

MEETING OF MARCH 23, 1999

(Meeting convened at 10:00 a.m., recessed at 1:40 p.m.,

reconvened at 2:15 p.m., and adjourned at 2:35 p.m.)

PLEDGE OF ALLEGIANCE - Led by Mayor Joe Schrieber, City of Tamarac

CALL TO ORDER

CONSENT AGENDA

1. BOARD APPOINTMENTS

ACTION: (A-1126) There were no appointments submitted.

AVIATION DEPARTMENT

2. MOTION TO ADOPT Resolution 1999-443 authorizing acceptance and execution of a supplemental Joint Participation Agreement between Broward County and the Florida Department of Transportation WPI No. 4820423 in the amount of \$9,865,000 (state's share) for North Side Terminal construction at Fort Lauderdale- Hollywood International Airport; and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-1126) Approved.

PUBLIC WORKS DEPARTMENT

3. MOTION TO APPROVE second amendment to agreement between Broward County and Broward County Solid Waste Disposal District for County Employee Services for the period March 7, 1999 through March 6, 2000; and authorize the Chair and Clerk to execute same.

ACTION: (A-1126) Approved.

REAL PROPERTY SECTION

4. MOTION TO APPROVE contract for sale and purchase executed by Willie Ray Hollinger and Debra A. Hollinger, his wife, in the amount of \$3,000 for the purchase of an easement for public utilities and appropriate purposes in Section 4, Phase III of the South County Neighborhood Improvement Project; Office of Environmental Services authorizes the Real Property Section to acquire this property using Office of Environmental Services funds; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of easement deed.

ACTION: (A-1126) Approved.

5. MOTION TO APPROVE contract for sale and purchase executed by Maurice McDowell and Georgette McDowell, his wife, in the amount of \$1,250 for the purchase of a lift station utility easement for the South County Neighborhood Improvement Project Phase III, Parcel 8; Broward County Office of Environmental Services authorizes the Real Property Section to acquire this property using Office of Environmental Services funds; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of easement.

ACTION: (A-1126) Approved.

OFFICE OF ENVIRONMENTAL SERVICES ENVIRONMENTAL ENGINEERING DIVISION

6. MOTION TO APPROVE developer's agreement between the County and Coral Ridge Presbyterian Church, Inc., a Florida nonprofit Corporation, providing for utility installations within property located in the area immediately north of NW 44th Street and about 1,000 feet east of State Road 7, in the City of Fort Lauderdale, by the developer at an estimated installation cost of \$60,279.96, to the developer, to furnish water and sewer services to a single story restroom facility located at an athletic field, and for the County to pay developer the sum of \$7,902.74, for the oversizing of 2,120 feet of water main from 8 inches to 10 inches, and authorize the Chair and Clerk to execute same. (BCOES Project Number 8777)

ACTION: (A-1126) Approved.

7. MOTION TO APPROVE developer's agreement between the County and Pembroke Gardens, Ltd., a Florida Limited Partnership, providing for utility installations located between SW 48th Avenue and SW 52nd Avenue and SW 36th Street and SW 37th Street in Pembroke Park, Florida, by the Developer at an estimated installation cost of \$48,070.00, at no cost to the County, to furnish water service only (sewer service by the City of Pembroke Park), and authorize the Chair and Clerk to execute same. (BCOES Project Number 8817)

ACTION: (A-1126) Approved.

8. MOTION TO APPOINT Negotiation Committee to negotiate a sole-source contract with General Electric Team Control for hardware and software Year 2000 (Y2K) upgrades in its proprietary North Regional Wastewater Treatment Plant System Control and Data Acquisition System. (BCOES Project No. 9614, SCADA Reliability Upgrade, located at Powerline and Copans Road in Pompano Beach)

ACTION: (A-1973) Approved the appointment of the committee as follows: Director, Environmental Engineering Division; Director, Environmental Operations Division, and Director, Office of Information Technology.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

9. MOTION TO ADOPT Resolution 1999-444 accepting a Road Easement executed by Living Word Open Bible, Inc., donating right-of-way at the southwest intersection of NW 89th Avenue and Stirling Road.

ACTION: (A-1126) Approved.

10. A. MOTION TO ADOPT budget Resolution 1999-445 transferring funds within the Engineering Division Capital Project Fund (315) in the amount of \$50,000 from the Engineering Capital Project Reserve for future capital outlay in order to fund an agreement between Broward County and the City of Fort Lauderdale for the Andrews Avenue and East Third Avenue Project Development and Environmental Study.

ACTION: (A-1126) Approved.

B. MOTION TO APPROVE agreement between Broward County and the City of Fort Lauderdale for funding of Engineering Consultant Services for Andrews Avenue and East Third Avenue Project Development and Environmental Study, Project No. 5210; and authorize the Chair and Clerk to execute same.

ACTION: (A-1126) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

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

ACTION: (A-1126) Approved.

COUNTY RECORDS DIVISION

12. MOTION TO APPROVE minutes of 10:00 a.m. Board of County Commission meetings of December 1, 1998, December 15, 1998 and January 5, 1999.

ACTION: (A-1126) Approved.

OFFICE OF HOUSING FINANCE

13. A. MOTION TO APPROVE 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-1126) Approved.

B. MOTION TO APPROVE 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-1126) Approved.

C. MOTION TO APPROVE 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-1126) Approved.

OFFICE OF INFORMATION TECHNOLOGY

14. MOTION TO APPROVE joining of a class action lawsuit against AT&T for multiple claims of incorrect billing of telecommunication equipment at various Broward County facilities, and authorize the Director of the Telecommunications Division to sign the class action lawsuit claim forms.

ACTION: (A-1126) Approved.

15. MOTION TO ADOPT Resolution 1999-453 of the Board of County Commissioners of Broward County, Florida consenting to the transfer of the cable television franchise granted to TCI TKR of South Florida, Inc., pursuant to Resolution No. 94- 998 adopted on August 30, 1994, to MediaOne of Metropolitan Detroit, Inc., providing for severability; and providing for an effective date.

ACTION: (A-1155) Directed Interim County Attorney Noel Pfeffer to draft an ordinance to require equal access for consumers in Broward County, and put the notice of public hearing on the April 6 or April 13, 1999 agenda.

16. MOTION TO ADOPT Resolution 1999-454 of the Board of County Commissioners of Broward County, Florida consenting to the transfer of the cable television franchise granted to Margate Video Systems, Inc., pursuant to Resolution No. 95- 376 adopted on April 25, 1995, to MediaOne of Metropolitan Detroit, Inc., providing for severability; and providing for an effective date.

ACTION: (A-1155) Directed Interim County Attorney Noel Pfeffer to draft an ordinance to require equal access for consumers in Broward County, and put the notice of public hearing on the April 6 or April 13, 1999 agenda.

PURCHASING DIVISION

For Aviation Department

17. MOTION TO DISSOLVE Selection/Negotiation Committee to select a firm to provide Design-Build services for the design, procurement and installation of passenger loading bridges at the Fort Lauderdale-Hollywood International Airport.

ACTION: (A-1126) Approved.

18. MOTION TO APPROVE Optional Service Work Authorization TO-08-22 pursuant to the agreement between Broward County and Hellmuth, Obata and Kassabaum, Inc. to provide support in the permitting process for the New Terminal project at the Fort Lauderdale-Hollywood International Airport in the maximum not-to-exceed amount of \$30,000.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-1126) Approved.

For Finance and Administrative Services Department

19. MOTION TO APPROVE extension of the open-end contract (Florida State Contract 250-040-99-1 Client Server Systems) with Dell Marketing L.P. for Dell microcomputers, laptops and miscellaneous components for the Office of Information Technology. The contract extension period shall be on a month to month basis for a period not to exceed June 30, 1999 in the estimated amount of \$233,333.33, per month.

ACTION: (A-1126) Approved.

For Port Everglades Department

20. MOTION TO AWARD fixed contract to the low responsive, responsible bidder, Jened Electrical Contracting, Inc., for Foreign Trade Zone fire alarm improvements at Port Everglades to meet code compliance, (Bid No. Q-6-98-151-CF) in the amount of \$214,179 for the Port Everglades Department, subject to receipt and acceptance of insurance/performance and payment guarantee.

ACTION: (A-1126) Approved.

21. MOTION TO APPROVE Work Authorization WA-0068 authorizing the Port General Engineering Consultant, Craven Thompson & Associates, Inc., to engage the services of a qualified specialty consultant to complete the design for the Berth Nos. 14 and 15 Toe Wall at the hourly billing rates as established in the Consultant's Services Agreement approved by the Broward County Board of County Commissioners on September 17, 1996, with the total amount of consultant fee not to exceed \$55,321.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-1126) Approved.

22. MOTION TO APPROVE fourth amendment to the agreement between Broward County and Gee & Jenson Engineers-Architects-Planners, Inc. to provide for a six- month extension of contract time at an increase in cost of \$8,052 for Bond Engineering Services for certain compliance requirements (issuing certificates of completion of bond funded projects, review annual budgets and tariff charges, abandonments of property, insurance coverages and renewal and replacement fund recommendations), as required by Port Bond Resolution No. 24-1989, as supplemented and amended, and authorize the Chair and Clerk to execute same agreement.

ACTION: (A-1126) Approved.

REVENUE COLLECTION DIVISION

23. MOTION TO ACKNOWLEDGE Receipt of Notice of Lands Available for Taxes submitted per Florida Statutes 197.542(2), 197.502(7), and 12D-13.064(1)(2)(3).

ACTION: (A-1126) Approved.

24. MOTION TO ADOPT Resolution 1999-446 authorizing cancellation of warrants from Central Account No. 2079940003785, Tax and License No. 2090002760916 and Court Trustee No. 2090002760550.

ACTION: (A-1126) Approved.

25. MOTION TO ADOPT Resolution 1999-447 exempting the classification of Revenue Collection Manager from the Classified Service.

ACTION: (A-1126) Approved.

COMMUNITY SERVICES DEPARTMENT

EMERGENCY MANAGEMENT DIVISION

26. A. MOTION TO APPROVE Modification Number One to the Agreement between Broward County and the State of Florida Department of Community Affairs for the development of a countywide local mitigation strategy, to decrease the contract amount by \$9,000 for a total of \$490,000 and modify certain deliverable dates in Attachment A, and authorize the Chair and Clerk to execute the same.

ACTION: (A-1126) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1999-448 within the Grant Fund for the Emergency Management Division in the amount of negative \$9,000.

ACTION: (A-1126) Approved.

MASS TRANSIT DIVISION

27. A. MOTION TO ADOPT budget Resolution 1999-449 transferring within the General Fund the amount of \$52,624 from the General Fund Commission Reserve for continued security at the Broward Central Bus Terminal.

ACTION: (A-1126) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1999-450 within the Operating Fund (450) for the Mass Transit Division in the amount of \$52,624 for continued security at the Broward Central Bus Terminal.

ACTION: (A-1126) Approved.

PARKS AND RECREATION DIVISION

28. MOTION TO ADOPT Resolution 1999-451 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$2,198.69, from the Broward Endurance Sports Team, Inc., in connection with its co- sponsorship of the Special Forces Adventure Race, to the Friends of the Parks and Recreation Division Trust Fund for use at Broward County's Quiet Waters Park; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

ACTION: (A-1126) Approved.

29. MOTION TO ADOPT Resolution 1999-452 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$6,113.86, from the South Florida Striders, Inc., in connection with its co-sponsorship of the Fourth Annual Fantasy of Lights 5K Run, to the Friends of the Parks and Recreation Division Trust Fund for use at Broward County's Quiet Waters Park; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

ACTION: (A-1126) Approved.

30. MOTION TO ADOPT Resolution 1999-455 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$2,483.12, from Spanish River Community High School Drama Club, in connection with its co- sponsorship of "Trick or Treat Down Halloween Street", to the Friends of the Parks and Recreation Division Trust Fund for use at Broward County's

Quiet Waters Park; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

ACTION: (A-1126) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

BIOLOGICAL RESOURCES DIVISION

31. MOTION TO APPROVE grant application to the Florida Department of Environmental Protection by Broward County in the amount of \$25,000 for the purpose of constructing an artificial reef; authorize the Chair and Clerk to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant for the Biological Resources Division. No local match is required.

ACTION: (A-1126) Approved.

32. MOTION TO APPROVE application for a grant to the Florida Department of Environmental Protection in the amount of \$35,000 for the purpose of monitoring fish populations on artificial reefs in Broward County, authorize the Chair and Clerk to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant for the Biological Resources Division. No local matching funds are required.

ACTION: (A-1126) Approved.

33. MOTION TO ADOPT Resolution 1999-456 of the Board of County Commissioners of Broward County, Florida exempting from classified civil service, the position of Natural Resource Specialist II (BPN No. 6350) for the Biological Resources Division of the Department of Natural Resource Protection.

ACTION: (A-1126) Approved.

PORT EVERGLADES DEPARTMENT

34. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County and BLT Ventures, Inc.; and Jet Set Line, Inc., respectively, in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration date of December 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-1126) Approved.

35. MOTION TO APPROVE consent agreement among Broward County, as Lessor, Eller & Company, Inc., as Lessee, and AmSouth Bank, as Lender, to allow a security interest in certain inventory,

equipment and other goods and tangible personal property on Lessee's leaseholds to be used as collateral for a loan, and authorize the Chair and Clerk to execute same.

ACTION: (A-1126) Approved.

36. MOTION TO APPROVE execution of a Joint Participation Agreement (JPA) between the Port Everglades Department of Broward County and the Florida Department of Transportation for the purpose of applying grant funding in the amount of \$1,250,000 for Port Everglades in Fiscal Year 1998/1999 for Port Security Improvements (Project No. 98-9), and authorize the Chair and Clerk to execute same; together with Resolution 1999-552 authorizing the Chair to execute and file said JPA; and providing for an effective date.

ACTION: (A-1856) Approved. (Commissioner Rodstrom abstained from voting and filed Form 8B, Memorandum of Voting Conflict.)

37. MOTION TO APPROVE execution of a Joint Participation Agreement (JPA) between the Port Everglades Department of Broward County and the Florida Department of Transportation for the purpose of applying grant funding in the amount of \$3,150,000 for Port Everglades in Fiscal Year 1998/1999 for the Midport Garage Expansion (Project No. 97-5R), and authorize the Chair and Clerk to execute same; together with Resolution 1999-553 authorizing the Chair to execute and file said JPA; and providing for an effective date.

ACTION: (A-1890) Approved. (Commissioner Rodstrom abstained from voting and filed Form 8B, Memorandum of Voting Conflict.)

OFFICE OF BUDGET SERVICES

38. MOTION TO ADOPT unanticipated revenue Resolution 1999-457 within the Law Enforcement Trust Fund in the amount of \$50,773 for purchase of equipment to enhance law enforcement activities and services within District VII (contract city - Tamarac).

ACTION: (A-1126) Approved.

OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL MANAGEMENT

39. MOTION TO ADOPT Resolution 1999-458 donating, transferring, and conveying video equipment listed in Exhibit 2 to the Florida Atlantic University Foundation, Inc.; and providing for an effective date.

ACTION: (A-1126) Approved.

COMMISSION AUDITOR

40. MOTION TO APPROVE Commission Auditor travel to Biloxi, Mississippi to attend the Southeastern Intergovernmental Audit Forum (SEIAF) Meeting, April 28, 1999 through April 30, 1999.

ACTION: (A-1126) Approved.

COUNTY ATTORNEY

41. MOTION TO APPROVE travel of Interim County Attorney Noel M. Pfeffer on April 15, 1999 through April 17, 1999 to attend the Florida Bar 22nd Annual Local Government Law in Florida Seminar in Orlando.

ACTION: (A-1126) Approved.

COUNTY COMMISSION

42. MOTION TO FILE City of Hollywood, Florida's 1999 Legislative Agenda. (Chair)

ACTION: (A-1126) Withdrawn. (Approved on 3/16/99)

REQUEST TO SET FOR PUBLIC HEARING

43. MOTION TO ADOPT Resolution 1999-459 directing the County Administrator to publish notice of a quasi-judicial public hearing to be held on Tuesday, April 13, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of nine "Small-Scale" amendments; one in the City of Oakland Park, and eight in the City of Fort Lauderdale to the Broward County Comprehensive Plan per Chapter 163, Section 163.3187(1)(c), Florida Statutes.

ACTION: (A-1126) Approved.

REGULAR AGENDA

10 A.M. PUBLIC HEARING

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

44. MOTION TO ADOPT Resolution 1999-460 authorizing the exchange of County property with property owned by 441/595, Inc., Trustee, in accordance with the provisions of Section 125.37 of the Florida Statutes and further authorizing a land differential payment in the amount of \$554,300; authorize the Chair and Clerk to execute same; and authorize acceptance and recordation of deeds.

ACTION: (A-1898) Approved.

END PUBLIC HEARING

45. COUNTY ADMINISTRATOR'S REPORT

ACTION: (A-1964) No report submitted.

46. DELEGATION: Davie Agrarian Committee represented by Town of Davie Council Member, Judy Paul, Delia Alonso (nursery plant farmer), and Julie Aitken (horse farmer).

ACTION: (A-1982) No action taken.

OFFICE OF ECONOMIC DEVELOPMENT

47. MOTION TO AUTHORIZE staff to draft changes to the Administrative Code relating to Industrial Revenue Development Bonds to include policy provisions for Tax- Exempt Facilities Bonds for the purpose of assisting business enterprises in obtaining conduit financing for the development of various types of facilities, as defined in the policy, on County-owned property.

ACTION: (A-2709) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

48. MOTION TO ADOPT Resolution 1999-461 expressing the intent of Broward County, Florida to loan funds for the acquisition, construction and equipping of an Airport Cargoport Facility in Broward County, Florida; providing for the lending of funds for such purpose to Lynxs Fort Lauderdale Cargoport, LLC or its successors or assigns; providing for the issuance of Industrial Development Revenue Bonds of Broward County in the aggregate principal amount not to exceed \$6,500,000; authorizing the execution of an agreement pertaining to the issuance of such bonds and the construction and equipping of the project; and providing certain other details with respect thereto.

ACTION: (A-2714) Approved.

49. MOTION TO ADOPT Resolution 1999-462 of the Board of County Commissioners of Broward County, Florida authorizing the negotiation of a Loan in an aggregate amount not to exceed \$25,000,000 from the First Florida Governmental Financing Commission; approving the acquisition, construction and erection of certain capital projects relating to the Women's Jail Facility, approving the execution and delivery of a Loan Agreement with the First Florida Governmental Financing Commission; providing certain other matters in connection with the making of such loan; providing for reading of this Resolution by title only; and providing an effective date.

ACTION: (A-2722) Approved. (Commissioner Rodstrom abstained from voting and filed Form 8B,

Memorandum of Voting Conflict.)

ACCOUNTING DIVISION

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

ACTION: (A-2763) Approved as amended per staff's addendum.

HUMAN RESOURCES DIVISION

51. DISCUSSION: Consideration of certain changes to the Domestic Partner Ordinance in order to lessen impact on County group health insurance plan.

ACTION: (A-2768) Directed staff to prepare amendments which would delete inclusion of blood relatives or dependents of blood relatives, and include the restriction that an employee is not permitted to change partners for benefit purposes more often than every six months. Further, staff is to request the carriers to provide a separate policy to provide coverage, similar to cancer insurance, for blood relatives or dependents of blood relatives, that people can purchase at their own expense if they wish to insure blood relatives. Further, Interim County Attorney Noel Pfeffer will present proposed amendments on April 6, 1999, relative to this ordinance that will assist the county with its legal presentation.

OFFICE OF HOUSING FINANCE

52. MOTION TO ADOPT Resolution 1999-463 of the Board of County Commissioners of Broward County, Florida approving the issuance of not to exceed \$21,000,000 of the Housing Finance Authority of Broward County, Florida (The "Authority") Multifamily Housing Revenue Bonds (Bridgewater Place Project), Series 1999 (the "Bonds"), of which up to \$17,000,000 of the bonds shall be tax-exempt bonds and up to \$4,000,000 of the bonds shall be taxable bonds, for the purpose of financing the acquisition and construction of a multi-family residential development in Broward County, Florida to provide housing for persons and families of low and moderate income; approving the issuance of the bonds; approving and authorizing the form of a Trust Indenture by and between the Authority and the Bank of New York (The "Trustee"); approving and authorizing the form of a Land Use Restriction Agreement by and between the Authority, the Trustee and Bridgewater Place Associates, Ltd. (The "Developer") for the bonds; approving and authorizing the form of a Loan Agreement among the Authority, the Trustee and the Developer for the bonds; approving and authorizing the Form of a Construction Loan and Mortgage Servicing Agreement by and among the Authority, the Developer, the Trustee and Seltzer Management Group, Inc. (The "Servicer"); approving and authorizing the form of a Joint Funding Agreement by and among the Authority and certain limited Partners of the Developer; approving and authorizing the form of an Assignment of First Mortgage and Security Agreement, UCC Financing Statement, Promissory Note, and Assignment of Leases and Rents from the Authority to the Trustee; approving and authorizing the form of an Assignment of Promissory Note from the Authority to the Trustee; approving and authorizing the form of a Commitment to Guarantee and Certificate of Guarantee by and among the Authority as a Lender and Florida Housing Finance Corporation (The "Credit Enhancer"), as Guarantor; approving the Designation of a Trustee, Paying Agent and Registrar for the bonds and approving and authorizing the form of a Trustee Fee Agreement between the

Authority and the Trustee for the bonds; determining the need for a Negotiated Sale of the Bonds; approving the Designation of the Servicer; approving and authorizing the form of a Bond Purchase Agreement for the bonds among the Authority, the Developer and William R. Hough & Co., as Representative of itself and Raymond James & Associates, Inc.; approving and authorizing the form and distribution of a Preliminary Official Statement and Final Official Statement for the Bonds; delegating to Executive Director Authority to negotiate and obtain Municipal Bond Insurance Policy, if deemed necessary, and authorizing other actions required to issue and deliver the bonds.

ACTION: (A-4389) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

53. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified recycling contractor(s) to provide multi-year collection, processing, and material marketing services for programs at Broward County Schools, and Broward Community College Campuses, as well as Broward County Office Buildings and Park Facilities.

ACTION: (A-4402) Approved the appointment of the committee as follows: Commissioner Lieberman; Director, Recycling and Contract Administration Division, Chair; Director, Facilities Management Division, and Director, Parks and Recreation Division.

For Port Everglades Department

54. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide professional engineering services for the design of Port Everglades security improvements.

ACTION: (A-4423) Approved the appointment of the committee as follows: Commissioner Abramowitz; Deputy Director, Port Everglades Department, Chair; Director of Public Safety, Port Everglades Department, and Director of Operations, Aviation Department.

GREATER FORT LAUDERDALE

CONVENTION & VISITORS BUREAU

55. A. MOTION TO INCREASE personnel cap for the duration of the Convention Center expansion project within the Convention Center Construction Fund (328) for the Convention & Visitor's Bureau (CVB) by one position for an Engineer Technician II. This position will expire at the conclusion of the project.

ACTION: (A-4433) Approved.

B. MOTION TO ADOPT Resolution 1999-464 of the Board of County Commissioners exempting from the classified civil service, the position of Engineer Technician II for the CVB.

ACTION: (A-4433) Approved.

REQUEST TO SET FOR PUBLIC HEARING

56. A. MOTION TO WAIVE, by a majority plus one vote, the public hearing after 5:00 p.m. for an ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (A-4443) Approved.

B. MOTION TO ADOPT Resolution 1999-465 setting two public hearings, on Tuesday, April 27, 1999 at 2:00 p.m. and Tuesday, May 11, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance creating the Commercial Districts in Chapter 39, Zoning Code.

ACTION: (A-4448) Approved.

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearing at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

TEXT CHANGE NO. 2-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE), ARTICLE II,

SECTION 39-4, "TERMS DEFINED," SETTING FORTH DEFINITION OF TERMS; REPEALING SECTION 39-176, "SERVICE STATIONS AND CONVENIENCE STORES;" CREATING ARTICLE XVII ENTITLED "COMMERCIAL DISTRICTS;" CREATING SECTION 39-292, "COMMERCIAL ZONING DISTRICTS," ESTABLISHING COMMERCIAL DISTRICT CATEGORIES; CREATING SECTION 39-293, "PURPOSE OF DISTRICTS," PROVIDING FOR THE PURPOSE OF COMMERCIAL DISTRICTS; CREATING SECTION 39-294, "GENERAL PROVISIONS," ESTABLISHING GENERAL PROVISIONS FOR COMMERCIAL DISTRICTS; CREATING SECTION 39-295, "PERMITTED USES," ESTABLISHING PERMITTING USES IN COMMERCIAL DISTRICTS; CREATING SECTION 39-296, "PROHIBITED USES," SETTING FORTH PROHIBITED USES IN COMMERCIAL DISTRICTS; CREATING SECTION 39-297, "PLOT SIZE," ESTABLISHING MINIMUM PLOT SIZES FOR COMMERCIAL PROPERTIES; CREATING 39-298, "PLOT COVERAGE," PROVIDING FOR MAXIMUM PLOT COVERAGES IN COMMERCIAL DISTRICTS; CREATING SECTION 39-299, "HEIGHT," ESTABLISHING MAXIMUM HEIGHTS FOR STRUCTURES IN COMMERCIAL DISTRICTS; CREATING SECTION 39-300, "LIMITATIONS OF USES," SETTING FORTH PERMISSIBLE USES WITHIN COMMERCIAL DISTRICTS; CREATING SECTION 39-301, "SPECIAL REGULATIONS FOR OVERLAY DISTRICTS," PROVIDING STANDARDS FOR OVERLAY DISTRICTS; CREATING SECTION 39-302, "LIMITATIONS OF ACCESSORY USES IN OFFICE PARK DISTRICTS," RESTRICTING ACCESSORY USES IN CERTAIN DISTRICTS; REPEALING ARTICLE 1126VIII, "AGRICULTURAL-AMUSEMENT A-4 DISTRICT;" REPEALING ARTICLE LVI, "NEIGHBORHOOD BUSINESS B- 1 DISTRICT;" REPEALING ARTICLE LVI, "COMMUNITY

BUSINESS B-2 DISTRICT;" REPEALING ARTICLE LVII, "PLANNED BUSINESS CENTER B-2A DISTRICT;" REPEALING ARTICLE LIX, "GENERAL BUSINESS B-3 DISTRICT;" REPEALING ARTICLE LXXIV, "OFFICE PARK (OP) DISTRICT;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

57. A. MOTION TO WAIVE, by a majority plus one vote, the public hearing after 5:00 p.m. for an ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (A-4457) Approved.

B. MOTION TO ADOPT Resolution 1999-466 setting two public hearings, on Tuesday, April 27, 1999 at 2:00 p.m. and Tuesday, May 11, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance creating the Commercial Districts in Chapter 39, Zoning Code.

ACTION: (A-4464) Approved.

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearing at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

TEXT CHANGE NO. 3-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE), AMENDING ARTICLE II, SECTION 39-4, "TERMS DEFINED," PROVIDING FOR DEFINITION OF TERMS; CREATING A NEW ARTICLE XVIII, ENTITLED "INDUSTRIAL DISTRICTS"; CREATING A NEW SECTION 39-305 ENTITLED "INDUSTRIAL ZONING DISTRICTS," ESTABLISHING INDUSTRIAL DISTRICT CATEGORIES; CREATING A NEW SECTION 39-306 ENTITLED "PURPOSE OF DISTRICTS," PROVIDING FOR THE PURPOSE OF INDUSTRIAL DISTRICTS; CREATING A NEW SECTION 39-307 ENTITLED "GENERAL PROVISIONS," PROVIDING GENERAL PROVISIONS FOR INDUSTRIAL DISTRICTS; CREATING A NEW SECTION 39-308 ENTITLED "PERMITTED USES," SETTING FORTH PERMITTED USES IN INDUSTRIAL DISTRICTS; CREATING A NEW SECTION 39-309 ENTITLED "PROHIBITED USES," SETTING FORTH PROHIBITED USES IN INDUSTRIAL DISTRICTS; CREATING A NEW SECTION 39-310 ENTITLED "PLOT SIZE," PROVIDING MINIMUM PLOT SIZES FOR INDUSTRIAL DISTRICTS; CREATING A NEW SECTION 39-311 ENTITLED "PLOT COVERAGE," PROVIDING FOR MAXIMUM PLOT COVERAGES IN INDUSTRIAL DISTRICTS; CREATING A NEW SECTION 39-312 ENTITLED "HEIGHT," ESTABLISHING MAXIMUM HEIGHTS FOR STRUCTURES IN INDUSTRIAL DISTRICTS; CREATING A NEW SECTION 39-313 ENTITLED "LIMITATIONS OF USES," SETTING FORTH PERMISSIBLE USES WITHIN INDUSTRIAL DISTRICTS; REPEALING ARTICLE LXII, "LIGHT INDUSTRIAL M-1 DISTRICT; REPEALING ARTICLE LXIII, "MEDIUM INDUSTRIAL M-2 DISTRICT"; REPEALING ARTICLE LXIV, "GENERAL INDUSTRIAL M-3 DISTRICT"; REPEALING ARTICLE LXVI, "HEAVY INDUSTRIAL M-5 DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

58. A. MOTION TO WAIVE, by a majority plus one vote, the public hearing after 5:00 p.m. for an ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (A-4470) Approved.

B. MOTION TO ADOPT Resolution 1999-467 setting two public hearings, on Tuesday, April 27, 1999 at 2:00 p.m. and Tuesday, May 11, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance creating the Commercial Districts in Chapter 39, Zoning Code.

ACTION: (A-4478) Approved.

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearing at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

TEXT CHANGE NO. 4-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE), ARTICLE VIII ENTITLED "FUNCTIONAL LANDSCAPING AND XERISCAPING," SECTION 39-75, "PURPOSE AND INTENT," PROVIDING FOR PURPOSE OF ARTICLE; AMENDING SECTION 39-76, "DEFINITIONS," PROVIDING FOR DEFINITION OF TERMS; AMENDING SECTION 39-77, "LANDSCAPE PLANS," SETTING FORTH REQUIREMENTS OF LANDSCAPE PLANS; AMENDING SECTION 39-78, "INSTALLATION OF LANDSCAPING AND IRRIGATION," PROVIDING REQUIREMENTS FOR LANDSCAPING AND IRRIGATION; AMENDING SECTION 39-80, "PLANT MATERIAL," SETTING FORTH MATERIALS TO BE USED TO MEET LANDSCAPING REQUIREMENTS; AMENDING SECTION 39-81, "LANDSCAPE REQUIREMENTS FOR VEHICULAR USE AREAS," ESTABLISHING LANDSCAPING REQUIREMENTS FOR VEHICULAR USE AREAS; AMENDING SECTION 39-82, "SIGHT DISTANCE FOR LANDSCAPING ADJACENT TO PUBLIC RIGHTS-OF-WAY AND POINTS OF ACCESS," PROVIDING FOR UNOBSTRUCTED VIEW AT INTERSECTIONS; AMENDING SECTION 39-83, "NONVEHICULAR OPEN SPACE," ESTABLISHING REQUIREMENTS NONVEHICULAR OPEN SPACE; AMENDING SECTION 39-84, "BUFFERS BETWEEN RESIDENTIAL AND NONRESIDENTIAL PROPERTIES," PROVIDING FOR BUFFERS BETWEEN DIFFERING USES OF PROPERTIES; AMENDING SECTION 39-85, "SINGLE- FAMILY AND TWO-FAMILY DWELLINGS LANDSCAPE REQUIREMENTS," SETTING FORTH LANDSCAPE REQUIREMENTS FOR ONE AND TWO-FAMILY RESIDENTIAL PROPERTIES; AMENDING SECTION 39-86, "NONCONFORMING PROPERTIES," PROVIDING COMPLIANCE REQUIREMENTS FOR NONCONFORMING PROPERTIES; AMENDING SECTION 39-87, "LANDSCAPE MANUAL," PROVIDING FOR THE CREATION AND DISTRIBUTION OF LANDSCAPE MANUALS AND MATERIALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

COMMISSION AUDITOR

59. MOTION TO ADOPT Resolution 1999-468 to amend Section 1.11.ee of the Broward County Administrative Code to provide that responses required from the Broward County Administrator to reports of the Broward County Commission Auditor shall be filed with the Board of County Commissioners at a regularly scheduled County Commission Meeting; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-4486) Approved.

COUNTY ATTORNEY

60. MOTION TO NOTE FOR THE RECORD: Notice of proposed settlement in the amount of \$12,500 in Colville Bain v. Broward County, Case No. 98-13229 (04), inclusive of plaintiff's attorney's fees and costs.

ACTION: (A-4492) Approved.

61. A. MOTION TO APPROVE Stipulation and Settlement Agreement in the amount of \$50,000 from David and Miriam Singerman to settle the fraudulent conveyance impleader action brought against them by Port Everglades Authority n/k/a Broward County in the case styled Port Everglades Authority v. Port Recycling Industries et al., Case No. 93-15843 (02) in the Circuit Court in and for Broward County, Florida, and authorize the Chair and Clerk to execute the Settlement Agreement.

ACTION: (A-4499) Approved.

B. MOTION TO APPROVE Stipulation and Settlement Agreement in the amount of \$65,250 from Hyman Singerman to settle the fraudulent conveyance impleader action brought against him by Port Everglades Authority n/k/a Broward County in the case styled Port Everglades Authority v. Port Recycling Industries et al., Case No. 93-15843 (02) in the Circuit Court in and for Broward County, Florida, and authorize the Chair and Clerk to execute the Settlement Agreement.

ACTION: (A-4499) Approved. Collins Forman presented a check to County Administrator Roger Desjarlais in the amount of \$10,000 for these agreements.

OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL MANAGEMENT

62. CONSIDERATION of additional items for the 1999 State Legislative Program.

(The following action was taken at the 2:00 p.m. public hearing.

ACTION: (B-311) The Board approved this item as amended and directed Pam Madison, Director, Office of Public and Governmental Affairs, and staff to take action on the following: On House Bill 405, request that Broward County be removed as has been done to Miami-Dade County, or oppose the bill. Discussed the Homeless Initiative Tax as it relates to transportation issues. On House Bill 1943,

express the county's concern on proposed effect on the intangible personal property tax. Indicate the Board's concern on Senate Bill 1818, filed by Sen. Skip Campbell, and similar House Bill 747, filed by Rep. Douglas Wiles, on the sales tax exemption for nonprofit organizations, and directed staff to review this issue. On House Bill 1953 expressed concern on the elimination of the school impact fees, asked staff to review this issue. Added House Bill 913 and Senate Bill 1558, on deregulation of taxicab operations, to the legislative package.

63. MOTION TO DIRECT the Chair to send a letter to Members of the Broward County Legislative Delegation regarding recommended changes to the North County Annexation bill.

ACTION: (A-1126) Approved.

SUPPLEMENTAL AGENDA

COUNTY ADMINISTRATOR

64. DISCUSSION: Airport Customs Issues.

ACTION: (A-4600 & B-1241) The Board authorized Bill Sherry, Aviation Department Director, to spend up to \$100,000 identified in the Aviation Department's budget to hire Mitchell Berger and whatever other consultant or consultants Mr. Sherry determines are necessary for representation in Washington, D.C. Further, the Board directed staff to pursue aggressively all avenues possible in Washington, D.C. and if that is unsuccessful the County Administrator is directed to implement all actions to keep from losing AmeriJet and others at the airport.

COUNTY COMMISSION

65. MOTION TO FILE Sunshine Water Control District's Annual Financial Report for Units of Local Government of 1998. (Chair)

ACTION: (A-1126) Approved.

66. MOTION TO RECONVENE Selection/Negotiation Committee to recommend the most qualified firm(s) to provide lobbying services in Washington, D.C. (Chair)

ACTION: (A-1126) Approved.

67. MOTION IN SUPPORT of SB 2174 pending in the Florida Legislature granting local government the authority to utilize traffic calming measures and reinstating the installation of "speed humps" as soon as appropriate staff analysis is made available to the Commission. (Commissioner Jacobs)

ACTION: (A-1126) Approved.

GOOD AND WELFARE

68. PROCLAMATION: Commissioner Abramowitz read into the record a proclamation, in recognition of National Community development Association and the United States Department of Housing and Urban Development, designating the week of March 29 through April 4, 1999 as Community Development Week in Broward County.

ACTION: (A-51) Ray Lubomski, Director, Community Development Division, accepted the proclamation, and was congratulated by the Board.

69. PROCLAMATION: Mayor Michael Natale, Vice Mayor Jack Brady, and Richard Sala, Community Development Director, of the City of North Lauderdale, presented a proclamation to Ray Lubomski, Director, designating March 29 through April 4, 1999 as Community Development Week.

ACTION: (A-147) Prior to the presentation, Mr. Sala commented on the importance of continuing the Community Development Block Grants. Mr. Lubomski accepted the proclamation from the city.

70. PROCLAMATION: Mayor Joe Schrieber, Mayor of the City of Tamarac, presented a proclamation on behalf of the Community Development Block Grant Program, to Ray Lubomski, Director, designating March 29 through April 4, 1999 as Community Development Week.

ACTION: (A-181) Mr. Lubomski accepted the proclamation from the city.

71. PROCLAMATION: Kevin Dick, Assistant to the City Manager, City of Dania Beach, presented a proclamation, in recognition of the Community Development Block Grant Program, to Ray Lubomski, Director, designating March 29 through April 4, 1999 as Community Development Week.

ACTION: (A-220) Mr. Lubomski accepted the proclamation from the city.

72. PROCLAMATION: Terrence Moore, Assistant to the City Manager, City of Deerfield Beach, presented a proclamation, in recognition of the Community Development Block Grant Program, to Ray Lubomski, Director, designating March 29 through April 4, 1999 as Community Development Week.

ACTION: (A-292) Mr. Lubomski accepted the proclamation from the city.

73. CERTIFICATES OF APPRECIATION: The Chair presented Certificates of Appreciation to outstanding volunteers on the Campaign Committee for Better Libraries for a Better Broward:

Norman Tripp, Campaign Chair Samuel Morrison, Libraries Director

Kay Harvey Jim Kane Sam Fields Amy Hoffman Jane GrantRon Castell Stan Smith Fred Zuckerman
Hugh RootJudy Wolfman Johny Zadek Brad Hubert Marjorie Head Donna Grubman Eileen Cobb Cecil
Beach Eileen McNally Rosa Miller Sherry Lynch Doris Williams

ACTION: (A-360) The volunteers accepted their certificates and were congratulated by the commissioners.

74. PROCLAMATION: Commissioner Jacobs read into the record a proclamation designating Tuesday, March 30, 1999 as Doctor's Day in Broward County and encouraging all citizens to participate in special

programs and activities planned for this observance.

ACTION: (A-693) Dr. Marcia L. Sill, M.D., accepted the proclamation, and was congratulated by the Board.

75. PROCLAMATION: Commissioner Gunzburger read into the record a proclamation congratulating Elisha Moss Jr. as Broward County's Teacher of the Year for the Year 2000, commenting on his well deserved public recognition.

ACTION: (A-846) Mr. Moss accepted the proclamation and was congratulated by the Board.

76. PROCLAMATION: Commissioner Parrish read into the record a proclamation designating the month of April 1999 as Lifelong Learning Month in Broward County.

ACTION: (A-1012) The proclamation was accepted by Phil Rosenberg, Director, and Susan DellCioppia, Employee Development Manager, Human Resources Division, accepted the proclamation and was congratulated by the Board.

[Back to previous page](#)