

MEETING OF JANUARY 19, 1993

(Meeting convened at 10 a.m. and adjourned at 10:35 a.m.)

INVOCATION: The Reverend Luther Anderson,

All Saints Lutheran Church, Tamarac gave the invocation.

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

MOTION TO APPROVE terminal services permit between Broward County and Fort Lauderdale Jet Center Inc. at Fort Lauderdale-Hollywood International Airport, effective upon Board approval through September 30, 1993 and month-to-month thereafter, and authorize the Chair and the Clerk to execute same.

ACTION: (A-338) (10:16 a.m.) Deferred to January 26, 1993 at request of staff.

MOTION TO APPROVE and authorize payment and terms of proposed settlement for Parcels 1600 and 1601 in the condemnation case, Broward County v. Glaberman, et al., of the Airport Land Acquisition Project-West (Fort Lauderdale-Hollywood International Airport).

ACTION: (A-434) (10:17 a.m.) Deferred to January 26, 1993 for further review.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

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

ACTION: (A-350) (10:18 a.m.) Approved.

ENVIRONMENTAL ENGINEERING DIVISION

MOTION TO ADOPT budget resolution 93-40 transferring funds within the Water and Wastewater Construction Fund for the Office of Environmental Services in the amount of \$302,000 from BCOES Project 8166, Multi-District FY '92 Main Oversizing 8215, District 3, WTP 3A, Well 4 Rehab and 8094, Meter Reading Capability Improvement Study for the purpose of increasing the funding for BCOES Project 8403, District 3, Hollywood Water Main Interconnect.

ACTION: (A-350) (10:18 a.m.) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

MOTION TO APPROVE an agreement between Broward County and the city of Sunrise for trafficways beautification and privacy wall maintenance for Pine Island Road (from South city limits to Oakland Park Boulevard) Project 5078, and authorize the Chair and the Clerk to execute same.

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE an agreement between Broward County and Jacaranda at Central Park Master Association Inc., for landscaping during construction of Broward Boulevard from Nob Hill Road to Pine Island Road; and authorize the Chair and the Clerk to execute same; and authorize acceptance and recordation of warranty deed.

ACTION: (A-350) (10:18 a.m.) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING & CONTRACT ADMINISTRATION DIVISION

MOTION TO APPROVE agreements between Broward County and the cities of Coconut Creek, Deerfield Beach, Fort Lauderdale, Hollywood, Lauderdale, Miramar, and Oakland Park for Fifth Year Waste Tire Grant Funds, authorizing the necessary administrative and budgetary actions to implement and to authorize the Chair and the Clerk to execute same.

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE agreement between Broward County and the cities of Coconut Creek, Lauderdale, Margate, North Lauderdale and Tamarac (Cities) to establish that the Cities may enter into interlocal agreement for solid waste disposal services and an interlocal agreement with the County for Recyclable Materials Recovery, and authorize the Chair and the Clerk to execute same.

ACTION: (A-350) (10:18 a.m.) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

MOTION TO FILE Broward Economic Development Council Inc. Financial Report ended September 30, 1992.

ACTION: (A-350) (10:18 a.m.) Approved.

COUNTY RECORDS DIVISION

MOTION TO APPROVE the minutes of the Commission meeting of December 1, 1992.

ACTION: (A-350) (10:18 a.m.) Approved.

OFFICE OF HOUSING FINANCE

MOTION TO FILE Quarterly Report on items identified in the Housing Finance Authority of Broward County's FY '91 Annual Audit.

ACTION: (A-350) (10:18 a.m.) Approved.

PURCHASING DIVISION

For Public Works Department

MOTION TO APPROVE Work Authorization No. 12 in accordance with the agreement of July 10, 1990, between Broward County and CH2M Hill Southeast Inc., to provide technical services associated with the Pipe Replacement, for a guaranteed maximum of \$177,040 and a time period of 510 calendar days, and authorize the Chair and the Clerk to execute same; BCOES Project 8148.

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE release of retainage and final payment in the amount of \$11,903.64 to Hazen & Sawyer, P.C. for professional consultant services covering design, permit/bid and construction management services for the Deerfield Beach Master Pump Station Rehabilitation; BCOES Project 8283.

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE release of retainage and final payment in the amount of \$32,226.92 to Hazen & Sawyer, P.C. for professional consultant services covering design, permit/bid and construction management services for the Lauderhill East Master Pump Station Rehabilitation; BCOES Project 8284.

ACTION: (A-350) (10:18 a.m.) Approved.

RISK MANAGEMENT DIVISION

MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim 88 WC 0643 SM in the amount of \$46,750.

ACTION: (A-350) (10:18 a.m.) Approved.

HUMAN SERVICES DEPARTMENT

SOCIAL SERVICES DIVISION

MOTION TO APPROVE two new grant positions within the Social Services Division, one Social Worker II and one Criminal Justice Counselor I, for the purpose of providing services to juveniles.

ACTION: (A-350) (10:18 a.m.) Approved.

COMMUNITY SERVICES DEPARTMENT

BUILDING AND PERMITTING DIVISION

MOTION TO ADOPT Resolution 93-41 authorizing the Director of Building and Permitting Division to sign applications for leasing public school facilities for examinations for certification of contractors for the Central Examining Boards; providing for severability; and providing for an effective date.

ACTION: (A-350) (10:18 a.m.) Approved.

CULTURAL AFFAIRS DIVISION

A. MOTION TO APPROVE Amendment 1 to the grant agreement between Broward County and the state of Florida Division of Cultural affairs (Grant 93-8015) in the amount of \$1,704, to a new total of \$25,744 for the purpose of program support for the Broward County Cultural Affairs Division for the period October 1, 1992 - September 30, 1993, and authorize the County Administrator and the Clerk to execute the agreement. (Local match is \$25,744 in kind, total grant is \$51,488).

ACTION: (A-350) (10:18 a.m.) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 93-42 in the amount of \$1,704 for program support for the Cultural Affairs Division. The Board of County Commissioners approved the application of this grant on November 17, 1992, however the award was for an additional \$1,704.

ACTION: (A-350) (10:18 a.m.) Approved.

OFFICE OF EQUAL OPPORTUNITY

HUMAN RIGHTS DIVISION

MOTION TO APPROVE the 1992-93 fiscal year FEB Agency Title VII award contract between Broward County on behalf of the Human Rights Division and the Miami District Office of the US Equal Employment Opportunity Commission (EEOC) in the amount of \$128,730 for processing charge resolutions, intake services and training, and authorize the Chair and the Clerk to execute same.

ACTION: (A-350) (10:18 a.m.) Approved.

COMMISSION AUDITOR

MOTION TO APPROVE Commission Auditor travel to Nashville, Tennessee, February 10 and 11, 1993 to attend February Forum Southeastern Intergovernmental Audit Forum.

ACTION: (A-350) (10:18 a.m.) 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-350) (10:18 a.m.) Approved.

COUNTY ATTORNEY

MOTION TO AUTHORIZE payment of \$20,000 as settlement (inclusive of attorney's fees and costs) of the case styled, Bean Dredging Corporation/Weeks Marine, a Joint Venture v. Broward County, and to authorize the County Attorney's Office to file and execute the appropriate settlement pleadings with the court.

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO RATIFY County Attorney's appointment of special counsel to serve as Legal Advisor to the Personnel Review Board and other employee grievance hearing bodies, when the County Attorney's Office has an ethical conflict.

ACTION: (A-350) (10:18 a.m.) Approved.

COUNTY COMMISSION

MOTION TO FILE Resolution 92-377 of the Coral Springs Commission, Florida, opposing a proposal before the Broward County School Board to implement a pilot program of single or multi-track year-round education in certain public schools in Broward County; supporting and endorsing the conventional nine month school year calendar; requesting that the Broward County School Board continue to investigate alternative options to resolve the problems of overcrowding and lack of funding and thus improve the quality of education in Broward County; providing that this Resolution be sent to appropriate government officials in Broward County; providing for an effective date. (Chair)

ACTION: (A-350) (10:18 a.m.) Approved.

BOARD APPOINTMENTS

MOTION TO APPROVE appointment of Louis Little to serve on the Central Examining Board of Electricians of Broward County. Mr. Little will replace Ken J. Kotrody. (Comm. Rodstrom)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of Gregg Gurdak to serve on the Emergency Medical Services Council, Broward Regional. Mr. Gurdak will replace Dianne Johnston. (Comm. Rodstrom)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of Gillian Cunningham to serve on the Social Services Division Elderly Services Section. Ms. Cunningham will replace Fred S. Bellis. (Comm. Rodstrom)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE the appointment of Jeanette Tate to serve on the Parks and Recreation Advisory Board. Ms. Tate will replace Marcy Burgess. (Comm. Rodstrom)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of Randy Young to serve on the Advisory Board For Persons With Disabilities. Mr. Young will replace Mr. Gary King. (Comm. Rodstrom)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE the appointment of Kathleen Ireland, Probate General Master for the Circuit Court to fill the vacancy on the Alcohol, Drug Abuse and Mental Health Planning Council. This appointment is being made to fill the vacancy created by the resignation of Walter Lackey. (Comm.

Thompson)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE the appointment of Stephen Kenneth, Chief of Police of Wilton Manors, to the Alcohol, Drug Abuse and Mental Health Planning Council. This appointment is being made to fill the vacancy created by the resignation of Chief Joe Gerwens and has been recommended by Judge Bob Fogan. (Comm. Thompson)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of Loy Crumbley to replace Ernestine Turner on the Community Action Agency Advisory Board. (Comm. Thompson)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPOINT Russ Raiford to the Alcohol, Drug Abuse and Mental Health Planning Council representing the South Broward Hospital District for a two-year term. Mr. Raiford replaces Harry Duncanson. (Comm. Parrish)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of Mrs. Carmen S. Robinson to the Consumer Protection Board. Mrs. Robinson replaces Ralph T. White. (Comm. Gunzburger)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of James R. Jakubek to the Advisory Board for Persons With Disabilities. Mr. Jakubek fills a vacant slot. (Comm. Gunzburger)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO REAPPOINT Robert Anderson to the Historical Commission. (Comm. Gunzburger)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of Annette Van Howe to the Historical Commission. Ms. Van Howe replaces Mary L. Smith. (Comm. Gunzburger)

ACTION: (A-350) (10:18 a.m.) Approved.

MOTION TO APPROVE appointment of Jean Cook to the Personnel Advisory Board. Ms. Cook fills a vacant slot. (Comm. Gunzburger)

ACTION: (A-350) (10:18 a.m.) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT - The County Administrator advised he has no report for the Board today.

ACTION: (A-466) (10:22) No information given.

OFFICE OF PLANNING

MOTION TO APPROVE a statutorily required Intermodal Planning and Programming Agreement on behalf of Broward County Aviation Department and Broward County Mass Transit Division, which will form the basis for all future Intermodal Planning and Programming activities involving the Broward County Metropolitan Planning Organization (BCMPO) and all publicly-owned operators of aviation, port, and public transportation services in Broward County.

ACTION: (A-474) (10:22 a.m.) Approved.

DEVELOPMENT MANAGEMENT DIVISION

A. MOTION TO APPROVE concurrency agreement relating to the Assumption Catholic Church of Pompano Beach (017-UP-92).

ACTION: (A-474) (10:22 a.m.) Approved, with addendum.

B. DISCUSSION of Plat entitled "Assumption Catholic Church of Pompano Beach" - District 2, 017-UP-92.

ACTION: (A-474) (10:22 a.m.) Approved, with addendum.

DISCUSSION of Plat entitled "El Rancho Estate Plat" - District 2, 064-UP-92.

ACTION: (A-526) (10:24 a.m.) Approved plat subject to staff recommendations as outlined in the Development Review Report.

DISCUSSION of Plat entitled "Isles of Windmill Ranch" - District 3, 008-UP-92. (Deferred from January 5, 1993 meeting.)

ACTION: (A-534) (10:24 a.m.) Approved plat subject to staff recommendations as outlined in the Development Review Report.

A. MOTION TO APPROVE concurrency agreement relating to the Lakes of Western Pines Plat. (017-MP-92).

ACTION: (A-542) (10:24 a.m.) Approved, subject to approval of County Attorney.

B. DISCUSSION of Plat entitled "Lakes of Western Pines" - District 5, 017-MP-92. (Deferred from January 5, 1993.)

ACTION: (A-542) (10:24 a.m.) Approved plat subject to staff recommendations as outlined in the Development Review Report, including verbal addendum that approval is based on letter from the city of Pembroke Pines stating that the plant is going to be expanded. This is not a guarantee of sewer capacity in accordance with the Land Development Code. If the capacity is not available at the time of building permit, the county will not authorize the city to issue sewer connections.

DELEGATION: Edward P. Ploski concerning request to amend the note on the face of the Jobe Plat

(202-MP-86). (Deferred from January 5, 1993.)

ACTION: (A-576) (10:26 a.m.) Approved, subject to staff recommendations.

DELEGATION: Patricia Z. Hitchcock concerning request to amend the note on the face of the Kensington Plat (116-MP-89). (Deferred from January 5, 1993.)

ACTION: (A-588) (10:22 a.m.) Approved, subject to staff recommendations.

DELEGATION: Arnold Ramos regarding request to amend the nonvehicular access line, Thunderbird Swap Shop I (024-UP-86) and Thunderbird Swap Shop III (009-UP-87). (Deferred from January 5, 1993.)

ACTION: (A-605) (10:27 a.m.) Approved, subject to staff recommendations, including addendum.

DELEGATION: Charles Putnam concerning request for six month time extension for the use of TRIPS information, Wiles Road construction agreement.

ACTION: (A-506) (10:21 a.m.) Deferred to February 2, 1993 at request of applicant.

DELEGATION: Cynthia Paddock regarding request to amend the nonvehicular access line, Pines Palm West (143-MP-83). (Deferred from December 15, 1992.)

ACTION: (A-635) (10:27 a.m.) Approved, subject to staff recommendations, including addendum.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PERSONNEL DIVISION

MOTION TO DIRECT the County Attorney to prepare an appropriate amendment to the Code of Ordinances establishing a Broward County "Whistleblower" Policy.

ACTION: (A-635) (10:28 a.m.) Approved.

PURCHASING DIVISION

For Public Works Department

MOTION TO APPROVE tenth amendment to the agreement between Broward County and James M. Montgomery Consulting Engineers Inc. for additional engineering services related to the Regional Water Supply Project at an increase of \$3,236,478.00 from \$7,554,996.40 to \$10,791,474.40 with no increase in time of completion and authorize the Chair and the Clerk to execute the same; BCOES Project 1134.

ACTION: (A-689) (10:29 a.m.) Approved.

MOTION TO NOTE FOR THE RECORD Usage 1 of Contract P-03-92-29-12, emergency installation and repair services for Water and Sewer Systems, W. Jackson and Sons Construction, for repair of a ruptured force main in the amount of \$29,902.50, for the Water Supply Division, approval being given under the conditions of the contract and the emergency provisions of the Broward County Procurement

Code.

ACTION: (A-695) (10:30 a.m.) Approved.

HUMAN SERVICES DEPARTMENT

MOTION TO ADOPT Resolution 93-43 of the Board of County Commissioners of Broward County, Florida, authorizing improvements made pursuant to a lease for a community mental health facility; and providing for an effective date. (Deferred from January 12, 1993.)

ACTION: (A-702) (10:30 a.m.) Approved.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

MOTION TO DIRECT the County Attorney to draft an ordinance amending Section 19-11 of the Broward County Code relating to the membership qualifications of the Library Advisory Board and a housekeeping change to update the original ordinance.

ACTION: (A-717) (10:30 a.m.) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-723) (10:31 a.m.) Approved.

COUNTY COMMISSION

MOTION TO APPROVE first amendment to interlocal agreement creating a South Florida Regional Planning Council and to authorize the Chair and the Clerk to execute same.

(Comm. Hart)

ACTION: (A-728) (10:31 a.m.) Approved.

SUPPLEMENTAL AGENDA

COUNTY ATTORNEY

57. DISCUSSION: Consideration and possible acceptance of the Quitclaim Deed accepting the Lauderdale P.A.L. facility, contingent upon the satisfactory execution of the Deed by the authorized signatory of the Broward Sheriff's Youth Program Board.

ACTION: (a-741) (10:30 a.m.) Deferred to January 26, 1993 at the request of the County Attorney.

NON AGENDA ITEMS

58. MOTION TO REAPPOINT Dr. Richard S. Dellerson, M.D. to the Health Facilities Authority.

ACTION: (A-741) (10:30 a.m.) Deferred to January 26, 1993 for further review.

59. EMPLOYEE SERVICE RECOGNITION: Commissioner Gunzburger presented service pins to the following employees for 20 years of service to the county: Kathy Eavenson, Libraries Division; James Fleming and John Green, Mass Transit Division; Michael McHugh, Facilities Management Division; and Mollie Rasmussen, Budget & Management Policy.

ACTION: (A-20) (10:05 a.m.) Each of the employees accepted and thanked the Commission for the recognition and service pins they received.

60. PROCLAMATION: Commissioner Poitier read into the record a proclamation declaring February 1, 1993 through March 19, 1993 as SISTRUNK HISTORICAL FESTIVAL DAYS in Broward County, calling upon all county citizens to participate in this multi-ethnic and multi-cultural landmark occasion.

ACTION: (A-105) (10:08 a.m.) The proclamation has been presented to the proper parties.

61. PROCLAMATION: Commissioner Cowan read into the record a proclamation designating Friday, January 22, 1993 as a day to honor DRS. ISABEL and PEDRO DIAZ for their many years of outstanding service to the citizens of Broward County.

ACTION: (A-200) (10:09 a.m.) Susan Jones with the North Broward Hospital District accepted and thanked the Commission for the proclamation on behalf of Drs. Isabel and Pedro Diaz.

62. PROCLAMATION: Commissioner Gunzburger read into the record a proclamation designating Sunday, January 24, 1993 as MACULAR DEGENERATION AWARENESS DAY in Broward County, Florida.

ACTION: (A-232) (10:10 a.m.) Morton Bond with "Against All Odds, Inc." accepted and thanked the Board for the proclamation.

63. PROCLAMATION: Commissioner Gunzburger read into the record a proclamation declaring Saturday, January 23, 1993 as FLORIDA FOLIAGE AWARENESS DAY in Broward County, Florida.

ACTION: (A-285) (10:11 a.m.) Proclamation to be presented to the proper parties.

64. PROCLAMATION FOR THE RECORD: Commissioner Poitier advised that a proclamation declaring the Southern Bell Martin Luther King Memorial Committee was honored and commendations given to their officers and Co-Chairpersons, and the Board on its own and on behalf of the citizens of Broward County formally designated January 4 through 18, 1993 as Dr. Martin Luther King, Jr. Memorial Celebration Weeks in Broward County and all its municipalities.

ACTION: (A-312) (10:12 a.m.) Presented to the Southern Bell Martin Luther King, Jr. Memorial Committee January 15, 1993.

65. PROCLAMATION FOR THE RECORD: Commissioner Poitier advised that a proclamation declaring the City of Deerfield Beach Community Services Department staff should be honored and commendations given to various committee members for coordinating this year's memorial parade and celebration; and that the Board on its own and on behalf of the citizens of Broward County formally

designated January 4 through 18, 1993 as Dr. Martin Luther King, Jr. Memorial Celebration Weeks in Broward County and all its municipalities.

ACTION: (A-327) (10:12 a.m.) Presented to the City of Deerfield Community Services Department staff on January 18, 1993.

66. INFORMATIONAL ITEM: Commissioner Cowan advised that Commission policy, when only four Commission members are present at a meeting, is that for an item to pass an affirmative position four votes are required. A 3 to 1 majority automatically moves that item to the next regularly scheduled meeting agenda. Any item that fails by less than 4 votes can be reconsidered by any of the 3 absent Commissioners when they are back in attendance at a Commission meeting because they were considered to be on the prevailing side.

ACTION: (A-352) (10:17 a.m.) For informational purposes.

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