

MEETING OF JANUARY 25, 2000

(The meeting convened at 10:00 a.m.; recessed at 12:13 p.m.;
reconvened at 1:55 p.m., and adjourned at 2:00 p.m.)

PLEDGE OF ALLEGIANCE was led by Congressman E. Clay Shaw.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPROVE appointment of Commissioner Lori Nance Parrish to the Selection/Negotiation (S/N) Committee for improvements to Ravenswood Road, RLI No. 102699-RB. This S/N was established by Commission action at its meeting of December 7, 1999, Item 75. (Commissioner Parrish)

ACTION: (A-0544) Approved.

B. MOTION TO APPOINT Clint Sperber to the Brownsfield Redevelopment Task Force. Mr. Sperber will fill a vacant position.

ACTION: (A-0544) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

2. MOTION TO APPROVE easement to Florida, Power and Light Company for electric service to New River Village, located north of SE 6th Street and east of SE 3rd Avenue.

ACTION: (A-0544) Approved.

OFFICE OF GENERAL SERVICES

3. MOTION TO APPROVE supplemental Joint Participation Agreement (JPA) (for alternative fueled vehicles) to Contract No. AD478 between the State of Florida Department of Transportation and Broward County to amend project description and expiration date of original contract, at no additional cost to the County, and authorize the Chair and Clerk to execute same. (Withdrawn from January 18, 2000, Item 8)

ACTION: (A-0544) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

SOLID WASTE OPERATIONS DIVISION

4. MOTION TO ADOPT budget Resolution 2000-207 transferring within the County's Solid Waste

Fund (Fund 4860) the amount of \$791,500 from Unrestricted Reserves to facilitate the acquisition of the Central Trash Transfer Station (CTTS).

ACTION: (A-0544) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

5. MOTION TO APPROVE amendment one to Joint Participation Agreement (JPA) between Broward County and Florida Department of Transportation for Segment 1 of the Andrews Avenue Extension Improvement Project from north of the CSX Roadway Bridge to the approach to NW 18th Street, Project No. 5091, at a cost to the County not to exceed \$1,380,155.70, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

6. MOTION TO ADOPT Resolution 2000-208 accepting a warranty deed, at no cost to the County, executed by G.B.V. International for right-of-way at the southwest corner of the intersection of Sawgrass Boulevard and Lyons Road (west side).

ACTION: (A-0544) Approved.

7. MOTION TO ADOPT Resolution 2000-209 accepting a road easement, at no cost to the County, executed by Housing Opportunities & Mortgages: Effective Solutions, Inc., d/b/a H.O.M.E.S., Inc., for right-of-way for NW 8th Court (south side) from NW 29th Terrace east for approximately 350 feet.

ACTION: (A-0544) Approved.

8. MOTION TO ADOPT Resolution 2000-210 accepting a warranty deed, at no cost to the County, executed by Praxis of Deerfield Beach, III, Ltd. for right-of-way for SW 11th Way, a/k/a SW 12th Avenue, (east side) from SW 15th Street, a/k/a NE 54th Street, north for approximately 200 feet.

ACTION: (A-0544) Approved.

9. MOTION TO APPROVE Joint Participation Agreement (JPA) between Broward County and Florida Department of Transportation for a Project Development and Environmental (PD&E) Study for University Drive from NW 40th Street to the Sawgrass Expressway, Project No. 5227, at a cost to the County not to exceed \$75,000.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

OFFICE OF INFORMATION TECHNOLOGY

10. MOTION TO ADOPT Resolution 2000-211 exempting the position of LAN Technology Manager (BPN No. 06921) from the Classified Civil Service.

ACTION: (A-0544) Approved.

11. MOTION TO ADOPT Resolution 2000-212 of the Board of County Commissioners of Broward County, Florida granting a non-exclusive right, privilege and license to Intermedia Communications, Inc. to construct, operate and maintain a tele- communications facility in the public rights-of-way in Broward County for a time period certain; providing for severability; and providing for an effective date.

ACTION: (A-0544) Approved.

12. MOTION TO ADOPT Resolution 2000-213 of the Board of County Commissioners of Broward County, Florida granting a non-exclusive right, privilege and license to American Communications Services of Jacksonville, Inc., d/b/a e.spire, to construct, operate and maintain a telecommunications facility in the public rights-of-way in Broward County for a time period certain; providing for severability; and providing for an effective date.

ACTION: (A-0544) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

13. MOTION TO ADOPT Resolution 2000-214 of the Board of County Commissioners of Broward County, Florida establishing a program to assist approved nonprofit organizations in acquiring vehicles for use in meeting County service objectives.

ACTION: (A-0664) Approved. See Page 27.

For Public Works Department

14. MOTION TO APPROVE agreement between Broward County and Williams, Hatfield & Stoner, Inc. for general professional construction management services that will be specifically initiated with Work Authorizations as the services are needed, for two years with the option of three consecutive one-year extensions, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

REVENUE COLLECTION DIVISION

15. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Liens.

ACTION: (A-0544) Approved.

RISK MANAGEMENT DIVISION

16. MOTION TO AUTHORIZE full and final settlement of Claim No. SM 113098TITT in the amount of \$90,000.

ACTION: (A-0544) Approved.

HUMAN SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

17. MOTION TO ADOPT Resolution 2000-215 of the Board of County Commissioners of Broward County, Florida approving and authorizing the form of an amendment and extension of standstill agreement of June 29, 1999 to be entered into by the Housing Finance Authority of Broward County, Florida in connection with its guaranty of a loan made to Liberia Economic and Social Development, Incorporated by SunTrust Bank, South Florida, National Association; and providing for an effective date. The current extension of the standstill agreement expires on January 29, 2001. Approval of this Resolution would extend the agreement to July 29, 2001.

ACTION: (A-0544) Approved.

18. MOTION TO APPROVE satisfaction of mortgage for a State Housing Initiatives Partnership (SHIP) Purchase Assistance deferred loan in the amount of \$5,000 to William David Campano, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

19. MOTION TO APPROVE satisfaction of mortgage for a State Housing Initiatives Partnership (SHIP) Purchase Assistance deferred loan in the amount of \$10,000 to Rita L. Newman, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

HEALTH CARE MANAGEMENT DIVISION

20. A. MOTION TO ADOPT unanticipated revenue Resolution 2000-216 within the Fiscal Year 1999 Ryan White Title I Comprehensive AIDS Resources Emergency (CARE) Act Grant for the Substance Abuse and Health Care Services Division increasing the Grant from \$11,244,119 to \$12,568,848 an increase of \$1,324,729; approving the allocation of \$1,324,729 from Fiscal Year 1995 through Fiscal Year 1998 un-utilized funds for direct services for HIV/AIDS persons and their families.

ACTION: (A-0544) Approved.

B. MOTION TO ADOPT Resolution 2000-217 of the Board of County Commissioners of Broward County, Florida approving allocation of \$1,324,729 and approving a reallocation of \$138,550 in appropriated FY 99 Ryan White Title I Comprehensive AIDS Resources Emergency (CARE) Act Grant funding for non-profit organizations or Governmental entities; approving the amendment of existing contracts; authorizing the County Administrator to execute the appropriate amendments to contracts for each organization as indicated on Attachment A and B and as approved herein, providing for severability; and providing for an effective date.

ACTION: (A-0544) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

21. A. MOTION TO ADOPT Resolution 2000-218 of the Board of County Commissioners of Broward County, Florida authorizing the Commission Chair to execute and file a Joint Participation Agreement

(JPA) with the Florida Department of Transportation (FDOT) in the amount of \$40,000.00, to provide funding to Broward County for marketing new routes along Sample Road, State Road 84 and other enhanced services throughout the County; authorizing the Chair and Clerk to execute same; authorizing the County Administrator to take all necessary administrative and budgetary actions to implement the agreement; and providing for an effective date. (Requires County match in the amount of \$40,000 from previously-budgeted marketing projects.)

ACTION: (A-0544) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2000-219 within the Capital Fund (4510) for the Mass Transit Division, in the amount of \$80,000.00, for marketing new bus routes along Sample Road, State Road 84 and other enhanced services throughout Broward County.

ACTION: (A-0544) Approved.

PARKS AND RECREATION DIVISION

22. MOTION TO APPROVE phased agreement between Broward County and Miller, Legg & Associates, Inc. for consultant services for the preparation of a Master Mitigation Plan for West Lake Park, Hollywood, Florida for a total maximum amount payable of \$1,499,421 with reimbursables in a maximum not-to-exceed amount of \$119,000 for a three-year term beginning February 1, 2000 to January 31, 2003, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Deferred to February 8, 2000 at the request of the County Administrator.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

WATER RESOURCES DIVISION

23. MOTION TO APPROVE agreement among Broward County and other South Florida governments and agencies having water quality authority to work cooperatively to develop a comprehensive water quality protection program for South Florida, authorize the Chair and Clerk to execute same, and directing staff to participate as appropriate.

ACTION: (A-0735) Table to the conclusion of the 2:00 p.m. public hearing. See Page 29.

ACTION: (B-2887) Approved.

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

24. MOTION TO TRANSMIT letter to the Chair of the Broward County Planning Council requesting that Planning Council staff work with County staff to research land use compatibility/flexibility issues for discussion at a joint County Commission/Planning Council Workshop.

ACTION: (A-0544) Withdrawn for further staff review.

DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

BUILDING CODE SERVICES DIVISION

25. MOTION TO APPROVE interlocal agreement between Broward County and the City of Lauderhill to provide the City of Lauderhill with the services of the Broward County Minimum Housing/Unsafe Structures Board to hear and dispose of cases on behalf of the City of Lauderhill. Services to be performed by the Broward County Building Code Services Division from date of execution through November 18, 2001, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

FIRE RESCUE DIVISION

26. MOTION TO APPROVE interlocal agreement between Broward County and the Town of Lauderdale-by-the-Sea providing for the delivery of emergency medical services by Broward County within the Municipal Services Benefit Unit and cooperative delivery of fire protection services in accordance with a mutual response plan for a 5-year term commencing upon execution through September 30, 2004, with five 5-year renewal terms, and a 12-month cancellation notice provision, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

PORT EVERGLADES DEPARTMENT

27. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and the companies listed on Schedule A effective January 1, 2000 through December 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

28. MOTION TO APPROVE renewal of Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and the companies listed on Schedule A effective January 1, 2000 through December 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

29. MOTION TO APPROVE renewal of Port Everglades Mobile Motorized Food/Drink Service Business Permits between Broward County, Florida and the companies listed on Schedule A effective January 1, 2000 through December 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

30. MOTION TO APPROVE renewal of a lease agreement between Broward County and H.T. Shipping, Inc. for 7.22 acres of land located at Port Everglades for the period of February 1, 2000 through January 31, 2005, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

31. MOTION TO APPROVE renewal of a lease agreement between Broward County and Mar, Incorporated for 4,474 square feet of vacant land at Port Everglades for the period of February 1, 2000 through January 31, 2001, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

32. MOTION TO APPROVE first amendment to lease agreement between Broward County and Dry Marinas, Inc. to modify the rent adjustments section of the lease agreement between the parties, and authorize the Chair and Clerk to execute same.

ACTION: (A-0544) Approved.

COUNTY ATTORNEY

33. MOTION TO APPROVE proposal for settlement in the amount of \$25,000 in Maritza Manzueta and Jessica Maldonado, Co-Personal Representatives of the Estate of Leyla Del Socorro Gomez, deceased v. Medics Emergency Services, Inc., and Broward County, Case No. 97-02185 (13).

ACTION: (A-0544) Approved.

COUNTY COMMISSION

34. MOTION TO FILE Cooper City, Florida Resolution Co. 2000-1-2 supporting an initiative of the Broward County Board of County Commissioners to appropriate one cent (\$0.01) of the Local Option Motor Fuel Tax to fund public transportation; and providing for an effective date.

ACTION: (A-0544) Approved, as amended. See Page 25.

REQUEST TO SET FOR PUBLIC HEARING

35. MOTION TO ADOPT Resolution 2000-220 authorizing the County Administrator to advertise a public hearing to be held Tuesday, February 22, 2000 at 2:00 p.m. in Room 422 of the Governmental Center for adopting supplemental budgets to recognize changes in revenues and appropriations.

ACTION: (A-0544) Approved.

36. MOTION TO ADOPT Resolution 2000-221 directing the County Administrator to publish notice of public hearing to be held Tuesday, February 22, 2000 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon a road right-of-way, lying and being in Broward County, Florida and located at 2980 West Oakland Park Boulevard in the City of Oakland Park. Petitioner: Anything on Wheels (Leigh Robinson Kerr & Associates, Inc. - Agent) 14-V-99.

ACTION: (A-0544) Approved.

37. MOTION TO ADOPT Resolution 2000-222 directing the County Administrator to publish notice of public hearing to be held Tuesday, February 22, 2000 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon drainage, access and utility easements, lying and being in Broward County, Florida and located at the southeast corner of Weston Road and Atlantic Loop in the City of Weston. Petitioner: Arvida/JMB Partners (CCL Consultants, Inc. - Agent) 24-V-99.

ACTION: (A-0544) Approved.

38. MOTION TO ADOPT Resolution 2000-223 directing the County Administrator to publish notice of public hearing to be held Tuesday, February 22, 2000 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon a utility easement, lying and being in Broward County, Florida and located on the west side of Arvida Parkway immediately south of I-75 in the City of Weston. Petitioner:

Arvida/JMB Partners (CCL Consultants, Inc. - Agent) 28-V-99.

ACTION: (A-0544) Approved.

39. MOTION TO ADOPT Resolution 2000-224 directing the County Administrator to publish notice of public hearing to be held Tuesday, February 22, 2000 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon right-of-way and utility easement, lying and being in Broward County, Florida and located at 5700 Lime Hill Road in the City of Lauderhill. Petitioner: Brestler Corp. (Hager, Weinberg & Associates, Inc. - Agent) 4-V-00.

ACTION: (A-0544) Approved.

REGULAR AGENDA

COUNTY ATTORNEY

40. A. DISCUSSION: County Attorney's advice and request for an attorney-client session, pursuant to Section 286.011(8), Florida Statutes, regarding William Markham v. Wheelabrator North Broward, Inc., et al., Case No. 93-014143 (14).

ACTION: (A-0963) Supported County Attorney's request for an attorney- client session. See Page 34.

B. ATTORNEY-CLIENT MEETING: Commencement of attorney-client session pursuant to Section 286.011(8), Florida Statutes, to discuss litigation strategy related to William Markham v. Wheelabrator North Broward, Inc., et al., Case No. 93-014143 (14).

ACTION: (A-0963) No board action was taken.

41. **COUNTY ADMINISTRATOR'S REPORT** - County Administrator Roger J. Desjarlais informed the Board of the following:

A. The Florida Neighborhoods Conference is being sponsored by Broward County and the City of Fort Lauderdale during the first weekend of October 2000. Each co-sponsor must select a co-chair.

ACTION: (A-1075) The County Commission appointed Commissioner Kristin D. Jacobs to serve as a co-chair of the Florida Neighborhoods Conference. See Page 37.

B. Apprised the Board of a Legislative Bill regarding Franchise Fees & Utility Taxes filed by

Representative Debbie Wasserman-Schultz.

ACTION: (A-1075) See Page 38.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

HUMAN RESOURCES DIVISION

42. MOTION TO ADOPT Resolution 2000-225 of the Board of County Commissioners of Broward County, Florida amending the Broward County Administrative Code to reflect the move of the Administration of Employee Benefits from the Risk Management Division to the Division of Human Resources and provide consistency with State and Federal Law; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date. (Deferred from January 18, 2000, Item 12)

ACTION: (A-1528) Approved. See Page 45.

43. A. MOTION TO ADOPT budget Resolution transferring \$ 166,000 within the General Capital Outlay Fund from the reserve for the Human Resources Hiring and Recruitment System for phase one of the Strategic Testing And Recruitment (STAR) project.

ACTION: (A-1639) Deferred up to two weeks at the request of the County Administrator. See Page 48.

B. MOTION TO INCREASE personnel cap for the Human Resources Division by four positions to implement phase one of the STAR project. These positions will be deleted at the conclusion of this project.

ACTION: (A-1639) Deferred up to two weeks at the request of the County Administrator. See Page 68.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

44. A. MOTION TO APPROVE Standard Form Agreement for the Broward County Surface Water Improvement and Management Plan (SWIM) Central Program for use with private entities to furnish water safety/education services on a reimbursable basis, for a one year term beginning October 1, 1999 to September 30, 2000; and authorizing the Director of the Parks and Recreation Division to execute the Agreement on behalf of Broward County for an amount not to exceed \$30,000. (Deferred from January 18, 2000, Item 30)

ACTION: (A-2890) Approved, as revised.

B. MOTION TO APPROVE Standard Form Agreement for the Broward County SWIM Central Program for use with governmental entities to furnish water safety/education services on a reimbursable basis, for a one year term beginning October 1, 1999 to September 30, 2000; and authorizing the Director of the Parks and Recreation Division to execute the Agreement on behalf of Broward County for an amount not to exceed \$30,000. (Deferred from January 18, 2000, Item 30)

ACTION: (A-2890) Approved, as revised.

OFFICE OF BUDGET SERVICES

45. A. MOTION TO APPROVE first amendment to the agreement between Broward County and the Impact Group, LLC to provide additional consultant services for an Accelerated Process Improvement Program. Amended agreement will be on a contingency basis, with an increase of \$200,000 to a total maximum fee of \$400,000 to include an increase of four studies to a

total of eight studies with payment contingent on identification of achievable savings in excess of \$200,000. (Deferred from January 18, 2000, Item 45)

ACTION: (A-2914) Withdrawn for further staff review.

B. MOTION TO ADOPT budget Resolution transferring \$200,000 within the General Fund from the Reserve for Process Improvements to fund additional consultant services for an Accelerated Process Improvement Program. (Deferred from January 18, 2000, Item 45)

ACTION: (A-2914) Withdrawn for further staff review.

COUNTY ATTORNEY

46. MOTION TO APPROVE settlement agreement offering Broward County \$107,000 (inclusive of attorney fees and costs), in full and final settlement of a lawsuit filed in Broward County Circuit Court, Case No. 97-10198-07, Broward County v. Capitol Aluminum & Glass Corporation.

ACTION: (A-2930) Approved. See Page 69.

COUNTY COMMISSION

47. MOTION TO ADOPT Resolution supporting legislation to strengthen Chapter 529, Florida Statutes, known as the "Florida Pawnbroking Act." (Commissioner Jacobs)

ACTION: (A-0544) Deferred for further review at the request of Commissioner Jacobs.

SUPPLEMENTAL AGENDA

COUNTY ATTORNEY

48. A. MOTION TO ADOPT Resolution 2000-226 relating to referendum election for annexation of the area known as "Southwest Ranches" into – the Town of Davie, the City of Pembroke Pines, or Incorporation into a New Municipality setting dates, and authorizing publication of notices of said referendum election and notifying Supervisor of Elections.

ACTION: (A-2939) Approved.

B. MOTION TO ADOPT Resolution 2000-227 relating to referendum election for annexation of the area known as “Sunshine Ranches” into – the Town of Davie, the City of Pembroke Pines, or Incorporation into a New Municipality setting dates, and authorizing publication of notices of said referendum election and notifying Supervisor of Elections.

ACTION: (A-2939) Approved.

49. MOTION TO ADOPT Resolution to authorize a referendum to be placed on the ballot for the Presidential Preference Primary to be held on March 14, 2000, throughout Broward County, Florida, on the question of whether the Charter of Broward County shall be revised to provide for 9 Single-Member Districts.

ACTION: (A-3004) Motion failed. See Page 71.

NON AGENDA

50. RESOURCE RECOVERY BOARD REQUEST OF COMMISSION AUDITOR REVIEW - COMMISSIONER PARRISH

ACTION: (A-3635) See Page 82.

51. RESOURCE RECOVERY BOARD - RECONSIDER \$1 MILLION HOST FEE - COMMISSIONER COWAN

ACTION: (A-3658) See Page 82.

52. COMMENTS ON GOALS AND OBJECTIVES - COMMISSIONER COWAN

ACTION: (A-3674) See Page 83.

53. CENSUS 2000 UPDATE - CONGRATULATIONS TO JUDY SARVER AND STAFF - COORDINATION OF CENSUS BUREAU BREAKFAST WITH CLERGY - COMMISSIONER LIEBERMAN

ACTION: (A-3728) See Page 84.

54. COMMENDED COUNTY ADMINISTRATOR - NEWS EDITORIAL - COMMISSIONER JACOBS

ACTION: (A-3788) See Page 84.

55. GOVERNOR’S BILL - EVERGLADES RESTORATION FUNDING APPROPRIATIONS - THE CHAIR

ACTION: (A-3801) See Page 85.

56. OPENING OF CLOSED ATTORNEY-CLIENT SESSION - THE CHAIR

ACTION: (A-3952) See Page 87.

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