

MEETING OF FEBRUARY 23, 1993

(Meeting convened at 10 a.m. and adjourned at 11:45 a.m.)

INVOCATION: Rabbi Michael Gold, Tamarac Jewish Center,

Temple Beth Torah, Tamarac gave the invocation.

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. A. MOTION TO APPROVE consent, subordination, attornment, and nondisturbance agreement between Broward County, Florida, Village Shoppes Associates Ltd., a Florida partnership, and PNS Stores Inc., a California corporation, and authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

B. MOTION TO APPROVE memorandum of consent, subordination, attornment, and nondisturbance agreement between Broward County, Florida, Village Shoppes Associates Ltd., a Florida partnership, and PNS Stores Inc., a California corporation, for the purpose of recording the consent, subordination, attornment, and nondisturbance agreement in the public records of Broward County, Florida, and authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

2. MOTION TO AUTHORIZE the Aviation Department to collect interim rentals from former sublessees of First University Investments Inc. located at North Perry Airport until such time as agreements of lease are negotiated with each sublessee.

ACTION: (A-209) (10:10 a.m.) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

3. MOTION TO RECLASSIFY Budget Position 06214 from a Computer Programmer I to a Computer Programmer II for the OES Administrative Services Section.

ACTION: (A-209) (10:10 a.m.) Approved.

ENVIRONMENTAL ENGINEERING DIVISION

4. MOTION TO APPROVE encroachment agreement between Florida Gas Transmission Company and Broward County for encroachment upon the right-of-way of Florida Gas Transmission Company along the Florida Turnpike at Hillsboro Boulevard for the Regional Water Supply Project; BCOES Project

1134.

ACTION: (A-209) (10:10 a.m.) Approved.

5. MOTION TO ADOPT Resolution 93-168 for Regional Water Supply - BCOES Project 1134, confirming wellsites, pipeline easements, and temporary easements necessary for condemnation and authorizing the County Attorney to proceed with condemnation; BCOES Project 1134.

ACTION: (A-209) (10:10 a.m.) Approved.

#### OFFICE OF INTEGRATED WASTE MANAGEMENT

6. MOTION TO APPROVE an interlocal agreement between Broward County and the City of Wilton Manors to deliver designated recyclable materials to the Palm Beach County Materials Recovery Facility and authorizing the Chair and Clerk to execute the same.

ACTION: (A-209) (10:10 a.m.) Approved.

#### OFFICE OF TRANSPORTATION

##### ENGINEERING DIVISION

7. MOTION TO APPROVE notice of termination of revocable license agreement between Broward County and Robert A. Sills and Beverly B. Sills; authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

8. MOTION TO APPROVE nonstandard road improvement agreement between Broward County and the city of Plantation; and to authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

9. MOTION TO ADOPT Resolution 93-169 accepting a warranty deed executed by Florida National Properties Inc. donating right-of-way for Sample Road and Northwest 110 Avenue in Section 17,

Township 48 South, Range 41 East.

ACTION: (A-209) (10:10 a.m.) Approved.

10. MOTION TO ADOPT Resolution 93-170 releasing certain Broward County road reservations contained in Deed Book 716, Page 370, of the Public Records of Broward County, Florida, affecting lands in Section 36, Township 49 South, Range 40 East; and authorize the Chair and the Clerk to execute and deliver a release of reservation.

ACTION: (A-209) (10:10 a.m.) Approved.

11. MOTION TO ADOPT Resolution 93-171 accepting a road easement executed by Ned W. Graham and Kay M. Graham, donating right-of-way for Northeast 54 Street/Southwest 15 Street in Section 12, Township 48 South, Range 42 East (15-Z-91).

ACTION: (A-209) (10:10 a.m.) Approved.

12. MOTION TO APPROVE easement agreement executed by Charles Rhodes and Bertha Rhodes in the amount of \$2,400 for the purchase of a parcel needed for a sidewalk, Parcel 4 and 4TCE, along Northwest 31 Avenue (Broward Boulevard - Northwest Fifth Court) Project 5106; authorize the Chair and the Clerk to execute easement agreement; and authorize acceptance and recordation of easement.

ACTION: (A-209) (10:10 a.m.) Approved.

13. MOTION TO APPROVE an easement agreement executed by Charles Holmes and Grace Holmes, in the amount of \$1,400 for the purchase of a parcel needed for a sidewalk, Parcel 16 and 16TCE; along Northwest 31 Avenue (Broward Boulevard - Northwest Fifth Court), Project 5106; authorize the Chair and the Clerk to execute easement agreement; and authorize the acceptance and recordation of deed.

ACTION: (A-209) (10:10 a.m.) Approved.

14. MOTION TO APPROVE contract for sale and purchase executed by Karen C. Roesler in the amount of \$38,900 for road right-of-way for Griffin Road Project 5067 (188 Avenue to I-75), Parcel 111 and 111TCE; authorize the Chair and the Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-209) (10:10 a.m.) Approved.

15. MOTION TO APPROVE contract for sale and purchase executed by Caranda Land Inc., a Florida corporation, and Milky Way Properties Inc., in the amount of \$10,000 for the purchase of road right-of-way for Broward Boulevard Project 5081, Parcels 6 and 6TCE; authorize the Chair and the Clerk to execute contract for sale and purchase; and authorize the acceptance and recordation of deed.

ACTION: (A-209) (10:10 a.m.) Approved.

16. MOTION TO APPROVE contract for sale and purchase executed by Julio Cardoso and Polly Cardoso in the amount of \$33,500, for the purchase of road right-of-way, Parcel 107, for Griffin Road (188 Avenue to I-75), Project 5067, authorize the Chair and the Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-209) (10:10 a.m.) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

17. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items below that were approved in prior years.

ACTION: (A-209) (10:10 a.m.) Approved.

1/21/92#59(33) Agreements to Boneventure

6/30/92#14Warranty Deed Central Park Place Partners

7/7/92#99 Plat-Carlton Estates-2

7/7/92#117 Agreement to place notation on plat- Hollywood Commercial

9/15/92 #41 Plat-Shalimar

9/15/92 #24 Fourth Amend. to Intergovernmental Agree. BC & Ft. Lauderdale

9/22/92 #28 Bus Shelter Agreement with city of Margate

9/6/92 #68A Emerg. Services Mutual Termination Agreement-Oakland Park for fire and EMS services never received it.

7/7/92 #55 Mental Health-School Board Agreement, runs out 6/10/93, never returned.

18. MOTION TO ADOPT Resolution 93-172 authorizing cancellation of warrants from Central Account, Southeast Bank, N.A. 303427447.

ACTION: (A-209) (10:10 a.m.) Approved.

#### PURCHASING DIVISION

Finance and Administrative Services Department

19. MOTION TO APPROVE additional fee for the upgrade of an existing software license for Platinum DB2 Performance Management Tools with PLATINUM Technology, in the amount of \$42,500 for the Office of Information Technology, due as a result of a recent upgrade to the CPU of the County's mainframe computer.

ACTION: (A-209) (10:10 a.m.) Approved.

20. A. MOTION TO AWARD fixed contract to NEC Business Communication System (Central), Inc., for design and installation of the Public Safety Building Digital Voice Communications System, RLI 110591-GF, in the amount of \$690,133, subject to receipt and acceptance of Insurance and Performance and Payment Guaranty, for the Office of Information Technology (OIT).

ACTION: (A-209) (10:10 a.m.) Approved.

B. MOTION TO APPROVE master purchase agreement with NEC Business Communication System (Central), Inc., for installation and maintenance of the Public Safety Building Digital Voice Communications System for the Office of Information Technology (OIT) and to authorize Chair and Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

21. MOTION TO REJECT all bids for Bid A-08-92-21-12, furnish and install fiber optic cable and components, for the Office of Information Technology.

ACTION: (A-209) (10:10 a.m.) Approved.

For Public Works Department

22. MOTION TO APPROVE release of retainage and final payment in the amount of \$50,065.62 of the HUD "Block Grant Funds" to Chaz Equipment Co., Inc. for the construction of the water system improvements in the Rock Island area under Contract M-10-91-16-OF; BCOES Project 8240.

ACTION: (A-209) (10:10 a.m.) Approved.

23. MOTION TO APPROVE release of retainage and final payment in the amount of \$26,199.16 to Coastal Utilities, Inc. for the construction of 3A/3B water distribution mains under Contract P-11-91-24-OF; BCOES Project 8214.

ACTION: (A-209) (10:10 a.m.) Approved.

24. MOTION TO APPROVE final payment and release of retainage in the amount of \$138,674.07 to Russell Inc., for the construction of Rock Island Road (McNab Road to Royal Palm Boulevard), Contract O-03-89-09-OF; Project 5024.

ACTION: (A-209) (10:10 a.m.) Approved.

## HUMAN SERVICES DEPARTMENT

### EMERGENCY SERVICES DIVISION

25. MOTION TO APPROVE an agreement between Broward County and Dennis Cassidy, as Conservator for Estate of Howard G. Messner relating to the issuance of building permits during the installation of fire wells, and to waive the security release fee; and authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

## COMMUNITY SERVICES DEPARTMENT

### BUILDING AND PERMITTING DIVISION

26. MOTION TO APPROVE agreement between Broward County and city of Tamarac relating to the disbursement of certain funds from the Tree Preservation Trust Account in the amount of \$39,634 and authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

### COMMUNITY DEVELOPMENT DIVISION

27. MOTION TO APPROVE a satisfaction of mortgage on a deferred payment loan in the amount of \$15,000 to Allean Johnson and authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

### MASS TRANSIT DIVISION

28. MOTION TO APPROVE an agreement between Broward County and the city of Sunrise to permit the city to wash its buses at the Mass Transit Division's Copans Road bus washing facility at a cost of \$10.00 per bus for one year effective upon execution of this agreement and authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

29. MOTION TO AUTHORIZE settlement of a claim filed by the Amalgamated Transit Union, Local 1267 compensating certain employees of the Mass Transit Division totalling approximately \$15,000.

ACTION: (A-209) (10:10 a.m.) Approved.

#### PARKS AND RECREATION DIVISION

30. MOTION TO APPROVE agreement between Broward County and the state of Florida Department of Natural Resources, Bureau of Land Management Services, for the interim management of a site (53 + acres) located in Broward County and referred to as Snake Warrior's Island by the County, and authorize the Chair and the Clerk to execute same.

ACTION: (A-209) (10:10 a.m.) Approved.

#### OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-209) (10:10 a.m.) Approved.

#### BOARD APPOINTMENTS

32. MOTION TO APPROVE reappointment of Thomas Dorsett to the Code Enforcement Board of Broward County. The appointment is for a three year term ending March 13, 1996. (Comm. Parrish)

ACTION: (A-209) (10:10 a.m.) Approved.

33. MOTION TO APPROVE the reappointment of Rocky Rodriguez to serve on the Alcohol & Drug Abuse Advisory Board. (Comm. Rodstrom)

ACTION: (A-209) (10:10 a.m.) Approved.

34. MOTION TO APPROVE appointment of Hazelle Rogers to the Parks and Recreation Advisory Committee replacing Jessie Guido. (Comm. Thompson)

ACTION: (A-209) (10:10 a.m.) Approved.

35. MOTION TO APPROVE appointment of Joseph J. Cartafalsa to the Drug Related Nuisance Abatement Board to replace Daniel Stallone whose term expires February 13, 1993. (Comm. Thompson)

ACTION: (A-209) (10:10 a.m.) Approved.

36. MOTION TO APPROVE the appointment of McKinley Williams II to serve on the Municipal Services Advisory Board. Mr. Williams will replace Mr. Timothy Cox. (Comm. Rodstrom)

ACTION: (A-209) (10:10 a.m.) Approved.

37. MOTION TO APPOINT Elaine Blattner to the Commission on the Status of Women. Ms. Blattner replaces Barbara Effman, who has been appointed to another board. (Comm. Cowan)

ACTION: (A-209) (10:10 a.m.) Approved.

#### REGULAR AGENDA

38. COUNTY ADMINISTRATOR'S REPORT - The County Administrator advised that the jail population is still below the cap. (See non agenda Item No. 58).

ACTION: (A-262) (10:12 a.m.) For informational purposes.

#### OFFICE OF PLANNING

39. DISCUSSION of Plat entitled "Runway Lakes I" - District 6, 017-UP-91. (Deferred from August 18, 1992.)

ACTION: (A-433) (10:18 a.m.) Approved plat subject to staff recommendations as outlined in the Development Review Report.

40. DISCUSSION of Plat entitled "Runway Lakes III" - District 6, 067-MP-91. (Deferred from August 18, 1992.)

ACTION: (A-455) (10:19 a.m.) Approved plat subject to staff recommendations as outlined in the Development Review Report.

#### AVIATION DEPARTMENT

41. A. MOTION TO ADOPT preliminary Resolution 93-173 amending the schedule of rates, fees and charges for Fort Lauderdale-Hollywood International Airport to revise the annual fee for curbside conveyor system and per use charge for ticket counter/FIDS/outbound conveyor system/curbside conveyor system, and to add a monthly fee for ground power system, and a per use charge for curbside conveyor system by deleting the existing Exhibit 39.A and replacing it with a new Exhibit 39.A.

ACTION: (A-464) (10:19 a.m.) Approved.

B. MOTION TO ADOPT Resolution 93-174 directing the County Administrator to publish a notice of public hearing to be held on March 9, 1993 at 2 p.m., to amend the schedule of rates, fees and charges to revise annual fee for curbside conveyor system and per use charge for ticket counter FIDS/outbound conveyor system/curbside conveyor system, and to add a month fee for ground power system, and a per use charge for curbside conveyor system for Fort Lauderdale-Hollywood International Airport.

ACTION: (A-464) (10:19 a.m.) Approved.

42. MOTION TO APPROVE the naming of the Crash Fire Rescue Bridge on Lee Wagener Boulevard at

Fort Lauderdale-Hollywood International Airport "Rogge Bridge" in honor of the retiring Airport Fire Chief, Earl Rogge.

ACTION: (A-471) (10:19 a.m.) Withdrawn at request of staff.

#### FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

43. MOTION TO ADOPT Resolution 93-175 of the Board of County Commissioners of Broward County, Florida approving the forms of and authorizing the execution and delivery of a second amendment and supplement to Trust Indenture (including the Bond described therein) and a second assignment, assumption and amendment agreement; authorizing the execution and delivery by the County as secured party of certain uniform commercial code financing statements and assignment thereof to the Trustee; and authorizing certain MOTION TO ADOPT Resolution 93-175 of the Board of County Commissioners of Broward County, Florida approving the forms of and authorizing the execution and delivery of a second amendment and supplement to Trust Indenture (including the Bond described therein) and a second assignment, assumption and amendment agreement; authorizing the executi

ACTION: (A-477) (10:19 a.m.) Approved.

#### PURCHASING DIVISION

For Public Works Department

44. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 76 with the Hardaway Company for Broward County WTP 1A/2A improvements at an increase of \$86,177 from \$29,007,723 to \$29,093,900 with no increase in time, for Contract P-10-89-05-OF, approval having been given under the emergency provisions of the Broward County Procurement Code; BCOES Projects 8085/8092.

ACTION: (A-481) (10:20 a.m.) Approved.

45. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 5 for Contract N-06-90-06-OF with W. Jackson & Sons Construction Co. for an increase of \$151,276.40 and an increase in time of fifteen calendar days which will increase the contract amount from \$7,023,885.28 to \$7,175,161.68 and contract time to 587 calendar days for the construction of Pine Island Road (S.R. 84 to West Sunrise Boulevard) Project 5051; approval having been given under the emergency provisions of the Broward County Procurement MOTION

ACTION: (A-530) (10:21 a.m.) Approved.

#### PUBLIC WORKS DEPARTMENT

46. MOTION TO AUTHORIZE Chair to execute and forward letter to the Florida Public Service Commission regarding statewide rate structure jurisdiction for water conservation and territorial dispute jurisdiction.

ACTION: (A-856) (10:33 a.m.) Approved.

#### OFFICE OF BUDGET AND MANAGEMENT POLICY

47. MOTION TO APPROVE travel for county employees on the list attached to the Agenda Report in accordance with Administrative Order 105.

ACTION: (A-865) (10:33 a.m.) Approved.

#### OFFICE OF URBAN AFFAIRS

48. MOTION TO ADOPT Resolution 93-176 of the Board of County Commissioners of Broward County, Florida deferring water capital recovery charges and wastewater capital recovery charges until application for service, as an incentive for the development of affordable housing projects.

ACTION: (A-882) (10:33 a.m.) Approved.

#### COUNTY ADMINISTRATOR

49. MOTION TO CONCEPTUALLY APPROVE the Boys and Girls Club Proposal to operate three youth centers.

ACTION: (A-908) (10:34 a.m.) Approved.

#### COUNTY COMMISSION

50. DISCUSSION: Update on Port Transition. (Chair)

ACTION: (A-1121) (10:42 a.m.) Phillip Allen, Director, Finance & Administrative Services Department reported that the County/Port Everglades progress toward the November, 1994 mandate is moving along smoothly. A meeting of the transition committee will be announced and advertised shortly.

51. A. DISCUSSION: Appointment procedures for selection of the HRS District Ten Health and Human Services Board. (Comm. Poitier)

ACTION: (A-1485) (10:53 a.m.) Board reviewed the selection procedure to be followed.

B. MOTION TO APPROVE appointments to the HRS District Ten Health and Human Services Board. (Comm. Poitier)

ACTION: (A-1485) (10:53 a.m.) The nominations made by each of the County Commissioners are as follows:

Kathleen Ireland (Commissioner Thompson); Valerie Jackson (Commissioner Cowan); James McKinley (Commissioner Poitier); Walter Morgan (Commissioner Rodstrom); Nan Rich (Commissioner Gunzburger); Rocky Rodriguez (Commissioner Hart); and Gloria Wetherington (Commissioner Parrish).

The five (5) nominations made by the Commission by majority vote are as follows: Jack Brewer; Irma Cohen; Kevin Cregan; Ann Platt; and Austin Tupler (see 2 p.m. Zoning Public Hearing dated February 23, 1993, agenda item No. 5.)

#### SUPPLEMENTAL AGENDA

## COUNTY COMMISSION

52. DISCUSSION: City of Dania resolution endorsing the siting and development of the Marine Education Center at Seafair.

(Comm. Thompson)

ACTION: (A-471) (10:19 a.m.) Deferred at the request of Commissioner Thompson.

## PUBLIC WORKS DEPARTMENT

### ENGINEERING DIVISION

53. MOTION TO APPROVE phasing agreement between Broward County and Nicholas F. Mormando, Christie Vitolo, Christine Vitolo, Crystal Lake Governmental Center, Ltd., and Rowan Construction Company, Inc.; and to authorize the Chair and Clerk to execute same. (Comm. Poitier)

REASON: To expedite the project.

ACTION: (A-2806) (11:35 a.m.) Approved.

## FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

### PURCHASING DIVISION

54. MOTION TO GRANT permission to the Purchasing Division to dispose of radio equipment declared surplus by the Accounting Division in accordance with applicable Florida State Statutes and the Purchasing Division Internal Control Handbook,

Chapter 6.

REASON: Auction is scheduled for February 27, 1993.

ACTION: (A-2817) (11:35 a.m.) Approved.

## NON AGENDA ITEMS

55. MOTION TO RATIFY the selection of Ronald Book, Esquire, as special counsel to Broward County for the Daniel Baker vs. Broward County claims bill.

ACTION: (A-2827) (11:36 a.m.) Approved.

56. PROCLAMATION: Commissioner Thompson read into the record a proclamation designating the week of February 21 through 28, 1993 as ANIMAL APPRECIATION WEEK in Broward County, Florida; urging all citizens to participate in activities designed to educate our residents in the responsible care and ownership of animals.

ACTION: (A-77) (10:05)a.m.) Tammy Shandhan with the Fort Lauderdale Pet Expo accepted and thanked the Commission for the proclamation.

57. PROCLAMATION FOR THE RECORD: Commissioner Poitier advised that a proclamation was presented, declaring February 21-22, 1993 as BEN BUDD WEEKEND in Broward County, Florida; asking all citizens to reflect the deeds and contributions of this dedicated public servant.

ACTION: (A-77) (10:05 a.m.) The proclamation was presented to the proper parties.

58. INFORMATIONAL ITEM: Commissioner Thompson referred to a memorandum he received under date of February 19, 1993 from State Attorney Norman R. Wolfinger on the subject of Legislative actions imposing state prisoner costs on counties.

ACTION: (A-268) (10:13 a.m.) County Administrator directed to pursue the economic details of this issue.

59. INFORMATIONAL ITEM: Commissioner Poitier referred to a dinner to be held by the Lloyd A. Lee Branch YMCA honoring Multi-Cultural Achievers in Broward County on Sunday, February 28, 1993 at 3 p.m. at the Greater Fort Lauderdale Broward County Convention Center.

ACTION: (A-3131) (11:44 a.m.) Commissioner Poitier advised she will be unable to attend because she will be in Washington, D.C. on that date. She asked that the Commissioners purchase a ticket and if they cannot attend, to send someone to the dinner to represent the County Commission.

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