

MEETING OF JANUARY 17, 1995

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

PLEDGE OF ALLEGIANCE - led by Commissioner Parrish.

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE interlocal agreement between Dade County, Palm Beach County, and Broward County, Florida to conduct a joint departing passenger survey pertaining to Miami International Airport, Palm Beach International Airport and Fort Lauderdale-Hollywood International Airport, and authorize Chair and Clerk to execute same.

ACTION: (A-165) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

2. MOTION TO EXECUTE satisfaction of claim of liens to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A-165) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO APPROVE tri-party railroad reimbursement agreement among Broward County, Florida Department of Transportation and CSX Transportation, Inc. for the reconstruction of the NW 48 Street crossing of the CSX Railroad, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

4. MOTION TO APPROVE the first amendment to agreement between Broward County and Hill and Knowlton Public Affairs Worldwide Company for Washington lobbyist services, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

ACCOUNTING DIVISION

5. MOTION TO APPROVE the satisfaction and release of land clearance lien.

ACTION: (A-165) Approved.

6. MOTION TO APPROVE the satisfaction and release of anti-litter lien.

ACTION: (A-165) Approved.

7. MOTION TO APPROVE the satisfactions of land clearance liens and releases of Notice of Noncompliance with the Land Clearing Code of Broward County.

ACTION: (A-165) Approved.

PURCHASING DIVISION

For Public Works Department

8. MOTION TO APPROVE release of retainage and final payment in the amount of \$149,577.67 to Ric-Man International, Inc. for the construction of Regional Water Supply pipeline under Contract Q-09-92-12-OF. BCOES Project 1134 - Regional Water Supply Bid Package No. 4.

ACTION: (A-165) Approved.

For Human Services Department

9. MOTION TO GRANT PERMISSION to the Purchasing Division to dispose of by direct sale 38 APCOR Motorola radios declared surplus, in accordance with applicable Florida State Statute and the Purchasing Division Internal Control Handbook, Chapter 15.

ACTION: (A-165) Approved.

For Community Services Department

10. MOTION TO AWARD fixed contract to the low bidder Group 1, Gillig Corporation for transit coaches (Bid C-10-93-21-OF) in the amount of \$6,719,711 for the Mass Transit Division, subject to receipt and acceptance of supply contract guaranty.

ACTION: (A-165) Approved.

For Port Everglades Department

11. MOTION TO APPROVE second amendment to the agreement between Broward County and Strachan Shipping Company to provide skilled mechanics for the maintenance of two Port-owned rail-mounted gantry cranes at Port Everglades Midport Terminal, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

REVENUE COLLECTION DIVISION

12. MOTION TO APPROVE a letter of agreement between Broward County and Computerized Vehicle Registration (CVR) to conduct a feasibility study regarding the electronic issuance of vehicle registrations and titles by franchised auto dealers and dealer associations.

ACTION: (A-165) Approved.

HUMAN SERVICES DEPARTMENT

HEALTH CARE MANAGEMENT

13. MOTION TO APPROVE agreement between Broward County and Stratogen Health of Ft. Lauderdale (a division of Curaflex Health Services, Inc.), from July 1, 1994 to June 30, 1995 in the amount of \$60,000 under Ryan White Title I, C.A.R.E. Act Formula grant funding for the purpose of providing dental services, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

14. MOTION TO APPROVE Amendment #1 to an agreement between Broward County and North Broward Hospital District from February 1, 1994 to January 31, 1995 in the amount of \$132,660 for the purpose of funding laboratory/x-ray and specialty consultations from unspent contract funds under Ryan White Title I, C.A.R.E. Act Supplemental 1993 funding, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

15. MOTION TO APPROVE Amendment #1 to an agreement between Broward County and Center One, Anyone in Distress, Inc. from July 1, 1994 to January 31, 1995 in the amount of \$51,000 under Ryan White Title I, C.A.R.E. Act Supplemental 1993 carryover funding for the purpose of providing transportation services, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

16. MOTION TO APPROVE Amendment #1 to an agreement between Broward County and Center One, Anyone in Distress, Inc. from July 1, 1994 to January 31, 1995 in the amount of \$25,000 under Ryan White Title I, C.A.R.E. Act Formula 1993 carryover funding for the purpose of providing health insurance continuation services, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

17. A. MOTION TO APPROVE agreement between Broward County and the City of Miramar for the provision of wastewater assessment rights, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

B. MOTION TO APPROVE agreement between Broward County and the City of Miramar for basic and initial capacity assessment rights (potable water) for the future Broward County Regional Park site in Miramar, and authorize the Chair and Clerk to execute same.

ACTION: (A-165) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

18. MOTION TO APPROVE an application for a grant to the Florida Department of Environmental Protection in the amount of \$65,000 for the purpose of deploying and evaluating donated artificial reef material, authorize the Chair and Clerk to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-165) Approved.

19. MOTION TO APPROVE an application for a grant to the Florida Department of Environmental Protection in the amount of \$25,000 for the purpose of constructing an artificial reef, and authorize the Chair and Clerk to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-165) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-165) Approved.

COUNTY COMMISSION

21. MOTION TO FILE Resolution #94-241 of the City Commission of Coral Springs, Florida, requesting that the Broward Legislative Delegation support proposed legislation exempting municipalities from the requirement of obtaining a Certificate of Public Convenience and Necessity (COPCN) from the County in order to operate an advanced life support emergency medical service system, and further urging the State Legislature to pass such proposed legislation. (Comm. Gunzburger)

ACTION: (A-165) Approved.

22. MOTION TO FILE Resolution #R-94-555 of the City Commission of the City of Hollywood, Florida, opposing any action by Broward County which would have a negative impact on the City's existing ability to control, fund and operate the Fire and Emergency Medical Services within the corporate limits of the City of Hollywood. (Comm. Gunzburger)

ACTION: (A-165) Approved.

23. MOTION TO FILE Resolution #7758 of the City of Margate, Florida, urging the Florida Legislature to amend F.S. 316.655(6) to require that all surcharges levied on moving violations pursuant to F.S. 316.655(6) within a municipality be allocated to said municipality in order to enhance municipal local governmental radio communication systems within such municipality. (Comm. Gunzburger)

ACTION: (A-165) Approved.

24. MOTION TO FILE Resolution #95-61, City of Miramar, Florida, requesting the Broward County Commission modify its decision on the structure of the E.M.S. Advisory Board created by the County, to broaden municipal representation by adding professional fire chiefs and medical directors of municipal fire departments to reflect necessary technical and operational skills; authorizing the City Manager to do all things necessary to carry out the aims of this Resolution; and providing an effective date. (Comm. Gunzburger)

ACTION: (A-165) Approved.

25. MOTION TO FILE Resolution #95-62 of the City of Miramar, Florida, opposing any structural changes proposed by Broward County which links the issuance of an EMS Certificate of Need (CON) to mandatory participation in County-operated EMS, radio communications, medical direction and protocols, and training; requesting the County Commission to include any EMS restructuring proposal, options to offset the proposed loss of Minnet Monies to those cities currently providing EMS to its residents; supporting the rights of municipalities to establish and operate Advanced Life Support (ALS) Emergency Medical Service systems within municipal fire rescue departments; requesting the Broward Legislative Delegations support of a special act and general law, exempting municipalities from the requirements to obtain a Certificate of Public Convenience and Necessity (COPCN) from Broward County to operate; authorizing the City Manager to do all things necessary to carry out the aims of this Resolution, and providing for an effective date. (Comm. Gunzburger)

ACTION: (A-165) Approved.

26. MOTION TO FILE Resolution of Oriole Gardens Condominium Association, Inc. imploring the Broward County Commissioners not to make any changes in Emergency Medical Services within Broward County which affect municipally-run emergency service providers. (Comm. Gunzburger)

ACTION: (A-165) Approved.

BOARD APPOINTMENTS

27. MOTION TO APPOINT Joan Lossen to the Clean and Beautiful Committee. (Comm. Cowan)

ACTION: (A-165) Approved.

28. MOTION TO APPROVE appointment of the following member to the Twin Lakes Water Control District Advisory Board: Michael DeRosa.

ACTION: (A-165) Approved.

REQUEST TO SET PUBLIC HEARING/MEETING

29. MOTION TO SET a meeting Tuesday, February 28, 1995, at 5:15 p.m. in Room 422 of the Governmental Center, to discuss staff recommendations regarding State Road 7/Gateway 7 issues.

ACTION: (A-207) Approved.

REGULAR AGENDA

10 A.M. PUBLIC HEARING

30. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PROVIDING FOR THE RECOGNITION BY BROWARD COUNTY OF TWO-WEEK TEMPORARY LIMOUSINE PERMITS ISSUED BY DADE COUNTY FOR THE 1995 SUPER BOWL; REQUIRING COMPLIANCE WITH THE RULES AND REGULATIONS SET FORTH WITHIN CHAPTER 22½ OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-512) Filed proof of publication and enacted Ordinance 95-2 to become effective as provided by law.

END OF PUBLIC HEARING

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31. COUNTY ADMINISTRATOR'S REPORT County Administrator B. Jack Osterholt apprised the Board of the jail report, which is 3,332 (324 under) the cap of 3,656. Mr. Osterholt stated that the cap is over on five (5) floors.

Mr. Osterholt brought to the Board's attention the 1994 Annual Report, which has been drafted in the form of a calendar. Copies of the report have been disseminated to public libraries and various agencies to make it accessible to the public.

ACTION: (A-530) No Board action was taken.

32. DELEGATION: Jacqueline Hammond, Recreation Program Coordinator, City of Fort Lauderdale Parks & Recreation Department regarding request for waiver of deadline for submission of applications for grants to the Community Arts & Education Program and the Tourist-Related Program through the Cultural Affairs Council.

ACTION: (A-575) Approved.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT DEVELOPMENT MANAGEMENT DIVISION QUASI-JUDICIAL HEARING

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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. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

33. DISCUSSION of Plat entitled "Laznicka Plat No. 1" - District 2, (014-UP-94).

ACTION: (A-595) Deferred to 2/7/95 at the request of the applicant.

34. DISCUSSION of Plat entitled "Tamarac Tract 24" - District 3, (042-MP-91).

ACTION: (A-622) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

35. DISCUSSION of Plat entitled "Meeks Farms" - District 4, (047-MP-93). (Deferred from June 21, 1994.)

ACTION: (A-633) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

36. DISCUSSION of Plat entitled "L.E.A.D." - District 4, (086-MP-93). (Deferred from June 21, 1994.)

ACTION: (A-695) Denied the plat per staff's recommendations.

37. DISCUSSION of Plat entitled "Van Orsdel Pembroke Pines Funeral Chapel" - District 5, (015-MP-93).

ACTION: (A-595) Deferred to 2/7/95 at the request of the applicant.

38. DELEGATION: Gerald R. Ferguson, representing the City of Deerfield Beach, regarding:

A. Request to place a note on the Palms of Deerfield Plat (128-MP-81);

ACTION: (A-649) Approved, subject to staff's recommendations.

B. Request for a waiver of road and park impact fees for the Palms of Deerfield Plat (128-MP-81);

ACTION: (A-649) Approved, subject to staff's recommendations.

C. MOTION TO ADOPT budget resolution 95-114 transferring funds within the County Transportation Trust Fund in the amount of \$763 from the Reserve For Future Capital Outlay for the purpose of allocating the funds to the Reserve For Road Impact Fee Waivers;

ACTION: (A-649) Approved.

D. MOTION TO ADOPT budget resolution 95-115 transferring funds within the Trust and Agency Fund in the amount of \$5,572 from the Reserve For Future Capital Outlay for the purpose of allocating the funds to the Reserve For Park Impact Fee Waivers.

ACTION: (A-649) Approved.

39. DELEGATION: Joe Handley regarding request to amend the note on the face of the NCL Plat (018-MP-90). (Deferred from June 21, 1994.)

ACTION: (A-666) Denied, with addendum, per staff's recommendations.

40. DELEGATION: Bonnie Miskel regarding request to amend the note on the Palm Aire Cypress Course Estates 3rd Section Plat (043-MP-80). (Deferred from January 3, 1995.)

ACTION: (A- 680) Approved, subject to staff's recommendations.

41. DELEGATION: Gregory S. Mire regarding request to amend the non-vehicular access line for the Southern Bell Weston-Florida Plat (028-UP-83). (Deferred from January 3, 1995.)

ACTION: (A-688) Approved, subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

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42. DELEGATION: Debbie Orshefsky regarding motion to approve agreement between Broward County and Engle Homes/Pembroke Inc. for County park impact fees.

ACTION: (A-720) Approved.

43. DELEGATION: Debbie Orshefsky regarding motion to approve Pembroke Meadows school agreement.

ACTION: (A-738) Approved.

44. DELEGATION: Debbie Orshefsky regarding motion to approve agreement relating to Pembroke Falls Phase I Plat: Pines Boulevard lien agreement relating to road impact fees (068-MP-94).

ACTION: (A-743) Approved.

45. DELEGATION: Debbie Orshefsky regarding motion to approve agreement relating to Pembroke Falls Phase III Plat: Pines Boulevard lien agreement relating to road impact fees (069-MP-94).

ACTION: (A-747) Approved.

DIVISION OF HUMAN RESOURCES

46. A. MOTION TO APPROVE collective bargaining agreement between Broward County and the Amalgamated Transit Union (ATU) Local 1591.

ACTION: (A-755) Approved.

B. MOTION TO AUTHORIZE the Chair to sign on behalf of the County.

ACTION: (A-755) Approved.

HUMAN SERVICES DEPARTMENT

HEALTH CARE MANAGEMENT

47. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, establishing the maximum amount to be expended to fund social service organizations for domestic violence counseling sessions by contract providers; approving organizations to provide counseling services by contract; establishing reimbursement fees payable by Broward County; establishing a sliding scale fee schedule for persons who are unable to pay a portion of the cost of domestic violence counseling services; approving standard form contracts and authorizing execution by the Broward County Administrator; and providing for an effective date.

ACTION: (A-567) Withdrawn for further study at the request of Human Services Department.

48. MOTION TO ADOPT Resolution 95-116 of the Board of County Commissioners of Broward County, Florida, approving funding for the not-for-profit social service organizations or government entities; approving the nonprofit contract shell form; authorizing the County Administrator to execute the appropriate contract for each approved organization; providing for severability; and providing for an effective date.

ACTION: (A-760) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-764) Approved, as amended.

SUPPLEMENTAL AGENDA

BOARD APPOINTMENTS

50. MOTION TO APPROVE the appointment of Ms. Pat Ohlendorf to serve on the Broward County Advisory Board for Persons with Disabilities. Ms. Ohlendorf will replace Sue Talpins.

(Comm. Rodstrom)

ACTION: (A-165) Approved.

51. MOTION TO APPROVE the appointment of Mrs. Kay Latona to serve on the Broward County Motor Vehicle Body Repair & Vehicle Painting Industry Board. Mrs. Latona will fill a vacant board position. (Comm. Rodstrom)

ACTION: (A-165) Approved.

52. MOTION TO APPROVE the reappointment of Dr. Geraldine Manning to serve on the Broward Regional Health Planning Council.

(Comm. Rodstrom)

ACTION: (A-165) Approved.

53. MOTION TO APPROVE the reappointment of Mrs. Barbara Effman to serve on the Broward Regional Health Planning Council.

(Comm. Rodstrom)

ACTION: (A-165) Approved.

NON AGENDA

54. PRESENTATION: Commissioner Hart relayed that on Saturday, January 14, 1995, he attended the dedication ceremony for the Boy's and Girl's Club facility in Lauderhill, and accepted a plaque on behalf

of the County Commission for the County's support of the Boy's and Girl's Club. In addition, Commissioner Hart received certificates of appreciation for Pete Corwin, Assistant to the County Administrator; and Patrice Eichen, Assistant County Attorney, for their time and efforts during the development/negotiation process of the Boy's and Girl's Club in Lauderhill.

ACTION: (A-095) Patrice Eichen accepted the certificate of appreciation and thanked the Boy's and Girl's Club. County Administrator B. Jack Osterholt accepted the certificate of appreciation and thanked the Boy's and Girl's Club on behalf of Pete Corwin.

55. INFORMATIONAL: Commissioner Hart apprised the Board that on January 12, 1995 and January 13, 1995, he and the Chair attended the Summit on Intergovernmental Challenges in Tallahassee, Florida. Commissioner Hart reported that a consensus was reached on the legislative agenda for both the League of Cities and the Florida Association of Counties to work together to accomplish legislative issues.

ACTION: (A-768) No Board action was taken.

56. DISCUSSION: Commissioner Parrish stated that if the Certificate of Need (CON) issue is (state) constitutional in nature, she would like the County Attorney's Office/County Administrator to research the possibility of retaining the services of an attorney/lobbyist to represent the County.

ACTION: (A-1169) County Attorney's Office/County Administrator to research the possibility of retaining the services of an attorney/lobbyist and return with a report.

57. BOARD APPOINTMENT: Commissioner Rodstrom wanted to know when the board would be filling the vacancy due to the resignation of board appointee Joel Alesi from the Housing Finance Authority (HFA).

ACTION: (A-1237) The Board directed staff to place the board appointment for the HFA vacancy on the agenda of the 2/7/95 Commission Meeting.

58. FOR THE RECORD: County Administrator B. Jack Osterholt read into the record a petition from city of Hollywood residents formally opposing any action by Broward County that would negatively impact the city's existing ability to operate, fund, and control the fire and emergency medical services inside the city limits of Hollywood.

ACTION: (A-1260) No Board Action taken.

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