTION TO APPROVE Port Everglades taxi/limo/bus service business permit between Broward County, Florida, and Express Shuttle & Tour Services, Inc., Inter-Call Communications of Ft. Lauderdale, Inc., P & S Tours Corporation, and TJ's Tours and Transportation, Inc., respectively, effective for the calendar year 1995 with an expiration of December 31, 1995, and authorize the Chair

and Clerk to execute same.

ACTION: (A-1065) Approved.

27. MOTION TO APPROVE Port Everglades mobile motorized food/drink service business permits between Broward County, Florida, and Osmundo Sanchez Box Lunch, and Erena M. Candelario, respectively, effective for the calendar year 1995 with an expiration of December 31, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-1065) Approved.

28. MOTION TO ADOPT budget resolution 95-39 transferring within the Port Everglades Capital Fund the amount of \$975,000 from Capital Reserve for the Berth No. 4 Wharf Repair Project.

ACTION: (A-1065) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

29. MOTION TO APPROVE business travel and trips on the approved travel list for county employees in accordance with Administrative Order 105.

ACTION: (A-1065) Approved.

REQUEST TO SET PUBLIC HEARING

30. MOTION TO ADOPT Resolution 95-40 directing the County Administrator to publish notice of public hearing to be held Tuesday, February 14, 1995 at 2:00 p.m. to vacate and abandon a utility easement, lying and being in Broward County, Florida, located north of West Oakland Park Boulevard on the east side of NW 18 Avenue stopping at NW 36 Street in the City of Oakland Park. Petitioner: Home Depot, USA, Inc. (Ken Baye - Agent) 2-V-95.

ACTION: (A-1065) Approved.

31. MOTION TO ADOPT Resolution 95-41 directing the County Administrator to publish notice of public hearing to be held on Tuesday, February 14, 1995 at 2:00 p.m., to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY CODE OF ORDINANCES REPEALING DIVISION 3 OF CHAPTER 2, ARTICLE III, SOLICITATION OF FUNDS OR SERVICES; ESTABLISHING A NEW DIVISION 3 WITHIN CHAPTER 2, ARTICLE III, ENTITLED "PICKETING, DISTRIBUTION OF LITERATURE, OR SOLICITATION OF FUNDS" AT THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; CLARIFYING COMPLIANCE WITH CHAPTER 496 OF THE FLORIDA STATUTES; MODIFYING THE NUMBER OF PERSONS PERMITTED TO CONDUCT ACTIVITIES AT ONE TIME AND THE LOCATIONS AVAILABLE FOR PICKETING, DISTRIBUTION OF LITERATURE, OR

SOLICITATION OF FUNDS; ESTABLISHING LIMITATIONS ON ACTIVITIES; REQUIRING A PERMITTEE TO INDEMNIFY THE COUNTY AGAINST PERMITTEE'S NEGLIGENCE; PROVIDING FOR REVOCATION OF PERMITS FOR GOOD CAUSE; PROVIDING PROCEDURES FOR HEARING OFFICERS IN THE EVENT OF REVOCATION OR DENIAL OF PERMIT; REFERENCING THE TERMINAL LAYOUT PLANS AS PROVIDED IN THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1065) Approved.

REGULAR AGENDA

32. COUNTY ADMINISTRATOR'S REPORT

A. The County Administrator advised that the jail population is presently at 90 percent of the cap, and over cap on

four floors so a fine is still being imposed.

ACTION: (A-1113) For informational purposes.

B. The County Administrator also advised that Dr. Mira Barer, Director of Department of Natural Resource

Protection (DNRP) is in New York City, receiving treatment for Pancreatic cancer at the Sloan Kettering Cancer Institute.

ACTION: (A-1113) The County Administrator will provide periodic updates on Dr. Barer's condition during her stay

in New York City.

33. DELEGATION: W. Earl Hall, President, African-American Caribbean Cultural Center regarding request for waiver of deadline for submission of audited certified financial statements (deferred from November 29, 1994), and request for waiver of cutoff date for processing reimbursements.

ACTION: (A-1181) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING & CONTRACT ADMINISTRATION DIVISION

34. MOTION TO APPROVE the waiver of fees for the rental of the Broward County Convention Center on May 2 and May 3, 1995 in support of the South Florida Buy Recycled EXPO.

ACTION: (A-1196) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

35. MOTION TO ADOPT Resolution 95-42 of the Board of County Commissioners of Broward County, Florida, amending Section 22.28 of the Broward County Administrative Code to expand the refund policy for overpayment made to the Broward County Revenue Collection Division to include tourist development taxes; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-1203) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

36. MOTION TO APPROVE expansion of the function of the Energy Performance Selection/Negotiation Committee responsibility to include negotiating a multi-year contract consolidation with Johnson Controls, Inc.

ACTION: (A-1208) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

37. MOTION TO ADOPT Resolution 95-43 of the Board of County Commissioners of Broward County, Florida, creating Section 24.18, Chapter 24, of the Administrative Code entitled Operational Policy, Community Services, Part III, Art in Public Places Program Guidelines, providing for establishment of the Duane Hanson Allied Artist Award; providing for criteria for apprenticeship and stipend to local artists, providing for severability, providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-1213) Approved.

LIBRARIES DIVISION

38. MOTION TO APPROVE an interlocal agreement between Broward County and the City of Sunrise providing for the lease of real property for a library at 6600 Sunset Strip and joint funding by the County and the City for the costs of a library for a four-year period, and authorize the Chair and Clerk to execute same.

ACTION: (A-1227) Approved.

PARKS AND RECREATION DIVISION

39. MOTION TO DIRECT the County Attorney to draft an ordinance establishing a Parks and Recreation Division Trust Fund.

ACTION: (A-1295) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-1298) Approved, as amended.

41. MOTION TO DIRECT the County Attorney's Office to draft an Ordinance creating a Municipal Service Taxing and Benefit Unit

for the provision of emergency medical services within all of the unincorporated area of Broward County, Florida.

ACTION: (A-1305) Approved.

NON AGENDA ITEMS

42. PROCLAMATION: Commissioner Thompson read into the record a Proclamation designating Sunday, March 12, through 18, 1995 as

IRISH WEEK in Broward County. The Board urges all residents to join in saluting the contributions of the Irish, and encourages participation in the special planned events.

ACTION: (A-132) Karen Cook accepted and thanked the Commission for the Proclamation on behalf of the St. Patrick's

Day Parade Committee.

43. PROCLAMATION: Commissioner Hart read into the record a Proclamation designating the week of January 21 through 27,

1995 as HABITAT FOR HUMANITY'S SUPER BOWL XXIX BLITZ BUILD in Broward County, and urging residents to participate in this worthy cause.

ACTION: (A-186) Patricia Curry accepted and thanked the Commission for the Proclamation on behalf of the Habitat for

Humanity of Broward.

44. PROCLAMATION: Commissioner Gunzburger read into the record a Proclamation designating January 10, 1995 as SAFETY TOWN

RECOGNITION DAY in Broward County. Broward County is committed to the safety of children and educating them on ways to protect themselves.

ACTION: (A-336) Jerilyn O'Neil, Director of Community Relations for the South Broward Hospital District, for Safety

Town, accepted and thanked the Commission for the Proclamation.

45. PLAQUE: A plaque was presented to Richard S. Ronskavitz, Director of Traffic Engineering Division and to William L.

Gallo, Traffic Engineering Division by Jerilyn O'Neil for their help in the opening of the Second Safety Town.

ACTION: (A-494) Mr. Ronskavitz and Mr. Gallo accepted and thanked Ms. O'Neil for the plaque.

46. PROCLAMATION: Commissioner Parrish read into the record a Proclamation extending its deepest gratitude to Dianne and

Michael Bienes in recognition of their generous pledge of one million dollars to the Broward Public Library Foundation, thereby securing the State of Florida Cultural Facilities Grant and providing the basis for an ongoing endowment for the center for the literary arts. (Commissioner Rodstrom entered the meeting room and read the remainder of the Proclamation at this time).

ACTION: (A-537) Dianne and Michael Bienes accepted and thanked the Commission for the Proclamation.

47. PLAQUE: Mary Ann Gray, Chair of Broward Navy Days, presented a plaque to the County Commission from the USS Boone, on

behalf of Captain Bill Walsh of the USS Boone, in appreciation of their stay in Port Everglades from December 11 to December 15, 1994.

ACTION: (A-784) The Chair accepted and thanked Ms. Gray for the Plaque on behalf of the County Commission.

48. AWARD RECIPIENTS FOR YEARS OF SERVICE TO BROWARD COUNTY GOVERNMENT: The County Administrator presented service pins to the following employees in recognition of their years of

dedicated service to Broward County governments: For thirty (30) years of county service - John J. Bumstead, Traffic Engineering; for twenty (20) years of county service - Sucre N. Buenaventura, Planning Council; John Canada, Director, Office of Budget and Management Policy; Andrew Robbins, Mass Transit; Nancy J. Lewos, Family Development; Carolyn J. Conaway, Family Development; Patricia Taylor, Family Development; William F. Harper, Parks & Recreation; Daniel S. Heywood, Streets & Highways; Erica R. Staas, Libraries Division; and Jane L. Barr, Revenue Collection.

ACTION: (A-873) Each of the employees accepted and thanked the Commission for the service pins.

49. STATUE OF SAM JONES, NATIVE AMERICAN: Commissioner Thompson advised that during a visit to Tallahassee on January 11,

1995, he will view a life size model of a statue of Sam Jones, the Native American adversary of Major William Lauderdale. A trust fund has been created by the Broward County Historical Commission, to cast and place the statue in a place of honor in Fort Lauderdale, with the approval of the County Commission.

ACTION: (A-1305) For informational purposes.

50. CLEAN AND BEAUTIFUL COMMITTEE: Commissioner Thompson advised that the federal government will grant about \$180,000 in

beautification funds through this Committee. Members of the Committee have not as yet been appointed. The ordinance may need to be amended as the Committee does not have to approve it to obtain the funding. The other alternative might be to combine it into the Urban Wilderness Advisory Board, Tree Management Board and Clean and Beautiful Committee to form one committee. He asked that the Commission Auditor prepare a memorandum with two alternatives to be put on a future Commission agenda, and the Board may choose which alternative it wishes to follow.

ACTION: (A-1365) For informational purposes.

51. REQUEST: Commissioner Parrish advised that she received a letter from Sally Robbins, Chair of the Cultural Affairs

Council, requesting that Commissioner Parrish introduce a resolution authorizing the drafting of an ordinance amending the Art In Public Places Program by incorporating the recommendations made by Jerry Allen & Associates. She asked that the County Attorney draft the amendments to the ordinance.

ACTION: (A-1601) Approved.

52. LEGISLATIVE DELEGATION: Commissioner Parrish suggested that the Commissioners attend a meeting of the Legislative

Delegation on Thursday, January 19, 1995 at 4 p.m., in the Hollywood City Commission Chambers at which time the Parkland annexation, the Municipalities EMS Proposal and other issues, will be discussed. By presenting their positions on these items, the Board can correct any misconceptions that are held about their views on these issues.

ACTION: (A-1648) For informational purposes.

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