

# MEETING OF APRIL 6, 1999

(The meeting convened at 10:00 a.m. and adjourned at 1:50 p.m.)

EXPRESSION OF SYMPATHY/MOMENT OF SILENCE in honor of the late County Commissioner Gerald F. Thompson.

PLEDGE OF ALLEGIANCE was led by Commissioner Gunzburger's grandchildren Emily and Joshua Katz, along with their mom, Cindy Katz.

CALL TO ORDER

## CONSENT AGENDA

### 1. BOARD APPOINTMENTS

*ACTION: (A-0906) There were no board appointments.*

## AVIATION DEPARTMENT

2. MOTION TO APPROVE cargo building lease agreement between Broward County, Florida and Delta Air Lines, Inc. for the lease and use of 10,000 square feet of space in the new cargo building facility and 13,649 square feet of ramp area at the Fort Lauderdale-Hollywood International Airport for a five-year term with a 90-day written cancellation clause by either party, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

## PUBLIC WORKS DEPARTMENT

### REAL PROPERTY SECTION

3. A. MOTION TO APPROVE donation of six vacant lots pursuant to Florida Statute 125.38 in unincorporated Broward County to Fort Lauderdale Community Development Corporation for the purposes of constructing affordable housing; authorize the Chair and Clerk to execute quit claim deeds; and authorize acceptance and recordation of deeds.

*ACTION: (A-1030) Approved, as amended. (A stipulation will be included in the transfer documents which will require that the lots be used for the development of owner occupied housing.)*

B. MOTION TO APPROVE releases of liens upon certain described lands; authorize the Chair and Clerk to execute releases of liens; and authorize acceptance and recordation of releases of liens.

**ACTION: (A-1030) Approved.**

## **OFFICE OF ENVIRONMENTAL SERVICES**

### **WATER MANAGEMENT DIVISION**

4. MOTION TO APPROVE South Florida Water Management District Contract No. C-10260 for joint funding to retrofit the S-46 Control Structure located on the Cocomar Water Control Districts C-5 canal at the Hillsboro Canal to provide recharge capability; County's share to be \$61,050; and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

5. MOTION TO APPROVE agreement between Broward County and the City of Lauderhill for the funding of utility improvements along NW 44th Street from Inverrary Boulevard West to Rock Island Road, (at no cost to the County); Project No. 5107; and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

6. A. MOTION TO APPROVE agreement for Trafficway Beautification between Broward County and the City of Wilton Manors for improvements to NE 6th Avenue from Oakland Park Boulevard to NE 29th Street, (at no cost to the County); Project No. 5173; and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

B. MOTION TO APPROVE agreement for Trafficway Illumination between Broward County and the City of Wilton Manors for improvements to NE 6th Avenue from Oakland Park Boulevard to NE 29th Street, (at no cost to the County); Project No. 5173; and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

7. MOTION TO ADOPT Resolution 1999-556 of the Board of County Commissioners declaring certain County owned property to be public road right-of-way; subject property is to be used for the construction of Wiles Road from Lyons Road to Powerline Road; the subject Parcel is a portion of Folio Nos. 8217-01-003 and 8217-01-007 and is labeled as Parcel 17 of Capital Improvement Program Project No. 5145.

## **ACTION: (A-0906) Approved.**

8. MOTION TO APPROVE agreement between Broward County and Patrick and Josephine Montanero for the right of Broward County to enter property owned by Mr. and Mrs. Montanero to test for soil and ground water contamination as a necessary prerequisite for appraisal of right-of-way to be acquired from the Montaneros for the Wiles Road (NW 48th Street) improvement project from Lyons Road to Powerline Road.

## **ACTION: (A-0906) Approved.**

### **TRAFFIC ENGINEERING DIVISION**

9. MOTION TO APPROVE Memorandum of Understanding (MOU) between Broward County and the Florida Department of Transportation (FDOT) relative to design, construction, operations and maintenance of the Broward Intelligent Transportation System (ITS) Operations Facility; and authorize the Chair and Clerk to execute same. The MOU does not include a County funding commitment.

## **ACTION: (A-0906) Approved.**

10. MOTION TO APPROVE street lighting agreement between Broward County and the State of Florida Department of Transportation (at no additional cost to the County) to install street lights on Sunrise Boulevard from 400 meters west of NW 34th Avenue to west of I-95; and authorize the Chair and Clerk to execute same.

## **ACTION: (A-0906) Approved.**

### **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

### **ACCOUNTING DIVISION**

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

## **ACTION: (A-0906) Approved.**

### **COUNTY RECORDS DIVISION**

12. MOTION TO APPROVE minutes of 10:00 a.m. Board of County Commission meeting of January 19, 1999.

## **ACTION: (A-0906) Approved.**

# **PURCHASING DIVISION**

For Port Everglades Department

13. MOTION TO AWARD fixed contract to Sole Source Bromma, Inc. for two gantry crane spreader units for use with the gantry cranes in Port Everglades (Quotation Request No. J9PORT1126) in the amount of \$273,920 for the Port Everglades Department.

**ACTION: (A-0906) Approved.**

14. MOTION TO AWARD fixed contract to low bidder Rick Bennett, Inc. for repairs to Auto Ramp in Port Everglades Northport Garage (Bid No. T-9-98-216-C-F) in the amount of \$109,025 subject to receipt and acceptance by County of Performance and Payment Guaranty. This project is necessary due to time/usage-related damages to the auto ramp.

**ACTION: (A-0906) Approved.**

15. MOTION TO APPROVE agreement between Broward County and USA Parking Associates, Inc. for management and operation of parking facilities at Port Everglades, providing for an annual management fee for a term of five years; and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

16. MOTION TO APPROVE Work Authorization WA-0071 authorizing the Port General Engineering Consultant, Craven-Thompson & Associates, Inc. to engage the services of a qualified specialty consultant to provide an in-depth study, analysis and recommendations for the Southport bulkheads which will expand the findings within the report provided under Work Authorization No. WA-0045, 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 \$34,000.00, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

# **REVENUE COLLECTION DIVISION**

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

**ACTION: (A-0906) Approved.**

# **RISK MANAGEMENT DIVISION**

18. MOTION TO AUTHORIZE full and final settlement of claim No. DNA/010798NORM/02 in the

amount of \$26,433.75.

**ACTION: (A-0906) Approved.**

## **HUMAN SERVICES DEPARTMENT**

### **OFFICE OF HOUSING FINANCE**

19. MOTION TO ADOPT Resolution 1999-557 relating to the Housing Finance Authority of Broward County, Florida GNMA Collateralized Home Mortgage Revenue Bonds, 1987 Series D and E; authorizing modification of certain Mortgage Loans and GNMA Certificates securing such Bonds; authorizing execution and delivery of a GNMA Certificate Purchase Agreement in connection with such GNMA Certificates; authorizing execution and delivery of a GNMA Modification Agreement; authorizing execution and delivery of a Unilateral Note Modification Agreement; authorizing execution and delivery of an Escrow Deposit Agreement; authorizing execution and delivery of a Supplemental Indenture; authorizing other action in connection with such Agreement; and providing an effective date.

**ACTION: (A-0906) Approved.**

## **CHILDREN'S SERVICES ADMINISTRATION**

20. MOTION TO WAIVE Activity Payment Schedule of Agreement No. 98-097 between Broward County and the Girl Scouts of Broward County, Inc. (GSBC) for the month of August for the purpose of reimbursing \$5,791.67, for units of services documented and delivered in August of 1998. This waiver will not increase the amount of the Agreement and the funding has been allocated and approved in the Fiscal Year 1999 Children's Services Administration (CSA) budget.

**ACTION: (A-0906) Approved.**

## **COMMUNITY SERVICES DEPARTMENT**

### **CULTURAL AFFAIRS DIVISION**

21. A. MOTION TO ADOPT budget Resolution 1999-558 transferring \$117,000 from reserve within the Cultural Arts Special Purpose Fund for a challenge grant for the Opera Guild, Inc. of Fort Lauderdale.

**ACTION: (A-0906) Approved.**

B. MOTION TO APPROVE agreement between Broward County and the Opera Guild, Inc. of Fort Lauderdale in the amount of \$117,000 for the purpose of a Challenge Grant from the date of execution

through September 30, 2000, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0906) Approved.**

## **EMERGENCY MANAGEMENT DIVISION**

22. MOTION TO ADOPT unanticipated revenue Resolution 1999-559 within the Grant Fund for the Emergency Management Division in the amount of \$26,082 for the purpose of enhancing Broward County emergency programs. (No County match required.)

**ACTION: (A-0906) Approved.**

### **DEPARTMENT OF NATURAL RESOURCE PROTECTION**

23. MOTION TO APPROVE settlement agreements between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Natural Resource Protection (DNRP). The respondents were cited for violations of the Broward County Code of Ordinances for the attached violations and have agreed to pay Broward County for any penalties in full:

A. Muvico Theaters, Inc.; Pompano Theaters Holdings, Inc.; and Walbridge Aldinger Company.

B. Country Club Village Master Corporation; and Tom Bornaman d/b/a Bornaman Tree Service.

C. Delvi Berger.

D. Debra Boudreau; Robert Dale Bennett; and Morrison Builders, Inc.

**ACTION: (A-0906) Approved.**

## **BIOLOGICAL RESOURCES DIVISION**

24. MOTION TO APPROVE disbursement of \$193,719 from the Tree Preservation Trust fund for the planting of trees in Boaters Park in Unincorporated Broward County, for the Biological Resources Division of Department of Natural Resource Protection (DNRP).

**ACTION: (A-0906) Approved.**

25. MOTION TO ADOPT Resolution 1999-560 from the Port Everglades Department agreeing to preserve and maintain 319 square feet of existing mangrove mitigation area and preserve, monitor and maintain 528 square feet of proposed mangrove mitigation area for mangrove impacts associated with the construction of a new six-lane bridge on Eller Drive, in the City of Fort Lauderdale, for the Biological Resources Division.

## **ACTION: (A-0906) Approved.**

26. MOTION TO DIRECT County Attorney to prepare a Resolution naming an artificial reef ship in honor of the late Ken Vitale, a local dive instructor who made significant contributions to the Broward County sport diving community, for the Biological Resources Division.

## **ACTION: (A-0906) Approved.**

27. MOTION TO DIRECT County Attorney to prepare a Resolution naming an artificial reef ship in honor of the late Harold "Pee-Wee" Vreeland, a local charter fishing captain who made significant contributions to the Broward County sport fishing community for the Biological Resources Division.

## **ACTION: (A-0906) Approved.**

## **PORT EVERGLADES DEPARTMENT**

28. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida, and A Touch of Class Limousine Service, Inc., and Geo Tours, 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-0906) Approved.**

29. MOTION TO APPROVE second amendment to an agreement for enhanced level of law enforcement and security services in the Restricted Use Zone area of the dock and the publicly owned parking garages within the Port between Broward County and the Broward County Sheriff's Office for the period of April 6, 1999 through November 30, 2000, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-0906) Approved.**

## **OFFICE OF MANAGEMENT SERVICES**

30. MOTION TO ADOPT Resolution 1999-561 amending the Broward County Administrative Code to delete section 11.2.e. and thereby eliminate a requirement that the County Administrator and Commission Auditor evaluate the current auditor prior to renewal of an audit engagement. This action is necessary to conform Chapter 11 to provisions in section 18.61.b. of the Code relating to the selection of independent financial auditors.

## **ACTION: (A-0906) Approved.**

31. MOTION TO AUTHORIZE County Attorney to file suit against Duffy & Lee Company in order to recover payments made to Duffy & Lee Company in excess of those required by State Contracts No. 360-240-94-1 and No. 360-240-97-1, and Broward County Contract T-10-96-07-36 for carpet installation and related services.

**ACTION: (A-1090) Approved, as amended. By way of a motion, the Board rescinded its action to approve the open-end contract for Duffy & Lee Carpet Company.**

**NOTE: Staff was requested to develop a system of checks and balances for accuracy in dealing with estimates for county purchases.**

## **REQUEST TO SET FOR PUBLIC HEARING**

32. MOTION TO ADOPT Resolution 1999-562 directing the County Administrator to publish notice of public hearing to be held Tuesday, April 27, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider a resolution consenting to the assignment of a cargo handler franchise at Port Everglades from Colmar Storage Company to Colmar Storage, LLC.

**ACTION: (A-0906) Approved.**

33. MOTION TO ADOPT Resolution 1999-563 directing the County Administrator to publish notice of public hearing to be held on Tuesday, April 27, 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, RELATING TO ACCESS TO BROADBAND INTERNET ACCESS TRANSPORT SERVICES; REQUIRING CABLE TELEVISION FRANCHISEES TO PROVIDE SUCH ACCESS ON RATES, TERMS, AND CONDITIONS AT LEAST AS FAVORABLE AS THOSE ON WHICH IT PROVIDES SUCH ACCESS TO ITSELF; CREATING A PRIVATE CAUSE OF

ACTION AND ENFORCEMENT BY COUNTY; PROVIDING A MOST FAVORED NATIONS CLAUSE; PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, AND EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (A-1785) Approved, as amended. The public hearing will be held on Tuesday, May 11, 1999 at 2:00 p.m.**

## **REGULAR AGENDA**

34. **COUNTY ADMINISTRATOR'S REPORT** - County Administrator Roger J. Desjarlais advised the Board there was no report.

**ACTION: (B-1380) No Board action was necessary.**

● \* \* \* \* \*

\* \* \* \* \*  
● \* \* \* \* \*  
\* \* \* \* \*

# DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

## COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

35. MOTION TO FIND Application 99-CF-02 for the allocation of 2.2 acres of commercial flexibility in the City of Sunrise compatible with adjacent land uses and that impacts upon public school facilities have been adequately considered.

### **ACTION: (A-2026) Approved.**

● \* \* \* \* \*  
\* \* \* \* \*  
● \* \* \* \* \*  
\* \* \* \* \*

## 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.

## DEVELOPMENT MANAGEMENT DIVISION

36. DISCUSSION: of plat entitled “Abyssinian Baptist Church of Christ” - District 2, (083-MP-96).

***ACTION: (A-2098) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.***

37. DISCUSSION: of plat entitled “III T Plat” - District 7, (024-MP-98).

***ACTION: (A-2114) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.***

38. DISCUSSION: of plat entitled “Sector 7 - Parcel N-2” - District 3, (074-MP-98).

***ACTION: (A-2127) Approved the plat subject to staff’s recommendations as outlined in the***

***Development Review Report.***

39. DISCUSSION: of plat entitled "Sector 2 - Parcels 9 & 10" - District 3, (079-MP-98).

***ACTION: (A-2339) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

40. DISCUSSION: of plat entitled "Sector 2 - Parcels 21B, 22, 23, & 24" - District 3, (080-MP-98).

***ACTION: (A-2369) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

41. DISCUSSION: of plat entitled "Heron Bay South" - District 3, (072-MP-98).

***ACTION: (A-2388) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

42. DISCUSSION: of plat entitled "Shahin Estates" - District 5, (015-UP-97). (Deferred from September 1, 1998.)

***ACTION: (A-2408) Approved the plat subject to staff's verbal recommendations and as outlined in the Development Review Report. The County Attorney has approved the archaeological agreement.***

43. DISCUSSION: of plat entitled "Hulmes Plat" - District 4, (005-MP-98). (Deferred from March 2, 1999.)

***ACTION: (A-2460) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

44. DISCUSSION: of plat entitled "Temple Beth Emet Plat" - District 5, (048-MP-98).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study regional road concurrency.***

45. DISCUSSION: of plat entitled "Stirling Road Partner's (F/K/A Arden Courts)" - District 6, (005-UP-97).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study archaeological resources.***

46. DELEGATION: Gerald L. Knight regarding request to amend the note on the Sunrise Industrial Park Parcel 6 Plat (036-MP-88).

***ACTION: (A-2476) Approved subject to staff's verbal recommendations.***

47. DELEGATION: Hoyt Holden regarding request to amend the note on the St. David Church Plat (179-MP-84).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study regional road concurrency.***

48. DELEGATION: Robert B. Lochrie regarding request to amend the note on the Marina Bay Plat (022-UP-91).

***ACTION: (A-2528) Approved subject to staff's recommendations.***

49. DELEGATION: Dennis Mele regarding request to amend the note the S and R Inverrary Parcel S Plat (193-MP-80).

***ACTION: (A-2564) Approved subject to staff's recommendations.***

50. A. DELEGATION: Bonnie Miskel, representing the lessee, regarding a request to amend the note on the Broward County Courthouse Phase II Plat (090-MP-89).

***ACTION: (A-2585) Approved subject to staff's recommendations.***

B. MOTION TO ADOPT Resolution 1999-564 of the Board of County Commissioners of Broward County, Florida, amending the note on the Broward County Courthouse Phase II Plat (090-MP-89); ensuring the provision of security for impact fees; providing for recording; providing for severability; and providing for effective date.

## **ACTION: (A-2585) Approved.**

51. DELEGATION: Jim Kahn regarding request to amend the note on the Levine Plat (009-UP-95).

***ACTION: (A-0906) Deferred to May 4, 1999 at the applicant's request.***

52. DELEGATION: Christina F. Nolan, representing the City of Pembroke Pines, regarding:

A. Request to revise the note on the Alton Plat (027-MP-97).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study regional road concurrency.***

B. Request for waiver of road impact fees for the Alton Plat (027-MP-97).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study regional road concurrency.***

53. DELEGATION: Christina F. Nolan, representing the City of Pembroke Pines, regarding request to revise the non-vehicular access line on the Alton Plat (027-MP-97).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study safe and adequate access.***

54. DELEGATION: Raymond Gottlieb regarding request to amend the non vehicular access line on the ICW North Plat (008-MP-96).

***ACTION: (A-2955) Approved subject to staff's recommendations to: a) Deny deletion of 39.5 feet of the non-vehicular access line. b) Approve request for Pointe West Drive subject to staff's***

*recommendations.*

55. DELEGATION: Joseph W. Roles regarding request to amend the non-vehicular access line on the Miramar Regional Park Plat (011-MP-94).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study safe and adequate access.***

56. DELEGATION: Hoyt Holden regarding request to amend the non-vehicular access line on the Diplomat Resort and Country Club Plat (010-MP-93). (Deferred from March 16, 1999.)

***ACTION: (A-3182) Approved subject to staff's recommendations.***

57. DELEGATION: Dennis Mele regarding request to amend the non-vehicular access line on the Islands of Pembroke Pines Plat (038-MP-85). (Deferred from the March 2, 1999.)

***ACTION: (A-3206) Approved subject to staff's recommendations.***

58. DELEGATION: Dennis Mele regarding request to modify conditions of plat approval on the Griffin-441 Plaza Plat (028-MP-97).

***ACTION: (A-3226) Approved subject to staff's recommendations.***

59. DELEGATION: Rod A. Feiner regarding request to amend the non-vehicular access line and delete building set back line on the G & W Properties Plat (011-PL-78).

***ACTION: (A-0906) Deferred to November 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study Trafficways requirements.***

60. DELEGATION: Michael J. Covelli regarding request to waive sidewalk requirements on the Ocean Walk Plat (037-UP-87).

***ACTION: (A-3287) Approved subject to staff's recommendations. The applicant voluntarily agreed to enter into the County's standard sidewalk agreement.***

61. DELEGATION: Dr. Axel Strauch regarding request for waiver of paved access requirements for a single family residence.

***ACTION: (A-3348) Approved subject to staff's recommendations, and staff's verbal recommendation to modify condition #1 to read: "A Declaration of Covenants and Restrictions document is required to be entered into by the applicant, as approved by the County Attorney." Further, the applicant voluntarily agreed to: a) For the eastern 240 +/- feet of the access road, the applicant will widen the existing paved by adding approximately 7 feet of new pavement so that the paved surface will be approximately 20 feet wide; and b) For the western 400 +/- feet of access road, the applicant shall ensure that rock road is a minimum of 20 feet wide, but the unpaved, rock road may remain, subject to the Declaration of Covenants and Restrictions document.***

62. DELEGATION: Cristina Rodriguez regarding request to waive the prohibition on the utilization of the de minimus exception and flexibility for the Heritage Building Plat (075-MP-98).

**ACTION: (A-3532) Approved subject to staff's recommendation.**

63. DELEGATION: Rosana Cordova, representing the City of Pembroke Pines, regarding MOTION TO APPROVE agreement between Broward County and the City of Pembroke Pines relating to issuance of building permits while platting is in progress for the Big Sky North Residential Plat (010-MP-98).

**ACTION: (A-0906) Deferred to April 20, 1999 at the applicant's request.**

## **END OF QUASI-JUDICIAL HEARING**

- \*\*\*\*\*  
\*\*\*\*\*
- \*\*\*\*\*  
\*\*\*\*\*

## **PUBLIC WORKS DEPARTMENT**

64. A. MOTION TO ACCEPT March 1999 Report on Analysis of County Owned and Leased Properties with recommendations to: initiate purchase of currently leased properties at One West Broward Boulevard (land only) and for the Sexual Assault Treatment Center (land and building at 400 NE 4th Avenue), both in Fort Lauderdale; continue lease of property for Revenue Collection (on NE 13th Street in Fort Lauderdale); and not renew leases for properties for the Mental Health Center (on NW 19th Street) and the Central Trash Transfer Station (on Reese Road in Davie).

**ACTION: (A-3662) Deferred to a workshop to be held on Tuesday, April 20, 1999 at 2:30 p.m.**

B. MOTION TO AUTHORIZE staff to take necessary steps to establish funding in the Fiscal Year 2000 CIP to obtain professional services to provide direction for, and fully assess the cost benefits of, a new main governmental center where regional County Government services would be provided beyond 2010.

**ACTION: (A-3662) Deferred to a workshop to be held on Tuesday, April 20, 1999 at 2:30 p.m.**

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

65. A. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from firms providing Financial Advisor services for the issuance of Broward County, Health Facilities Authority Bonds.

**ACTION: (A-4182) Approved, as amended.**

B. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from Financial Underwriter firms for the issuance of Broward County, Health Facility Authority Bonds.

## **ACTION: (A-4182) Deleted.**

C. MOTION TO APPROVE Selection/Negotiation Committee for both Financial Advisor services and Financial Underwriting firm for the issuance of Broward County Health Facility Authority Bonds.

***ACTION: (A-4182/A-4504) Approved the following to serve on Selection/Negotiation Committee for Financial Advisor services only: Commissioner Parrish; the Health Facilities Authority, Chair or designee; the Director of Finance and Administrative Services Department, and the Director of Human Services Department, with associated support provided by the Office of the County Attorney.***

## **ACCOUNTING DIVISION**

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

***ACTION: (A-4543) Approved, as amended.***

**NOTE: Staff was requested to research the economic advantages for upgrading the County's computer software.**

## **PURCHASING DIVISION**

For Community Services Department

67. A. MOTION TO WAIVE as a technicality, the requirement for the Trench Safety Act in Bid No. H-9-98-200-CF, Osswald Park Community Center Addition.

**ACTION: (A-4834) Approved.**

B. MOTION TO AWARD Fixed Contract to low responsive/responsible bidder, MBR Construction, Inc., for construction of the Osswald Park Community Center Addition (H-9-98-200-CF) for the total base bid amount of \$374,450 for the Parks & Recreation Division subject to receipt and acceptance of Insurance/Performance and Payment Guaranty.

**ACTION: (A-4834) Approved.**

C. MOTION TO APPROVE 7.5% change order contingency. The 7.5% change order allowance exceeds the normal 5% to allow for unforeseeable circumstances likely to be encountered during the renovation and addition to the existing building. The County's experience is that change orders due to unexpected problems that are inherent to this type of work, such as rotten wood, unknown utilities, unknown modifications, etc., do occur.

***ACTION: (A-4834) Approved, as amended. (Staff will notify the County Commission in writing when the change order allowance exceeds 5%.)***

For Finance and Administrative Services Department

68. MOTION TO APPROVE substitution of Deputy Director, Aviation or designee for Director, Aviation Planning and Development Division on appointed Selection/ Negotiation Committees.

**ACTION: (A-5018) Approved.**

## **HUMAN SERVICES DEPARTMENT**

69. MOTION TO GRANT two-week extension for filing the County Administrator's response to Commission Auditor's Report regarding the Broward Partnership for the Homeless, Inc. (BPHI), to be submitted on April 20, 1999.

**ACTION: (A-5026) Approved.**

## **DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT**

70. MOTION TO APPROVE interlocal agreement between Broward County and the City of Cooper City for development permit services for Christ the Rock Community Church.

**ACTION: (A-5035) Approved.**

## **OFFICE OF BUDGET SERVICES**

71. MOTION TO ADOPT Resolution 1999-565 of the Board of County Commissioners of Broward County, Florida amending, renumbering and transferring Section 20.30 of the Broward County Administrative Code relating to County travel; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

**ACTION: (A-5043) Approved.**

## **COUNTY ATTORNEY**

72. MOTION TO APPROVE settlement in the amount of \$52,000 (inclusive of attorney's fees and costs) of a lawsuit filed in Broward County Circuit Court, Smedile v. Broward County, Case No. 96-17594 (03).

**ACTION: (A-5053) Approved.**

## **COUNTY ADMINISTRATOR**

73. MOTION TO ADOPT Resolution 1999-566 authorizing participation of the position of Planning

Council Administrator in the Senior Management Service Class of the Florida Retirement System.

**ACTION: (A-5062) Approved.**

## **REQUEST TO SET FOR PUBLIC HEARING**

74. MOTION TO ADOPT Resolution 1999-567 directing the County Administrator to publish notice of public hearing to be held on Tuesday, April 27, 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, RELATING TO DOMESTIC PARTNERSHIPS; AMENDING THE BROWARD COUNTY DOMESTIC PARTNERSHIP ACT OF 1999; AMENDING SECTION 16½-151 RELATING TO FINDINGS AND CONSTRUCTION AND MAKING TECHNICAL AND CONFORMING CHANGES; RENUMBERING PROVISIONS; AMENDING SECTION 16½- 152 RELATING TO DEFINITIONS AND MAKING TECHNICAL AND CONFORMING CHANGES; RENUMBERING PROVISIONS; AMENDING SECTION 16½-153 RELATING TO REGISTRATION OF DOMESTIC PARTNERSHIP RELATIONSHIP; PROHIBITING DOMESTIC PARTNERSHIPS BY PERSONS RELATED BY BLOOD; RENUMBERING SECTION 16½-154 RELATING TO TERMINATION OF REGISTERED DOMESTIC PARTNERSHIP; RENUMBERING SECTION 16½-155 RELATING TO MAINTENANCE OF RECORDS AND FILING FEES; REPEALING SECTION 16½-156 RELATING TO RIGHTS AND OBLIGATIONS; RENUMBERING AND AMENDING SECTION 16½-157 RELATING TO COUNTY EMPLOYEES; LIMITING THE NUMBER OF ELECTIONS FOR COVERAGE OF DOMESTIC PARTNERS; RENUMBERING SECTION 16½-158 RELATING TO PREFERENCES FOR COUNTY CONTRACTORS; RENUMBERING SECTION 16½- 159 RELATING TO VISITATION TO LICENSED FACILITIES; RENUMBERING SECTION 16½-160 RELATING TO DESIGNATION OF HEALTH CARE SURROGATE; RENUMBERING SECTION 16½-161 RELATING TO DESIGNATION OF PRENEED GUARDIAN; RENUMBERING SECTION 16½-162 RELATING TO VISITATION RIGHTS AT COUNTY CORRECTIONAL AND JUVENILE DETENTION FACILITIES; RENUMBERING SECTION 16½-163 RELATING TO NOTIFICATION OF FAMILY MEMBERS IN EMERGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

**ACTION: (A-5183) Approved.**

## **COUNTY COMMISSION**

75. MOTION TO AUTHORIZE County Attorney’s Office to draft an Ordinance restricting freight train speed limit in Broward County to 15 miles per hour between 6:00 a.m. and 7:00 p.m. (Commissioner Parrish)

**ACTION: (A-5238) Approved.**

76. MOTION TO ACCEPT resignation of Commissioner Parrish from Selection/ Negotiation Committee for Accelerated Process Improvement, RLI No. 121198-RB. (Commissioner Parrish)

## **ACTION: (A-5325) Approved.**

77. MOTION TO ADOPT Resolution in support of Senator Forman's bill to rename the Sawgrass Expressway in honor of former Commissioner Gerald F. Thompson; providing for distribution; and providing for an effective date. (Chair)

***ACTION: (A-5353) The Chair, on behalf of the County Commission, will send a letter supporting Senator Forman's bill.***

78. MOTION TO ADOPT Resolution amending Chapter 6, Subsection 6.3.p, Broward County Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 6, SUBSECTION 6.3.P., OF THE BROWARD COUNTY ADMINISTRATIVE CODE; REQUIRING AN EXTRAORDINARY VOTE WHEN THE PROPOSED PURCHASE PRICE OF REAL PROPERTY EXCEEDS THE AVERAGE OF THE APPRAISALS BY MORE THAN TEN (10) PERCENT; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Chair)

***ACTION: (A-5540) Deferred to April 20, 1999 for further research. (The Board requested that staff provide examples of board actions, within the last two years, which the proposed resolution would have affected.)***

79. MOTION TO FILE City of Plantation, Florida Resolution No. 7597 dated March 24, 1999, entitled

A RESOLUTION OF THE CITY OF PLANTATION EXPRESSING CONCERN WITH THE COUNTY ADMINISTRATOR'S PROPOSED RULES FOR REGULATING COMMUNITY REDEVELOPMENT AGENCIES IN BROWARD COUNTY; EXPRESSING OPPOSITION TO SUCH PROPOSED RULES IN THEIR PRESENT FORM; REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS AND THE COUNTY ADMINISTRATOR RECONSIDER SUCH PROPOSED REGULATIONS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

(Chair)

## **ACTION: (A-0906) Approved.**

80. MOTION TO FILE City of Cooper City Resolution No. 99-3-6 dated March 23, 1999 entitled:

A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, URGING THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO COORDINATE LAND DEVELOPMENT DECISIONS ON UNINCORPORATED LANDS WITH ADJACENT MUNICIPALITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

(Chair)

**ACTION: (A-0906) Approved.**

## **SUPPLEMENTAL AGENDA**

**FOR TUESDAY, APRIL 6, 1999**

### **COMMISSION AUDITOR**

81. A. MOTION TO APPROVE appointment of Mr. Edward A. Dion as County Attorney.

*ACTION: (B-0105) Deferred to April 13, 1999 to enable the County Commissioners to meet privately with Mr. Dion. Mr. Dion will be reimbursed for travel and lodging for the days he will be visiting Broward County during the weeks of 4/5/99 and 4/12/99.*

B. MOTION TO APPROVE Employment agreement effective April 18, 1999 for Edward A. Dion.

*ACTION: (B-0105) Deferred to April 13, 1999.*

### **COUNTY COMMISSION**

82. MOTION TO APPROVE appointment of Mr. Eric Myers, Director of Broward County's Biological Resources Division of Department of Natural Resource Protection, to the South Florida Water Management Land Management Review Team. (Chair)

**ACTION: (A-0906) Approved.**

83. MOTION TO FILE letter from City of Deerfield Beach dated March 25, 1999, regarding opposition to changes to HB1573. (Chair)

**ACTION: (B-0219) Approved.**

84. MOTION TO FILE Hollywood Chamber of Commerce Resolution No. CRA-99-01 dated March 22, 1999, entitled:

**A RESOLUTION OF THE HOLLYWOOD CHAMBER OF COMMERCE OPPOSING BROWARD COUNTY'S PROPOSED REGULATIONS OF COMMUNITY REDEVELOPMENT AREAS CREATED PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES.**

(Chair)

## **ACTION: (A-0906) Approved.**

85. MOTION TO FILE City of Pompano Beach Resolution No. 99-159 dated March 23, 1999, entitled:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA OPPOSING BROWARD COUNTY'S PROPOSED REGULATIONS OF COMMUNITY REDEVELOPMENT AREAS CREATED PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

(Chair)

## **ACTION: (A-0906) Approved.**

86. MOTION TO FILE Town of Davie, Florida, Resolution No. R-99-97 dated March 16, 1999, entitled:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, URGING THE STATE OF FLORIDA TO AMEND CHAPTER 75-350, AS AMENDED, AND URGING THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA TO AMEND SECTIONS 11-21, 11-22, 11-23 AND 11-26 OF THE CODE OF ORDINANCES OF BROWARD COUNTY, FLORIDA, IN SUCH MANNER AS WOULD AFFORD MUNICIPALITIES WITHIN BROWARD COUNTY, FLORIDA THE OPTION OF SCHEDULING AND CONDUCTING THEIR GENERAL ELECTIONS ON DATES CONTEMPORANEOUS WITH COUNTY, STATE AND FEDERAL ELECTIONS, AND URGING SUPPORT AND ASSISTANCE FROM OTHER MUNICIPALITIES WITHIN BROWARD COUNTY.

(Chair)

## **ACTION: (A-0906) Approved.**

87. MOTION TO FILE City Commission of the City of Lauderdale Lakes Resolution No. 99-038 dated March 23, 1999, entitled:

A RESOLUTION EXPRESSING THE CONCERN OF THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES CONCERNING THE PROCESS AND OPERATION OF THE COMMITTEE FOR COMMUNITY DEVELOPMENT; PROVIDING AN EXPRESSION CONCERNING ALLEGED CONFLICTS OF INTEREST; PROVIDING AN EXPRESSION REGARDING THE MEANING OF SECTION 1-234 OF THE BROWARD COUNTY CODE; REQUESTING THE COUNTY OF BROWARD TO MAKE AN AFFIRMATIVE EXPRESSION OF A CHANGE OF POLICY; PROVIDING FOR TRUE COPIES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

(Chair)

*ACTION: (A-0906) Deferred to April 13, 1999 at the request of the City of Lauderdale Lakes.*

88. DISCUSSION: House Bill 1953 which proposes to limit school impact fees. (Commissioner Parrish)

***ACTION: (B-0506) The following directives were given to staff: 1) Contact the Broward School Board regarding the County's Resolution 1999-219, and ask that an item be placed on the School Board's agenda relating to their position on the amendments to the Public School Facilities Element. 2) Reconfirm with the Broward County lobbyists that the County is opposed to House Bill 1953 and provide a status report on the bill. 3) Provide an analysis regarding a proposal to impose a two millage intangible tax on mortgages as they are transferred, as a local option to deal with impact fees if they are repealed or diminished, and what revenue it would generate for Broward County.***

89. DISCUSSION: Discontinuation of staff within the County's Department of Strategic Planning and Growth Management in code enforcement sweeps with the Broward Sheriff's Office. (Commissioner Parrish)

## **ACTION: (A-0906) Withdrawn.**

## **GOOD & WELFARE**

90. EXPRESSION OF SYMPATHY: Commissioner Cowan, on behalf of the Board of County Commissioners, read an Expression of Sympathy into the record. Commissioner Cowan stated that the County Commission wished to convey its condolences to the family of the late Commissioner Gerald F. Thompson, a Broward visionary whose life came to an end on Monday, March 29, 1999. The family of the late commissioner is setting up an annual Gerald Thompson Memorial Golf Tournament in his honor, with all proceeds to be donated to Charity.

***ACTION: (A-0071) The Board designated Monday, April 5, 1999, as a day of mourning on behalf of Commissioner Gerald F. Thompson and expressed its deepest sympathy to his wife and family, and to his many friends and well-wishers.***

91. MANAGEMENT DEVELOPMENT INSTITUTE TRAINING PROGRAM: Phil Rosenberg, Director, Human Resources Division, congratulated the County employees who recently completed the Management Development Institute training program from April 1, 1998 to March 31, 1999. Mr. Rosenberg thanked the members of the Board for their commitment and concern for education as the key

to local government effectiveness in the future. The Human Resources Division has created a Management Development Institute and a Positive Start program to equip all new supervisors with the skills to understand their responsibility and the impact of their role model behavior to others.

***ACTION: (A-0223) The Board congratulated the recent Management Development and Positive Start program graduates.***

92. LONGEVITY AWARDS: County Administrator Roger J. Desjarlais and Deputy County Administrator Shirley Kelley presented longevity awards for twenty, twenty-five and thirty years of dedicated service to Broward County.

***ACTION: (A-0268) All recipients thanked the Board and accepted their certificates with great appreciation.***

93. SOUTH AFRICAN DELEGATION: Willie Horton, Director, Office of Environmental Services,

introduced the South African Delegation members of the National Forum for (previously disadvantage) Black Public Administrators (NF(pd)PA, an organization affiliated with the National Forum for Black Public Administrators (NFBPA). The delegation recently attended the annual conference of NFBPA in Austin Texas, and are visiting governing bodies as part of their visit to the United States. The members of the delegation are as follows: Mayor Athu Azwane, Western Regional Council; Councillor Busi Mdluli, Eastvall District Council; Mpho Mofokeng, Eastern Services Council, Germiston, South Africa; David Petrus, City Manager, and Eben Phillip, Assistant to the City Manager.

***ACTION: (A-0462) The Chair, on behalf of the Board of County Commissioners, welcomed the delegation from South Africa and presented each official with a Broward County commemorative paperweight.***

94. PROCLAMATION: Commissioner Rodstrom, on behalf of the Board, read a proclamation into the record, designating the week of April 11 thru April 17, 1999, as **NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK in Broward County** in honor and recognition of the County's public safety telecommunications members and the vital contributions they make to the safety and well-being of Broward's citizens.

***ACTION: (A-0563) Herminio Lorenzo, Director, Fire Rescue Division, along with John Schildknecht, Assistant Chief for Communications; Virginia Haygood, Division Chief, and BSO Captain Paul Lauria thanked the Board and accepted the proclamation with much gratitude.***

95. PROCLAMATION: Commissioner Gunzburger, on behalf of the Board, read a proclamation into the record, designating Thursday, April 8, 1999, as **EQUAL PAY DAY in Broward County**, and urged the citizens of the County to recognize the full value of women's skills and significant contributions to the labor force.

***ACTION: (A-0685) Nancy Hurlbert, Business and Professional Women of Florida, thanked the Board and accepted the proclamation with great appreciation. She urged the Board to support the current state legislation for equal pay and the federal Fair Pay Act and the Paycheck Fairness Act.***

96. PRESENTATION OF PLAQUE TO COMMISSION: Lynda Hammond, Alcohol & Drug Abuse Services Division, presented the Chair with a plaque of appreciation and a poster for each commissioner commemorating the Martin Luther King, Jr. Tribute. Ms. Hammond thanked the Board for its support and sponsorship of the Martin Luther King, Jr. Tribute.

***ACTION: (A-0812) The Board members thanked Ms. Hammond for the plaque and the posters.***

## **NON AGENDA**

97. MOTION TO APPROVE the appointment of Commissioner John E. Rodstrom, Jr. to serve on the Selection/Negotiation Committee to select a Washington Lobbyist for Broward County (RLI #032499-RB).

**ACTION: (A-0906) Approved.**

98. LETTER OF COMMENDATION: Commissioner Abramowitz read a letter into the record, dated March 22, 1999, from John P. Kelly, City Manager, City of Coconut Creek, commending the response

time and the professional expertise of the Broward County Fire Rescue staff who were called to assist the victims of a horrific automobile accident.

***ACTION: (B-1037) Commissioner Abramowitz forwarded the letter to the County Administrator and asked that the staff mentioned in the letter be commended.***

99. ARTIFICIAL REEFS: Commissioner Parrish referred to a letter she received from Michael Leech, President, International Game Fish Association (IGFA), dated April 2, 1999, in response to her request for suggestions regarding artificial reefs in Broward County. Commissioner Parrish briefly highlighted Mr. Leech's comments regarding IGFA's concerns that the artificial reefs are attracting commercial fishing vessels who are overharvesting fish and depleting many of the species. She requested that Interim County Attorney Noel M. Pfeffer research what the County can do to deal with this issue.

***ACTION: (B-1092) Mr. Pfeffer will return before the board with recommendations regarding the County's efforts with the artificial reef program within two (2) weeks, if possible.***

100. CODE ENFORCEMENT STAFFING: Commissioner Jacobs commented that there is not enough Code Enforcement personnel to adequately handle the County's neighborhoods. She wanted to know what was being done with respect to additional code enforcement staff as it relates to the Safety & Emergency Services Division.

***ACTION: (B-1180) The County Administrator will research the issue and report to the board.***

101. ROBERT'S RULES OF ORDER: The Chair requested that Interim County Attorney Noel M. Pfeffer prepare a brief summary reviewing Robert's Rules of Order with respect to motions to defer, and what discussion occurs when someone who has the floor, offers a motion to defer an item.

***ACTION: (B-1250) Mr. Pfeffer will submit a written summary addressing the Chair's request regarding Robert's Rules of Order and motions to defer, and copy each commissioner.***

102. DRUG COURT TREATMENT PROGRAM: The Chair referred to a memorandum dated April 2, 1999, from Philip Shailer, Special Counsel to the Sheriff, regarding the timetable for submission/review/Board consideration of BSO's plan for transfer of the Drug Court Treatment Program. Mr. Shailer has requested that the County extend the deadline for the BSO submission to Friday, April 23, 1999. Staff would then submit written comments on Friday, May 7, 1999, and then County Commission consideration would be May 18 or May 25, 1999.

***ACTION: (B-1777) By a consensus, the Board agreed to extend the BSO submission for its plan for transfer of the Drug Court Treatment Program. The County Administrator was asked to prepare a letter with the Board's response.***

103. CUSTOMS INSPECTORS AT FORT LAUDERDALE/HOLLYWOOD INTERNATIONAL AIRPORT: The Chair referenced a letter she received from Congressman E. Clay Shaw, dated April 2, 1999, with respect to expanding cargo service at the Fort Lauderdale/Hollywood International Airport (FLL). The Congressman recently persuaded the Customs Service to reduce their previous offer to the County of \$1.6 million for full time cargo inspection service at FLL, to approximately \$1.1 million. County Administrator Roger J. Desjarlais advised the Board that Airport staff is currently negotiating an agreement with Customs Service to work through the balance of Customs' fiscal year, while Congressman Shaw's and Congressman Deutsch's offices prepare an appropriations bill to be filed for the long term.

***ACTION: (B-1317) No Board action was taken.***

[Back to previous page](#)