

MEETING OF FEBRUARY 24, 1998

(Meeting convened at 10:00 a.m. and adjourned at 12:15 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE Amendment No. 1 to the Agreement between Broward County, Florida and USA Parking Associates III, a joint venture clarifying the payment for subcontracted bookkeeping services, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

2. A. MOTION TO APPROVE Terminal Building Lease Agreement between Broward County, Florida and World Technology Systems, LLC d/b/a Sunjet International Sales (Sunjet) for the lease and use of 478 square feet of operations space in Terminal Three at the Fort Lauderdale-Hollywood International Airport effective upon Board approval, and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

B. MOTION TO APPROVE field usage agreement between Broward County, Florida and World Technology Systems, LLC d/b/a Sunjet International Sales (Sunjet) at the Fort Lauderdale-Hollywood International Airport effective upon Board approval, and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

3. MOTION TO APPROVE contract for sale and purchase executed by John Henry Griffin and Margaret Griffin, his wife, in the amount of \$80,000 for right-of-way, NW 6th Street (NW 31st Avenue to NW 27th Avenue), Project No. 5075, Parcel 33; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-30) Approved.

4. MOTION TO APPROVE contract for sale and purchase executed by Willie Mae Roberts in the amount of \$71,000 for the purchase of Parcel 26, Sistrunk Boulevard Project No. 5075; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-30) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

5. MOTION TO APPROVE developer's agreement between the County and John Kolich and Suzanne Kolich, providing for utility installations by the developer at an estimated installation cost of \$14,233 (at no cost to the County) to furnish water and wastewater services, and authorize the Chair and Clerk to execute same. (BCOES Project No. 8758)

ACTION: (A-30) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

6. MOTION TO FILE Comprehensive Annual Financial Report for the Board of County Commissioners for the Fiscal Year ended September 30, 1997 pursuant to Florida Statute 11.45.

ACTION: (A-30) Approved.

COUNTY RECORDS DIVISION

7. MOTION TO APPROVE First Amendment to Agreement between Broward County and NewVision Systems Corporation for system development and integration services to reduce surety and to allow for an Irrevocable Letter of Credit, and authorize the Chair and Clerk to execute same. (Deferred from February 17, 1998)

ACTION: (A-30) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

8. MOTION TO APPROVE agreements among Broward County and Allan A Kozich & Associates; All State Engineering & Testing Consultations, Inc.; Ambient Technologies, Inc.; Aqua Terra, Inc.; Ardaman & Associates, Inc.; ATC Associates, Inc.; Atlanta Testing & Engineering, Inc.; Eastcoast Testing & Engineering, Inc.; Envirodyne, Inc.; Federal Engineering & Testing, Inc.; Florida Engineering & Testing, Inc.; Geoverse, Inc.; GFA International; GLE Associates, Inc.; Grace & Naeem Uddin, Inc.; High Tech Engineering, Inc.; Intercounty Laboratories, Inc.; Keith and Schnars PA; Law Engineering & Environmental Service, Inc.; Municipal Testing Laboratory, Inc.; Nutting Engineers of Florida, Inc.; PI Environmental Inc.; Precision Environmental Laboratory, Inc.; Precision Testing, Inc.; Professional Engineering & Inspection Company, Inc. (PEICO); REP Associates, Inc.; Spectrum Laboratories, Inc.; and Wingerter Laboratories, Inc. for inclusion into a rotating list

of firms to provide professional engineering testing services with a beginning date of April 1, 1998 and ending March 31, 2003, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

For Department of Natural Resource Protection

9. MOTION TO REJECT single bid from Forestry Resources Vegetation Management, Inc. for the Hollywood Dune Project (Bid No. N-06-97-08-CF) in the amount of \$324,206 for the Department of Natural Resource Protection.

ACTION: (A-30) Approved.

REVENUE COLLECTION DIVISION

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

ACTION: (A-30) Approved.

HUMAN SERVICES DEPARTMENT

BUREAU OF CHILDREN AND FAMILY SERVICES DIVISION

11. MOTION TO APPROVE grant application to the State of Florida Department of Community Affairs in the amount of \$640,776 for the Low Income Home Energy Assistance Program of Broward County's Community Action Agency from April 1, 1998 through March 31, 1999, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation. (No County match required)

ACTION: (A-30) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

12. MOTION TO APPROVE Amendment No. 1 to Agreement between Broward County and Artserve, Inc. for the Broward Cultural Affairs' Cooperative Marketing program to increase the contract amount by \$66,500 for a total of \$266,500.00, with no change in the term of the agreement, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

LIBRARIES DIVISION

13. MOTION TO FILE unaudited annual financial statement submitted by the Friends of the Broward County Library, Inc. for the period October 1, 1996 to September 30, 1997 as provided for in the second amendment to the revocable license agreement between Broward County and the Friends of the Broward County Library, Inc. for placement of photocopy machines in libraries.

ACTION: (A-30) Approved, as corrected.

PARKS AND RECREATION DIVISION

14. MOTION TO ADOPT RESOLUTION 1998-83 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of three computer systems from Horses and the Handicapped of South Florida, Inc. for the use and benefit of the Parks and Recreation Division's North District, authorizing the County Administrator to take all administrative actions to implement same and providing for an effective date.

ACTION: (A-30) Approved.

15. MOTION TO ADOPT Resolution 1998-84 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation of \$7,000 to the Friends of the Parks and Recreation Division Trust Fund from The South Florida Presidents Council of Motorcycle Clubs and Organizations; authorizing the County Administrator to take all administrative actions to implement same

ACTION: (A-30) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

16. MOTION TO APPROVE agreement between the Florida Department of Environmental Protection and Broward County in the amount of \$25,000 for the purpose of constructing an artificial reef; and authorize the Chair and Clerk to execute same for the Biological Resources Division of Department of Natural Resource Protection (DNRP).

ACTION: (A-30) Approved.

PORT EVERGLADES DEPARTMENT

17. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida, and Hampton Jitney, Inc.d/b/a Happy Trails , in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration date of December 31, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

18. MOTION TO APPROVE Port Everglades Motor Vehicle Rental Service Business Permit between Broward County, Florida, and Alamo Rent A Car, Inc., in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration date of December 31, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

19. A. MOTION TO APPROVE agreement between Broward County and Whitbread Race Americas, Inc., a not-for-profit corporation, to use +/- 4.3 acres of land at Port Everglades as the site of the South Florida stopover of the Whitbread Round the World Race 1998 at no charge, pursuant to Broward County Administrative Code Section 32.6.d; and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

B. MOTION TO ADOPT Resolution 1998-85 providing for waiver of all marine service fees including dockage and harbormaster fees, for all participants in the Whitbread Round the World Race 1998, in an amount not to exceed \$50,000.00; providing for severability; and providing for an effective date.

ACTION: (A-30) Approved.

C. MOTION TO APPROVE First Amendment to License Agreement between Broward County and Water Taxi of Fort Lauderdale, Inc. to provide water taxi service to the Whitbread Race premises at Port Everglades, and authorize the Chair and Clerk to execute same.

ACTION: (A-30) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

20. MOTION TO APPROVE business travel for County employees in accordance with Administrative Order 105.

ACTION: (A-30) Approved.

21. MOTION TO ADOPT budget Resolution 1998-86 transferring funds within the General Fund in the amount of \$29,958 from the Reserve for judicial costs for court administration for the purpose of funding Strike Force Project per diem costs.

ACTION: (A-30) Approved.

22. MOTION TO ADOPT unanticipated revenue Resolution 1998-87 within the Law Enforcement Trust Fund in the amount of \$738,835 to provide funding for the grant match for 16 Broward Sheriff Office (BSO) grant programs for drug and crime prevention programs receiving funding from the Florida Department of Community Affairs.

ACTION: (A-30) Approved.

COUNTY COMMISSION

23. MOTION TO FILE Resolution No. 7305 adopted by the City Council of the City of Plantation pertaining to New Hiatus Road; requesting that Broward County consider transportation corridor design techniques which buffer, as much as possible, residential property along and adjacent to New Hiatus Road's east right-of-way boundary; providing findings; providing directions to City Clerk; and providing an effective date. (Chair)

ACTION: (A-30) Approved.

REGULAR AGENDA

10 A.M. PUBLIC HEARING

24. MOTION TO ADOPT Resolution 1998-88 authorizing the exchange of County real property for real property owned by Broward County Youth Fair, Inc. in accordance with the provisions of Section 125.37, Florida Statutes, and to approve Contract for Exchange and Donation of Real Property executed by Broward County Youth Fair, Inc.; authorizing the Chair and Clerk to execute same, and authorizing acceptance and recordation of deeds to the County. (Continued from February 17, 1998)

ACTION: (A-58) Approved, contingent upon the County Attorney determining that the County has a

clear title by 2:00 p.m., on Monday, March 2, 1998. If a clear title is not obtained, the County Commission's sponsorship of the Land Use Plan Amendment will be withdrawn from the March 3, 1998 agenda.

END OF PUBLIC HEARING

25. **COUNTY ADMINISTRATOR'S REPORT** - The County Administrator said that he would like to recognize Commissioner Parrish and Commissioner Abramowitz who were honored Saturday evening, February 21, 1998, at the Jefferson/Jackson dinner.

The jail report of February 23, 1998 was submitted for the record that today's jail population is 4085 which is 349 over the cap.

ACTION: (A-796) No Board action necessary.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

26. MOTION TO ADOPT Resolution 1998-89 of the Board of County Commissioners of Broward County, Florida, authorizing the holding of a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, in connection with a plan of financing or refinancing for certain projects for port purposes, including the issuance of the County's Port Facilities Revenue Bonds not exceeding \$85,000,000

in one or more series; delegating to the Director of Finance and Administrative Services Department the responsibility of holding such hearing; and providing an effective date.

ACTION: (A-819) Approved.

27. A. MOTION TO ADOPT budget Resolution 1998-90 transferring \$74,726,000 within Port Everglades Capital Fund 471. This project substitution is being done to allow for quicker reimbursement from the Florida Ports Financing Commission Bond Program.

ACTION: (A-834) Approved.

B. MOTION TO ADOPT budget Resolution 1998-91 transferring \$74,726,000 within Port Everglades Capital Fund 472. This project substitution is being done to allow for quicker reimbursement from the Florida Ports Financing Commission Bond Program.

ACTION: (A-834) Approved.

28. A. MOTION TO APPROVE AND EXECUTE agreement of Resignation, Appointment, and Assignment among Broward County, NationsBank of Florida, N.A. (the prior trustee), and the Bank of New York (the successor trustee) for Trustee, Paying Agent, and Registrar services associated with the Series 1991 Certificates of Participation.

ACTION: (A-834) Approved.

B. MOTION TO APPROVE AND EXECUTE agreement of Resignation, Appointment, and Assignment among Broward County, NationsBank of Florida, N.A. (the prior trustee), and the Bank of New York (the successor trustee) for Trustee, Paying Agent, and Registrar services associated with the Series 1994 Certificates of Participation.

ACTION: (A-834) Approved.

HUMAN RESOURCES DIVISION

29. MOTION TO APPROVE collective bargaining agreement between Broward County and the Amalgamated Transit Union (ATU) Local 1591, and authorize the Chair and Clerk to execute same.

ACTION: (A-842) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-851) Approved, as amended.

OFFICE OF PUBLIC AND EXTERNAL AFFAIRS

31. DISCUSSION: Homeless Tax proposal for the 1998 Legislative Program. (Deferred from February 17, 1998) (Additional agenda material forthcoming)

ACTION: (A-986) Board supports a gas tax option; but delayed any action on a Food and Beverage tax alternate proposal until they hear from the Board of Restaurant Associations as to their support of a gas tax.

32. MOTION TO ADOPT Resolution 1998-92 supporting an appropriations request for State funding for the Riverland Woods Park Project.

ACTION: (A-862) Approved.

COUNTY ATTORNEY

33. MOTION TO REQUEST Shade Meeting in order to receive advice concerning the matter of Port Everglades Authority v. Markham, Fourth District Court of Appeal Case No. 94-02872.

ACTION: (A-663) Board scheduled the Shade Meeting for Tuesday, March 3, 1998.

34. A. MOTION TO APPROVE Offer of Judgment in Auto Cargo, Inc. v. Broward County, United States District Court, Southern District of Florida Case No. 97- 6960.

ACTION: (A-877) Approved.

B. MOTION TO ADOPT Resolution 1998-93 of the Board of County Commissioners of Broward County, Florida, amending Port Everglades Tariff No. 11, attached as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code; providing for a decrease in rates for the vehicle examination facility; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-877) Approved, with an effective date of March 1, 1998.

35. A. MOTION TO ACCEPT settlement offers in the following matters:

Broward County v. Polymatrix Services, Inc., Broward County Court Case No. 97-19864.

Broward County v. Anchor Petroleum, Inc., Broward County Court Case No. 97-19884.

Broward County v. Western Cement, Inc., Broward County Court Case No. 97-19861.

Broward County v. Federal-Mogul Corp., Broward Circuit Court Case No. 97-16954. Image Duty Free Services, Inc.

ACTION: (A-885) Approved.

B. MOTION TO REJECT settlement offers in the following matters:

Broward County v. McKenzie Tank Lines, Inc., Broward Circuit Court Case No. 97-16959.

Broward County v. Rapid Air & Ocean, Inc., Broward County Court Case No. 97-19905.

ACTION: (A-885) Approved.

COUNTY COMMISSION

36. MOTION TO ADOPT Resolution 1998-94 adding the name of Norm Clyde Avenue to the street signs on SW 62nd Avenue between SW 17th Street and SW 19th Street in Unincorporated Area of

Broward County. (Deferred from February 17, 1998) (Commissioner Lieberman)

ACTION: (A-896) Approved.

37. MOTION TO APPOINT contact person for Broward County's participation in Local Update of Census Addresses Program, United States Census 2000. (Chair)

ACTION: (A-906) At the County Administrator's recommendation, the Board appointed Michael Wanchick, Director, Strategic Planning & Growth Management Department, as the contact person.

38. MOTION TO ADOPT Resolution 1998-95 expressing support for Preservation 2000 and for the establishment of "Forever Florida" as successor to Preservation 2000. (Chair)

ACTION: (A-959) Approved.

(NOTE: Resolutions addressing the Commission's directives regarding Article V will be submitted as part of the Supplemental Agenda.)

SUPPLEMENTAL AGENDA

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

39. MOTION TO ADOPT Resolution 1998-96 of the Board of County Commissioners of Broward County, Florida approving the form of a Line of Credit Agreement between the Housing Finance Authority of Broward County, Florida and a Line of Credit Provider selected by the Housing Finance Authority of Broward County, Florida for the Single Family Mortgage Programs, and providing for an effective date.

ACTION: (A-964) Approved.

REASON FOR SUPPLEMENTAL: The County Commission needs to approve the actions necessary to accomplish the refunding prior to March 1, 1998.

40. MOTION TO ADOPT Resolution 1998-97 of the Board of County Commissioners of Broward County, Florida relating to the Government National Mortgage Association (GNMA) Collateralized Home Mortgage Revenue Bonds, 1987 Series A, B, and C; authorizing modification of certain mortgage loans and GNMA Certificates securing such Bonds; authorizing execution and delivery of a GNMA Purchase Agreement in connection with such GNMA Certificates; authorizing execution and delivery of a GNMA Modification Agreement ; authorizing execution and delivery of a Unilateral Note Modification agreement; authorizing execution and delivery of an Escrow Deposit Agreement; authorizing other action in connection with such Agreement; and providing for an effective date.

ACTION: (A-970) Approved.

REASON FOR SUPPLEMENTAL: The County Commission needs to approve the actions necessary to accomplish the refunding prior to March 1, 1998.

OFFICE OF PUBLIC AND EXTERNAL AFFAIRS

41. A. MOTION TO ADOPT Resolution 1998-98 authorizing the expenditure of county funds for payment to the Floridians for Fairness in Court Funding Political Committee to provide an education and information campaign relating to a proposed amendment to Article V of the Florida Constitution; providing legislative findings; and providing an effective date.

ACTION: (A-2207) Approved.

B. MOTION TO ADOPT budget Resolution 1998-99 within the General Fund transferring \$306,330 Commission Reserve for a payment to the Floridians for Fairness in Court Funding for The Article V educational campaign.

ACTION: (A-2207) Approved.

C. MOTION TO ADOPT Resolution authorizing the expenditure of county funds for payment to the Floridians for Fairness in Court Funding Political Committee for expenses relating to the collection of signatures necessary for an initiative petition process to place an amendment to Article V of the Florida Constitution on the November 1998, General Election ballot; providing legislative findings; and providing an effective date.

ACTION: (A-2207) Not Approved.

D. MOTION TO ADOPT budget Resolution within the General Fund transferring \$69,578 Commission Reserve for a payment to the Floridians for Fairness in Court Funding for The Article V petition drive.

ACTION: (A-2207) Not Approved.

REASON FOR SUPPLEMENTAL: The Commission conceptually agreed to participate in this initiative at the February 10, 1998 meeting, directing staff to provide a budget analysis. On February 17, 1998, the Board asked staff to prepare two budget Resolutions regarding the Article V campaign for their consideration.

COUNTY COMMISSION

42. DISCUSSION: Support for the Broward County Community Action Board's request for non-profit status. (Commissioner Poitier)

ACTION: (A-2618) Approved, as amended.

NON AGENDA ITEMS

43. 50TH BIRTHDAY OF ISRAEL: On behalf of the County Commission, Commissioner Parrish acclaimed the commendable job Commissioner Abramowitz, Honorary Chair of the event, did at the kickoff event on Monday, February 23, 1998 at the Broward County Convention Center.

ACTION: (A-762) For informational purposes.

44. LEGISLATIVE ISSUE: Commissioner Parrish brought up the issue of a Resolution passed by the Florida Association of Counties' Board of Directors to the National Association of Counties asking them to oppose HR 1534.

ACTION: (A-2576) Board advised that the County Commission will maintain their position to oppose this legislation.

45. CANCELLATION OF MEETING: Board cancelled Commission meeting of March 10, 1998 to be rescheduled to a date to be announced at the County Administrator's discretion.

ACTION: (A-3129) Informational item.

46. SOUTHWEST REGIONAL PUBLIC SERVICES COMPLEX: Reconsider Miramar and Pasadena Estates and other sites for the complex.

ACTION: (A-3359) This item scheduled for the meeting of March 3, 1998.

47. BROWARD INTERIM CONTINGENCY LANDFILL: The issue of the continuing use of the landfill by the City of Hallandale will be placed on Resource Recovery Board meeting agenda of March 20, 1998. Commissioner Parrish asked that none of the members of the County Commission who sit on this Board take a position that is adverse to the position of the Board of County Commissioners on this issue.

ACTION: (A-3566) Commissioner Cowan will be appointed to the Resource Recovery Board at the County Commission Meeting of March 3, 1998 effective April 1, 1998. Commissioner Poitier resigned from the Resource Recovery Board and Commissioner Parrish was appointed to fill the remainder of Commissioner Poitier's term.

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