

MEETING OF MAY 7, 1996

(Meeting convened at 10:00 a.m. and adjourned at 12:35 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

1. MOTION TO APPROVE reconveyance by quit claim deed under F.S. 255.22, of that right-of-way donated to Broward County to Minnie Bregman, et al., as successors in title to the donor; and authorize the Chair and Clerk to execute and record same.

ACTION: (A-1050) Approved.

2. MOTION TO APPROVE contract for sale and purchase executed by Bell South Telecommunications, Inc. in the amount of \$60,200 for purchase of right-of-way for Pine Island Road (Oakland Park Boulevard to Commercial Boulevard), Project No. 5121, Parcel 1; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-1050) Approved.

3. MOTION TO APPROVE contract for sale and purchase executed by Bellamarc Investments, Inc. F/K/A 97161 Canada, Ltd. in the amount of \$2,500 for purchase of right-of-way and temporary construction easement for McNab Road (NW 89th Avenue to University Drive), Project No. 5117; Parcel 104/104TCE; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-1050) Approved.

4. MOTION TO ADOPT Resolution 96-0291 authorizing the conveyance by quit claim deed, various tax deed properties that have escheated to Broward County for delinquent real estate taxes, to the city of Margate; and authorize the Chair and Clerk to execute and record this deed.

ACTION: (A-1050) Approved.

5. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver satisfaction of mortgage for

certain mortgage deed executed by Mark Dorsett to Broward County as property bond in State of Florida v. Patrick Dorsett, Case No. 95-19685CF10A.

ACTION: (A-1050) Approved.

6. MOTION TO APPROVE agreement of purchase and sale executed by Florida Power & Light Company, a Florida corporation, in the amount of \$8,500 for purchase of right-of-way for Pine Island Road (Oakland Park Boulevard to Commercial Boulevard), Project No. 5121, Parcel 19; authorize the Chair and Clerk to execute agreement of purchase and sale; and authorize acceptance and recordation of deed.

ACTION: (A-1050) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

**ENVIRONMENTAL ENGINEERING
DIVISION**

7. MOTION TO APPROVE developer's agreement between the county and Cypress Creek Associates Limited Partnership, a Delaware limited partnership, providing for utility installations by the developer at an estimated installation cost of \$123,937 (at no cost to the county) to furnish water and sewer services, and authorize the Chair and Clerk to execute same. BCOES Project No. 8671.

ACTION: (A-1050) Approved.

FISCAL OPERATIONS DIVISION

8. MOTION TO APPROVE AND EXECUTE satisfactions of claim of lien to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A-1050) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

9. MOTION TO APPROVE agreement between Broward County and the city of Coral Springs for traffic ways beautification for Riverside Drive (from Sample Road to north of Wiles Road), and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

10. MOTION TO ADOPT Resolution 96-0292 authorizing conveyance of a perpetual access road easement located in Section 3, Township 49 South, Range 42 East, to South Florida Water Management District, and authorize the Chair and Clerk to execute and deliver said perpetual access road easement.

ACTION: (A-1050) Approved.

11. MOTION TO APPROVE agreement between Broward County and city of Coral Springs for landscape development and maintenance of Coral Ridge Drive from Atlantic Blvd. to Lakeview Drive and from Royal Palm Blvd. to Wiles Road, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

STREETS AND HIGHWAYS DIVISION

12. MOTION TO ADOPT budget Resolution 96-0293 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$38,000 to resurface SW 111th Terrace (SW 48th Street to Stirling Road) in unincorporated Broward County. Project 9611.

ACTION: (A-1050) Approved.

13. MOTION TO ADOPT budget Resolution 96-2094 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$42,000 to resurface Crystal Lake Drive (NW 9th Avenue to NW 45th Street) in unincorporated Broward County. Project 9612.

ACTION: (A-1050) Approved.

14. MOTION TO ADOPT budget Resolution 96-0295 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$190,000 to resurface Sunrise Boulevard (Pine Island Road to Nob Hill Road) in

the city of Plantation. Project 9613.

ACTION: (A-1050) Approved.

15. MOTION TO ADOPT budget Resolution 96-0296 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$165,000 to resurface Andrews Avenue (East Las Olas Boulevard to Sunrise Boulevard) in the city of Fort Lauderdale. Project 9614.

ACTION: (A-1050) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

16. MOTION TO FILE semi-annual financial summary for the Park, Open Space and Recreational Trust Fund for the six-month period ended March 31, 1996.

ACTION: (A-1050) Approved.

COUNTY RECORDS DIVISION

17. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission Meeting of March 12 and March 26, 1996; the minutes of 2:00 p.m. Public Hearing of March 12, 1996.

ACTION: (A-1050) Approved.

PURCHASING DIVISION

For Aviation Department

18. MOTION TO NOTE FOR THE RECORD approval of Amendment No. 1 to Work Authorization No. 1 on an emergency basis with Ardaman & Associates, Inc. in the amount of \$37,068.70, for the removal and disposal of contaminated soil and groundwater around the 10,000 gallon UST tank at Kenan Transportation site at the Ft. Lauderdale/Hollywood International Airport, in accordance with the agreement of August 23, 1994 for the Library of Environmental Services, article 4.1.3. The agreement amount will be increased from \$15,514.49, to \$52,583.19, and the time for

performance increased from 30 to 60 calendar days.

ACTION: (A-1050) Approved.

For Finance and Administrative Services Department

19. MOTION TO APPROVE agreements and first amendment between Broward County and Brown and Caldwell; Buck Eco-Logic Inc., Center for Applied Engineering, Inc., CH2M Hill Inc., Cliff Berry Inc., Coastal Engineering Consultants Inc., CZR Incorporated, Dennis W. Frazel PhD, Earth Advisors Inc., Environmental Management Services Inc., Early Geological Services Inc., EBS Engineering Inc., ENSA Environmental Inc., Envirocorp: Enviro Team Inc., Evans Environmental: and Geological Science and Management Inc., GLE Associates Inc., Golder Associates Inc., HydroScience Water Resources Consultants Ltd., J A Stone Associates, Joe Alvarez & Associates Inc., KBN Engineering and Applied Sciences Inc. (KBN), MotorFuelers Inc., Nodarse Environmental Services Inc., PAWA Complex International Inc., Petro Dynamics Engineering Inc., Planning and Economics Group Inc., Precision Environmental Laboratory Inc., RJN Group Inc., R. L. Weight Environmental Consultants Inc., SGF Environmental Consultants Inc., Stone & Webster Engineering Corporation, Terrac

Technologies Inc., ViroGroup Inc., V O C Analytical Laboratories Inc., Water Restoration, W E C Commissioner Poitier Inc., WEI Environmental Services as additions to the existing Resource Library for environmental services which was approved for a three year period beginning September 7, 1994 with two one-year extensions to be approved by the Director of Purchasing, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

For Public Works Department

20. A. MOTION TO APPROVE sole source procurement of fold and formed pipe from U-Liner Pipe through their licensed installer, Madsen/Barr Corporation, for the Environmental Engineering Division.

ACTION: (A-1050) Approved.

B. MOTION TO AWARD open-end contract to Madsen/Barr Corporation for furnishing and installing fold-and-formed liners (city of Hollywood contract No. 93-7025) for the Environmental Engineering Division's Infiltration/Inflow Abatement Program in the approximate total amount of \$803,715 and to authorize the Purchasing Director to renew the contract for a one-year period, subject to receipt and acceptance of payment and performance bonds. The initial contract period shall start May 7, 1996 and terminate May 6, 1997.

ACTION: (A-1050) Approved.

21. MOTION TO ADD following vendor to the qualified bidders' list for plumbing services for various facilities in Broward County (No. N-11-95-18-12): Cline Plumbing Co. Inc., for the period May 7, 1996 through April 12, 1998.

ACTION: (A-1050) Approved.

22. MOTION TO ADD following vendor to the qualified bidders' list for security systems (closed circuit TV) for various facilities in Broward County (No. N-11-95- 24-12): Advanced Technology Systems Integrators Corp.; Sentry Alarm Systems of America, for the period May 7, 1996 through April 12, 1998.

ACTION: (A-1050) Approved.

23. MOTION TO APPROVE contractual services agreement between the state of Florida Department of Transportation (FDOT) Job No. 97970-1332, 97860-3394 and Broward County for the installation of potable water service to the FDOT Turnpike District, Hollywood Boulevard Toll Plaza. This contract shall begin on the date of execution and shall terminate on November 1, 1996, or date of termination whichever occurs first. This contract may not be renewed. BCOES Project No. 8668.

ACTION: (A-1050) Approved.

24. MOTION TO AWARD open-end contract to low bidder, U.S. Concrete Pipe Co., Group 1, for concrete culvert pipe (Bid No. E-02-96-26-12) in the approximate amount of \$224,090 for the Streets and Highways Division, and authorize the Purchasing Director to renew the contract for two one-year periods. The initial contract period shall start May 26, 1996 and shall terminate May 25, 1997.

ACTION: (A-1050) Approved.

REVENUE COLLECTION DIVISION

25. MOTION TO APPROVE AND EXECUTE satisfaction of claim of liens against Lorna Duncan-McBean, George Irish and Howard Mancipe.

ACTION: (A-1050) Approved.

26. 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-1050) Approved.

RISK MANAGEMENT DIVISION

27. MOTION TO AUTHORIZE full and final settlement of Claim No. SSA/081894ALLD/7 in the amount of \$17,500.

ACTION: (A-1050) Approved.

28. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim No. 94 WC 0605 MR in the amount of \$30,450.

ACTION: (A-1050) Approved.

HUMAN SERVICES DEPARTMENT

ALCOHOL & DRUG ABUSE SERVICES DIVISION

29. MOTION TO ADOPT unanticipated revenue Resolution 96-0297 within the Grant Fund 910 for the Alcohol and Drug Abuse Services Division in the amount of \$200,000 for the Drug Court Treatment Program.

ACTION: (A-1050) Approved.

FAMILY DEVELOPMENT & RESOURCE DIVISION

30. MOTION TO APPROVE Modification No. 2 to Agreement 96SB-4M-11-16-01-010 between the State of Florida Department of Community Affairs and Broward County, Attachment A, changing the budget and work plan within the original grant amount of \$560,077 to increase the amount of financial assistance for clients, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

31. MOTION TO APPROVE change of ownership of Certificate of Public Convenience and Necessity No. 37 currently issued to Elite Transportation Services, Inc. Certificate No. 37 currently has three limousine permits. Three permits will be transferred to Palm Aire Limousine Service, Inc.

ACTION: (A-1050) Approved.

32. MOTION TO APPROVE partial change of ownership of Certificate of Public Convenience and Necessity No. 71 currently issued to Excel Limousine, Inc. Two limousine permits are currently issued to Excel Limousine, Inc. One limousine permit will be transferred to Laurence A. Christopher, Jr., d/b/a Cousins Limousines of South Florida, Inc.

ACTION: (A-1050) Approved.

33. MOTION TO APPROVE change of ownership of Certificate of Public Convenience and Necessity No. 58 currently issued to Elite Transportation Services, Inc. The one remaining limousine permit will be transferred to Palm Aire Limousine Service, Inc.

ACTION: (A-1050) Approved.

34. MOTION TO APPROVE change of ownership of Certificate of Public Convenience and Necessity No. 74 currently issued to Bullet Limousine Company. One limousine permit currently issued to Bullet Limousine Company will be transferred to Jovi Limousine, Inc.

ACTION: (A-1050) Approved.

PARKS AND RECREATION DIVISION

35. MOTION TO APPROVE Amendment No. 1 to lease agreement between Broward County and the city of Fort Lauderdale for Lake Lauderdale Park, now known as Mills Pond Park, for revising the park

master plan, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

36. MOTION TO APPROVE State of Florida Department of Environmental Protection (DEP) Florida Boating Improvement Program (FBIP) Tri-Party Development Project Grant Agreement among Broward County, the city of Wilton Manors, and the Florida DEP in the amount of \$50,000 for the dredging of the South Fork-Middle River, FBIP Project, and authorize the Chair and Clerk to execute same. (No county monies required)

ACTION: (A-1050) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

37. MOTION TO APPROVE settlement agreements between Broward County and the listed respondents for violations of Broward County ordinances:

- A. Gene & Rosita Godoy
- B. Bob Koenig Tree Service, Inc.
- C. Morton Roofing
- D. Charles Slater

ACTION: (A-1050) Approved.

BIOLOGICAL RESOURCES DIVISION

38. MOTION TO ACCEPT conservation easement from SarahPark Owners Association for SarahPark, a residential development, over approximately 65.4 acres of real property in the city of Pembroke Pines, Broward County, Florida, for the Biological Resources Division.

ACTION: (A-1050) Approved.

39. MOTION TO ACCEPT conservation easement from Country Lakes, L.P. for Country Lakes, a residential development, over approximately 15.548 acres of real property in the city of Miramar, Broward County, Florida, for the Biological Resources Division.

ACTION: (A-1050) Approved.

40. MOTION TO ACCEPT conservation easement from Pembroke Springs, Ltd. for Pembroke Springs, a residential development, over approximately 24.9 acres of real property in the city of Pembroke Pines, Broward County, Florida, for the Biological Resources Division.

ACTION: (A-1050) Approved.

41. MOTION TO ACCEPT amended conservation easement from Minto Towngate Limited Partnership, for a residential development, over approximately 53.6 acres of real property in the city of Pembroke Pines, Broward County, Florida, for the Biological Resources Division.

ACTION: (A-1050) Approved.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT COMMUNITY DEVELOPMENT DIVISION

42. MOTION TO APPROVE agreement between Regent Bank and Broward County for participation in the Community Development Division Commercial Revitalization Program, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

43. MOTION TO APPROVE agreement between Peoples National Bank of Commerce and Broward County for participation in the Community Development Division Commercial Revitalization Program, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

44. MOTION TO APPROVE satisfaction of mortgage on a 7% direct loan in the amount of \$15,000 made to James B. Ober, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

45. MOTION TO APPROVE satisfaction of mortgage on a 4% direct loan in the amount of \$18,365 made to Aaron Pridgen, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

46. MOTION TO APPROVE two satisfactions of mortgage on two deferred payment loans in the amount of \$13,850 and \$836 made to Joyce S. Prager, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

47. MOTION TO FILE quarterly foreclosure report for the housing rehabilitation programs administered by Community Development Division.

ACTION: (A-1050) Approved.

48. MOTION TO APPROVE agreement between Broward County and Habitat for Humanity of Broward, Inc. in the amount of \$30,000 for the Land Acquisition Program under the State Housing Initiatives Partnership (SHIP) Program to acquire four vacant lots located at the southeast corner of NE 5th Street and NE 5th Terrace in Hallandale, Florida, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

PORT EVERGLADES DEPARTMENT

49. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida, and Broward Limousine & Airport Service, 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-1050) Approved.

50. MOTION TO APPROVE one-year lease agreement between Broward County and Eller & Company, Inc. for 7,800 square feet of storage, maintenance facility, and office space in Building 68 at Port Everglades, effective June 1, 1996 through

May 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

51. MOTION TO APPROVE one-year lease agreement between Broward County and Southern Waste Services, Inc. for 10,890 square feet of vacant land at Port Everglades, for the period of June 1, 1996 through May 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

52. MOTION TO APPROVE disposition procedures for up to 960 master cartons of Sioux Cigarettes, or as much that remains in a container at the Port Everglades Foreign Trade Zone No. 25.

ACTION: (A-1050) Approved.

53. MOTION TO APPROVE replacement permit application with the city of Fort Lauderdale for the reroofing of Buildings 2 and 62 in Port Everglades, and authorize the Chair and Clerk to execute same.

ACTION: (A-1050) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-1050) Approved.

55. MOTION TO ADOPT unanticipated revenue Resolution 96-0298 within the Grant Fund 910 for the Alcohol & Drug Abuse Services Division in the amount of \$146,950 for the planned fiscal year 1996 compensation increases.

ACTION: (A-1050) Approved.

56. A. MOTION TO ADOPT budget Resolution 96-0299 transferring within the General Fund in the amount of \$10,905 from the Judicial Reserve for trial blitz overtime.

ACTION: (A-1050) Approved.

B. MOTION TO ADOPT budget Resolution 96-0300 transferring within the General Fund the amount of \$25,810 from the County Commission Reserve for overtime and parking program expenses.

ACTION: (A-1050) Approved.

C. MOTION TO ADOPT unanticipated revenue Resolution 96-0301 within the General Fund for the Clerk of Courts in the amount of \$142,357 to recognize parking revenue and associated expenses.

ACTION: (A-1050) Approved.

COUNTY ATTORNEY

57. MOTION TO APPROVE settlement of the cross-claim brought by G.F.C. Crane Consultants, Inc. against Broward County in the amount of \$78,000 in the case of International Longshoremen's Association, Inc. v. Broward County and G.F.C. Crane Consultants, Inc., Case No. 92-32994, on appeal, Case No. 96-00508.

ACTION: (A-1050) Approved.

58. A. MOTION TO ADOPT Resolution 96-0302 accepting quit claim deed executed by the Central Broward Drainage District conveying to Broward County right- of-way for SW 118th Avenue in Section 13, Township 50 South, Range 40 East.

ACTION: (A-1050) Approved.

B. MOTION TO AUTHORIZE the Chair of the Board of County Commissioners to execute a letter stating that Broward County shall comply with the order entered on August 24, 1979 by Judge Ferris in Craig Kelly v. County of Broward and Central Broward Drainage District, Broward Circuit Court Case No. 79-10760, and to send said letter to the Chair of the Central Broward Drainage District.

ACTION: (A-1050) Approved.

59. MOTION TO RATIFY action of the County Attorney to obtain appropriate review of the order rendered by the Public Service Commission (PSC), in Broward County v. Florida Power and Light, Docket No. 960025-EI.

ACTION: (A-1050) Approved.

60. MOTION TO APPROVE settlement of Parcel Nos. 118 and 118 TCE (Temporary Construction Easement) in the amount of \$160,000 as full compensation in the condemnation case of Broward County v. Robert J. Binns, et al, Griffin Road Expansion Project 5067.

ACTION: (A-1050) Approved.

61. MOTION TO APPROVE execution of a stipulated final judgment in the amount of \$165,000 in the case Broward County v. Jansko, Inc. et. al., Case No. 93-25746(03) and 93-33000(03), for total amount of \$165,000 for all claims arising from the above mentioned actions.

ACTION: (A-1057) Approved.

COUNTY COMMISSION

62. MOTION TO FILE Resolution No. 96-8 of the Board of Supervisors of the Indian Trace Community Development District requesting the Broward County Board of Commissioners consideration of the impending incorporation of the new city of Weston in the county's negotiation and granting of cable television franchise rights within the proposed new city of Weston. (Chair)

ACTION: (A-1050) Approved.

63. MOTION TO FILE Resolution No. 96-4-1 of the city of Cooper City, Florida, requesting the Broward County Board of County Commissioners to designate and rename the section of 100th Avenue between Griffin Road and Stirling Road as Palm Avenue; and providing for an effective date. (Chair)

ACTION: (A-1050) Approved.

64. MOTION TO FILE Resolution No. 96-21 of the city of Lauderdale Lakes, Broward County, opposing legislation which would amend the state constitution to provide for the payment of damages to land owners as a result of an impact by land use regulations; providing for true copies; providing an effective date. (Chair)

ACTION: (A-1050) Approved.

65. MOTION TO FILE Resolution No. 34-96 of the city of Dania, Florida, expressing opposition to proposed constitutional amendment, SJR 792, regarding private property rights. (Chair)

ACTION: (A-1050) Approved.

BOARD APPOINTMENTS

66. MOTION TO APPROVE re-appointment of Mr. George Zinkler to the Tourist Development Board representing the tourism industry. This is a four-year term expiring on May 26, 2000. (Commissioner Gunzburger)

ACTION: (A-1050) Approved.

67. MOTION TO APPROVE re-appointment of Philip S. Goldfarb to the Tourist Development Council of Broward County representing hotel owners. (Commissioner Thompson)

ACTION: (A-1050) Approved.

68. MOTION TO APPROVE appointment of the following member to the Water Control District No. 2 Advisory Board: Abraham (Mickey) Kaplan.

ACTION: (A-1050) Approved.

REQUEST TO SET FOR PUBLIC HEARING

69. MOTION TO ADOPT Resolution 96-0303 directing the County Administrator to publish notice of public hearing to be held on Monday, June 24, 1996 at 10:00 a.m. in Room 422 of the Governmental Center to consider transmittal to the State of Florida Department of Community Affairs the second proposed 1996 amendments to the Broward County Comprehensive Plan.

ACTION: (A-1050) Approved.

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

ACTION: (A-1446) Approved.

B. MOTION TO ADOPT Resolution 96-0304 setting two public hearings to be held on Tuesday, May 28, 1996 at 2:00 p.m. and Tuesday, June 11, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider the enactment of an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County. (Rezoning Petition 5-Z-96)

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 24, TOWNSHIP 48 SOUTH, RANGE 42 EAST; FROM B-2A, PLANNED BUSINESS CENTER DISTRICT TO B-2, COMMUNITY BUSINESS DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER

LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by The Board of County Commissioners)

ACTION: (A-1446) Approved.

The May 28, 1996 and June 11, 1996 public hearings are to be Quasi-Judicial Public Hearings.

REGULAR AGENDA

71. **COUNTY ADMINISTRATOR'S REPORT.**- The County Administrator advised he had nothing to report at this time, however, the Jail Report of May 7, 1996 was submitted for the record indicating that today's jail population is 3,570 which is 86 under the cap.

ACTION: (A-1469) No board action necessary.

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. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you

have said in its final deliberations.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT DEVELOPMENT MANAGEMENT DIVISION

72. DISCUSSION of Plat entitled “Ascension Peace Presbyterian Church Plat” - District 1, (034-MP-95).

ACTION: (A-1631) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

73. A. DISCUSSION of request for a waiver of sidewalk requirements for the Olympia and York Residential Plat (066-MP-95).

ACTION: (A-1647) Approved.

B. DISCUSSION of Plat entitled “Olympia and York Residential Plat” - District 2, (066-MP-95).

ACTION: (A-1647) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

74.A. DISCUSSION of request for a waiver of sidewalk requirements for the Wyndham Lakes South Plat (003-MP-96).

ACTION: (A-1695) Approved.

B. DISCUSSION of Plat entitled “Wyndham Lakes South” - District 3, (033-MP-96).

ACTION: (A-1695) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

75. DISCUSSION of Plat entitled “P & J Estates” - District 4, (072-MP-95).

ACTION: (A-1711) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

76. DISCUSSION of Plat entitled “Waterford Crossings” - District 4, (073-MP-95). (Deferred from April 16, 1995)

ACTION: (A-1729) Approved plat, as amended, including approval of traffic concurrency agreement, subject to staff recommendations, as outlined in the Development Review Report.

77.DISCUSSION of Plat entitled “75 and 595, Inc.” - District 4, (081-MP-95).

ACTION: (A-1762) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

78.DISCUSSION of Plat entitled “Timely Property, Inc. Plat” - District 5, (075-MP-95).

ACTION: (A-1777) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

79. DISCUSSION of Plat entitled “Davie Tropicana Replat” - District 4, (068-MP-95)

ACTION: (A-1569) Deferred to June 4, 1996 at applicant’s request.

80. DISCUSSION of Plat entitled “B.C.W. Plat” - District 5, (026-UP-95).

ACTION: (A-1795) Approved plat, as amended, to include waiver of road impact fees, subject to staff recommendations, as outlined in the Development Review Report.

81. DISCUSSION of Plat entitled “Gunther Motor Co.” - District 7, (112-MP-94). (Deferred from November 7, 1995)

ACTION: (A-1832) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

82. DISCUSSION of Plat entitled “Residences of Diazlanz and Redruello” - District 5, (007-UP-95).

ACTION: (A-1860) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

83. DISCUSSION of Plat entitled “Minnaugh Plat” - District 5, (079-MP-95).

ACTION: (A-1569) Deferred to December 10, 1996 under Section 5-181(i) of the Land Development Code to study traffic concurrency.

84. DISCUSSION of Plat entitled “San Marino Village” - District 6, (069-MP-95).

ACTION: (A-1874) Approved plat subject to staff recommendations, as outlined in the Development Review Report.

85. DELEGATION: William Laystrom, Jr. regarding request to amend the note on the Jacaranda Parcel 817 Plat (092-MP-88).

ACTION: (A-1569) Deferred to May 21, 1996 at applicant’s request.

86. DELEGATION: Sam Jazayri regarding request to amend the note of the Butler Plaza Plat (204-MP-84).

ACTION: (A-1890) Approved, subject to staff recommendations.

87. DELEGATION: Mike Gai regarding request to amend the note on the Sherman Plat (207-MP-86).

ACTION: (A-1906) Approved, subject to staff recommendations.

88. DELEGATION: Paul Lovesky regarding request to amend the note on the Edgewater Farms Plat (054-UP-89). (Deferred from November 7, 1995)

ACTION: (A-1569) Withdrawn at applicant's request.

89. DELEGATION: Patricia Z. Hitchcock regarding request to amend the note on the Regional Park Commercial Plat (122-MP-90). (Deferred from April 2, 1996)

ACTION: (A-1569) Deferred to November 5, 1996 under Section 5-181(i) of the Land Development Code to study safe and adequate access.

90. DELEGATION: Michael Covelli regarding request to amend the note on the Regency Lakes at Coconut Creek Plat (075-MP-93).

ACTION: (A-1569) Withdrawn at applicant's request.

91. DELEGATION: Leigh R. Kerr regarding request to amend the note on the Towngate Plat (062-MP-93).

ACTION: (A-1919) Approved, subject to staff recommendations.

92. DELEGATION: Gus August regarding request to modify conditions of plat approval on the Godalville Plat (056-UP-89).

ACTION: (A-1937) Deferred to May 21, 1996.

93. DELEGATION: Mikki Rhoades regarding request to amend the non-vehicular access line on the Sunrise Industrial Park Parcel 72 Plat (056-MP-85).

ACTION: (A-1569) Deferred to May 21, 1996 at applicant's request.

94. DELEGATION: Robert C. Smith regarding request to amend the non-vehicular access line on the Kelley Plat (175-MP-87).

ACTION: (A-1947) Approved, subject to staff recommendations.

95. DELEGATION: Richard G. Coker, Jr. regarding request to amend the non-vehicular access line on the D&C Properties - Sunrise and Flamingo Plat (061-MP-89).

ACTION: (A-1964) Approved, subject to staff recommendations.

96. DELEGATION: James Kahn regarding request to amend the non-vehicular access line on the

Regency Plat (033-UP-82).

ACTION: (A-1569) Deferred to May 21, 1996 at applicant's request.

97. A. MOTION TO ADOPT Resolution 96-0305 directing the County Administrator to ensure the impact fees are paid prior to the issuance of building permits.

ACTION: (A-1994) Approved , subject to staff recommendations.

B. MOTION TO ADOPT Resolution 96-0306 directing the County Administrator to ensure construction of boat ramp requirement and to provide safe and adequate access to the Ravenswood 26th Ave. FLL Airport Plat (Plat 7) (033- MP-95).

ACTION: (A-1994) Approved, subject to staff recommendations.

98. DELEGATION: Jaye Epstein, representing city of Miramar, regarding motion to approve agreement for the issuance of building permits while platting is in process for the Miramar Park of Commerce Phase III Plat (088-MP-95).

ACTION: (A-2011) Approved, subject to staff recommendations.

END OF QUASI-JUDICIAL HEARING

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Port Everglades Department

99. A. MOTION TO ADOPT budget Resolution 96-0307 transferring within the Port Everglades Capital Fund Project No. 471-470-6501-9418 the amount of \$235,813 from Capital Reserve to Project No. 471-470-6453-6210 Midport Cruise Terminal.

ACTION: (A-3145) Approved.

B. MOTION TO APPROVE increase to the change order allowance of \$409,653.75, 5% of the original contract amount to \$862,436 or 10.5% 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 AFCC Constructors Inc. by the Broward County Board of County Commissioners.

ACTION: (A-3145) Approved.

For Department of Natural Resource Protection

100. MOTION TO APPOINT Selection/Negotiation Committee to secure a document management system for the Department of Natural Resource Protection.

ACTION: (A-3219) Approved membership of Selection/Negotiation Committee as recommended by staff to secure document management system for DNRP.

For Public Works Department

101. A. MOTION TO ADOPT budget Resolution transferring within the Engineering Capital Project Fund (315) the amount of \$148,000 from the Engineering Capital Project Reserve for future capital outlay to meet costs of a final adjusting Change Order No. 3 for Copans Road, BCED Project No.5079.

ACTION: (A-3350) Denied.

B. MOTION TO APPROVE increase in the change order allowance of \$131,447.74, bringing the total change order allowance to \$578,083.74, which is 9.71% of the original contract amount of \$5,955,148.97, awarded by the Board on July 13, 1993, Item No. 45, to Community Asphalt Corporation, Contract No. N-16- 92-24-OF, for improvements to Copans Road, BCED Project No. 5079.

ACTION: (A-3350) Denied.

C. MOTION TO APPROVE Change Order No. 3 with Community Asphalt Corp., Contract No. N-06-92-24-OF for improvements to Copans Road, I-95 to US 1 at an increase of \$282,891.33 and a time extension of 103 days, increasing the contract amount from \$6,250,341.38 to \$6,533,232.71 and contract time from 660 days to 763 days, and authorize the Chair and Clerk to execute same, BCED Project No. 5079.

ACTION: (A-3350) Denied.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

102. MOTION TO ADOPT Resolution 96-0308 of the Board of County Commissioners of Broward County, Florida, amending Section 37.61 of the Broward County Administrative Code relating to the fee schedule for Animal Care and Regulation; adding fees for vicious dog registration; adding fees for juvenile dog and cat registration; providing for certain late fees and cat trap rental fees; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-3520) Approved, as amended.

103. MOTION TO ADOPT Resolution 96-0309 of the Board of County Commissioners of Broward County, Florida, creating a temporary pilot program for the Animal Care and Regulation Division for low cost rabies clinics; reducing fees for rabies inoculation and license tag fees for dogs and cats owned by individuals meeting federal low income guidelines, in conjunction with the program; providing for

severability; and providing for an effective date and automatic repeal date.

ACTION: (A-3520) Approved.

CULTURAL AFFAIRS DIVISION

104. MOTION TO ADOPT Resolution 96-0310 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. (Deferred from April 23, 1996)

ACTION: (A-3721) Approved.

PORT EVERGLADES DEPARTMENT

105. MOTION TO ADOPT Resolution 96-0311 of the Board of County Commissioners of Broward County, Florida, amending Chapter 32 of the Broward County Administrative Code providing for the establishment of Part IV, Section 32.53, requiring that agreements between the Port Everglades Department and persons or entities where the county's revenues are based on a percentage of the contracting party's revenues, include a provision for the contractor to provide an annual special audit report for any contract year in which the actual revenues exceed \$25,000; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (3729) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-3742) Approved, as amended.

OFFICE OF URBAN AFFAIRS

107. MOTION TO ACCEPT nominations for a position on the Housing Finance Authority.

ACTION: (A-3750) Approved.

A. MOTION TO NOMINATE Albert Cohen for re-appointment to the Housing Finance Authority.
(Commissioner Parrish)

ACTION: (A-3750) Approved.

COMMISSION AUDITOR

108. MOTION TO FILE Commission Auditor report entitled Agape Love, Inc. dated March 27, 1996. This report is filed in accordance with Section 1.11(ee) of the Broward County Administrative Code which requires a responsive report on the findings and recommendations within six months. (Deferred from April 16, 1996)

ACTION: (A-3761) Approved.

COUNTY ATTORNEY

109. MOTION TO DIRECT County Attorney's Office to amend Chapter 10½ of the Broward County Code relating to the Broward County Drug, Prostitution, and Youth and Street Gang-Related Nuisance Abatement Board.

ACTION: (A-3823) Approved.

COUNTY ADMINISTRATOR

110. DISCUSSION: Status of the arena.

A. MOTION TO APPROVE first amendment to binding letter of intent between The Florida Panthers Hockey Club, Inc., and Broward County, Florida.

ACTION: (A-3840) Approved.

B. MOTION TO ADOPT Resolution providing that the county will consider appropriation of the county's total share of arena profits and professional sports facilities tourist taxes in excess of 8 million dollars in future years for tourist industry related expenditures.

ACTION: (A-3840) Deferred to May 21, 1996.

INTERGOVERNMENTAL AFFAIRS

111. DISCUSSION: Legislative items.

ACTION: (A-4214) Norman Ostrau, Acting Director, Office of Governmental Affairs, advised that (1) Sovereign Immunity bill was not passed in the Legislature; and (2) The implementation of the Presumption of Correctness bill starts in 1997 which will be a three year study with sunset in the year 2000.

SUPPLEMENTAL AGENDA

BOARD APPOINTMENTS

112. MOTION TO APPROVE the re-appointment of Mr. Brian Leary to serve on the Broward County Marine Advisory Board.

ACTION: (A-1050) Approved. (Included in Consent Agenda).

COUNTY COMMISSION

113. DISCUSSION: Dr. Robert Levy, City Manager of the city of Wilton Manors, has requested to be put on the supplemental agenda at this meeting regarding rehabilitation of Bridge No. 864034, NE 6th Avenue over North Middle River (C-13 Canal).

ACTION: (A-1040) Withdrawn.

REASON FOR SUPPLEMENTAL: Requested by Commissioner Rodstrom.

114. COMMISSIONERS ABSENT: The Chair advised that Commissioner Hart is out of town, and Commissioner Poitier is attending a funeral in Ocala, so they will not be present at today's meeting

ACTION: (A-35) No board action necessary.

115. PROCLAMATION: Commissioner Gunzburger read into the record a proclamation designating the week of May 6 through 12, 1996 as CORRECTIONAL OFFICERS WEEK in Broward County.

ACTION: (A-40) Sheriff Ron Cochran accepted and thanked the Commission for the proclamation. He presented a few of the correctional officers present who he asked to stand and be recognized. Susan McCampbell, Director of Department of Corrections and Rehabilitation in the Broward Sheriff's office also appeared with Sheriff Cochran and was recognized.

116. PROCLAMATION: Commissioner Parrish read into the record a proclamation designating the week of May 6 through 12, 1996 as NURSES WEEK in Broward County.

ACTION: (A-147) Arlene Rohr, R.N. and President of the Florida Nurses Association, District 21; Mickey Horton, ARNP, and Chair of the National Nurses Week Committee; and Kathy Melee, member of the Florida Nurses Association, all accepted and thanked the Commission for the proclamation. Ms. Melee introduced two students from Ely High School, attending the second

graduating class of LPN's at the high school level in one of the first pilot programs at the high school level in the state.

117. PROCLAMATION: Commissioner Thompson read into the record a proclamation designating the week of May 19 through 25, 1996 as PUBLIC WORKS WEEK in Broward County. The Board calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions that public works personnel make every day to our health, safety, comfort, and quality of life.

ACTION: (A-285) Lee Billingsley, Director of Public Works Department, accepted and thanked the Commission for the proclamation on behalf of the 1380 employees of the Public Works Department and in memory of John Touchstone, former Director of Public Works Department who passed away recently.

118. PROCLAMATION: Commissioner Cowan read into the record a proclamation designating May 15, 1996 as PASSENGER APPRECIATION DAY in Broward County.

ACTION: (A-370) Michael Scanlon, Director of Broward County Mass transit Division accepted and thanked the Commission for the proclamation on behalf of the 80,000 daily riders and the 700 men and women of Broward County Transit.

119. PROCLAMATION: Commissioner Gunzburger read into the record a proclamation designating the month of May as BETTER HEARING AND SPEECH MONTH in Broward County; and congratulated United Hearing and Deaf Services, Inc. upon the celebration of its fifteenth anniversary on May 9, 1996.

ACTION: (A-458) Nancy Weintraub, with the United Hearing and Deaf Services introduced three members from their Board of Directors and Clyde Tucker, also with the Services, interpreted the proceedings for those persons present with hearing problems. Ms. Weintraub accepted and thanked the Commission for the proclamation.

120. PROCLAMATION: - Commissioner Rodstrom read into the record a proclamation designating the week of May 18 through 24, 1996, as SAFE BOATING WEEK in Broward County. The Board urges all citizens who use our waterways to take boating education courses and to operate their vessels responsibly.

ACTION: (A-608) Accepting the proclamation were District Commander Kenneth Harding, U.S. Power Squadron Division 3; Staff Officer James L. Malkausky, U.S. Coast Guard Auxiliary; Board Member Edward J. "Ted" Bohne, Marine Industry Association of South Florida; and Phillip C. Allen, Director of Finance & Administrative Services in Broward County.

121. PROCLAMATION: Commissioner Rodstrom read into the record a proclamation declaring the week of May 5 through 11, 1996 as DRINKING WATER WEEK in Broward County and urging residents to participate in programs planned to celebrate this event.

ACTION: (A-735) Willie Horton, Director, Office of Environmental Services Water Supply, accepted and thanked the Commission for the proclamation on behalf of the 540 employees of the Office of Environmental Services and all the utility representatives with Broward County.

122. EMPLOYEE SERVICE RECOGNITION: The County Administrator presented service pins to the following employees in recognition of their years of dedicated service to Broward County government:

For twenty (20) years of service: Rodney Zancanata, Fire Captain with Fire Rescue; Alice Godio, Analyst, Budget & Management Policy; Gennie Pierce, Cook, with Alcohol & Drug Abuse Services; Easter Wilcher, Librarian IV, Libraries Division; Frank Palermo, Bus Operator, Mass Transit; Patricia Jackson, Division Secretary II, Public Works; and Melzar Gibbs, Auto Mechanic II, with Fleet Services; and for twenty five (25) years of service, Lynda Menter, Social Worker II, with Family development & Resource Division.

ACTION: (A-812) Each of the employees accepted and thanked the Commission for the service pins and for the day off of their choice.

123. REQUEST: Commissioner Thompson said that Dr. Ashok Patel had called him and asked whether the Commission would grant reconsideration of Amendment PC-95-37 heard on May 1, 1996 at a Quasi-Judicial hearing which was amended.

ACTION: (A-929) Denied.

124. REQUEST: Commissioner Cowan asked for reconsideration of Amendment PC-96-2 heard on May 1, 1996 at a Quasi-Judicial hearing, which he did not attend due to a family matter, and which was denied because of a lack of four votes in the affirmative.

ACTION: (A-3042) Denied.

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