

MEETING OF JANUARY 23, 2001

(The meeting convened at 10:10 a.m.; recessed at 1:10 p.m.; reconvened at 3:43 p.m. and adjourned at 4:50 p.m.)

PLEDGE OF ALLEGIANCE was led by Mr. Ed Dion, County Attorney.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. MOTION TO APPROVE appointment of Ms. Jackie Scott to the Commission on the Status of Women. (Commissioner Lieberman)

ACTION: (0236) Withdrawn for further review at the request of Commissioner Lieberman.

A. MOTION TO APPROVE appointment of Mr. Arnold Grevior to the Animal Control Trust Fund Committee. (Commissioner Parrish)

ACTION: (0236) Approved.

B. MOTION TO APPROVE appointment of Mr. James Norton to the Alcohol & Drug Abuse Advisory Board. (Commissioner Parrish)

ACTION: (0236) Approved.

C. MOTION TO APPROVE appointment of Ms. Joan Kovac to the Broward Beautiful Committee. (Commissioner Parrish)

ACTION: (0236) Approved.

D. MOTION TO APPROVE appointment of Mr. Jeffrey Siegel to the Broward Beautiful Committee. (Commissioner Parrish)

ACTION: (0236) Approved.

E. MOTION TO APPROVE appointment of Ms. Diana Fletcher to the Brownfields Redevelopment Task Force. (Commissioner Parrish)

ACTION: (0236) Approved.

F. MOTION TO APPROVE appointment of Mr. William Crawford to the Historical Commissioner. (Commissioner Parrish)

ACTION: (0236) Approved.

G. MOTION TO APPROVE appointment of Mr. Sam Subramani to the Multi- Ethnic Advisory Board. (Commissioner Parrish)

ACTION: (0236) Approved.

H. MOTION TO RE-APPOINT Janice Boursiquot to the Florida DOC&F District Ten Health & Human Services Board. (Commissioner Lieberman)

ACTION: (0236) Approved.

I. MOTION TO APPOINT Harvey Udoff to the Consumer Protection Board of Broward County. (Commissioner Lieberman)

ACTION: (0236) Approved

J. MOTION TO RE-APPOINT Jerome Ginsberg to the County Parks and Recreation Advisory Board. (Commissioner Graber)

ACTION: (0236) Approved.

K. MOTION TO APPOINT William “Bill” Stradling to the Broward County Planning Council. (Commissioner Graber)

ACTION: (0236) Approved.

L. MOTION TO APPOINT Herman “Larry” Bender to the Broward County Planning Council. (Commissioner Graber)

ACTION: (0236) Approved.

M. MOTION TO RE-APPOINT Helen Sobel for Elderly Services Division Advisory Board. (Commissioner Graber)

ACTION: (0236) Approved.

N. MOTION TO RE-APPOINT Frank Negron to the Multi-Ethnic Advisory Board. (Commissioner Graber)

ACTION: (0236) Approved.

O. MOTION TO APPOINT Scott J. Brook to the Consumer Protection Board. (Commissioner Graber)

ACTION: (0236) Approved.

P. MOTION TO APPOINT Joe Schreiber to the Library Advisory Board. (Commissioner Graber)

ACTION: (0236) Approved.

Q. MOTION TO APPOINT Mae Walberg Schreiber to the Commission on the Status of Women. (Commissioner Graber)

ACTION: (0236) Approved.

R. MOTION TO APPOINT Elayne Weisburd to the Cultural Affairs Council. (Commissioner Graber)

ACTION: (0236) Approved.

S. MOTION TO NOMINATE Richard Weiss to the Broward County Planning Council. (Commissioner Wasserman-Rubin)

ACTION: (0236) Approved.

T. MOTION TO NOMINATE Mayor Annette F. Wexler to the Broward County Planning Council

ACTION: (0236) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Amendment No. 5 to the Airline-Airport Lease and Use Agreement between Broward County, Florida and Delta Air Lines, Inc. for the reimbursement of certain modifications and improvements and the addition of certain fixtures to portions of their exclusively leased premises and per use areas located in Terminal 2 in an amount not to exceed \$298,000 for their exclusively leased premises and \$81,000 for the per use area work for a total amount not to exceed \$379,000.00, and authorize the ChaMOTION TO APPROVE Amendment

ACTION: (0772) Approved. See Page 48.

3. MOTION TO TERMINATE lease agreement between Broward County and Bahamas Ro Ro Service (Freeport), Inc. (“Agreement”), due to various defaults and authorize the Director of Aviation to send a Notice of Termination pursuant to Section 19, “Default; Termination,” and authorize the Office of County Attorney to take all necessary actions in connection with such termination, including collection of all amounts due under the agreement, eviction proceedings, and all legal and other proceedingMOTION TO TERMINATE</

ACTION: (0801) Approved. See Page 49.

4. A. MOTION TO APPROVE Amendment No. 3 to the airline-airport lease and use agreement between Broward County, Florida and Paradise Island Airlines, Inc., f/k/a Chalk’s International Airline, Inc., and Gulfstream International Airlines, Inc. to consent to change of ownership and assignment of the airline-airport lease and use agreement, to modify the airline-airport lease and use agreement which will delete certain provisions that are obsolete and not relevant to the operations of the airline at thA. MOTION TO APPROVE Amendment No. 3 to the airline-airport lease and use agreement between Broward County, Florida and Paradise Island Airlines, Inc., f/k/a Chalk’s International Airline, Inc.

ACTION: (0236) Approved.

B. MOTION TO APPROVE Amendment No. 2 to the lease agreement between Broward County, Florida and Gulfstream International Airlines, Inc. to change the location for the place of rental payments and to require the posting of a security deposit, and authorize the Chair and Clerk to execute same.

ACTION: (0236) Approved.

C. MOTION TO APPROVE terminal building lease agreement between Broward County, Florida and Gulfstream International Airlines, Inc., with anticipated annual revenues of \$37,000.00, for the lease and use of leased premises in the new Terminal 1 facility currently under construction at the Fort Lauderdale-Hollywood International Airport to be effective upon Board approval for a five-year term with a 30-day termination by either party, and authorize the Chair and Clerk to execute same.

ACTION: (0236) Approved.

D. MOTION TO APPROVE addendum to the terminal building lease agreement between Broward County, Florida and Gulfstream International Airlines, Inc., which provides for the approximate square footage of leased premises, the standard finishes for leased premises, and the termination of the Commuter Terminal Building Lease Agreement, and authorize the Chair and Clerk to execute same.

ACTION: (0236) Approved.

E. MOTION TO APPROVE lease agreement between Broward County, Florida and Gulfstream International Airlines, Inc. to lease 5,752 square feet of land solely for the parking of employees' vehicles on a month-to-month basis for a monthly rental of \$254.05, to be effective upon approval for a period not to exceed May 31, 2003, with a ten-day notice of cancellation by the Director of Aviation, and authorize the Chair and Clerk to execute same.

ACTION: (0236) Approved.

PUBLIC WORKS DEPARTMENT

ENVIRONMENTAL ENGINEERING DIVISION

5. A. MOTION TO APPROVE first amendment to developer's agreement dated May 14, 1991, between the County and The Prudential Insurance Company of America, a New Jersey Corporation (Project No. 8436, O.R. BK. 18389, Pages 0026-0036). (**Commission District 2**)

ACTION: (0236) Approved.

B. MOTION TO APPROVE developer's agreement between Broward County and ICC at Center Port, Ltd. LLC, a Florida Limited Liability Limited Partnership, providing for utilities installation, located at 2810 Center Port Circle, Pompano Beach, Florida, with an estimated cost to the developer of \$89,116.00, at no cost to Broward County, and will furnish water and wastewater services, and authorize the Chair and the Clerk to execute same. (Contingent on approval of MOTION A), (BCOES Project No. 8893) (**Commission District 2**)

ACTION: (0236) Approved.

6. MOTION TO APPROVE settlement agreement between Broward County, D.N. Higgins, Inc. and Lanzo Construction Company with regard to cleaning and removing construction debris from the 42-inch section of the South Regional Water Supply (SRWS) pipeline for a lump sum cost of \$55,896. (BCOES Project No. 1134) (**Commission Districts 4 and 6**)

ACTION: (0836) Approved. See Page 50.

OFFICE OF INTEGRATED WASTE MANAGEMENT

7. A. MOTION TO APPROVE new classification of Assistant to the Director, Office of Integrated Waste Management, Salary Grade Y2000 (\$50,159- \$82,261).

ACTION: (0236) Approved.

B. MOTION TO APPROVE reclassification of BPN No. 4664, from Administrative Manager II to Assistant to Director, Office of Integrated Waste Management.

ACTION: (0236) Approved.

C. MOTION TO APPROVE decreasing the personnel cap within the Office of Integrated Waste Management (Resource Recovery fund) by one position as a result of consolidating the functions of two positions into the Assistant to the Director.

ACTION: (0236) Approved.

D. MOTION TO APPROVE establishment of one new classification of Solid Waste Compliance Agent and accompanying pay range, Salary Grade X8006 (\$27,226-\$42,255).

ACTION: (0236) Approved.

OFFICE OF GENERAL SERVICES

8. MOTION TO ADOPT Resolution 2001-0025 of the Board of County Commissioners of Broward County, Florida amending Chapter 6, Sections 6.3, 6.7, and 6.8 of the Broward County Administrative Code, relating to organization of the Public Works Department and functions and responsibilities of the Office of General Services; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (0236) Approved.

REAL PROPERTY SECTION

9. MOTION TO EXERCISE last two-year renewal option for Human Resources Employee Benefits located in Suite 205 at 110 NE 3rd Street (a County owned building) for 2,808 square feet; Terms of Renewal: \$15.74, per square foot; \$3,683.16, per month for two years effective April 1, 2001 through March 31, 2003. (**Commission District 7**)

ACTION: (0236) Approved.

10. MOTION TO APPROVE lease agreement with the Town of Lauderdale-by-the- Sea pursuant to an Interlocal Agreement dated January 25, 2000 and a First Amendment to Interlocal Agreement dated September 19, 2000 for the temporary mobile fire station site pursuant to Interlocal Agreement for Broward County Safety and Emergency Services Department. Terms of Rental: \$1,000 monthly commencing December 1, 2000; and authorize the Chair and Clerk to execute same. (**Commission District 2**)

ACTION: (0236) Approved.

OFFICE OF TRANSPORTATION

STREETS AND HIGHWAYS DIVISION

11. MOTION TO ADOPT budget Resolution 2001-0026 transferring funds within Streets and Highways' Capital Outlay Fund, as part of the Capital Improvement Program (CIP) for Fiscal Year 2001, for Streets and Highways Division in the amount of \$175,000 for drainage improvements on SW 44th Avenue and SW 13th Street in Broadview Park, unincorporated Broward County. (**Commission District 4**)

ACTION: (0236) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

12. MOTION TO APPROVE agreement between Broward County and American Appraisal Associates, Inc.(RLI 081400-RB) in a maximum amount of \$72,500 for consultant services for fixed asset issues required to comply with GASB 34, and authorize the Chair and Clerk to execute same.

ACTION: (0236) Approved.

PURCHASING DIVISION

For Community Services Department

13. MOTION TO APPROVE agreement between Broward County and Pierce Architectural Group P.A. (Pierce) for architectural and engineering services for construction of a community center building at West Pompano Beach Highlands Park, RLI No. 010400-RB, effective from the date of the initial Notice to Proceed, with the County paying Pierce a not-to-exceed maximum amount of \$51,750 for Phase I-schematic design, Phase II-design development, and Phase III-contract documents of the agreement; and authorize the Chair **MOTION TO APPROVE** agreement between Broward County and Pierc

ACTION: (0236) Approved.

14. MOTION TO APPROVE lease agreement between Broward County and Ogden Entertainment of Florida, Inc. (Ogden), (RLI No. 021199-RB) for a Family Aquatic Center (FAC) at Tradewinds Park, effective upon execution by both parties for a 40-year term from the date of issuance of any certificate of occupancy for the FAC, providing for Ogden to pay the County annually a guaranteed minimum rent or a percentage of gross receipts, whichever is greater; and authorize the Chair and the Clerk to execute same. (**Commis****MOTION TO APPROVE**

ACTION: (0845) Deferred; Direct staff to negotiate the following items: 30 year versus 40 year lease; radius for competing businesses; ability for contractor to sell lease agreement; definition of water facilities.

See Page 51.

For Port Everglades Department

15. MOTION TO NOTE FOR THE RECORD emergency sole source procurement of law enforcement services from Broward Sheriff's Office in the amount of \$917,100 for the period from December 1,

2000 to March 1, 2001 for Port Everglades Department.

ACTION: (0236) Approved.

For Public Works Department

16. A. MOTION TO ADOPT unanticipated revenue Resolution 2001-0027 within the General Capital Outlay Fund (3010) for Construction Management Division in the amount of \$200,000 for the expansion of the Crime Lab at the Broward County Courthouse.

ACTION: (0236) Approved.

B. MOTION TO AWARD fixed contract to the low bidder, Allied Contractors, Inc. for the Construction of Crime Lab Expansion at the Broward County Courthouse, bid number L499082CF in the total amount of \$362,497 (for Base Bid and Alternate 2), funded with a grant from the National Institute of Justice through Florida Department of Law Enforcement to Broward Sheriff's Office (BSO), for the Construction Management Division, subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Chair and Clerk to execute same. **(Commission District 7)**

ACTION: (0236) Approved.

C. MOTION TO APPROVE change order allowance of \$36,249.70, which is 10% of the total contract amount of \$362,497 for the Contract L499082CF, Crime Lab Expansion at the Broward County Courthouse.

ACTION: (0236) Approved.

REVENUE COLLECTION DIVISION

17. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien.

ACTION: (0236) Approved.

HUMAN SERVICES DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

18. MOTION TO APPROVE reinstatement of agreement to original grant agreement between Broward County and the City of Lauderdale Lakes, extending the term of the Agreement from October 31, 2000 to April 30, 2001 for the purpose of giving sufficient time to complete the Lauderdale Lakes Small Business Loan Program, and authorize the Chair to execute same. **(Commission District 9)**

ACTION: (0236) Approved.

19. MOTION TO APPROVE reinstatement of agreement to original grant agreement between Broward County and the Hallandale Community Redevelopment Agency, to change the project location and extend the term of the Agreement from November 1, 2000 to October 31, 2001 for the purpose of giving sufficient time to complete the CRA Capital Improvements - NW/NE Hallandale, and authorize the Chair and Clerk to execute same. No County funds are required and all other terms and conditions of the original grant agreement MOTION TO APPROVE reinstatement of agreement to original grant

ACTION: (0236) Approved.

FAMILY SUCCESS ADMINISTRATION DIVISION

20. MOTION TO APPROVE agreement between Broward County and Broward Partnership for the Homeless, Inc., “Broward County Central Homeless Assistance Center, Huizenga Family Campus.” The purpose of this agreement is to provide for emergency shelter for a minimum of 12 unduplicated homeless individuals referred from the County’s approved shelter bed tracking and reservation system. The amount of the agreement is for \$29,600.00, from date of execution to October 13, 2001, and authorize the Chair MOTION TO APPROVE agreement between Broward County and Broward Partnership for the Homeless, Inc., “Broward County Central Homeless Assistan

ACTION: (0236) Approved.

OFFICE OF HOUSING FINANCE

21. MOTION TO FILE quarterly report for Satisfactions of Mortgages and Subordinations of Mortgage Agreements under the State Housing Initiatives Partnership (SHIP) affordable housing programs administered by the Office of Housing Finance.

ACTION: (0236) Approved.

22. MOTION TO FILE Quarterly Foreclosure Report for the State Housing Initiatives Partnership (SHIP) Single Family Second Mortgage Program administered by the Office of Housing Finance.

ACTION: (0236) Approved.

23. MOTION TO ADOPT Resolution 2001-0028 relating to the Housing Finance Authority of Broward County, Florida GNMA and FNMA Collateralized Home Mortgage Revenue Bonds, 1991 Series A and B; authorizing execution and delivery of a GNMA Certificate Purchase Agreement in connection with such GNMA Certificates; authorizing execution and delivery of an Escrow Deposit Agreement; authorizing other action in connection with such Agreement; and providing an effective date.

ACTION: (0236) Approved.

24. MOTION TO FILE with the Board of County Commissioners the regularly scheduled meetings of the Housing Finance Authority of Broward County for the 2001 calendar year.

ACTION: (0236) Approved.

SUBSTANCE ABUSE AND HEALTH CARE SERVICES

25. MOTION TO APPROVE addition of two grant positions within the Ryan White Title I Grant Fund for the Substance Abuse & Health Care Services Division, HIV Section. The classifications of the proposed positions are one Systems Network Analyst III and one Systems Network Analyst I. This level of staff support is necessary to manage, administer and support all technical aspects of the local Plan of Care Information system (PCIS) project, an electronic client information system mandated by the federal goMOTION TO APPROVE addition of two grant positions within the Ryan White Title I Grant Fund for the Substance Abuse & Health Care Services Division, HIV Section. The classifications of the proposed positions are one Systems Network Analyst III an

ACTION: (0236) Approved.

26. MOTION TO APPROVE addition of one full-time grant position within Fund 9750 for the Substance Abuse and Health Care Services Division for the purpose of providing State mandated medical services for the clients of Broward Addiction Recovery Center.

ACTION: (1659) Approved. See Page 63.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

27. MOTION TO ADOPT Resolution 2001-0029 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of \$500 from Cathy Montgomery for the benefit of the Broward County Animal Care and Regulation Division; and authorize the County Administrator to take all administrative actions to implement same.

ACTION: (0236) Approved.

CONSUMER AFFAIRS DIVISION

28. MOTION TO DIRECT Office of County Attorney to draft an ordinance amending Chapter 22½ of the Broward County Code of Ordinances (Motor Carriers Ordinance), to allow for discharge and pick up of passengers in Broward County by limousine operators who perform lawful prearranged trips from outside Broward County, from counties that have adopted a similar ordinance provision, and to further amend the Ordinance to delete the requirement of obtaining a Broward County Chauffeur Registration by out-of-county. MOTION TO DIRECT Office of County Attorney to dr

ACTION: (0236) Approved, as corrected. (Scrivener's Error see County Administrator's memorandum.)

CULTURAL AFFAIRS DIVISION

29. A. MOTION TO APPROVE agreement between Broward County and John S. and James L. Knight Foundation (Grant No. 2000-0283) in the amount of \$75,000 for the purpose of developing a strategic marketing program for cultural, arts and science organizations located within the Riverwalk Arts District from December 5, 2000 to December 31, 2001, and authorize the County Administrator to sign the acknowledgment on behalf of the County. (Cash match of \$50,000 and in-kind match of \$12,820 offered). (CommA. MOTION TO APPROVE<

ACTION: (0236) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2001-0030 within the Cultural Affairs Grant Fund (8050) for the Cultural Affairs Division in the amount of \$137,820 to develop a strategic marketing plan for the Riverwalk Arts District.

ACTION: (0236) Approved.

MASS TRANSIT DIVISION

30. A. MOTION TO ADOPT Resolution 2001-0031 of the Board of County Commissioners of Broward County, Florida authorizing the Commission Chair to execute and file an application for federal assistance for Fiscal Year 2001 with the Federal Transit Administration (FTA), pursuant to 49 U.S.C., Section 5307 funding, in the amount of \$16,361,779 under the Federal Transit Act, as amended; and providing for an effective date. (No County match is required.)

ACTION: (0236) Approved.

B. MOTION TO ADOPT unanticipated budget Resolution 2001-0032 to decrease the Capital Grant Fund (4510) for the Mass Transit Division, in the amount of (\$1,010,221), providing for bus purchases, capital cost of contracting, preventive maintenance, office/maintenance equipment and ADA compliance.

ACTION: (0236) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

31. MOTION TO APPROVE settlement agreements in the total amount of \$143,600.00, which includes in-kind services, between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Planning and Environmental Protection (DPEP), and authorize the Chair and Clerk to execute same. (**Commission Districts 1, 2, 4 and 8**)

ACTION: (0236) Approved. See Page 40.

BIOLOGICAL RESOURCES DIVISION

32. MOTION TO ACCEPT conservation easement from US Retail Income Fund VIII, Limited Partnership for preservation of a mitigation area, over approximately 3.39 acres of real property. The property is for mitigation due to wetland impacts associated with the Publix at Sawgrass Center, a commercial development in unincorporated Broward County. (**Commission District 3**)

ACTION: (0236) Approved.

33. MOTION TO APPROVE grant agreement between the Florida Fish and Wildlife Conservation Commission (FWCC) and Broward County in the amount of \$25,000 for the continued second year support of the Socio-Economic Study of Reef Resources in Southeast Florida and the Florida Keys with a time for performance through June 30, 2001, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute same.

ACTION: (0236) Approved.

34. A. MOTION TO ACCEPT cash bond agreement between Broward County and Paradise/BVT Coquina Associates in the amount of \$15,000 to be held as security for the performance of the remaining three years of monitoring and maintenance of the mitigation at Coquina Flats. (**Commission District 8**)

ACTION: (0236) Approved.

B. MOTION TO APPROVE release of environmental mitigation lien against Coquina Green L.C. in the amount of \$60,000 which was held as security for the performance of construction, monitoring and maintenance of the mitigation at Coquina Flats and is being replaced by a Cash Bond Agreement.

(Commission District 8)

ACTION: (0236) Approved.

PORT EVERGLADES DEPARTMENT

35. MOTION TO FILE Quarterly Report for business permits issued at Port Everglades for the period November 15, 2000 through December 31, 2000.

ACTION: (0236) Approved.

36. MOTION TO APPROVE Reclassifications of BPN No. 40002 from Administrative Coordinator I to Port Everglades Administrative Assistant and BPN No. 40037 from Project Manager II to Project Manager III in the Port Everglades Department.

ACTION: (0236) Approved.

37. A. MOTION TO INCREASE Personnel Cap within the Port Everglades Fund for the Port Everglades Department by one position for Assistant to the Department Director to assist the Port Director in developing and implementing long-term strategies and plans for the petroleum/chemical/bulk business at Port Everglades to improve Port/County asset utilization.

ACTION: (0236) Approved.

B. MOTION TO ADOPT budget Resolution 2001-0033 transferring within the Port Everglades Fund the amount of \$58,680 from the Port Everglades Fund Reserve to fund a new position for nine months.

ACTION: (0236) Approved.

FFICE OF ECONOMIC DEVELOPMENT

38. MOTION TO ADOPT Resolution 2001-0034 recommending that Mars, Inc., be approved as a qualified applicant for participation in the State of Florida Qualified Targeted Industry Tax Refund Program (QTI) and Broward County's Job Growth Economic Incentives Program, specifically the Direct Cash/Job Creation incentive program, for fiscal years 2001 through 2006 based on the creation of the minimum requisite jobs within Broward County.

ACTION: (0236) Approved.

COUNTY ATTORNEY

39. MOTION TO APPROVE settlement in the amount of \$150,000.00, including costs and attorney's fees, of a lawsuit filed in Broward County Circuit Court, Manzueta, et al. v. Medics Emergency Services, Inc., et al., Case No. 97-02185 (13).

ACTION: (0236) Approved. See Page 40.

40. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver one Satisfaction of Mortgage for a certain mortgage executed by Gurkan Altunbas for the purpose of posting appearance bond in the case of State of Florida v. Gurken Altunvas, 17th Circuit Case No. 99-8278CF10A.

ACTION: (0236) Approved.

REQUEST TO SET FOR PUBLIC HEARING

41. MOTION TO ADOPT Resolution 2001-0035 directing the County Administrator to publish a Notice of Public Hearing to be held on Tuesday, February 27, 2001 at 2:00 p.m. in Room 422 of the Governmental Center to consider an application from Tugz International, L.L.C. to provide tugboat and towing services at Port Everglades.

ACTION: (0236) Approved, as corrected. (Scrivener's Error see County Administrator's memorandum. At the request of the Chair, the public hearing date for this agenda item will be March 13, 2001 at 2:00 p.m. instead of February 27, 2001.) Commissioner Parrish directed staff to report back to her on several issues prior to Tuesday, March 13, 2001. See Page 66.

42. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held Tuesday, February 27, 2001 at 2:00 p.m. in Room 422 of the Governmental Center to consider updates to the Broward County Trauma Plan.

ACTION: (0236) Approved.

43. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 13, 2001 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO ADVISORY BOARD FOR PERSONS WITH DISABILITIES, ALCOHOL AND DRUG ABUSE ADVISORY BOARD, ANIMAL CARE TRUST FUND COMMITTEE, BOARD OF ADJUSTMENT, BROWARD BEAUTIFUL COMMITTEE, CHILDREN'S SERVICES BOARD, CHILDREN'S VICTIM SERVICES TRUST FUND COMMITTEE, CODE ENFORCEMENT BOARDS, COMMISSION ON THE STATUS OF WOMEN, CONSUMER PROTECTION BOARD, HISTORICAL COMMISSION, LIBRARY ADVISORY BOARD, MARINE ADVISORY COMMITTEE, DRUG, PROSTITUTION, AND YOUTH AND STREET GANG-RELATED PUBLIC NUISANCE ABATEMENT BOARD, ENTERPRISE ZONE DEVELOPMENT AGENCY, WATER ADVISORY BOARD, AND THE ZONING BOARD; REPEALING VARIOUS SECTIONS OF THE BROWARD COUNTY ADMINISTRATIVE CODE, INCLUDING SECTION 27.176, SECTION 27.177, AND SECTION 27.178; SUNSETTING VARIOUS BOARDS, INCLUDING THE HEALTH AND SANITARY CONTROL BOARD, THE MOTOR VEHICLE BODY REPAIR AND MOTOR VEHICLE PAINTING INDUSTRY BOARD, AND THE DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION ADVISORY BOARD; ADJUSTING NUMBER OF APPOINTEES AND QUORUM REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (0236) Tabled to the end of the agenda.

ACTION: (B-3118) Deferred to Commission Meeting of Tuesday, January 30, 2001 at 10:00 a.m.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

44. A. PHIL ROSENBERG'S RETIREMENT

ACTION: (4200) See Page 102.

B. JAMES ACTON'S APPOINTMENT

ACTION: (4232) See Page 102.

C. BLOOD MOBILE

ACTION: (4257) See Page 102.

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DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

PLANNING SERVICES DIVISION

45. MOTION TO FIND Application 00-CF-06 for the allocation of 6.8 acres of commercial flexibility in the City of Deerfield Beach compatible with adjacent land uses and, that impacts upon public school facilities have been adequately considered. (**Commission District 2**)

ACTION: (4308) Approved. See Page 104.

QUASI-JUDICIAL HEARING

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. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

DEVELOPMENT MANAGEMENT DIVISION

46. DELEGATION: Stephanie J. Toothaker-Walker regarding request to amend the note on the New River Estates, Section 10 Plat - **Commission District 5**, (207-MP-85). (Deferred from January 9, 2001)

ACTION: (4439) Deferred at applicant's request until Tuesday, February 6, 2001 at 10:00 a.m. to obtain letters from owners. See Page 106.

END OF QUASI-JUDICIAL CONSENT HEARING

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COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

47. DELEGATION: Richard Black, Executive Director of the International Game Fish Association/Fishing Hall of Fame and Museum, Inc., requesting a waiver of deadline for submission of certified audited financial statements. **(Commission District 7)**

ACTION: (4890) Approved .

48. DELEGATION: Jerry Waxman, Executive Director of the Hollywood Boulevard Theatre, Inc., regarding request for a waiver of deadline for submission of Fiscal Year 2000 certified audited financial statements. **(Commission District 6)**

ACTION: (4905) Approved.

PUBLIC WORKS DEPARTMENT

49. A. MOTION TO APPROVE, in substantially the form attached, the First Amendment to the Amended and Restated Solid Waste Disposal Service Agreement, between Wheelabrator North Broward, Inc. (for the north waste to energy plant) and Broward County, Florida, and authorize the Chair and Clerk to execute same.

ACTION: (4910) Approved, as amended. See Page 113.

B. MOTION TO APPROVE, in substantially the form attached, the First Amendment to the Amended and Restated Solid Waste Disposal Service Agreement, between Wheelabrator South Broward, Inc. (for the south waste to energy plant) and Broward County, Florida, and authorize the Chair and Clerk to execute same.

ACTION: (4910) Approved, as amended. See Page 113.

OFFICE OF TRANSPORTATION

TRAFFIC ENGINEERING DIVISION

50. A. MOTION TO ADOPT Resolution 2001-0036 to enter into a Joint Project Agreement (JPA) between the Florida Department of Transportation (FDOT) and Broward County over a five year period for staffing (seven existing positions approved in JPA Contract No. AC 292, two new positions proposed in this JPA) and equipment to operate to Broward County Computerized Traffic Signal System.

ACTION: (5070) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2001-0037 within the Computerized Traffic Signal Fund for the Traffic Engineering Division in the amount of \$236,068 for the first year funding of a five-year JPA for enhanced operation of the Broward County Computerized Traffic Signal System - State Job No. 228056/1/54/03.

ACTION: (5070) Approved.

C. MOTION TO APPROVE two grant positions.

ACTION: (5070) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

51. MOTION TO ADOPT Resolution 2001-0038 of the Board of County Commissioners of Broward County, Florida approving the issuance of the Broward County Resource Recovery Refunding Revenue Bonds, Series 2001A and 2001B (Taxable) (Wheelabrator South Broward Inc. Project) and Broward County Resource Recovery Refunding Revenue Bonds, Series 2001A and 2001B (Taxable) (Wheelabrator North Broward Inc. Project), in an aggregate amount not to exceed \$207,000,000 and \$178,000,000, respectively, to refund its Resource Recovery Revenue Bonds (SES Broward Company, L.P. South Project), Series 1984 and Resource Recovery Revenue Bonds, Series 1984 (Broward Waste Energy Company, L.P. North Project); authorizing the printing and distribution of Preliminary Official Statements and Official Statements; establishing criteria for determining the date, interest rates, provisions for redemption, and maturity schedule of such Bonds; approving the form of and authorizing the modification and execution of certain Indentures, Security Documents, Continuing Disclosure Commitments, Installment Purchase Contracts and Escrow Deposit Agreements and authorizing the designation of Escrow Agents, Trustee, Bond Registrar and Paying Agent thereunder; delegating to the County Administrator authority to negotiate and obtain a Municipal Bond Insurance Policy to insure said Bonds and to execute and deliver any related agreements; approving uncertificated, Book-Entry Only registration of said Bonds with the Depository Trust Company; providing for the appointment of a Verification Agent for the Refunded Bonds and of a Financial Printer for the Preliminary Official Statement and the Official Statement; authorizing the County Administrator to award the sale of said Bonds to one or more of the Original Purchasers described herein on a negotiated basis and approving the execution of Bond Purchase Agreements and the conditions and criteria of such sale; approving the issuance of certain of such Bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended; repealing Resolution 2000-18 adopted on January 4, 2000 authorizing the redating of such Bonds, the Series Designation of such Bonds and the Dated Date of the various documents entered into in connection with the issuance of such Bonds, authorizing all proper officials to do all things deemed necessary in connection with the issuance, sale and delivery of said Bonds; and providing an effective date.

ACTION: (5081) Approved. See Page 117.

PURCHASING DIVISION

For Community Services Department

52. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to select a firm to provide design/build services for the design and construction of a new animal crematory and expansion of

Animal Care North facility in the estimated amount of \$500,000 for the Animal Care and Regulation Division. (**Commission Districts 2 and 7**)

ACTION: (5104). Approved the following to serve on the Selection/Negotiation Committee: Director, Animal Care and Regulation Division (Chair); Director, Construction Management Division; Assistant Director, Community Services Department. Plus, administrative support staff from the offices of the County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Construction Management, Purchasing and the using agency. See Page 118.

For Public Works Department

53. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide owner's representative consulting services in the development of the Broward County Convention Center Hotel, and approve RLI No. 010801-RB.

ACTION: (0236). Withdrawn for further staff review.

COUNTY ATTORNEY

54. A. MOTION TO AUTHORIZE the Chair to execute a Settlement Agreement in the case of Comcast Cablevision, et. al. v. Broward County in the form presented to the Board, provided that all plaintiffs in the case shall have executed the same.

ACTION: (5127) Withdrawn at the request of the County Attorney.

See Page 119.

B. MOTION TO AUTHORIZE County Attorney to draft an ordinance repealing Ordinance No. 1999-41, the "Internet Broadband Open Access Ordinance," upon execution of the Settlement Agreement by all parties to the case of Comcast Cablevision, et. al. v. Broward County.

ACTION: (5127) Withdrawn at the request of the County Attorney.

See Page 119.

COUNTY ADMINISTRATOR

55. DISCUSSION AND DIRECTION on proceeding with contract with Broward Days Tallahassee, 2001.

ACTION: (5138). See Page 119.

COUNTY COMMISSION

56. A. DISCUSSION: Resolution 89-2426 establishing guidelines for the construction of sound protection devices in conjunction with County road projects. (Commissioner Parrish)

ACTION: (3527) Approved motion to waive Resolution 89-2426 for today's purposes and direct staff to come back to the Board with an alternative recommendation. See Page 93.

B. MOTION TO ACCEPT the City of Sunrise's offer to split 50/50 the cost of the construction of the wall, the County will construct the wall, and the City of Sunrise will maintain the wall.

ACTION: (3527) Approved. See Page 93.

SUPPLEMENTAL AGENDA

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QUASI-JUDICIAL HEARING

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. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

57. DELEGATION: Bonnie Miskel regarding request to amend the note on the Wertheimer Plat-
Commission District 6, (090-MP-84). [Commissioner Eggelletion]

ACTION: (0280) Withdrawn at the request of Commissioner Parrish to be brought back by the District Commissioner. See Page 42 & 47.

END OF QUASI-JUDICIAL CONSENT HEARING

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COUNTY COMMISSION

58. MOTION TO DISCUSS establishing policy to require a complete review of existing Zoning and Land Use on properties adjacent to lands being considered for acquisition under the Parks & Land Preservation Bond. (Commissioner Jacobs)

ACTION: (1838) Instruct staff to take no action until 1) a complete review of existing Zoning and Land Use on properties adjacent to lands being considered for acquisition under the Parks & Land Preservation Bond has been completed; 2) until such time that the Board of County Commissioners has an answer as to whether proper notification was given; 3) review has been completed as to

whether the Welfare Protection Ordinance has not been violated. See Page 67.

59. MOTION TO DISCUSS amending the Zoning Code of Broward County to reflect a change in the notice requirement for zoning changes, land use changes and variances from 300 feet to 1,000 feet. In addition, all governmental jurisdictions within the 1,000 feet requirement will receive appropriate notice including departments of Broward County. (Commissioner Jacobs)

ACTION: (3359) Instruct staff to amend the Zoning Code of Broward County to reflect a change in the notice requirement for zoning changes, land use changes and variances from 300 feet to 1,000 feet; from 200 feet to 500 feet on like facilities; provide formula based on density .

60. DISCUSSION: County participation in relief efforts for the victims of the earthquake disaster in El Salvador. (Commissioner Wasserman-Rubin)

ACTION: (5989). See Page 143.

61. MOTION TO FILE Resolution No. 2000-166 from City Commission of the City of Coconut Creek, Florida, objecting to the siting of a power plant on the eastern boarder of the City of Coconut Creek and urging the cities of Pompano Beach and Deerfield Beach to undertake every action possible to prevent the approval and construction of any power plant in the proximity to the eastern border of the City; providing an effective date. (Commissioner Rodstrom)

ACTION: (0236) Approved.

NON-AGENDA

62. BROWARD INFORMED NETWORK AWARD - COMMISSIONER PARRISH

ACTION: (B-3158) See Page 144.

63. MR. THABIT'S MEMO DATED JANUARY 22ND RECOMMENDING BONDS FOR ELECTED OFFICIALS - COMMISSIONER PARRISH

ACTION: (B-3158) See Page 144.

64. SOUTH FLORIDA WATER MANAGEMENT DISTRICT - ENFORCEMENT OF WATER RESTRICTIONS - COMMISSIONER PARRISH

ACTION: (B-3158) See Page 144.

65. STUDY ON SOUTHWEST BROWARD FLOODING - COMMISSIONER PARRISH

ACTION: (B-3158) See Page 144.

66. HEALTH SERVICES COMMISSION - COMMISSIONER GRABER

ACTION: (A-0416) See Page 146.

67. MOTION TO INSTRUCT PAM LANDI TO MOVE TO PRIORITY LIST THE \$1.5 MILLION GRANT TO THE MPO AND FOR CHAIR OF THE COMMISSION TO SEND A LETTER OF

SUPPORT TO THE CONGRESSIONAL OFFICES FOR STATE ROAD 7 CORRIDOR - COMMISSIONER LIEBERMAN

ACTION: (A-0473) Approved motion. See Page 147.

68. GOVERNOR'S PROPOSAL TO SHIFT THE COST OF PREDISPOSITIONED JUVENILE SUSPECTS TO COUNTY - COMMISSIONER LIEBERMAN

ACTION: (A-0539) See Page 148.

69. PUBLIC OFFICIAL BONDS - COMMISSIONER LIEBERMAN

ACTION: (A-0563) See Page 148.

70. DELIVERY OF TRASH TO THE RESOURCE RECOVERY PLANT BY THE INTERLOCAL CITIES - COMMISSIONER LIEBERMAN

ACTION: (A-0588) See Page 149.

71. ARBOR DAY - COUNTY'S PREMATURE CELEBRATION - COMMISSIONER JACOBS

ACTION: (A-0655) See Page 150.

72. CONGRATULATIONS TO CHIEF LORENZO - COMMISSIONER JACOBS

ACTION: (A-0693) See Page 151.

73. WATER MANAGEMENT DISTRICT - COUNTY'S HELP TO ENFORCE WATER RESTRICTIONS - COMMISSIONER JACOBS

ACTION: (A-0708) See Page 151.

74. AUTHORIZATION TO PUBLISH PHOTOGRAPH TO BE USED IN DAN RATHER'S BOOK - COMMISSIONER GUNZBURGER

ACTION: (A-0779) Approved motion. See Page 152.

75. MOTION TO CHANGE PUBLIC HEARING DATE FROM JUNE 26, 2001 BACK ONE WEEK TO JUNE 19, 2001 - COMMISSIONER GUNZBURGER

ACTION: (A-0799) Approved motion. See Page 152.

76. MOTION TO APPOINT COMMISSIONER LIEBERMAN AS AN ALTERNATE LIAISON TO BROWARD DAYS TALLAHASSEE - COMMISSIONER SCOTT

ACTION: (A-0837) Approved motion. See Page 153.

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