

MEETING OF JANUARY 23, 1996

(The meeting convened at 10:00 a.m., recessed at 12:30 p.m., reconvened at 2:15 p.m. and adjourned at 4:05 p.m.)

PLEDGE OF ALLEGIANCE was led by Commission Auditor Norman Thabit.

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

1. MOTION TO APPROVE Revocable License Agreement with Elite Title Investigation commencing 11/1/95 through 10/31/96 at an annual rate of \$12.00 per year payable in advance. Option to renew annually by Elite Title requires Broward County Commission and/or County Administrator approval; authorize Chair and Clerk to execute same.

ACTION: (A-267) Withdrawn for further study at the request of the County Attorney's Office and Public Works Department.

2. MOTION TO APPROVE Revocable License Agreement with Consolidated Abstract Storage, Inc. commencing 1/1/96 at the annual rate of \$2,497.25 payable in advance. Option to renew annually requires Broward County Commission and/or County Administrator approval; authorize Chair and Clerk to execute same.

ACTION: (A-267) Withdrawn for further study at the request of the County Attorney's Office and Public Works Department.

3. MOTION TO APPROVE Contract for Sale and Purchase executed by Chester Schwimmer, in the amount of \$4,500.00 for purchase of right-of-way for Pine Island Road (Oakland Park Boulevard to Commercial Boulevard); Project 5121, Parcel 8; authorize Chair and Clerk to execute Contract for Sale and Purchase; and authorize acceptance and recordation of Deed.

ACTION: (A-267) Approved.

4. MOTION TO APPROVE the reconveyance by Quit Claim Deed under F.S. 255.22, of a portion of roadway donated to Broward County to Boat Center, Inc., 1771 South State Road 7, as successor in title to the donor; and authorize Chair and Clerk to execute and record same. -Parcel 95-2

ACTION: (A-267) Approved.

OFFICE OF GENERAL SERVICES

5. MOTION TO APPROVE a contract between Broward County and CES/WAY International, Inc. to provide energy audit services in the amount of \$78,030 as Phase One of a two-phase performance based contract for energy conservation measures at the main Library and County-owned libraries, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

6. MOTION TO ADOPT Resolution 96-0033 accepting a Non-Exclusive Easement executed by Palm Trace Landings, Limited, a Florida Limited Partnership and Hamilton C. Forman and Miles Austin Forman, as Trustees, donating right-of-way for Davie Road, in Section 23, Township 50 South, Range 41 East.

ACTION: (A-267) Approved.

7. MOTION TO ADOPT budget resolution 96-0034 transferring funds within the Engineering Capital Projects Fund (315) for the Engineering Division in the amount of \$84,000 for payment to Florida Power and Light Co. as reimbursement for the costs of relocating their facilities in association with the construction of the NW 34th Avenue C-12 Bridge Project (#5118).

ACTION: (A-267) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

8. A. MOTION TO WAIVE as a technicality which is non- substantive in nature the submission of a corrected bid bond per Administrative code 21.30 f. 1. (c).

ACTION: (A-267) Approved.

B. MOTION TO AWARD Open-End Contract to low bidder, Hines Landscaping, Inc., for Grounds & Greenbelt Maintenance at Ft. Lauderdale/Hollywood Airport (Bid # H-09-95-18-24), for the grand total bid amount for (Items 1-25) in the approximate amount of \$696,856.00 for the Aviation Department subject to receipt and acceptance of the Insurance/Performance and Payment Guarantee and to authorize the Purchasing Director to renew Contract for a two (2) year period. The initial Contract period shall start after acceptance of Insurance/Performance and Payment Guaranty and shall terminate December 31, 1997.

ACTION: (A-267) Approved.

For Department of Natural Resources

9. MOTION TO APPROVE The First Amendment to work authorization No. 1 in accordance to the agreement between Broward County and Hydrologic Associates USA Inc. approved by the Board of County Commissioners on August 23, 1994 to provide Environmental Services in the amount of \$9,900, increasing the services and expenditures to date to \$76,100, increasing the time from 30 to 90 days, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

For Office of Environmental Services

10. MOTION TO REJECT all bids for bid #H-08-95-29-12, Service Line Replacement for the Office of Environmental Services.

ACTION: (A-267) Approved.

RISK MANAGEMENT DIVISION

11. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim # 91 WC 0810 RS/FA, 92 WC 0786 RS, 93 WC 0372 RS, 94 WC 0178 RS, in the amount of \$75,000.00.

ACTION: (A-267) Approved.

12. MOTION TO AUTHORIZE full and final settlement of Claim #BBT/111995STUPP in the amount of \$28,500.00.

ACTION: (A-267) Approved.

HUMAN SERVICES DEPARTMENT

BUREAU OF CHILDREN'S SERVICES

13. MOTION TO APPROVE Agreement #96-51 between Broward County and Outreach Broward, Inc., from October 1, 1995 to September 30, 1996 in the amount of \$75,000 for the purpose of developing and implementing community based residential and non- residential programs for youth who are dependent and emotionally disturbed, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

14. MOTION TO APPROVE Agreement #96-12 between Broward County and the City of Fort Lauderdale, Florida, from December 1, 1995 to September 30, 1996 in the amount of \$139,910 for the purpose of providing incentives to approximately 97,000 elementary school children in Broward County public and private schools which will reinforce the substance abuse prevention message taught through the Drug Abuse Resistance Education (D.A.R.E.) Program, and to authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

BIOLOGICAL RESOURCES DIVISION

15. MOTION TO AUTHORIZE an application to the Florida Department of Environmental Protection for inclusion of the Broward County Beach Nourishment Project in the DEP package of recommended FY 1998 federal appropriation for Water Resources Projects in Florida.

ACTION: (A-267) Approved.

ENVIRONMENTAL MONITORING DIVISION

16. MOTION TO APPROVE the disbursement of \$34,900.00 from the Tree Preservation Trust Fund for the planting of trees in Fern Forest Nature Center, located at 201 South Lyons Road in Unincorporated Broward County.

ACTION: (A-267) Approved.

PORT EVERGLADES DEPARTMENT

17. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida, and BOYCE- TRANS, INC., in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

18. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida, and Specialized Travel Systems, Inc., in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

19. MOTION TO APPROVE the renewal of Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida, and GMM, INC., effective January 1, 1996 through December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

20. MOTION TO APPROVE a three-year Lease Agreement between Broward County and Holland America Line-Westours Inc. for 1,149 square feet of office space in Building 26 at Port Everglades, for the period of December 1, 1995 through November 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

21. MOTION TO APPROVE a three-year Lease Agreement between Broward County and Sidco Enterprises, Inc. for four acres of land at Port Everglades, for the period of February 1, 1996 through January 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

22. MOTION TO APPROVE a four-year Lease Agreement between Broward County and Sunset Duty Free, Inc. for 5,977 square feet of warehouse space in Building "E", Bays 9 and 10, in Foreign Trade Zone No. 25 at Port Everglades, for the period of February 1, 1996 through January 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-267) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-267) Approved.

COUNTY ATTORNEY

24. MOTION TO APPROVE Settlement of Parcel No. 2 in the amount of \$33,000.00 in the condemnation case of Broward County v. Wallace C. Harris and Veronica E. Harris, his wife, Case No. 94-05314 (07) -- North Broward Regional Medical Complex Expansion Project, including attorney's

fees and costs.

ACTION: (A-267) Approved.

25. MOTION TO AUTHORIZE Russell J. Morrison, Assistant County Attorney, to attend the American Association of Port Authorities' Harbors, Navigation and Environment Seminar, February 7 through 10, 1996, in Corpus Christi, Texas.

ACTION: (A-267) Approved.

COUNTY COMMISSION

26. MOTION TO FILE Resolution of the Downtown Council, an area council of the Greater Fort Lauderdale Chamber of Commerce in support of the proposed Broward Coliseum to be located at I-95 and Broward Blvd. (Chair)

ACTION: (A-267) Approved.

COUNTY ADMINISTRATOR

27. MOTION TO APPROVE sufficiency of bonds for certain County Officers in accordance with Chapter 137, Florida Statutes.

ACTION: (A-267) Approved.

BOARD APPOINTMENTS

28. MOTION TO REAPPOINT John D. Voight to the Drug Related Nuisance Abatement Board. His current term expires February 13, 1996. (Commissioner Thompson)

ACTION: (A-267) John D. Voight was reappointed to serve on the Drug Related Nuisance Abatement Board.

29. MOTION TO REAPPOINT Margaret Armand to the Multi-Ethnic Advisory Board. (Commissioner Cowan)

ACTION: (A-267) Margaret Armand was reappointed to serve on the Multi-Ethnic Advisory Board.

REQUEST TO SET PUBLIC HEARING/MEETING SCHEDULE

30. MOTION TO ESTABLISH Commission Workshop for Tuesday, February 20th at 2:00 p.m. to discuss preliminary projections and issues for the development of the fiscal year 1997 budget.

ACTION: (A-267) Approved.

31. MOTION TO ADOPT Resolution 96-0035 directing the County Administrator to publish Notice of Exchange of property in accordance with F.S. 125.37 between Broward County and the City of Dania, to be acted upon February 13, 1996, at 2:00 p.m.

ACTION: (A-267) Approved.

REGULAR AGENDA

32. **COUNTY ADMINISTRATOR'S REPORT** County Administrator B. Jack Osterholt informed the Board that there was no report.

Submitted for the record, was the jail report, which is 3,286 (370 under) the cap of 3,656.

ACTION: (A-310) No board action was taken .

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DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

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. 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.

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33. DELEGATION: Purvin Pujara regarding:

A. MOTION TO APPROVE Amendment To Agreement Between Broward County and Purvin Pujara, Trustee for compliance with conditions of Environmental Impact Report relating to the Pujara Commercial Center Replat I (094-MP-93).

ACTION: (A-0321) Approved, subject to staff's recommendations.

B. MOTION TO APPROVE License Agreement Between Broward County and Purvin Pujara, Trustee relating to the Pujara Commercial Center Replat I (094-MP-93).

ACTION: (A-0321) Approved, as amended. The County Attorney's Office and applicant's representative will draft indemnification language (paragraph 7 of License Agreement).

END OF QUASI-JUDICIAL HEARING

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FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

34. MOTION TO ADOPT Resolution 96-0036 of the Board of County Commissioners of Broward County, Florida approving and authorizing the issuance and securing of Broward County, Florida Industrial Development Revenue Bonds (Rex Three, Inc. Project), Series 1996A and Broward County, Florida Industrial Development Revenue Refunding Bonds. Series 1996B (together, the "Bonds"_, in the aggregate principal amount not exceeding \$5,630,000 for the purpose of lending the proceeds from the sale thereof to Rex Three, Inc. (the "Company") to finance, with regard to the Series 1996A Bonds, the cost of the construction of an extension to Company's original manufacturing facility and the acquisition of certain equipment (together, the "Project"), and, with regard to the Series 1996B Bonds, the refunding of the outstanding principal balance of Broward County, Florida Industrial Development Revenue Bonds (Gold Coast Graphic Partners Project), Series 1985 the proceeds of which were used to finance the construction of Company's original manufacturing facility; providing that said bonds shall not constitute a debt, liability or obligation of the County or of the State of Florida or of any Political Subdivision thereof but shall be payable solely from the revenues provided therefor; approving and authorizing the execution and delivery of a Loan Agreement between the Company, as borrower, and the County, as lender; approving and authorizing the execution and delivery of a Trust Indenture among the County, the Trustee and the Credit Facility Trustee, as Security for said bonds; authorizing a Letter of Credit and Reimbursement Agreement as Security for the payment of said bonds; approving the form of a Mortgage and Security Agreement between the Company and First Union National Bank of Florida as Security for payment of amounts due under the Loan Agreement and the Reimbursement Agreement; authorizing an Assignment of Leases, Rents, Profits and Contracts as security for payment of amounts due under the Loan Agreement and Reimbursement Agreement; authorizing negotiated sale of the bonds by private placement to accredited investors subject to certain conditions; approving delivery of Company's private placement memorandum; authorizing the distribution and use of information regarding Broward County in the Company's private placement memorandum; providing for a Book Entry System with respect to the Bonds; directing the authentication and delivery of said bonds' confirmation of the Trustee, the Bond Registrar, the Tender Agent and the Remarketing Agent; authorizing further acts by County Officials and providing for certain other matters in connection with the delivery and sale of said Bonds; providing an effective date.

ACTION: (A-1285) Approved.

OFFICE OF HOUSING FINANCE

35. MOTION TO ADOPT Resolution 96-0037 on authorizing the issuance by the Housing Finance Authority of Broward County, Florida of not to exceed \$25,000,000 of its Home Mortgage Revenue Bonds and not to exceed \$30,000,000 of its Home Mortgage Revenue Refunding Bonds; authorizing the execution of a Request for Bond Allocation on behalf of the Housing Finance Authority of Broward County, Florida in connection with the issuance of the Home Revenue Bonds; approving the Public Hearing held in respect of such issuance; and providing an effective date.

ACTION: (A-1290) Approved.

DIVISION OF HUMAN RESOURCES

36. MOTION TO APPROVE Collective Bargaining Agreement between Broward County and the Federation of Public Employees and authorize Chair and Clerk to execute same.

ACTION: (A-1294) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

37. MOTION TO ADOPT an unanticipated revenue resolution 96-0038 within the Law Enforcement Trust Fund in the amount of \$100,000 to provide funding for drug and crime prevention programs and other law enforcement purposes for the Broward Sheriffs Office. (Deferred from January 16, 1996).

ACTION: (A-1330) Approved.

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

ACTION: (A-1338) Approved, as amended.

COUNTY ADMINISTRATOR

39. MOTION TO APPROVE Lease Agreement between Broward County and the State of Florida Department of Juvenile Justice for approximately 4.6 acres of land for a term of 25 years for \$1 per year for Juvenile Justice Facilities.

ACTION: (A-1341) Approved. Before proceeding with the Juvenile Boot Camp Program, a workshop will be scheduled within the next five or six weeks to set the following criteria: who will be adjudicated to juvenile boot camp; what constitutes success or failure of the program; who will analyze the program, and what methodology will be utilized to determine success or failure. Additionally, alternate uses for the future 100 bed facility, should the adult boot camp program be phased out, will be discussed. County & BSO staff, Chair, Public Safety Coordinating Council;

representatives from Judiciary (Chief Judge or his designee, State Attorney's Office, and Public Defender's Office), and other representatives from the Public Safety Coordinating Council will be invited to participate in the discussions.

40. MOTION TO WAIVE the Procurement Code for projects utilizing the Florida Conservation Corps and authorize the Purchasing Director to enter into contracts up to \$100,000 with the Conservation Corps for construction and maintenance projects.

ACTION: (A-4648) Approved.

INTERGOVERNMENTAL AFFAIRS

41. MOTION TO ACCEPT nominations for two positions on the Community Action Agency. (Deferred from January 16, 1996).

ACTION: (B-0177) Deferred to January 30, 1996.

SUPPLEMENTAL AGENDA

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Port Everglades Department

42. MOTION TO APPROVE Second Amendment to the Agreement between Broward County and McKay International Engineers Inc. for engineering review and inspection service for Option No. 2 (Crane No. 4) from Samsung Company, Ltd. and authorize the Chair and Clerk to execute same.

REASON FOR SUPPLEMENTAL: See attached memo.

ACTION: (B-196) The County Attorney's Office was directed, under the agreement with McKay International Engineers Inc., that it is the County's intention to exercise its thirty (30) day advance written notice of termination of contract.

Additionally, the County Attorney's Office was directed to compile a list of all outstanding County contracts within the last five (5) years to determine if there are any contracts that do not have a date specific termination or expiration date.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

43. MOTION TO ADOPT Resolution 96-0039 opposing the proposed State legislation designated pcb 96-03aa, regarding aquatic plant control by removal of Melaleuca; requesting that the Bill be withdrawn by its sponsor in the Florida House of Representatives; and providing for an effective date..

REASON FOR SUPPLEMENTAL: Committee consideration pending.

ACTION: (B-1872) Approved. Staff was directed to notify the legislative delegation of the Commission's position regarding the proposed State Bill.

COUNTY COMMISSION

44. MOTION TO APPOINT Commissioner to the Canvassing Board for the City of Parkland election.

ACTION: (B-1923) Commissioner Cowan was appointed to serve on the Canvassing Board for the City of Parkland special election. Commissioner Cowan was designated to attend Logic & Accuracy - Monday, January 29, 1996 at 10:00 a.m., Commissioner Rodstrom will attend Certification - Tuesday, January 30, 1996 at 7:00 p.m.

COUNTY ADMINISTRATOR

45. DISCUSSION: Sites for sports arena.

ACTION: (B-1991) The County Administrator will continue to accept proposals for other sports arena sites without affecting the current schedules.

In a related discussion regarding the commission meeting of January 30, 1996, the Board briefly discussed the financial structure of revenue collected from the hotel bed tax, and the processes that must be followed in order to proceed with a sports arena.

NON AGENDA

46. **PROCLAMATION:** Commissioner Parrish, on behalf of the Commission, read into the record a proclamation designating **Tuesday, January 23, 1996, as FAYE. KOKKELER DAY in Broward County.** Ms. Kokkeler is the tenth recipient of the **Arts Teacher of the Year Award.** Ms. Kokkeler will be presented with a cash award of \$1,500 and a crystal Tiffany sculpture at a reception given in her honor.

Commissioner Parrish acknowledged Ralph Dearden, Chairman of the Cultural Affairs Council, and Mary Becht, Director of the Cultural Affairs Division, who were in the audience.

ACTION: (A-090) Ms. Kokkeler thanked the Board and accepted the proclamation with great appreciation.

47. **PROCLAMATION:** The Chair, on behalf of the Commission, presented a proclamation to Tom Paradise, representing BellSouth, for BellSouth's continued commitment to quality and total education of the students of Broward County. **BellSouth is a dedicated sponsor of the tenth annual Arts Teacher of the Year Award.**

ACTION: (A-179) Mr. Paradise thanked the Board and accepted the proclamation with appreciation. Mr. Paradise thanked Ms. Kokkeler for touching the hearts and minds of children.

Commissioner Gunzburger acknowledged Lois Wexler, Chair of the Broward County School Board, who was in the audience.

48. **PROCLAMATION:** Commissioner Cowan, on behalf of the Commission, presented a proclamation to the law firm of English, McCaughan & O'Bryan, P.A., for the firm's continued commitment to quality and total education of the students of Broward County. **English, McCaughan & O'Bryan, P.A. has been a dedicated sponsor of the Arts Teacher of the Year Award for the past ten years.**

ACTION: (A-232) Ralph Dearden, Chairman of the Cultural Affairs Council, accepted the proclamation, on behalf of English, McCaughan & O'Bryan, P.A.

49. **INFORMATIONAL:** Commissioner Poitier informed the Board that on behalf of the Commission, she presented a proclamation designating **Sunday, January 21, 1996 as Mount Bethel Christian Academy Dedication Day** in recognition of the solemn and joyous occasion of the dedication of the new cultural and educational facility.

ACTION: (A-277) No Board action was taken.

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