

MEETING OF MAY 9, 1995

(Meeting convened at 10 a.m. and adjourned at 10:58 a.m.)

PLEDGE OF ALLEGIANCE - Led by Commissioner Thompson

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

1. MOTION TO APPROVE contract for sale and purchase executed by Jack Long in the amount of \$9,000 for the purchase of vacant land located in Carver Ranches Third Addition for a lift station for the Broward County Office of Environmental Services, Project No. 1148-8600, Parcel 3, authorize Chair and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed.

ACTION: (A-525) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

WASTEWATER MANAGEMENT DIVISION

2. MOTION TO ADOPT Resolution 95-390 accepting donation of one (1) Aurora pump (S/N 8-1093-A134) with an approximate value of \$7,000 for use in the Wastewater Management Division.

ACTION: (A-525) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 95-391 authorizing conveyance of a perpetual easement executed by Broward County, donating right-of-way for State Road 7 (U.S. 441) in Section 13, Township 50 South, Range 41 East to the State of Florida Department of Transportation, and authorize the Chair and Clerk to execute and deliver said perpetual easement.

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ACTION: (A-525) Approved.

4. MOTION TO ADOPT Resolution 95-392 accepting a warranty deed executed by Landstar Development Corporation, donating right-of-way for NW 136 Avenue in Section 26, Township 49 South, Range 40 East.

ACTION: (A-525) Approved.

5. MOTION TO APPROVE amendment to the roadway improvement phasing agreement between Broward County and the Institute for Econometric Research, Inc., related to Colonnade Business Center 1 (100-MP-85), and to authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

TRAFFIC ENGINEERING DIVISION

6. MOTION TO APPROVE an amendment to the traffic engineering agreement between the County and the City of Plantation, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

7. MOTION TO APPROVE a confidentiality agreement between Broward County and AWA Traffic Systems America Inc.

ACTION: (A-525) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

8. MOTION TO APPROVE the minutes of the 2 p.m. public hearing of March 21, 1995, the 2 p.m. zoning public hearing of March 28, 1995, the Commission meeting of April 11, 1995, and the 2 p.m. public hearing of April 11, 1995.

ACTION: (A-525) Approved.

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

ACTION: (A-525) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

10. MOTION TO APPROVE sole brand procurement of the listed microcomputer hardware (peripheral equipment) and software (the latter to include desktop operating systems, network operating systems, and various application software products) for the Office of Information Technology.

ACTION: (A-525) Approved.

For Public Works Department

11. MOTION TO APPROVE Work Authorization No. 1 in the amount of \$38,381 for analytical laboratory services to be performed within 180 days in accordance with the agreement between Broward County and Savannah Laboratories, from the Library of Environmental Services, approved by the Board of County Commissioners on August 23, 1994, and to authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

For Human Services Department

12. MOTION TO NOTE FOR THE RECORD the emergency procurement of fixed contract to the low responsive and responsible quote, Item 3, Elite Fire and Safety Equipment (EFSE) and single, responsive and responsible quote, Item 4, Freightliner of South Florida (FSF), for Advanced Life Support vehicles (Quote #C95ALS) in the amount of EFSE \$89,415; FSF \$97,472 for the Fire Rescue Division.

ACTION: (A-525) Approved.

REVENUE COLLECTION DIVISION

13. MOTION TO APPROVE AND EXECUTE satisfaction of claim of liens against Toni S. Porter, Otis Thomas, Sherry Merritt, Sherry Ann Merritt a/k/a Sherry Davis a/k/a Linda Harden, Leondras Reneen Knight, and Anthony Kirk.

ACTION: (A-525) Approved.

RISK MANAGEMENT DIVISION

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14. MOTION TO AUTHORIZE full and final settlement of Claim #89 MT 2343 DN/A in the amount of \$30,000.

ACTION: (A-525) Approved.

15. MOTION TO AUTHORIZE full and final settlement of Claim #SSG/081094CONT in the amount of \$17,831.60.

ACTION: (A-525) Approved.

16. MOTION TO APPROVE agreement between Broward County and North Broward Hospital District for occupational medical programs for a term from March 7, 1994 through March 6, 1997, and authorize up to two one-year extensions if in the best interests of Broward County.

ACTION: (A-525) Approved.

HUMAN SERVICES DEPARTMENT

ALCOHOL & DRUG ABUSE SERVICES DIVISION

17. MOTION TO APPROVE Amendment #1 to the agreement between Broward County and Justin H. May, M.D., P.A. for the Medical Group Services Agreement, extending the term an additional three (3) months through September 30, 1995 and increasing the value of the agreement by \$11,700 from \$46,800 to \$58,500, for physician services for the Alcohol and Drug Abuse Services Division, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

18. MOTION TO APPROVE Amendment #1 to the agreement between Broward County and Manuel Diez, M.D., P.A. for psychiatrist's services agreement, extending the term an additional three (3) months through September 30, 1995 and increasing the value of the agreement by \$4,290 from \$17,160 to \$21,450, for psychiatric consultation services for the clients of the Alcohol and Drug Abuse Services Division, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

19. MOTION TO APPROVE Amendment #1 to the agreement between Broward County and House of Hope, Inc., extending the term an additional three (3) months and increasing the value of the agreement by \$44,250 from \$177,000 to \$221,250, for halfway services for the clients of the Alcohol and Drug Abuse Services Division, and authorize the Chair and Clerk to execute same.

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ACTION: (A-525) Approved.

20. MOTION TO APPROVE Amendment #1 to the agreement between Broward County and Community Service Council of Broward County, Inc., extending the term an additional three (3) months through September 30, 1995 and increasing the value of the agreement by \$40,000 from \$62,750 to \$102,750, for transitional housing for clients of the Alcohol and Drug Abuse Services Division, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

21. MOTION TO APPROVE Amendment #1 to the agreement between Broward County and Early Childhood Development Association of Broward County, Inc., extending the term an additional three (3) months through September 30, 1995 and increasing the value of the agreement by \$22,000 from \$88,000 to \$110,000, for child care services for children of cocaine abusing mothers, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

HEALTH CARE MANAGEMENT DIVISION

22. MOTION TO ADOPT Resolution 95-393 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of \$556.45 from Northeast High School for deposit in the Broward County Phoenix Centre Trust Fund, and authorizing the County Administrator to take all administrative actions to implement same.

ACTION: (A-525) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

23. A. MOTION TO APPROVE Amendment 1 to agreement between Broward County and Florida Atlantic University for student interns for the Broward Cultural Affairs Division; to extend the agreement from June 19, 1994 through June 18, 1995 to June 19, 1994 through June 18, 1996; extend the option to renew from one year to two years; adjust the method of payment from \$1,500 per fifteen week term to \$5.50 per hour and a total not to exceed \$13,640 per year; and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

- B. MOTION TO ADOPT budget Resolution 95-394 transferring within the Cultural Affairs Fund (016) the amount of \$13,640 from the Broward Cultural Affairs Reserve (016-025-7421-9414) for the purpose of funding a paid student intern program.

ACTION: (A-525) Approved.

**DEPARTMENT OF STRATEGIC PLANNING
& GROWTH MANAGEMENT**

COMMUNITY DEVELOPMENT DIVISION

24. MOTION TO APPROVE an agreement between Broward County and the Hallandale Community Development Corporation in the amount of \$6,816 for impact fee assistance regarding construction of six (6) single family homes located in the City of Hallandale, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

25. MOTION TO APPROVE a satisfaction of mortgage on a deferred payment loan in the amount of \$1,150 to George Lee Florence and Marietta Florence, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

26. MOTION TO APPROVE a satisfaction of mortgage on a 0% direct loan in the amount of \$20,830 to Jacqueline LaVerne Ferguson, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

PORT EVERGLADES DEPARTMENT

27. MOTION TO APPROVE the agreement between Port Everglades Pilots' Association and Broward County for participation in ship handling simulation to enhance navigational safety in Port Everglades.

ACTION: (A-525) Approved.

28. MOTION TO APPROVE (A) a consent agreement among Broward County, MMI International Corp., and AT&T Small Business Lending Corporation to allow a security interest in certain furniture, fixtures and equipment to be used as collateral for a loan; and (B) an amendment to lease agreement between Broward County and MMI International Corp. to extend the lease term to facilitate said loan, and authorize the Chair and Clerk to execute same.

ACTION: (A-525) Approved.

**GREATER FORT LAUDERDALE
CONVENTION & VISITORS BUREAU**

29. MOTION TO APPROVE the first amendment to the agreement between Broward County and State of Florida, Department of Commerce, Division of Tourism for lease of office space in Florida House in Toronto, Canada for the period of October 1, 1994 through September 30, 1995.

ACTION: (A-525) Approved.

30. MOTION TO APPROVE an agreement for reimbursable expenses in connection with representation of the Greater Fort Lauderdale Convention & Visitors Bureau in Canada between Broward County and Cheryl Heyd, as representative.

ACTION: (A-525) Approved.

31. MOTION TO ADOPT budget Resolution 95-395 transferring within the Convention Center Reserve Fund 328 the amount of \$150,000 from the Convention Center Reserve, to facilitate payment of the feasibility study regarding expansion of the Convention Center and Hotel site.

ACTION: (A-525) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

32. MOTION TO APPROVE business travel and trips on the approved travel list for county employees in accordance with Administrative Order 105.

ACTION: (A-525) Approved.

33. MOTION TO ADOPT unanticipated revenue Resolution 95-396 within the Law Enforcement Trust Fund in the amount of \$418,635 to provide funding for law enforcement capital purchases for the Broward Sheriff's Office.

ACTION: (A-525) Approved.

COUNTY ATTORNEY

34. MOTION TO APPROVE travel of Assistant County Attorney Anthony C. Musto on August 3-7, 1995 to attend the American Bar Association's annual meeting in Chicago, Illinois.

ACTION: (A-525) Approved.

COMMISSION AUDITOR

35. MOTION TO APPROVE Commission Auditor travel to San Francisco, California June 27, 1995 through July 2, 1995 to attend the annual convention of the Florida Institute of Certified Public Accountants (FICPA).

ACTION: (A-525) Approved.

COUNTY COMMISSION

36. MOTION TO FILE Resolution of the Board of County Commissioners of Osceola County, Florida, proposing an amendment to Article 1, Section 5 of the Constitution of the State of Florida, relating to the right of citizens to assemble and instruct their representatives. (Comm. Gunzburger)

ACTION: (A-525) Approved.

37. MOTION TO FILE Resolution #95-23 of the City of Parkland, Florida, City Commission urging the Florida Legislature to amend F.S. 316.655(6); to require that all surcharges levied on moving violations, pursuant to F.S. 316.655(6), within a municipality be allocated to said municipality in order to enhance municipal local governmental radio communication systems within such municipality; providing for conflicts; providing for severability; providing for an effective date. (Comm. Gunzburger)

ACTION: (A-525) Approved.

38. MOTION TO FILE Resolution by the Condominium Owners Organization of Century Village East, Inc. opposing the proposed penny increase and the sales tax on restaurant meals while supporting a penny increase in the Florida Sales Tax to go for the building of much needed schools. (Comm. Gunzburger)

ACTION: (A-525) Approved.

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39. MOTION TO FILE Resolution #R-95-33 of the City Commission of the City of Oakland Park, Florida, urging the Florida Legislature to amend F.S. 316.655(6); to require that all surcharges levied on moving violations, pursuant to F.S. 316.655(6), within a municipality be allocated to said municipality in order to enhance communication systems within such municipality; providing for severability; providing for conflicts; and providing for an effective date.
(Comm. Gunzburger)

ACTION: (A-525) Approved.

40. MOTION TO FILE Resolution #95-143 of the City of Miramar, Florida, urging the Broward County Delegation to oppose a one (1%) percent restaurant tax for funding a civic center/hockey arena; and directing the City Clerk to transmit copies of this Resolution to the members of the Broward County Delegation and the Board of County Commissioners. (Comm. Gunzburger)

ACTION: (A-525) Approved.

41. MOTION TO FILE Resolution #95-67 of the Board of County Commissioners of St. Johns County, Florida, requesting the passage of appropriate legislation to restore and reopen communication channels between elected officials and their constituents. (Comm. Gunzburger)

ACTION: (A-525) Approved.

BOARD APPOINTMENTS

42. MOTION TO APPROVE appointment of Eliane Lamothe to the Human Rights Board to fill an existing vacancy. (Comm. Parrish)

ACTION: (A-525) Approved.

43. MOTION TO APPROVE the appointment of Mrs. Kay Latona to serve on the Broward County Consumer Protection Board. Ms. Latona will fill a vacant position. (Comm. Rodstrom)

ACTION: (A-525) Approved.

44. MOTION TO APPROVE the appointment of Johnny Clayton Taylor, Jr. to the Human Rights Board. (Comm. Thompson)

ACTION: (A-525) Approved.

REQUEST TO SET PUBLIC HEARING

45. MOTION TO DIRECT the County Administrator to publish a notice of public hearing to be held on Tuesday, June 13, 1995 at 2:00 p.m. in Room 422 of the Governmental Center to consider renewing the franchise of Starfleet, Inc. to provide vessel bunkering services at Port Everglades.

ACTION: (A-525) Approved.

46. MOTION TO ADOPT Resolution 95-397 directing the County Administrator to publish notice of public hearing to be held on Tuesday, June 13, 1995 at 2:00 p.m. to vacate and abandon road right-of-way, lying and being in Broward County, located between SW 31 Avenue and U.S. 441 south of Griffin Road in the City of Hollywood. Petitioner: VST/VMIF Oakridge Partnership (Berry & Calvin, Inc. - Agent) 3-V-94.

ACTION: (A-525) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

47. JAIL UPDATE - Written jail report, reflecting the population at 3,452 for 94 percent of cap, was submitted to the clerk.

ACTION: (A-641) No action taken.

PUBLIC WORKS DEPARTMENT

OFFICE OF TRANSPORTATION

TRAFFIC ENGINEERING DIVISION

48. MOTION TO AUTHORIZE the County Attorney to draft an amendment to the Broward County Code, Section 23-6; providing for the designation of school zone speed limits on streets not necessarily adjacent to schools.

ACTION: (A-643) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

49. MOTION TO ADOPT Resolution 95-398 of the Board of County Commissioners of Broward County, Florida, naming the Parks and Recreation Division Trust Fund as "The Friends of the Parks and Recreation Division"; amending Section 5.38, Broward County Administrative Code, providing authority for the Director of the Parks and Recreation Division to expend trust fund monies following County acceptance and approval of said donations in accordance with the procedures set forth in Section 18.63, Broward County Administrative Code; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-645) Approved.

**GREATER FORT LAUDERDALE
CONVENTION & VISITORS BUREAU**

50. MOTION TO ADOPT Resolution 95-399 of the Board of County Commissioners of Broward County, Florida, amending Chapter 29, Part I of the Broward County Administrative Code; providing for amendments to the collateral materials to be submitted with the applications of funding; providing for amendment to the use of funds for promotional activities; providing for amendment to the activity/project audit for evaluation; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-651) Approved as amended by changing the verbiage of the resolution as reflected above.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-651) Approved as amended per staff's addendum.

OFFICE OF URBAN AFFAIRS

52. A. MOTION TO ADOPT Resolution 95-400 approving the Broward County Joint Local Housing Assistance Plan for Broward County and the cities of Coral Springs, Plantation and Sunrise covering State Fiscal Years 1996, 1997 and 1998; authorizing necessary certifications by the County Administrator and submission of the Plan for review and approval by the Florida Housing Finance Agency as required by the Florida State Housing Initiatives Partnership (SHIP) Act.

ACTION: (A-677) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 95-401 within the Broward County Affordable Housing Assistance Trust Fund in the amount of \$5,272,435 to be used for implementing affordable housing strategies described in the 1996-1998 Joint Local Housing Assistance Plan as required by the State Housing Initiatives Partnership Act.

ACTION: (A-677) Approved.

INTERGOVERNMENTAL AFFAIRS/LEGISLATIVE ISSUES

53. DISCUSSION: Issues before the 1995 Legislature.

- A. MOTION TO AUTHORIZE the Chair to execute a letter requesting amendment to the Federal Tax Code enabling the County to finance the acquisition of Port Everglades, and to authorize staff to take any further action in support of this legislative proposal.

ACTION: (A-947) Approved with modification to the draft letter.

- B. DISCUSSION: County Administrator B. Jack Osterholt commented on a committee substitute for Senate Bill 2506, which dealt with port funding. He requested the commissioners to permit the Chair to sign a letter to the legislature asking to put it on the call.

ACTION: (A-1053) Approved without objection.

- C. INFORMATIONAL: Commissioner Hart advised that administration and intergovernmental staffs worked incredibly hard to try and right a very bad piece of legislation as related to the "Tank Bill Cleanup Work." Staff accomplished half of the goal by not allowing a dirty water bill to become law.

ACTION: (A-1070) No action taken.

- D. DISCUSSION: Commissioner Cowan asked what the legislature had done relative to the "5:15 Bill" and asked if the time could be changed by extraordinary vote of five members. County Administrator B. Jack Osterholt advised the time could be changed, but there is one more set in the que that will have to be done at 5:15 p.m.

ACTION: (A-1099) No action necessary.

- E. DISCUSSION: Commissioner Cowan asked for the status on the Snyder Bill. County Attorney John Copelan Jr. advised that has been done, and staff will be coming to the Board with some recommended procedures.

ACTION: (A-1120) No action necessary.

COUNTY COMMISSION

54. **DISCUSSION:** The Broward County Human Rights Ordinance. (Comm. Rodstrom)

ACTION: (A-631) Deferred until Commissioner Gunzburger returns.

NON AGENDA

55. **PROCLAMATION:** Commissioner Poitier read into the record a proclamation designating the week of May 8 through 12, 1995 as "Skip-A-Meal Week" in Broward County.

ACTION: (A-35) Phil Rosenberg, Director of Human Resource Division accepted the proclamation. John Canada, Director of the Office of Budget and Management Services, distributed donation envelopes and badges.

56. **PROCLAMATION:** Commissioner Parrish read into the record a proclamation urging the Coast Guard to award Cliff Berry II, of Cliff Berry Inc., the "William M. Benkert Award" in the small facility category for excellence in all aspects of marine and environmental protection.

ACTION: (A-111) Mr. Berry accepted the proclamation and thanked the Board for its support.

57. **PROCLAMATION:** Commissioner Thompson read into the record a proclamation designating the week of May 8, 1995 as "Tourism Appreciation Week" in Broward County.

ACTION: (A-207) Mark McDermott, Interim Convention and Visitors Bureau President, accepted the award.

58. **PROCLAMATION:** Commissioner Cowan read into the record a proclamation declaring May 10, 1995 as "Florida Library Appreciation Day" in Broward County.

ACTION: (A-311) Sam Morrison, Director of Libraries Division, and Helen Moeller, President of the Florida Library Association, accepted the proclamation and thanked the Board for its support.

59. PROCLAMATION: Commissioner Rodstrom read into the record a proclamation designating May 13, 1995 a "Sunrise Chamber of Commerce Hall of Fame Day" in Broward County, and naming four inductees into the Sunrise Chamber of Commerce Hall of Fame.

ACTION: (A-422) The following inductees accepted their proclamation: Tillie Rothstein, Harold Carter and Harry Grossman. Barbara Ericksen, Executive Director of the Chamber, accepted the proclamation for Doris Magill, the fourth inductee, who was not present.

60. DISCUSSION: Commissioner Parrish commented on Dave Rush's suggestion that, due to the major expansion at the airport, the commissioners appoint a Blue Ribbon Oversight Committee, who would look at airport expansion of business and meet quarterly to look at the progress.

ACTION: (A-1155) Commissioner Parrish stated that she would bring the topic up again next week.

61. DISCUSSION: Commissioner Thompson commented on the Department of Transportation looking at long range multi-modal systems as it relates to tri-rail on the concept of a western route. He stated there is adequate right-of-way in the Sawgrass Corridor and I-75 to have an alternate route for the western part of Dade, Broward and Palm Beach Counties.

ACTION: (A-1200) No action taken.