

MEETING OF MARCH 5, 1996

(Meeting convened at 10 a.m. and adjourned at 11:30 a.m.)

PLEDGE OF ALLEGIANCE - Led by Commissioner Suzanne N. Gunzburger

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

FISCAL OPERATIONS DIVISION

1. MOTION TO ADOPT AND EXECUTE satisfaction of claim of lien to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A-211) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

SOLID WASTE OPERATIONS DIVISION

2. A. MOTION TO APPROVE the Consent Decree in the matter of the United States of America v. Broward County, Florida for the reimbursement of response costs incurred for oversight of remediation activities at the Davie Landfill Superfund site.

ACTION: (A-211) Approved.

B. MOTION TO AUTHORIZE County Administrator to sign the Certificate of Termination and Satisfaction of the Administrative Order by Consent (AOC) between the United States Environmental Protection Agency and Broward County.

ACTION: (A-211) Approved.

. OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 96-88 accepting Drainage Easement executed by Bardinella Designs, Inc., donating right-of-way for Ravenswood Road in Section 32, Township 50, South, Range 42 East.

ACTION: (A-211) Approved.

4. MOTION TO ADOPT Resolution 96-119 accepting a Non-Exclusive Easement executed by Triple S. Associates, donating right-of-way for NW 172 Avenue in Section 8, Township 51, South, Range 40 East.

ACTION: (A-211) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

5. MOTION TO APPROVE check lists issued from December 1, 1995 through December 31, 1995 in accordance with Florida Statute 136.06.

ACTION: (A-211) Approved.

6. MOTION TO APPROVE check lists issued from January 1, 1996 through January 31, 1996 in accordance with Florida Statute 136.06.

ACTION: (A-211) Approved.

COUNTY RECORDS DIVISION

7. MOTION TO APPROVE the minutes of the Commission meeting of January 30, 1996.

ACTION: (A-211) Approved.

PURCHASING DIVISION

For Department of Natural Resource Protection

8. MOTION TO APPROVE Work Authorization No.1 in the amount of \$20,821.50 for a Remedial

Action Plan (RAP) project to be prepared by Applied Earth Sciences (AES) Inc. and to be completed within three (3) months for the Department of Natural Resource Protection (DNRP) in accordance with the Broward County Environmental Services Library, approved by the Board of County Commissioners on August 23, 1994, and authorize the Chair and the Clerk to execute same.

ACTION: (A-211) Approved.

REVENUE COLLECTION DIVISION

9. MOTION TO APPROVE AND EXECUTE satisfactions of claim of lien against Maxo Pierre, Maxcille Pierre, Bernard Pierre, Robert Pierre, and Michael Pierre, Minor Children.

ACTION: (A-211) Approved.

10. MOTION TO ADOPT Resolution 96-120 Authorizing Cancellation of Warrants from Central Operation Account - #96442522 (NationsBank).

ACTION: (A-211) Approved.

HUMAN SERVICES DEPARTMENT

11. MOTION TO APPROVE an agreement between Broward County and George D. Haidos to provide fund raising, grant development and other tasks for the Homeless Initiative Partnership Advisory Board in the amount of Twenty-Eight Thousand Dollars (\$28,000), and authorize the Chair and Clerk to execute same.

ACTION: (A-211) Approved.

ALCOHOL & DRUG ABUSE SERVICES DIVISION

12. A. MOTION TO APPROVE amendment #1 to JH207 agreement between State of Florida Department of Health and Rehabilitative Services and Broward County from July 1, 1995 through June 30, 1996 decreasing the amount of the agreement by [\$64,614] from \$3,230,674 to \$3,166,060 for the provision of substance abuse services, and authorize the Chair and the Clerk to execute same, and authorize necessary budget action to implement same.

ACTION: (A-211) Approved.

B. MOTION TO ADOPT unanticipated budget Resolution 96-121 within the Grant Fund decreasing the 910 Fund for the Alcohol and Drug Abuse Services Division in the amount [\$64,614] for amendment #1 to the agreement #JH207.

ACTION: (A-211) Approved.

13. MOTION TO APPROVE grant application to the city of Fort Lauderdale in the amount of \$50,000 plus office space for the expansion of substance abuse treatment services in the Mizell Center from October 1, 1996 through September 30, 1997, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant. No county match is required.

ACTION: (A-211) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

14. MOTION TO APPROVE first amendment to agreement with the city of Miramar to provide additional potable water capacity assessment prepayment in the amount of \$6,169.38 for the regional park site in Miramar, and authorize Chair and Clerk to execute same.

ACTION: (A-211) Approved.

15. A. MOTION TO APPROVE State of Florida Department of Environmental Protection (DEP) Florida Boating Improvement Program (FBIP) Retroactive Project Grant Agreement between Broward County and the Florida DEP in the amount of \$5,000 for the Economic Analysis Study of Recreational Boating, FBIP Project, and authorize Chair and Clerk to execute same. (No county monies required.).

ACTION: (A-211) Approved.

B. MOTION TO APPROVE agreement between Broward County and the Broward Economic Development Council, Inc. (BEDC) in the amount of \$5,000 for the Broward County Economic Analysis of Recreational Boating, and authorize the Chair and Clerk to execute same. (No county monies required.)

ACTION: (A-211) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

BIOLOGICAL RESOURCES DIVISION

16. MOTION TO ACCEPT Corrective Conservation Easement with modifications from the city of Pembroke Pines, for the construction of a public school, over approximately 13.75 acres of real property in Broward County, Florida.

ACTION: (A-211) Approved.

PORT EVERGLADES DEPARTMENT

17. MOTION TO APPROVE lease agreement between Broward County, Florida, and the Juvenile Diabetes Foundation International, South Florida Chapter, for use of 4.5 acres of land as a parking lot on Saturday, March 16, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-211) Approved.

18. MOTION TO APPROVE one-year lease agreement between Broward County and Port Everglades Environmental Corporation, for Suite No. 320 in Building 611 at Port Everglades, consisting of 400 square feet, for the period of April 1, 1996 through March 31, 1997.

ACTION: (A-211) Approved.

19. MOTION TO AUTHORIZE the County Attorney's Office to initiate appropriate legal action against Omega Electronics, Inc. for collection of the current outstanding balance of \$2,190.19, plus additional amounts accrued, including interest and late charges, and costs and reasonable attorneys' fees.

ACTION: (A-211) Approved.

COURT ADMINISTRATION

20. MOTION TO ADOPT unanticipated revenue Resolution 96-122 within the JASP- Court Arbitration JJE03 Fund, for the Juvenile Arbitration Services Grant, in the amount of \$45,800 and to provide Community Arbitration Services to juvenile offenders for the grant period ending September 30, 1996.

ACTION: (A-211) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

21. MOTION TO ADOPT budget Resolution 96-123 transferring within the Unincorporated Capital Fund the amount of \$20,000 from the Unincorporated Area Capital Reserve for the purpose of funding soil testing within unincorporated areas.

ACTION: (A-211) Approved.

22. MOTION TO APPROVE business travel and trips on the approved travel list for county employees

in accordance with Administrative Order 105.

ACTION: (A-211) Approved.

BOARD OF RULES & APPEALS

23. MOTION TO AUTHORIZE the Office of Budget & Management Policy to approve future administrative budget actions submitted by the Board of Rules & Appeals in accordance with normal county procedures.

ACTION: (A-211) Approved.

COUNTY ATTORNEY

24. MOTION TO APPROVE agreement between Broward County and W. R. Frizzell Architects, Inc., for relief from automatic stay in Bankruptcy Court Case No. 95- 10865-9P1 (Middle District of Florida) to permit the County to pursue its claim against W. R. Frizzell Architects, Inc.'s insurance company relating to design and construction plans for Fort Lauderdale-Hollywood International Airport.

ACTION: (A-211) Approved.

COUNTY COMMISSION

25. MOTION TO FILE Resolution No. 6778 of the city of Plantation encouraging the Broward County Commission to select the proposed I-95/Broward Boulevard location as the Broward Coliseum site and not the proposed Sunrise/Sawgrass site; providing findings; and providing an effective date therefore. (Chair)

ACTION: (A-211) Approved.

BOARD APPOINTMENTS

26. MOTION TO APPROVE appointment of Roy Gold to the Broward Beautiful Committee. (Commissioner Poitier).

ACTION: (A-211) Approved.

27. MOTION TO APPROVE appointment of Sean P. Sullivan to the Broward County Minimum Housing Code Appeals Board. (Commissioner Poitier)

ACTION: (A-211) Approved.**REQUEST TO SET FOR PUBLIC HEARING**

28. MOTION TO ADOPT Resolution 96-124 directing the County Administrator to publish notice of public hearing to be held on May 1, 1996 at 10:00 A.M. to consider adoption of a proposed amendment to the 1989 Broward County Comprehensive Plan which would alter the land use designation of the Sawgrass Exchange Development of Regional Impact in the city of Coconut Creek.

ACTION: (A-211) Approved.

29. MOTION TO ADOPT Resolution 96-125 directing the County Administrator to publish notice of public hearing to be held on May 1, 1996 at 10:00 A.M. to consider transmittal to the State of Florida Department of Community Affairs the first proposed 1996 amendments to the Broward County Comprehensive Plan.

ACTION: (A-211) Approved.

30. MOTION TO ADOPT Resolution 96-126 directing the County Administrator to publish notice of public hearing to be held on Tuesday, April 9, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of a proposed ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 15, ARTICLE XIV, OF THE BROWARD COUNTY CODE PERTAINING TO ENVIRONMENTAL HEALTH; PROVIDING FOR CHANGES TO REPRESENTATION ON THE BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD ("BOARD"); PROVIDING REVISIONS TO PROCEDURES FOR BOARD HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-211) Approved.**REGULAR AGENDA****COUNTY ADMINISTRATOR'S REPORT**

31. JAIL UPDATE: County Administrator B. Jack Osterholt filed the jail report indicating the population is at 3,489, which is 167 under the cap.

ACTION: (A-254) No action necessary.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

32. MOTION TO REQUEST the Broward County Planning Council to amend the Broward County Trafficways Plan as follows:

A. Reduction of Bonaventure Boulevard from the southern boundary of the Bonaventure development to Griffin Road - 120 ft. Arterial to 94 ft. Collector.

B. Deletion of Saddle Club Road from U.S. 27 to South Post Road - 120 ft. Arterial.

C. Deletion of South Post Road from Saddle Club Road to Weston Road - 94 ft. Collector.

ACTION: (A-401) Deferred to September 17, 1996.

DEVELOPMENT MANAGEMENT DIVISION

33. MOTION TO ADOPT Resolution 96-127 amending the Broward County Administrative Code by adopting an updated TRIPS Status Report dated March 5, 1996.

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.

34. DISCUSSION of Plat entitled "Lugar Del Rey" - District 3, (054-MP-95).

ACTION: (A-637) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

35. DISCUSSION of Plat entitled "Paragon Centre" - District 4, (040-MP-92). Deferred from August 8, 1995.

ACTION: (A-643) Approved the plat subject to staff's recommendations as outlined in the Development Review Report as amended to approval.

36. DISCUSSION of Plat entitled "Broward Central Catholic High School" - District 5, (011-UP-95). Deferred from February 2, 1996.

ACTION: (A-606) Deferred to September 3, 1996 under Section 5-181(i) of the Land Development Code, to study concurrency.

37. DISCUSSION of Plat entitled "Ravenswood 26th Ave. FLL Airport Plat (Plat 7)" - District 6, (033-MP-95).

ACTION: (A-668) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

38. DISCUSSION of Plat entitled "Jabfer Industrial Park" - District 6, (013-UP-95).

ACTION: (A-675) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

39. DISCUSSION of Plat entitled "Schick Plat" - District 6, (067-MP-95).

ACTION: (A-687) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

40. DELEGATION: Gregory A. Nichols regarding request to amend the note on the face of the Maroone Tract Plat. (049-MP-87).

ACTION: (A-698) Approved subject to staff's recommendations.

41. DELEGATION: John Weaver regarding request to amend the note on the face of the Coral Gate Section Ten Plat. (002-MP-95).

ACTION: (A-726) Approved subject to staff's recommendations.

42. DELEGATION: Roza Bazo regarding request to amend the note on the face of the 198 Terrace Plat. (001-UP-85).

ACTION: (A-753 & 1752) Reconsideration of this item placed on the record. This delegation request will be on the March 19, 1996 agenda.

43. DELEGATION: Michael R. Flam regarding request to amend the note of the face of the Heron Bay Three Plat. (009-MP-95).

ACTION: (A-1641) Approved subject to staff's recommendations.

44. DELEGATION: William Shallcross, Jr., regarding request to amend the note of the face of the Sector 3 & 4 Boundary Plat. (008-UP-89).

ACTION: (A-1664) Approved subject to staff's recommendations.

45. DELEGATION: Howard Zimmerman regarding request to amend the note of the face of the Chapel Trail II Plat. (033-MP-81).

ACTION: (A-1685) Approved subject to staff's recommendations as amended to approval as the Planning Council has lifted its objections.

46. DELEGATION: Howard Zimmerman regarding request to modify conditions of plat approval on the Chapel Trail West Plat. (006-MP-94).

ACTION: (A-1704) Approved subject to staff's recommendations based on approval of item 45.

47. DELEGATION: Patricia Z. Hitchcock regarding request to amend the non-vehicular access line on the Eagle Trace First Addition Plat. (107-MP-86).

ACTION: (A-1718) Approved subject to staff's recommendations.

48. DELEGATION: Alan L. Tinter regarding partial waiver of Land Development Code requirements for the proposed Weston Place Apartments Site Plan. (031-SP-95).

ACTION: (A-1740) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works Department

49. MOTION TO AWARD open end contract to low bidder, Fence Masters, Inc., to furnish and install guard rails and accessories (P-10-95-30-12) in the approximate grand total bid amount of \$164,669 and authorize the Director of Purchasing to renew the contract for one year period. The initial contract period shall start March 17, 1996 and shall terminate March 16, 1997.

ACTION: (A-1857) Deferred to March 12, 1996 for further information.

For Finance and Administrative Services Department

50. MOTION TO APPOINT an Evaluation Committee for (RFP #G-02-96-15-24) for Medical Billings Collections and Accounts Receivable Management for Ambulance Services for the Fire Rescue Division.

ACTION: (A-2008) Approved and appointed Commissioner Lori Nance Parrish.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-2034) Approved as amended per staff's addendum.

COUNTY ADMINISTRATOR

52. DISCUSSION: Status of the Arena.

County Administrator B. Jack Osterholt advised that they are continuing discussions with the Heat, and some progress has been made. Mr. Osterholt stated that they hope to bring a letter of intent to the Board in the next week or 10 days.

ACTION: (A-2042) Commissioner Gunzburger requested Phil Allen, Finance and Administrative Services Department Director and Commission Auditor Norman W. Thabit to review the figures on the debt service.

INTERGOVERNMENTAL AFFAIRS

53. DISCUSSION: Legislative Items.

Norman Ostrau, Acting Director, Intergovernmental Affairs advised that proposed legislation on the self-audit bill had been filed, but no action is necessary at this time.

Mr. Ostrau brought two items to the Board's attention to see what position they wanted to take.

1. An amendment to House Bill 711, relating to Regulation of Professions and Occupations. This amendment would eliminate the requirement of journeypersons to be on job sites as currently required in the county's building code.

ACTION: (A-254) The Board determined it would continue its support of its position of last year, which opposes the amendment.

2. Senate Bill 102 relating to the expanded powers for the Housing Finance Authority has been filed again. There was no formal position taken by the Board last year.

ACTION: (A-254) The Board determined it would stay neutral for the next week, and refer this to Phil Allen, Finance and Administrative Services Director, and Commission Auditor Norman W. Thabit for advise on this bill.

SUPPLEMENTAL AGENDA

54. MOTION TO APPROVE Developer's Agreement between the County and Maimonides Shalom Academy, Inc., a Florida corporation, providing for utility installations to be made by the developer at an estimated installation cost of \$23,900.00, AT NO COST TO THE COUNTY, to furnish water and sewer services, and authorize the Chair and Clerk to execute same.

REASON FOR SUPPLEMENTAL: At the request of Commissioner Gunzburger.

ACTION: (A-2383) Approved.

NON AGENDA

55. PROCLAMATION: Commissioner Cowan read into the record a proclamation designating Sunday, March 10, 1996, as Broward Democratic Clubs Day.

ACTION: (A-34) Lorraine Jacobson, President of the South Broward Democratic Club,, and Jack Curtiss, President-Elect, accepted the proclamation and thanked the Board for its recognition.

56. PRESENTATION: John Graham, Executive Director of the Florida Philharmonic Orchestra, appeared on behalf of the Philharmonic and Conductor James Judd, who is out of the country, to thank the Board for its continued support.

ACTION: (A-140) No action necessary.

57. INTRODUCTION: Steve Somerville, Director of DNRP, introduced Gary Stevens, who has been selected as DNRP's Deputy Director.

ACTION: (A-2374) No action necessary.

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