

MEETING OF APRIL 23, 1996

(Meeting convened at 10:00 a.m. and adjourned at 12:15 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE amendment to business lease between Broward County, Florida, and Value Rent-A-Car, Inc., a Florida corporation, extending the termination date from March 31, 1997 to December 31, 1997, and allowing up to four additional six-month term extensions; and to provide for annual rental rate adjustments in accordance with the Consumer Price Index ("CPI") beginning April 1, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

2. MOTION TO ADOPT Resolution 96-0269 determining that the demolition and removal of certain structures located at the Fort Lauderdale-Hollywood International Airport will not impair the operating efficiency of the airport system or reduce the revenue-producing capability of the airport system.

ACTION: (A-929) Approved.

3. MOTION TO ADOPT Resolution 96-0270 determining that the disposal of certain buildings and improvements acquired in the Land Acquisition and Relocation Assistance Program is in the best interest of the county, and authorize the Director of Airports to sell such buildings and improvements and to remove or demolish any buildings and improvements that are unsaleable.

ACTION: (A-929) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

4. MOTION TO APPROVE permanent easement agreement executed by Family Circle Investment Company, a Florida corporation, in the amount of \$1,000 for a master lift station located in Carver Ranches for Broward County Office of Environmental Services, Project No. 148-8600, Parcel 1; and authorize the Chair and Clerk to execute easement agreement; and authorize acceptance and recordation of same.

ACTION: (A-929) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

5. MOTION TO APPROVE developer's agreement between the County and Deerfield Property Associates, a Florida general partnership, providing for utility installations by the developer at an estimated installation cost of \$192,850, AT NO COST TO THE COUNTY, to furnish water and wastewater services, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

6. A. MOTION TO ADOPT unanticipated revenue Resolution 96-0271 within the Water and Wastewater Operations Fund (461) for the Office of Environmental Services in the amount of \$150,000 to recognize a utility relocation agreement between Broward County and the Florida Department of Transportation reimbursing the Office of Environmental Services for the relocation of Lift Station 30A-1 in conjunction with the widening of Griffin Road west of U.S. 441.

ACTION: (A-929) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-0272 with the Water and Wastewater Capital Fund (462) in the amount of \$150,000 to recognize a transfer from the Operating Fund and appropriate the funds to the relocation of Lift Station 30A-1 project.

ACTION: (A-929) Approved.

OFFICE OF GENERAL SERVICES

7. MOTION TO ADOPT Resolution 96-0273 authorizing the Chair to execute and the county to enter into a Joint Participation Agreement in the amount of \$400,000 with the State of Florida Department of Transportation which provides funding for the purchase of ten alternative-fueled vehicles to replace existing vehicles in the county fleet.

ACTION: (A-929) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

8. MOTION TO APPROVE tri-party grant agreement among Broward County, city of Fort Lauderdale and Performing Arts Center Authority, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

ACCOUNTING DIVISION

9. MOTION TO FILE annual audit and financial reports for units of local government for certain independent districts for the year ended September 30, 1995.

A. Performing Arts Center Authority

B. North Broward Hospital District

C. South Broward Drainage District

D. Tindall Hammock Irrigation & Soil Conservation District

ACTION: (A-929) Approved.

COUNTY RECORDS DIVISION

10. MOTION TO APPROVE for filing supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (A-929) Approved.

11. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission Meeting of March 19, 1996.

ACTION: (A-929) Approved.

12. MOTION TO APPROVE agreement between Broward County and Keane, Inc. for data processing consulting services to complete the first phase of effort in redesigning the County Records Division Official Records System, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

PURCHASING DIVISION

For Public Works Department

13. MOTION TO ADD the following vendors to the qualified bidders' list for roofing services for various facilities in Broward County (#P-11-95-20-12): A S General Contracting, Inc.; Murton Roofing Corp; Roman Waterproofing & Restoration Systems, Inc. for the period April 23, 1996 through April 12, 1998, and to authorize the Purchasing Director to renew the qualified bidders' list for two one-year periods based on vendor acceptance, satisfactory performance, and determination that renewal is in the best interest of Broward County, for the Facilities Management Division.

ACTION: (A-929) Approved.

For Finance and Administrative Services Department

14. A. MOTION TO REJECT all bids for Items 12, 27, 28, 30, 38, 48 and 73.

ACTION: (A-929) Approved.

B. MOTION TO AWARD open end contract to low bidder(s), Browning Ferris Industries, Items 2 thru 11, 13 thru 17, 25, 26, 33, 34, 36, 41 thru 44, 49, 54, 56 thru 61, 63, 66, 68, 69, 71, 72, 74, 75, 78 thru 84, and 86 thru 95; Environmental Waste Systems, Inc. for Items 45, 47, 51, 53, 64, 65, 70 and 85; Southern Sanitation for Items 18, 22, 24, 29, 31, and 77; All Service Refuse for Items 1, 19, 20, 21, 23, 32, 35, 37, 39, 40, 46, 50, 52, 55, 62, 67, 76; for trash pick-up - various locations - in the approximate amount of \$46,015.20 (Bid #G-10-95-08-36) for various departments, and to authorize the Purchasing Director to renew the contract for two one-year periods. The initial contract period shall start on May 1, 1996 and shall terminate April 30, 1999.

ACTION: (A-929) Approved.

15. MOTION TO AWARD open-end contract to low bidder BP Oil Company (Group I) and low bidder Truman-Arnold Companies (Group II and Item #7) for petroleum products - gasoline and diesel fuels (Bid #D-12-95-04-21) in the approximate amount of \$5,110,607.29 for the various using divisions, and authorize the Purchasing Director to renew the contract for two, two-year periods. The initial contract period shall start May 1, 1996 and shall terminate January 31, 1998.

ACTION: (A-1119) Approved.

For Community Services Department

16. MOTION TO GRANT permission to the Purchasing Division to dispose of by direct sale 11 passenger buses declared surplus, in accordance with applicable Florida State Statute and the Purchasing Division Internal Control Handbook, Chapter 15.

ACTION: (A-929) Approved.

For Department of Strategic Planning & Growth Management

17. MOTION TO ADD the following vendors to the qualified bidders' list for construction services for Community Development Division in Broward County (B- 09-95-05-12); Don F. Bailey; Davis Financial Corp., for the period April 23, 1996 through April 1997.

ACTION: (A-929) Approved.

Department of Natural Resource Protection

18. MOTION TO APPROVE agreement between Broward County and the University of South Florida in the amount of \$42,240 to conduct a study of Bahamian sediments for use in renourishment in Broward County for the Biological Resources Division, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

REVENUE COLLECTION DIVISION

19. MOTION TO APPROVE AND EXECUTE satisfaction of claim of lien against Tho Nguyen.

ACTION: (A-929) Approved.

20. MOTION TO FILE quarterly investment report as required by Ordinance 95-40 approved by the Board of County Commissioners on October 10, 1995.

ACTION: (A-929) Approved.

HUMAN SERVICES DEPARTMENT

FIRE RESCUE DIVISION

21. MOTION TO APPROVE agreement between Broward County and the city of North Lauderdale for the purpose of providing cooperative fire rescue services through automatic aid for a period of five years, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

HEALTH CARE MANAGEMENT DIVISION

22. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida approving an allocation of \$1,635,993 in partially appropriated FY 1996 Ryan White Title I, C.A.R.E. Act Formula Grant Funding for not-for-profit or for-profit health or social service organizations or governmental entities; approving the contract shell form; authorizing the County Administrator to execute the appropriate contract for each organization as listed on Exhibit A-1 and as approved herein, and any amendments or revisions to the approved contracts; providing for severability; and providing for an effective date.

ACTION: (A-920) Withdrawn.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

23. MOTION TO ADOPT Resolution 96-0274 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of an OXIDYN AP-5 air freshener of a value of \$1,500 from Sherry Norem and anonymous members of the public for the benefit of the Broward County Animal Care and Regulation Division; authorizing the County Administrator to take all administrative actions to implement same.

ACTION: (A-929) Approved.

CULTURAL AFFAIRS DIVISION

24. MOTION TO APPROVE grant application to the State of Florida Division of Cultural Affairs in the amount of \$120,000 for the purpose of providing general program support for the Broward Cultural Affairs Council from October 1, 1996 through September 30, 1997, authorize the Chair and Clerk to execute the grant, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. (Local cash match of \$45,000 and in-kind match of \$15,000)

ACTION: (A-929) Approved.

25. MOTION TO FILE report for the second quarter in accordance with Section 29.17(h) of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

ACTION: (A-929) Approved.

PARKS AND RECREATION DIVISION

26. A. MOTION TO APPROVE agreement among Broward County, the Broward Sheriff's Office (BSO) and the YMCA of Fort Lauderdale for grant funds in the amount of \$28,471 to fund a Midnight Educational/Athletic League (M.E.A.L.) Program for youth at risk with a term ending September 30, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved, as amended.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-0275 within the Grant Fund for the Parks and Recreation Division in the amount of \$28,471 to fund a Midnight Educational/Athletic League (M.E.A.L.) Program.

ACTION: (A-929) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

27. MOTION TO ACCEPT conservation easement from Thomas Lester for approximately 0.5 acres of real property in unincorporated Broward County, Florida for the Biological Resources Division.

ACTION: (A-929) Approved.

28. MOTION TO APPROVE agreement between Broward County and Florida Atlantic University for \$3,750 to provide placement of a graduate student intern to help Broward County Department of Natural Resource Protection in administering, coordinating, and implementing the County's participation in the Great Florida Cleanup and the Broward Urban River Trail project.

ACTION: (A-929) Approved.

WATER RESOURCE DIVISION

29. MOTION TO APPROVE agreement between Broward County and Nova Southeastern University for \$3,150 to provide placement of a graduate student intern to assist Broward Natural Resource Protection in an aquifer recharge study. The intern will work an average of 20 hours per week for a 14 week period.

ACTION: (A-929) Approved.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

30. MOTION TO APPROVE second amendment to agreement between Broward County and Nationsbanc Mortgage Corporation for the servicing of Broward County Community Development Division loans; amending the termination date of the agreement from March 31, 1996 to March 31, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

31. MOTION TO APPROVE two subordination agreements for the purpose of permitting Broward County to remain in second and third mortgage lien positions on two deferred payment loans in the amount of \$1,600 and \$13,300 made to Mason B. Brown and Lucille Brown, and authorize the Chair

and Clerk to execute same.

ACTION: (A-929) Approved.

32. MOTION TO APPROVE two agreements among Broward County, Joseph Silvar and Kilmair Properties, Inc. for amendment of mortgage, assumption of mortgage by Kilmair Properties, Inc. and subordination of mortgage by Broward County, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

PORT EVERGLADES DEPARTMENT

33. MOTION TO APPROVE Port Everglades Car Rental Service Business Permit between Broward County, Florida, and Royal Rent-A-Car Systems Of Florida, Inc. in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration date of December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

34. MOTION TO APPROVE one-year lease agreement between Broward County and Interamericana Shipping Line, Inc. for Suite No. 2 in Building 611, consisting of 531 square feet, for the period of May 1, 1996 through April 30, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-968) Approved, and directed staff to report within a month on the advisability of adding a "COLA" clause to the lease.

35. MOTION TO APPROVE issuance of dockage credits applied against upcoming calls of the Atlantic Class Vessels at Southport to Sea-Land Service, Inc. in the amount of \$46,672.36 to compensate for their incurrence of additional operating costs resulting from the impact of Port Everglades Pilots' Association navigational requirements necessitating utilization of an alternative berth to their assigned berth at the Southport Container Terminal.

ACTION: (A-929) Approved.

36. MOTION TO APPROVE first amendment to agreement between Port Everglades Authority and Dames & Moore, Inc. for professional design, threshold inspection and construction administrative services for Southport Phase V Terminal yard improvements providing for the additional time of 260 days required to complete the study and report phase and preliminary design of the project, and authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

37. MOTION TO APPROVE second amendment to agreement between Port Everglades Authority and Peacock-Corrales Architects, P.A. for design work for terminal interior improvements, Phase 2 for

Terminal No. 1 at an increase of \$9,210, and an additional amount of up to \$500 for documented reimbursables, and authorize the Chair and Clerk to execute same. Port Everglades Department Project No. 471-470-6475-6510.

ACTION: (A-929) Approved.

38. MOTION TO APPROVE amendment to the agreement between Discovery Cruises, Inc. and Broward County for the reimbursement of expenses associated with tugboat assistance, transportation services and relocation of computer and telephone equipment for M/V Discovery I and, authorize the Chair and Clerk to execute same.

ACTION: (A-929) Approved.

39. MOTION TO APPROVE temporary license agreement between Broward County and Florida Power and Light Corporation for the installation of electrical lines over the Port Everglades Railway.

ACTION: (A-1162) Approved, as amended.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-929) Approved.

COUNTY ATTORNEY

41. MOTION TO APPROVE settlement in the case of Sani Med. Inc. v. Broward County, Case No. 95-6783-CIV-ZLOCH, in the amount of \$175,000, including attorney's fees and costs.

ACTION: (A-929) Approved.

42. MOTION TO APPROVE settlement agreement of \$2,535,125.45 for Parcel 1454 in the condemnation case of Broward County v. Ruth Kurz, et al., Case No. 95-1562 (13)--the Airport Expansion Project for full compensation including all prejudgment interest but excluding attorney's fees and costs which will be determined at a later date.

ACTION: (A-1206) Approved. Directed that the Commission Auditor review pending and recent condemnation cases in connection with the airport expansion project regarding settlements made.

43. MOTION TO APPROVE execution of a stipulated final judgment for full compensation in the amount of \$6,200,000 in the eminent domain case styled Broward County v. Lancaster Steel Company, Inc., Case No. 95-001565, Parcel No. 1411, inclusive of prejudgment interest and exclusive of

reasonable attorney's fees and costs, and providing for extended occupancy of Parcel 1411 with payment of market rent and certain other terms and conditions.

ACTION: (A-929) Approved.

BOARD APPOINTMENTS

44. MOTION TO APPROVE appointment of James A. Yohe to the Homeless Initiative Partnership Advisory Board. Mr. Yohe replaces Patricia Mantis who has resigned. (Commissioner Hart)

ACTION: (A-929) Approved.

REQUEST TO SET FOR PUBLIC HEARING

45. MOTION TO DIRECT the County Administrator to publish notice of public hearing at 2:00 p.m., Tuesday, May 14, 1996 in Room 422, 115 South Andrews Avenue, Governmental Center, to consider an application for (new) Certificate of Public Convenience and Necessity, Class 3 - ALS Transfer to Pembroke Pines Fire Rescue.

ACTION: (A-929) Approved.

46. MOTION TO DIRECT the County Administrator to publish notice of public hearing at 2:00 p.m., Tuesday, May 14, 1996 in Room 422, 115 South Andrews Avenue, Governmental Center, to consider an application for (new) Certificate of Public Convenience and Necessity, Class 1 - ALS Rescue to Broward Ambulance, Inc. d/b/a LifeFleet Atlantic.

ACTION: (A-929) Approved.

47. MOTION TO ADOPT Resolution 96-0276 directing the County Administrator to publish notice of public hearing to be held on Wednesday, May 1, 1996 at 10:00 a.m. to consider transmittal to the State of Florida Department of Community Affairs (DCA) of a proposed amendment to the 1989 Broward County Comprehensive Plan to add a proposed Public School Facilities Element.

ACTION: (A-929) Approved.

48. MOTION TO ADOPT Resolution 96-0277 directing the County Administrator to publish notice of public hearing to be held Tuesday, May 14, 1996 at 2:00 p.m. to vacate and abandon rights-of-way, flow, canal and canal maintenance easements, lying and being in Broward County, Florida, and located at SW 35th Street and Rolling Hills Circle in the Town of Davie. Petitioner: Broward Anchor International, Ltd., et al.(Leigh R. Kerr - Agent) 10-V-96.

ACTION: (A-929) Approved.

49. MOTION TO ADOPT Resolution 96-0278 directing the County Administrator to publish notice of public hearing to be held Tuesday, May 14, 1996 at 2:00 p.m. to vacate and abandon utility, canal and canal maintenance easements, lying and being in Broward County, Florida and located west of Nob Hill Road, east of Bright Road and north of Griffin Road in the Town of Davie. Petitioner: Buckram Oak Holdings, N.V. (Berry & Calvin, Inc. - Agent) 15-V-96.

ACTION: (A-929) Approved.

50. MOTION TO ADOPT Resolution 96-0279 directing the County Administrator to publish notice of public hearing to be held Tuesday, May 14, 1996 at 2:00 p.m. to vacate and abandon right-of-way lying and being in Broward County, Florida, located at 16600 Racquet Club Road in unincorporated Broward County. Petitioner: Perma Ventures, Inc. (CCL Consultants, Inc. - Agent). 21-V-95.

ACTION: (A-929) Approved.

51. MOTION TO ADOPT Resolution 96-0280 directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 14, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, REQUIRING PRIVATE COURIERS TO POST BOND; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-929) Approved.

52. MOTION TO ADOPT Resolution 96-0281 directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 14, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PROVIDING AD VALOREM TAX EXEMPTIONS FOR HISTORIC PROPERTIES IN BROWARD COUNTY; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE TYPE AND LOCATION OF HISTORIC PROPERTY FOR WHICH THE EXEMPTIONS MAY BE GRANTED; PROVIDING A DESIGNATION FOR REVIEW OF APPLICATIONS FOR EXEMPTION; PROVIDING FOR THE FORM OF APPLICATION; PROVIDING FOR THE METHOD OF REVIEW OF APPLICATIONS; PROVIDING FOR EXECUTION OF A COVENANT WITH THE PROPERTY OWNER FOR THE TERM OF THE EXEMPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Suzanne N. Gunzburger)

ACTION: (A-929) Approved.

53. MOTION TO ADOPT Resolution 96-0282 resolution directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 14, 1996 and Tuesday, May 28, 1996 at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING SECTION 39-187, "TEMPORARY WAYSIDE STANDS," BY MOVING, RENUMBERING, AND AMENDING SUBSECTIONS (a) THROUGH (l) TO BE A PART OF SECTION 39-239; AMENDING CHAPTER 39, ADDING A NEW ARTICLE XIII, "CONDITIONAL USES;" PROVIDING FOR A PURPOSE AND INTENT; PROVIDING FOR PERMITTED CONDITIONAL USES; PROVIDING LIMITATIONS AND CONDITIONS FOR THE PERMITTED CONDITIONAL USES; PROVIDING FOR COMPLIANCE WITH CONDITIONS; PROVIDING FOR THE REVISION OF PORTIONS OF FORMER SECTION 39-187, "TEMPORARY WAYSIDE STANDS;" DELETING CHAPTER 25, SECTIONS 25-1 THROUGH 25-8, "OUTDOOR FESTIVALS AND EXHIBITIONS," IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1729) Approved scheduling the May 28, 1996 public hearing at 2:00 p.m., by an extraordinary vote.

54. MOTION TO ADOPT Resolution 96-0283 directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 14, 1996 and Tuesday, May 28, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, ARTICLE II, SECTION 39-4, "DEFINITIONS," BY DELETING CERTAIN DEFINITIONS AND ADDING CERTAIN NEW DEFINITIONS; AMENDING ARTICLE IX, "GENERAL PROVISIONS," BY ADDING A NEW SECTION 39-144, "APPLICABILITY," BY REPEALING SECTION 39-167, "COUNTY USES," AND BY AMENDING SECTION 39-181, "DENSITY," BY DELETING DENSITY LIMITS FOR CERTAIN RESIDENTIAL DWELLING DISTRICTS; AMENDING CHAPTER 39, ARTICLE XV, SECTION 39-257, "HOUSE TRAILERS, MOBILE HOMES, TRAVEL TRAILERS AND OTHER MOBILE UNITS," BY PERMITTING TEMPORARY MOBILE HOMES DURING CONSTRUCTION IN RURAL RANCHES AND RURAL ESTATES ZONING DISTRICTS AND ESTABLISHING CRITERIA FOR TEMPORARY CONSTRUCTION TRAILERS; AMENDING ARTICLE XVIII, "SIGN REGULATIONS," SECTION 39-325, "ADVERTISING SIGN REGULATIONS," BY ADDING SUBSECTION (10) TO REQUIRE YEARLY RENEWAL OF ALL ADVERTISING SIGN PERMITS; AMENDING ARTICLE XXXIV, "ESTATE E-1 DISTRICT," SECTION 39-537, "USES PERMITTED," TO DELETE REFERENCE TO USES PERMITTED IN R-1A, R-1B AND R-1C DISTRICTS AND TO INCLUDE REFERENCE TO USES PERMITTED IN RS-2 RESIDENTIAL DISTRICTS; AMENDING ARTICLE XXXV, "AGRICULTURAL ESTATE E-2 DISTRICT," SECTION 39-558, "USES PERMITTED," TO DELETE REFERENCE TO USES PERMITTED IN R-1A DISTRICTS AND TO INCLUDE REFERENCE TO USES PERMITTED IN RS-2 DISTRICTS; REPEALING ARTICLE LXI, "INDUSTRIAL PARK M-1A DISTRICT;" AMENDING ARTICLE LXXII, "ESTABLISHMENT OF NEW RESIDENTIAL ZONING DISTRICTS," BY REPEALING SECTION 39-1177, "RESIDENTIAL SINGLE-FAMILY DETACHED DWELLING DISTRICTS, RS-2," BY REPEALING SECTION 39-1178, "RESIDENTIAL SINGLE-FAMILY DETACHED DWELLING DISTRICTS RS-3 TO RS-5 DISTRICTS," BY REPEALING SECTION 39-1180, "RESIDENTIAL MULTIPLE-FAMILY DWELLING RM-3 TO RM-10 DISTRICTS," BY REPEALING SECTION 39-1181, "RESIDENTIAL

MULTIPLE-FAMILY DWELLING RM-11 TO RM-16 DISTRICTS,” AND BY REPEALING SECTION 39-1182, “RESIDENTIAL MULTIPLE-FAMILY DWELLING RM-17 TO RM-25 DISTRICTS;” REPEALING ARTICLE LXXIII, “REGULATIONS FOR THE USE AND CONTROL OF RESIDENTIAL CLUSTER DEVELOPMENT;” PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1750) Approved scheduling the May 28, 1996 public hearing at 2:00 p.m., by an extraordinary vote.

55. MOTION TO ADOPT Resolution 96-0284 directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 14, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE XVIII OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO THE BROWARD COUNTY HOUSING ASSISTANCE PROGRAM; AMENDING PARAGRAPH (a) OF SECTION 5- 557, RELATING TO RE-ESTABLISHMENT OF AN AFFORDABLE HOUSING COMMITTEE; PROVIDING FOR THE RE-CREATION OF THE COMMITTEE WITH AN INDEFINITE TERM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Suzanne N. Gunzburger)

ACTION: (A-929) Approved.

56. MOTION TO ADOPT Resolution 96-0285 directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 14, 1996 and Tuesday, May 28, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, BY ADDING ARTICLE XVI, “RESIDENTIAL ZONING DISTRICTS;” SECTIONS 39-275 THROUGH 39- 288, PROVIDING FOR GENERAL PROVISIONS; PROVIDING FOR A PURPOSE OF DISTRICTS; PROVIDING FOR RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR DENSITY LIMITS; PROVIDING FOR PERMITTED USES; PROVIDING FOR USES PROHIBITED; PROVIDING FOR MINIMUM PLOT SIZE; PROVIDING FOR PLOT COVERAGE; PROVIDING FOR COMMON OPEN SPACE; PROVIDING FOR MAXIMUM HEIGHT OF STRUCTURES; PROVIDING FOR FRONT, SIDE AND REAR YARDS; PROVIDING FOR MINIMUM FLOOR AREAS OF DWELLING UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1462) Approved scheduling the May 28, 1996 public hearing at 2:00 p.m. by an extraordinary vote.

REGULAR AGENDA

57. **COUNTY ADMINISTRATOR'S REPORT** - The County Administrator advised he had nothing to report at this time, however, the jail report of April 22, 1996 was submitted for the record, indicating that the jail population currently is 3,594 which is 62 under the cap.

ACTION: (A-1763) *No board action necessary.*

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

58. A. MOTION TO DECLARE surplus to the county's needs all property contained within the Plat "Alpha 250" as recorded in Plat 156, Page 26, of the public records of Broward County, Florida, less Parcel 21 which is platted as natural resource area, further reserving unto Broward County a 60 foot wide ingress, egress and utility easement that will connect the BCOES administrative offices with Blount Road in a manner acceptable to both the future buyer and county; direct staff to set a minimum acceptable bid amount at \$7,000,000; authorize the payment of a 3 percent real estate commission to the broker, if any, who acting as buyer broker or transaction broker is the procuring cause for this transaction; and to direct staff to publish Notice of Sale calling for bids in accordance with Section 125.35 (1) (b) of the Florida Statutes; require that the successful bidder post a \$50,000 non-refundable earnest deposit and a \$500,000 revocable letter of credit. (Deferred from April 16, 1996)

ACTION: (A-1760) *Laid on the table until the 2:00 p.m. public hearing at which time it will be brought up for discussion.*

ACTION: (B-3037) (From 2:00 p.m public hearing) *Approved, as amended, to delete from the motion the following: "authorize the payment of a 3 percent real estate commission to the broker, if any, who acting as buyer broker or transaction broker is the procuring cause for this transaction".*

B. MOTION TO ADOPT Resolution 96-0288 approving and concurring with the findings of the Director of Integrated Waste Management and Finance Director that conditions for the sale of certain solid waste system property contained within the Alpha 250 Plat have been met. (Deferred from April 16, 1996)

ACTION: (A-1760) *Laid on the table until the 2:00 p.m. public hearing at which time it will be brought up for discussion.*

ACTION: (B-3037) (From 2:00 p.m. public hearing) *Approved.*

59. MOTION TO ADOPT Resolution authorizing the conveyance of former DNRP facility at 500 SW 14th Court in Fort Lauderdale to the Foundation of Learning, and authorize the Chair and Clerk to execute Quit Claim Deed. (Deferred from April 16, 1996)

ACTION: (A-920) **Withdrawn.**

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

60. MOTION TO AMEND Resolution 95-865 that provides for a fee structure for the Commercial Public Access Program to include a deposit waiver for governmental entities and public universities, with adoption of Resolution 96-0289.

ACTION: (A-929) Approved.

PURCHASING DIVISION

61. MOTION TO APPOINT Selection/Negotiation Committee to secure "user friendly" decision support tools for the Office of Information Technology.

ACTION: (A-1833) Approved, as amended. The following were appointed to subject Selection/Negotiation Committee: Commissioner Parrish; Commissioner Poitier; Assistant Director, Office of Information Technology (Chair); Program Manager, Office of Budget & Management Policy; Director, Human Resources Division; plus administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Budget & Management Policy, Human Resources Division, Office of Information Technology, Risk Management and Purchasing.

For Port Everglades Department

62. A. MOTION TO ADOPT budget Resolution transferring within the Port Everglades Capital Fund Project No. 471-470-6501-9418 the amount of \$700,000 from Capital Reserve to Project No. 471-470-6453-6210 Midport Cruise Terminal.

ACTION: (A-929) Deferred to May 6, 1996 for further review.

B. MOTION TO ADOPT budget Resolution transferring within the Port Everglades Capital Fund Project No. 471-470-6567-6500 the amount of \$135,813 from Eller Drive Widening to Project No. 471-470-6453-6210 Midport Cruise Terminal.

ACTION: (A-929) Deferred to May 6, 1996 for further review.

C. MOTION TO APPROVE increase to the change order allowance of \$409,654.00, 5 percent of the original contract amount to \$1,462,436 or 17.8 percent of the original contract amount for Contract No. H-03-95-15-OF, renovations to Cruise Terminal No. 18 for cruise operations awarded on August 22, 1995 to AFCO Constructors Inc. by the Broward County Board of County Commissioners.

ACTION: (A-929) Deferred to May 6, 1996 for further review.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

63. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, amending the Administrative Code, Chapter 29, Organizational Policy, Councils, Boards, and Committees, Part II, Broward Cultural Affairs Council grant program guidelines; establishing a Special Project Program and providing guidelines and eligibility requirements; amending guidelines for all grant programs including General Operating Program, Community Arts & Education Program, Tourist Related Program, Major Cultural Institution Program, Mini-Grant Program, Regional Organization Program, Cultural Expansion Program, Children's Cultural Program; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-2473) *Deferred to May 6, 1996.*

LIBRARIES DIVISION

64. A. MOTION TO APPROVE grant application to the State of Florida, Department of State, Division of Library and Information Services, in the amount of \$500,000 for the construction of the African American Research Library and Cultural Center for the period October 1, 1997 through September 30, 1998, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. (Local match is \$5,000,000 - cash).

ACTION: (A-2734) Approved.

B. MOTION TO ADOPT Resolution 96-0286 of the Board of County Commissioners of Broward County, Florida, for a construction grant for an African American Research Library and Cultural Center.

ACTION: (A-2734) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-2761) Approved, as amended.

COMMISSION AUDITOR

66. A. MOTION TO FILE Commission Auditor report entitled, Sick Leave Donation Program, dated February 1, 1996. This report is filed in accordance with Section 1.11(ee) of the Broward County Administrative Code which requires a response from the Administrator - six months. (Deferred from April 16, 1996)

ACTION: (A-2822) Approved.

B. MOTION TO DIRECT County Administrator to amend Section 22.115 of the Administrative Code to place a maximum of 520 hours on the number of sick leave hours an employee may receive from the Sick Leave Donation Program. This item has been identified as requiring action within 30 days. (Deferred from April 16, 1996)

ACTION: (A-2822) No action taken.

COUNTY ADMINISTRATOR

67. DISCUSSION: Status of the Arena.

ACTION: (A-2223) No discussion held on status of the arena.

INTERGOVERNMENTAL AFFAIRS

68. DISCUSSION: Legislative items.

ACTION: (A-3243) Norman Ostrau, Acting Director, Office of Governmental Affairs, advised that (1) House Bill 233 relating to election law changes which has to do with absentee voting has passed the Legislature; (2) The process on the House Appropriation Bills that will affect Broward County is ongoing; and (3) Presumption of Correctness, which is a major issue for the county is coming up in Finance & Tax today. The Governor was committed to veto this; however, his Council is suggesting that he permit it to become law without signature. The Commission Chair is to send a letter to the Governor, the Senate President, and Speaker of the House, citing the Commission's position on this issue. (4) On the Dealer Title and Registration System the Commission took a position to oppose any bill that will prevent such a pilot program being passed in Broward County and (5) the Commission did not support the Amendment to Florida Statute Chapter 257.261 which is the confidential Statute related to library records because of the fiscal impact on the library.

SUPPLEMENTAL AGENDA

BOARD APPOINTMENTS

69. MOTION TO APPOINT Dot Cobb to the Broward Cultural Affairs Council. Ms. Cobb replaces Julia Huebner who has resigned. (Commissioner Cowan)

ACTION: (A-929) Approved.

70. PROCLAMATION: Commissioner Parrish read into the record a proclamation designating April 25, 1996, as TAKE OUR DAUGHTERS TO WORK DAY in Broward County, honoring the participating children and all who devote their valuable time to making a difference in a child's experience, perspective, self-esteem, and self-confidence, thereby strengthening the community; and urging all Broward County employees and residents to participate in TAKE OUR DAUGHTERS TO WORK DAY.

ACTION: (A-42) Phil Rosenberg, Director, Division of Human Resources accepted and thanked the Commission for the proclamation on behalf of the 10,000 dependents of employees of Broward County. Commissioner Parrish also presented a similar proclamation received from Mayor Ilene Lieberman of the city of Lauderhill.

71. PROCLAMATION: - Commissioner Parrish presented a proclamation designating the week of April 21 through April 27, 1996 as LIFELONG LEARNING WEEK in Broward County encouraging its employees to avail themselves of every opportunity to improve, to continue their educations, and to prepare for the future.

ACTION: (A-123) Susan Dellcioppia, Employee Development Director, accepted and thanked the Commission for the proclamation. Mr. Rosenberg introduced some of the graduates of the first programs that have come forward from the Management Development Institute.

72. PROCLAMATION: Commissioner Rodstrom read into the record a proclamation designating the week of May 5 through 11, 1996 as BE KIND TO ANIMALS WEEK in Broward County, urging all residents to participate in special events planned throughout the community.

ACTION: (A-270) Alan Davis, Director of Animal Care and Regulation accepted and thanked the Commission for the proclamation.

73. PROCLAMATION: Commissioner Poitier read into the record a proclamation designating the week of April 21 through 27, 1996, as VOLUNTEER WEEK in Broward County.

ACTION: (A-401) Marjorie Sullivan, Volunteer Coordinator of the Community Participation Program accepted and thanked the Commission for the proclamation.

74. PROCLAMATION: Commissioner Rodstrom read into the record a proclamation designating Wednesday, May 1, 1996 as LAW DAY, and the entire week as LAW WEEK 1996 in Broward County, Florida, urging all citizens to support our legal system and the LAW WEEK activities to commemorate the role of law in our lives.

ACTION: (A-505) Attorney Richard Doyle, Chair of the Law Day Committee, accepted and thanked the Commission for the proclamation.

75. PHOTO EXHIBIT: The County Administrator, B. Jack Osterholt presented The Traveling Historical Photo Exhibit, a joint project which he requested and which will be displayed throughout the county's library system. A second set of panels will be made available to other organizations, both private and public, wishing to have the photos displayed at their facilities.

ACTION: (A-598) Rodney Dillon, Coordinator of the Broward County Historical Commission thanked Mr. Osterholt for his support of the project and introduced the members of the Historical Commission present today.

76. EMPLOYEE SERVICE RECOGNITION: The County Administrator presented service pins to the following employees in recognition of their 20 years of dedicated service to Broward County government: Barbara L. Baum, with Consumer Affairs; and the following employees with Fire Rescue: Dominick Lanza; Steven Simon; John Cotton; Martin Shaulis; Dwight Kolodgy; James Holland; Donald Aldrich; Joseph Hosford; James Douglas; Christopher Koski; John Bowman; and Ronald Copelan.

ACTION: (A-742) Each of the employees accepted and thanked the Commission for the service pins.

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