

MEETING OF JANUARY 25, 1994

(Meeting convened at 10 a.m. and adjourned at 11:03 a.m.)

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

AVIATION DEPARTMENT

1. A. MOTION TO APPROVE airline-airport lease and use agreement between Broward County, Florida and Carnival Air Lines, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-208) Approved.

B. MOTION TO APPROVE addendum to the airline-airport lease and use agreement between Broward County, Florida and Carnival Air Lines, Inc., revising various provisions of the airline-airport lease and use agreement and authorize the Chair and Clerk to execute same.

ACTION: (A-208) Approved.

2. MOTION TO APPROVE consent to sublease between Beason-Simons, Ltd. and JRG Trust Corporation located at Beason-Simons, Ltd.'s leasehold at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-208) Approved.

3. MOTION TO APPROVE a terminal building lease agreement between Broward County and Canadian Airlines International, Ltd., for the lease and use of 120 square feet of operation space (Type 2) in Terminal Three at the Fort Lauderdale-Hollywood International Airport effective January 1, 1993 through January 31, 1993 and month to month thereafter with a 30 day cancellation clause, and authorize the Chair and Clerk to execute same.

ACTION: (A-208) Approved.

4. MOTION TO APPROVE Amendment No. 4 to the non-airline aeronautical activity lease agreement between Broward County and Hudson General Corporation at the Fort Lauderdale-Hollywood International Airport which reflects the relocation of certain leased space and provides for additional ground handling obligations, and authorize the Chair and Clerk to execute same.

ACTION: (A-208) Approved.

5. MOTION TO APPROVE Amendment No. 1 to the terminal building lease agreement between Broward County and American Trans Air, Inc. which reflects the lease and use of an additional 114 square feet of operation space (Type 2) effective October 31, 1993 at the Fort Lauderdale-Hollywood International Airport and authorize the Chair and Clerk to execute same.

ACTION: (A-208) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF GENERAL SERVICES

6. A. **MOTION TO APPROVE** an agreement between the State of Florida Department of Community Affairs and Broward County for a Local Government Alternative Fuel Initiative providing \$250,000 to Broward County for contract services and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the contract.

ACTION: (A-208) Approved.

B. **MOTION TO APPROVE** one new grant position in the Special Projects Coordinator I classification in the Energy Management Section of General Services for the Local Government Alternative Fuel Initiative.

ACTION: (A-208) Approved.

OFFICE OF TRANSPORTATION

7. **MOTION TO APPROVE** agreement between Broward County and the City of Hallandale for joint funding of improvements to the intersection of S.E. 3rd Street and U.S. 1.

ACTION: (A-208) Approved.

ENGINEERING DIVISION

8. **MOTION TO ADOPT** Resolution 94-39 accepting a road easement executed by G-D Groves, Ltd., donating right-of-way for Southwest 148 Avenue in Section 10, Township 50 South, Range 40 East.

ACTION: (A-208) Approved.

STREETS AND HIGHWAYS DIVISION

9. **MOTION TO ADOPT** budget Resolution 94-40 transferring funds within the Streets and Highways Capital Outlay fund for the Streets and Highways Division in the amount of \$72,000 to resurface Bailey Road (U.S. 441 to NW 64th/81st Ave.), unincorporated Broward County.

ACTION: (A-208) Approved.

10. **MOTION TO ADOPT** budget Resolution 94-41 transferring funds within the Streets and Highways Capital Outlay fund for the Streets and Highways Division in the amount of \$80,000 for channelization of Bailey Road at State Road 7 in unincorporated Broward County.

ACTION: (A-208) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

11. A. **MOTION TO ADOPT** Resolution 94-42 of the Board of County Commissioners of Broward County, Florida concerning the conveyance of six outdated BTOS computer systems with associated printers to the Ft. Lauderdale Branch of the National Association for the Advancement of Colored People (NAACP), providing for severability, and providing for an effective date.

ACTION: (A-208) Approved.

B. MOTION TO GRANT the Purchasing Division permission to dispose of by donation, computer equipment declared surplus by the Office of Information Technology to the NAACP, in accordance with applicable Florida State Statute 125.38 and the Purchasing Division Internal Control Handbook, Chapter 15.

ACTION: (A-208) Approved.

OFFICE OF HOUSING FINANCE

12. MOTION TO FILE with the Board of County Commissioners the regularly scheduled meetings of the Housing Finance Authority for the 1994 calendar year.

ACTION: (A-208) Approved.

13. MOTION TO RATIFY the recommendation of the Housing Finance Authority (HFA) of Broward County to appoint Mr. Charles R. Perez to the position of Chairman.

ACTION: (A-208) Approved.

COUNTY RECORDS DIVISION

14. MOTION TO APPROVE the minutes of the Commission meeting of November 9, 1993 at 10:00 a.m.

ACTION: (A-208) Approved per staff's addendum.

PURCHASING DIVISION

For Aviation Department

15. MOTION TO APPROVE destandardization of HVAC control circuitry from Robicon Electronic Company, approved by the Board of County Commissioners as a sole source procurement on October 6, 1987, Item 23 for the Aviation Department.

ACTION: (A-208) Approved.

For Public Works Department

16. MOTION TO AWARD fixed contract to low bidder, Sullivan Brothers, Inc. for District 3A water main interconnects (Bid N-10-93-26-OF), in total bid amount of \$143,830 for the Office of Environmental Engineering subject to receipt and acceptance of insurance/performance and payment guaranty.

ACTION: (A-208) Approved.

17. MOTION TO APPROVE destandardization of Snapper Brand mowers, Power Trim Brand edgers, Echo Brand weed eaters, trimmers, blowers and replacement parts approved by the Board of County Commissioners as a single brand procurement on October 13, 1987, Item 19 for the Facilities

Management Division.

ACTION: (A-208) Approved.

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

18. MOTION TO FILE annual report of the Consumer Affairs Division.

ACTION: (A-208) Approved.

CULTURAL AFFAIRS DIVISION

19. MOTION TO APPROVE final payment to Jerome Meadows in the amount of \$2,400 for the creation and installation of an artwork at Fern Forest Nature Center, Pompano Beach, FL.

ACTION: (A-208) Approved.

20. A. MOTION TO APPROVE Amendment #1 to agreement between Broward County and ArtServe, Inc. in the amount of \$116,160 to provide ceiling, lighting and carpeting replacement for Fort Lauderdale Branch Library from January 15, 1994 to September 30, 1994.

ACTION: (A-208) Approved.

B. MOTION TO ADOPT Resolution 94-43 of the Board of County Commissioners of Broward County, Florida providing for a waiver of the Broward County Procurement Code.

ACTION: (A-208) Approved.

C. MOTION TO ADOPT budget Resolution 94-44 transferring funds within the General Construction Fund for the Libraries Division in the amount of \$96,160 for the purpose of additional construction and renovation costs within the ArtServe Project.

ACTION: (A-208) Approved.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

21. MOTION TO ADOPT budget Resolution 94-45 transferring within the CTTF Road Impact Fee Fund (103) the amount of \$323,451 from the Reserve for Future Capital Outlay for the purpose of impact fee reimbursement.

ACTION: (A-208) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-208) Approved.

23. A. MOTION TO FILE Broward Sheriff's Office "Florida Contraband Forfeiture Semi-Annual Report", covering the first half of fiscal year 1993.

ACTION: (A-208) Approved.

B. MOTION TO FILE Broward Sheriff's Office "Florida Contraband Forfeiture Semi-Annual Report", covering the second half of fiscal year 1993.

ACTION: (A-208) Approved.

COUNTY ATTORNEY

24. MOTION TO APPROVE the expenditure of \$78,133.34 to join a Cooperating Party Superfund Group and for the payment of an interim assessment, and to authorize Chair to sign a participation agreement and a preliminary funding agreement.

ACTION: (A-208) Approved.

25. MOTION TO APPROVE settlement of \$31,800 for Parcel Nos. 109 and 109 TCE (Temporary Construction Easement) in the condemnation case of Broward County v. Robert J. Binns, et al., Case No. 93-12154 (08) - Griffin Road Expansion Project 5067 including attorneys fees and costs.

ACTION: (A-208) Approved.

26. MOTION TO APPROVE settlement of \$51,750 for Parcels 103 and 103 TCE (Temporary Construction Easement) in the condemnation case of Broward County v. Robert J. Binns, et al., Case No. 93-12154 (08) - Griffin Road Expansion Project 5067 including attorneys fees and costs.

ACTION: (A-208) Approved.

COUNTY ADMINISTRATOR

27. MOTION TO APPROVE agreement between the Service Agency for Senior Citizens of Broward County, Inc., sponsor of the Retired Senior Volunteer Program, and Broward County; and authorize Chair and County Administrator to execute same.

ACTION: (A-208) Approved.

BOARD APPOINTMENTS

28. MOTION TO APPROVE appointment of Steve Levy to the Broward County Bicycle Advisory Committee. Mr. Levy replaces Mr. Arnold Willen who has resigned. (Comm. Gunzburger)

ACTION: (A-208) Approved.

REQUEST TO SET FOR PUBLIC HEARING

29. MOTION TO ADOPT Resolution 94-46 directing the County Administrator to publish notice of

public hearing to consider the proposed change to the previously approved Emerald Estates and Park of Commerce Development of Regional Impact and to make a substantial deviation determination on March 22, 1994 at 2:00 p.m.

ACTION: (A-208) Approved.

30. MOTION TO ADOPT Resolution 94-47 directing the County Administrator to publish notice of public hearing to be held on February 9, 1994 at 10:00 a.m. to consider transmittal to the State of Florida Department of Community Affairs the first proposed 1994 amendments to the Broward County Comprehensive Plan.

ACTION: (A-208) Approved.

31. MOTION TO ADOPT Resolution 94-48 directing the County Administrator to publish notice of a public hearing to be held Tuesday, March 8, 1994 at 2:00 p.m. to consider adoption of a proposed ordinance.

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 27, ARTICLE I, DIVISION 4, SECTION 27-41, BROWARD COUNTY CODE OF ORDINANCES; ALLOWING FOR THE PAYMENT OF MONETARY REWARDS FROM THE POLLUTION PREVENTION AND RECOVERY FUND TO MEMBERS OF THE GENERAL PUBLIC WHOSE REPORTING OF ENVIRONMENTAL CRIMES OR POLLUTION INCIDENTS TO DEPARTMENT OF NATURAL RESOURCE PROTECTION RESULTS IN THE ASSESSMENT AND COLLECTION OF CIVIL PENALTIES FROM SAID VIOLATORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-208) Approved.

32. MOTION TO ADOPT Resolution 94-49 directing the County Administrator to publish notice of a public hearing to be held Tuesday, March 8, 1994 at 2:00 p.m. to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE COURTS, LEGAL SERVICES, AND A JUDICIAL ADMINISTRATIVE ORDER OF THE SEVENTEENTH JUDICIAL CIRCUIT THAT ESTABLISHES A FEE FOR THE DEFERRAL OF PAYMENT OF FINES OR COURT COSTS OR BOTH IN COUNTY COURT; PROVIDING FOR ENDORSEMENT OF THE JUDICIAL ADMINISTRATIVE ORDER BY THE BOARD OF COUNTY COMMISSIONERS THROUGH ITS ORDINANCE ENACTMENT POWERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-208) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

33. County Administrator B. Jack Osterholt commented on the upcoming legislative session and he will, as part of his weekly report, give the Board a regular update on the session.

ACTION: (A-248) No action necessary.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

34. **MOTION TO DIRECT** the County Attorney to prepare an ordinance amending Chapter 1, Article XIX, Section 1-354 of the Broward County Code, relating to membership of the Committee for Community Development; providing for a decrease in the number of members and the elimination of the Commission appointees; and providing for an effective date.

ACTION: (A-248) Deferred to February 8, 1994 at the request of staff.

DEVELOPMENT MANAGEMENT DIVISION

35. **DELEGATION**: Robert P. Legg regarding request for placement of a note on a pre-1979 plat entitled Resubdivision of Horton's Subdivision and Portions of the East ½ of Block 180 - Progresso (901-MP-93). (Deferred from December 7, 1993.)

ACTION: (A-270) Deferred to February 15, 1994 at the request of the applicant under Section 5-181(k) (2) for traffic concurrency.

AVIATION DEPARTMENT

36. A. **MOTION TO APPROVE** the establishment of one new classification: Aviation Assistant Director of Finance and the accompanying pay range.

ACTION: (A-283) Approved.

B. **MOTION TO ADOPT** Resolution 94-50 exempting the classification of Aviation Assistant Director of Finance from the classified civil service.

ACTION: (A-283) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PERSONNEL DIVISION

37. A. **MOTION TO APPROVE** collective bargaining agreement between Broward County and the Amalgamated Transit Union (ATU) Local 1267.

ACTION: (A-287) Approved.

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

ACTION: (A-287) Approved.

38. MOTION TO ADOPT Resolution authorizing participation in concept in the Florida Retirement System Senior Management Service Class for eligible employees.

ACTION: (A-293) Approved.

PURCHASING DIVISION

39. MOTION TO ADOPT Resolution 94-52 relating to the Procurement Code of Broward County, amending Sections 21.8, 21.15, 21.18, 21.31, 21.32, 21.34, 21.35, 21.42, 21.54, 21.83, 21.84, 21.85, 21.86, 21.88, 21.118, and 21.119; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date. (Deferred from January 18, 1994.)

ACTION: (A-298) Approved as amended including Amendments 2, 3, and 4 contained in staff's addendum and the verbiage suggested by Commission Auditor Norman W. Thabit in his memorandum.

For Finance and Administrative Services Department

40. MOTION TO APPOINT a selection/negotiation committee to negotiate an energy performance contract with Johnson Controls, Inc. for the Judicial Complex, and to process letters of interest for similar projects for additional facilities.

ACTION: (A-726) Approved with the appointment of Commissioners Hart and Parrish.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

41. MOTION TO APPROVE air pollution control specific operating agreement between the State of Florida, Department of Environmental Protection and Broward County.

ACTION: (A-753) Approved.

42. MOTION TO REQUEST the Broward County Planning Council to process the proposed wetlands map as an amendment to the Broward County Land Use Plan Map Series during the first group of amendments for 1994.

ACTION: (A-760) Approved as amended per staff's addendum.

GREATER FORT LAUDERDALE

CONVENTION & VISITORS BUREAU

43. A. MOTION TO APPROVE in concept the appropriation of \$100,000 to sponsor the Super Bowl XXIX game in South Florida in January 1995 to be funded by the Greater Fort Lauderdale Convention & Visitors Bureau, subject to the preparation of an agreement by the County Attorney.

ACTION: (A-792) Approved.

B. MOTION TO APPROVE in concept for year 1994-95, subject to appropriation and availability of funds, \$260,000 to sponsor the Super Bowl XXIX game in South Florida in January 1995 to be funded by funds other than Tourist Development Tax Revenue.

ACTION: (A-792) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-1036) Approved as amended per staff's addendum.

45. MOTION TO ADOPT an unanticipated revenue Resolution 94-53 within the Law Enforcement Trust Fund (LETF) in the amount of \$54,239 to provide for capital expenses and for crime prevention program efforts for the Broward Sheriff's Office.

ACTION: (A-1040) Approved.

46. A. MOTION TO ADOPT budget Resolution 94-54 transferring within the Broward County Pay Telephone Commissions Trust Fund (022) in the amount of \$31,000 from the Pay Telephone Commission's Reserve to provide direct emergency assistance to victims of crime for the Broward Sheriff's Office Victim Advocate Program.

ACTION: (A-1092) Approved.

B. MOTION TO DIRECT the County Attorney to draft an amendment to the Broward County Pay Telephone Trust Fund in order to clarify the "Requirements for Administration of Victim Relief/Witness Programs".

ACTION: (A-1092) No action taken.

COUNTY ATTORNEY

47. MOTION TO ADOPT Resolution 94-55 directing the County Administrator to publish notice of a public hearing to be held Tuesday, February 22, 1994, at 2:00 p.m. to consider adoption of a proposed ordinance. (Deferred from January 18, 1994.)

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 27, ARTICLE VI, DIVISION 1, SECTION 27-215; BROWARD COUNTY CODE OF ORDINANCES; IMPOSING A FEE TO PROVIDE A COMPREHENSIVE COMPLIANCE AND MONITORING PROGRAM AT MUNICIPAL SOLID WASTE SANITARY LANDFILL DISPOSAL SITES WITHIN BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1207) Approved.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

48. MOTION TO ACCEPT the resignation of William Ferguson from the Selection and Negotiation Committee for the independent engineer for the Resource Recovery Facilities and delete the company representative from the Selection and Negotiation Committee. (Comm. Parrish)

ACTION: (A-1314) Approved as amended per staff's addendum.

49. MOTION TO APPROVE appointment of Steven D. Bowers to the Minority Economic Development Advisory Board. (Comm. Parrish)

ACTION: (A-208) Approved.

NON AGENDA

50. PROCLAMATION: Commissioner Parrish read into the record a proclamation designating April 24, 1994 as Earth Day/Arbor Day in Broward County.

ACTION: (A-47) Mary Ann Grey, President of the Manatee Survival Foundation, Frank Zickar of the Florida Division of Forestry, and Beth Zickar of the Broward County Parks and Recreation division accepted the proclamation. Mr. Zickar commented on the event, which this year has been extended to two days.

51. EMPLOYEE SUGGESTION PROGRAM: County Administrator B. Jack Osterholt honored Tommie J. Jones, Special Project Coordinator I, OES, Water Supply Division, recipient of the Employee Suggestion Program, for his suggestion to use existing DBase IV computer program to monitor/enforce backflow prevention program, resulting in a saving to the county of \$12,450. Mr. Osterholt presented Mr. Jones with a check for \$1,245.

ACTION: (A-165) Mr. Jones accepted the commendation from the commissioners and administration.

52. DISCUSSION: Commissioner Thompson commented on the memorandum from Commission Auditor Norman W. Thabit on the food concession at the Main Library with Fort Lauderdale Food Services Inc. This memorandum indicates they have been allowed to pay less than the appreciated amount of rent due per the lease agreement.

ACTION: (A-1363) County Administrator B. Jack Osterholt advised staff is reviewing Mr. Thabit's memorandum and he will report back to the Board by mid-February.

53. DISCUSSION: County Administrator B. Jack Osterholt requested the Board's concurrence on the third amendment to the county's contract with University of Miami for services in the Medical Examiner's Office. The contract ends January 31, 1994, and staff would like a 120 day extension.

ACTION: (A-1411) Approved.

54. DISCUSSION: Commissioner Thompson addressed the comment made by the present Medical Examiner about the charter counties and medical examiners. He will provide a copy to County Attorney John J. Copelan Jr. in order for him to comment on the issue that the county can directly appoint the

medical examiner rather than the Governor.

ACTION: (A-1542) No action taken at this time.

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