

MEETING OF FEBRUARY 4, 1997

(Meeting convenes at 10:00 a.m. and adjourned at 12:08 p.m.)

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

1. A. MOTION TO ADOPT budget Resolution 97-70 transferring funds within the Engineering Capital Projects Fund (315) for the Engineering Division in the amount of \$100,000 in order to pay final settlements and attorney's fees and costs related to completed Engineering Project No. 4122/23, known as the SW 101st Avenue Project.

ACTION: (A-560) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 97-71 within the 78 Public Improvement Bonds Capital Outlay Fund (313) in the amount of \$100,000 in order to pay final settlements and attorney's fees and costs associated with completed Engineering Project No. 4122/23 also known as the SW 101st Avenue Project.

ACTION: (A-560) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

2. MOTION TO APPROVE agreement between Broward County and Broward County Community Development Corporation for participation in the State Housing Incentives Partnership (SHIP) Lease/Purchase Program, for Funding Year 1997 in the amount of \$145,500.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

PURCHASING DIVISION

For Community Services Department

3. MOTION TO AWARD open-end contract to the single bidder, group 1, Reliable Transmission Service, for rebuilt exchange bus automatic transmission service (rebid) (Bid No. C-10-96-08-12) Group 1 in the approximate amount of \$207,725 for the Mass Transit Division, and authorize the Purchasing Director to renew the contract for two one-year periods. The initial contract period shall start on February 4, 1997 and shall terminate on February 3, 1998.

ACTION: (A-560) Approved.

For Finance and Administrative Services Department

4. MOTION TO APPROVE agreements between Broward County and ACAI Associates, Inc.; AG Lichtenstein & Associates, Inc.; Allan A. Kozich & Associates; Alleguez Grafton Flores Architects, Inc.; Allen and Associates P.A. Architecture- Urban Design-Planning; Ardaman & Associates, Inc.; ASC Geosciences, Inc.; ATC Associates, Inc., d.b.a. ATEC Associates, Inc.; Barton-Aschman Associates, Inc.; Ben Lopez & Associates, P.A.; Bermello Ajamil & Partners, Inc.; Berry & Calvin, Inc.; Biscayne Engineering Company, Inc.; Blakely-Ward-Stuckey of Florida, Inc.; Borrelli & Associates Architects Planners, P.A.; Bosek Gibson and Associates, Inc.; Carnahan-Proctor and Associates, Inc.; Carr Smith Associates; CCL Consultants, Inc.; Charles Waler PE, Inc.; Chen and Associates Consulting Engineers, Inc.; CH2M Hill; Civil-CADD Engineering, Inc.; Coastal Planning & Engineering, Inc.; Coastal Systems International, Inc.; Consulex Corporation; Consul-Tech Engineering, Inc.; Craven Thompson & Associates, Inc.; Diez-Mora Architects, Inc.; Difonte & Thomas, Inc.; DeRose and Slopey Consulting Engineers, Inc.; Eastcoast Testing & Engineering, Inc.; Eleanor Carney Engineering Associates, Inc.; Engineering & Construction Services, Inc.; Enviro-Haz of Florida, Inc.; Environmental Consulting & Technology, Inc.; Environmental Management Services, Inc., d.b.a. EMS Environmental, Inc.; E. R. Brownell & Associates, Inc.; ERM-South, Inc.; G. A. Miller, Inc.; Gartek Engineering Corporation; GHA Consulting Engineers, Inc.; G. M. Selby and Associates, Inc.; Gomez Associates Architects, P.A.; Greiner, Inc.; Feinberg & Associates AIA Architects, P.A.; Hammond and Associates, Inc. (Consulting Engineers); Hardey & Hanover, LLP; Hillers Electrical Engineering, Inc.; H. J. Ross Associates, Inc.; HNTB Corporation; Holland Engineering, Incorporated; Intercounty Laboratories, Inc.; James Aylward & Associates, Inc.; J. Bonfill & Associates, Inc.; Jeffrey Igoe Architects, P.A.; Jones & Song Architects and Planners, Inc.; Judson and Partners; Just Consulting, Inc., d.b.a. Architectural Building Technology; Keith and Schnars, P.A.; Kunde Sprecher & Associates, Inc.; KVH Architects, P.A.; Lakdas/Yohalem Engineering, Inc.; Laredo Engineering Company; L. J. Nodarse & Associates, Inc.; MacVicar Federico & Lamb, Inc.; Malcolm Pirnie, Inc.; Manuel Synalovski AIA NCARB; Mark L. Saltz Architects, Inc.; McLaughlin Engineering Company; Metric Engineering, Inc.; Miller Legg and Associates, Inc.; Missimer International, Inc.; MK Centennial; Montgomery Watson Americas, Inc.; Nutting Engineers of Florida, Inc.; Oscar L. Rubio & Associates; PAB Consultants, Inc.; Palm Beach Design Group, Inc.; PAWA Complex International, Inc.; Peacock Courtney Architects, P.A.; Peninsula Design & Engineering, Inc.; Perez & Perez/Martin, Inc.; Pistorino & Alam Consulting Engineers, Inc.; Post Buckley Schuh & Jernigan, Inc.; Procopio & Associates; Professional Engineering & Inspection Company, Inc.; Professional Service Industries, Inc.; Project Management Associates, Inc.; Ralph Hahn and Associates, Inc.; R. C. Kannan & Associates, Inc.; Reese Macon & Associates, Inc.; RHA Chartered; R J Heisenbottle Architects, P.A.; RJN Group, Inc.; Robert McDonald and Associates, P.A.; Robert S. Walters AIA, P.A.; Rust Environment & Infrastructure, Inc.; S Barker & Associates, Inc.; Shah Drotos and Associates; Siddiq Khan & Associates, Inc.; Smith Seckman Reid, Inc.; Southern Cathodic Protection Company; Steven Feller PE, Inc.; Stone & Webster Engineering Corporation; Stoner & Associates, Inc.; Tasnim Uddin & Associates International, Inc.; Testwell Craig Laboratories & Consultants, Inc.; The Russell Partnership, Inc.; Tilden Lobnitz Cooper; Tindale-Oliver and

Associates, Inc.; Tinter Associates, Inc.; Tomasello Consulting Engineers, Inc.; Tubosun Giwa & Partners, Inc.; Underground Services, Inc.; Urbanform Design Group, Inc. Architects; Validata National, Inc.; Vaughn and Wunsch Architects, P.A.; Vega Architect & Associates; Walter H. Keller, Inc.; Weidener Surveying and Mapping, P.A.; Williams Hatfield & Stoner, Inc.; Wunningham & Fradley, Inc.; Woolpert Consultants; and Zelch and McMahon Architects to provide architecture, energy management, engineering, landscape architecture and/or surveying, consulting services and studies on an as needed basis for a five year period beginning March 24, 1997, without renewal, through a library for projects with fees for less than the dollar threshold of CCNA, F.S. 287.017, Category Two, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

For Public Works Department

5. MOTION TO NOTE FOR THE RECORD Change Order One to Contract P1030-96 in the amount of \$22,392 to Murton Roofing Corporation, which is 15.16% of the original contract amount of \$147,700 for roof repair for the Public Safety Complex for the Construction Management Division.

ACTION: (A-560) Approved.

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

6. MOTION TO APPROVE agreement between Broward County and Neu Heart Health Care Services from January 1, 1997 to December 31, 1997 in the amount of \$9,999 for the provision of Older Americans Act homemaker services to the elderly, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved as amended per staff's addendum.

7. MOTION TO APPROVE entry into non-financial referral agreements with Health Watch, Inc. a non-profit organization determined eligible as a Home and Community Based Medicaid Waiver provider from January 1, 1997 to June 30, 1997 for the purpose of maintaining older persons in the community, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

WATER RESOURCE DIVISION

8. MOTION TO ADOPT Resolution 97-72 of the Board of County Commissioners of Broward County,

Florida urging the South Florida Water Management District to acquire the East Coast Buffer/Water Preserve areas; and providing for an effective date.

ACTION: (A-560) Approved.

9. MOTION TO ADOPT Resolution 97-73 of the Board of County Commissioners of Broward County, Florida endorsing three projects for high priority ranking for funding allocated in the Water Resources Development Act of 1996 for critical restoration projects for Everglades and South Florida Ecosystem restoration; and providing for an effective date.

ACTION: (A-560) Approved.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

10. MOTION TO APPROVE satisfaction of mortgage on a deferred payment loan in the amount of \$3,000 made to Mark Barbary and Ada Barbary, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

11. MOTION TO FILE quarterly foreclosure report for the Housing Rehabilitation Programs administered by Community Development Division.

ACTION: (A-560) Approved.

PORT EVERGLADES DEPARTMENT

12. MOTION TO APPROVE renewal of Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and the companies listed on Schedule A attached hereto, effective January 1, 1997 through December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

13. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida, and Le Bus, Inc. and Sunflowers Tours, Inc., respectively, in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

14. MOTION TO ADOPT Resolution 97-74 consenting to the assignment of the Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida and Richfield Hospitality Services, Inc. d/b/a Comfort Suites of Fort Lauderdale to We're Associates VI Limited Partnership d/b/a Comfort Suites/Fort Lauderdale, and renewal of the permit effective January 1, 1997 through December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

15. MOTION TO ADOPT Resolution 97-75 consenting to the assignment of the Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida and Fort Lauderdale South Hotel Limited Partnership d/b/a Crown Sterling Suites to Djont Operations, L.L.C. d/b/a Embassy Suites Fort Lauderdale, and renewal of the permit effective January 1, 1997 through December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

16. MOTION TO APPROVE novation agreement between Broward County and United States of America pertaining to Contract No. N68836 94D 0032 to provide potable water and ancillary services for naval vessels calling at Port Everglades for the period January 1, 1994 through December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-560) Approved.

17. A. MOTION TO APPROVE lease agreement between Broward County and Maritime Management International, Inc. for Suites No. 207 and 208 in Building 611 at Port Everglades, consisting of 800 square feet, for a period of one year, 11 months and 25 days, effective February 4, 1997 through January 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-592 & 3113) Approved as amended.

B. MOTION TO APPROVE lease agreement between Broward County and Bureau Veritas North America, Inc. for Suite No. 201 in the Port Everglades Administration Building, consisting of 2,927 square feet, for a period of four years, 11 months and 22 days, effective February 7, 1997 through January 31, 2002, and authorize the Chair and Clerk to execute same.

ACTION: (A-592 & 3059) Approved as amended.

OFFICE OF BUDGET AND MANAGEMENT POLICY

18. MOTION TO APPROVE business travel and trips in accordance with Administrative Order 105.

ACTION: (A-560) Approved.

BOARD APPOINTMENTS

19. MOTION TO APPROVE appointment of the Reverend Luther Anderson to the Multi-Ethnic Advisory Board. Reverend Anderson previously served as the County Commission District 3 appointment. (Commissioner Gunzburger)

ACTION: (A-560) Approved.

20. MOTION TO APPROVE appointment of Brion Blackwelder to the Homeless Initiative Partnership Advisory Board. Mr. Blackwelder fills a vacancy. (Commissioner Gunzburger)

ACTION: (A-560) Approved.

REQUEST TO SET FOR PUBLIC HEARING

21. MOTION TO ADOPT Resolution 97-76 directing the County Administrator to publish notice of public hearing to be held Tuesday, March 11, 1997 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 between Holmberg Road and the Sawgrass Expressway west of NW 87th Avenue in the City of Parkland. Petitioner: WCI Communities Limited Partnership, et al. (Carnahan-Proctor & Associates, Inc., - Agent) 26-V-96.

ACTION: (A-560) Approved with corrected agenda report.

22. MOTION TO ADOPT Resolution 97-77 directing the County Administrator to publish notice of public hearing to be held Tuesday, March 11, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon rights-of-way, lying and being in Broward County, Florida, and located East and South of the Sawgrass Expressway, North of Wiles Road and West of Coral Ridge Drive in the City of Coral Springs. Petitioner: WCI Communities Limited Partnership (Carnahan-Proctor & Associates - Agent) 27-V-96.

ACTION: (A-560) Approved.

23. MOTION TO ADOPT Resolution 97-78 setting a public hearing to be held Tuesday, March 11, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider The North Perry Airport Master Plan Update and Airport Layout Plan, and direct the County Administrator to publish notice of the public hearing

ACTION: (A-560) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

24. JAIL REPORT: County Administrator B. Jack Osterholt filed the jail report indicating that the day's population is 3,790 (54 over), and at 101 percent of capacity.

ACTION: (A-627) No action taken.

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.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

25. DISCUSSION of Plat entitled "The Flynn Plat" - District 4, (096-MP-95).

ACTION: (A-774) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

26. DISCUSSION of Plat entitled "Villanueva Plat" - District 4, (082-MP-96).

ACTION: (A-787) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

27. DISCUSSION of Plat entitled "The Polo Club Estates" - District 4, (102-MP-95).

ACTION: (A-802) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

28. DISCUSSION of Plat entitled "Kendall Gardens Plat" - District 2, (047-MP-96).

ACTION: (A-813) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

29. DISCUSSION of Plat entitled “Groves Park Phase II” - District 5, (089-MP-96).

ACTION: (A-824) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

30. DISCUSSION of Plat entitled “Nautica Plat” - District 5, (029-MP-95). (Deferred from January 7, 1997)

ACTION: (A-834) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

31. DISCUSSION of Plat entitled “Ice Plat” - District 5, (098-MP-95). (Deferred from August 6, 1996)

ACTION: (A-945) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

32. DISCUSSION of Plat entitled “Imagination Farms East” - District 5, (009-MP-96). (Deferred from November 5, 1996)

ACTION: (A-956) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

33. DISCUSSION of Plat entitled “Green Farm Plat” - District 3, (050-MP-96).

ACTION: (A-718) Deferred to February 18, 1997 at the applicant’s request.

34. DISCUSSION of Plat entitled “Kimco Plat No. 118” - District 2, (002-UP-96).

ACTION: (A-991) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

35. DISCUSSION of Plat entitled “All Service Plat No. One” - District 7, (018-UP-96).

ACTION: (A-1003) Deferred for up to 35 days, with the understanding that the applicant can notify a commissioner when he is prepared to have it placed on an agenda.

36. DELEGATION: Howard A. Kusnick regarding motion to approve agreement between Broward County and All Service Refuse Co., Inc. relating to the issuance of building permits while platting is in progress on the All Service Plat No. One (018-UP-96).

ACTION: (A-1124) Deferred for up to 35 days, with the understanding that the applicant can notify a commissioner when he is prepared to have it placed on an agenda.

37. DELEGATION: Michael Gai regarding request to revise the note on the Coconut Point Plat (061-MP-95).

ACTION: (A-1142) Approved subject to staff’s recommendations.

38. DELEGATION: Patricia Z. Hitchcock regarding request to amend the note on the Meadow Park Plat (014-MP-96).

ACTION: (A-723) Deferred to September 16, 1997 at the request of the applicant under Section 5-181 (i) of the Land Development Code to study school flasher improvements.

39. DELEGATION: Jeff Dworkin regarding request to amend the note on the Wyndham Lakes North Plat (083-MP-94).

ACTION: (A-1286) Approved subject to staff's recommendations.

40. A. DELEGATION: Linda C. Strutt regarding request to amend the note on the Ravenswood FLL Airport Redevelopment (Plat 2) (011-UP-93).

ACTION: (A-1307) Approved subject to staff's recommendations as amended per staff's addendum.

B. DELEGATION: Linda C. Strutt regarding request to amend the non-vehicular access line on the Ravenswood FLL Airport Redevelopment (Plat 2) (011-UP-93).

ACTION: (A-1307) Approved subject to staff's recommendations.

41. DELEGATION: Bill Porter regarding request to amend the non-vehicular access line on the Matcorp Plat (037-MP-84).

ACTION: (A-1320) Approved subject to staff's recommendations.

42. DELEGATION: Stephen V. Hoffman regarding request to amend the non-vehicular access line on the Colonnade Business Center I (100-MP-85).

ACTION: (A-1334) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

43. DELEGATION: Bonnie L. Miskel regarding request for refund of road impact fees for Forest Ridge Community Development, Ltd. (Deferred from January 21, 1997)

ACTION: (A-638) Deferred to February 18, 1997 at the applicant's request.

44. DELEGATION: Richard C. Wohlfarth regarding request to waive the one (1) year restriction for refile after a denial, relating to the Caravel Village Plat (097-UP-80).

ACTION: (A-1350) Waived the 14-day time limit for paying the Action Plan fee and submitting a letter of intent to enter into the Action Plan process. The Applicant voluntarily agreed to be subject to school concurrency if it is in place at the time of approval.

CODE AND ZONING ENFORCEMENT DIVISION

45. A. MOTION TO WAIVE, by a majority plus one vote, the public hearing after 5:00 p.m. for a rezoning ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (A-2363) Approved.

B. MOTION TO ADOPT Resolution 97-79 setting two public hearings on Tuesday, February 25, 1997 at 2:00 p.m. and Tuesday, March 11, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 10-Z-96).

ACTION: (A-2375) Approved.

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearings at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

REZONING PETITION 10-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-3, LOW-DENSITY MULTIPLE DISTRICT AND B-3, GENERAL BUSINESS DISTRICT TO RM-10, RESIDENTIAL MULTIPLE-FAMILY DWELLING DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

The February 25, 1997 and March 11, 1997 Public Hearings are to be Quasi-Judicial Public Hearings.

46. A. MOTION TO WAIVE, by a majority plus one vote, the public hearing after 5:00 p.m. for a rezoning ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (A-2383) Approved.

B. MOTION TO ADOPT Resolution 97-80 setting two public hearings on Tuesday, February 25, 1997 at 2:00 p.m. and Tuesday, March 11, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance amending Chapter 39, Broward County Zoning Code.

ACTION: (A-2389) Approved.

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearings at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

ZONING CODE AMENDMENT 6-T-96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, BY AMENDING ARTICLE XVI, "RESIDENTIAL ZONING DISTRICTS;" AMENDING 39-277 "RESIDENTIAL ZONING DISTRICTS," BY ADDING RM-5 AND RM-6 DISTRICT CLASSIFICATIONS; PROVIDING FOR DENSITY LIMITS; PROVIDING FOR PERMITTED USES; AMENDING 39-279 BY ADDING BED AND BREAKFAST AS A PERMITTED USE IN CERTAIN DISTRICTS; PROVIDING FOR MINIMUM PLOT SIZES FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR MAXIMUM PLOT COVERAGE FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR COMMON OPEN SPACE FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR MAXIMUM HEIGHT FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR FRONT, SIDE AND REAR YARD REQUIREMENTS FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR MINIMUM FLOOR AREAS OF DWELLING UNITS FOR RM-5 AND RM-6 DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

47. A. MOTION TO WAIVE, by a majority plus one vote, the public hearing after 5:00 p.m. for a rezoning ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (A-2397) Approved.

B. MOTION TO ADOPT Resolution 97-81 setting two public hearings on Tuesday, February 25, 1997 at 2:00 p.m. and Tuesday, March 11, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance amending Chapter 39, Broward County Zoning Code.

ACTION: (A-2404) Approved.

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearings at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

ZONING CODE AMENDMENT 4-T-96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE; AMENDING ARTICLE II, "DEFINITIONS," BY ADDING CERTAIN DEFINITIONS AND DELETING CERTAIN DEFINITIONS; AMENDING SECTION 39-144, "APPLICABILITY," TO DELETE REFERENCE TO RURAL DISTRICTS; REPEALING SECTION 39-174, "WATER AREAS;" AMENDING ARTICLE XII, "OFF-STREET PARKING AND LOADING;" AMENDING SECTION 39-217, "LOCATION, CHARACTER AND SIZE," BY ALLOWING REQUIRED PARKING IN AGRICULTURAL AND RURAL DISTRICTS TO BE UNPAVED AND MARKED ONLY WITH WHEEL STOPS; AMENDING SECTION 39-219, "DRIVE- THROUGH FACILITIES," BY ELIMINATING THE REQUIREMENT FOR A SEPARATE ESCAPE LANE FOR STACKING SPACES IF THERE IS AN ADJOINING 24-FOOT WIDE PARKING AISLE; AMENDING SECTION 39-221, "CALCULATING REQUIRED PARKING," BY CLARIFYING PARKING CALCULATIONS FOR GENERAL INDUSTRIAL COMPLEXES; AMENDING SECTION 39-228, "AMOUNT OF OFF- STREET PARKING," BY REDUCING THE AMOUNT OF PARKING FOR

WHOLESALE PLANT NURSERIES AND OTHER AGRICULTURAL USES, BY ADDING PARKING REQUIREMENTS FOR RETAIL PLANT NURSERIES, OPEN-AIR SALE AND DISPLAY AREAS, AND FOR PUBLIC PARKS AND OUTDOOR RECREATION AREAS, AND BY REDUCING THE AMOUNT OF PARKING REQUIRED FOR RIDING AND BOARDING STABLES; AMENDING SECTION 39-229, "OFF-STREET LOADING," BY ALLOWING OFF-STREET LOADING SPACES TO BE ACCESSED THROUGH A PARKING AISLE AND BY REQUIRING OFF-STREET LOADING SPACES TO BE WITHIN 30 FEET OF THE BUILDING BEING SERVED; REPEALING ARTICLE XIV, "EXCAVATION REGULATIONS;" AMENDING ARTICLE XXV, "LIMITED AGRICULTURAL A-1 AND GENERAL AGRICULTURAL A-2 DISTRICTS," SECTION 39-402, USES PERMITTED," BY ADDING PROVISIONS FOR SPECIAL EXCEPTION APPROVAL OF MINING OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

AVIATION DEPARTMENT

48. A. MOTION TO APPROVE increase in the change order allowance in the amount of \$148,039.90, from \$189,669.50, (5%) to \$337,709.40, which is 8.9% of the original contract amount of \$3,793,390.00, awarded by the Board on January 3, 1995 to Bergeron Land Development, Inc. for contract No. P-10-94-20-OF, for construction of the Remote Vehicular Parking Lot (Park-N-Save) at the Ft. Lauderdale/Hollywood International Airport.

ACTION: (A-2414) Deferred to February 11, 1997 at 10:00 a.m. time certain for further information.

B. MOTION TO APPROVE final settlement pursuant to the terms and conditions of the proposed final settlement agreement in the amount of \$250,000 (inclusive of attorney's fees and costs), of a lawsuit filed in Broward County Circuit Court, Case No. 96-009087(08), Bergeron Land Development, Inc. v. Broward County.

ACTION: (A-2414) Deferred to February 11, 1997 at 10:00 a.m. for further information

C. MOTION TO ADOPT budget Resolution transferring within the Aviation Enterprise Fund the amount of \$400,000 from the Restrictive Reserve for the Ravenswood Parking Lot Project.

ACTION: (A-2414) Deferred to February 11, 1997 at 10:00 a.m.

49. MOTION TO APPROVE first amendment to the agreement dated July 9, 1996 between Broward County and Hellmuth, Obata & Kassabaum, Inc. for Consultant Services for Terminal Expansion Project for Fort Lauderdale-Hollywood International Airport to modify Exhibit "B", Salary/Cost Rate Table with no change in contract time or amount, and authorize the Chair and Clerk to execute same.

ACTION: (A-2928) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

50. MOTION TO APPROVE form of First Amendment to Section 380.032 (the Development) Agreement between and among the Department of Community Affairs of the State of Florida, Broward

County, the City of Sunrise, and The Florida Panthers Hockey Club, Inc. and Arena Development Company, Ltd. to provide for the authorization of development prior to the issuance of the DRI Development Order in accordance with Section 380.032(3), F.S., and authorize the Chair and Clerk to execute same. (Deferred from January 28, 1997)

ACTION: (A-2937) Approved.

HUMAN SERVICES DEPARTMENT

CHILDREN'S SERVICES BOARD

51. A. MOTION TO ADOPT Budget Resolution 97-82 transferring funds within Commission Reserve to Children's Services Administration Division in the amount of \$600,000.

ACTION: (A-2950) Approved.

B. MOTION TO ADOPT Resolution 97-83 of the Board of County Commissioners of Broward County, Florida making a finding and determination that the work and services of certain organizations serve a public purpose; authorizing appropriations and disbursements for the organizations for Fiscal Year 1996-97; prescribing requirements and conditions for disbursement of appropriated funds; approving funding for non-profit organizations and governmental entities; allowing use of previously approved form contracts for Fiscal Year 1996-97 to be used for execution on behalf of the County by the County Administrator; and providing for an effective date.

ACTION: (A-2950) Approved.

HEALTH CARE MANAGEMENT

52. A. MOTION TO ADOPT budget Resolution 97-84 transferring funds from the Commission Reserve in the amount of \$114, 286 for Florida Healthy Kids Corporation for the purpose of comprehensive health care services funding.

ACTION: (A-2957) Approved.

B. MOTION TO APPROVE Agreement FHK-97 between Broward County and Florida Healthy Kids Corporation from October 1, 1996 to September 30, 1997, in the amount of \$214,286 for the purpose of comprehensive health care services funding, and authorize the Chair and Clerk to execute same.

ACTION: (A-2957) Approved.

OFFICE OF BUDGET AND MANAGEMENT

POLICY

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

ACTION: (A-3036) Approved as amended per staff's addendum.

COUNTY COMMISSION

54. MOTION TO ACCEPT nominations for three positions on the Community Action Agency Advisory Board.

A. MOTION TO APPROVE appointment of Edee Green to the Broward County Community Action Agency to fill the position vacated by Pat Turner. (Commissioner Poitier)

ACTION: (A-3042) Approved.

55. DISCUSSION: Request from Congressman E. Clay Shaw regarding the reopening of the passport office in downtown Fort Lauderdale. (Chair)

ACTION: (A-3059) Peter Corwin, Assistant to the County Administrator advised that staff is considering it being located in the Revenue Collection Division in the Annex, and depending on revenues, there could be an office in the West Regional Courthouse. The Chair will notify Congressman Shaw the actions taken.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

56. MOTION TO APPROVE appointment of Ali Waldman to the Children's Services Board. (Commissioner Lieberman)

ACTION: (A-560) Approved.

57. MOTION TO APPROVE appointment of George Snyder to the Board of Rules & Appeals in the Disabled Category. (Commissioner Lieberman)

ACTION: (A-560) Approved.

GOOD AND WELFARE

58. PROCLAMATION: Commissioner Abramowitz read into the record a proclamation designating

February 4, 1997 as “Barbara Baum Day” in Broward County, in honor of her being selected as Volunteer of the Year by the Volunteer Selection Committee of the Community Participation Program. Iris Whittaker, Volunteer Coordinator, introduced Ms. Baum, who has been a volunteer with Broward County for more than 10 years. Ms. Baum instituted the placing items of interest on information desk in the main lobby of the Governmental Center, and has maintained it for the entire period of time. She has contributed to the county 24,969 hours in the last 12 years. Commissioner Abramowitz presented Ms. Baum with a Certificate of Ownership of a brick placed in her honor at Riverwalk.

ACTION: (A-39) Ms. Baum accepted the proclamation and certificate of ownership and thanked the Board and the committee for this recognition.

59. PROCLAMATION: Commissioner Gunzburger read into the record a proclamation declaring February as “Healthy Kids Month” in Broward County.

ACTION: (A-200) Betty Harmon, Board Member of the Health Kids Corporation, accepted the proclamation.

60. PROCLAMATION: Commissioner Parrish read into the record a proclamation designating February 8, 1997 as “Adopt a Sweetheart Day in Broward County.”

ACTION: (A-357) Alan Davis, Director, Animal Care and Regulation Division, accepted the proclamation. He introduced two sweetheart pets he brought with him, Smokey, a two-year-old cat, and Fido, a two-month-old puppy. He advised that this is the fourth year for this event, and stated that last year they adopted over 40 animals in one day, and had over 500 visitors.

NON AGENDA

61. DISCUSSION: Commissioner Lieberman commented on holding Executive Sessions when discussing issues with pending legal matters, such as the Arena Development Corporation and the MSBU. Under Section 286, the county commission has the ability to have an Executive Session to meet with the County Attorney, and she feels it should be held at the onset of these litigation matters.

ACTION: (A-3555) No action taken.

62. INFORMATIONAL ITEM: Commissioner Cowan advised that there is an attempt to try to have the Greater Fort Lauderdale host the upcoming summit between Presidents Bill Clinton and Boris Yeltsin, and requested authorization for the Chair to send a letter under both signatures.

ACTION: (A-3847) By unanimous consent, the letter will be sent.

63. INFORMATIONAL ITEM: Commissioner Abramowitz advised that the last time President Clinton was in Tamarac he invited him to play golf, and he hoped that when the summit is held that would be one of the attractions.

ACTION: (A-3873) No action taken.

64. DISCUSSION: Commissioner Cowan advised that Commissioner Rodstrom, who the Board

appointed to The Governor's Commission for a Sustainable South Florida, has requested that he be named the alternate and Commissioner Parrish be named as the delegate.

ACTION: (A-3913) By unanimous consent, a letter will be sent on this new configuration.

65. DISCUSSION: Commissioner Gunzburger commented that the site approval for the Homeless Shelter is on the City of Fort Lauderdale agenda, and asked the County Administrator for the status of that site.

ACTION: (A-3930) County Administrator B. Jack Osterholt advised the commissioners that there are two to three discussions each week with the City Manager and his staff on this issue.

66. DISCUSSION: Commissioner Cowan commented that the Florida Legislature created the opportunity for elections that have no candidates on the ballot to be held totally absentee or through the mail. The February 11, 1997 agenda will have an item relating to a decision to be made by the commissioners as to whether or not to hold the April 1, 1997 Bonaventure election in that manner or not. As a courtesy, he has notified Sunrise, Weston and Bonaventure of this issue. He stated that he will support what he thinks will enhance the voter turnout.

ACTION: (A-3983) No action taken.

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