

MEETING OF JANUARY 14, 1992

(Meeting convened at 10 a.m. and adjourned at 12:13 p.m.)

INVOCATION - The Reverend Luther Anderson, All Saints Lutheran Church, Tamarac, gave the invocation.

PLEDGE OF ALLEGIANCE - Led by Commissioner Scott I. Cowan.

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

I. MOTION TO APPROVE concession agreement between Broward County, Florida and Yellow Airport Limousine Service, a joint venture, for the operation of the limousine service concession at the Fort Lauderdale-Hollywood International Airport for the period of December 1, 1991 through November 30, 1996, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

II. MOTION TO APPROVE consent to merger of AMR Combs-Florida Inc. into AMR Combs-Denver Inc., and the merger of AMR Combs-Denver Inc. into AMR Combs Inc. of the lease agreement dated October 21, 1980, as amended, between Broward County, Florida and Combs-Gates Denver Inc., as assigned to Combs-Gates Florida, Inc. (n/k/a AMR Combs-Florida Inc.), and authorize the Chairman and the Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

III. MOTION TO APPROVE request for technical advisory assistance prepared by County Attorney concerning the application of Florida State sales tax to certain payments under the agreement dated August 14, 1990, as amended, between Broward County, Florida and Greyhound Leisure Services Inc., and authorize the Chairman and the Clerk to execute same for filing with the Florida Department of Revenue.

ACTION: (A-156) (10:07 a.m.) Approved.

IV. MOTION TO APPROVE Amendment 1 to the concession agreement dated May 9, 1991, between Broward County, Florida and Jessie Pernel, d/b/a Old Fashioned Super Shoe Shine to provide for an amendment to the privilege fees paid for the operation of the shoe shine concession at the Fort Lauderdale-Hollywood International Airport, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-189) (10:08 a.m.) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

V. MOTION TO APPROVE interlocal agreement between Broward County and the city of Pembroke Park providing for utility installations to be made by the city at no cost to the county, and authorize the Chairman and the Clerk to execute same; Environmental Engineering Division Project 8414.

ACTION: (A-156) (10:07 a.m.) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

VI. MOTION TO APPROVE agreement between Broward County and Pete Santi and Associates Inc., relating to the construction of required improvements to Palm Avenue, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

VII. MOTION TO ADOPT Resolution 92-35 accepting a nonexclusive easement executed by Exxon Corporation, donating right-of-way for U.S. 441 (S.R. 7) in Section 19, Township 49 South, Range 42 East.

ACTION: (A-156) (10:07 a.m.) Approved.

VIII. A. MOTION TO ADOPT Resolution 92-36 accepting a warranty deed executed by Sunrise Industrial Development Corporation, donating right-of-way for Nob Hill Road in Section 18, Township 49 South, Range 41 East.

ACTION: (A-156) (10:07 a.m.) Approved.

B. MOTION TO ADOPT Resolution 92-37 accepting a corrective easement deed executed by Sunrise Industrial Development Corporation, donating right-of-way for Nob Hill Road in Section 18, Township 49 South, Range 41 East.

ACTION: (A-156) (10:07 a.m.) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

IX. MOTION TO ADOPT Resolution 92-38 releasing a lot clearing lien upon certain described lands.

ACTION: (A-156) (10:07 a.m.) Approved.

PURCHASING DIVISION

For Public Works Department

X. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 4 with Kajima International Inc. for the Broward County Judicial Complex North and East Wings and Connecting Bridges; at an increase of \$13,298.55 with 3 additional calendar days for Contract N-08-90-17-OF, changing the contract amount from \$29,407,149.59 to \$29,422,448.14; and the contract time increasing

3 additional days from 660 days to 663 days; approval having been given under the emergency provisions of the Broward County Procurement Code. Project: Broward County Judicial Complex - North and East Wings and Connecting Bridges.

ACTION: (A-156) (10:07 a.m.) Approved.

For Office of Natural Resource Protection

XI. MOTION TO APPROVE final payment and release of retainage in the amount of \$200,978.56 to Great Lakes Dredge and Dock Company for the Hollywood/Hallandale Beach Renourishment Project, Contract P-10-90-13-OF.

ACTION: (A-156) (10:07 a.m.) Approved.

REVENUE COLLECTION DIVISION

XII. MOTION TO APPROVE Tabulation of Investments for month of November 1991.

ACTION: (A-156) (10:07 a.m.) Approved.

HEALTH AND PUBLIC SAFETY DEPARTMENT

MENTAL HEALTH DIVISION

XIII. A. MOTION TO APPROVE Amendment 2 to Contract JHF29 between Broward County and the state of Florida Department of Health and Rehabilitative Services for Baker Act services, increasing Fiscal Year 1991-92 State funding by \$1,000,540 from \$3,718,779 to \$4,719,319; authorizing the Chairman and the Clerk to execute same; and authorizing the necessary budgetary and administrative actions for implementation.

ACTION: (A-156) (10:07 a.m.) Approved.

B. MOTION TO APPROVE 27 new grant positions for the Mental Health Division.

ACTION: (A-156) (10:07 a.m.) Approved.

PUBLIC SERVICES DEPARTMENT

HUMAN SERVICES DIVISION

XIV. MOTION TO APPROVE a grant agreement between Broward County and Areawide Council on Aging of Broward County, Inc. in the amount of \$130,676 to provide cash match to Broward County as Lead Agency for Community Care for the Elderly (CCE) from October 1, 1991 through September 30, 1992 and authorize Chairman and Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

XV. MOTION TO APPROVE Amendment 1 to an agreement between Broward County and Medical Personnel Pool of Hollywood Inc., increasing the dollar amount by \$39,924 from \$223,460 to \$263,384 for the delivery of homemaker services from July 1, 1991 through June 30, 1992 and authorize

Chairman and Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

XVI. MOTION TO APPROVE Amendment 1 to an agreement between Broward County and Medical Personnel Pool of Hollywood Inc., increasing the dollar amount by \$85,000 from \$197,135 to \$282,135 for the delivery of personal care services from July 1, 1991 through June 30, 1992 and authorize Chairman and Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

LIBRARIES DIVISION

XVII. MOTION TO FILE an unaudited annual financial statement submitted by the Friends of the Broward County Library Inc. for the period October 1, 1990 to September 30, 1991 as provided for in the second amendment to the revocable license agreement between Broward County and the Friends of the Broward County Library, Inc.

ACTION: (A-156) (10:07 a.m.) Approved.

OFFICE OF INFORMATION TECHNOLOGY

XVIII. MOTION TO APPROVE the interlocal agreements made and entered into by Broward County and the cities of Fort Lauderdale, Hollywood, Pompano Beach, Plantation, Coral Springs, Sunrise, Oakland Park, Margate, Coconut Creek, Deerfield Beach, Lighthouse Point and Port Everglades providing for distribution of the proceeds from the collection of 9-1-1 fees, in accordance with the Florida Emergency Telephone Act; and authorize the Chairman and the Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

OFFICE OF NATURAL RESOURCE PROTECTION

XIX. MOTION TO APPROVE contract between Broward County and the Florida Department of Environmental Regulation to sample the ground water quality monitoring network in Broward County, DER Contract WM455, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-156) (10:07 a.m.) Approved.

CONVENTION CENTER

XX. MOTION TO APPROVE the waiver of Section 8.08 of the Design and Development Agreement dated May 10, 1988 between Broward County and Northport Venture Associates (developers), requiring timely submittal of changes in the nature and cost of work to be done on the Convention Center Project.

ACTION: (A-156) (10:07 a.m.) Approved.

COUNTY ATTORNEY

a) MOTION TO APPROVE travel of Assistant County Attorney Tracy H. Lautenschlager to attend the Lincoln Institute of Land Policy Workshop entitled "Land Use and the Constitution: The New Realities"

in Orlando, Florida, on January 17-18, 1992.

ACTION: (A-156) (10:07 a.m.) Approved.

b) MOTION TO APPROVE total payment of \$101,850 for settlement of Parcel 1293 in the condemnation case Broward County v. Frank Marquino, et al. Costs were broken down as follows: for full compensation \$95,000, for reasonable attorney's fees \$6,000, and \$850 for costs; Airport Land Acquisition Project-West (Fort Lauderdale-Hollywood International).

ACTION: (A-156) (10:07 a.m.) Approved.

c) MOTION TO APPROVE additional payment of \$13,670.58 for Parcels 1.14 and 1.15 in the condemnation case Broward County v. STS Land Associates, a Delaware limited partnership, et al. - Dania Salt Marsh (Environmentally Sensitive Land Project).

ACTION: (A-156) (10:07 a.m.) Approved.

OFFICE OF BUDGET & MANAGEMENT POLICY

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

ACTION: (A-156) (10:07 a.m.) Approved.

COUNTY COMMISSION

e) MOTION TO FILE Resolution No. R-91-159 of the Hollywood City Commission, Florida, opposing any plans of the Broward County Aviation Department to expand the South Runway at Fort Lauderdale-Hollywood International Airport, and thereby jeopardize the Hollywood Harbour (Worldgate") Development Project at Port Everglades and urging the Broward County Commission and all other regulatory bodies having jurisdiction to join in opposing the proposed runway expansion. (Chairman)

ACTION: (A-156) (10:07 a.m.) Approved.

BOARD APPOINTMENTS

f) MOTION TO APPROVE the appointment of F. Scott Fistel to the Advisory Board for Persons With Disabilities. (Comm. Grossman)

ACTION: (A-156) (10:07 a.m.) Approved.

g) MOTION TO APPROVE the appointment of Amadeo "Trinchi" Trinchitella to the Broward County Planning Council District 2 Non-Elected Seat. (Comm. Poitier)

ACTION: (A-156) (10:07 a.m.) Approved.

REQUEST TO SET FOR PUBLIC HEARING

h) MOTION TO ADOPT Resolution 92-39 directing the County Administrator to publish notice of public hearing to be held on Tuesday, February 11, 1992, at 2 p.m., to vacate and abandon an easement

and road right-of-way, lying and being in Broward County, Florida, located at the southern terminus of Northwest 94 Avenue in unincorporated Broward County, Florida; Petitioner: Landmark Apostolic Church Inc. (R.P. Legg & Associates, Agent) 5-V-92.

ACTION: (A-156) (10:07 a.m.) Approved.

i) MOTION TO ADOPT Resolution 92-40 directing the County Administrator to publish notice of public hearing to be held on Tuesday, February 11, 1992, at 2 p.m., to vacate and abandon road right-of-way, lying and being in Broward County, Florida, located south of Hollywood Boulevard and west of Interstate 75 in the city of Pembroke Pines; Petitioner: Silver Lakes Partnership (Consul Tech Engineering, Agent) 1-V-92.

ACTION: (A-156) (10:07 a.m.) Approved.

j) MOTION TO ADOPT Resolution 92-41 directing the County Administrator to publish notice of public hearing to be held on Tuesday, February 11, 1992, at 2 p.m., to vacate and abandon an access easement, lying and being in Broward County, Florida, located south of Griffin Road and west of State Road 7 in the Town of Davie, Florida; Petitioner: Shell Oil Company (R.P. Legg & Associates, Agent) 23-V-91.

ACTION: (A-156) (10:07 a.m.) Approved.

k) MOTION TO ADOPT Resolution 92-42 directing the County Administrator to publish notice of public hearing to be held on Tuesday, February 11, 1992, at 2 p.m., to vacate and abandon a utility easement, lying and being in Broward County, Florida, located north of Hillsboro Boulevard and west of Northwest 39 Avenue in the city of Coconut Creek; Petitioner: Leder Hillsboro Company Limited, Part 1, 39-V-91.

ACTION: (A-156) (10:07 a.m.) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

l) JAIL UPDATE - County Administrator B. Jack Osterholt advised the jail is at 86 percent of cap, and have been below cap for the last week. Some procedures are being worked out with the Sheriff and think a complete list on procedures will be presented to the Board next week.

ACTION: (A-236) (10:10 a.m.) No action taken.

OFFICE OF PLANNING

m) A. MOTION TO INITIATE amendment to the Broward County Land Use Plan and the Future Unincorporated Area Land Use Element from Estate (1) Residential to Rural Estates for the Unincorporated Area within Palm Beach Farms (Amendment 1-AC-92). (Deferred from January 7, 1992 meeting.)

ACTION: (A-278) (10:12 a.m.) Approved as amended by directing the county Office of Planning staff to send notification by mail to all property owners in Palm Beach Farms and Sunshine Ranches that their property would be subject to this proposed amendment and advising they are to respond to the county

that they favor the change for their property or they are against the change to their property. If in fact they support the change as part of the blanket land use change, they do not incur any fees. If they are against the change, and at a later time they request the change, they will be subject to the filing fee expenses themselves. Further, if no response is received from a property owner, that will be considered affirmative and will be included in the bulk filing.

B. MOTION TO WAIVE the Land Use Plan Amendment filing fee of \$2,806. (Deferred from January 7, 1992 meeting.)

ACTION: (A-278) (10:12 a.m.) Approved as explained above.

n) A. MOTION TO INITIATE amendment to the Broward County Land Use Plan and the Future Unincorporated Area Land Use Element from Estate (1) Residential to Rural Ranches for the Unincorporated Area within Sunshine Ranches (Amendment 2-AC-92). (Deferred from January 7, 1992 meeting.)

ACTION: (A-1331) (10:46 a.m.) Approved as amended by directing the county Office of Planning staff to send notification by mail to all property owners in Palm Beach Farms and Sunshine Ranches that their property would be subject to this proposed amendment and advising they are to respond to the county that they favor the change for their property or they are against the change to their property. If in fact they support the change as part of the blanket land use change, they do not incur any fees. If they are against the change, and at a later time they request the change, they will be subject to the filing fee expenses themselves. Further, if no response is received from a property owner, that will be considered affirmative and will be included in the bulk filing.

B. MOTION TO WAIVE the Land Use Plan Amendment filing fee of \$15,215. (Deferred from January 7, 1992 meeting.)

ACTION: (A-1331) (10:46 a.m.) Approved as explained above.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

o) MOTION TO ADOPT Resolution 92-43 of the Board of County Commissioners of Broward County, Florida, authorizing the issuance of not exceeding \$300,000,000 in principal amount of Broward County, Florida General Obligation Bonds, the proceeds of which will be used (A) To complete the financing of various Criminal Justice and Law Enforcement/ Public Safety Facilities, (B) To refund the outstanding Broward County, Florida Public Improvement Bonds, Series B and (C) To refund all or a portion of the outstanding Broward County, Florida Public Improvement Refunding Bonds, Series 1986, and Broward County, Florida General Obligation Bonds, Series 1987A; providing for certain terms and provisions of the bonds; authorizing a negotiated sale of the bonds to the Underwriters; providing for the application of the proceeds from the sale of the bonds; delegating certain matters in connection with the issuance of the bonds to the Chairman of the Board; approving the form and authorizing the execution of a bond purchase agreement; authorizing the distribution of the preliminary official statement and a final official statement; authorizing the selection of a financial printer; making certain other covenants and agreements in connection with the bonds, and authorizing all other documents, certificates, instruments and acts necessary to effectuate the issuance of said bonds; providing an effective date.

ACTION: (A-1346) (10:47 a.m.) Approved.

ACCOUNTING DIVISION

p) MOTION TO ADOPT Resolution 92-44 to assess land clearance lien.

ACTION: (A-1359) (10:48.m.) Approved.

PERSONNEL DIVISION

q) A. MOTION TO APPROVE the increase in the established pay range for Environmental Compliance Administrator from the Step Range Pay Plan (N45-N60) to Open Range Pay Grade 1.

ACTION: (A-1373) (10:48 a.m.) Approved.

B. MOTION TO ADOPT resolution exempting the classification of Environmental Compliance Administrator from the Classified Civil Service.

ACTION: (A-1373) (10:48 a.m.) Approved.

PURCHASING DIVISION

For Public Works Department

r) A. MOTION TO DECLARE an emergency under Florida State Statute 287.055 and Paragraph 21.39 of the Broward County Procurement Code.

ACTION: (A-1380) (10:49 a.m.) Withdrawn at the request of staff.

B. MOTION TO AUTHORIZE the Purchasing Director to utilize informal purchasing procedures to obtain a contract for the above emergency which, subsequent to award, will be reported to the Board as a Note for the Record; BCOES Project 8087.

ACTION: (A-1380) (10:49 a.m.) Withdrawn at the request of staff.

PUBLIC SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

s) MOTION TO DIRECT the County Attorney to draft amendments to Division 3 of the Consumer Protection Code entitled "Licensing and Certification of Motor Vehicle Body and Motor Vehicle Painting Shops and Technicians." (Deferred from January 7, 1992 meeting.)

ACTION: (A-1736) (11:00 a.m.) Approved.

COUNTY ATTORNEY

t) A. MOTION TO ADOPT Resolution 92-46 to authorize a special referendum to be placed on the ballot for the general election to be held on March 10, 1992, within the special district known as the Cocomar Water Control District, located within Broward County, Florida, on the question of levying an additional ad valorem tax on the real property within the Cocomar Water Control District to provide funds for the general operation, maintenance administration and construction costs of the district. (Deferred from January 7, 1992 meeting.)

ACTION: (A-1742) (11:01 a.m.) Approved as amended as follows: Page 3, line 29, delete the word "additional" and add "necessary" before funds.

B. MOTION TO AUTHORIZE the County Administrator to publish notice of the special referendum election. (Deferred from January 7, 1992 meeting.)

ACTION: (A-1742) (11:01 a.m.) Approved.

OFFICE OF NATURAL RESOURCE PROTECTION

u) MOTION TO AUTHORIZE an agreement between Broward County and the city of Hollywood for the upgrading of the Hollywood Wastewater Treatment Plant to 42 MGD.

ACTION: (A-3065) (11:40 a.m.) Approved.

v) MOTION TO AUTHORIZE ONRP to transmit comments on the proposed revisions to the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands and proposal to incorporate portions of the manual into Federal regulations.

ACTION: (A-3722) (11:58 a.m.) Approved in concept, subject to County Attorney's review.

OFFICE OF BUDGET & MANAGEMENT POLICY

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

ACTION: (A-4138) (12:06 p.m.) Approved as amended per staff's addendum.

COUNTY COMMISSION

x) MOTION TO ADOPT Resolution 92-47 establishing a Municipal Services Advisory Board to act as a liaison between the Board of County Commissioners and the residents of the unincorporated area of Broward County. (Comm. Thompson)

ACTION: (A-4145) (12:07 p.m.) and (B-4941) (4:25 p.m.) Approved as amended on page 2 by changing the membership from 21 to 14 members; and abolished the Garbage and Trash Advisory Board.

NON AGENDA

y) EMPLOYEE SERVICE AWARDS - Harold Priest and Roy Reynolds, Water Resource Management Division, 20 years of county service.

ACTION: (A-120) (10:05 a.m.) Commissioner Kennedy presented service pins to these employees advising each has the day off of their choice.

z) DISCUSSION: Commissioner Grossman advised that the Department of Transportation will be holding public hearings on revisions on A-1-A that could materially affect plans of the Aviation Department for extension of a runway. At the same time, some permits are being pulled by some property owners in the area that would definitely be affected by the expansion of the runway. At a

previous time, on a previous issue, the Board advised property owners in an area that the county had certain potential plans for some development which could affect their development. She stated the county should advise the property owners in the area of the proposed expansion that any expenses they now incur with regard to generating permits or permit applications are at their risk and of no value so that does not suddenly enhance the value of the property because there is an intention to take that property for the expansion.

ACTION: (A-4224) (12:08 p.m.) The Board directed the County Administrator and County Attorney to attend to this issue.

aa) **DISCUSSION:** Commissioner Parrish requested authorizing the Chairman to attend the public hearing on January 23, 1992 with respect to Shell Oil drilling in the Indian areas and, on behalf of the Board, take a position that the county is opposed to that kind of oil exploration within the conservation areas.

ACTION: (A-4290) (12:10 p.m.) Without objection, the Chairman will comply as requested.

[Back to previous page](#)