

# MEETING OF APRIL 8, 1997

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

PLEDGE OF ALLEGIANCE was led by Don McClosky, Ruden, McClosky, et al.

## CONSENT AGENDA

### AVIATION DEPARTMENT

1. MOTION TO APPROVE consent to merger between Dollar Systems, Inc. and Dollar Operations, Inc. at Fort Lauderdale-Hollywood International Airport effective upon Board approval, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

2. MOTION TO APPROVE consent from Broward County, Florida to Suntrust/South Florida, N.A. for the purpose of refinancing a leasehold mortgage of leased property by Sheltair Aviation Center, Inc. at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

3. MOTION TO APPROVE concession agreement between Broward County and A to Z Parking Services, Inc. for valet parking services at Fort Lauderdale-Hollywood International Airport on a test basis, for a 24-month period commencing 30 days after execution by the Board, and authorize the Chair and Clerk to execute same.

**ACTION: (A-1009) Approved, as amended.**

4. MOTION TO APPROVE assignment of rights to sales tax refund to Concession Air of Fort Lauderdale, a Texas general partnership, assigning any and all rights of Broward County, Florida to recover any sales taxes, interest, or penalties collected from Concession Air of Fort Lauderdale by Broward County, Florida and paid by Broward County, Florida to the Department of Revenue, State of Florida for the period of June 1995 through January 1996, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

5. MOTION TO ADOPT Resolution 1997-328 approving a supplementary agreement to a Joint Participation Agreement with the Florida Department of Transportation (WPI 4820469) in the amount of \$190,000 State share, for ARFF Vehicle and additional rescue equipment for the RIV at Fort Lauderdale-Hollywood International Airport, authorize the Chair and Clerk to execute same, and authorize the County Administrator to make the necessary administrative and budget actions to execute

the grant.

## **ACTION: (A-0927) Approved.**

6. MOTION TO ADOPT Resolution 1997-329 approving a supplementary agreement to a Joint Participation Agreement with the Florida Department of Transportation (WPI 4820138) in the amount of \$4,383,000 State share, for the new Northside Terminal at Fort Lauderdale-Hollywood International Airport, authorize the Chair and Clerk to execute same, and authorize the County Administrator to make the necessary administrative and budget actions to execute the grant.

## **ACTION: (A-0927) Approved.**

7. A. MOTION TO APPROVE termination of Commuter Terminal Building Lease Agreement between Broward County, Florida and Gulfstream International Airlines, Inc. for the lease and use of 100 square feet of preferential ticket counter space, 240 square feet of airline ticket office space and 150 square feet of bag make-up space at the Commuter Terminal Building at the Fort Lauderdale-Hollywood International Airport effective upon Board approval, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-0927) Approved.**

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

## **ACTION: (A-0927) Approved.**

8. MOTION TO APPROVE consent to sublease, attornment and nondisturbance agreement between Broward County, Florida, Embraer Aircraft Corporation and H. Aviation, Inc. with the joinder of H. Wayne Huizenga for 10.773 acres at the Embraer leasehold site at the Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

*ACTION: (A-1024) Deferred to April 15, 1997 for further staff review.*

## **PUBLIC WORKS DEPARTMENT**

## **OFFICE OF TRANSPORTATION**

## **REAL PROPERTY SECTION**

9. MOTION TO ADOPT Resolution 1997-330 accepting sub-lease for Elderly Services Division, 1421 East Oakland Park Boulevard, Oakland Park, Florida, 2,800 square foot at \$12.34, per square foot,

\$2,879.33, per month; Landlord: Browne Brothers Vann Corporation; Term of lease: April 1, 1997 through September 30, 1997; and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

10. MOTION TO APPROVE contract for sale and purchase executed by Abbott Wainwright, Personal Representative of the Estate of S. W. Wainwright, a/k/a Wm. S. Wainwright, deceased, in the amount of \$7,400 for the purchase of an outparcel for West Lake Park, Parcel 430, authorize the Chair and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed.

**ACTION: (A-0927) Approved.**

11. MOTION TO APPROVE contract for sale and purchase executed by the Wilton Ventures, Inc. in the amount of \$20,000 for the purchase of three outparcels for West Lake Park, Parcels 327, 371 and 385, authorize the Chair and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed.

**ACTION: (A-0927) Approved.**

**OFFICE OF ENVIRONMENTAL SERVICES**

**FISCAL OPERATIONS DIVISION**

12. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien to release liens recorded for unpaid water and/or sewer charges.

**ACTION: (A-0927) Approved.**

13. MOTION TO ADOPT Resolution 1997-331 assessing liens for unpaid water and/or sewer charges.

*ACTION: (A-1139) Approved. Staff was directed to create a policy or draft an amendment to the Ordinance to specify that the County shall file liens on property no later than 90 days after the County is disconnecting service for non-payment to protect the County's ability to recover the cost of services. Further, staff was asked to provide information to the Board regarding what is required for a deposit for service, credit checks, returned checks, etc.*

**OFFICE OF PROJECT MANAGEMENT AND CONSTRUCTION**

**CONSTRUCTION MANAGEMENT DIVISION**

14. MOTION TO APPROVE bill of sale for the utilities facilities serving the Broward County Emergency Operations Center as required by the City of Plantation, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

15. MOTION TO ADOPT budget Resolution 1997-332 transferring within the engineering Capital Outlay Fund (315) the amount of \$48,000 from the engineering Capital Outlay reserves in order to fund court ordered settlements on right-of-way acquisition for the Pine Island Road improvement project from Griffin Road to Stirling Road, Project No. 5080.

***ACTION: (A-0943) Approved. Staff was directed to provide for each parcel identified in Case No. 93-13478(21): the purchase price for each parcel, the amount paid to outside counsel, and costs to enable the Board to make a comparative analysis on the issue.***

16. MOTION TO APPROVE reimbursement to Florida Power and Light Company of the estimated cost of \$400,000 for relocating certain Florida Power and Light Company facilities on County Project No. 5067, Griffin Road (I-75 to SW 188th Avenue).

***ACTION: (A-0927) Withdrawn for further study.***

17. A. MOTION TO APPROVE agreement between Broward County and the City of Parkland for Phasing the Installation of Required Road Improvements relating to the Parkland Municipal Center (078-MP-95); and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

B. MOTION TO APPROVE Traffic Signal Agreement between Broward County and the City of Parkland for Traffic Signalization relating to the Parkland Municipal Center (078-MP-95); and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

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

18. MOTION TO APPROVE settlement agreement and general release as full and complete resolution of a federal civil action styled Gramer v. Broward County, Case No. 93-6712-CIV-HIGHSMITH, attendant with a dismissal of the action with prejudice, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

19. MOTION TO ADOPT Resolution 1997-333 appointing The Bank of New York as successor trustee to First Union National Bank of Florida in connection with the Broward County, Florida, Solid Waste

Disposal Revenue Bonds (FPL Company Project, Series 1991) issued on behalf of FPL.

**ACTION: (A-0927) Approved.**

## **ACCOUNTING DIVISION**

20. MOTION TO APPROVE satisfactions and releases of anti litter liens.

**ACTION: (A-0927) Approved.**

21. MOTION TO APPROVE satisfactions and releases of land clearance liens.

**ACTION: (A-0927) Approved.**

22. MOTION TO APPROVE satisfactions and releases of land clearance liens and releases of Notices of Non-compliance with the Land Clearing Code of Broward County.

**ACTION: (A-0927) Approved.**

## **COUNTY RECORDS DIVISION**

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

**ACTION: (A-0927) Approved.**

## **PURCHASING DIVISION**

For Aviation Department

24. MOTION TO APPROVE first amendment between Broward County and Craven Thompson & Associates, Inc. for consultant services for infrastructure improvements at North Perry and Fort Lauderdale-Hollywood International Airports, in the amount of \$14,750.01, increasing the total agreement amount from \$310,000 to the maximum amount not to exceed \$324,750.01, increasing the agreement time by 730 days from 870 to 1,600 days, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

25. MOTION TO APPROVE optional services Work Authorization No. 1010-06 pursuant to the agreement between Broward County and Miller, Legg & Associates, Inc. (consultant) for replacement parking design services for a feasibility study and conceptual plans for an 11 acre parking area and the

extension of NE 10th Street from U.S. 1 to the east boundary of the proposed parking area in the not-to-exceed amount of \$76,709.00, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-0927) Approved.**

For Community Services

26. MOTION TO APPROVE Release of Retainage in the amount of \$92,450.60, to The SWA Group, Project No. 521-89A.

## **ACTION: (A-0927) Approved.**

For Public Works Department

27. MOTION TO AWARD open-end contract to Natural Habitats, Inc., low bidder on items 1 and 2, in the estimated amount of \$27,720; Eco-Design, Inc. low bidder on items 3 and 4, in the estimated amount of \$33,174.40; Aquagenix Land-Water, low bidder on item No. 5 and low responsive/responsible bidder on item No. 6, in the estimated amount of \$125,442 for Wetlands Mitigation Maintenance (Bid No. H-01-97-11-36) for the Office of Integrated Waste Management Division, and authorize the Purchasing Director to renew contract for a one-year period. The initial contract period shall start April 8, 1997 and shall terminate on April 7, 2000.

## **ACTION: (A-0927) Approved.**

28. A. MOTION TO WAIVE as a technicality the specification for 850 G.P.M. hydraulic motor allowing a hydraulic motor sized to the demand of the water pump.

## **ACTION: (A-0927) Approved.**

B. MOTION TO AWARD fixed contract to the low bidder, Neff Machinery, Inc., Group 2, for tractor water wagon (Bid No. C-01-97-08-OF) in the amount of \$116,000 for the Office of Integrated Waste Management.

## **ACTION: (A-0927) Approved.**

## **REVENUE COLLECTION DIVISION**

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

## **ACTION: (A-0927) Approved.**

30. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien(s).

## **ACTION: (A-0927) Approved.**

31. MOTION TO APPROVE first amendment to the agreement between Broward County and NOVUS Services for credit card services to replace Discover Card with the name NOVUS Services and to reduce the cost of the transaction fee, and authorize the Chair and Clerk to execute same. (Deferred from April 1, 1997)

## **ACTION: (A-0927) Approved.**

### **RISK MANAGEMENT DIVISION**

32. MOTION TO AUTHORIZE full and final settlement of Claim No. DNA/121895MITC/02 in the amount of \$17,000.

## **ACTION: (A-0927) Approved.**

33. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim No. 95 WC 1230 SM in the amount of \$125,000.

## **ACTION: (A-0927) Approved.**

34. MOTION TO AUTHORIZE full and final settlement of Claim No. BBT/101295EMIL/03 in the amount of \$18,000.

## **ACTION: (A-0927) Approved.**

### **HUMAN SERVICES DEPARTMENT**

#### **GRANTS MANAGEMENT RESEARCH & DEVELOPMENT SERVICES**

35. MOTION TO APPROVE Agreement No. 97-GMU-C22 between Broward County and Outreach Broward, Inc. from October 1, 1996 to September 30, 1997 in the amount of \$31,500 for the purpose of renovating Twig House, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-0927) Approved.**

### **BUREAU OF CHILDREN & FAMILY SERVICES**

36. MOTION TO APPROVE grant application to the State of Florida Department of Community

Affairs in the amount of \$536,654 for the Low Income Home Energy Assistance Program of Broward County from April 1, 1997 through March 31, 1998, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation.

**ACTION: (A-0927) Approved.**

## **ELDERLY AND VETERANS SERVICES DIVISION**

37. A. MOTION TO APPROVE Amendment No.1 to Agreement No. JH300 between State of Florida Department of Children and Families and Broward County from July 1, 1996 to June 30, 1997, for the purpose of decreasing Mental Health Services for elders in the amount of (-)\$21,000, decreasing the value from \$1,812,752 to \$1,791,752.00, and authorize the Chair and Clerk to execute same. (County Cash Match of \$209,087 and County In-Kind of \$43,487 is included)

*ACTION: (A-0927) Approved, as revised.*

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-334 within the State of Florida Grant Fund for the Elderly and Veterans Services Division in the amount of \$(-)21,000 to implement a 2% reduction mandated by the 1996 Florida Legislature.

*ACTION: (A-0927) Approved, as revised.*

38. A. MOTION TO APPROVE Amendment No. 2 to Agreement No. JH300 between State of Florida Department of Children and Families and Broward County from July 1, 1996 to June 30, 1997 for the purpose of increasing Mental Health Services for elders in the amount of \$9,900 increasing the value from \$1,791,752 to \$1,801,652.00, and authorize the Chair and Clerk to execute same. (County Cash Match of \$209,087 and County In-Kind of \$43,487 is included)

*ACTION: (A-0927) Approved, as revised.*

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-335 within the State of Florida Grant Fund for the Elderly and Veterans Services Division in the amount of \$9,900 to support an increase in services.

*ACTION: (A-0927) Approved, as revised.*

## **COMMUNITY SERVICES DEPARTMENT CONSUMER AFFAIRS DIVISION**

39. MOTION TO APPROVE transfer of Certificate of Public Convenience & Necessity No. 78 currently issued to Airocar, Inc. 55 limousine permits from Airocar, Inc. will be transferred to Passport Leasing, Inc. which holds five limousine permits on Certificate of Public Convenience & Necessity No. 6.

## **ACTION: (A-0927) Approved.**

40. MOTION TO APPROVE change of ownership of Certificate of Public Convenience & Necessity No. 68 currently issued to Family Car Service, Inc. One limousine permit will be transferred to Kevin M. Ward.

## **ACTION: (A-0927) Approved.**

41. MOTION TO APPROVE partial change of ownership of Certificate of Public Convenience & Necessity No. 35 currently issued to Cars of the Rich and Famous, Inc. Three limousine permits will be transferred to Condo-Limo Service, Inc. Four limousine permits will remain on Certificate No. 35 belonging to Cars of the Rich and Famous, Inc.

## **ACTION: (A-0927) Approved.**

42. MOTION TO APPROVE change of name appearing on Certificate of Public Convenience & Necessity No. 164 from Kenneth P. Halpern to All Points Limousine Services, Inc. Certificate No. 164 is the holder of two limousine permits.

## **ACTION: (A-0927) Approved.**

43. MOTION TO APPROVE change of name appearing on Certificate of Public Convenience & Necessity No. 141 from Yehuda Kleinman to Ekley Corp. Certificate No. 141 is the holder of one taxi permit.

## **ACTION: (A-0927) Approved.**

44. MOTION TO APPROVE change of name appearing on Certificate of Public Convenience & Necessity No. 132 from Phyllis Kleinman to Phyk Corp. Certificate No. 132 is the holder of one taxi permit.

## **ACTION: (A-0927) Approved.**

## **LIBRARIES DIVISION**

45. MOTION TO FILE unaudited financial statement submitted by the Friends of the Broward County Library, Inc. for the period October 1, 1995 to September 30, 1996 as provided for in the revocable license agreement between Broward County and the Friends of the Broward County Library, Inc. relating to operation of a gift shop at the Main Library.

## **ACTION: (A-0927) Approved.**

## **PARKS AND RECREATION DIVISION**

46. MOTION TO APPROVE Addendum No. 4 to Agreement between Broward County and School Board of Broward County to provide recreation programs at several school sites for the 1997-98 school year at no cost to County, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

47. MOTION TO ADOPT Resolution 1997-336 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of the donation of \$9,690 from Horses and the Handicapped of South Florida, Inc. to be deposited into the Friends of the Parks and Recreation Division Trust Fund, providing for severability, and providing for an effective date.

**ACTION: (A-0927) Approved.**

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

### **COMMUNITY DEVELOPMENT DIVISION**

48. MOTION TO APPROVE first amendment to agreement between Broward County and The Friends of the Hepburn Center, Inc. for the 22nd Year After School Homework Tutorial Enrichment Program, requesting a \$20,936 increase in funding from \$91,750 to \$112,686 with no change to the term of the agreement, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

## **PORT EVERGLADES**

49. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida and Larsen Tours U.S.A., Inc. in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1997, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

## **OFFICE OF BUDGET AND MANAGEMENT POLICY**

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

**ACTION: (A-0927) Approved.**

## **GREATER FORT LAUDERDALE CONVENTION & VISITORS BUREAU**

51. MOTION TO APPROVE agreement between Broward County and the National Association for the Advancement of Colored People for the Regional V 1997 Conference commencing April 3, 1997 through April 5, 1997, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0927) Approved.**

## **COUNTY ATTORNEY**

52. MOTION TO RATIFY selection of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. and Tripp, Scott, Conklin & Smith to serve as special counsel to Broward County in the case of Coastal Carting, Ltd., Inc. v. Broward County, Florida.

**ACTION: (A-0927) Approved.**

53. MOTION TO ADOPT Resolution 1997-327 expressing gratitude to Helen Ferris for a donation of historical documents to the Broward County Historical Commission.

*ACTION: (A-0595) Approved. Commissioner Parrish read into the record the Resolution expressing the Board's gratitude to Ms. Ferris. Ms. Ferris thanked the Board for the Resolution.*

## **BOARD APPOINTMENTS**

54. MOTION TO APPROVE appointment of Cynthia J. Hoover to the Commission on the Status of Women. Ms. Hoover fills an existing vacancy. (Commissioner Cowan)

**ACTION: (A-0927) Approved.**

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

55. MOTION TO ADOPT Resolution 1997-337 directing the County Administrator to publish notice of public hearing to be held on Tuesday, April 15, 1997 at 10:00 a.m. in Room 422 of the Governmental Center to consider the County's Federal Legislative Package for the 105th Congressional Session.

# **ACTION: (A-0927) Approved.**

## **REGULAR AGENDA**

### **56. COUNTY ADMINISTRATOR'S REPORT:**

#### **1. Prevailing Wage Issue**

County Administrator B. Jack Osterholt apprised the Board of Arena Development Corporation's decision to appeal Broward Circuit Judge Leroy H. Moe's ruling on the Prevailing Wage litigation. Staff is working closely with the County Attorney's Office and has requested that the County Attorney's Office proceed with the default process in accordance with the Development Agreement. County Attorney John J. Copelan, Jr. advised the Board of its legal rights under the contract with Arena Development.

***ACTION: (A-1311) The County Attorney's Office will file a petition for recovery of Attorney's fees and costs as the prevailing party of the litigation; The Board authorized the County Attorney's Office to pursue notifying the surety bond holders that there may be a claim; research whether a bond or money should be escrowed with the Court; and determine whether or not the County can withhold payments. Additionally, staff was authorized to seek legal remedies, under the Public Records Act, to receive additional information (contract documents and other relevant records from Arena Development), including identification of the workers on the Arena project. Further, the County Attorney's Office will pursue the enforcement of the County's Prevailing Wage Ordinance to the fullest extent of the law, including contacting the State Attorney's Office.***

#### **2. School Concurrency Issue**

Mr. Osterholt and Mr. Copelan apprised the Board of the mediation hearings in Tallahassee between the County, Broward School Board, and the seven principals regarding the School Concurrency settlement agreement. Mr. Copelan stated that all the principals involved in the negotiations must accept the provisions of the proposed settlement agreement. Mr. Copelan reviewed the eight (8) provisions to the proposed settlement agreement, and asked that the Board to conceptually review and approve said provisions. Depending upon the acceptance of the other principals, Mr. Copelan advised he would return before the Board with a final settlement agreement. Due to the importance of the issue, and that there may be a need for Board members to ask questions of the County Attorney's Office, the Chair tabled action on the issue to this day's 2:00 p.m. public hearing meeting. There was no objection.

***ACTION: (A-2268/B-0120) It now being the 2:00 p.m. public hearing meeting, the Board conceptually approved the results of the mediation on the School Concurrency litigation.***

Submitted for the record, was the jail report, which is 4,055 (319 over) the cap of 3,736.

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## **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 & GROWTH MANAGEMENT

## DEVELOPMENT MANAGEMENT DIVISION

57. DISCUSSION of plat entitled "North Broward School Plat"- District 3, (009-UP-96).

***ACTION: (A-2858) Approved the plat, as verbally amended, and subject to staff's recommendations as outlined in the Development Review Report.***

58. DELEGATION: Shelley Eichner regarding request to amend the note on the Plat of Countryside Shops (091-MP-84). (Deferred from March 18, 1997)

***ACTION: (A-2906) Approved subject to staff's recommendations.***

59. A. MOTION TO RECONSIDER action taken on Agenda Item No. 40 at the April 1, 1997 Commission Meeting. (Commissioner Lieberman)

### **ACTION: (A-3090) Approved.**

B. DELEGATION: Gregory S. Mire regarding request to modify conditions of plat approval on the Raintree Villas Plat (031-MP-95).

***ACTION: (A-3150) Deferred for up to 35 days to allow staff to determine whether a traffic signal is warranted at the exit of the Raintree Villas complex (52nd Street) along Pine Island Road.***

## END OF QUASI-JUDICIAL HEARING

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## AVIATION DEPARTMENT

60. A. MOTION TO ADOPT preliminary Resolution 1997-338 proposing to amend Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation;" amending the schedule of rates, fees and charges for non- concessionaire motor vehicle rental business or service at Fort

Lauderdale- Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

***ACTION: (A-3655) Approved, as amended.***

B. MOTION TO ADOPT Resolution 1997-339 directing the County Administrator to publish notice of public hearing to be held Tuesday, May 13, 1997 at 2:00 p.m. in Room 422 of the Governmental Center proposing to amend Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation;" amending the schedule of rates, fees and charges for non- concessionaire motor vehicle rental business or service at Fort Lauderdale- Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

## **ACTION: (A-3655) Approved.**

61. DELEGATION: Charles R. Smith, regarding request to discuss pending open bid for Hollywood Aviation lease at North Perry Airport.

***ACTION: (A-4105) No board action was taken.***

62. DELEGATION: Paul Coggin, V.P., Spectrum Marketing, Inc., regarding request to discuss pending open bid for Hollywood Aviation lease at North Perry Airport.

***ACTION: (A-4227) No board action was taken.***

63. MOTION TO APPROVE agreement of lease between Broward County, Florida and Hollywood Aviation, Inc. for 7.53 acres of land, including 15,904 square feet of T-Ports, 13,824 square feet of T-Hangars, 27,200 square feet of Community Hangars and 2,040 square feet of maintenance/office space at North Perry Airport for the operation of a fixed base operation, and authorize the Chair and Clerk to execute same.

***ACTION: (A-4407) Approved. The Chair will not execute the contract until the County is in receipt of the \$12,500 security deposit for the improvements.***

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

## **OFFICE OF HOUSING FINANCE**

64. MOTION TO ADOPT Resolution 1997-340 of the Board of County Commissioners of Broward County, Florida approving the issuance of not exceeding \$10,925,000 aggregate principal amount of the Housing Finance Authority of Broward County, Florida Multifamily Variable Rate Housing Revenue Refunding Bonds (Southern Pointe Project) Series 1997; determining the need for a negotiated sale of such Bonds; approving the public hearing held in respect of the issuance of the Bonds; approving the form of Bond Purchase Agreement; approving the form and distribution of a Preliminary Official Statement and approving the distribution of a Final Official Statement with respect to the Bonds; approving the form of the Indenture; approving the form of Financing Agreement; approving the form of Remarketing Agreement; approving the form of Amended and Restated Regulatory Agreement and Agreement of Deed Restrictions; approving the form of certain Mortgage Loan Documents; approving the Designation of a Trustee and a Trustee Fee Agreement; authorizing other actions required to issue

and deliver the Bonds; proving an effective date.

## **ACTION: (A-4602) Approved.**

65. MOTION TO ADOPT Resolution 1997-341 of the Board of County Commissioners of Broward County, Florida approving the issuance of not exceeding \$12,140,000 aggregate principal amount of the Housing Finance Authority of Broward County, Florida Multifamily Variable Rate Housing Revenue Refunding Bonds (Water's Edge Project) Series 1997; determining the need for a negotiated sale of such Bonds; approving the public hearing held in respect of the issuance of the Bonds; approving the form of Bond Purchase Agreement; approving the form and distribution of a Preliminary Official Statement and approving the distribution of a Final Official Statement with respect to the Bonds; approving the form of the Indenture; approving the form of Financing Agreement; approving the form of Remarketing Agreement; approving the form of Amended and Restated Regulatory Agreement and Agreement of Deed Restrictions; approving the form of certain Mortgage Loan Documents; approving the Designation of a Trustee and a Trustee Fee Agreement; authorizing other actions required to issue and deliver the Bonds; proving an effective date.

## **ACTION: (A-4610) Approved.**

### **PURCHASING DIVISION**

For Finance and Administrative Services Department

66. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to contract acquisition of an IBM mainframe computer recovery facility.

***ACTION: (A-4616) Approved. The following will serve on the Selection/Negotiation Committee: Director, Office of Information Technology, (Chair); Director, Planning Information Technology, and Director, Bureau of Technology, BSO.***

For Public Works Department

67. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide construction contract administration services for the construction of Wiles Road from SR-7 to Lyons Road.

***ACTION: (A-4627) Approved. The following will serve on the Selection/Negotiation Committee: Commissioner Poitier; Director, Engineering Division, Public Works (Chair); Director, Development Management Division, Strategic Planning & Growth Management, and Director, Streets & Highways Division, Public Works.***

### **COMMUNITY SERVICES DEPARTMENT**

### **ANIMAL CARE AND REGULATION**

## **DIVISION**

68. MOTION TO APPROVE agreement between Broward County and Pet Supermarket, Inc. to provide adoption services at Pet Supermarket stores for the period March 1, 1997 to September 30, 1998, and authorize the Chair and Clerk to execute same.

*ACTION: (A-4639) Withdrawn for further study.*

## **OFFICE OF BUDGET AND MANAGEMENT POLICY**

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

**ACTION: (A-4644) Approved, as amended.**

## **OFFICE OF URBAN AFFAIRS**

70. MOTION TO ACCEPT nominations for a vacancy on the Florida Atlantic Research & Development Authority. (Deferred from April 1, 1997)

A. MOTION TO NOMINATE Dr. Irving Rosenbaum to serve on the Florida Atlantic Research & Development Authority to complete an unexpired term until November 9, 1997. (Commissioner Gunzburger)

**ACTION: (A-4651) Withdrawn.**

B. MOTION TO NOMINATE Neil Sterling as the Broward County Commission's appointee to the Florida Atlantic University Research and Development Authority. Mr. Sterling will replace George I. Platt, who has previously resigned. (Commissioner Cowan)

*ACTION: (A-4658) Neil Sterling was appointed to serve on the Florida Atlantic University Research and Development Authority.*

## **GREATER FORT LAUDERDALE CONVENTION & VISITORS BUREAU**

71. MOTION TO APPROVE fourth amendment to the agreement between Arthur Andersen and Broward County for consultant services for feasibility study for hotel development and Convention Center expansion. (Deferred from April 1, 1997)

***ACTION: (A-4668) Approved a substitute motion to abolish the current Selection/Negotiation Committee and reconvene a Selection/Negotiation Committee comprised of the seven (7) County Commissioners. The Selection/Negotiation Committee will meet immediately following the conclusion of the 10:00 a.m. commission meeting on Tuesday, April 15, 1997, to determine what the Committee needs in support services to evaluate and enter into a contract for the construction of the hotel.***

## **COUNTY ADMINISTRATOR**

72. A. MOTION TO WAIVE Procurement Code in accordance with Section 21.6(c) of the Procurement Code for the purpose of contracting with the State Department of Management Services for construction management services and the construction of Operation Bootstrap.

**ACTION: (A-6213) Approved.**

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-342 within the Law Enforcement Trust Fund in the amount of \$1,550,000 to provide a portion of the funding for the construction of Operation Bootstrap.

**ACTION: (A-6224) Approved.**

C. MOTION TO ADOPT unanticipated revenue Resolution 1997-343 within the General Capital Outlay Fund in the amount of \$1,550,000 to provide for the construction of Operation Bootstrap with proceeds from the Law Enforcement Trust Fund.

**ACTION: (A-6224) Approved.**

D. MOTION TO APPROVE agreement between the State Department of Management Services Division of Building Services and Broward County for construction management services in the amount of \$83,272 for the BSO Bootstrap Project, and authorize the County Contract Administrator to approve payment to the General Contractor for the construction of the Bootstrap Project up to the project budget of \$3,368,227.

**ACTION: (A-6224) Approved.**

E. MOTION TO FILE the Broward Sheriff's Office request for authorization for an appropriation of \$1,550,000 from the Law Enforcement Trust Fund.

**ACTION: (A-6224) Approved.**

73. DISCUSSION: The following legislative issues were discussed:

1. CS/SB 2044, relating to Agriculture - Amended to include wireless service providers, manufacturers of equipment used in providing 911 services, or an officer or employee of the wireless service provider involved in providing the 911 service, the same liability protection that is currently given to landline

companies

***ACTION: (A-6253) Staff will lobby the County's opposition to any attempt to allow a waiver of liability until the collection of the surcharge issue has been agreed to, and maintains the surcharge as a local revenue source.***

2. Discussion regarding State Funding of Minority Issues & African American Library and Cultural Center Appropriations

***ACTION: (A-6288) Staff will continue to lobby for funding of Broward minority projects. With respect to the African American Library and Cultural Center, staff was directed to send letters from the Chair, on behalf of the Broward County Commission, to the Speaker, Senate President, and Committee Chairs in both the House and Senate requesting State funds.***

3. Joint Legislative Claim Bills Procedures - Sovereign Immunity

***ACTION: (A-6443) County Attorney's Office directed to file a statement of opposition quantifying what problems local government would face if it must rebut the presumption for a claims bill.***

## **COUNTY COMMISSION**

74. DISCUSSION: Regional Transit Organization (RTO) options as same relates to powers, organization, and source of funding. (Commissioner Parrish) (Deferred from April 1, 1997)

***ACTION: (A-6568) Commissioner Parrish will continue to represent the best interests of Broward County on the Regional Transit Organization (RTO). (The Board made the following recommendations: The RTO have equal representation for the three Counties; the membership shall consist of no more than nine (9) members, and have no taxing authority.)***

## **SUPPLEMENTAL AGENDA**

### **COUNTY COMMISSION**

75. DISCUSSION: Possible land swap for 5 acres at U.S. 441 and Old Riverland Road. (Commissioner Cowan)

***ACTION: (A-6678) The Chair will continue to keep the Board apprised of the negotiations. The Chair will return before the Board if there is a land swap with all the necessary information on the appraised/assessed values of the property, including information requested by Board members pertaining to the parcel before the Board makes a determination.***

## **NON AGENDA**

76. PROCLAMATION: Commissioner Rodstrom, on behalf of the Board, read into the record a proclamation designating the week of April 13 through 19 as **BROWARD COUNTY VICTIM'S RIGHTS WEEK IN BROWARD COUNTY**. Commissioner Rodstrom conveyed that the Broward

Victim's Rights Coalition is joining forces with Victim Service Programs, criminal justice officials and concerned citizens throughout Broward County and America to observe the National Crimes Victims Rights Week. The Board reaffirms the commitment to address victims rights and criminal justice issues during this week and throughout the year.

***ACTION: (A-0079) Debra Burton, President, Broward Victim's Rights Coalition, along with Judy Banks, Vice President, Broward Victim's Rights Coalition and Chair of Victim Rights Week, thanked the Board and accepted the proclamation with great appreciation. Ms. Burton invited the Board members to attend the kick-off ceremony at the Public Safety Building on Monday, April 14, 1997 at 10:00 a.m. and Candlelight Vigil in Coconut Creek at the Ted Thomas Center, Thursday, April 17, 1997 at 7:00 p.m.***

77. PROCLAMATION: Commissioner Gunzburger, on behalf of the Board, read into the record a proclamation designating the of April 7 through 13, 1997, as **PUBLIC HEALTH WEEK IN BROWARD COUNTY**. The Board urged the Broward County Health Department to join with appropriate agencies and private organizations to sponsor events that encourage citizens to choose healthy lifestyles.

***ACTION: (A-0181) David L. Roach, Senior Administrator, Florida Department of Health thanked the Board and accepted the proclamation on behalf of the citizens of Broward County. Mr. Roach thanked the Board and staff, particularly, County Administrator B. Jack Osterholt and Kathy Harris, Director, Human Services Department for everything they have done throughout the years for public health in the County.***

78. PROCLAMATION: Commissioner Abramowitz, on behalf of the Board, read into the record a proclamation designating the week of April 13 through 19, 1997, **PUBLIC SAFETY TELECOMMUNICATIONS WEEK IN BROWARD COUNTY**. The Board recognized the public safety telecommunications members and the vital contributions they make to the safety and well-being of our citizens.

***ACTION: (A-0266) Captain Paul Luria, Broward Sheriff's Office (BSO), along with Broward County Fire Rescue Director Bruce Moeller, Assistant Chief of Communications John Schildknecht, Telecommunications Operator Doretta Walker from the Broward County Fire Rescue, and Miriam Diaz from BSO, thanked the Board and accepted the proclamations with appreciation.***

79. PROCLAMATION: Commissioner Lieberman, on behalf of the Board, read into the record a proclamation designating April 9, 1997, as **AL GREEN APPRECIATION DAY IN BROWARD COUNTY**. Commissioner Lieberman stated that Mr. Green is celebrating his 1,000th Al Green Show on Continental Cablevision, Channel 19, which includes interviews with more than 2,500 guests. Mr. Green will be airing a show on organ donors April 18, 1997 at 7:00 p.m., and April 19, 1997 at 4:30 p.m.

***ACTION: (A-0394) Mr. Green thanked the Board and accepted the proclamation with gratitude. Mr. Green introduced his wife, June Green.***

80. PROCLAMATION: Commissioner Poitier, on behalf of the Board, read into the record a proclamation designating Wednesday, April 9, 1997, as **YOUNG CHILDREN'S DAY IN BROWARD COUNTY** and urged all citizens to support and encourage all persons and agencies working for the care of young children in our community.

***ACTION: (A-0503) Karan Langman, Worklife Manager, Family Central, thanked the Board for its recognition of the importance of the young child in Broward County, and accepted the proclamation with great appreciation. Ms. Langman invited all to attend Young Children's Day at T.Y. Park on April 9, 1997 from 9:00 a.m. to 12:00 p.m.***

81. ANNOUNCEMENT: Commissioner Poitier announced that the City of Deerfield Beach "Deerfield Bucks" and the "Little Bucks" won the State Championship in Basketball.

***ACTION: (A-0595) A proclamation will be presented to the "Deerfield Bucks" and the "Little Bucks" on Thursday, April 10, 1997.***

82. EMPLOYEE SUGGESTION PROGRAM FY 96 GRAND AWARD PRESENTATION (6th GRAND AWARD): County Administrator B. Jack Osterholt, on behalf of the Board, recognized the following Grand Award Finalists and the recipient of the FY 96 Grand Award:

**#960038 Flashing Pedestrian Signals at School Mid-Block Traffic Signals**

**Keith Smith - Intangible Special Award of \$250**

**#920095 Use Reclaimed Water From North Regional Wastewater Treatment Plant at Septage Receiving Facility**

**Curtis Preece - Intangible Special Award of \$200**

**#960002 Paratransit Applications Printed on 20# Stock**

**Richard Steinfeld - Tangible Special Award of \$506**

**(Suggestion saved \$5,060 in its first year)\**

Mr. Osterholt announced that the recipient of the FY 96 Grand Award is **Richard Steinfeld, who received \$750 for his employee suggestion.**

***ACTION: (A-0720) Mr. Smith and Mr. Preece thanked the Board and accepted their Special Awards with gratitude. Mr. Steinfeld thanked the Board and accepted his Grand Award with great appreciation.***

83. SOUTHEAST REGIONAL NAACP CONFERENCE

***ACTION: (A-2691) Roosevelt Walters, President, Fort Lauderdale branch of the NAACP introduced Nelson B. Rivers, Regional Director of the NAACP, who thanked the County Commission and everyone involved for their great hospitality and support during the NAACP's Southeast Regional Conference at the Clarion Hotel, Hollywood Beach, Florida, April 3 through April 6, 1997.***

84. COMMISSIONER REQUEST: Commissioner Lieberman requested that in the future, when a development or road is on one side of a boundary line, that both governmental entities be given the opportunity to review and comment upon any proposed property changes in advance of coming before the Board for consideration.

***ACTION: (A-6850) Staff was directed to change the notification policy. Advanced notification will be***

*given to governmental entities for their review and comment when a development or road is on one side of a boundary line and a proposed property change is coming before the Board for consideration.*

85. TOURISM REPORT: Commissioner Abramowitz reported that Broward County welcomed 507,495 visitors this January, an increase of 7%, from 47,295 in January of 1996. Tourist tax collections are up by 11.6% for the first 4 months of FY1997 (October -January). The “Beethoven By the Beach” Festival scheduled for July has been greatly received.

***ACTION: (A-6916) No Board action was necessary.***

86. DISCUSSION: Commissioner Parrish informed the Board that while attending The Governor's Commission for a Sustainable South Florida meeting, on Friday, April 4, 1997, she learned that the South Florida Water Management District (SFWMD) may possibly sell portions of the Chambers property. Commissioner Parrish asked if the Chambers Plat could be reconsidered at the next commission meeting. County Attorney John J. Copelan, Jr. advised that staff would research Commissioner Parrish's request. The Chair tabled action on the motion to reconsider to this day's 2:00 p.m. public hearing meeting. There was no objection.

It now being the 2:00 p.m. public hearing meeting, Elliot Auerhahn, Director, Development Management Division, advised that the Chambers Plat agreement was heard on March 25, 1997; therefore, the time has run out for the item to be reconsidered. Commissioner Lieberman recommended that a motion to rescind be placed on the April 15, 1997. There was no objection.

***ACTION: (A-6999) Staff was directed to prepare a Motion to Rescind and place it on the agenda for the April 15, 1997 commission meeting.***

## **STAFF DIRECTIVE:**

***Staff will provide the following information prior to the April 15, 1997 meeting for the Board's review. Feedback from the City of Pembroke Pines, if the city will be affected; what SFWMD is contemplating; determine the status of an agreement made by Pembroke Pines Mayor Fekete, SFWMD, and Ron Bergeron whereby Mr. Bergeron would pay \$1 million in impact fees on the Chambers Plat; the size of the parcel SFWMD is considering to sell and the parcel's appraised value; was any announcement demonstrated, publicly, (at the “Sustainable Florida” 3:00 p.m. ceremony), that portions of the subject property would be sold or if it was represented that the entire parcel would be utilized for conservation. Additionally, the City of Pembroke Pines will be notified of the Board's action.***

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