

MEETING OF MAY 5, 1998

(The meeting convened at 10:00 a.m., recessed at 1:20 p.m., reconvened at 3:00 p.m., and adjourned at 4:15 p.m.)

PLEDGE OF ALLEGIANCE - *led by Mr. Don McClosky, Attorney, Ruden, McClosky, Smith, Schuster & Russell P.A.*

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE a mutual termination agreement between Broward County, Florida and A1 Tours & Transportation Inc. for the Interstate Ground Transportation Permit at the Fort Lauderdale-Hollywood International Airport effective upon Board approval, and authorize the Chair and Clerk to execute same.

ACTION: (A-712) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

2. MOTION TO APPROVE the recordation of a Resolution 1998-363 to correct a scrivener's error. Petitioner: 910 Master Joint Venture, et al. (E. Scott Allsworth, Esquire-Agent) 35-V-91.

ACTION: (A-712) Approved.

3. MOTION TO APPROVE a contract for sale and purchase executed by Marie A. Slichter in the amount of \$289,500 for the purchase of land for a proposed Equestrian Park expansion in Sunshine Ranches; Parks and Recreation Division has given Real Property Section approval to acquire this property using Parks and Recreation Division funds; authorize the Chair and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed.

ACTION: (A-825 & A-1993) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL OPERATIONS DIVISION

4. MOTION TO APPROVE an agreement between Florida Power and Light Company and the Broward County Board of County Commissioners for a connection to the Regional Raw Water System, in which raw water is provided to Florida Power and Light Company for their Fort Lauderdale power plant, and authorize the Chair and Clerk to execute same.

ACTION: (A-712) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

5. MOTION TO APPROVE an estimated cost of \$16,784 for the relocation of certain Florida Power and Light facilities on county Project No. 5143, improvements to Hiatus Road, from south of Interstate 595 to Broward Boulevard.

ACTION: (A-712) Approved.

6. MOTION TO APPROVE a notice of termination of a revocable license agreement between Broward County and Ronald L. Tomecek, Trustee for the installation of additional landscaping in the turn lane right-of-way of Davie Road Extension, adjacent to the plat of Davie 64th (133-38), and authorize the Chair and Clerk to execute same.

ACTION: (A-712) Approved.

7. MOTION TO ADOPT Resolution 1998-364 accepting and ratifying recordation of a grant of easement deed executed by WCI Communities Limited Partnership, donating right-of-way for Wiles Road in Section 12, Township 49 South, Range 41 East.

ACTION: (A-712) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

8. MOTION TO APPROVE the check lists issued from March 1, 1998 through March 31, 1998 in accordance with Florida Statute 136.06.

ACTION: (A-712) Approved.

9. MOTION TO FILE a Semi-Annual Financial Summary for the Park, Open Space and Recreational Trust Fund for the six-month period ending March 31, 1998.

ACTION: (A-712) Approved.

OFFICE OF INFORMATION TECHNOLOGY

10. MOTION TO APPROVE first amendment to interim agreement between Broward County and Intermedia Communications Inc. for use of Broward County's rights-of-way in order to provide telecommunication services.

ACTION: (A-712) Approved.

11. MOTION TO APPROVE the first amendment to an interim agreement between Broward County and MCImetro Access Transmission Services Inc. for use of Broward County's rights-of-way in order to provide telecommunication services.

ACTION: (A-712) Approved.

PURCHASING DIVISION

For Aviation Department

12. A. MOTION TO ADOPT Resolution 1998-378 of the Board of County Commissioners of Broward County, Florida authorizing a budget transfer in the amount of \$195,000 from Budget Code 401-404-3220-6500 to Budget Code 401-404-3540-6500 to fund the final close-out change order for Contract Number H-06-95-04-OF "Interior Additions and Renovations at Fort Lauderdale-Hollywood International Airport (FLL)".

ACTION: (A-712) Approved.

B. MOTION TO APPROVE final close-out change order to Contract Number H-06-95-04-OF "Interior Additions and Renovations at FLL" in the amount of \$195,000, increasing the contract amount from \$1,892,507.98, to \$2,087,507.98, and a time extension of 255 days to 583 days to Brooks Builders Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-712) Approved.

For Community Services Department

13. MOTION TO NOTE FOR THE RECORD Work Authorization No. 1 on an emergency basis for the C.B. Smith Park Fueling Facility project in accordance with the agreement of August 23, 1994 between Broward County and Scott Seyfried & Associates from the Library of Environmental Services to remove

contaminated soils from C.B. Smith Park for an amount not to exceed \$29,396.10, and a time period of ten working days, and authorize the Chair and Clerk to execute same.

ACTION: (A-712) Approved.

For Public Works Department

14. A. MOTION TO DECLARE a public emergency under 287.055 F.S. and 21.85 of the Procurement Code to exempt from the Consultants Competitive Negotiation Act (CCNA) procurement procedure Amendment No. 1 to Work Authorization No. 1 to Ralph Hahn & Associates in the amount of \$16,700, increasing Work Authorization No. 1 from \$13,500 to \$30,200 for the design drawings and specifications for the renovation of Room 248 of the Main Courthouse Building.

ACTION: (A-712) Approved.

B. MOTION TO AUTHORIZE Purchasing Division Director to sign on behalf of the Board any required contract amendment in accordance with the terms approved by the Board.

ACTION: (A-712) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

15. MOTION TO APPROVE a 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, 1998 through September 30, 1999; 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 \$35,000 and in-kind match of \$25,000)

ACTION: (A-712) Approved.

PARKS AND RECREATION DIVISION

16. MOTION TO ADOPT Resolution 1998-365 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$1,500 from First Choice Medicare for the use and benefit of the Parks and Recreation Division's literary events to be held the second Thursday evening of every month in the Mangrove Cafe - A Literary Coffeehouse at the Anne Kolb Nature Center at West Lake Park, in exchange for promotional services; and providing for an effective date.

ACTION: (A-712) Approved.

17. MOTION TO ADOPT Resolution 1998-366 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$1,500 from Memorial Senior Service for the use and benefit of the Parks and Recreation Division's literary events to be held the second Thursday evening of every month in the Mangrove Cafe - A Literary Coffeehouse at the Anne Kolb Nature Center at West Lake Park, in exchange for promotional services; and providing for an effective date.

ACTION: (A-712) Approved.

18. MOTION TO APPROVE an interlocal agreement between Broward County and the City of Weston for the transfer of bleachers located in Tequesta Trace Park to the City of Weston, and authorize the Chair and Clerk to execute same.

ACTION: (A-712) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

POLLUTION PREVENTION AND REMEDIATION DIVISION

19. MOTION TO ADOPT unanticipated revenue Resolution 1998-367 within the general fund for the Pollution Prevention and Remediation Programs Division in the amount of \$26,750 for the purpose of implementing the requirements of the Florida Department of Environmental Protection Storage Tank System Compliance Verification Program (Contract GC507).

ACTION: (A-712) Approved.

BIOLOGICAL RESOURCES DIVISION

20. MOTION TO APPROVE disbursement of \$31,815 from the Tree Preservation Trust Fund for the planting of trees in the Cresthaven Neighborhood of Unincorporated Broward County for the Biological Resources Division of Department of Natural Resource Protection (DNRP).

ACTION: (A-712) Approved.

21. MOTION TO APPROVE disbursement of \$12,895 from the Tree Preservation Trust Fund for the planting of trees in the Fern Forest Nature Center of Unincorporated Broward County for the Biological Resources Division of Department of Natural Resource Protection (DNRP).

ACTION: (A-712) Approved.

AIR QUALITY DIVISION

22. A. MOTION TO ADOPT unanticipated revenue Resolution 1998-368 within the Grant Fund 830 for Air Quality Division in the amount of \$534,472 to recognize a grant award from Environmental

Protection Agency (EPA).

ACTION: (A-712) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1998-369 within the General Fund 001 for the Air Quality Division in the amount of (\$254,175) to reflect adjustment of General Fund by the amount of the EPA grant award.

ACTION: (A-712) Approved.

**OFFICE OF BUDGET AND MANAGEMENT
POLICY**

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

ACTION: (A-712) Approved.

COUNTY ADMINISTRATOR

24. MOTION TO APPROVE a proposal by the Florida Department of Children and Families for the South Florida State Hospital to transport certified patients to the Florida State Hospital (Chattahoochee), Northeast Florida State Hospital (MacLenny) or G. Pierce Wood State Hospital (Arcadia) in conformance to Florida Statutes, Chapter 394 at no cost to Broward County.

ACTION: (A-712) Approved.

COUNTY COMMISSION

25. MOTION TO FILE Resolution No. 98-2 adopted by the Central Broward Water Control District Commission urging the 1998 Florida Legislature to oppose HB 4141, SB 2294 and SB 2356, or any legislation which negatively impacts efforts to restore the Everglades; urging the Legislature to adopt legislation, programs and appropriations which further Everglades restoration; and providing an effective date therefor. (Chair)

ACTION: (A-712) Approved.

26. MOTION TO FILE Resolution No. R-98-120 adopted by the Hollywood City Commission supporting the proposed bill allowing the Broward County Commission to levy a one-cent gas tax and allocate the resulting revenue to provide housing and services to the homeless; contingent upon the dedicated revenues being directed to support the existing homeless shelter and programs currently

operating in the City of Hollywood, and an additional one-cent being levied to support transportation needs for municipalities in Broward County. (Chair)

ACTION: (A-712) Approved.

27. MOTION TO FILE Resolution No. R-98-148 adopted by the Hollywood City Commission supporting the passage of Florida Senate Bill 1478 and Florida House Bill 3827, collectively referred to as the “Homeowners’ Protection Act.” (Chair)

ACTION: (A-712) Approved.

BOARD APPOINTMENTS

28. MOTION TO NOMINATE Mr. Preston Henn for reappointment to the Tourist Development Council of Broward County for a term expiring on May 1, 2002. (Commissioner Parrish)

ACTION: (A-712) Approved.

29. MOTION TO NOMINATE Commissioner Scott I. Cowan as the County Commission’s appointee to the Management and Efficiency Study Committee. (Chair)

ACTION: (A-712 & A-978) Moved to the regular agenda at county administration’s request and subsequently approved the item.

REQUEST TO SET FOR PUBLIC HEARING

30. MOTION TO ADOPT Resolution 1998-370 directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 26, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to reconsider adoption of a “Small Scale” amendment in the City of Pembroke Pines, to the Broward County Comprehensive Plan per Chapter 163, Section 163.3187(1)(c), Florida Statutes.

ACTION: (A-712) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR’S REPORT

31. REPORT County Administrator Roger J. Desjarlais stated that he has nothing to report at this time; however, he reminded the Board of the Goal Setting Workshop scheduled for 1:30 p.m. later this day.

ACTION: (A-970) No action was necessary.

DEPARTMENT OF STRATEGIC PLANNING AND GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

32. MOTION TO ADOPT Resolution 1998-371 amending the Traffic Review and Impact Planning System (TRIPS) Summary Description.

ACTION: (A-1002) 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.

33. DISCUSSION of plat entitled "Boys and Girls Club Plat" - District 2, (090-MP-97).

ACTION: (A-1106) Approved with addendum subject to staff's recommendations and approved the construction of the right turn lane, at the county's expense. The Board directed staff to determine a funding source to pay for the impact fees.

34. DELEGATION: Mr. David E. Rohal regarding motion to approve agreement among Broward County, the City of Deerfield Beach, and Boys Club of Broward County Inc. relating to the issuance of building permits while platting is in progress for the Boys and Girls Club Plat (090-MP-97).

ACTION: (A-1489) Approved subject to staff's recommendations.

35. DISCUSSION of plat entitled "Donna J. Farm Plat" - District 4, (077-MP-97).

ACTION: (A-1514) Approved subject to staff's recommendations as outlined in the Development Review Report.

36. DISCUSSION of plat entitled "Infante II" - District 3, (083-MP-97).

ACTION: (A-1561) Deferred to December 8, 1998 or sooner, under Section 5-181(i) of the Land Development Code to study access.

37. DISCUSSION of plat entitled "North Ridge Medical Center" - District 1, (032-MP-97).

ACTION: (A-1570) Approved subject to staff's recommendations as outlined in the Development

Review Report.

38. DISCUSSION of plat entitled “Merril Gardens” - District 1, (074-MP-97).

ACTION: (A-1621) Approved subject to staff’s recommendations as outlined in the Development Review Report.

39. DISCUSSION of plat entitled “Mobil 02-NPG” - District 3, (016-MP-97). (Deferred from April 7, 1998.)

ACTION: (A-1561) Deferred to November 10, 1998 or sooner, under Section 5-181(i) of the Land Development Code to study traffic concurrency.

40. DELEGATION: Ms. Christine Vitolo regarding request to amend the note on the Rowan Replat (013-UP-91).

ACTION: (A-1660) Approved subject to staff’s recommendations.

41. DELEGATION: Mr. Charles Putman regarding request to amend the note on the Machler Plat (053-MP-83).

ACTION: (A-1676) Approved subject to staff’s recommendations.

42. DELEGATION: Mr. Richard G. Coker regarding request to amend the note on the L.E.A.D. Plat (086-MP-93).

ACTION: (A-1697) Approved subject to staff’s recommendations.

43. DELEGATION: Mr. Frank Aguirre regarding request to place a note on a portion of Tracts G and F of the Oakland Lakes Plat (123-MP-80).

ACTION: (A-1717) Approved subject to staff’s recommendations.

44. DELEGATION: Ms. Dawn C. Sonneborn regarding request to amend the note on the Monarch Lakes Plat (091-MP-95). (Deferred from April 21, 1998.)

ACTION: (A-1737) Approved subject to staff’s recommendations.

45. DELEGATION: Ms. Patricia Z. Hitchcock regarding request to amend the note on the Heron Bay One Plat (084-MP-94).

ACTION: (A-1754) Approved subject to staff’s recommendations.

46. DELEGATION: Ms. Patricia Z. Hitchcock regarding:

A. Request to place a note on a portion of Parcel A also known as Site A-1 of the Lakeview Drive Subdivision Plat (084-MP-83).

ACTION: (A-1794) Approved subject to staff’s recommendations.

B. Request to place a note on a portion of Parcel A also known as Site A-3 of the Lakeview Drive Subdivision Plat (084-MP-83).

ACTION: (A-1794) Approved subject to staff's recommendations.

C. Request to place a note on a portion of Parcel A also known as Site A-4 of the Lakeview Drive Subdivision Plat (084-MP-83). (Deferred from April 21, 1998.)

ACTION: (A-1794) Approved subject to staff's recommendations.

47. DELEGATION: Ms. Patricia Z. Hitchcock regarding request to place a note on portions of Parcel A and C and all of Parcel B also known as Site A-2 of the Lakeview Drive Subdivision Plat (084-MP-83).

ACTION: (A-1817) Approved subject to staff's recommendations.

48. DELEGATION: Mr. Steve Hoffman regarding request to place a note on the Cypress Creek Office and Industrial Park (185-MP-81). (Deferred from April 21, 1998.)

ACTION: (A-1830) Approved staff's verbal addendum of approval, subject to staff's recommendations.

49. DELEGATION: Mr. Bryan Alexander regarding request to revise the note on the Griffin-441 Plaza Plat (028-MP-97).

ACTION: (A-1864) Approved subject to staff's recommendations.

50. DELEGATION: Mr. John Weaver regarding request to amend the non-vehicular access line on the Country's Point Plat (025-UP-82). (Deferred from April 21, 1998.)

ACTION: (A-1920) Approved subject to staff's recommendations.

51. DELEGATION: Ms. Bonnie Miskel regarding request to amend the note on the Caravel Village Plat (097-UP-80).

ACTION: (A-1561) Deferred to May 19, 1998 at the applicant's request.

52. DELEGATION: Ms. Bonnie Miskel regarding:

A. Designation as an affordable housing project for Caravel Village Plat (097-UP-80).

ACTION: (A-1561) Deferred to May 19, 1998 at the applicant's request.

B. Partial waiver of impact fees for Caravel Village Plat (097-UP-80). (Deferred from April 21, 1998.)

ACTION: (A-1561) Deferred to May 19, 1998 at the applicant's request.

53. DELEGATION: Mr. Milton L. Jones, Jr. regarding:

A. Designation as an affordable housing project for Tract A less the South 333.98 feet of Stoinoff's Valhalla Plat (134-MP-89).

ACTION: (A-1941) Approved subject to staff's recommendations.

B. Partial waiver of impact fees for Tract A less the South 333.98 feet of Stoinoff's Valhalla Plat (134-MP-89).

ACTION: (A-1941) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

AVIATION DEPARTMENT

54. A. MOTION TO ADOPT preliminary Resolution 1998-372 amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation" amending non-terminal rates and charges for Fort Lauderdale- Hollywood International Airport and North Perry Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-2222) Approved.

B. MOTION TO ADOPT Resolution 1998-373 directing the County Administrator to publish notice of public hearing to be held on Tuesday, May 26, 1998 at 2:00 p.m. in Room 422 of the Governmental Center amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation" amending non-terminal rates and charges for Fort Lauderdale- Hollywood International Airport and North Perry Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-2222) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF INTEGRATED WASTE MANAGEMENT

55. MOTION TO ADOPT budget Resolution transferring within the Resource Recovery Fund the amount of \$1,000,960 from the Reserve for Fund Balance for legal expenses resulting from defense of the Coastal Carting Flow Control Case; a Special Assessment Study for the Resource Recovery Board; and various other expenses of the Resource Recovery Board.

ACTION: (A-2231) Deferred to May 12, 1998 at the County Administrator's request for further review.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

56. MOTION TO ADOPT Resolution 1998-375 supplementing and amending Resolution No. 24-1989

of the Port Everglades Authority adopted on July 20, 1989 entitled “A Resolution authorizing the issuance of not exceeding \$150,000,000 Port Facilities Refunding Revenue Bonds, Series 1989-A for the purpose of refunding Port Facilities Revenue Bonds, Series 1986 of the Port Everglades Authority issued under Resolution No. 12-1986, as amended; providing for the issuance of not exceeding \$55,000,000 Port Facilities Senior Revenue Bonds, Series 1989-B for the purpose of paying the cost of improvements to the Port Facilities of the Port Everglades Authority; providing for the issuance of additional Port Facilities Revenue Bonds to pay the cost of improvements to the Port Facilities of the Port Everglades Authority and to refund Bonds issued hereunder and certain other indebtedness; providing for the payment of such Bonds and the interest thereon from revenue derived from the Port Facilities and pledged therefor; setting forth the rights and remedies of the holders of such Bonds; providing severability and an effective date”, as previously supplemented and amended; and providing an effective date.

ACTION: (A-2233) Approved.

57. MOTION TO ADOPT Series Resolution 1998-376 of the Board of County Commissioners of Broward County, Florida authorizing the issuance of the county’s not exceeding \$20,000,000 Port Facilities Refunding Revenue Bonds, Series 1998A, for the purpose of providing funds, together with any other available funds, to refund and defease the outstanding Port Everglades Authority Port Facilities Senior Revenue Bonds, Series 1989-B, and not exceeding \$90,000,000 Port Facilities Refunding Revenue Bonds, Series 1998B, for the purpose of providing funds, together with any other available funds, to refund and defease certain outstanding Broward County, Florida Sales Tax Revenue Commercial Paper Notes, Series B, each as refunding Bonds under Resolution No. 24-1989 adopted by the Port Everglades Authority on July 20, 1989, as amended and supplemented (the “Bond Resolution”); authorizing the issuance of the county’s not exceeding \$85,000,000 Port Facilities Revenue Bonds, Series 1998C, for the purpose of providing funds, together with any other available funds, to pay the cost of a project, as additional Bonds under the Bond Resolution; determining certain details and the form of said Bonds; delegating to the County Administrator the determination of certain details and matters concerning said Bonds; authorizing the negotiated sale of said Bonds; authorizing the execution and delivery of a Bond Purchase Contract with respect to said Bonds and the award of the Bonds to the underwriters; authorizing the distribution of a Preliminary Official Statement and the execution and delivery of an Official Statement; approving uncertificated, book-entry only registration of said Bonds; authorizing the County Administrator to obtain a credit facility and reserve account credit facility and to execute and deliver any related agreements; authorizing the refunding and defeasance of the obligations to be refunded and the execution and delivery of an Escrow Deposit Agreement and appointing an Escrow Agent; authorizing and approving the Series 1998 Project; providing for the application of Bond proceeds, funding of reserve account and establishment of a construction account; appointing a Bond Registrar and Paying Agent; covenanting to provide continuing disclosure in accordance with Securities and Exchange Commission Rule 15c2-12 and authorizing the execution and delivery of a Continuing Disclosure Commitment; selecting a Printer and Verification Agent; approving issuance of said Series 1998C Bonds following a public hearing as required under Section 147(f) of the Internal Revenue Code of 1986, as amended; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale and delivery of said Bonds; and providing an effective date.

ACTION: (A-2240) Approved.

58. MOTION TO ADOPT Resolution 1998-377 of the Board of County Commissioners of Broward County, Florida, authorizing the issuance of the county’s not exceeding \$49,000,000 Subordinate Port Facilities Refunding Revenue Bonds, Series 1998, under a trust indenture to be entered between the

county and the Bank of New York, as Trustee, for the purpose of providing funds, together with any other available funds, to refund and defease certain outstanding Broward County, Florida Sales Tax Revenue Commercial Paper Notes, Series B; determining certain details and the form of said Subordinate Bonds; delegating to the County Administrator the determination of certain details and matters concerning said Subordinate Bonds; providing that such Subordinate Bonds shall be special limited obligations payable solely from the pledged revenue and the moneys on deposit in certain funds, accounts and subaccounts under the indenture; authorizing the execution and delivery of the indenture; authorizing the negotiated sale of said Subordinate Bonds; authorizing the execution and delivery of a Bond Purchase Contract with respect to said Subordinate Bonds and the award of the Subordinate Bonds to the underwriters; authorizing the distribution of a preliminary official statement and the execution and delivery of an Official Statement; authorizing the execution and delivery of a Tender Agent Agreement; authorizing the execution and delivery of a Remarketing Agreement; authorizing an initial Credit Facility; authorizing the execution and delivery of an initial Liquidity Facility; authorizing the execution and delivery of a Liquidity Assurance Agreement; authorizing the County Administrator to obtain a reserve facility and to execute and deliver any related agreements; authorizing the execution and delivery of an Initial Hedge Agreement; covenanting to provide continuing disclosure in accordance with Securities and Exchange Commission Rule 15c2-12 and authorizing the execution and delivery of a Continuing Disclosure Agreement; providing for the application of proceeds of the Subordinate Bonds; appointing the Fiduciaries, Tender Agent and Remarketing Agent; selecting a Printer; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale and delivery of said Subordinate Bonds; and providing an effective date.

ACTION: (A-3936) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

59. MOTION TO APPOINT a Selection/Negotiation Committee to hire an architectural and/or engineering firm to design and provide construction management services for the expansion of the exhibit center, new exhibits and related site development at Secret Woods Nature Center.

ACTION: (A-3446) Deferred to the May 12, 1998 meeting at the County Administrator's request for additional information.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

POLLUTION PREVENTION AND REMEDIATION DIVISION

60. MOTION TO APPROVE an agreement with Codina Development Corporation (Codina) that certain property located within the Alandco Port 95 Commerce Park (Port 95), legally described on exhibit "A" and depicted on the sketch on exhibit "B", is not the source of the existing volatile organic halocarbon (VOH) contamination in the groundwater beneath the property, and authorize the Chair and Clerk to execute same.

ACTION: (A-3455) Withdrawn at staff's request for further correction.

61. MOTION TO APPROVE an agreement with P-95/Global Limited Partnership (Global) that certain

property located within the Alandco Port 95 Commerce Park (Port 95), legally described on exhibit “A” and depicted on the sketch on exhibit “B”, is not the source of the existing volatile organic halocarbon (VOH) contamination in the groundwater beneath the property, and authorize the Chair and Clerk to execute same.

ACTION: (A-3457) *Withdrawn at staff’s request for further correction.*

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-3460) *Approved with addendum.*

OFFICE OF PUBLIC AND EXTERNAL AFFAIRS

63. DISCUSSION: Legislative Issues.

A. DISCUSSION: Proposed federal legislation that impacts the Broward County Support Enforcement Division (SED) and other non-IV-D child support enforcement agencies.

ACTION: (A-3511) *The Board continued to maintain its position.*

B. SESSION UPDATE: Ms. Pam Madison, Public and External Affairs Director, reported on the defeat on the continuation of funding for the revitalization of the Broward Boulevard project based upon the economic development grants and addressed the intent to continue working with Representative Josephus Eggelletion and Senator Matthew Meadows for the next session to attempt reinstating said project’s funding.

Ms. Madison described the county’s success on the concurrency issue; the adopted Article V Senate Bill 200, County Court Assessment, and the appropriations and substantive issues. She noted the funding received for the African American Research Library and Cultural Center data base, the North Fork Urban River Greenway enhancement, the ability for the State of Florida Department of Veterans’ Affairs to commence the federal application for a Veterans’ Nursing Home, and the more funds received for the county’s beach renourishment based upon a formula distribution.

ACTION: (A-3560) *For informational purposes.*

C. HOMELESS PROGRAM: Commissioner Cowan requested that the County Attorney draft an ordinance and set a June 1998 public hearing to consider the enactment of an additional one-cent in motor fuel local option gasoline tax; proceeds from the tax would supplant existing revenue that support eligible expenses for said tax, and the revenue freed up (maximum of \$6.2 million) would be used to solely support the homeless program. The Office of Budget and Management Policy staff was directed to identify, prior to the public hearing, proposed funding alternatives that could be designated to the

federal government as an ongoing revenue stream to serve as a guarantee funding source. Also, Interlocal Agreements are required prior to enacting the tax.

ACTION: (A-3684) The Board had no objections to the request.

COMMISSION AUDITOR

64. DISCUSSION: Applicants for the position of County Attorney.

ACTION: (A-5982) Accepted the ten applicants and deferred the item to the end of the 2:00 p.m. public hearing for May 12, 1998 for each county commissioner to recruit or nominate an additional applicant to the list, if he or she chooses to. The Board agreed to establish the dates and procedures for the position of the County Attorney at the public hearing.

COUNTY ATTORNEY

65. MOTION TO APPROVE the payment of a second interim assessment in the amount of \$10,000 for Broward County's continued participation in the (Potentially Responsible Parties) PRP Group, Florida Petroleum Reprocessors. (Deferred from April 21, 1998)

ACTION: (A-6580) Approved.

66. DISCUSSION: Proposed compromise settlement with the State of Florida, Department of Community Affairs and the South Florida Water Management District relating to Land Use Plan Amendments PC 97-17 (Chambers property) and PCT 97-5 (Conservation permitted uses).

ACTION: (A-6633) The Board accepted the language; denied the changes under the land use, and authorized sending back same to the Planning Council for recommendation.

67. A. MOTION TO APPROVE the Wingate Superfund Group Agreement between Broward County and the Wingate Road Potentially Responsible Parties (PRP) Group as required under the Consent Decree with the U.S. Environmental Protection Agency.

ACTION: (A-6587) Approved.

B. MOTION TO APPROVE the Wingate Superfund Site Remediation Agreement between Broward County, in its capacity as a PRP Group Member, and the City of Fort Lauderdale.

ACTION: (A-6587) Approved.

C. MOTION TO APPROVE the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Remedial Design/Remedial Action (RD/RA) Consent Decree between Broward County, in its capacity as a PRP Group Member, the City of Fort Lauderdale, and the U.S. Environmental Protection Agency.

ACTION: (A-6587) Approved.

68. MOTION TO APPROVE the Settlement Agreement and General Release as full and complete resolution of a federal civil rights action, Gutierrez v. Broward County and Kenneth Landry, Individually, Case No. 97-06857-CIV-GRAHAM, with a final dismissal of the action, and authorize the Chair and Clerk to execute same.

ACTION: (A-6595) Approved.

COUNTY ADMINISTRATOR

69. MOTION TO APPROVE the minimum standards of experience for members of the Management and Efficiency Study Committee.

ACTION: (A-6679) Approved Option A, Minimum Standards as included in the Charter; directed the County Attorney to send a letter to the Representative John Rayson, Broward County Legislative Delegation Chair, indicating that the House and Senate Caucus individually decide on nominating appointments and send same to the county commissioners by its May 26, 1998 meeting as appointments cannot be made by the delegation chair.

COUNTY COMMISSION

70. DISCUSSION: Status Report, Broward County Civic Arena; Art in Public Places Ordinance. (Chair)

ACTION: (A-6775) The Board deferred the item to the May 12, 1998 meeting. The Board directed the County Attorney's Office to send a facsimile letter today to the Arena Development Corporation (ADC) Limited requesting that by Friday, May 8, 1998 at close of business, 5:00 p.m., ADC provides supporting documentation to comply with the subject ordinance. Further the Board requested that the County Attorney's Office provide a copy of the federal law's definition on what constitutes art in federal buildings and directed the Public Works Department staff to inform the Board on ADC supplying the construction items that had to be included with or without art.

SUPPLEMENTAL AGENDA

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

71. MOTION TO DIRECT the County Administrator to take the actions necessary to accomplish the live broadcasting of County Commission meetings in accordance with the attached memorandum dated April 8, 1998.

REASON FOR SUPPLEMENTAL: Direction of the Commission.

ACTION: (B-285 & C-114) The Board adopted a six-month trial pilot program.

PURCHASING DIVISION

For Department of Strategic Planning and Growth Management

72. A. MOTION TO APPROVE an agreement between Broward County and PMG Associates Inc. to provide professional services to conduct unincorporated neighborhood annexation studies for a period of three years, with the possibility of two one-year extensions, and with the cost of any individual study not to exceed \$50,000, and authorize the Chair and Clerk to execute same.

ACTION: (B-314 & C-808) Withdrawn at Commissioner Poitier's request.

B. MOTION TO APPROVE Work Authorization No. 1 in accordance with the agreement of May 5, 1998 between Broward County and PMG Associates Inc. to provide professional services to prepare an Unincorporated Neighborhood Annexation Study for the North County Annexation Area for a maximum amount not to exceed total \$30,000, and for a time period of 60 calendar days, and authorize the Chair and Clerk to execute same.

REASON FOR SUPPLEMENTAL: The above item is being submitted as a supplemental agenda item at the direction of the Unincorporated Neighborhood Study Selection/Negotiation Committee which, at its April 7, 1998 meeting, directed Comprehensive and Neighborhood Planning staff to place this item on the County Commission agenda as soon as possible.

ACTION: (B-314 & C-808) Withdrawn at Commissioner Poitier's request. The Board directed the County Attorney's Office to draft a resolution for the May 12, 1998 meeting supporting the efforts of the Cresthaven Ad Hoc Committee on Annexation.

BOARD APPOINTMENTS

73. A. MOTION TO APPROVE the appointment of Mr. Donald Giancoli to the Management and Efficiency Study Committee. (Commissioner Lieberman)

ACTION: (A-712) Approved.

B. MOTION TO APPROVE the appointment of Mr. Samuel S. Fields to the Management and Efficiency Study Committee. (Commissioner Cowan)

ACTION: (A-712) Approved.

74. MOTION TO APPROVE the appointment of Mr. Jonathan Anderson to the Multi- Ethnic Advisory Board. Mr. Anderson replaces Dr. Judith Wingerd who has resigned. (Commissioner Gunzburger)

ACTION: (A-712) Approved.

75. MOTION TO APPROVE an in-district appointment of Mr. Stacey A. Guilianti to the Parks and Recreation Advisory Board. Mr. Guilianti replaces Mr. James Romano who has resigned.

(Commissioner Gunzburger)

ACTION: (A-712) Approved.

76. MOTION TO APPROVE the appointment of Mr. Donald E. Williams to the Brownfields Task Force. (Commissioner Gunzburger)

ACTION: (A-712) Approved.

GOOD AND WELFARE

77. A. PROCLAMATION On behalf of the Board, Commissioner Gunzburger read into the record a proclamation designating the week of May 6 through May 12, 1998 as *Nurses Week* in Broward County.

ACTION: (A-135) Ms. Kathy Mele, on behalf of the Florida Nurses Association, accepted the proclamation and thanked the Board. She introduced the new children's medical services nurses; recognized their work and support with the children's needs, and reported on the reduction in and prevention of infant mortality, child death, and low birth rates.

B. MOTION TO SEND individual letters from the county commissioners to their HIV Health Services Planning Council appointees urging them to make a better decision on the elimination of the district nursing service positions at the State of Florida Health Department, Broward County Health Department. (Chair)

ACTION: (A-256) Approved by unanimous consent.

78. EMPLOYEE SERVICE RECOGNITION AWARDS On behalf of the Board, County Administrator Roger J. Desjarlais presented service pins and awards to the following county employees recognizing their many years of outstanding service with the county:

TWENTY YEARS SERVICE

Ms. Jennifer R. Ganary, Port Everglades Department

Ms. Louise G. Gittens, Libraries Division

Ms. Marjorie M. Menefee, Facilities Management Division

Ms. Rosa Gil Miller, Libraries Division

Mr. Richard M. Portegay, Traffic Engineering Division

Mr. Dennis C. Tavano, Port Everglades Department

TWENTY-FIVE YEARS SERVICE

Ms. Dianne DeLyons, Mass Transit Division

Mr. Donald G. Quinn, Engineering Division

Mr. Robert B. Sartori, Streets and Highways Division

ACTION: (A-351) The recipients accepted their awards, thanked the Board and were given a day of their choice off.

79. PROCLAMATION On behalf of the Board, Commissioner Poitier read into the record a proclamation designating the month of May 1998 as *Teen Pregnancy Prevention Month* in Broward County.

ACTION: (A-338 & A-578) Ms. Marilyn Bonilla Krantz, Planned Parenthood for Teen Pregnancy, accepted the proclamation and thanked the Board. She introduced Mr. Larry McGinnes and Ms. Kathy Street, J.M. Family Enterprises, The Broward Campaign to Prevent Teen Pregnancy, and presented a poster to the commissioners.

The Chair recognized Ms. Krantz' recent induction into the Broward County Women's Hall of Fame.

NON AGENDA

80. DISCUSSION: The Chair referred to a memorandum dated April 30, 1998 from Vice Mayor Robert A. Marks, City of Parkland and Broward League of Cities President, regarding the Resource Recovery System Transfer Proposal. Said letter invited interested participants to make presentations at the Board of Directors' meeting on Thursday, May 7, 1998 at 12:00 p.m. at the Parkland City Hall.

ACTION: (B-336 & C-1052) If schedules permit, Commissioners Lieberman and Cowan each agreed to attend and give a five-minute presentation. If Commissioner Cowan is unable to attend, the Chair advised that she will represent him. At the conclusion of the Goal Setting Workshop, Commissioner Abramowitz confirmed that he will approach the League of Cities and advise the county commission whether the meeting date could be changed to a day in June 1998 in order that Commissioner Lieberman could make a presentation.

81. DIRECTION: Commissioner Gunzburger referred to County Attorney John J. Copelan Jr.'s memorandum dated May 4, 1998 regarding the Regulation of Personal Watercrafts which opined that the county could regulate same after petitioning the Department of Environmental Protection (DEP).

ACTION: (B-336) The Board directed the Parks and Recreation Division to request that the Marine Advisory Board review the municipalities' regulations of personal watercraft traffic, within their waterways, and provide a report to the Board.

82. PROCLAMATION Commissioner Abramowitz read into the record a proclamation by the President of the United States of America proclaiming May 1998 as *Older Americans Month* and called upon government officials, businesses, communities, educators, volunteers and all the people of the United States to acknowledge the contributions older Americans have made, and continue to make, to the life of our Nation.

ACTION: (C-1004) For informational purposes.

83. INFORMATIONAL Commissioner Lieberman recognized the positive remarks made with respect to Shell's Air and Sea Show on the weekend of May 2, and 3, 1998 and complimented Mr. Bill Sherry, Aviation Department, on the hard work demonstrated during the event.

ACTION: (C-1040) County Administrator Roger J. Desjarlais confirmed that he will convey the commissioner's compliments.

84. MOTION TO DIRECT the County Administrator to review the initiation on the establishment of a fee for plat reviews by the Planning Council staff, consistent with actual costs, for Board consideration. (Chair)

ACTION: (C-1089) The Board had no objections.

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