

**MEETING OF JANUARY 11, 1994**

(The meeting convened at 10 a.m. and adjourned at 11:50 a.m.)

PLEDGE OF ALLEGIANCE - led by the Chair.

CALL TO ORDER

**CONSENT AGENDA**

**AVIATION DEPARTMENT**

MOTION TO APPROVE field usage agreement between Broward County, Florida and Express One International, Inc. at the Fort Lauderdale-Hollywood International Airport effective upon Board approval for a one-year term and shall automatically renew for successive periods of one year each not to exceed five years with a 30 day cancellation clause, and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

MOTION TO APPROVE terminal building lease agreement between Broward County, Florida and Ultrair, Inc. for the lease and use of 185 square feet of airline ticket office (Type 1 space) in Terminal Two at the Fort Lauderdale-Hollywood International Airport effective December 15, 1993 through December 31, 1993 and month to month thereafter with a 30 day cancellation notice, and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

MOTION TO APPROVE lease agreement between Broward County and Budget Rent-A-Car System, Inc. for the lease and use of 87,120 square feet of land to be used for vehicle storage only at the Fort Lauderdale-Hollywood International Airport, effective December 8, 1993 through December 31, 1993 and month to month thereafter with a five day cancellation clause and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

A. MOTION TO APPROVE consent to sublease between Sheltair Aviation Center, Inc. and Pro Guard Aircraft Appearance Services II, Inc. at Sheltair Aviation Inc.'s leasehold at Fort Lauderdale-Hollywood International Airport and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

B. MOTION TO APPROVE consent to sublease between Sheltair Aviation Center, Inc. and Nemesis Investigations, Inc. at Sheltair Aviation Inc.'s leasehold at Fort Lauderdale- Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

MOTION TO APPROVE field usage agreement between Broward County, Florida and Florida Aircraft Leasing, Inc. d/b/a Florida Air Transport at the Fort Lauderdale-Hollywood International Airport

effective upon Board approval for a one-year term and shall automatically renew for successive periods of one year each not to exceed five years with a 30 day cancellation clause, and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

MOTION TO APPROVE field usage agreement between Broward County, Florida and Caicos Caribbean Airways, Ltd. at the Fort Lauderdale-Hollywood International Airport effective upon Board approval for a one year term and shall automatically renew for successive periods of one year each not to exceed five years with a 30 day cancellation clause, and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

MOTION TO APPROVE field usage agreement between Broward County, Florida and National Jets, Inc. d/b/a National Air Ambulance at the Fort Lauderdale-Hollywood International Airport effective upon Board approval for a one-year term and shall automatically renew for successive periods of one year each not to exceed five years with a 30 day cancellation clause, and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

## **PUBLIC WORKS DEPARTMENT**

### **OFFICE OF GENERAL SERVICES**

#### **FACILITIES MANAGEMENT DIVISION**

MOTION TO APPROVE indemnification and use agreement between Broward County and the City of Fort Lauderdale for use of Broward County's parking lot located at 2600 S.W. 4th Avenue, Fort Lauderdale; and authorize Chair and Clerk to execute same.

ACTION: (A-570) Approved.

MOTION TO ADOPT Resolution 94-08 accepting sublease for Elderly Services Division, 1421 East Oakland Park Boulevard, Oakland Park, Florida; 2,800 sq. ft. at \$11.75 sq. foot; \$2,741.67 per month; Landlord: Browne Brothers Vann Corporation; Term of Lease: January 5, 1994 through July 4, 1995 and authorize Chair and Clerk to execute same.

ACTION: (A-570) Approved.

### **OFFICE OF TRANSPORTATION**

#### **ENGINEERING DIVISION**

MOTION TO ADOPT Resolution 94-09 accepting a warranty deed executed by Shadow Wood Villas Association, Inc., a Florida corporation, donating road right-of-way for Parcel 1, Riverside Drive Project 5094; and authorize recordation of same.

ACTION: (A-570) Approved.

MOTION TO ADOPT Resolution 94-10 accepting a sidewalk easement executed by Pulte Home Corporation, donating right-of-way for Racquet Club Road in Section 6, Township 50 South, Range 40 East.

ACTION: (A-570) Approved.

MOTION TO ADOPT Resolution 94-11 accepting a sidewalk easement executed by Pulte Home Corporation, donating right-of-way for Bonaventure Boulevard in Section 5, Township 50 South, Range 40 East.

ACTION: (A-570) Approved.

A. MOTION TO APPROVE phasing agreement between Broward County and Tiffany Lake Limited Partnership; and to authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

B. MOTION TO APPROVE amendment to the conditions of plat approval - Tiffany Lakes Plat (217-MP-85).

ACTION: (A-570) Approved.

MOTION TO ADOPT Resolution 94-12 accepting a road easement executed by Perry M. Propps and Mildred H. Erving, donating right-of-way for Southwest 186th Avenue and Southwest 49th Street in Section 25, Township 50 South, Range 39 East.

ACTION: (A-570) Approved.

MOTION TO ADOPT Resolution 94-13 for highway improvement project of Pine Island Road, Project 5080, from Stirling Road to Griffin Road, accepting and adopting a portion of the Official Right-of-Way Map as revised to supersede a portion of the Official Right-of-Way Map previously adopted, confirming parcels necessary for condemnation; and authorizing the County Attorney to proceed with condemnation.

ACTION: (A-570) Approved.

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

### **COUNTY RECORDS DIVISION**

MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (A-570) Approved.

2/28/89 #17RESOLUTION ACKNOWLEDGING SATISFACTION

OF LOT CLEARING LIEN - MIAMI GARDENS

ESTATES SEC. 8

5/19/92 52 PLAT - DIXIE LANDMARK

8/4/87 94 ROAD IMPACT AGREEMENT BC & FOUNTAINS

CORPORATE CENTER

6/2/92 26 PLAT - CABA CULTURAL CENTER

6/2/92 29 PLAT - PORT EVERGLADES PLAT 13

6/2/92 30 PLAT - WEST BROWARD NUTTER PLAT

6/16/92 69 ROLLING OAKS ESTATES

2/16/93 70 SAIL LTRS. FOR PROJECTS

3/2/93 31 PLAT - TODD

### **PURCHASING DIVISION**

For Aviation Department

MOTION TO APPROVE sole source standardization for future procurements for service/maintenance for Westinghouse elevators and escalators at the Fort Lauderdale-Hollywood International Airport from Schindler Elevator Corp. for the Aviation Department.

ACTION: (A-570) Approved.

For Finance and Administrative Services Department

MOTION TO GRANT permission to the Purchasing Division to dispose of computer equipment and telecommunications equipment declared surplus by the Office of Information Technology in accordance with applicable Florida State Statute and the Purchasing Division Internal Control Handbook, Chapter 15.

ACTION: (A-570) Approved.

MOTION TO NOTE FOR THE RECORD the emergency procurement of voting system upgrade in the amount of \$117,757 to Election Resources Corporation for the Supervisor of Elections.

ACTION: (A-570) Approved.

For Community Services Department

MOTION TO APPROVE sole source standardization for future procurement of DMM paddleboats for the Parks and Recreation Division.

ACTION: (A-570) Approved.

MOTION TO APPROVE release of retainage and final payment in the amount of \$4,036.29 to Williams Paving Co., Inc. for the construction of improvements to Pompano Park - rebuild parking lot under Contract N-02-93-13-OF for the Parks and Recreation Division.

ACTION: (A-570) Approved.

For Public Works Department

MOTION TO APPROVE twelfth amendment to the agreement between Broward County and Montgomery Watson Americas, Inc. for an adjustment in engineering services related to the Regional Water Supply Project at no increase in time of completion and a decrease of \$2,980.47 from \$10,791,474.40 to \$10,788,493.93 and authorize the Chair and Clerk to execute the same. BCOES Project No. 1134.

ACTION: (A-570) Approved.

MOTION TO APPROVE final payment and release of retainage in the amount of \$4,945.47 to Siga, Inc. for landscape development of Cypress Creek Road medians under Contract H-02-93-17-OF, Broward County Engineering Division.

ACTION: (A-570) Approved.

### **HUMAN SERVICES DEPARTMENT**

A. MOTION TO APPROVE agreement between Broward County and State of Florida Department of Health and Rehabilitative Services District X providing for local match funding of community mental health and community drug abuse services from October 1, 1993 through September 30, 1994 in the amount of \$1,712,360; and authorize the Chair and Clerk to execute same.

ACTION: (A-570) Approved.

B. MOTION TO APPROVE agreements between Broward County and providers of State-funded community mental health services from October 1, 1993 through September 30, 1994 for local match funding as indicated, and authorize the Chair and the Clerk to execute same.

ACTION: (A-570) Approved.

### **ELDERLY SERVICES DIVISION**

MOTION TO ADOPT an unanticipated revenue resolution 94-14 within the State Grant Fund for Elderly Services Division in the amount of \$177,778 for the purpose of increasing Community Care for the Elderly in-home services to eligible clients.

ACTION: (A-570) Approved.

### **HEALTH CARE MANAGEMENT DIVISION**

MOTION TO APPROVE grant application to the U.S. Department of Health and Human Services, Health Resources and Services Administration for FY 1994 Ryan White Comprehensive AIDS Resources Emergency Act, Supplemental funds, in the amount of \$4,066,287 and to authorize the

County Administrator to take the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-570) Approved.

**COMMUNITY SERVICES DEPARTMENT**

**PARKS AND RECREATION DIVISION**

**MOTION TO ADOPT** an unanticipated revenue resolution 94-15 within the General Fund for the Parks and Recreation Division in the amount of \$72,784 to fund Hurricane Andrew cleanup activities.

ACTION: (A-570) Approved.

**DEPARTMENT OF STRATEGIC PLANNING**

**& GROWTH MANAGEMENT**

**COMMUNITY DEVELOPMENT DIVISION**

**MOTION TO APPROVE** a letter of support for the Broward County Community Development Corporation's application for a HOME Investment Partnership Program grant to the Florida Housing Finance Authority and authorize the Chair to execute same.

ACTION: (A-570) Approved.

**OFFICE OF BUDGET AND MANAGEMENT POLICY**

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

ACTION: (A-570) Approved.

**GREATER FORT LAUDERDALE**

**CONVENTION & VISITORS BUREAU**

**MOTION TO APPROVE** an agreement between Broward County and Welcome Florida, Inc. for providing reception night activities for Florida Huddle '94 and authorize Chair and Clerk to execute same.

ACTION: (A-570) Approved.

**MOTION TO APPROVE** an agreement between Broward County and Premiers Crus, Inc. for providing catering services for Florida Huddle '94 and authorize Chair and Clerk to execute same.

ACTION: (A-570) Approved.

**COUNTY ADMINISTRATOR**

MOTION TO FILE recommendation of the Public Safety Coordinating Council to not pursue privatization of the Broward County Detention System.

ACTION: (A-675) Approved.

### **COUNTY COMMISSION**

MOTION TO FILE Resolution #93-300 of the City Commission of the City of Coral Springs, Florida, authorizing the appropriate City officials to petition Broward County to revise the cross-section alternative related to the roadway improvement to widen Riverside Drive between Sample Road and Wiles Road; providing for an effective date. (Comm. Poitier)

ACTION: (A-570) Approved.

MOTION TO FILE Resolution #48-1993 of the Port Everglades Authority requesting the Broward County Delegation to the Florida Legislature, in proposing and enacting any special act dealing with the future operation of Port Everglades, to include language which will provide assurances to the public that after its effective date the operation of Port Everglades will be conducted as an Enterprise Fund. (Comm. Poitier)

ACTION: (A-570) Approved.

### **BOARD APPOINTMENTS**

MOTION TO APPOINT Norman B. Sellinger to the Social Services Division Elderly Services Section Advisory Board. He replaces Frances Scruggs who resigned. (Comm. Thompson)

ACTION: (A-570) Withdrawn at the request of Commissioner Thompson.

MOTION TO REAPPOINT Harold Wishna to the Alcohol and Drug Abuse Advisory Board. (Comm. Thompson)

ACTION: (A-570) Approved.

MOTION TO APPROVE appointment of Robert S. Birch to the Broward County Board of Rules and Appeals for a three-year term commencing January 11, 1994 and ending January 11, 1997. Mr. Birch replaces Elliot Sokolow whose term expired December 31, 1993. (Comm. Hart)

ACTION: (A-570) Approved.

MOTION TO APPROVE appointment of Samuel Rogatinsky to the Broward County Advisory Board for Persons with Disabilities. (Comm. Poitier)

ACTION: (A-570) Approved.

MOTION TO APPROVE reappointment of Janice Boursiquot to the Broward County Multi-Ethnic Advisory Board. (Comm. Poitier)

ACTION: (A-570) Approved.

MOTION TO APPROVE appointment of Wayne Thrasher to the Board of Rules and Appeals representing mechanical engineers. Mr. Thrasher replaces Mr. Eric Hammond whose term expired on December 31, 1993. (Comm. Parrish)

ACTION: (A-570) Approved.

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

MOTION TO ADOPT Resolution 94-16 directing the County Administrator to publish notice of public hearing to be held Tuesday, February 8, 1994 at 2:00 p.m. to vacate and abandon road right-of-way, lying and being in Broward County, Florida located at N.W. 57th Avenue in the City of Coral Springs. Petitioner: Florida National Properties, Inc. 45-V-93.

ACTION: (A-570) Approved.

MOTION TO ADOPT Resolution 94-17 directing the County Administrator to publish notice of public hearings to be held on Tuesday, February 8, 1994 and Tuesday, February 22, 1994, both at 5:15 p.m. to consider change of notation on the face of Weston Park of Commerce Plat One.

ACTION: (A-575) Approved, as corrected.

### **REGULAR AGENDA**

#### **10 A.M. PUBLIC HEARING**

MOTION TO ENACT an ordinance, the substance of which is as follows: (This is a continuation of a public hearing held on Tuesday, November 23, 1993, Item 39 at 10:00 a.m.)

A. AN ORDINANCE RELATING TO CHILD CARE; PROVIDING FOR REPEAL OF EXISTING CHAPTER 7 AND 7½, BROWARD COUNTY CODE OF ORDINANCES, AND CREATION OF A NEW CHAPTER 7, BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR DEFINITIONS; PROVIDING FOR MINIMUM PERSONNEL STANDARDS; PROVIDING STANDARDS FOR PHYSICAL FACILITIES; PROVIDING PROCEDURES FOR FIRST AID AND EMERGENCY TREATMENT; PROVIDING FOR NUTRITIONAL STANDARDS AND FOOD PREPARATION AND SERVICE REQUIREMENTS; PROVIDING FOR STANDARDS RELATING TO RECORD KEEPING; PROVIDING FOR FIRE SAFETY; PROVIDING FOR RECORD KEEPING; PROVIDING FOR STANDARDS FOR DROP-IN CHILD CARE, NIGHTTIME CHILD CARE, AND BEFORE AND AFTER SCHOOL CHILD CARE PROGRAMS; PROVIDING FOR TRANSPORTING OF CHILDREN; PROVIDING FOR A CHILD CARE FACILITY LICENSURE PROGRAM; PROVIDING FOR DISCIPLINARY ACTION, LICENSING AND FEES THEREFOR AND ADMINISTRATIVE FINES; PROVIDING FOR PENALTIES; PROVIDING FOR A SEPARATE ARTICLE PERTAINING TO STANDARDS FOR SUBSTANTIAL COMPLIANCE FOR RELIGIOUS AFFILIATED CHILD CARE FACILITIES AND CHILD CARE ARRANGEMENTS IN NON-PUBLIC SCHOOLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (93-037)

ACTION: (A-1161) Filed proof of publication and enacted the ordinance to be effective as provided by law.

B. MOTION TO ADOPT resolution 94-18 establishing a fee schedule for licensure of child care

facilities; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-570) Approved.

COUNTY ADMINISTRATOR'S REPORT County Administrator B. Jack Osterholt informed the Board that Representative Jack Tobin agreed to sponsor the County's amendment to the 5:15 p.m. Hearing Requirement Bill as an amendment. The amendment would be that the public hearing will remain at 5:15 p.m., but the County Commission in each jurisdiction, by an extraordinary majority vote, can set a time other than 5:15 p.m. The Bill has met approval from Common Cause, and the original sponsor of the Bill, Peter Wallace of the House.

ACTION: (A-1435) The Board of County Commissioners gave Mr. Osterholt their consent to move ahead with the process.

## **DEPARTMENT OF STRATEGIC PLANNING**

### **& GROWTH MANAGEMENT**

#### **CODE AND ZONING ENFORCEMENT DIVISION**

MOTION TO ADOPT a resolution 94-19 amending the schedule of fees and charges for certain permits and services provided by the Code and Zoning Enforcement Division.

ACTION: (A-1535) Approved, as corrected.

#### **DEVELOPMENT MANAGEMENT DIVISION**

DISCUSSION of Plat entitled "Towngate"- District 5, (062-MP-93). (Deferred from January 4, 1994.)

ACTION: (A-1704) Approved plat subject to staff recommendations outlined in the Development Review Report.

DELEGATION: Craig S. Unger regarding motion to approve an agreement to obtain building permits prior to plat recordation for the Towngate Plat (062-MP-93.) (Deferred from January 4, 1994.)

ACTION: (A-1708) Approved, as per staff's verbal recommendation.

## **DEPARTMENT OF NATURAL RESOURCE PROTECTION**

MOTION TO APPROVE outline for Broward County Wetlands Resource Plan.

ACTION: (A-1720) Approved, as amended at the request of Department of Natural Resource Protection.

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

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

ACTION: (A-1735) Approved, as amended.

### **COUNTY ADMINISTRATOR**

MOTION TO APPROVE in concept a local bill re-enacting certain parts of the Port Everglades Charter as State Statute.

ACTION: (A-1740) Approved in concept.

### **COUNTY COMMISSION**

MOTION TO SUPPORT the Florida Highway Patrol's request for 777 new troopers over the next five years and to authorize the Chair to write to the Legislative Delegation, the Governor, the House and Senate Committee Chairs, the House Speaker and the Senate President, urging that support; also, considering the support as an addition to Broward's Legislative Package. (Comm. Thompson)

ACTION: (A-379) Approved.

### **SUPPLEMENTAL AGENDA**

#### **AVIATION DEPARTMENT**

MOTION TO APPROVE agreement between Broward County and Stoner and Associates in the amount of \$48,500 for general land surveying services related to Broward County-owned airports from date of execution through September 30, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-1885) Approved.

### **NON AGENDA**

53. PROCLAMATION Commissioner Parrish read into the record a proclamation designating the month of January 1994 as BROWARD COUNTY BLOOD DONOR MONTH, in conjunction with National Blood Donor Month, and the days of January 24 through 28, 1994 as BROWARD COUNTY BLOOD DRIVE WEEK. All citizens and Broward County Employees are encouraged to donate blood and help save a life.

ACTION: (A-85) Anthony B. De Matteo, Purchasing Division, along with Lisa Frankel, Director, Public Relations, Broward Community Blood Center, accepted the proclamation and thanked the Commission.

54. PRESENTATION The Chair introduced Marcy Burgess, Chair, Parks and Recreation Advisory Board, who proceeded to show the Commission a sample of a professional video tape entitled, "Broward County's National-Award Winning Park System." The purpose of the video is to increase the awareness of County's residents and visitors of the County's park community. Ms. Burgess thanked the Commission for its support and approval; no tax dollars were used to complete the video. The video was dedicated to the people of Broward County. Ms. Burgess presented a copy of the video tape to each member of the Commission.

ACTION: (170) No action taken.

55. DISCUSSION Commissioner Hart apprised the Board of the January 10, 1994 Advisory Council for Intergovernmental Relations (ACIR) meeting and the successful passing of a motion at the suggestion of the League of Cities regarding gas tax. On the passage of that motion, the Chair of the ACIR, is requesting that legislation be drafted and proposed. The proposed draft relates to the additional six cents gas tax that the Broward Commission approved in 1993, of which the County enacted three cents. If the County does not use its full authority to enact the additional three cents by July of 1995, the cities by resolution of 51 percent of their population can request the gas tax issue be placed on their ballot as a referendum and bypass the County Commission.

ACTION: (1880) No action taken.

56. DISCUSSION Commissioner Cowan opened discussion regarding the submission of all board appointments, that are constitutional or charter appointments, to the County Attorney's Office so as to ensure that the appointees meet the necessary qualifications required by statute.

ACTION: (2044) All board appointments, whether constitutional or charter shall be reviewed by the County Attorney's and the County Administrator's Offices for verification of the necessary qualifications of their appointments required by statute.

57. DISCUSSION Commissioner Rodstrom commented on a news article that alluded to the fact that the Housing Authority's staff were breaking the County law because they were filing vouchers for meals that were not purchased by themselves. Norman Ostrau, Assistant County Attorney, advised that he communicated with Dan McCall, a representative from the State Comptroller's Office. Mr. McCall said the State's policy is to allot \$21 a day per diem amount whether a person expends the per diem or not. Phillip Allen, Director, Finance and Administrative Services Department, stated that it is also County policy, and you have to be in a travel status for a particular mealtime in order to qualify for that per diem.

ACTION: (2873) No action was taken.

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