

MEETING OF FEBRUARY 25, 1997

(The meeting convened at 10:00 a.m., recessed at 2:15 p.m.; reconvened at 2:45 p.m. and adjourned at 3:40 p.m.)

PLEDGE OF ALLEGIANCE was led by the Chair.

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE consent to change in ownership of National Car Rental System, Inc. at the Fort Lauderdale-Hollywood International Airport for the following agreements: (1) Lease Agreement dated July 9, 1985 for 4.73 acres; (2) Rental Car Concession Agreement dated August 8, 1995; and (3) Agreement of Lease dated December 17, 1996 for three acres, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

2. MOTION TO APPROVE interstate ground transportation permit between Broward County, Florida and Anyplace, Anytime Transportation and Taxi Service, Inc. for pre-arranged ground transportation at the Fort Lauderdale-Hollywood International Airport effective upon Board approval with an expiration date of September 30, 1997 and month to month thereafter, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

3. MOTION TO APPROVE Terminal Services Permit between Broward County and Delta Air Lines, Inc. at the Fort Lauderdale-Hollywood International Airport effective upon Board approval, with an expiration date of September 30, 1997 and year to year thereafter with a 30-day clause by either party, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

4. MOTION TO ADOPT Resolution 97-130 authorizing conveyance of a non-exclusive easement in Section 10, Township 49, Range 42 to Cypress Creek Associates Limited Partnership; and authorizing Chair and Clerk to execute and deliver said County Deed. BCOES Project No. 8671-Cypress Creek Station-Phase 1

ACTION: (A1-476) Approved.

FISCAL OPERATIONS DIVISION

5. MOTION TO APPROVE AND EXECUTE satisfactions of claim of lien to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A1-476) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

6. MOTION TO ADOPT Resolution 97-131 concerning Runway Protection Zone and access related to the Trails End FFL Airport Plat (Plat 5) (061-MP-94).

ACTION: (A1-476) Approved.

7. MOTION TO APPROVE amendment to roadway improvement phasing agreement between Broward County and Paradise/BVT Coquina Associates related to the Coquina Flats Plat (023-UP-93); and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

8. A. MOTION TO ADOPT Resolution 97-132 accepting a warranty deed executed by City National Bank of Florida, donating right-of-way for McNab Road and SW 81st Avenue in Section 11, Township 49 South, Range 41 East.

ACTION: (A1-476) Approved.

B. MOTION TO ADOPT Resolution 97-133 accepting an access easement executed by City National Bank of Florida, donating right-of-way for McNab Road in Section 11, Township 49 South, Range 41 East.

ACTION: (A1-476) Approved.

9. MOTION TO ADOPT Resolution 97-134 accepting a warranty deed executed by Equitable Life Assurance Society of the United States, donating right-of-way for Weston Road in Section 20, Township 50 South, Range 40 East.

ACTION: (A1-476) Approved.

10. MOTION TO ADOPT Resolution 97-135 accepting a road easement executed by His Caring Place, Inc. donating right-of-way for NW 74th Place in Section 31, Township 47, Range 42 East.

ACTION: (A1-476) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

11. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission meetings of December 17, 1996 and January 14, 1997; and minutes of the 2:00 p.m. Public Hearing of January 14, 1997.

ACTION: (A1-476) Approved.

PURCHASING DIVISION

For Aviation Department

12. MOTION TO AWARD open end contract to low, responsive, responsible bidder, Nutting Engineers of Florida, Inc. for engineering laboratory testing services for Fort Lauderdale/Hollywood Airport Expansion Program (L1076-96) in the approximate amount of \$543,346.40, for the Aviation Division for a two-year period, and authorize the Purchasing Director to renew the contract for one two-year period. The initial contract period shall start February 25, 1997 and shall terminate on February 24, 1999.

ACTION: (A1-476) Approved.

13. MOTION TO APPROVE Work Authorization No. 1 in accordance with the agreement of August 23, 1994 between Broward County and Rust Environment & Infrastructure, Inc. from the Library of Environmental Services to provide pre- demolition asbestos removal for Buildings 2, 15 and 23 at Fort Lauderdale/Hollywood International Airport for an amount not to exceed \$249,960.09, in accordance with the agreement, and a time period of 136 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Withdrawn for further staff review.

For Community Services Department

14. MOTION TO REJECT all bids for No. H-10-96-13-CF, Pompano Beach Highlands Community Center site improvements for the Parks and Recreation Division.

ACTION: (A1-476) Approved.

For Finance and Administration Services Department

15. MOTION TO ADD following vendors to the qualified bidders list for board-up, demolition, and pool fill-ins of various abandoned buildings, structures, and pools in Broward County (Bid No. P-07-96-07-12). Dennis Druck General Contractor; J.J.R. Construction; Richard Jones Construction, for the period February 25, 1997 through November 27, 1997, for the Aviation Department and the Building and Permitting Division.

ACTION: (A1-476) Approved.

For Human Services Department

16. MOTION TO AWARD fixed contract to the first ranked design\build firm, Candas Construction, Inc. for the design and construction of the Northwest Federated Woman's Club Senior and Adult Day Care Center, in the amount of \$1,055,017 plus an allowance of \$70,000 for a complete fire suppression system, an allowance of \$8,625 for resurfacing the existing Woman's Club parking lot, and an allowance of \$7,500 for signage, for a total of \$1,141,142 for the Construction Management Division subject to receipt and acceptance of performance and payment guaranty, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

For Port Everglades Department

17. MOTION TO AWARD fixed contract to low responsive/responsible bidder, Rick Bennett, Inc. for exterior painting and water proofing of Northport Parking Garage at Port Everglades (Bid No. H-07-96-01-OF), for the base bid for the total bid amount of \$248,000 for the Port Everglades Department, subject to receipt and acceptance of insurance/performance and payment guarantee.

ACTION: (A1-476) Approved.

For Public Works Department

18. MOTION TO APPROVE Work Authorization No. 9511 in accordance with the agreement of September 12, 1995, between Broward County and Montgomery Watson Americas, Inc. to provide professional engineering services for the purpose of survey for new water mains at Lighthouse Point, for an amount not to exceed \$82,605 and a time period of 90 calendar days, and authorize the Chair and Clerk to execute same. BCOES Project Number 9511 - Survey for new water mains at Lighthouse Point.

ACTION: (A1-476) Approved with correction to the Work Authorization, per the Commission Auditor.

19. A. MOTION TO APPROVE agreement between Broward County and WPLG-TV 10 for recycling public awareness, and authorize the Chair and Clerk to execute same.

ACTION: (A-523) Approved, subject to approval by the Resource Recovery Board on Friday, February 28, 1997.

B. MOTION TO APPROVE Work Authorization No. 1 between Broward County and WPLG-TV 10 for an initial public awareness campaign, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved, subject to approval by the Resource Recovery Board on Friday, February 28, 1997.

HUMAN SERVICES DEPARTMENT

ALCOHOL & DRUG ABUSE SERVICES DIVISION

20. MOTION TO APPROVE agreement between Broward County and United Way of Broward County, Commission on Substance Abuse, from October 1, 1996 to September 30, 1997 in the total amount of \$93,362 (Federal funds \$70,021 - United Way match \$23,341; no County funding) regarding administrative support to the Broward County Commission on Substance Abuse and its Substance Abuse Policy Board, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

BUREAU OF CHILDREN & FAMILY SERVICES

21. MOTION TO APPROVE Subcontract 97-SS-01 between Broward County and The State of Florida, Department of Labor and Employment Security, Division of Jobs and Benefits from December 1, 1996 to September 30, 1997 in the amount of \$78,254 for the purpose of providing employment services to Cuban/Haitian Entrants and Refugees, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

ELDERLY AND VETERANS SERVICES DIVISION

22. MOTION TO APPROVE entry into non-financial referral agreements with for-profit organizations providing services under the Home Care for the Elderly Program from February 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: (A1-476) Approved.

23. MOTION TO APPROVE agreement between Broward County and Dr. Angel Estevez from December 1, 1996 to June 30, 1997 in the amount of \$47,500 for the purpose of providing psychiatric services for Elderly and Veterans Services Division's Mental Health clients, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

HEALTH CARE MANAGEMENT

24. MOTION TO ADOPT unanticipated revenue Resolution 97-136 in the amount of \$4,931,141 under the Ryan White Title I, CARE Act Fiscal Year 1997 Formula Grant Fund, and authorize County Administrator to take the necessary administrative and budgetary actions for implementation. The Board of County Commissioners approved the application for this grant on November 5, 1996, however, the award was for an additional \$816,740.

ACTION: (A1-476) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

25. MOTION TO APPROVE agreement between Broward County and Cindy Quashie in the amount of \$9,850 for the purpose of conducting a literary arts program as part of the Broward Cultural Affairs Division Arts Education Program from the date of execution by the County through July 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

26. MOTION TO APPROVE grant application to the State of Florida Division of Cultural Affairs in the amount of \$30,000 for the purpose of developing and implementing school-based public art and design curriculum as part of the Broward County Arts in Education program from September 1, 1997 through August 31, 1998, authorize the Chair and Clerk to execute the grant, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. (Local cash match of \$10,400 and in-kind match of \$4,600)

ACTION: (A1-476) Approved.

EMERGENCY MANAGEMENT DIVISION

27. MOTION TO APPROVE agreement between Broward County and the State of Florida, Department of Community Affairs in the amount of \$230,020 for the performance of emergency management activities from October 1, 1996 through September 30, 1997, and authorize the Chair and Clerk to execute same. (County in-kind match is \$115,010)

ACTION: (A1-476) Approved.

28. MOTION TO APPROVE amendment to agreement between the State of Florida and Broward County for a cooperative program to develop local hazardous material data base, to add provisions for consistency with the Immigration and Nationality Act with no change in amount or term of original agreement, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

LIBRARIES DIVISION

29. MOTION TO ADOPT Resolution 97-137 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a 1997 Chevrolet Astro Van from SEFLIN (Southeast Florida Library Information Network), Inc. for the use and benefit of the Broward County Libraries Division; authorizing the County Administrator to take all administrative actions to implement same; providing for severability; and providing for an effective date.

ACTION: (A1-476) Approved.

MASS TRANSIT DIVISION

30. A. MOTION TO ADOPT budget Resolution 97-138 transferring within the General Fund the amount of \$47,840 from the Commission Reserve for additional security at the Broward Terminal.

ACTION: (A1-476) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 97-139 within the operating fund (450) for the Mass Transit Division in the amount of \$47,840 for additional security at the Broward Terminal.

ACTION: (A1-476) Approved.

31. A. MOTION TO APPROVE agreement between Broward County and the Town of Davie in the amount of \$21,000 for community shuttle service from March 1, 1997 through September 30, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

B. MOTION TO ADOPT budget Resolution 97-140 transferring within the General Fund the amount of \$21,000 from the Commission Reserve for the interlocal agreement operating subsidy.

ACTION: (A1-476) Approved.

C. MOTION TO ADOPT unanticipated revenue Resolution 97-141 within the operating fund (450) for the Mass Transit Division in the amount of \$21,000 for the interlocal agreement operating subsidy.

ACTION: (A1-476) Approved.

PARKS AND RECREATION DIVISION

32. MOTION TO APPROVE interlocal agreement between Broward County and the City of Hollywood relating to eco-educational boat tours in West Lake Park for a five-year term, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

33. MOTION TO APPROVE non-financial agreement between Broward County and K2 Project, Inc. for design, construction, and operation of a recreation building at Windmill Ranch Park for a 20-year term, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Deferred until further notice at the request of the City of Weston.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

BIOLOGICAL RESOURCES DIVISION

34. MOTION TO APPROVE agreement between Broward County and Olsen and Associates, Inc. to provide a Feasibility Study of Structural Stabilization of Beach Fill in Broward County in the amount of \$150,000.00, with a time of performance of seven months, and authorize the Chair and Clerk to execute same for the Biological Resources Division.

ACTION: (A1-476) Approved.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

35. MOTION TO APPROVE fourth amendment to agreement between Broward County and the Dania Economic Development Corporation to increase the funding by \$300,000 for new multifamily construction for a total HOME allocation amount of \$648,600 and a 12-month extension from February 28, 1997 to February 28, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

36. MOTION TO APPROVE second amendment to agreement between Broward County and the Broward County Housing Authority for the Tenant Based Rental Assistance Program extending the term from February 28, 1997 to February 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

PORT EVERGLADES DEPARTMENT

37. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and Care-Free Travel Enterprise, Inc. d/b/a Care-Free Travelers, First Class Coach Company, Inc. and Limousines of South Florida, 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: (A1-476) Approved.

38. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Fillette, Green & Co., Inc. for Suite No. 314 in Building 611 at Port Everglades, consisting of 160 square feet, for the period of March 1, 1997 through February 28, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

39. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Sunshine Shipping, Inc. for Suite No. 4 in Building 611 at Port Everglades, consisting of 500 square feet, for the period of March 1, 1997 through February 28, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

40. MOTION TO APPROVE renewal of a lease agreement between Broward County and Minnesota Mining and Manufacturing Company for 2,958 square feet of warehouse space in Building "E", Bay 14, in Foreign Trade Zone No. 25 at Port Everglades, for the period of March 1, 1997 through February 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

41. MOTION TO APPROVE first amendment to agreement between Broward County and G.F.C. Crane Consultants, Inc. to provide detailed structural inspections for all five Rail Mounted Container Gantry Cranes and to increase the billing rates for the contractor's sub-contractor/mechanics, and authorize the Chair and Clerk to execute same.

ACTION: (A1-476) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A1-476) Approved.

43. MOTION TO ADOPT budget Resolution 97-142 transferring funds within the General Fund in the amount of \$12,820 from the Commission Reserve for the Clerk of Courts for the purpose of funding one new position in the Juvenile Division.

ACTION: (A1-476) Approved.

44. MOTION TO ADOPT unanticipated revenue Resolution 97-143 within the Law Enforcement Trust Fund in the amount of \$90,001 to provide funding for drug and crime prevention programs and new equipment.

ACTION: (A1-476) Approved.

COUNTY ADMINISTRATOR

45. A. MOTION TO APPROVE license agreement between Broward County and All County Traffic School, Inc. for Pilot Project relating to the installation of dedicated telephones in County Courthouses to aide in the disposition of traffic court citations.

ACTION: (A1-476) Approved.

B. MOTION TO APPROVE license agreement between Broward County and Metro Traffic School, Inc. for Pilot Project relating to the installation of dedicated telephones in County Courthouses to aide in the disposition of traffic court citations.

ACTION: (A1-476) Approved.

C. MOTION TO APPROVE license agreement between Broward County and AAmerican Driver

Improvement Schools, Inc. for Pilot Project relating to the installation of dedicated telephones in County Courthouses to aide in the disposition of traffic court citations.

ACTION: (A1-476) Approved.

D. MOTION TO APPROVE license agreement between Broward County and *100 Florida Locations* Driver Improvement Schools, Inc. for Pilot Project relating to the installation of dedicated telephones in County Courthouses to aide in the disposition of traffic court citations.

ACTION: (A1-476) Approved.

BOARD APPOINTMENTS

46. MOTION TO APPROVE appointment of Dr. V. Matthew Rao to the Elderly and Veterans Services Advisory Board. (Commissioner Abramowitz)

ACTION: (A1-476) Approved.

47. MOTION TO APPROVE appointment of James W. Waldman to the Natural Resource Protection Advisory Board. (Commissioner Abramowitz)

ACTION: (A1-476) Approved.

48. MOTION TO APPROVE appointment of James Karas to the Marine Advisory Board. Mr. Karas will fill an existing vacancy created by the resignation of Bob Bekoff. (Commissioner Parrish)

ACTION: (A1-476) Approved.

REQUEST TO SET FOR PUBLIC HEARING

49. MOTION TO ADOPT Resolution 97-144 directing the County Administrator to publish notice of public hearing to be held on Tuesday, March 11, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ESTABLISHING AND CREATING A COMMUNITY ACTION AGENCY TRUST FUND; ESTABLISHING THE TERM OF EXISTENCE OF THE TRUST FUND; DEFINING THE TRUST ASSETS; PROVIDING FOR ACCEPTANCE OF DONATIONS, MAINTENANCE OF A SEPARATE ACCOUNT, AND TITLE TO PROPERTY; PROVIDING FOR DISBURSEMENT AND CONVERSION OF ASSETS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A1-476) Approved.

REGULAR AGENDA

GREATER FORT LAUDERDALE

CONVENTION & VISITORS BUREAU

50. DISCUSSION: Peebles Atlantic Development Corp./NBC Holdings, Inc.(PADC/NBC) Hotel Proposal. (Deferred from February 18, 1997)

ACTION: (A1-614) After discussion, the following motions were made:

A. MOTION TO REJECT all proposals to Request for Letters of Interest (RLI) 101796-RB for the Broward County Convention .

ACTION: (A1-3360) Approved.

B. MOTION TO WAIVE the Broward County Procurement Code and authorize the County Commission to enter into negotiations with Peebles Atlantic Development Corp./NBC Holdings Inc. (PADC/NBC) for a Broward County convention at the Convention Center site.

ACTION: (A1-3360) Approved, as amended. Mr. Peebles agreed to indemnify the County for damages and will reimburse actual cost of the County Attorney's fees in the event of litigation.

C. MOTION TO DESIGNATE The Broward County Commission as the seven (7) members of Selection/Negotiation Committee for the purpose of negotiating a contract with PADC/NBC to build a Broward County at the Convention Center.

ACTION: (A1-3360) Approved.

51. COUNTY ADMINISTRATOR'S REPORT - County Administrator B. Jack Osterholt informed the Board that there was no report.

Submitted for the record, was the jail report, which is 3979 (243 over) the cap of 3,736.

ACTION: (A1-3450) No board action was 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

52. DELEGATION: George I. Platt regarding request to amend the note on the Rowan Replat Plat (013-UP-91). (Deferred from January 21, 1997)

ACTION: (A2-134) Approved, as amended, and subject to staff's recommendations. The applicant voluntarily agreed to enter into a Covenant that will restrict, specifically, those eligible for the Work Release Program. The County Attorney's Office will confer with Mr. Platt regarding the drafting of the Covenant which will include the provision to exclude people convicted of a violent crime.

Additionally, the property shall not be used for the operation of a county jail, county stockade or county work camp, as those terms are set forth in Section 951.23(1)(a), as defined in the 1996 Florida Statutes, but the property may be used for correctional uses expressly limited to a work release program facility, DUI/substance abuse program facility, and county transitional incarceration (early-release) program facility, limited to 300 beds.

END OF QUASI-JUDICIAL HEARING

53. DELEGATION: Bonnie L. Miskel regarding request for refund of road impact fees for Forest Ridge Community Development, Ltd. (Deferred from February 18, 1997)

ACTION: (B-138) Rolled over on a 3-3 vote to March 4, 1996. Staff directed to provide a copy of the minutes of the March 8, 1988 commission meeting in the back up material for the March 4, 1997 commission meeting.

54. DELEGATION: Charles R. Smith, V.P., Orangebrook Mobile Home Estates, regarding request to discuss pending open bid for Hollywood Aviation lease at North Perry Airport.

ACTION: (B-1835) No board action was taken.

AVIATION DEPARTMENT

55. A. MOTION TO ADOPT Resolution 97-145 proposing to amend Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation"; amending the schedule of rates, fees and charges for non-concessionaire motor vehicle rental business or service at Fort Lauderdale-Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (B-2093) Approved.

B. MOTION TO ADOPT Resolution 97-146 directing the County Administrator to publish a notice of public hearing to be held on March 11, 1997 at 2:00 p.m. proposing to amend Chapter 39, Broward County Administrative Code, "Fees and other Charges, Aviation"; amending the schedule of rates, fees and charges for non-concessionaire motor vehicle rental business or service at Fort Lauderdale-Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (B-2093) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

56. A. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from firms providing financial advisor services for the issuance of water and sewer utility revenue bonds.

ACTION: (B-2101) Approved.

B. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from financial underwriting firms for the issuance of water and sewer utility revenue bonds.

ACTION: (B-2101) Approved.

C. MOTION TO APPROVE Selection/Negotiation Committee for both financial advisor services and financial underwriting for the issuance of water and sewer utility revenue bonds.

ACTION: (B-2101) Approved. The following will serve on the Selection/Negotiation Committee: Commissioners Abramowitz, Cowan, Gunzburger, Parrish, and Poitier; the County Administrator or designee, Willie R. Horton, Director of Office of Environmental Services or designee; and Phil Allen, Director of the Finance and Administrative Services Department, with associated support provided by the County Attorney's Office.

OFFICE OF HOUSING FINANCE

57. MOTION TO AUTHORIZE County Attorney to draft an amendment to Article XVIII, Section 5.555 to update the Broward County Code of Ordinances to reflect the change in responsibility for the Housing Assistance Program from the Office of Urban Affairs to the Office of Housing Finance.

ACTION: (B-2165) Approved.

HUMAN RESOURCES DIVISION

58. A. MOTION TO APPROVE collective bargaining agreement between Broward County and the International Association of Firefighters (IAFF), Local 3333, representing Firefighters and Paramedics, and authorize the Chair and Clerk to execute same.

ACTION: (B-2171) Approved.

B. MOTION TO APPROVE IN CONCEPT settlement of the Cohen, et. al., v. Broward County Fair Labor Standard Act litigation as described on the attachment and as negotiated between representatives of the County and the Union acting for the plaintiffs, and authorize the Chair and Clerk to execute same.

ACTION: (B-2171) Approved in concept.

PURCHASING DIVISION

59. MOTION TO APPROVE increase in the change order allowance in the amount of \$5,465 for the re-roofing of Human Services Building, Contract No. M08-96-10-CF with GRI of South Florida, Inc. from \$5,465 (5%) to \$10,931 (10%) of the original contract amount of \$109,310.00, for the Department of Public Works/Construction Management Division.

ACTION: (B-2224) Approved.

HUMAN SERVICES DEPARTMENT

GRANTS MANAGEMENT, RESEARCH, AND DEVELOPMENT DIVISION

60. A. MOTION TO APPROVE agreement between the State of Florida, Department of Rehabilitative Services, District X (as of January 1, 1997, known as Department of Children and Families) and Broward County from October 1, 1996 to September 30, 1997, in the amount of \$1,862,058 for the purpose of providing for local match funding of community mental health and community drug abuse services, and authorize the Chair and Clerk to execute same.

ACTION: (B-2231) Approved.

B. MOTION TO ADOPT Resolution 97-147 of the Board of County Commissioners of Broward County, Florida approving funding for not-for-profit organizations through the local match funding of community mental health services; approving the contract shell form; authorizing the County Administrator to execute the appropriate contract for each approved organization; providing for severability; and providing for effective date; and authorize the Chair and Clerk to execute same.

ACTION: (B-2231) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

61. A. MOTION TO AMEND Fiscal Year 1997 Public Art and Design Annual Plan in the amount of \$2,714,115 for the Broward Civic Arena project for public art and design at the arena in accordance with Ordinance 95-20 and Resolution 95-455.

ACTION: (B-2238) Approved.

B. MOTION TO AMEND Fiscal Year 1997 Public Art and Design Annual Plan in the amount of \$25,000 for the Greater Fort Lauderdale/Broward Convention Center Expansion project for public art and design services for the convention center in accordance with Ordinance 95-20 and Resolution 95-455.

ACTION: (B-2238) Approved.

**OFFICE OF BUDGET AND MANAGEMENT
POLICY**

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

ACTION: (B-2245) Approved, as amended.

63. MOTION TO ADOPT budget Resolution 97-148 transferring within the General Fund the amount of \$10,000 from the Commission Reserve to the Legislative Delegation budget. (Deferred from February 18, 1997)

ACTION: (B-2252) Approved.

SUPPLEMENTAL AGENDA

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

64. DELEGATION: Bonnie L. Miskel regarding request for waiver of preliminary plat review for North Broward Preparatory School (009-UP-96).

REASON FOR SUPPLEMENTAL: At the request of Commission Poitier.

ACTION: (B-1830) Approved.

NON AGENDA

65. PROCLAMATION: Commissioner Abramowitz, on behalf of the County Commission, read into the record a proclamation designating **1997 as the INTERNATIONAL YEAR OF THE REEF in Broward County** and designated the Museum of Discovery & Science as an official site. The Board wishes to join Monroe County in focusing public attention on the significance of coral reefs to everyone.

ACTION: (A-074) Sherwood Wilkes, Director of Science and Technology, Museum of Discovery and Science, thanked the Board and accepted the proclamation with great appreciation.

66. PROCLAMATION: Commissioner Gunzburger, on behalf of the Commission, read into the record a proclamation designating, **Tuesday, February 25, 1997, as SPAY DAY U.S.A. 1997 in Broward County** and urged residents to have their dogs and cats spayed and neutered. Commissioner Gunzburger relayed that the Animal Care and Regulation Division is continuing its efforts to enhance public awareness of responsible pet ownership and pet overpopulation. The Animal Care and Regulation Division, the Parks and Recreation Division, nonprofit community groups, and professional organizations in the county work to help alleviate the situation by offering low cost or free spaying.

ACTION: (A-190) Alan C. Davis, Director, Animal Care & Regulation Division, thanked the Board and accepted the proclamation with appreciation. Children from the after school care program at St. George Park helped to distribute ribboned keys to the Commission signifying that, "The 'key' to pet overpopulation is spaying and neutering."

67. PRESENTATION OF PLAQUES: Commissioner Parrish, on behalf of the County Commission, presented plaques in recognition of service for the following members of the Housing and Finance Authority Board: Albert Cohen, Chair; Tom McDonald, Vice Chair; Daisy Mallard, Secretary; Leon Watts, and Dan Reynolds. Commissioner Parrish stated that the Housing and Finance Authority Board will be holding its annual Affordable Housing Banquet on Friday, February 28, 1997, which will recognize housing organizations throughout Broward County who have done an outstanding job to provide affordable housing for many of the county's constituents.

ACTION: (A-349) The members thanked the Board and accepted their plaques with great appreciation.

NON AGENDA FOLLOWING 2:00 P.M. PUBLIC HEARING

68. DISCUSSION: Commissioner Lieberman asked County Attorney John J. Copelan, Jr. if there was a provision in the Arena contract which stipulates that the prevailing party is awarded attorney's fees. Mr.

Copelan advised that the contract provides that when the document is a subject of litigation attorneys fees can be awarded. As part of the County's pleading, counsel filed to reserve that issue. The Chair stated that he wanted to ensure that the other party would not charge the attorney's fees against the arena fund. Mr. Copelan relayed that staff has taken the position, consistently, that attorney's fees are not included in the arena fund. Commissioner Lieberman requested that after receiving the judge's final order, the County Attorney review the issue and return with a legal opinion as to whether or not to pursue attorney's fees.

ACTION: (B-3265) The County Attorney will return before the Commission with a legal opinion regarding the issue, following the judge's final order.

69. INFORMATIONAL: Commissioner Gunzburger advised the Board that she represented the Commission at the emergency board meeting of the Florida Association of Counties (FAC) on February 20, 1997. She added that she attended the meeting with County Attorney John J. Copelan, Jr. and Assistant County Attorney Edward Labrador. She reported that the County's position on the Telecommunications bill did not prevail (15 to 14). County staff will continue to

pursue the County's position during the Legislative Session. With respect to Article 5, FAC has decided to obtain additional information, and will pursue litigation next year. Regarding partial year assessment and transfer tax, Commissioner Gunzburger stated that there was little support.

ACTION: (B-3449) No board action was taken.

70. INFORMATIONAL: Commissioner Poitier informed the Board that she will be attending the National Association of Counties (NACo) legislative conference. She will be out of town beginning Thursday, February 27th and will return on Monday, March 3rd.

ACTION: (B-3545) No board action was taken.

71. DISCUSSION: Commissioner Parrish apprised the Board that Senator Howard Forman and Representative Debbie Wasserman Schultz are sponsoring an annexation study of properties in the Cooper City jurisdiction west of Flamingo Road (Schott Memorial property and the Country Glen subdivision and other parcels west of Flamingo Road). She stated that the Cooper City Commission strongly objects to the proposal/study which would serve to deannex said properties. Commissioner Parrish requested that the Chair, on behalf of the County Commission, send a letter to the Legislative Delegation stating the Commission's opposition to the deannexation of any municipalities' property without their consent, or funding any studies for that purpose.

ACTION: (B-3590) Appropriate staff will draft a letter for the Chair to send to the Legislative Delegation stating the Commission's position on the matter.

72. DISCUSSION: Commissioner Parrish referred to the FDOT 17th Street Bridge project and relayed that she received a fax from Fred Stresau, Stresau, Smith and Stresau Professional Association, Landscape Architects and Land Planners, with respect to the Tree Removal Permit drawings for the project and FDOT's intention to remove all vegetation on both sides of the street with a chain saw. Commissioner Parrish

requested that staff make the necessary arrangements and contact the City of Fort Lauderdale or appropriate staff to attempt to relocate the trees to other areas of the County.

ACTION: (B-3683) The County Administrator or appropriate staff will make the necessary arrangements to attempt to relocate the trees to other areas of the County.

73. DISCUSSION: Commissioner Parrish referred to attorney Steve Zack's letter dated February 3, 1997, and inquired about the status of Lew Goodkin's study on the Swerdlow property. In his correspondence, Mr. Zack stated that Mr. Goodkin was instructed to complete the study in four weeks (February 27, 1997). County Attorney John J. Copelan, Jr. advised he would research the matter.

ACTION: (B-3728) The County Attorney will research the matter and return before the Commission with the information.

74. INFORMATIONAL: Commissioner Gunzburger asked County Attorney John J. Copelan, Jr. to share with the entire commission a news article which she took from the Wall Street Journal relating to ports in Florida.

ACTION: (B-3782) County Attorney John J. Copelan, Jr. relayed he would share the news article with the Commission.

75. INFORMATIONAL: The Chair reported that the County was successful in its appeal to the City of Fort Lauderdale on the property/shopping center (NorthPort Marketplace) fair share participation.

ACTION: (B-3808) No board action was taken.

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