

MEETING OF MARCH 16, 1999

(The meeting convened at 10:00 a.m. and adjourned at 12:55 p.m.)

PLEDGE OF ALLEGIANCE - *led by Adam M. Deitsch, Piper High School student*

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPROVE the appointment of Ms. Darran Blake to serve on the Broward County Cultural Affairs Council. Ms. Blake will fill a vacant position (Commissioner Rodstrom)

ACTION: (A-501) Approved.

B. MOTION TO APPROVE the appointment of Mr. Howard A. Bakalar to the Broward County Children's Services Board to fill a vacant position created by the resignation of Ms. Juanita Philips. (Commissioner Jacobs)

ACTION: (A-501) Approved.

C. MOTION TO APPROVE the appointment of Ms. Beth Chavez to the Board of Directors of the Transportation Management Association. (Chair)

ACTION: (A-501) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE a field usage agreement between Broward County, Florida and Ryan International Airlines Inc., at the Fort Lauderdale-Hollywood International Airport, effective upon Board approval and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

3. MOTION TO APPROVE a contract for sale and purchase executed by American Bank of Hollywood Inc. n/k/a Wachovia Bank, N.A. in the amount of \$5,530 for a temporary construction easement, Parcel 112TCE, Douglas Road Widening Project No. 5142; Engineering Division authorizes the Real Property Section to acquire this property using Engineering Division funds, and authorize the Chair and Clerk to execute contract for sale and purchase.

ACTION: (A-501) Approved.

4. MOTION TO APPROVE a contract for sale and purchase executed by Domingo and Hedi Garcia, husband and wife in the amount of \$600 for the purchase of a Permanent Construction Easement for Parcel 1F of South County Neighborhood Improvement Project; Office of Environmental Services authorizes the Real Property Section to acquire this property using Office of Environmental Services funds, and authorize the Chair and Clerk to execute contract for sale and purchase.

ACTION: (A-501) Approved.

5. MOTION TO APPROVE a contract for sale and purchase executed by World Partner Enterprises, Ltd., a Florida Limited Partnership in the amount of \$3,850 for purchase of right-of-way for Douglas Road (Pembroke Road to Sheridan Street), Project No. 5116, Parcel 10; Engineering Division authorizes the Real Property Section to acquire this property using Engineering Division funds; authorize the Chair and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed.

ACTION: (A-501) Approved.

6. MOTION TO APPROVE a contract for sale and purchase executed by Eddie H. Toney, a single man, in the amount of \$85,000 for the purchase of right-of-way, Parcel 40, Sistrunk Boulevard Project No. 5075 (Northwest 6 Street); Engineering Division authorizes the Real Property Section to acquire this property using Engineering Division funds; authorize the Chair and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed.

ACTION: (A-501) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

**ENVIRONMENTAL ENGINEERING
DIVISION**

7. MOTION TO APPROVE a developer's agreement between Broward County and Seneca Land Company Inc., a Florida Corporation, providing for utility installations at the property located on the north side of Hallandale Beach Boulevard and about 1,340 feet west of Park Road, Pembroke Park, Florida by the developer at an estimated installation cost of \$170,486.50, at no cost to the county, to furnish water supply service for two warehouse buildings totaling 236,025 square feet, and authorize the Chair and Clerk to execute same. (BCOES Project No. 8804)

ACTION: (A-501) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

8. MOTION TO APPROVE an agreement between Broward County and the City of Pembroke Pines for the joint funding of improvements to the intersections along Taft Street between Northwest 89 Terrace and Northwest 93 Avenue, Project No. 5208, at a cost to the county not to exceed \$123,000, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

9. MOTION TO ADOPT unanticipated revenue Resolution 1999-417 within the Grant Fund (8430), Computerized Traffic Signal Fund for the Traffic Engineering Division in the amount of \$300,000 in State funds, for the fifth year funding of a six-year joint agreement for enhanced operation of the Computerized Traffic Signal System.

ACTION: (A-501) Approved.

10. A. MOTION TO ADOPT Resolution 1999-418 accepting and ratifying recordation of a road easement executed by WCI Communities Limited Partnership, donating right-of-way for Coral Ridge Drive, 390 feet north of Atlantic Boulevard.

ACTION: (A-501) Approved.

B. MOTION TO ADOPT Resolution 1999-419 accepting a warranty deed executed by WCI Communities Limited Partnership, donating right-of-way for Coral Ridge Drive, 190 feet north of Atlantic Boulevard.

ACTION: (A-501) Approved.

11. A. MOTION TO ADOPT budget Resolution 1999-420 transferring funds within the county Transportation Trust Fund for Streets and Highways Division in the amount of \$2,970 for the purpose of funding an upgrade to replacement of a ½ ton to a ¾ ton pick-up truck, necessary to meet changed utilization requirements.

ACTION: (A-501) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1999-421 within the Motor Pool Fund for Fleet Services Division in the amount of \$2,970 for the purpose of funding an upgrade to replacement of a ½ ton to a ¾ ton pick-up truck, necessary to meet changed utilization requirements.

ACTION: (A-501) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

12. MOTION TO APPROVE Satisfaction of Mortgage for a State Housing Incentives Partnership (SHIP) Purchase Assistance Program loan in the amount of \$4,234 to Luis Rios and Auxiliadora Amador, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

13. MOTION TO APPROVE Satisfaction of Mortgage for a State Housing Incentives Partnership (SHIP) Purchase Assistance Program loan in the amount of \$5,000 to Dawn and Reginald Grace, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

14. MOTION TO APPROVE Satisfaction of Mortgage for a State Housing Incentives Partnership (SHIP) Home Repair Program loan in the amount of \$9,780 to Winston and Yvonne McInnis, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

15. MOTION TO APPROVE Satisfaction of Mortgage for a State Housing Incentives Partnership (SHIP) Home Repair Program loan in the amount of \$15,000 to Nathan Wolfson, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

16. A. MOTION TO APPROVE the Satisfaction of Mortgage for a State Housing Incentives Partnership (SHIP) Special Needs/Barrier-Free Program loan in the amount of \$12,407.77, to Cynthia DeSanti, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Deferred at the County Administrator's request for further staff review.

B. MOTION TO APPROVE the Satisfaction of Mortgage for a SHIP Special Needs/Barrier-Free Program loan in the amount of \$7,586.46, to Cynthia DeSanti, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Deferred at the County Administrator's request for further staff review.

C. MOTION TO APPROVE the Satisfaction of Mortgage for a SHIP Special Needs/Barrier-Free Program loan in the amount of \$1,867.91, to Cynthia DeSanti, and authorize the Chair and Clerk to

execute same.

ACTION: (A-501) Deferred at the County Administrator's request for further staff review.

17. MOTION TO ADOPT Resolution 1999-422 amending Resolution 1999-189 which authorized and approved the issuance of Multifamily Housing Revenue Bonds (Pembroke Gardens Project), Series 1999, to increase the aggregate principal amount thereof to an amount not to exceed \$10,600,000 of which up to \$10,000,000 of the bonds shall be tax-exempt bonds and up to \$600,000 of the Bonds shall be taxable bonds; reapproving and reauthorizing the distribution of the related Preliminary Limited Offering Memorandum and execution and distribution of the related Final Limited Offering Memorandum; and providing for certain details thereof.

ACTION: (A-501) Approved.

ACCOUNTING DIVISION

18. MOTION TO APPROVE business travel for county employees in accordance with Administrative Order 105.

ACTION: (A-501) Approved as corrected to read under business trips for P. Madison, March 23 to March 25 "attend legislative session" and not "attend congressional meetings".

19. MOTION TO APPROVE check lists issued from November 1, 1998 through November 30, 1998 in accordance with Florida Statute 136.06.

ACTION: (A-501) Approved.

PURCHASING DIVISION

For Aviation Department

20. MOTION TO APPROVE Optional Service Work Authorization No. RO06-11 pursuant to the Agreement between Broward County and Post, Buckley, Schuh and Jernigan Inc. (consultant) for consultant services to revise the construction documents to reflect changes in the Terminal Project as they interface with the Roadway Task 1 Project with no increase in contract time or cost, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

21. MOTION TO AWARD an open-end contract to low bidder, Weekly Asphalt Paving Inc., to complete annual airfield and landside civil site work and asphalt repairs in the estimated amount of \$1,576,700 (H-O-98-229-M1) for the Aviation Department, and authorize the Purchasing Division Director to renew this contract for a one-year period. This initial contract period shall start upon receipt and acceptance of insurance/performance and payment guarantee and terminate one year from that date.

ACTION: (A-501) Approved.

22. MOTION TO APPROVE agreements between Stoner and Associates and Broward County, and Miller Legg and Associates and Broward County for general land surveying services from date of award through September 30, 2001 with two one-year optional extensions, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

23. MOTION TO APPROVE Change Order No. 3 to the Construction Contract between Broward County and The de Moya Group Inc. for Terminal Area Roadway Improvements at the Fort Lauderdale-Hollywood International Airport (Bid No. H-01-98-14-CF) which authorizes an increase of \$44,717, with no additional time, and modifies the scope of work by substituting steel sheet piling for concrete MSE walls which expedites certain portions of the work and allows the adjacent terminal construction to move ahead expeditiously even though the delay in award of the de Moya contract could have impacted the Terminal site availability by several months, and authorize the Chair and the Clerk to execute same.

ACTION: (A-501) Approved.

For Community Services Department

24. MOTION TO AWARD a fixed contract to low bidder, MBR Construction Inc., for the construction of a concrete skate park slab at Brian Piccolo Park (H-D-98-287-CF) in the total base bid amount of \$108,166 for the Parks and Recreation Division, subject to receipt and acceptance of insurance/performance and payment guarantee.

ACTION: (A-501) Approved.

For Finance and Administrative Services Department

25. MOTION TO NOTE FOR THE RECORD an emergency six-month extension on a month by month basis of the interim agreement for maintenance and service support of the Broward County Private Branch Exchange (PBX) telephone systems located throughout the County between Broward County and BellSouth Communication Systems for the Telecommunications Division of the Office of Information Technology from April 1, 1999 through September 30, 1999 in order to complete negotiations and approval of the new contract.

ACTION: (A-501) Approved.

26. MOTION TO AWARD an open-end contract to the Sadko Travel Agency, Item 1, for Travel Reservation Services Bid (J-12-97-04-24) for various divisions and authorize the Purchasing Division Director to renew the contract for two one-year periods. This contract provides for flexibility in processing travel services, inclusive of the use of Price Line/Internet, vouchers, credit cards and/or other methods that do not conflict with the agreement. Estimated amount of expenditure, for two years, for airline reservations, is \$500,000. The initial contract period shall commence upon approval and shall

terminate two years from that date.

ACTION: (A-501) Approved.

For Port Everglades Department

27. A. MOTION TO ADOPT budget Resolution 1999-423 transferring within the Port Everglades Capital Fund (471) the amount of \$1,169,388 from Reserves in order to put additional required funding in place to award the contract for the expansion of the Midport Parking Garage, for a total project amount of \$7,579,080. This increase is needed due to specification changes that were required by the City of Hollywood and to increase the five percent change order allowance.

ACTION: (A-501) Approved.

B. MOTION TO AWARD a fixed contract to low bidder, Danville-Findorff Inc. for the Midport Parking Garage addition at Port Everglades (H-8-98-199-CF) for the grand total bid amount of \$7,579,080 for the Port Everglades Department, subject to receipt and acceptance of insurance/ performance and payment guarantee.

ACTION: (A-501) Approved.

C. MOTION TO APPROVE ten percent Change Order Contingency.

ACTION: (A-501) Approved.

For Public Works Department

28. MOTION TO AWARD an open-end contract to low bidder, Control Technologies of Central Florida Inc., for BC4T Traffic Controller Cabinets to regulate Traffic Lights (Bid No. E-8-98-194-B-1) for Traffic Engineering Division in the annual estimated amount of \$317,500, and authorize the Purchasing Division Director to renew the contract for a one-year period. The initial contract period shall start on date of award and shall terminate one year from that date.

ACTION: (A-501) Approved.

REVENUE COLLECTION DIVISION

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

ACTION: (A-501) Approved.

30. MOTION TO ADOPT Resolution 1999-424 authorizing cancellation of warrants from Payroll Account No. 2079940003798.

ACTION: (A-501) Approved.

HUMAN SERVICES DEPARTMENT

31. MOTION TO APPROVE Amendment No. 1 to Interlocal Agreement between Broward County and the City of Fort Lauderdale changing the recipient of the remaining \$164,000 of the city's Community Development Block Grant (CDBG) contribution from Broward County to the Broward Partnership for the Homeless Inc. (BPHI), modifying the purpose of the contribution to incorporate "public services activities" (including equipment and non-construction) in addition to construction of the center, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

BUREAU OF CHILDREN AND FAMILY SERVICES

32. MOTION TO APPROVE Amendment No. 4 to Agreement No. 98EA-9A-11-16-01- 004 between the State of Florida, Department of Community Affairs and Broward County from April 1, 1998 through March 31, 1999 extending the term of the agreement by two months until May 31, 1999 for the purpose of providing emergency energy assistance to low income families through the Low Income Home Energy Assistance Program (LIHEAP), and authorize the Chair and Clerk to execute same. Due to the State experiencing delays in securing federal budget allocations for 1999-2000 LIHEAP grant funding, a contract extension is necessary to ensure continued services to clients. No increase in funding is required.

ACTION: (A-501) Approved.

ELDERLY AND VETERANS SERVICES DIVISION

33. MOTION TO APPROVE an agreement between Broward County and Neu Heart Health Care Services, from date of execution to December 31, 1999 in the amount of \$9,988 for the provision of Older Americans Act Homemaker Services to the elderly, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

34. A. MOTION TO APPROVE Amendment No. 1 to Agreement No. JH503 between Broward County and the State of Florida Department of Children and Families from date of execution, to implement a mandated state funding reduction in the amount of (\$27,511) in the provision of mental health case management and supported housing services for older adults, and authorize the Chair and Clerk to

execute same.

ACTION: (A-501) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1999-425 within the State of Florida Grant Fund for the Elderly and Veterans Services Division in the amount of \$14,305 to offset a decrease in state funding to ensure the provision of mental health services for older adults for the remainder of the fiscal year.

ACTION: (A-501) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

35. A. MOTION TO ADOPT Resolution 1999-426 of the Board of County Commissioners of Broward County, Florida, authorizing the Commission Chair to execute and file a supplemental agreement with the Florida Department of Transportation in the amount of \$225,000 for the purchase of three new 24-passenger electric buses to be operated in the Broward Boulevard Corridor; and providing for an effective date.

ACTION: (A-501) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1999-427 within the Capital Grant Fund (451) for the Mass Transit Division in the amount of \$225,000 for the purchase of electric buses to be operated in the Broward Boulevard Corridor. (No county match required.)

ACTION: (A-501) Approved.

36. MOTION TO APPROVE first amendment to an agreement between Broward County and Transportation Suppliers Inc., for the operation of community and commuter transportation services; providing for extension of the term of the agreement to March 31, 2000; increasing compensation from \$800,000 to an amount not to exceed \$1,100,000 for an additional year of service during the contract term, and authorize the Chair and Clerk to execute same. Funding is available in Mass Transit Division's Grant Capital Budget for Fiscal Year 1999.

ACTION: (A-613) Approved.

PARKS AND RECREATION DIVISION

37. MOTION TO ADOPT Resolution 1999-428 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of four sculptures with a collective value of \$3,600 from

Paul Cummings for the use and benefit of the Parks and Recreation Division in suitable public viewing areas within the park system; authorizing the County Administrator to take all administrative steps to implement same; and providing for an effective date.

ACTION: (A-501) Approved.

38. MOTION TO ADOPT Resolution 1999-429 of the Board of Broward County Commissioners of Broward County, Florida authorizing the acceptance of a donation of artwork entitled “*Betel and Lace*” from Raymond Olivero for the use and benefit of the Parks and Recreation Division at the Anne Kolb Nature Center at West Lake Park in Hollywood, Florida; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

ACTION: (A-501) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

BIOLOGICAL RESOURCES DIVISION

39. MOTION TO ACCEPT a conservation easement from Parati Development Corporation for wetland mitigation associated with the construction of a single family residential development, over approximately 50.44 acres of real property in the City of Miramar, for the Biological Resources Division.

ACTION: (A-501) Approved.

40. MOTION TO ACCEPT a conservation easement from the City of Sunrise for wetland mitigation associated with the construction of a commercial development, over approximately 16.3 acres of real property in the City of Sunrise, for the Biological Resources Division.

ACTION: (A-501) Approved.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

41. MOTION TO APPROVE a subordination agreement for the purpose of permitting Broward County to remain in a second mortgage lien position on a State Housing Initiatives Partnership (SHIP) forgivable deferred payment loan in the amount of \$14,850 made to Carolyn Steele, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

PORT EVERGLADES DEPARTMENT

42. MOTION TO APPROVE a renewal of a 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 of office space, for the period of April 1, 1999, through March 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

43. MOTION TO APPROVE a renewal of a one-year lease agreement between Broward County and Grady Marine Construction Inc. for Suite No. 5 in Building 611 at Port Everglades, consisting of 520 square feet of office space, for the period of April 1, 1999 through March 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

44. MOTION TO APPROVE a renewal of a one-year lease agreement between Broward County and Eller and Company Inc. for 238 square feet of office space in Building No. 26 at Port Everglades, for a period of April 1, 1999 through March 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

45. MOTION TO APPROVE a bulk petroleum product pipeline license agreement between Broward County and Amoco Oil Company for underground pipelines at Port Everglades for a ten-year period effective from March 16, 1999 through March 8, 2009, and authorize the Chair and Clerk to execute same.

ACTION: (A-501) Approved.

OFFICE OF BUDGET SERVICES

46. MOTION TO ADOPT unanticipated revenue Resolution 1999-430 within the Law Enforcement Trust Fund in the amount of \$10,000 for Crime Prevention and Neighborhood/ Communities programs through the Community Council of South Broward Inc.

ACTION: (A-501) Approved.

47. MOTION TO ADOPT unanticipated revenue Resolution 1999-431 within the Law Enforcement Trust Fund in the amount of \$30,000 for the Coordinating Council of Broward to develop community policing/crime prevention strategies with neighborhood organizations.

ACTION: (A-737) Approved and deleted from the Broward County Sheriff's Office (BSO) Law Enforcement Trust Fund (LETF) request for funding, (page 3 of 4) Section XI.2., Program's Anticipated Revenues and Recurring Costs, the statement: "In addition, the Coordinating Council of Broward (CCB) is the designated oversight body for \$500,000 in Fiscal Year 1998 in State of Florida funds used to develop and update the Broward Information Network (BIN), by the Broward County Board of County Commissioners."

48. MOTION TO ADOPT unanticipated revenue Resolution 1999-432 within the Law Enforcement Trust Fund in the amount of \$458,535 to fund operations of Broward Sheriff's Office (BSO) Organized Criminal Activities Investigations section.

ACTION: (A-501) Approved.

49. MOTION TO ADOPT unanticipated revenue Resolution 1999-433 within the Law Enforcement Trust Fund in the amount of \$244,493 for funding of Broward Sheriff's Office (BSO) participation in the Metropolitan Intelligence Unit (MIU) and BSO's Auto Theft Investigations Unit.

ACTION: (A-501) Approved. The Board noted the potential savings on pagers and suggested that information in this regard be submitted to the Broward Sheriff's Office.

50. MOTION TO ADOPT unanticipated revenue Resolution 1999-434 within the Law Enforcement Trust Fund in the amount of \$263,277 for Domestic Interdiction Disbursement expenses to the Town of Davie, City of Sunrise, City of Coral Springs, City of Fort Lauderdale, City of Pompano Beach, and the City of Hollywood.

ACTION: (A-501) Approved.

51. MOTION TO ADOPT unanticipated revenue Resolution 1999-435 within the Law Enforcement Trust Fund in the amount of \$1,354 for purchasing classroom supplies for use in elementary schools to reinforce anti-drug/anti-gang messages.

ACTION: (A-501) Approved.

52. MOTION TO ADOPT unanticipated revenue Resolution within the Law Enforcement Trust Fund in the amount of \$5,000 towards construction or furnishing of the African American Research Library and Cultural Center (AARLCC).

ACTION: (A-501) Deferred for further staff review at the County Administrator's request.

53. MOTION TO ADOPT budget Resolution 1999-436 within the General Fund in the amount of \$1,076,000 from the Commission Reserve to the Sheriff's Office for one-time Year 2000 (Y2K) solutions, laptop linkages for road patrol deputies and support for new jail management system (CJIS System).

ACTION: (A-501) Approved.

GREATER FORT LAUDERDALE

CONVENTION AND VISITORS BUREAU

54. MOTION TO APPROVE the new pay range for Greater Fort Lauderdale Convention and Visitors Bureau Vice President.

ACTION: (A-501) Approved.

OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL MANAGEMENT

55. MOTION TO ADOPT Resolution 1999-437 of the Board of County Commissioners of Broward County, Florida exempting from the classified civil service, the vacant position of Secretary II (BPN No. 7926) for the Office of Legislative and Intergovernmental Management. This position will become vacant effective March 15, 1999.

ACTION: (A-501) Approved.

COUNTY ADMINISTRATOR

56. MOTION TO FILE an Annual Audit Report for the Broward Community College Foundation Inc. for Fiscal Year ended June 30, 1998 as required by the agreement among the county, the Broward Sheriff's Office, the Sails Foundation Inc., and the Broward Community College Foundation Inc.

ACTION: (A-770) Approved. The Board directed the County Attorney's Office to research whether the Foundation has received a response from the management company to its Financial Statements, Credit Risk and Concentrations on whether it is in violation due to cash maintained in its accounts possibly being in excess of the Federal Deposit Insurance Corporation's (FDIC's) insured limit and clarify if the Supporting Achievement and Interest in Learning for Students (SAILS) scholarship funds are available to award to students who previously resided in Broward County for an extensive period and moved out of state.

REQUEST TO SET FOR PUBLIC HEARING

57. MOTION TO ADOPT Resolution 1999-438 directing the County Administrator to publish notice of public hearing to be held on Tuesday, April 13, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, REPEALING CHAPTER 27, ARTICLE VI, SECTIONS 27-211 TO 27-217, "SOLID WASTE"; CREATING CHAPTER 27, ARTICLE VI, SECTIONS 27-211 THROUGH 27-219, "SOLID WASTE"; PROVIDING FOR A DECLARATION OF INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR DOCUMENTS INCORPORATED BY REFERENCE; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL PROHIBITIONS; PROVIDING

FOR SOLID WASTE MANAGEMENT LICENSE REQUIREMENTS AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-501) Approved.

58. MOTION TO ADOPT Resolution 1999-439 directing the County Administrator to publish notice of public hearing to be held on Tuesday, April 13, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the title of which is as follows:

AN ORDINANCE CREATING A SECTION IN THE CODE OF ORDINANCES OF BROWARD COUNTY, FLORIDA, REGULATING OPEN VIDEO SYSTEM SERVICE; PROVIDING FOR APPLICABILITY AND DEFINITIONS; APPLICATION FOR USE AGREEMENT; APPLICATION FEES; COMPENSATION FEE FOR USE OF PUBLIC RIGHTS-OF-WAY; REQUIRED REPORTS; CUSTOMER SERVICE STANDARDS AND RESOLUTION OF COMPLAINTS; PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS; INDEMNIFICATION; INSURANCE; PERFORMANCE BONDS; TERMINATION OF AGREEMENT; AMENDING SECTION 8½-16, BROWARD COUNTY CODE OF ORDINANCES, RELATING TO PENALTIES; PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, AND EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-501) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

59. A. CONTE FACILITY County Administrator Roger J. Desjarlais submitted for the record a memorandum dated March 15, 1999 regarding the status of the Conte Facility.

ACTION: (A-943) No action was necessary.

B. INVITATION Mr. Desjarlais extended an invitation to the Board to attend a presentation by Mr. John Vickerman, VZM TranSystems Corporation, (subconsultant to Craven Thompson and Associates Inc.) on the Southport Intermodal Complex (an expanded cargo facility handling system) on April 9, 1999 at 10:30 a.m. at the former Port Authority Commission Chambers. Said presentation is to understand the efforts for project development, the type of modelling TranSystems is using, and the level of participation by the customers and port businesses.

ACTION: (A-943) For informational purposes.

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. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

DEPARTMENT OF STRATEGIC PLANNING AND GROWTH MANAGEMENT DEVELOPMENT MANAGEMENT DIVISION

60. DISCUSSION: of plat entitled "Sector 7 - Parcel W" - District 3, (060-MP-98).

ACTION: (A-1019) Approved subject to staff's recommendation as outlined in the Development Review Report and with the caveat that staff advise the county commission that the 173 dwelling units have been deleted when the plat is recorded.

61. DISCUSSION: of a plat entitled "Parcel I Nautical Plat" - District 5, (037-MP-98).

ACTION: (A-1054) Approved subject to staff's recommendation as outlined in the Development Review Report.

62. DISCUSSION: of a plat entitled "Roger's 207 Plat" - District 3, (068-MP-97). (Deferred from March 2, 1999)

ACTION: (A-1072) Approved subject to staff's recommendation as outlined in the Development Review Report.

63. DISCUSSION: of a plat entitled "Roger's 223 Plat" - District 3, (069-MP-97). (Deferred from March 2, 1999)

ACTION: (A-1090) Approved subject to staff's recommendation as outlined in the Development Review Report.

64. DISCUSSION: of a plat entitled "John Knox Village" - District 2, (042-MP-98). (Deferred from February 16, 1999)

ACTION: (A-1110) Approved subject to staff's recommendation as outlined in the Development Review Report.

65. DISCUSSION: of a plat entitled "Country Woods" - District 3, (059-MP-98).

ACTION: (A-1165 & A-1310) Approved subject to staff's recommendation as outlined in the Development Review Report with the applicant's voluntary commitment to contribute \$10,000 towards sidewalk improvements on Northwest 74 Place.

66. DISCUSSION: of a plat entitled “Miramar Parkway Plat” - District 5, (029-MP-97).

ACTION: (A-501) Deferred to October 26, 1999 or sooner, under Section 5-181(I) of the Land Development Code, to study regional road concurrency.

67. DISCUSSION: of a plat entitled “Miramar Parkway Southwest Plat” - District 5, (032-MP-98).

ACTION: (A-501) Deferred to October 26, 1999 or sooner, under Section 5-181(I) of the Land Development Code, to study regional road concurrency.

68. DELEGATION: Mr. Leigh Robinson Kerr regarding request to amend the note on the Dixie Landmark Plat (073-MP-91).

ACTION: (A-1183) Approved subject to staff’s recommendations.

69. DELEGATION: Ms. Michele C. Mellgren regarding request to amend the note on the Riviera Commercial Park North Plat (210-MP-84).

ACTION: (A-1202) Approved subject to staff’s recommendations.

70. DELEGATION: Mr. Jim Kahn regarding request to revise the note on the Aztec Plat (039-MP-96). (Deferred from August 18, 1998)

ACTION: (A-501) The Board took no action until the mediation process is concluded under Section 70.51 of the Florida Statutes.

71. DELEGATION: Mr. Michael J. Caval regarding request to amend the note on the Ocean Walk Plat (037-UP-87). (Deferred from the December 1, 1998)

ACTION: (A-1220) Approved subject to staff’s recommendations.

72. DELEGATION: Ms. Bonnie Mescal regarding request to amend the note on the County Lakes Section 3 Plat (073-MP-89). (Deferred from the February 16, 1999)

ACTION: (A-1238) Approved subject to staff’s recommendations.

73. DELEGATION: Ms. Bonnie Mescal regarding request to amend the note on the County Lakes Section 3 North Plat (200-MP-89). (Deferred from the February 16, 1999)

ACTION: (A-1253) Approved subject to staff’s recommendations.

74. DELEGATION: Mr. Hot Holden regarding request to amend the non-vehicular access line on the Diplomat Resort and Country Club Plat (010-MP-93).

ACTION: (A-501) Deferred to April 6, 1999 at the applicant’s request.

75. DELEGATION: Mr. Edward P. Ploski regarding request to amend the non-vehicular access line on the Westport Business Park Parcels A and B Plat (028-MP-89). (Deferred from September 15, 1998)

ACTION: (A-1292) Approved subject to staff’s recommendations.

76. DELEGATION: Mr. Edward P. Ploski regarding request to amend the non-vehicular access line on the Port Everglades Industrial Park Section One Plat (012-MP-81). (Deferred from October 20, 1998)

ACTION: (A-501) Withdrawn at the applicant's request.

END OF QUASI-JUDICIAL HEARING

COUNTY ADMINISTRATOR

77. DELEGATION: Dr. Ernest J. Wheeler to address the Board on illiteracy in Broward County.

ACTION: (A-3226) No action was taken.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

78. DISCUSSION AND DIRECTION TO STAFF FOR PREPARING Fiscal Year 2000 budget for Cable Broadcasting of Commission Meetings.

A. MOTION TO DIRECT the County Administrator to include \$205,000 in the recommended budget for Fiscal Year 2000 for Cable Broadcasts to enhance the quality of broadcasts for sound and picture and to implement closed- captioning.

OR

B. MOTION TO DIRECT the County Administrator to include \$67,000 in the recommended budget for Fiscal Year 2000 for Cable Broadcasts for closed- captioning and minimal sound enhancements.

ACTION: (A-3401) Approved Item (78B).

ACCOUNTING DIVISION

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

ACTION: (A-4022) Approved with addendum.

PURCHASING DIVISION

For Finance and Administrative Services Department

80. MOTION TO APPOINT a Selection/Negotiation Committee to recommend the most qualified firm to provide professional engineering services for the improvement of Northwest 21 Avenue from Northwest 19 Street to Oakland Park Boulevard.

ACTION: (A-4030) Approved with the appointments of Commissioners Lieberman, Cowan, and Abramowitz; the Engineering Division Director, Chair; Traffic Engineering Division Director, and the Development Management Division Director; plus, administrative support staff from the County Attorney's Office, Commission Auditor's Office, Office of Equal Opportunity, the Risk Management Division, the Purchasing Division, and the using agency.

For Public Works Department

81. A. MOTION TO ADOPT budget Resolution 1999-440 transferring funds within the Engineering Division Capital Project Fund (315) in the amount of \$590,000 from the Engineering Capital Project Reserve for future capital outlay to the Northeast 62 Street widening, Project No. 5030, in order to fund the final adjusting Change Order No. 7 to Contract No. T-03-97-04-CF with The de Moya Group Inc.

ACTION: (A-4047) Approved. The Board directed the County Administrator to review the procurement process on the qualification and selection of firms based on past performance; history on completion of construction projects, and identification of change orders, with reasons, during the course of the project.

B. MOTION TO APPROVE an increase in the Change Order Allowance in the amount of \$590,000 from \$638,997.24, (20.00%) to \$1,228,997.24, or 38.47 percent, of the original contract amount of \$3,194,986.24, for Contract No. T-03-97-04-CF, Widening Northwest 62 Street from Northeast 7 Avenue to Northeast 18 Avenue, with The de Moya Group Inc., Project No. 5030.

ACTION: (A-4047) Approved.

C. MOTION TO APPROVE Change Order No. 7 to Contract No. T-03-97-04-CF with The de Moya Group Inc. for the widening of Northeast 62 Street from Northeast 7 Avenue to Northeast 18 Avenue, Project No. 5030, at an increase of \$565,081.68, and no increase in time, increasing the contract amount from \$3,830,116.53, to \$4,395,198.21, and authorize the Chair and the Clerk to execute same.

ACTION: (A-4047) Approved.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

82. MOTION TO APPROVE a criteria for partnerships recommended for library bond issue projects.

ACTION: (A-4886) Approved as amended to include in the third bullet: . . . "The proposed facility should have high visibility, accessibility for the public, and free parking. . . ."

COUNTY ATTORNEY

83. A. MOTION TO APPROVE a settlement agreement in the amount of \$109,572 (inclusive of attorney fees and costs) in full and final settlement of a lawsuit filed in Broward County Circuit Court,

Case No. 98-009610-04, The American Insurance Company, etc. v. Board of County Commissioners of Broward County, Florida, etc.

ACTION: (A-4926) Approved.

B. MOTION TO ADOPT budget Resolution 1999-441 transferring funds within the Resource Recovery Fund (Fund 488) in the amount of \$109,580 to appropriate funds for the proposed settlement.

ACTION: (A-4926) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

84. MOTION TO ADOPT Resolution 1999-442 relating to the Housing Finance Authority of Broward County, Florida Governmental National Mortgage Association (GNMA) Collateralized Home Mortgage Revenue Bonds, 1989 Series A, B and C; authorizing execution and delivery of a GNMA Certificate Purchase Agreement in connection with such GNMA Certificates; authorizing execution and delivery of an Escrow Deposit Agreement; authorizing other action in connection with such agreement; and providing an effective date.

ACTION: (A-4934) Approved.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

85. MOTION TO FILE the City Commission of the City of Hollywood, Florida, Resolution Number R-99-42 dated February 3, 1999, entitled:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING THE PROPOSED CITY OF HOLLYWOOD LEGISLATIVE AGENDA FOR THE UPCOMING 1999 LEGISLATIVE SESSION.

(Chair)

ACTION: (A-501) Approved.

GOOD AND WELFARE

85. PROCLAMATION On behalf of the Board, Commissioner Gunzburger read into the record a proclamation designating Saturday, March 20, 1999 as the Marine Industries Association of South Florida's *WATERWAY CLEANUP DAY* in Broward County, Florida. The Board recognized this outstanding and valuable public campaign to improve the quality of the Broward County waterways which are a vital aspect of the community.

ACTION: (A-128) Mses. Marilyn Mammano, Waterway Cleanup Chairperson, and Kitty McGowen, Marine Industries Association of South Florida, accepted the proclamation and thanked the Board.

86. PROCLAMATIONS On behalf of the Board, Commissioner Rodstrom read into the record proclamations designating related days and extending appreciation to the following students for their caring attitude and motivation to make differences in the lives of those who are less fortunate:

Wednesday, March 17, 1999 as “*CONNIE CAMPBELL APPRECIATION DAY*” accepted with thanks by Ms. Constance Campbell, 15-year-old Plantation High School student;

Thursday, March 18, 1999 as “*HAKEEM CAMPBELL APPRECIATION DAY*” accepted with appreciation by Mr. Hakeem Campbell, 13-year-old Plantation Middle School student;

Monday, March 22, 1999 as “*ADAM M. DEITSCH APPRECIATION DAY*” accepted with gratitude by Mr. Adam M. Deitsch, 14-year-old Piper High School student;

Sunday, March 21, 1999 as “*DIANA S. DEITSCH APPRECIATION DAY*” accepted with thanks by Ms. Diana S. Deitsch, 10-year-old student at Tamarac Elementary School;

Tuesday, March 16, 1999 as “*ABHISHEK GUPTA APPRECIATION DAY*” accepted with much appreciation by Mr. Abhishek Gupta, 17-year-old teenager from Fort Lauderdale attending Phillips Exeter Academy in New Hampshire;

Tuesday, March 23, 1999 as “*SHAUN KRUEGER APPRECIATION DAY*” accepted with gratitude by Mr. Shaun Krueger, 10-year-old student at Virginia Young Elementary School;

Friday, March 19, 1999 as “*EDWARD B. McDUFFIE, JR. APPRECIATION DAY*”, a 12- year-old student at Thomas Jefferson Middle School;

Saturday, March 20, 1999 as “*MONIQUE D. McDUFFIE APPRECIATION DAY*” a 14-year- old student at American Senior High School;

Thursday, March 25, 1999 as “*LAUREL MUSE APPRECIATION DAY*” a 17-year-old student at Vero Beach Senior High School, and

Wednesday, March 24, 1999 as “*SAMANTHA VOEHRINGER APPRECIATION DAY*” accepted with thanks by Samantha Voehringer, a seven-year-old student at Crystal Lakes Elementary School.

ACTION: (A-229) The students accepted their proclamations with appreciation.

NON AGENDA

87. MOMENT OF SILENCE Upon Commissioner Parrish’s request, the Board recognized the deaths of Ms. Doris Marie Davis Forman who passed away on Sunday, March 14 and Mr. Samuel Smith former president of the Florida Bar and a partner in the law firm of Ruden, McCLusky, Smith, Schuster, and Russell, who died on Saturday, March 13, 1999.

ACTION: (A-4959) The Board held a moment of silence in the memories of Ms. Forman and Mr. Smith and expressed condolences to their families.

88. FIS FL-HIA Commissioner Parrish referred to a memorandum dated March 12, 1999 from Mr. William F. Sherry, Aviation Department Director, regarding Federal Inspection Services (FIS) Inspectors at Fort Lauderdale-Hollywood International Airport (FL-HIA) and cited the second page seeking the county commission's assistance in requesting additional support of its Congressional Delegation, including a letter from the county commission to Vice President Al Gore, the Secretaries of Agriculture and Treasury.

ACTION: (A-5018) By unanimous consent, the Board directed the Chair to write appropriate letters, on behalf of the county commission, in this regard.

89. NEXTEL SOUTH CORP. - THREE ANTENNAE INSTALLATION Commissioner Parrish pointed out the Board's actions at its September 8, 1998 meeting deferring a license agreement made and entered into by and between Broward County and Nextel South Corporation to install three antennae for a period of five years with the right to extend the term for five successive five-year period, with compensation of \$30,000 per year paid by Nextel to the county, and authorize the Chair and Clerk to execute same to the September 28, 1998 meeting or sooner. She referred to a letter dated March 5, 1999 from Mr. Alan L. Gabriel, attorney, regarding the subject issue; Nextel's inability to agree to the requested revisions in the agreement, and its decision to pursue other collocation alternatives.

ACTION: (A-5053) The Board directed the County Attorney's Office to review the significance of mounting Nextel's telecommunication antennas on the county's existing monopole and placing Nextel's associated electronic equipment in a small adjacent room within the Public Safety Building and inform the county commission before the item is reconsidered at the March 23, 1999 meeting.

90. JOINT NOVA/COUNTY RESEARCH LIBRARY Commissioner Rodstrom referred to the recent briefing that Ms. Shirley Kelley, Deputy County Administrator, had with him regarding the Board's discussion at its December 8, 1998 meetings regarding the Nova Southeastern University proposal for a joint use public library, research and information technology center. He noted the Board's previous intent to not consider said proposal as part of the March 9, 1999 official ballot, bond referendum election on the library facilities acquisition, construction, reconstruction, expansion, including land, furnishings, books, computers, and other equipment.

County Administrator Roger J. Desjarlais reported on the status of the Nova proposal; mentioned the Board's previous direction to negotiate the best deal and find a funding mechanism, and commented on staff's current process of implementing same with the intent to bring said item to a future meeting for the Board's consideration.

ACTION: (A-5143) The Board confirmed its obligation to the official ballot and addressed its intent to review needed funding from a different source for Nova's proposal, if necessary, and Mr. Desjarlais addressed his willingness, in response to Commissioner Gunzburger's request, to communicate with Mr. Michael Langley, The Broward Alliance, to ascertain whether they could participate in Nova's proposal.

91. MOTION TO DIRECT staff to provide with future Agenda Reports' exhibits attached for the Board, clearer aerial maps with more recent dates flown for plats submitted for consideration. (Commissioner Jacobs)

ACTION: (A-5640) Approved by unanimous consent.

92. MOTION TO DIRECT staff to amend the Broward County Procurement Code to revise the tie

breaker procedure eliminating the alphabetical criteria when determining the award of a contract to a firm. (Commissioner Jacobs)

ACTION: (A-5702) Approved by unanimous consent.

93. MOTION TO DIRECT staff to draft a letter, for the Chair's signature, to the Broward County Legislative Delegation members on the desire for Broward County to be held harmless on the amendment to "hold harmless" counties in the Intangibles Tax/County Revenue Sharing Program and request that staff inform the lobbyists to perform some groundwork in this regard. (Commissioner Gunzburger)

ACTION: (A-5761) Approved by unanimous consent.

94. CONTE FACILITY STATUS The Chair reviewed the memorandum dated March 15, 1999 from Mr. Pete Corwin, Assistant to the County Administrator, on staff's notification to Church & Tower Inc.'s surety company of the Board's action at its March 9, 1999 meeting terminating its services; the surety company's request for additional backup information, and staff's current plan to complete the defective work through Southern Steel and local contractor(s).

Mr. Michael Kerr, Office of the County Attorney's Chief Trial Counsel, relayed the surety company's willingness to meet with staff during the week to outline the outstanding work to the subject facility.

ACTION: (A-5892) No action was taken; however, the Chair requested that the commission be kept informed on the subject issue.

95. COMMUNITY IMPROVEMENTS PROGRAM The Chair referred to the National League of Cities 1998 Futures Report "*Building a Nation of Communities*" and recognized Broward County, Florida's Comprehensive Neighborhood and Planning Division for implementing the Neighborhood Improvement Program -- as the county commission's initiative -- for the unincorporated area to provide assistance to groups establishing a neighborhood organization.

ACTION: (A-5900) No action was necessary.

96. DOMESTIC PARTNERSHIP ISSUE The Chair referred to the Insurance Committee meeting held earlier this day regarding the impact of the current Domestic Partnership definitions. She addressed the Board's awareness of the Office of County Attorney's intent to appear before Judge Robert L. Andrews, General Civil Division of the 17th Judicial Circuit, on March 19, 1999 regarding the challenge to Domestic Partnerships Ordinance 99-3.

ACTION: (A-6008) The Board directed the County Attorney's Office to file a motion requesting continuance for a hearing scheduled for Friday, March 19, 1999 before Judge Andrews until the county commission resolves possible amendment to Domestic Partnership Ordinance 99-3. The Board additionally requested that staff provide an analysis to the county commission at its March 23, 1999 meeting due to the county commission's concerns on the cost of benefits to its employees.

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