

MEETING OF MAY 30, 1995

(The meeting convened at 10:11 a.m. and adjourned at 11:30 a.m.)

PLEDGE OF ALLEGIANCE - led by County Administrator B. Jack Osterholt.

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. A. MOTION TO ADOPT Resolution 95-437 authorizing acceptance and execution of a Joint Participation Agreement between Broward County and the Florida Department of Transportation, WPI No. 4820242 in the amount of \$1,500,000 (state's share) for terminal roadway improvements at the Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Approved.

B. MOTION TO ADOPT unanticipated budget resolution 95-438 within the Aviation Fund for the Aviation Department in the amount of \$1,500,000 for terminal roadway improvements at the Fort Lauderdale-Hollywood International Airport.

ACTION: (A-625) Approved.

2. MOTION TO APPROVE a second amendment to the agreement between Broward County Board of County Commissioners and the Sheriff of Broward County for law enforcement services at Fort Lauderdale-Hollywood International Airport, in a maximum amount not to exceed \$4,559,106.30 for the period of October 1, 1994 through September 30, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Approved.

3. MOTION TO APPROVE a consent to an assignment between National Car Rental System Inc. and NCR Acquisition Corporation at the Fort Lauderdale-Hollywood International Airport for the following agreements: (1) lease agreement dated July 9, 1985 for 4.73 acres and (2) rental car concession agreement dated July 10, 1990, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

4. MOTION TO ADOPT Resolution 95-439 accepting lease for Libraries Division, 1856 West Hillsboro Boulevard, Deerfield Beach, Florida; 6,182 square feet at an average of \$13.50 per sq. ft. for first year, four months at \$3,410 and eight months at \$6,954.75; Landlord: Plaza Investments Inc., a

Florida corporation; Term of Lease: October 1, 1995 through September 30, 1998; and authorize the Chair and Clerk to execute lease.

ACTION: (A-625) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

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

ACTION: (A-625) Approved.

ENVIRONMENTAL ENGINEERING DIVISION

6. MOTION TO APPROVE a developer's agreement between the county and E. Gordon and Associates, providing for utility installations by the developer with an estimated installation cost of \$4,200 to furnish water and wastewater service to a coin-operated laundry located at 2901 Northwest 19 Street, Fort Lauderdale; providing for reimbursement to the developer in an amount not to exceed \$46,000 for installation of certain water and sewer lines; and providing for payment of capital recovery charges and other fees and charges over a three-year period; and authorize the Chair and Clerk to execute same. BCOES Project 8634.

ACTION: (A-625) Approved.

OFFICE OF GENERAL SERVICES

EQUIPMENT MANAGEMENT DIVISION

7. MOTION TO ADOPT Resolution 95-440 transferring a 1995 Ford F150 Supercab pickup truck, Vehicle No. 1FTEX15N6SKA27030 from the Broward County Sheriff's Office (BSO) to the Broward County Solid Waste Operations Division.

ACTION: (A-625) Approved.

OFFICE OF TRANSPORTATION

8. **MOTION TO APPROVE** an amendment to the interlocal agreement between Broward County and the following municipalities: Coconut Creek, Cooper City, Coral Springs, Dania, Davie, Deerfield Beach, Hillsboro Beach, Lauderdale by the Sea, Lauderdale Lakes, Lighthouse Point, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Pines, Pompano Beach, Sea Ranch Lakes, Sunrise, and Wilton Manors, providing for division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Approved with addendum to include the city of Pembroke Park.

9. **MOTION TO APPROVE** the twelfth amendment to the interlocal agreement between Broward County and the following municipalities: Coconut Creek, Cooper City, Coral Springs, Dania, Davie, Deerfield Beach, Fort Lauderdale, Hillsboro Beach, Lauderdale by the Sea, Lauderdale Lakes, Lighthouse Point, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Pines, Pompano Beach, Sea Ranch Lakes, Sunrise, and Wilton Manors, providing for division and distribution of the proceeds of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Approved with addendum to include the city of Pembroke Park.

ENGINEERING DIVISION

10. A. **MOTION TO ADOPT** Resolution 95-441 accepting a sidewalk easement executed by Hamilton C. Forman and Miles Austin Forman, donating right-of-way for Davie Road in Section 23, Township 50 South, Range 41 East.

ACTION: (A-625) Approved.

- B. **MOTION TO ADOPT** Resolution 95-442 accepting a sidewalk easement executed by Palm Trace Landings, Limited, donating right-of-way for Davie Road in Section 23, Township 50 South, Range 41 East.

ACTION: (A-625) Approved.

11. MOTION TO ADOPT Resolution 95-443 accepting an easement deed executed by Arvida/JMB Partners, donating right-of-way for Arvida Parkway in Section 35, Township 49 South, Range 39 East and Section 2, Township 50 South, Range 39 East.

ACTION: (A-625) Approved.

12. MOTION TO ADOPT Resolution 95-444 accepting a drainage easement executed by Florida National Properties Inc., donating right-of-way for Coral Ridge Drive in Section 5, Township 48 South, Range 41 East.

ACTION: (A-625) Approved.

STREETS AND HIGHWAYS DIVISION

13. MOTION TO ADOPT budget resolution 95-445 transferring funds within the Engineering Capital Outlay Fund in the amount of \$250,000 from the future Capital Outlay Reserve (Fund 315) to the Streets and Highways Division for the purpose of funding required construction and road maintenance equipment.

ACTION: (A-625) Approved.

14. MOTION TO ADOPT budget resolution 95-446 transferring funds within the Engineering Capital Outlay Fund in the amount of \$600,000 from the future Capital Outlay Reserve (Fund 315) for the purpose of funding the Streets and Highways Project 95-05, "Rehabilitation of the Bridge Controllers on the 3 Avenue and 4/7 Avenue Bridges over New River."

ACTION: (A-625) Approved.

15. MOTION TO ADOPT unanticipated revenue resolution 95-447 within the County Transportation Trust Fund, Office of Transportation, Streets and Highways Division (Fund 101) in the amount of \$18,000, to be used for the purchase of road maintenance equipment for the Streets and Highways Division.

ACTION: (A-625) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

16. MOTION TO FILE an Annual Audit Report and Financial Report for Units of Local Government for certain independent Districts for the year ended September 30, 1994 as follows:

- A. Indian Trace Community Development District
- B. Florida Inland Navigation District
- C. North Springs Improvement District
- D. Turtle Run Community Development District
- E. Sunshine Water Control District
- F. Pine Tree Water Control District
- G. Coral Bay Community Development District
- H. North Lauderdale Water Control District
- I. Coral Springs Improvement District
- J. North Broward Hospital District
- K. West Lauderdale Water Control District
- L. West Lake Community Development District - Report for Units of Local Government only.

ACTION: (A-625) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

17. MOTION TO APPROVE the renewal of a comprehensive property insurance for Broward County, inclusive of the Airport and Port Everglades with Schwab & Company for a total premium of \$5,093,223.80. The contract period shall be June 8, 1995 through June 8, 1996 with option to renew the contract for one (1) year.

ACTION: (A-625) Approved.

For Public Works Department

18. MOTION TO ADD the following qualified bidders: B & A Cleaning Service, Grace Family Lawn Service, L.J. Development and Engineering, Radcliffe Maintenance, and Clifton Hugger, contingent upon receipt and approval of current requisite insurance to Contract N-05-94-28-12, for lot clearing services for various locations in Broward County for the Office of Integrated Waste Management.

ACTION: (A-625) Approved.

19. MOTION TO AWARD a fixed contract to the sole source bidder Farber Specialty Vehicles for Bookmobile (Bid C-11-94-14-OF) in the amount of \$109,900 for the Equipment Management Division.

ACTION: (A-625) Approved.

RISK MANAGEMENT DIVISION

20. **MOTION TO AUTHORIZE** full and final settlement of Workers' Compensation Claim #88 WC 0461 MR/WL in the amount of \$30,000.

ACTION: (A-625) Approved.

HUMAN SERVICES DEPARTMENT

HEALTH CARE MANAGEMENT

21. **MOTION TO ADOPT** Resolution 95-448 of the Board of County Commissioners of Broward County, Florida, approving Fiscal Year 1995 Ryan White C.A.R.E. Act Supplemental funding for not-for-profit and for-profit health or social service organizations or governmental entities; approving the contract shell form; authorizing the County Administrator to execute the appropriate contract for each approved organization; providing for severability; and providing for an effective date.

ACTION: (A-625) Approved.

22. **MOTION TO ADOPT** Resolution 95-449 of the Board of County Commissioners of Broward County, Florida, approving funding for not-for-profit social service organizations or governmental entities through Housing Opportunities for Persons With AIDS Grant funds; approving the non-profit contract shell form; authorizing the County Administrator to execute the appropriate contract for each organization; providing for severability; and providing for an effective date.

ACTION: (A-625) Approved reflecting the deletion of the first sentence under Article IX, 9.1.

23. **MOTION TO ADOPT** budget resolution 95-450 transferring funds within the General Fund in the amount of \$40,000 from the Commission Reserve funds to provide comprehensive health care services funding.

ACTION: (A-625) Approved.

TRAUMA MANAGEMENT AGENCY

24. MOTION TO APPROVE an agreement between Broward County and the city of Lauderdale Lakes through June 30, 1995 in the amount of \$9,378.75 for the purpose of purchasing handheld, pen-based computers and associated software, enhancements and training, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

25. MOTION TO APPROVE interlocal agreement between Broward County and the University of Florida in the amount of \$320,000 to provide professional services for supplementing and supplying implementation strategies for resource management plans for Environmentally Sensitive Lands (ESL) for three years from the date of execution, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Withdrawn at staff's request for further review.

26. MOTION TO ADOPT Resolution 95-451 of the Board of County Commissioners of Broward County, Florida for grant assistance under the Florida Inland Navigation District (FIND) Waterways Assistance Program for the West Lake Park Environmental Education Tour Boats Project in the amount of \$173,344, and authorize the County Administrator to take the necessary administrative and budgetary action to execute the grant. (No county monies required.)

ACTION: (A-625) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

27. MOTION TO ACCEPT a restrictive covenant from Home Depot, U.S.A. Inc. over approximately 2.67 acres of real property in Broward County, Florida.

ACTION: (A-625) Approved.

28. MOTION TO ACCEPT a conservation easement from Engle Homes/Pembroke Inc. over approximately 39.41 acres of real property in Broward County, Florida.

ACTION: (A-625) Approved.

29. MOTION TO ACCEPT four (4) conservation easements as detailed below:

- A. from Oriole Homes Corp. over approximately 4.36 acres of real property;
- B. from B.G.L., Ltd. over approximately 3.795 acres of real property;
- C. from the city of Miramar over approximately 15.62 acres of real property; and

D. from Regency Lakes over approximately 8.154 acres of real property.

ACTION: (A-625) Approved.

**DEPARTMENT OF STRATEGIC PLANNING
AND GROWTH MANAGEMENT**

COMPREHENSIVE AND NEIGHBORHOOD PLANNING DIVISION

30. MOTION TO APPROVE an agreement between Broward County and Florida Atlantic University to provide placement of a student intern to assist the Comprehensive and Neighborhood Planning Division with neighborhood projects.

ACTION: (A-625) Approved.

PORT EVERGLADES DEPARTMENT

31. MOTION TO APPROVE Port Everglades' car rental service business permit between Broward County, Florida, and Enterprise Leasing Company d/b/a Enterprise Rent-A-Car, effective for the calendar year 1995, with an expiration of December 31, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-625) Approved.

32. MOTION TO APPROVE a temporary easement granted to Florida Power & Light Corporation for the construction, operation and maintenance of overhead and underground electric utility facilities within the Midport Cargo Yard at Port Everglades.

ACTION: (A-625) Approved.

33. MOTION TO ADOPT budget resolution 95-452 transferring within the Port Everglades Department Fund the amount of \$750,000 to fund two gantry crane mechanics contractors for the balance of the fiscal year from Port Everglades Department's Reserve for Fund Balance.

ACTION: (A-625) Approved.

34. A. MOTION TO APPROVE the setting of a Change Order allowance of 10 percent of the original contract amount of \$2,627,400 or \$262,740 for Contract No. 553-04 with AFCO Constructors Inc. for Terminal No. 2 improvements; awarded by the Port Everglades Authority on November 3, 1994.

ACTION: (A-625) Approved.

- B. MOTION TO ADOPT budget resolution 95-453 transferring within the Port Everglades Capital Fund (471) the amount of \$134,644 from Capital Reserve for Port Everglades Capital Project No. 6555, Cruise Terminal.

ACTION: (A-625) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-625) Approved.

COUNTY ATTORNEY

36. MOTION TO AUTHORIZE Pamela M. Kane, Assistant County Attorney, to attend the Florida Public Construction for Local Counsel Seminar, June 15-16, 1995 in Orlando, Florida.

ACTION: (A-625) Approved.

COUNTY ADMINISTRATOR

37. MOTION TO APPROVE a Letter of Understanding between Broward County and the Court Administrator's Office for the provision of legal services.

ACTION: (A-625) Approved with addendum.

REQUEST TO SET PUBLIC HEARING/MEETING SCHEDULE

38. MOTION TO APPROVE the August budget workshop schedule for review of the fiscal year 1996 budget.

ACTION: (A-625) Approved.

REGULAR AGENDA

INDUSTRIAL DEVELOPMENT REVENUE BONDS

39. **MOTION TO ADOPT** Resolution 95-454 of the Board of County Commissioners of Broward County, Florida, authorizing the substitution of the original Letter of Credit issued by the Citizens and Southern National Bank (now NationsBank of Florida, N.A.) by a substitute Letter of Credit issued by SunBank/South Florida, National Association with respect to Broward County, Florida, Industrial Development Revenue Bonds (PaverModule Inc. Project), Series 1989, originally issued in the aggregate principal amount of \$5,635,000, for the purpose of financing a portion of the capital costs of the acquisition of certain real property and the acquisition, construction, and installation and equipping thereon of a facility located in Broward County, Florida, for the manufacturing of conventional and textured concrete blocks and pavers; approving the form of second amendment to Letter of Credit and reimbursement agreement; approving the form of and authorizing the execution of the partial assignment and amendment of mortgage and security agreement and delivery thereof to the Trustee; approving the form of substitute Letter of Credit; approving the form of the termination and release of cash collateral agreement; approving the forms of and authorizing the execution and delivery of the U.C.C. statements of change; authorizing the execution and delivery of any other necessary documents or the taking of any requisite action in connection with the delivery of the substitute Letter of Credit; and providing an effective date.

ACTION: (A-625) Approved.

COUNTY ADMINISTRATOR'S REPORT

40. **JAIL REPORT** County Administrator B. Jack Osterholt submitted the Jail Report for the record and advised that he had nothing to report at this time.

ACTION: (A-652) No action was taken.

41. **DELEGATION**: James L. Jones, Chairperson, Broward County Charter Review Commission, to present resolutions containing proposed Charter amendments and ballot questions to the County Commission.

- A. MOTION TO ACCEPT Resolutions from Broward County Charter Review Commission for placement on the November 5, 1996 ballot.

ACTION: (A-665) Approved.

- B. MOTION TO REQUEST County Attorney to prepare appropriate resolutions to place ballot questions on the November 5, 1996 general election ballot.

ACTION: (A-665) Approved.

42. DELEGATION: Alan L. Gabriel, Esq., Esmor Correctional Services Inc., regarding policy determination regarding Section 39-167, Broward County Zoning Code.

ACTION: (A-1204) Withdrawn at the delegation's request.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

43. MOTION TO ADOPT Resolution 95-455 of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Chapter 12, Part II, Broward Cultural Affairs Council, Subsections 12.11; 12.13; and Chapter 24, Part III, Art in Public Places Program, Subsections 24.13; 24.14; 24.15; 24.16; 24.17; providing for name change from Art in Public Places Program to Public Art and Design Program; providing guidelines for implementation of public art master plan; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-1205) Approved.

**DEPARTMENT OF STRATEGIC PLANNING
AND GROWTH MANAGEMENT**

COMMUNITY DEVELOPMENT DIVISION

44. MOTION TO ADOPT Resolution 95-456 of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Chapter 8, Part VIII, entitled "Division of Community Development"; amending Section 8.38 setting forth functions and responsibilities; to amend requirements for financial statements and include appraisals for Subordination Agreements; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-1211) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-1216) Approved with addendum and reflected D. Kowell's trip to read "Crime Prevention ... " and not "Client Prevention ... ".

OFFICE OF EQUAL OPPORTUNITY

46. MOTION TO ADOPT a first-source hiring resolution 95-457 providing a policy to encourage contractors on certain county-sponsored construction and development projects to hire unemployed and underemployed residents of Broward County for work to be performed under such projects.

ACTION: (A-1244) Approved.

COMMISSION AUDITOR

47. MOTION TO FILE Commission Auditor report entitled "Tourist Development Tax - Local Collections", dated May 19, 1995. This report is filed in accordance with s. 1.11(ee) of the Broward County Administrative Code.

ACTION: (A-1367) Approved.

COUNTY COMMISSION

48. DISCUSSION: Additional "Cruise to Nowhere" operating at Port Everglades. (Comm. Rodstrom)

ACTION: (A-1397) The Board discussed the potential cruise operators' requests to provide daily cruises and agreed to consider the item at its meeting during August 1995.

NON AGENDA

49. CHAIR'S ABSENCE The Vice Chair announced that Commissioner Suzanne N. Gunzburger will be absent from this day's meeting as her husband was readmitted to the hospital.

ACTION: (A-465) At the Vice Chair's request, the Board held a moment of silence remembering Mr. Gerry Gunzburger in their prayers.

50. PROCLAMATION On behalf of the Board, Commissioner Thompson read into the record a proclamation designating Friday, June 9, 1995 as **FORT LAUDERDALE DOWNTOWN TROLLEY DAY** in Broward County.

ACTION: (A-485) Ms. Lynn Jenkins, Fort Lauderdale Transportation Management Association (TMA) and Mr. Don Kowell, TMA Chairman, accepted the proclamation and thanked the Board.

51. PROCLAMATION On behalf of the Board, the Vice Chair read into the record a proclamation designating Friday, June 2, 1995 as **CANADIAN AIRLINES INTERNATIONAL DAY** in Broward County.

ACTION: (A-587) The proclamation was submitted for the record at the Greater Fort Lauderdale Convention and Visitors' Bureau's request.

52. MOTION TO WITHDRAW the comparison of the proposed Planning Council ordinance and Planning Council's revised rules of procedures.

ACTION: (A-2777) Approved by unanimous consent.