

MEETING OF FEBRUARY 1, 2000

(The meeting convened at 10:00 a.m. and adjourned at 12:00 p.m.)

PLEDGE OF ALLEGIANCE was led by Councilwoman Kathy Cox, Town of Davie, and Charlene Hickson, The Broward County School Board National Groundhog Shadowing Event.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPROVE reappointment of Mr. Sidney Permisson to the Broward Regional Health Planning Council for a two-year term, effective May, 1999. (Commissioner Cowan)

ACTION: (A-0193) Approved.

B. MOTION TO APPROVE appointment of Ms. Gaye F. Outler to the Consumer Protection Board. Ms. Outler replaces Ellie Schinder who has resigned. (Commissioner Gunzburger)

ACTION: (A-0193) Approved.

C. MOTION TO APPROVE appointment of Ms. Patti Lynn to the Commission on the Status of Women. (Commissioner Lieberman)

ACTION: (A-0193) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

2. MOTION TO APPROVE contract for sale and purchase executed by Nian Zheng and Ying Wong, his wife, in the amount of \$2,365 for the purchase of road right-of-way, Parcel 106, for Davie Road Extension Project 5141. Engineering Division authorizes the Real Property Section to acquire this right-of-way using Engineering Division funds; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-0193) Approved.

3. MOTION TO ADOPT Resolution 2000-232 exercising a two-year lease renewal option for the Human Resources Division/Employee Assistance (EAP), located at 1317 SE 4th Avenue, Fort Lauderdale, Florida for 1,373 square feet at \$15.87, square foot. The renewal rate is 3% above the existing rental of \$15.41, per square foot. Term of Lease: Two years commencing on the first day of May, 2000 and ending April 30, 2002 for a total rental of \$43,579.02, or \$1,815.79, per month, and authorize the Chair and Clerk to execute same.

ACTION: (A-0193) Approved. The Board instructed the County Administrator to commence a search for a permanent facility to relocate the agency at the end of this two-year period, per Commission Auditor's recommendation.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

4. MOTION TO APPROVE right-of-way consent agreement between Broward County and Florida Power & Light Company (FPL) for the purpose of utilizing a portion of an FPL easement for the installation of landscaping and drainage swale for Project 5168, improvements to Hiatus Road, from Broward Boulevard to Oakland Park Boulevard, and authorize the Chair and Clerk to execute same.

ACTION: (A-0193) Approved.

5. A. MOTION TO ADOPT Resolution 2000-233 accepting a warranty deed, at no cost to the County, executed by ACP Cypress I, LLC for right-of-way for Cypress Creek Road (NW 62nd Street) (south side) located approximately 740 feet west of NW 21st Avenue.

ACTION: (A-0193) Approved.

B. MOTION TO ADOPT Resolution 2000-234 accepting a bus shelter easement, at no cost to the County, executed by ACP Cypress I, LLC for right-of-way for Cypress Creek Road (NW 62nd Street) (south side) located approximately 1,185 feet west of NW 21st Avenue.

ACTION: (A-0193) Approved.

6. MOTION TO ADOPT Resolution 2000-235 accepting a road easement, at no cost to the County, executed by Calvin C. Oliver and Julia Oliver for right-of-way for NW 7th Street (north side), located approximately 58 feet east of NW 29th Avenue.

ACTION: (A-0193) Approved.

7. MOTION TO ADOPT Resolution 2000-236 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 Street (south side) located approximately 310 feet east of NW 29th Avenue.

ACTION: (A-0193) Approved.

8. MOTION TO ADOPT Resolution 2000-246 of the Board of County Commissioners, at no cost to the County, declaring certain County owned property that being a portion of Broward County Parks and Recreation Division's Sunshine Ranches Equestrian Park, to be public road right-of-way; the portion of land being on the west side of SW 145th Avenue located approximately 300 feet north of Stirling Road.

ACTION: (A-0274) Tabled to the conclusion of the commission meeting. See Page 22.

ACTION: (A-3122) Approved. See Page 80.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

9. MOTION TO APPROVE list of computer checks issued from October 1, 1999 through October 31, 1999 and November 1, 1999 through November 30, 1999.

ACTION: (A-0193) Approved.

PURCHASING DIVISION

For Finance and Administration Department

10. MOTION TO APPROVE second renewal of agreement for All Risk Property Insurance between Broward County and McKinley Financial Services, Inc. with a renewal premium of \$5,580,544 for the period February 1, 2000 to February 1, 2001. The policies provide a limit of \$100,000,000 in wind and flood losses and a limit of \$2,374,517,170 for losses from all other perils excluding wind and flood subject to policy exclusions. The Agent/Broker's fee is an additional \$95,000 for contractor's base fee.

ACTION: (A-0193) Approved.

For Public Works Department

11. MOTION TO APPROVE second and final amendment to the deliberately phased agreement between Broward County and Williams, Hatfield & Stoner, Inc., for consultant services on Project 5143, improvement to Hiatus Road, from I-595 to Broward Boulevard at a cost to the County not to exceed \$500,747.41, from \$541,060.51, to \$1,041,807.92, and an increase in contract time of 395 calendar days to 820 calendar days, and authorize Chair and Clerk to execute same.

ACTION: (A-0193) Withdrawn for further staff review.

HUMAN SERVICES DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

12. MOTION TO FILE quarterly reports for foreclosures and satisfactions of mortgages for the Housing Rehabilitation Programs administered by Community Development Division.

ACTION: (A-0193) Approved.

13. MOTION TO APPROVE second amendment to agreement between Broward County and the City of Lauderdale Lakes for the City of Lauderdale Lakes Minor Home Repair program in the amount of \$140,727.00, and authorize the Chair and Clerk to execute same. This action involves only Community Development Block Grant (CDBG) funds.

ACTION: (A-0193) Approved.

OFFICE OF HOUSING FINANCE

14. MOTION TO FILE with the Board of County Commissioners the regularly scheduled meetings of the Housing Finance Authority of Broward County for the 2000 calendar year.

ACTION: (A-0193) Approved.

15. MOTION TO ADOPT Resolution 2000-237 of the Board of County Commissioners of Broward County, Florida amending Resolution 1999-1590, adopted December 7, 1999, to adjust interest rates on the Bonds and the Mortgage Loans; allowing for the delivery and execution of a Composite Bond Purchase Agreement with Fannie Mae; permitting certain additional changes to the Bond Structure; providing certain other authorizations and details with respect thereto; and providing an effective date.

ACTION: (A-0193) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

16. MOTION TO APPROVE agreement between Broward County and PMG Associates, Inc. for transportation evaluation services for the Mass Transit Division (RLI No. 052199-RB) in the amount of \$98,640 for a one-year term effective upon execution by both parties; providing for two one-year renewal option extensions, and authorize the Chair and Clerk to execute same.

ACTION: (A-0356) Approved, as amended. See Page 24.

17. MOTION TO ADOPT Resolution 2000-238 of the Board of County Commissioners of Broward County, Florida authorizing the Commission Chair to execute and file a Supplemental Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT), for the purpose of constructing passenger amenities at bus stops and transfer facilities, including kiosks along State Road 7/US 441 transit corridor in Plantation; amending the term of the agreement from December 31, 2000 to December 31, 2001; authorizing the Chair and Clerk to execute same; and providing for an effective date. There is no increase in the contract amount. Funding for this agreement was previously budgeted within JPA No. 4811324, and no County funds nor match are required.

ACTION: (A-0193) Approved.

18. A. MOTION TO APPROVE separate, but identical, fifth amendments to agreement for paratransit services between Broward County and AAA Wheelchair and Stretcher Wagon Service, Inc. (AAA); Handi-Van, Inc. (HVN); M&N Transportation (M&N); and Village Car Service (VCS), to incorporate by reference the terms and conditions of the Medicaid Provider Agreement between the County and the Agency for Health Care Administration (AHCA) into the Broward County's paratransit program, to provide paratransit service transportation for Medicaid-eligible clients at the rate structure set forth in Rider Exhibit 3 to the fifth amendment, and authorize the Chair and Clerk to execute same. The term of this fifth amendment shall run concurrent with the paratransit services agreement, which is effective through December 29, 2000.

ACTION: (A-0193) Approved.

B. MOTION TO APPROVE medicaid provider agreement between Broward County and the State of Florida Agency for Health Care Administration (AHCA), to provide paratransit service transportation for Medicaid-eligible clients at the rate structure set forth in Exhibit B to this provider agreement, and authorize the Chair and Clerk to execute same. The term of this agreement shall run concurrent with the paratransit services agreement, which is effective through December 29, 2000.

ACTION: (A-0193) Approved.

C. MOTION TO ADOPT unanticipated revenue Resolution 2000-239 within the Operating Fund (4500) for the Mass Transit Division, in the amount of \$3,266,400.00, to provide paratransit services for the AHCA-eligible Medicaid clients during the remainder of the eight-month fiscal year period ending September 30, 2000.

ACTION: (A-0193) Approved.

PARKS AND RECREATION DIVISION

19. A. MOTION TO APPROVE Master Plan for the natural area known as Crystal Lake Sand Pine Scrub located in unincorporated Broward County.

ACTION: (A-0404) Approved. See Page 25.

B. MOTION TO ADOPT budget Resolution 2000-240 transferring within the 1989 General Obligation Bond Environmentally Sensitive Land Fund the amount of \$288,810 from the Reserve Account to the Crystal Lake Project Account for the Parks & Recreation Division to design and construct public amenities in the Crystal Lake Sand Pine Scrub site.

ACTION: (A-0404) Approved. See Page 25.

20. A. MOTION TO APPROVE Master Plan for the natural area known as Doris Davis Forman Wilderness Preserve in the City of Parkland.

ACTION: (A-0441) Approved. See Page 26.

B. MOTION TO ADOPT budget Resolution 2000-241 transferring from the 1989 General Obligation and Environmentally Sensitive Land Reserve Fund (Fund 3350) the amount of \$80,000 to the City of Parkland to provide financial assistance for improvements to the Forman site for installation of a public access boardwalk and hiking trail.

ACTION: (A-0441) Approved. See Page 26.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

21. MOTION TO FIND Application 99-RF-02 for the allocation of three residential flexibility units in the City of Deerfield Beach compatible with adjacent land uses and that impacts upon public school facilities have been adequately considered.

ACTION: (A-1012) Approved.

BIOLOGICAL RESOURCES DIVISION

22. MOTION TO APPROVE grant agreement between the Florida Fish and Wildlife Conservation Commission (FWCC) and Broward County in the amount of \$100,000 for the purpose of conducting a socioeconomic study of the reef resources of southeast Florida and the Florida Keys, additional funding of \$30,000 will be contributed by Broward County, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-0193) Approved.

DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

FIRE RESCUE DIVISION

23. MOTION TO APPROVE appointment of Mr. John Flint to the Fire Rescue Services Advisory Board representing the City of Weston.

ACTION: (A-0193) Approved.

24. MOTION TO APPROVE appointment of Mr. Gerald J. Graziose to the Fire Rescue Services Advisory Board representing the Broward County Municipal Services Advisory Board.

ACTION: (A-0193) Approved.

PORT EVERGLADES DEPARTMENT

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

ACTION: (A-0193) Approved.

26. 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-0193) Approved.

COUNTY ATTORNEY

27. MOTION TO APPROVE settlement in the amount of \$35,000 (inclusive of attorney's fees and costs) of a lawsuit filed in Broward County Circuit Court, Charles v. Broward County, Case No. 99-010953(07).

ACTION: (A-0222) Approved. See Page 21.

28. MOTION TO ADOPT Resolution 2000-242 creating the Intergovernmental Relations Group of Broward County, Florida.

ACTION: (A-0193) Approved substitute Resolution.

COUNTY COMMISSION

29. MOTION TO FILE Gadsden County Commission, Florida Resolution No. 00-003 opposing the initiative petition to place the anti-affirmative action question on the statewide ballot; providing an effective date. (Commissioner Gunzburger)

ACTION: (A-0193) Approved.

REQUEST TO SET FOR PUBLIC HEARING

30. MOTION TO ADOPT Resolution 2000-243 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, lying and being in Broward County, Florida and located at 2111 SW 16th Terrace in the City of Weston. Petitioner: Bergeron Sand and Rock Mining, Inc. (CCL Consultants, Inc. - Agent) 31-V-99.

ACTION: (A-0193) Approved.

31. A. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of public hearing to be held on Tuesday, April 25, 2000 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance amending the Broward County Land Development Code, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SUBSECTION 5-180(a) RELATING TO APPLICATION AND REQUIREMENTS FOR DEVELOPMENT PERMITS; AMENDING SUBSECTIONS 5-181(a), (b), (c), (d), (e), (g), (h) AND (I) AND RENUMBERING REMAINING SUBSECTIONS RELATING TO DEVELOPMENT REVIEW PROCEDURES; AMENDING SUBSECTION 5-182(a)(4)a)3) RELATING TO THE ADEQUACY OF REGIONAL ROAD NETWORK; AMENDING SUBSECTION 5-182(m)(3)a)3) RELATING TO SCHOOL SITE LOCATION AND ACCESSIBILITY; AMENDING SUBSECTIONS 5-184(c)(2) AND (d)(2) RELATING TO IMPACT AGREEMENTS AND INSTALLATION OF IMPROVEMENTS; AMENDING SECTION 5-187 RELATING TO GENERAL PROVISIONS; AMENDING SUBSECTION 5-188(c) RELATING TO OPTIONAL SKETCH PLAT REVIEW, AGENCY REVIEW; AMENDING, RENAMING AND COMBINING SECTIONS 5-189 AND 5-190 RELATING MANDATORY PLAT APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

ACTION: (A-0193) Deferred for further staff review. See Page 28.

B. MOTION TO TRANSMIT proposed ordinance amending the Land Development Code to the Broward County Planning Council for review and recommendation, pursuant to Section 163.3194(2), Florida Statutes.

ACTION: (A-0193) Deferred for further staff review. See Page 28.

REGULAR AGENDA

*

*

10 A.M. PUBLIC HEARING

32. MOTION TO ENACT an ordinance to adopt remedial plan amendments to the Broward County Comprehensive Plan's Conservation Element and Sanitary Sewer Element in accordance with the provisions of the Stipulated Settlement Agreement with the Florida Department of Community Affairs, approved on November 9, 1999 and effective December 3, 1999, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING REMEDIAL AMENDMENTS TO BROWARD COUNTY COMPREHENSIVE PLAN CONSERVATION ELEMENT POLICIES 13.2.5, 13.5.4 AND 13.9.7, SANITARY SEWER ELEMENT POLICY 5.2.7 AND THE LEVEL OF SERVICE STANDARD CONTAINED IN CONSERVATION ELEMENT OBJECTIVE 13.3 IN ACCORDANCE WITH THE PROVISIONS OF THE STIPULATED SETTLEMENT AGREEMENT WITH THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0915) Approved, including correction of Scrivener's errors. See Page 36.

END PUBLIC HEARING

**

33. COUNTY ADMINISTRATOR'S REPORT - County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

ACTION: (A-1039) No Board action was necessary.

*

*

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

34. DISCUSSION: of plat entitled "Gentry/Lanzon" - District 3, (060-MP-99).

ACTION: (A-1086) Approved the plat subject to staff's recommendations as outlined in the

Development Review Report.

35. DISCUSSION: of plat entitled “Evan Lindsey Commercial” - District 1, (009-MP-99). (Deferred from November 2, 1999)

ACTION: (A-1099) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

36. DELEGATION: Charles Putman regarding request to amend the note on the Regency Plat - District 5, (033-UP-82).

ACTION: (A-1125) Approved subject to staff’s recommendations.

37. DELEGATION: Edward Ploski regarding request to amend the note on the Dimar Plat - District 4, (129-MP-89).

ACTION: (A-1255) Approved subject to staff’s recommendations.

38. DELEGATION: Robert Lochrie regarding request to amend the note on the Center Port Plat - District 2, (112-MP-96).

ACTION: (A-1271) Approved subject to staff’s recommendations.

39. DELEGATION: Dawn Sonneborn regarding request to amend the note on the Flamingo Road Baptist Church Plat - District 5, (033-UP -81).

ACTION: (A-0193) Deferred to March 7, 2000 at the applicant’s request.

40. DELEGATION: Dawn Sonneborn regarding request to amend the note on the Miramar Park of Commerce Phase IV Plat - District 5, (086-MP-97).

ACTION: (A-0193) Deferred to September 12, 2000 or sooner, based on Section 5-181-(I) of the Land Development Code, to study consistency with DRI.

41. DELEGATION: Steve Von Hassein regarding request to amend the note on the Delegal Plat - District 1, (083-MP-91). (Deferred from July 6, 1999)

ACTION: (A-1294) Denied per staff’s recommendation.

42. DELEGATION: Gary Tenn regarding request to amend the non-vehicular access line on the Sector 6 Plat - District 3, (009-UP-89).

ACTION: (A-1318) Approved subject to staff’s recommendations.

END OF QUASI-JUDICIAL HEARING

*

*

43. MOTION TO ADOPT Resolution 2000-244 of the Board of County Commissioners of Broward County, Florida amending the Broward County Administrative Code, Chapter 40, Part I, entitled “Land Development Permit Applications”; providing for amendment of the Land Development Permit Fee Schedule; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-1334) Approved. See Page 49.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

44. MOTION TO APPROVE County’s Legislative package for the 2000 Legislative Session.

ACTION: (A-2101) Approved, as amended. See Page 62.

45. MOTION TO APPROVE County’s 2000 Federal Legislative Package for the 106th Congress.

ACTION: (A-3000) Approved, as amended. See Page 77.

COUNTY COMMISSION

46. MOTION TO APPROVE naming the former Broward County Landfill site in the Town of Davie as High Trails Park. (Commissioner Parrish)

ACTION: (A-1580) Deferred. See Page 53.

47. MOTION TO APPROVE agreement between Broward County, the Central Broward Drainage District, City of Cooper City and the Town of Davie for drainage and water control studies. (Commissioner Parrish)

ACTION: (A-3054) Approved. See Page 78.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

48. MOTION TO DISCUSS: Direction to the Broward County Human Services Department regarding the renewal of the contracts between Broward County and The North Broward Hospital District, and between Broward County and the South Broward Hospital District. These contracts should include language that ensures against future discharge of any patients, especially those with children or new born infants, to the streets and instead requires that they be placed in shelter, housing, or other appropriate residential settings. (Commissioner Rodstrom)

ACTION: (A-3071) Approved. See Page 79.

49. MOTION TO ADOPT Resolution 2000-245, the substance of which is as follows: (Commissioner Lieberman)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, SUPPORTING AN AMENDMENT TO REPLACE THE LOCAL MATCH REQUIREMENT WITH STATE FUNDS FOR FLORIDA KIDCARE PROGRAM; ENCOURAGING THEHOUSE HEALTH CARE SERVICES COMMITTEE MEMBER TO SUPPORT LOCAL MATCH REQUIREMENT WITH STATE FUNDS; AND PROVIDING AN EFFECTIVE DATE.

ACTION: (A-3104) Approved. The Board Included Resolution 2000-245 in the County's Legislative packet (Item 44). See Page 80.

NON AGENDA

50. MARINE CORPS LEAGUE - ANNUAL CONFERENCE - COMMISSIONER ABRAMOWITZ

ACTION: (A-3152) See Page 81.

51. REQUEST TO RESCHEDULE COMMISSION GOAL SETTING WORKSHOP - COMMISSIONER PARRISH

ACTION: (A-3202) See Page 82.

52. COMMENDED STAFF FOR EFFORTS OF OPENING OF CAMILLE PISSARRO ART EXHIBIT - COMMISSIONER LIEBERMAN

ACTION: (A-3460) See Page 87.

53. MIAMI INTERNATIONAL AIRPORT - PROBLEMS WITH QUEUING SYSTEM - STAFF TO REVIEW - COMMISSIONER LIEBERMAN

ACTION: (A-3460) See Page 87.

54. DESIGNATE STEVE SOMERVILLE, DPEP - REPRESENT COUNTY COMMISSION - SOUTH FLORIDA WATER MANAGEMENT DISTRICT SUMMIT - COMMISSIONER LIEBERMAN

ACTION: (A-3460) See Page 88.

55. LEGISLATIVE DELEGATION - LOCAL BILLS - ANNEXATION - COMMISSIONER LIEBERMAN

ACTION: (A-3460) See Page 89.

56. CONGRATULATIONS TO STAFF - PISSARRO ART EXHIBIT - THE CHAIR

ACTION: (A-3624) See Page 90.

[Back to Table of Contents for 2000 Action Agendas](#)

[Back to main page](#)