

MEETING OF MAY 12, 1992

(Meeting convened at 10:00 a.m. and adjourned at 11:47a.m.)

INVOCATION - The Reverend Thomas Cumming, Plantation Presbyterian Church, gave the invocation.

PLEDGE OF ALLEGIANCE - led by Commissioner Kennedy.

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

I. MOTION TO APPROVE 1) contract for sale and purchase executed by various property owners; 2) additional compensation for property owners and their tenants as required under Federal Procedures for Replacement Housing Payments, moving costs, mortgage interest differentials, and incidental expenses, and 3) lease agreements executed by property owners and/or their tenants; for the Land Acquisition Program at Fort Lauderdale-Hollywood International Airport in accordance with the Master Plan Update and Part 150 Studies, authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF CONSTRUCTION AND GENERAL SERVICES

FACILITIES MANAGEMENT DIVISION

II. MOTION TO AUTHORIZE the Chairman and the Clerk to execute and deliver satisfaction of mortgage for a certain mortgage deed executed by Vincent Sacco and Rita Sacco to Broward County as a property bond in State of Florida vs. Lapidus and Zangla Sacco, Case No. 90-020095CF10A84-2074CF.

ACTION: (A-1360) (10:40 a.m.) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

III. MOTION TO APPROVE and execute satisfactions of claim of liens to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A-1360) (10:40 a.m.) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

IV. MOTION TO ADOPT Resolution 92-915 accepting a temporary construction easement executed by Simantov Reoven and Sarah Reoven, his wife, and Moshe Romas and Ruth Romas, his wife, in the

amount of \$4,500 for Project 4102, McNab Road, Parcel 56ATCE; and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

V. MOTION TO ADOPT Resolution 92-916 accepting a temporary construction easement dedicated to Broward County by John D. Cooper and Ann Cooper, his wife; and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

VI. MOTION TO ADOPT Resolution 92-917 accepting a warranty deed executed by James S. Short and Marcia Short, his wife, donating right-of-way for Dykes Road (Southwest 160 Avenue) and Southwest 54 Place in Section 33, Township 50 South, Range 40 East.

ACTION: (A-1360) (10:40 a.m.) Approved.

VII. MOTION TO ADOPT Resolution 92-918 accepting a landscape easement executed by New Entity donating an easement for landscaping along Southwest 24 Street in Section 17, Township 50 South, Range 41 East.

ACTION: (A-1360) (10:40 a.m.) Approved.

VIII. MOTION TO ADOPT Resolution 92-919 accepting a drainage maintenance easement executed by Excel Hammock Ltd. for drainage maintenance purposes in Section 30, Township 48 South, Range 42 East.

ACTION: (A-1360) (10:40 a.m.) Approved.

TRAFFIC ENGINEERING DIVISION

IX. A. MOTION TO ADOPT a budget resolution 922-920 transferring funds between the County Transportation Trust Fund and the Engineering Capital Project Fund for the Traffic Engineering Division in the amount of \$29,386 for the purpose of reimbursing the Motorpool Fund.

ACTION: (A-1360) (10:40 a.m.) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 92-921 within the Motor Pool Fund (501) for the Equipment Management Division in the amount of \$29,386 for reimbursement from the Engineering Capital Projects Fund (315).

ACTION: (A-1360) (10:40 a.m.) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

X. MOTION TO APPROVE the minutes of the Commission meeting of April 7, 1992.

ACTION: (A-1360) (10:40 a.m.) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

XI. MOTION TO AWARD open-end contracts to Lank Oil Company Inc., low bidder, Groups 3, and 6, and low responsive and responsible bidder, Groups 4, 8, 9, and 10; Radiant Oil Company, low bidder, Groups 1, 2, 5, and 7, in the amount of \$196,706.80 for petroleum products (oils, grease and lubes) (D-01-92-19-12) from May 25, 1992 through December 17, 1992 for various County agencies, and to authorize the Purchasing Director to renew the contract for 2 one-year periods, subject to satisfactory performance, vendor acceptance and determination that renewal is in the best interest of the County.

ACTION: (A-1360) (10:40 a.m.) Approved.

For Public Works Department

XII. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 12 with Kajima International Inc. for the Broward County Judicial Complex - North and East Wings and Connecting Bridges; at an increase of \$5,485 with one additional calendar day for Contract N-08-90-17-OF, changing the contract amount from \$27,344,290.75 to \$27,349,775.75; and the contract time increasing one additional day from 663 days to 664 days; and approval having been given under the emergency provisions of the Broward County Procurement Code; Project: Broward County Judicial Complex - North and East Wings and Connecting Bridges.

ACTION: (A-1360) (10:40 a.m.) Approved.

XIII. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 13 in the amount of \$87,454.09, increasing the contract amount from \$5,410,548.52 to \$5,498,002.61 with a 10 day extension in time for Contract N-05-90-17-OF to S. I. Nicholas Inc. for construction of the West Regional Courthouse; approval for this change order has been given under emergency provisions of the Broward County Procurement Code; Project: West Regional Courthouse.

ACTION: (A-1360) (10:40 a.m.) Approved.

XIV. MOTION TO NOTE FOR THE RECORD Emergency Change Order Nos. 47, 48, and 49 with The Hardaway Company for improvements to Water Treatment Plants 1A and 2A, at an increase in contract amount of \$50,289 from \$27,555,734 to \$27,606,023, with no increase in time for Contract P-10-89-05-OF, approval having been given under the emergency provision of the Broward County Procurement Code; BCOES Projects 8085 and 8092.

ACTION: (A-1360) (10:40 a.m.) Approved.

XV. MOTION TO APPROVE the settlement agreement to the Contract P-09-89-12-OF between Broward County and George Hyman Construction Company for construction of Injection Well Pump Station BP 3, for the NRWTP Expansion to compensate County for deletion of interfacing Generator 3 into the System, liquidated damages and extended consultant fees; contractor to give credit of \$38,600 for pump replacement parts in lieu of a decrease to the contract; contract date of completion to be increased 30 days to commence upon execution of settlement agreement by County; and authorize the Chairman and the Clerk to execute same; BCOES Project 8250.

ACTION: (A-1360) (10:40 a.m.) Approved.

XVI. MOTION TO APPROVE Work Authorization 9 in accordance with the agreement of July 10, 1990, between Broward County and CH2M Hill Southeast Inc., to prepare the required FY '91 Annual Engineering Report, for a guaranteed maximum of \$26,854 and a time period of 60 calendar days, and authorize the Chairman and the Clerk to execute same; BCOES Project 9009.

ACTION: (A-1360) (10:40 a.m.) Approved.

XVII. MOTION TO APPROVE the settlement agreement to the Contract N-12-89-10-OF between Broward County and Project Integration Inc. for construction of Module D Bid Package 6 to resolve all outstanding claims by the contractor in the amount of \$45,000 in addition to the contract price or value, increasing the contract value from \$18,029,081.52 to \$18,074,081.52, with no extension in time; and authorize the Chairman and the Clerk to execute same; BCOES Project 8250.

ACTION: (A-1360) (10:40 a.m.) Approved.

XVIII. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 5 for Contract M-06-90-08-OF with Hardrives Company for an increase of \$13,676.66 and no increase in time which will increase the contract amount from \$3,591,024.17 to \$3,604,700.83, with contract time remaining at 377 calendar days for the construction of Project 5052, Andrews Avenue (North of Northwest 62 Street to Racetrack Road); approval having been given under the emergency provisions of the Broward County Procurement Code.

ACTION: (A-1360) (10:40 a.m.) Approved.

XIX. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 4 with Weekley Asphalt Paving Company Inc., for Broward Boulevard, BCED Project 5072, at an increase of \$14,429.80, changing the contract amount from \$2,594,428.12 to \$2,608,885.92, with no increase in Contract time for Contract P-03-91-14-OF; approval having been given under the emergency provisions of the Broward County Procurement Code.

ACTION: (A-1360) (10:40 a.m.) Approved.

XX. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 3 with Weekley Asphalt Paving, Inc., for Broward Boulevard improvements, BCED Project 5072, at an increase of \$8,979, changing the contract amount from \$2,585,449.12 to \$2,594,428.12 with an increase in contract time of 20 days for Contract P-03-91-14-OF, approval having been given under the emergency provisions of the Broward County Procurement Code.

ACTION: (A-1360) (10:40 a.m.) Approved.

XXI. MOTION TO AWARD fixed contract to the low bidder, Hardrives Inc. in the amount of \$3,137,325.29 for construction of Pine Island Road from Sunrise Boulevard to Oakland Park Boulevard (N-09-91-14-OF) for the Engineering Division subject to receipt and acceptance of insurance/performance and payment guaranty.

ACTION: (A-1360) (10:40 a.m.) Approved.

For Aviation Department

XXII. MOTION TO APPROVE fourth amendment to the agreement between W. R. Frizzell Architects

and Broward County for professional architectural and engineering consulting services related to the additions and alterations to the Commuter Terminal at Fort Lauderdale/Hollywood International Airport to extend the contract time for performance by 400 calendar days, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

XXIII. MOTION TO AWARD fixed contract to low bidder, Community Asphalt Corp. for North Service Road and Runway 13-31 signage improvements, Contract SA-6, (P-02-92-10-OF) for the base bid (less bid Items 28.4, 28.5, and 28.6) in the total base bid amount of \$1,500,726; and Alternate Items 3.7, 3.10, 3.11, 4.4, 5.2, 6.1, 8.1, 28.15, 28.17, 28.4A, 28.5A, and 28.6A in the amount of \$110,045 for a grand total contract amount of \$1,610,771 for the Aviation Department, subject to receipt and acceptance of insurance and performance and payment guarantee, and Florida Department of Transportation approval.

ACTION: (A-1360) (10:40 a.m.) Approved.

RISK MANAGEMENT DIVISION

XXIV. MOTION TO AUTHORIZE full and final settlement of Claim 87AL2228SS in the amount of \$76,000.

ACTION: (A-1360) (10:40 a.m.) Approved.

XXV. MOTION TO FILE notice of claim on David and Elizabeth Doucette.

ACTION: (A-1360) (10:40 a.m.) Approved.

HEALTH AND PUBLIC SAFETY DEPARTMENT

MEDICAL EXAMINER DIVISION

XXVI. MOTION TO ADOPT Resolution 92-922 authorizing the acceptance of used computer equipment; specifically 11 WYSE-50 asynchronous terminals from the Broward County Commission on Alcoholism Inc.; for the specific use and benefit of the Office of the District Medical Examiner.

ACTION: (A-1360) (10:40 a.m.) Approved.

MENTAL HEALTH DIVISION

XXVII. A. MOTION TO ADOPT an unanticipated revenue resolution 92-923 transferring funds within the Grant Fund for Mental Health Division Adult Baker Act in the amount of \$1,680,920 for appropriation of fiscal year 1992 approved funds.

ACTION: (A-1360) (10:40 a.m.) Approved.

B. MOTION TO ADOPT an unanticipated revenue resolution 92-924 transferring funds within the Grant Fund for Mental Health Division Children/Adolescent Program in the amount of \$356,523 for appropriation of fiscal year 1992 approved funds.

ACTION: (A-1360) (10:40 a.m.) Approved.

PUBLIC SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

XXVIII. MOTION TO APPROVE an addendum to a grant application for a cultural facilities grant between the state of Florida Division of Cultural Affairs and Broward County in the amount of \$150,000 (local match is \$340,000), for the purpose of allowing the 1992 application to be considered during the 1993 legislative session establishing the ArtServe project during July 1, 1993 - June 30, 1994 and authorizing necessary budgetary and administrative action for implementation, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

HUMAN SERVICES DIVISION

XXIX. MOTION TO APPROVE an agreement between Broward County and Soref Jewish Community Center, Perlman Family Campus, in the amount of \$14,250 one-time dollars to provide after-school care to Broward elementary age children and not otherwise funded by any other public and private funding source, subject to the terms of this agreement from March 1, 1992 through September 30, 1992, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

XXX. MOTION TO APPROVE an agreement between Broward County and the Housing Authority of the city of Fort Lauderdale in the amount of \$6,227 one-time dollars to provide after-school care to Broward elementary age children at the Suncrest Court who are at risk and whose families are tenants in public housing, not otherwise funded by any other public and private funding source, subject to the terms of this agreement from March 1, 1992 through September 30, 1992, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

XXXI. MOTION TO APPROVE an agreement between Broward County and Kids in Distress Inc., in the amount of \$37,500 one-time dollars for capital enhancement for new Treatment and Living Center (T.L.C.) to purchase furnishings, computers and equipment, subject to the terms of this agreement from March 1, 1992 through September 30, 1992, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

LIBRARIES DIVISION

XXXII. MOTION TO APPROVE a one-year lease contract between Broward County and the city of Lauderhill for operation of the Lauderhill/Mall Library for the period October 1, 1991 through September 30, 1992, at no cost to the County, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

PARKS AND RECREATION DIVISION

XXXIII. MOTION TO ADOPT Resolution 92-925 authorizing the condemnation of four parcels within the Dania Salt Marsh adjacent to the West Lake Preserve in Hollywood and Dania and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1360) (10:40 a.m.) Approved.

OFFICE OF PLANNING

XXXIV. MOTION TO ADOPT an unanticipated revenue resolution 92-926 within the General Fund for the Office of Planning, Transportation Division, in the amount of \$78,933, to plan for the establishment of Traffic Management Actions on Broward Boulevard, and to authorize the necessary administrative and budgetary actions for implementation and authorize the Chairman to do the same.

ACTION: (A-1360) (10:40 a.m.) Approved.

OFFICE OF NATURAL RESOURCE PROTECTION

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

A.City of Hollywood

B.Middle River Townhouses

C.Wal-Mart Stores Inc.

D.Emerald Oaks Condo Association

E.La Centra Trucking

F.Las Olas Development Company

G.Acralast

H.Interior Custom Concepts

I.B & B Auto Machining

J.Mobil Oil Corp.

K.Ken's Quickprint Inc.

L.A C A Management Services

M.BC Office of Environmental Services

N.BC Office of Environmental Services

O.BC Office of Environmental Services

P.BC Office of Environmental Services

Q.Broward Community College

R.City of Hollywood Utilities Dept.

S.Ferncrest Utilities Inc.

T.A. Abbott Plumbing Inc.

U.Highway Oil Inc.

V.Highway Oil Inc.

W.Highway Oil Inc.

ACTION: (A-1360) (10:40 a.m.) Approved.

XXXVI. MOTION TO ADOPT a budget resolution 92-927 transferring \$20,000 within the Beach Erosion Capital Fund, from the Hollywood/Hallandale Beach Renourishment Project Fund to the Port Everglades Inlet Management Plan Fund.

ACTION: (A-1360) (10:40 a.m.) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-1360) (10:40 a.m.) Approved.

COUNTY COMMISSION

XXXVIII. MOTION TO APPROVE travel for Commissioner John P. Hart on May 20, 1992 to Orlando, Florida to participate in an Everglades Ecosystem Restoration Workshop. (Comm. Hart)

ACTION: (A-1360) (10:40 a.m.) Approved.

XXXIX. MOTION TO FILE Resolution No. 92-2 of the Broward County Historical Commission in support of the retention of Collins Elementary School, Dania. (Chairman)

ACTION: (A-1360) (10:40 a.m.) Approved.

BOARD APPOINTMENTS

XL. MOTION TO APPOINT Stephen P. Dexter, W. Anthony Loe, Ruby V. Martin, and Robert Matonte to the Broward Regional EMS Council.

ACTION: (A-1360) (10:40 a.m.) Approved.

XLII. MOTION TO APPROVE appointment of Robert G. David to the Broward County Library Advisory Board. This appointment fills an existing vacancy due to redistricting. (Comm. Hart)

ACTION: (A-1360) (10:40 a.m.) Approved.

XLIII. MOTION TO APPROVE reappointment of Sam Uchello to serve as a member of the Tourist Development Council. Mr. Uchello's present term expires on May 5, 1992 and this new four-year appointment will expire on May 26, 1996. (Comm. Thompson)

ACTION: (A-1360) (10:40 a.m.) Approved.

REQUEST TO SET FOR PUBLIC HEARING

XLIV. MOTION TO APPROVE the County Administrator to publish notice of public hearing to be held on Tuesday, June 9, 1992 at 2 p.m., in Room 422, 115 South Andrews Avenue, Governmental Center, to consider award or denial of a license (renewal) to provide Nonemergency Medical Transportation Services (NEMTS) to Robert J. Siedlecki, d/b/a Nonemergency Medical Transportation Service; and, to Latin Cab Corp. d/b/a Medi-Wheels Systems; to consider the award or denial of a Certificate of Public Convenience and Necessity (renewal) to provide Advanced Life Support (ALS) rescue services to Broward County Emergency Services Division; the cities of Deerfield Beach, Hallandale, Hollywood, Miramar, Pembroke Pines and Pompano Beach; and, to consider the award or denial of a Certificate of Public Convenience and Necessity (renewal) to provide Advanced Life Support (ALS) transfer services to American Ambulance Service Inc.

ACTION: (A-1360) (10:40 a.m.) Approved.

XLV. MOTION TO ADOPT Resolution 92-928 directing the County Administrator to publish notice of public hearing to be held on Tuesday, June 9, 1992 at 2 p.m., to vacate and abandon road rights-of-way, lying and being in Broward County, Florida, located south of Sunrise Boulevard on Northwest 136 Avenue and on Northwest Eighth Street in the city of Plantation; Petitioner: Landstar Development Corporation (Robert H. Miller, Agent) 6-V-92.

ACTION: (A-1360) (10:40 a.m.) Approved.

XLVI. MOTION TO ADOPT Resolution 92-929 directing the County Administrator to publish notice of public hearing to be held on Tuesday, June 9, 1992, and Tuesday, June 23, 1992, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; ESTABLISHING SECTION 27-340, "TREE PRESERVATION," OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR PRESERVATION OF TREES; PROVIDING FOR PREFERENCE FOR PRESERVATION OVER RELOCATION, RELOCATION OVER REPLACEMENT, AND REPLACEMENT OVER PAYMENT INTO THE TREE PRESERVATION TRUST FUND; PROVIDING FOR PROHIBITIONS; PROVIDING FOR TREE REMOVAL LICENSES; PROVIDING FOR TREE RELOCATION AND REPLACEMENT CRITERIA; PROVIDING FOR LICENSE CONDITIONS; PROVIDING FOR MAINTENANCE AND MONITORING; PROVIDING FOR PAYMENT CRITERIA; PROVIDING FOR SPECIAL STATUS CATEGORY TREES; PROVIDING FOR BOND REQUIREMENTS; PROVIDING FOR

HISTORICAL TREES; PROVIDING FOR PROTECTION FROM CONSTRUCTION WORK; PROVIDING FOR EXEMPTIONS; PROVIDING FOR THE TREE PRESERVATION TRUST ACCOUNT; PROVIDING FOR MUNICIPAL TREE PRESERVATION PROGRAMS; PROVIDING FOR VIOLATIONS; PROVIDING FOR MITIGATION; PROVIDING FOR TREES REQUIRED FOR REPLACEMENT; PROVIDING FOR THE REPEAL OF CERTAIN SECTIONS OF CHAPTER 33 1/2 OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR THE TRANSFER OF FUNDS FROM THE CHAPTER 33 1/2 TREE PRESERVATION ACCOUNT TO THE CHAPTER 27-340(P) TREE PRESERVATION TRUST ACCOUNT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (91-402)

(Sponsored by the Board of County Commissioners)

ACTION: (A-1360) (10:40 a.m.) Approved.

XLVI. MOTION TO ADOPT Resolution 92-930 directing the County Administrator to publish notice of public hearing to be held on Tuesday, June 9, 1992, and Tuesday, June 23, 1992, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39, THE BROWARD COUNTY ZONING CODE; AMENDING SECTION 39-128, ARTICLE VIII, "DEFINITIONS," TO CREATE A DEFINITION OF "MOORING PILING"; AMENDING SECTION 39-159, "DOCKS AND WHARVES," TO CHANGE THE TERM "DOLPHIN POLE" TO MOORING PILING" TO CREATE A SETBACK FROM PROPERTY LINES FOR VESSELS; AMENDING SECTION 39-160, ARTICLE IX, "GENERAL PROVISIONS, GROINS AND BREAKWATERS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (92-413)

(Sponsored by the Board of County Commissioners)

ACTION: (A-1360) (10:40 a.m.) Approved.

XLVII. MOTION TO ADOPT Resolution 92-931 directing the County Administrator to publish notice of public hearing to be held on Tuesday, June 9, 1992, and Tuesday, June 23, 1992, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES; DEFINING CERTAIN ADULT-ORIENTED USES AS "DESIGNATED USES"; DECLARING THE PURPOSE OF THE ORDINANCE TO PREVENT THE DELETERIOUS EFFECTS OF DESIGNATED USES ON SURROUNDING PROPERTIES; PROVIDING DEFINITIONS OF VARIOUS TERMS RELATING TO DESIGNATED USES; ESTABLISHING A MINIMUM DISTANCE BETWEEN DESIGNATED USES, AND BETWEEN DESIGNATED USES AND RESIDENTIALLY ZONED AREAS, CHURCHES, SCHOOLS, DAY CARE CENTERS AND NURSERIES; ESTABLISHING, FOR THE PURPOSE OF THIS ORDINANCE, THE METHOD OF MEASURING DISTANCES; ESTABLISHING THE APPLICABILITY OF THIS ORDINANCE; REQUIRING NONCONFORMING DESIGNATED USES TO BE REMOVED OR DISCONTINUED WITHIN A SPECIFIED TIME AFTER THE EFFECTIVE DATE; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE; PROVIDING FOR PENALTIES; REPEALING ORDINANCE NOS. 77-48, 78-33 AND 85-17 AND PROVIDING FOR REPEAL OF CONFLICT

ING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (92-414)

(Sponsored by the Board of County Commissioners)

ACTION: (A-1360) (10:40 a.m.) Approved.

REGULAR AGENDA

10 A.M. PUBLIC HEARING

INDUSTRIAL DEVELOPMENT REVENUE BONDS

XLVIII. A.MOTION TO CONDUCT public hearing on the proposed issuance of Broward County Industrial Development Revenue Refunding Bonds, Series 1992 (Allied-Signal Inc. Project) in an amount not to exceed \$1,000,000.

ACTION: (A-1370) (10:40 a.m.) Approved.

B.MOTION TO ADOPT Resolution 92-932 of the Board of County Commissioners of Broward County, Florida expressing its intent pursuant to the requirements of Section 147(F) of the Internal Revenue Code of 1986 to issue \$1,000,000 of its Variable Fixed Rate Demand Industrial Development Revenue Funding Bonds, Series 1992 (Allied-Signal Inc. Project) to refund certain outstanding bonds of the County subject to certain conditions, providing certain other details with respect thereto; and providing for an effective date.

ACTION: (A-1370) (10:40 a.m.) Approved.

END OF PUBLIC HEARING

COUNTY ADMINISTRATOR'S REPORT

XLIX. JAIL UPDATE Administration submitted a master control recap reflecting the respective number of inmates from May 12, 1992. County Administrator B. Jack Osterholt reported that we are under the cap and have remained to be under all week.

ACTION: (A-1388) (10:40 a.m.) For informational purposes.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

L. A.MOTION TO ADOPT Resolution 92-933 establishing a policy which supports the development and implementation of programs and practices which, to the extent practicable, promote the beneficial use of municipal wastewater sludges (biosolids) in a cost effective and environmentally sound manner.

ACTION: (A-1401) (10:40 a.m.) Approved.

B.MOTION TO DIRECT staff to consider for future implementation only those sludge (biosolids) management options which, to the extent practicable, promote the beneficial use of sludge produced by

the North Regional Wastewater Treatment Plant.

ACTION: (A-1401) (10:40 a.m.) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

LI. MOTION TO APPROVE second amendment to agreement for furnishing solid waste collection services in unincorporated Broward County Districts 1, 2, 3, 4, 5, 6, 7, and 8 between Broward County and Waste Management Inc. of Florida, County Sanitation Inc., Browning Ferris Industries of Florida Inc. All Service Refuse Company Inc., Superior Sanitation Inc., A. J. Panzarella Company Inc., County Waste of Broward Inc. and Industrial Waste Service Inc., and authorize the Chairman and the Clerk to execute same.

ACTION: (A-1411) (10:41 a.m.) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PERSONNEL DIVISION

LII. MOTION TO DIRECT the County Attorney to draft an amendment to Chapter 26 of the Code of Ordinances in order to accomplish the integration of most grant employees into the classified civil service.

ACTION: (A-1911) (10:56 a.m.) Approved.

LIII. A. MOTION TO APPROVE collective bargaining agreement between Broward County and the Amalgamated Transit Union (ATU) Local 1591.

ACTION: (A-1918) (10:56 a.m.) Approved.

B. MOTION TO AUTHORIZE the Chairman to sign on behalf of the County.

ACTION: (A-1918) (10:56 a.m.) Approved.

HEALTH AND PUBLIC SAFETY DEPARTMENT

EMERGENCY SERVICES DIVISION

LIV. A. MOTION TO FILE Resolution 92-1 of the Broward Regional Emergency Medical Services Council recommending to the Broward County Commission that Section 23.9(f), Broward County Administrative Code relating to advertising of Nonemergency Medical Transportation Service providers be amended.

ACTION: (A-2241) (11:06 a.m.) Approved.

B. MOTION TO ADOPT Resolution amending Section 23.9(f) Broward County Administrative Code to prohibit Nonemergency Medical Transportation Service providers from advertising in telephone directories under the heading of "ambulance".

ACTION: (A-2251) (11:06 a.m.) Rejected.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-2330) (11:10 a.m.) Approved with addendum.

LVI. A. MOTION TO APPROVE budgetary concept to allocate additional revenues within the Criminal Justice Trust Fund.

ACTION: (A-2431) (11:14 a.m.) Withdrawn at staff's request.

B. MOTION TO ADOPT an unanticipated revenue resolution within the Special Revenue Fund in the amount of \$129,575 for operating costs.

ACTION: (A-2431) (11:14 a.m.) Withdrawn at staff's request.

C. MOTION TO ADOPT an unanticipated revenue resolution within the General Fund in the amount of \$129,575 for operating costs.

ACTION: (A-2431) (11:14 a.m.) Withdrawn at staff's request.

COUNTY COMMISSION

LVII. MOTION TO APPOINT an elected official to the Tourist Development Council for a four-year term effective May 27, 1992. (Comm. Grossman)

ACTION: (A-2441) (11:14 a.m.) Approved with the following:

Mr. William H. Bodenhamer Jr. (reappointed by

Commissioner Poitier)

Mr. George Zinkler Jr., owner and operator of the

Bavarian Village Restaurant and Martha's Restaurant,

city of Hollywood, replaces Mr. Doug Donn (appointed by

Commissioner Grossman).

Commissioner Guy Roper, Hollywood municipal district,

(reappointed by Commissioner Kennedy)

Mr. Sam Uchello (reappointed by Commissioner Thompson).

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

LVIII. DISCUSSION: Performing Arts Center Authority. Commissioner Cowan advised that the city of Fort Lauderdale requested three seats on the new Performing Arts Center Authority Board.

ACTION: (A-2601) (11:17 a.m.) The Board felt that the city of Fort Lauderdale retain one seat with no additional financial obligation. The Board suggested that the city's two other seats go to the Broward Performing Arts Foundation, Inc. as they are financially committed to increase additional funds.

Commissioner Cowan advised that the Broward Performing Arts Foundation's appointment will be Mr. Joe Amaturio, and the School Board requested that their recommendation for an appointee be placed on next week's agenda.

LIX. DISCUSSION: Revision to the Florida Constitution, Article VII, Section 9, proposed by the Taxation and Budget Reform Commission. (Comm. Kennedy)

ACTION: (A-3347) (11:40 a.m.) The Board opposed the levying of the one cent sales tax by referendum and requested that County Administrator B. Jack Osterholt and County Attorney John J. Copelan Jr. review the Florida Statutes.

LX. DISCUSSION: Renaming Washington Park in unincorporated Fort Lauderdale for the late civic activist, Lafayette Hart. (Comm. Poitier)

ACTION: (A-3681) (11:45 a.m.) Approved and requested that the County Attorney's Office draft a resolution for next week's agenda.

COUNTY ATTORNEY

LXI. MOTION TO RATIFY County Attorney's selection of the firm Squires, Sanders & Dempsey to act as special legal counsel to Broward County in defending a bankruptcy preference action filed in the state of New York by the trustee for Eastern Airlines.

ACTION: (A-3720) (11:46 a.m.) Approved.

OFFICE OF PLANNING

LXII. MOTION TO APPROVE mitigation agreement for compliance with Environmental Impact Report for Pujara Commercial Center I (128-MP-89) and Pujara Commercial Center II (131-MP-89). (Comm. Hart)

ACTION: (A-3325) (11:40 a.m.) Approved subject to staff's recommendations.

HEALTH AND PUBLIC SAFETY DEPARTMENT

SEXUAL ASSAULT TREATMENT DIVISION

LXIII. MOTION TO APPROVE agreement between Broward County and Sharon A. Cusano, A.R.N.P. for child and adult sexual assault medical/legal examinations from date of execution through September 30, 1993, and authorize the Chairman and the Clerk to execute same.

REASON FOR SUPPLEMENTAL AGENDA: Action is necessary for immediate services provision.

ACTION: (A-3743) (11:47 a.m.) Withdrawn at staff's request.

NON AGENDA

LXIV. PROCLAMATION The Chairman submitted for the record the following proclamations:

"Dr. Abraham S. Fischler" on his leadership in education, his outstanding community contributions and individual achievements.

"Small Business Week" - May 11 through 15, 1992 recognizing and saluting our small businesses for the contributions they have made to our county in making it a better place in which to live, work, and raise a family.

"Shirley Caesar Weekend" - May 9 and 10, 1992 recognizing her notable roles as a singer, pastor, evangelist, devoted spouse, businesswoman, humanitarian, and civic leader.

ACTION: (A-280) (10:06 a.m.) The proclamations were presented to the appropriate parties.

LXV. PROCLAMATION Commissioner Grossman read into the record a proclamation designating Tuesday, May 12, 1992 as "Paramedics and Fire Fighters' Day". The Board acknowledged the devotion and spirit exhibited by the county's Emergency Medical Services Paramedics and the fire fighters.

ACTION: (A-300) (10:08 a.m.) Messrs. George H. Danz, Emergency Services Division director; and James Innes, battalion chief, accepted the proclamation and thanked the Board. Mr. Danz recognized the hospital and ambulance personnel, the despatchers and citizens who are trained in Cardiopulmonary Resuscitation and first aid.

LXVI. PLAQUE On behalf of the Board, the Chairman presented a plaque to Mr. Ernest A. Siegrist, Purchasing Division, recognizing his outstanding efforts and selfless dedication in converting the 140,000 State of Florida commodity codes to the county's system and teaching and coordinating the Local Government Financial System. The Board additionally honored Mr. Siegrist's departure from county government.

ACTION: (A-440) (10:10 a.m.) Mr. Siegrist accepted the plaque and thanked the Board for this honor.

LXVII. PROCLAMATION Commissioner Parrish read into the record a proclamation designating Wednesday, May 13, 1992 as "Transit Appreciation Day". The Board called upon all citizens to examine their personal travel choices and become more active in education and advocacy efforts to promote the vital role of transit in Broward County and across the United States.

ACTION: (A-600) (10:15 a.m.) Mr. Ed Weiner, president of Broward's Coalition of Transit NOW, accepted the proclamation and thanked the Board.

LXVIII. PROCLAMATION AND PLAQUE Commissioner Parrish read into the record a proclamation congratulating "Robert Simmons" as the 1992 recipient of the Bus Operator of the Year Award. On behalf of the Board, Commissioner Parrish presented a plaque to Mr. Simmons. The Board extended its thanks and appreciation to Mr. Simmons for his many years of outstanding service and contributions to the people of Broward County.

ACTION: (A-736) (10:18 a.m.) Mr. Joel Volinski, Mass Transit Division director, recognized the dependable drivers performing a professional service each day placing the passengers' interests above their own.

Mr. Simmons accepted the proclamation and the plaque and thanked the Board.

LXIX. PROCLAMATION Commissioner Kennedy read into the record a proclamation designating May 13, 1992 as "Florida Operation Lifesaver Awareness Day". The Board encouraged all citizens to participate in observances and activities designed to reduce highway/rail grade crossing crashes.

ACTION: (A-823) (10:22 a.m.) Mr. Dick Mishefske, chief of security, Tri-Rail Commuter Rail Authority, accepted the proclamation and thanked the Board.

LXX. PROCLAMATION Commissioner Cowan read into the record a proclamation designating the week of May 18 through 22, 1992 as "Watt Watcher Week" and May 20, 1992 as "Watt Watcher Day". The Board encouraged all citizens to take this opportunity to learn more about new technologies to serve our national resources.

ACTION: (A-882) (10:24 a.m.) Messrs. Phil Rosenberg, Personnel Division director and James L. Flood, Construction and General Services director, accepted the proclamation and thanked the Board. Mr. Flood recognized several people from the Lead V class who contributed in raising the public's awareness about energy conservation techniques.

The Chair acknowledged the county's Environmental Protection Agency Green Lights Program for October 1992.

LXXI. PROCLAMATION Commissioner Thompson read into the record a proclamation designating the May 17 through May 23, 1992 as "National Public Works Week". The Board called upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works make every day to our health, safety, comfort and quality of life.

ACTION: (A-902) (10:25 a.m.) The proclamation was accepted by Ms. Nora Purcell, Public Works Department. Mr. Ray Carson, Public Works Department director, introduced several people who are responsible for being involved in the efficient operation of the public works system and programs.

LXXII. PROCLAMATION Commissioner Poitier read into the record a proclamation designating Saturday, May 16, 1992 to be "Great Strides to Cure Cystic Fibrosis Day". The Board urged all county employees and residents to participate in this most worth cause to help cure Cystic Fibrosis.

ACTION: (A-1115) (10:32 a.m.) Mr. Mike Garland, Cystic Fibrosis Foundation, accepted the proclamation and thanked the Board.

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