

MEETING OF MARCH 4, 1997

(The meeting convened at 10:00 a.m. and adjourned at 1:15 p.m.)

PLEDGE OF ALLEGIANCE - *led by former Commissioner Gerald F. Thompson*

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO ADOPT Resolution 1997-149 determining that the demolition and removal of certain improvements and structures located at Fort Lauderdale- Hollywood International Airport will not impair the operating efficiency of the Airport System or reduce the revenue-producing capability of the Airport System; determining that such structures and improvements are not needed or useful in connection with the construction or maintenance of the Airport System; determining that such structures and improvements are obsolete, the use of same is uneconomical and inefficient, and they have no commercial value; authorizing the Director of Aviation to take all necessary steps to demolish and remove such improvements and structures; and providing for an effective date.

ACTION: (A-305) Approved.

2. MOTION TO APPROVE a field usage agreement between Broward County, Florida and ALM Antillean Airlines, at Fort Lauderdale-Hollywood International Airport effective, upon Board approval for a one-year period and shall automatically renew for successive periods of one year each not to exceed five years with a 30-day cancellation clause, and authorize the Chair and Clerk to execute same.

ACTION: (A-305) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 1997-150 releasing certain Broward County road reservations unto Sawgrass Land Corp. contained in Deed Book 716, Page 352, of the Public Records of Broward County, Florida affecting lands in Section 23, Township 49 South, Range 40 East; and authorize the Chair and Clerk to execute and deliver a release of reservation.

ACTION: (A-305) Approved.

4. MOTION TO ADOPT budget Resolution 1997-151 transferring within the Engineering Capital Project Fund (315) the amount of \$200,000 from the Engineering Capital Project reserves in order to provide funding for repairs to the Andrews Avenue bridge over the North Fork of the Middle River (Engineering Project No. 5177).

ACTION: (A-305) Approved.

STREETS AND HIGHWAYS DIVISION

5. MOTION TO ADOPT budget Resolution 1997-152 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$30,000 to install a double-faced guard-rail on McNab Road just west of State Road 7 in North Lauderdale (Project 9718).

ACTION: (A-305) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

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

ACTION: (A-305) Approved.

7. MOTION TO APPROVE the minutes of the 10:00 a.m. Board of County Commission meetings of January 7 and January 28, 1997.

ACTION: (A-305) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

8. MOTION TO APPROVE the first amendment to the Master Equipment Purchase Agreement and/or Maintenance Service Agreement (NSA 09210) between Broward County and BellSouth Communication Systems Inc. to include the purchase, installation, maintenance and relocation of an upgraded Private Branch Exchange (PBX) for the amount of \$201,520.06, for the Telecommunications Division, and authorize the Chair and Clerk to execute same.

ACTION: (A-305) Withdrawn at staff's request for further review.

For Port Everglades Department

9. MOTION TO AWARD a fixed contract to the sole source, Florida Municipal Equipment, for vacuum sweeper truck mounted (Bid No. C-02-96-24-OF) in the amount of \$144,499 for the Port Everglades Department.

ACTION: (A-305) Approved.

For Public Works Department

10. MOTION TO AWARD an open-end co-operative contract to the single bidder, Allied Universal Corporation for liquid chlorine, Items 1 and 2 in the estimated amount of \$387,888.00, Bid No. C02971112, for the Office of Environmental Services and the Parks and Recreation Division, and authorize the Purchasing Division Director to renew the contract for two one-year periods. The initial contract period shall start March 4, 1997 and shall terminate February 28, 1998. This was a competitively bid contract by the City of Coral Springs, (Bid No. 97-C-012F) for the Broward County Co-operative Purchasing Group.

ACTION: (A-305) Approved.

REVENUE COLLECTION DIVISION

11. MOTION TO ACKNOWLEDGE the Receipt of Notice of Lands Available for Taxes submitted per Florida Statutes 197.502(7) and 12D-13.064(1)(2)(3).

ACTION: (A-305) Approved.

12. MOTION TO APPROVE AND EXECUTE Satisfaction of Claim of Lien(s).

ACTION: (A-305) Approved.

13. MOTION TO ADOPT Resolution 1997-153 authorizing Cancellation of Warrants from Central Operating Account No. 96442522.

ACTION: (A-305) Approved.

RISK MANAGEMENT DIVISION

14. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim No. 94 WC 0652 RS in the amount of \$50,000.

ACTION: (A-305) Approved.

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

15. MOTION TO APPROVE entry into a non-financial referral agreement with Kimberly Home Health Care Inc. d/b/a Olsten Health Services, a for-profit corporation, 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: (A-305) Approved.

FIRE RESCUE DIVISION

16. MOTION TO APPROVE an agreement between the Broward County and the State of Florida, Agency for Health Care Administration related to participation in Medicaid through July 1, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-352) Approved. The Board directed staff to prepare a letter for the Chair's signature to Hill and Knowlton Public Affairs Worldwide Company, the county's Washington lobbyists; United State Senators Bob Graham and Connie Mack, and the members of the Broward County Legislative Delegation relating to a December 4 telephone call which indicated that the county could not continue to send billings to transport Medicaid billing clients but would need to complete an application for another number under the county's existing contract with the State of Florida, Agency for Health Care Administration and obtain reimbursements, after the application is processed, for December 4, 1996 and not October 1, 1996 when said transportation began. Further the Board directed staff to send a letter to Congressman E. Clay Shaw thanking him for his involvement in this regard.

HEALTH CARE MANAGEMENT DIVISION

17. MOTION TO APPROVE Agreement 94H-BH02 between Broward County and Broward House Inc. from July 1, 1996 to June 30, 1997 in the amount of \$63,074 from the Housing Opportunities for Persons with AIDS (HOPWA) Fiscal Year 1995 funding for the purpose of providing independent housing, and authorize the Chair and Clerk to execute same.

ACTION: (A-305) Approved.

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

18. MOTION TO APPROVE the change of name appearing on Certificate of Public Convenience and Necessity No. 134 from Leah Kleinman to Ledek Z Corp. Certificate No. 134 is the holder of two taxi permits.

ACTION: (A-305) Approved.

19. MOTION TO APPROVE the change of ownership of Certificate of Public Convenience and Necessity No. 127 currently issued to Lea Landau. One taxi permit currently issued to Lea Landau will be transferred to Haim Siama.

ACTION: (A-305) Approved.

20. MOTION TO APPROVE the change of ownership of Certificate of Public Convenience and Necessity No. 139 currently issued to Orna Bouskila. One taxi permit currently issued to Orna Bouskila will be transferred to Lilian Topaz.

ACTION: (A-305) Approved.

21. MOTION TO APPROVE the change of ownership of Certificate of Public Convenience and Necessity No. 116 currently issued to Cynthia Whitworth. Three limousine permits currently issued to Cynthia Whitworth will be transferred to Mark Levitt.

ACTION: (A-305) Approved.

22. MOTION TO APPROVE the change of ownership of Certificate of Public Convenience and Necessity No. 112 currently issued to A Rose Limousine of South Florida Inc. One limousine permit currently issued to A Rose Limousine of South Florida Inc. will be transferred to An Executive Touch Limousine Service Inc. d/b/a A Rose Limousine.

ACTION: (A-305) Approved.

23. MOTION TO APPROVE the partial change of ownership of Certificate of Public Convenience and Necessity No. 111 issued to Aventura Elegant Limousine Service Inc. One limousine permit will be transferred to E & G Limousine Inc. d/b/a Presidential Limousines. Four limousine permits will remain on Certificate No. 111 belonging to Aventura Elegant Limousine Service Inc.

ACTION: (A-305) Approved.

24. MOTION TO APPROVE the partial change of ownership of Certificate of Public Convenience and Necessity No. 52 currently issued to Banyan Limousine Inc. Two limousine permits will be transferred to Anthony A. Curcio. One limousine permit will remain on Certificate No. 52 belonging to Banyan Limousine Inc.

ACTION: (A-305) Approved.

25. MOTION TO APPROVE the change of ownership of Certificate of Public Convenience and Necessity No. 110 currently issued to D-21 Corporation. One limousine permit will be transferred to Mohamad Reza Farokhnia d/b/a Ray's Limousine Service; and one limousine permit will be transferred to Mehdi Pourpaki d/b/a East Coast Limousine Service Inc.

ACTION: (A-305) Approved.

LIBRARIES DIVISION

26. A. MOTION TO APPROVE a master agreement between Broward County and the School Board of Broward County in the amount of \$304,313 for the operation of cooperative community services with the School Board of Broward County for the period October 1, 1996 through September 30, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-305) Approved with addendum.

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-154 within the grant fund for the Libraries Division in the amount of \$304,313 for the operation of cooperative community services with the School Board of Broward County for the period October 1, 1996 through September 30, 1997. (Deferred from January 7, 1997)

ACTION: (A-305) Approved.

PARKS AND RECREATION DIVISION

27. MOTION TO ADOPT Resolution 1997-155 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of the donation of 38 rose bushes from the C. Robert Markham Foundation for the rose garden at Markham Park; providing for severability; and providing for an effective date.

ACTION: (A-305) Approved.

28. MOTION TO MODIFY the November 12, 1996 Broward County approval of agreement between Broward County and Broward County Youth Fair Inc. ("Youth Fair") for Broward County Fair facilities at Miramar Festival Isle Park, to delete requirement for execution of Consent to Assignment documents for Youth Fair capital improvements at the park.

ACTION: (A-305) Deferred for further review by staff.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

29. MOTION TO APPROVE the settlement agreements between Broward County and the listed

respondents for violations of the Broward County Code of Ordinances for Department of Natural Resource Protection (DNRP).

A. Mary S. Eager and Gary S. Eager, Trustees of the Mary S. Eager Revocable Living Trust, u/a/d November 14, 1995 and Robert Stubbs Tree Experts Inc.

B. Ribs Of Hallandale Inc. and Town Of Pembroke Park.

C. Rock Lake Inc.

D. Carlos Maldonado and Charles Walker.

ACTION: (A-305) Approved.

DEPARTMENT OF STRATEGIC PLANNING AND GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

30. MOTION TO APPROVE the subordination agreement for the purpose of permitting Broward County to remain in a second mortgage lien position on a deferred payment loan in the amount of \$660,000 made to Sun Garden, Ltd., and authorize the Chair and Clerk to execute the same.

ACTION: (A-305) Approved.

31. MOTION TO APPROVE an agreement between Broward County and the City of North Lauderdale for the Home Ownership Opportunities Program III - Silver Lakes Village, with an increase in funding from \$74,800 to \$132,812.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-305) Approved.

PORT EVERGLADES DEPARTMENT

32. MOTION TO APPROVE the Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and All Points Transport Service Inc.; Palm Beach Gardens Travel South Inc.; and Prime Network International 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-305) Approved.

33. MOTION TO APPROVE a lease agreement between Broward County and State of Florida, Department of Transportation for 0.13 acres of vacant land for a term ending on December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-305) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-305) Approved.

35. MOTION TO ADOPT unanticipated revenue Resolution 1997-156 within the Law Enforcement Trust Fund in the amount of \$21,832 to provide funding for the Domestic Interdiction Unit.

ACTION: (A-305) Approved.

36. MOTION TO ADOPT budget Resolution 1997-157 transferring within the General Fund the amount of \$164,940 from the Nondepartmental Restricted Reserve for the 17th Judicial District to provide funding reserved in anticipation of Local Government Criminal Justice Trust Fund revenues.

ACTION: (A-305) Approved.

GREATER FORT LAUDERDALE

CONVENTION AND VISITORS BUREAU

37. MOTION TO APPROVE a grant award from Florida Tourism Industry Marketing Corporation in the amount of \$7,500 to support the 1997 Annual Tournament and Meeting of the American Tennis Association, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-305) Withdrawn at staff's request for additional documentation.

COUNTY ATTORNEY

38. MOTION TO APPROVE the settlement of Jean v. Broward County for \$25,000.

ACTION: (A-305) Approved.

39. MOTION TO APPROVE the settlement of Simeone v. Florida Department of Transportation and Broward County, Case Numbers 91-18256.15 and 95-11921.15 (consolidated), wherein Broward County will pay no damages in this matter for an inverse condemnation case arising on Hallandale Beach Boulevard, Parcel 107.

ACTION: (A-462) & (A-3949) Deferred to the March 11, 1997 meeting.

COUNTY ADMINISTRATOR

40. A. MOTION TO APPROVE Amendment No. 2 to the Prisoner Housing Contract among the Indian River County Sheriff's Office, the Broward Sheriff's Office and the Board of County Commissioners for the provision of temporary jail capacity to increase the number of beds from 100 to 150 beds.

ACTION: (A-305) Approved.

B. MOTION TO ADOPT budget Resolution 1997-158 transferring within the General Fund for County Administration the amount of \$1,353,880 from the Reserve for Sheriff for the purpose of providing temporary jail capacity in Indian River County and Monroe County.

ACTION: (A-305) Approved.

REQUEST TO SET FOR PUBLIC HEARING

41. MOTION TO ADOPT Resolution 1997-159 authorizing the County Administrator to advertise a public hearing to be held on Tuesday, March 25, 1997 at 2:00 p.m. in Room 422 of the Governmental Center for adopting supplemental budgets to recognize changes in revenues and appropriations.

ACTION: (A-305) Approved.

REGULAR AGENDA

10:00 A.M. CONTINUED PUBLIC HEARINGS

42. MOTION TO ADOPT Resolution 1997-160 of the Board of County Commissioners of Broward County, Florida granting a non-exclusive franchise to Global Agencies Inc. for time period certain; to conduct steamship agent operations at Port Everglades; providing for severability; providing for an effective date; and authorize the Chair and Clerk to execute the franchise. (Continued from February 25, 1997)

ACTION: (A-475) Approved.

43. MOTION TO ADOPT Resolution 1997-161 of the Board of County Commissioners of Broward

County, Florida granting a non-exclusive franchise to Global Agencies Inc. for time period certain; to conduct stevedoring operations at Port Everglades; providing for severability; providing for an effective date; and authorize the Chair and Clerk to execute the franchise. (Continued from February 25, 1997)

ACTION: (A-475) Approved with the voluntary scope of services compromise language as outlined by the applicant. (Said language will be included in the minutes.)

44. MOTION TO ADOPT Resolution 1997-162 of the Board of County Commissioners of Broward County, Florida granting a non-exclusive franchise to Global Agencies Inc. for time period certain; to conduct cargo handler operations at Port Everglades; providing for severability; providing for an effective date; and authorize the Chair and Clerk to execute the franchise. (Continued from February 25, 1997)

ACTION: (A-684) Approved with the voluntary scope of services compromise language as outlined by the applicant. (Said language will be included in the minutes.)

QUASI-JUDICIAL HEARINGS

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.

45. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida the substance of which is as follows:
(Continued from February 25, 1997)

REZONING PETITION 23-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-1C, ONE-FAMILY DWELLING DISTRICT TO R-1P, ONE-FAMILY DWELLING-PARKING 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)

ACTION: (A-815) The Board enacted the ordinance to be effective as provided by law.

END OF CONTINUED PUBLIC HEARINGS

CONTINUATION OF QUASI-JUDICIAL HEARINGS

DEPARTMENT OF STRATEGIC PLANNING AND GROWTH MANAGEMENT DEVELOPMENT MANAGEMENT DIVISION

46. DISCUSSION of Plat entitled “Moccia Estate” - District 5, (056-MP-96).

ACTION: (A-1850) Approved subject to staff’s recommendations as outlined in the Development Review Report.

47. DISCUSSION of Plat entitled “Christ The Rock Community Church Inc.” - District 5, (019-UP-96).

ACTION: (A-1866) Approved subject to staff’s recommendations as outlined in the Development Review Report.

48. DISCUSSION of Plat entitled “Oakland Commercial Properties Plat No. 1” - District 1, (005-MP-96).

ACTION: (A-1888) Approved subject to staff’s recommendations as outlined in the Development Review Report.

49. DISCUSSION of Plat entitled “Tennis Club II Plat” - District 7, (042-MP-96).

ACTION: (A-1897) Approved subject to staff’s recommendations as outlined in the Development Review Report.

50. DISCUSSION of Plat entitled “Sector 1 Boundary Plat” - District 3, (104-MP-96). (Deferred from February 18, 1997)

ACTION: (A-1914) Approved staff’s verbal addendum of approval subject to staff’s recommendations.

51. DISCUSSION of Plat entitled “Sector 2 Boundary Plat” - District 3, (103-MP-96). (Deferred from February 18, 1997)

ACTION: (A-1961) Approved staff’s verbal addendum of approval subject to staff’s recommendations.

52. DISCUSSION of Plat entitled “Green Farm Plat” - District 3, (050-MP-96). (Deferred from February 18, 1997)

ACTION: (A-1829) Deferred at the applicant's request to September 16, 1997 under Section 5-18(i) of the Land Development Code to study right-of-way and access.

53. DELEGATION: Mr. Jeff Hodapp regarding request to revise the note on the Lugar Del Ray Plat (054-MP-95).

ACTION: (A-1835) Deferred at the applicant's request to October 14, 1997 under Section 5-18(i) of the Land Development Code to study traffic concurrency.

54. DELEGATION: Mr. C. William Laystrom, Jr. regarding request to amend the note on the Jacaranda Parcel 817 Plat (092-MP-88).

ACTION: (A-1846) Deferred to March 18, 1997 at the applicant's request.

55. DELEGATION: Mr. Hector L. Arana regarding request to amend the note on the 198 Terrace Plat (001-UP-85). (Deferred from January 7, 1997)

ACTION: (A-1961) Approved subject to staff's recommendations.

56. DELEGATION: Mr. Gerald L. Knight regarding request to amend the note on the Carvel Corporation Plat (009-UP-84). (Deferred from February 18, 1997)

ACTION: (A-2011) Approved subject to staff's recommendations with the applicant's voluntary commitment not to exceed 98,000 square feet for the total of all uses.

57. DELEGATION: Ms. Gladys A. DiGirolamo - ICW South Plat (028-MP-96) regarding:

A. Request to revise the non-vehicular access line.

ACTION: (A-2356) Approved subject to staff's recommendations

B. Request to modify conditions of plat approval.

ACTION: (A-2356) Approved subject to staff's recommendations

58. DELEGATION: Ms. Gladys A. DiGirolamo - ICW North Plat (008-MP-96) regarding:

A. Request to revise the non-vehicular access line.

ACTION: (A-2384) Approved with addendum subject to staff's recommendations.

B. Request to modify conditions of plat approval.

ACTION: (A-2384) Approved with addendum subject to staff's recommendations.

59. DELEGATION: Mr. Arthur T. Pollard regarding request to amend the non-vehicular access line on the Trace II Plat (154-MP-86).

ACTION: (A-2396) Approved subject to staff's recommendations.

60. DELEGATION: Mr. James Kahn regarding request to amend the non-vehicular access line on the Marina West Parcel A Plat (027-MP-83). (Deferred from February 18, 1997)

ACTION: (A-1837) Deferred at the applicant's request to April 1, 1997 under Section 5-18(i) of the Land Development Code to study access.

61. DELEGATION: Mr. David E. Rohal regarding request to amend the non-vehicular access line on the North Perry Airport Plat (100-MP-81). (Deferred from February 18, 1997)

ACTION: (A-2410) Approved with addendum subject to staff's recommendations.

62. DELEGATION: Mr. Hugh Davis regarding request to amend the non-vehicular access line on the Praxis of Deerfield Beach "Unit Two" Plat (010-MP-88). (Deferred from February 18, 1997)

ACTION: (A-2422) Approved subject to staff's recommendations.

63. DELEGATION: Mr. Robert B. Lochrie regarding motion to approve agreement between Broward County and Home Dynamics Eastridge, L.P., LTD. for application of Road, Park and Educational Impact Fees to the Crystal View Townhomes Plats 1, 2 and 3 (004-UP-81, 005-UP-81, 006-UP-81).

ACTION: (A-2437) Approved staff's verbal addendum of approval subject to staff's recommendations.

64. DELEGATION: Mr. Howard Zimmerman regarding motion to approve agreement for the issuance of building permits while platting is in progress on the Imagination Farms East Plat (009-MP-96).

ACTION: (A-2485) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARINGS

65. DELEGATION: Ms. Bonnie L. Miskel regarding request for refund of road impact fees for Forest Ridge Community Development, Ltd. (Rolled over from February 25 to March 4, 1997 on a 3/3 vote)

ACTION: (A-2514) Denied.

66. DELEGATION: Mr. Neil Sterling, Chair, Broward Beautiful Committee regarding update on the latest projects of Broward Beautiful.

ACTION: (A-3605) No action was taken.

COUNTY ADMINISTRATOR'S REPORT

67. REPORT County Administrator B. Jack Osterholt stated that he has nothing to report; however, the Jail Report dated March 3, 1997 reflecting the population of 3,964 was submitted for the record.

ACTION: (A-2485) No Board action was necessary.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

INDUSTRIAL DEVELOPMENT REVENUE BOND

68. MOTION TO ADOPT Resolution 1997-163 of the Board of County Commissioners of Broward County, Florida authorizing the issuance of Broward County, Florida Industrial Development Revenue Bonds (Fast Real Estate Partners, Ltd. Project), Series 1997, in an aggregate principal amount of not to exceed \$5,000,000 for the purpose of making a loan of funds to finance all or a portion of the cost of a capital project consisting of the acquisition, construction and equipping of a facility in the City of Fort Lauderdale, Broward County, Florida; providing that such Revenue Bonds shall not constitute a debt, liability or obligation of Broward County or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided; approving and authorizing the execution and delivery of a loan agreement with Fast Real Estate Partners, Ltd., FEMC, Ltd. and Fast Industries Inc. to finance the project, to provide security for such obligation, and for other matters therein provided; approving and authorizing the execution and delivery of an Indenture of Trust; approving and authorizing the execution and delivery of certain other documents required in connection with the foregoing; designating SunTrust Bank, Atlanta as the placement agent and Remarketing agent; designating SunTrust Bank, Nature Coast, as Trustee under the Indenture of Trust; designating SunTrust Bank, South Florida, National Association, as the Letter of Credit Provider; and providing certain other details in connection therewith.

ACTION: (A-3957) Approved.

69. A. MOTION TO AUTHORIZE county staff to solicit Letters of Interest from firms providing financial advisor services for the issuance of airport system revenue bonds.

ACTION: (A-3966) Approved.

B. MOTION TO AUTHORIZE county staff to solicit Letters of Interest from financial underwriting firms for the issuance of airport system revenue bonds.

ACTION: (A-3966) Approved.

C. MOTION TO APPOINT a Selection/Negotiation Committee for both financial advisor services and financial underwriting for the issuance of airport system revenue bonds.

ACTION: (A-3966) Approved with the appointments of Commissioners Cowan, Parrish, Gunzburger, Poitier and Abramowitz, the County Administrator or designee, the Aviation Department Director or designee, and the Finance and Administrative Services Department Director -- with associated support provided by the County Attorney's Office.

HUMAN RESOURCES DIVISION

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

ACTION: (A-3979) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-3990) Approved with addendum.

72. A. MOTION TO APPROVE an interlocal agreement between Broward County and the City of Weston for the provision for Emergency Medical Services and Fire Protection Services through the County's Municipal Service Benefit Units (MSBU) to be effective October 1, 1997 and to provide interim services to begin no later than March 23, 1997, which will include a second fire station, subject to the approval of the City of Weston.

ACTION: (A-3995) Approved.

B. MOTION TO APPROVE an agreement among Broward County, City of Weston, Indian Trace Community Development District and Arvida/JMB Partners for use of certain property owned by Arvida/JMB Partners for the location of a temporary structure to house a county Fire Rescue Unit.

ACTION: (A-3995) Approved.

C. MOTION TO ADOPT budget Resolution 1997-164 within the Municipal Service District Fund (MSD) for the Fire Rescue Division in the amount of \$465,000 to transfer funds to the Fire Protection Fund for an interim fire unit for the balance of the fiscal year.

ACTION: (A-3995) Approved.

D. MOTION TO ADOPT unanticipated revenue budget Resolution 1997-165 within the Fire Protection Fund for the Fire Rescue Division in the amount of \$465,000 for an interim fire unit for the balance of the fiscal year.

ACTION: (A-3995) Approved.

E. MOTION TO DIRECT the County Attorney to prepare necessary changes to the EMS Ordinance 95-14 as amended by 95-38, 95-47, and 96-20 and the Fire Protection Ordinance Section 12-61 to incorporate the City of Weston effective October 1, 1997.

ACTION: (A-3995) Approved with the direction to the County Attorney's Office to include in the agreement to the applicable ordinance -- when the county no longer uses the temporary portable fire station facility, when it is removed, when the agreement is terminated, or when the agreement is not renegotiated after three years by the City of Weston -- that the county is rebated the capacity charges which connect water and sewer.

73. A. MOTION TO APPROVE an agreement with the Tri-County Commuter Rail Authority (TCRA) in the amount of \$1,638,833 to reimburse Broward County for feeder bus service and to fund TCRA operating expenses in Fiscal Year 1997.

ACTION: (A-4800) Approved.

B. MOTION TO ADOPT unanticipated budget Resolution 1997-166 within the Mass Transit Enterprise Fund 450 in the amount of \$1,638,833 to reimburse Broward County for feeder bus service and to fund TCRA operating expenses in Fiscal Year 1997.

ACTION: (A-4800) Approved.

BOARD APPOINTMENTS

74. MOTION TO ACCEPT nominations for a vacant position on the Community Action Agency Advisory Board. (Commissioner Poitier)

ACTION: (A-4813) Approved the appointment of Ms. Edye Green and the reappointments of Commissioner Poitier and Mr. Clarence Wright.

COUNTY ATTORNEY

75. A. DISCUSSION: Hirsch v. Broward County, Florida - proposed settlement agreement.

ACTION: (A-4834) The settlement agreement was approved with the conditions set forth within the August 25, 1995 staff report.

B. MOTION TO APPROVE the amendment to the note on the Stirling Dykes Plat to 34 single family units. (017-UP-90)

ACTION: (A-5334) Approved.

76. MOTION TO ADOPT Resolution 1997-167 of the Board of County Commissioners of Broward County, Florida amending Chapter 32, Part III of the Broward County Administrative Code relating to business permits at Port Everglades.

ACTION: (A-5360) Approved.

77. MOTION TO RATIFY the appointment of the law firm of Ronald L. Book, P.A. as special counsel to represent the county's position on Article V costs, school concurrency, partial year assessments, traffic control monitoring devices, inoperative traffic signals, and such other legislative issues as directed by the County Attorney, and to retain additional consultants as may be necessary, for a one-time total fee of \$70,000, inclusive of all consultants or experts, plus reimbursement of reasonable actual expenses not to exceed \$5,000.

ACTION: (A-7623) Approved as amended to include the \$5 million Broward County Beach Renourishment project.

COMMISSION AUDITOR

78. MOTION TO FILE: (1) the Sheriff's Self Insurance Program Executive Summary dated January 17, 1997; (2) the audit report dated January 13, 1997 on the Sheriff's Self Insurance Fund for the period October 1, 1994 through September 30, 1995;

(3) the Sheriff's response to the audit report dated January 6, 1997; (4) the auditor's comments pertaining to the Sheriff's response to findings on the Sheriff's Self Insurance Program dated February 10, 1997; (5) Legal Opinion of the County Attorney's Office dated October 16, 1996; (6) Legal Opinion of the County Attorney's Office dated January 31, 1997 regarding options for the commission to consider as follows: (a) Attorney General Opinion, (b) Civil Law Suit. (Deferred from February 18, 1997)

ACTION: (A-6510) Withdrawn at staff's request for further information.

COUNTY ADMINISTRATOR

79. MOTION TO APPROVE Letter of Understanding between the Sheriff's Office of Broward County and Broward County regarding the administration of the Sheriff Self-Insurance Fund. (Deferred from February 18, 1997)

ACTION: (A-6510) Withdrawn at staff's request for further information.

80. DISCUSSION: Legislative Issues.

A. Support SB 306 and HB 601, to amend the Florida Clean Indoor Air by removing the preemption language as requested by the Health or Tobacco Coalition Broward County.

ACTION: (A-6514) Approved.

B. Strongly support CS/HB 17, Welfare Reform/Nondiscrimination.

ACTION: (A-6593) By unanimous consent.

C. Support HB 123, Florida Retirement System/Special Risk Member.

ACTION: (A-6800) The Board had no objections.

D. Support HB 155, Repeal of Intangible Personal Property Tax

ACTION: (A-6835) The Board had no objections.

E. Oppose HB 445, Ad Valorem Tax Administration.

ACTION: (A-6855) Approved.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

81. DISCUSSION: Regional Transit Organization (RTO) Feasibility Study (Commissioner Parrish)

1. Alternate to Commissioner Parrish and whether same should be a county commissioner or a Metropolitan Planning Organization (MPO) member.

ACTION: (A-6870) & (B-113) Approved the appointment of the MPO Chair.

2. Tax philosophies -- gas tax, sales tax, ad valorem.

ACTION: (A-7019) The Board reaffirmed its position not to support any kind of agency having taxing authority -- unless the agency is made up of elected officials -- and explore the gas tax rather than ad valorem tax or sales tax for funding.

3.. Bill drafting/Update.

ACTION: (A-157) The Board agreed to the County Attorney's Office meeting with the Dade and Palm Beach County Attorneys to review bill drafting.

HUMAN SERVICES DEPARTMENT

82. MOTION TO CONSENT to the proposed assignments to Interim Health Care Inc. of agreements between Interim HealthCare of Broward Inc. and Broward County, from March 1, 1997 through June 30, 1997 for the purpose of ensuring continuity in the provision of Homemaker, Personal Care and Respite Care services to Community Care for the Elderly clients, and authorize the Chair and Clerk to execute same.

REASON FOR SUPPLEMENTAL: At the request of Commissioner Abramowitz.

ACTION: (B-159) Approved.

BOARD APPOINTMENTS

83. MOTION TO APPROVE the appointment of Mr. Burnett “Karl” Clark to the Human Rights Board of Broward County. Mr. Clark will fill an existing vacancy created by the resignation of Morton Winter. (Commissioner Parrish)

ACTION: (A-305) Approved.

84. MOTION TO APPROVE the appointment of Ms. Kathleen DeBellis Ireland to the Alcohol and Drug Abuse Advisory Board. (Commissioner Lieberman)

ACTION: (A-305) Approved.

NON AGENDA

85. PLAQUE: On behalf of the Board, Commissioner Lieberman presented a plaque to the Parks and Recreations Division for accreditation of parks and recreation agencies and for meeting the standards of effective and efficient management of resources. The Parks and Recreations Division recently became one of 14 agencies in the United States to receive accreditation from the Commission for Accreditation of Park and

Recreation Agencies. Commissioner Lieberman quoted the comments from Mr. Don Cochran, Chair of the commission, “. . . *the Broward County Parks and Recreation Division demonstrated excellent management of its resources.*” The award was announced in Washington, D.C. at the 1997 National Recreation and Park Association’s Mid-Year Forum.

ACTION: (A-140) Mr. Bob Harbin, Parks and Recreation Division Director, accepted the plaque and introduced staff to the Board.

86. PROCLAMATION: On behalf of the Board, Commissioner Rodstrom presented a proclamation designating March 6, 1997 as “*Electric Vehicle Kickoff Day*” in Broward County.

ACTION: (A-207) Messrs. Keith Cobb, Co-Chair of the Electric Vehicle Ready Broward Board of Directors and Robert Suggs, the Florida Alliance for Clean Technologies, accepted the proclamation.

87. RECOGNITION On behalf of the Board County Administrator B. Jack Osterholt recognized Mr. Larry Moore, Human Resources Division and a former Broward County transit (BCt) bus operator at the Mass Transit Division, who was involved in a terrible accident that occurred on March 7, 1996 at University Drive and Interstate 595. Mr. Osterholt stated that Mr. Moore will be conducting special studies on county employees that have gone through difficulties and can return to work under a variety of situations.

ACTION: (A-266) The Board welcomed Mr. Moore back to the county.

88. COMMISSIONER’S REQUEST Commissioner Parrish requested that staff review, as a result of the Board’s actions on Quasi-Judicial Item 63, and draft an amendment to Resolution 92-1077 regarding

refund to impact fees as to whether the county is entitled to retain refund of same.

ACTION: (A-2501) The Board had no objections to the request.

89. INFORMATIONAL Commissioner Abramowitz noted that the economic impacts of tourism for January 1997 were \$11.4 million which was addressed at the last Tourist Development Council meeting. He addressed his intent to provide a monthly report to the commission in this regard.

ACTION: (B-164) No Board action was necessary.

90. INFORMATIONAL Commissioner Parrish stated that on behalf of the members of the Board Directors of the International Game Fish Association (IGFA), she will be in Washington D.C. with State Senators Ken Jenne and Jim Scott to meet with United States Senators Connie Mack and Bob Graham and apologized that she cannot attend the March 11, 1997 commission meeting. She mentioned her attempt to review the agenda, possibly submitting a list to the Chair requesting deferral on some agenda items, and circulate same to the commission later this week.

ACTION: (B-193) No action was required.

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