

MEETING OF JUNE 1, 1999

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

PLEDGE OF ALLEGIANCE was led by Mr. Mickey Markoff, president, MDM Group, Ltd., creator and executive producer of the Air & Sea Show.

CALL TO ORDER

CONSENT AGENDA

1. BOARD APPOINTMENTS

A. MOTION TO APPOINT Ms. Christine Samuel to serve on the Brownfields Redevelopment Task Force. Ms. Samuel will fill a vacant position. (Commissioner Rodstrom)

ACTION: (A-0980) Approved.

B. MOTION TO APPROVE Appointment of Chief Robert S. Madge to the Board of Rules and Appeals. Chief Madge replaces Chief Donald Perdue in the Fire Service Category. (Commissioner Gunzburger)

ACTION: (A-0980) Approved.

C. MOTION TO APPOINT Ms. Pam Huizenga VanHart to serve on the Animal Control Trust Fund Committee of Broward County. Ms. VanHart will fill a vacant position. (Commissioner Rodstrom)

ACTION: (A-5105) Deferred to June 8, 1999.

D. MOTION TO APPROVE Nomination of Ms. Marcia Beach to the Housing Finance Authority. Ms. Beach will serve the unexpired term of Mr. Leon Watts, who recently passed away. This term will expire on 2/19/01. (Commissioner Gunzburger)

ACTION: (A-0980) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE consent to transfer of ownership between AMR Combs, Inc. and Signature Flight Support Corporation at the Fort Lauderdale-Hollywood International Airport effective upon Board approval, and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

3. MOTION TO APPROVE field usage agreement between Broward County, Florida and Atlantic

Coast Airlines d/b/a United Express at the Fort Lauderdale-Hollywood International Airport, effective upon Board approval and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

4. MOTION TO APPROVE Amendment No. 1 to the Building Lease Agreement between Broward County, Florida and Key Power Technical Institute at the North Perry Airport extending the lease through July 31, 2000 with a thirty-day cancellation clause by either party, and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

5. MOTION TO ADOPT Resolution accepting a business lease between Broward County and The Graves Museum of Archaeology and Natural History, Inc., a Florida not-for-profit corporation, for 6,400 square feet to provide a library in Dania Beach, Florida. The term of the lease is for four years commencing October 1, 1998 through September 30, 2002 at the initial annual rate of \$96,000 (\$15 per square foot) for the first two years increasing 3% a year thereafter; and authorize the Chair and Clerk to execute same.

ACTION: (A-1142) Deferred up to the July 6, 1999 commission meeting to enable Commissioner Gunzburger to meet with the Graves Museum representatives to attempt to negotiate better terms, and that staff research alternative sites in the event the Dania Beach library must be relocated.

OFFICE OF PROJECT MANAGEMENT

& CONSTRUCTION

CONSTRUCTION MANAGEMENT DIVISION

6. MOTION TO ADOPT budget Resolution 1999-743 transferring funds within the General Capital Outlay Fund (3010) in the amount of \$30,000 for the purpose of funding demolition of two existing buildings on the out parcel of the Homeless Assistance Center (HAC) at NW 6th Avenue and NW 9th Street in Fort Lauderdale.

ACTION: (A-2238) Approved.

NOTE: A suggestion was made that all further projects have an addendum outlining the original

budget, additional costs and fiscal impact information.

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

7. MOTION TO APPROVE developer's agreement between the County and Cabot Industrial Properties, L.P., a Delaware limited partnership, providing for utility installations located at 2500 North Andrews Avenue, Pompano Beach, Florida, by the developer at an estimated installation cost of \$86,705 (at no cost to the County) to furnish water and wastewater, and authorize the Chair and Clerk to execute same. (BCOES Project No. 8814)

ACTION: (A-0980) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

8. MOTION TO APPROVE road improvement phasing agreement between Broward County and Cleghorn Shoe Corporation relating to the Promenade at Miramar Plat (035-MP-95), and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

9. MOTION TO APPROVE business travel for County employees in accordance with Administrative Order 105.

ACTION: (A-0980) Approved, as corrected. (Scrivener's Error - Trip for Baker should reflect dates 06/06/99 to 06/08/99 at a total cost of \$292.)

HUMAN SERVICES DEPARTMENT

ALCOHOL & DRUG ABUSE SERVICES DIVISION

10. MOTION TO APPROVE Amendment No. 2 to Agreement No. 97-WAGES-CR-004 between Broward County and the Broward Employment and Training Administration (BETA) for the purpose of

incorporating the federal requirement for contractor compliance with the Energy Policy and Conservation Act pursuant to Title 45, Section 9236 (1)(13) of the Code of Federal Regulations, and authorize the Chair and Clerk to execute same. This is a non-financial amendment and is not anticipated to have any monetary nor programmatic effect on the County.

ACTION: (A-0980) Approved.

HEALTH CARE MANAGEMENT DIVISION

11. MOTION TO ADOPT Resolution 1999-744 of the Board of County Commissioners, Broward County, Florida exempting from the classified civil service the position of a Special Projects Coordinator IV (BPN 00722) within the Human Services Department/Health Care Management Division.

ACTION: (A-0980) Approved, as corrected. (Scrivener's error - Agenda report summary and explanation should read "approved at ARM on 5/20/99" and not 5/27/99.).

OFFICE OF HOUSING FINANCE

12. MOTION TO APPROVE Satisfaction of Mortgage for a HOME Investment Partnership Project First-Time Homebuyers Assistance deferred loan in the amount of \$5,000 to Erik S. Andrews, and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

13. MOTION TO APPROVE AND EXECUTE subordination agreement for Rosemary Archer n/k/a Rosemary Barrett to subordinate Broward County's third mortgage lien, on a State Housing Incentives Partnership (SHIP) forgivable deferred payment loan in the amount of \$10,000 to new refinancing with First Union National Bank of Florida, and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

14. MOTION TO ADOPT Resolution 1999-745 of the Board of County Commissioners of Broward County, Florida approving a professional planning services agreement between the Housing Finance Authority of Broward County, Florida and Leigh Robinson Kerr & Associates, Inc., and providing for an effective date.

ACTION: (A-0980) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

15. MOTION TO ADOPT Resolution 1999-746 of the Board of County Commissioners of Broward

County, Florida exempting from the classified civil service the position of Associate Planner (BPN No. 3045) for the Comprehensive and Neighborhood Planning Division of the Department of Planning and Environmental Protection.

ACTION: (A-0980) Approved.

WATER RESOURCES DIVISION

16. MOTION TO APPROVE amendment to an agreement between Broward County and the Florida Department of Environmental Protection related to the restoration of the New River at no cost to the County, to change the project manager, to allow for additional projects under the scope of services, and to extend the date of expiration of the contract from May 20, 1999 to November 19, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-2326) Approved.

DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

ZONING CODE SERVICES DIVISION

17. MOTION TO APPROVE interlocal agreement between the Broward County Zoning Code Services Division (formerly the Code and Zoning Enforcement Division) and the City of Oakland Park for the period beginning August 20, 1998 and ending August 19, 2000, to serve as the Nuisance Abatement Board Administrator to hear municipal complaints regarding drugs, prostitution, youth and street-gang related nuisances.

ACTION: (A-0980) Approved.

18. MOTION TO APPROVE interlocal agreement between the Broward County Zoning Code Services Division (formerly the Code and Zoning Enforcement Division) and the Town of Pembroke Park for the period beginning March 1, 1999 and ending February 28, 2001, to serve as the Nuisance Abatement Board Administrator to hear municipal complaints regarding drugs, prostitution, youth and street-gang related nuisances.

ACTION: (A-0980) Approved.

19. MOTION TO APPROVE interlocal agreement between the Broward County Zoning Code Services Division (formerly the Code and Zoning Enforcement Division) and the City of Pembroke Pines for the period beginning December 31, 1998 and ending December 31, 2000, to serve as the Nuisance Abatement Board Administrator to hear municipal complaints regarding drugs, prostitution, youth and street-gang related nuisances.

ACTION: (A-0980) Approved.

PORT EVERGLADES DEPARTMENT

20. MOTION TO APPROVE one-year lease agreement between Broward County and ECM/Hudson Maritime Services, LLC for 332 square feet of office space in Suite No. 304 in Building 611 at Port Everglades, for the period beginning June 1, 1999 through May 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

21. MOTION TO APPROVE lease agreement between Broward County and Milgo Solutions, Inc. for use of 4.5 acres of land as a parking lot on Saturday, June 5, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-0980) Approved.

COUNTY ATTORNEY

22. MOTION TO NOTE FOR THE RECORD: Notice of settlement in the amount of \$12,500 in Lozano v. Broward County, Case No. 98-08047 (13).

ACTION: (A-0980) Approved.

23. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver a Satisfaction of Mortgage for a certain Mortgage Deed executed by Carrol B. Stubbs and Sally Stubbs to Broward County for the purpose of posting a Property Bond in the case of State of Florida v. Stevie J. Stubbs, Seventeenth Circuit Court Case No. 97-19239-CF.

ACTION: (A-0980) Approved.

24. MOTION TO APPROVE intent to terminate the interlocal agreement between Broward County and City of Miami Beach for utilization of the legal services of Broward County Attorney's Office for Workers' Compensation cases, and authorize the County Attorney to send letter terminating said contract.

ACTION: (A-0980) Approved.

25. A. MOTION TO RATIFY County Attorney's appointment of six firms to perform labor and employment counsel services for Broward County.

ACTION: (A-0980) Deferred to June 8, 1999 at the request of the County Attorney.

NOTE: Later, the County Attorney requested that the item be withdrawn.

B. MOTION TO AUTHORIZE the Chair of the Board of County Commissioners to execute all necessary contracts between Broward County and conflict counsel for legal services.

ACTION: (A-0980) Deferred to June 8, 1999 at the request of the County Attorney.

NOTE: Later, the County Attorney requested that the item be withdrawn.

REQUEST TO SET FOR PUBLIC HEARING

26. MOTION TO ADOPT Resolution 1999-747 directing the County Administrator to publish notice of public hearing to be held Tuesday, June 22, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 3201 North Andrews Extension in the City of Pompano Beach. Petitioner: Sample 95 Associates Ltd. and Park Central Industrial (Consul-Tech Engineering, Inc. - Agent) 12-V-99.

ACTION: (A-0980) Approved.

27. MOTION TO ADOPT Resolution 1999-748 directing the County Administrator to publish notice of public hearing to be held on June 22, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider transmittal to the State of Florida Department of Community Affairs a proposed amendment consisting of revisions to the Broward County Comprehensive Plan's Future Unincorporated Area Land Use Element to address Section 163.3177, Florida Statutes, pertaining to public school location requirements.

ACTION: (A-0980) Approved.

28. MOTION TO ADOPT Resolution 1999-749 directing the County Administrator to publish notice of public hearing to be held on Tuesday, June 22, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of an ordinance adopting one "Small-Scale" amendment in the City of Fort Lauderdale, PC 99-20, to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING

THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF FORT LAUDERDALE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0980) Approved.

REGULAR AGENDA

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10 A.M. PUBLIC HEARING

COUNTY COMMISSION SITTING AS GOVERNING BOARD

OF THE COCOMAR WATER CONTROL DISTRICT

29. A. MOTION TO OPEN meeting of the Cocomar Water Control District with the Board of County Commissioners acting as the District Governing Board.

ACTION: (A-2408) Approved.

B. MOTION TO APPROVE agreement between Cocomar Water Control District and the City of Coconut Creek having an October 31, 1999 expiration date for the Cocomar Water Control District to reimburse the City of Coconut Creek up to \$20,000 to pump water from the Hillsboro Canal to the Cocomar Water Control District's C-7 Canal for the purpose of stopping the decline of water levels, raising water levels and recharging the Biscayne Aquifer, and authorize the Chair and Clerk to sign same.

ACTION: (A-2415) Approved.

C. MOTION TO CLOSE meeting of the Cocomar Water Control District.

ACTION: (A-2420) Approved.

END PUBLIC HEARING

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MANAGEMENT & EFFICIENCY STUDY COMMITTEE

30. A. DELEGATION: Management & Efficiency Study Committee Chair Tom McDonald and Executive Director Lisa Aronson presenting an overview of Committee's Interim Report.

ACTION: (A-2430) Deferred to June 8, 1999. (Scrivener's error - Report has the appendix between pages 17 and 18 on the Printed Back-up and CD ROM.)

B. MOTION TO FILE Interim Report from Management & Efficiency Study Committee.

ACTION: (A-2539) Approved, as corrected. (Scrivener's error - Report has the appendix between pages 17 and 18 on the Printed Back-up and CD ROM.)

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31. **COUNTY ADMINISTRATOR'S REPORT** County Administrator Roger J. Desjarlais advised the Board that there was no report.

ACTION: (A-2550) No Board action was necessary.

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QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

32. DISCUSSION: of plat entitled "Martinez Parcels" - District 5, (009-UP-98).

ACTION: (A-2635) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

33. DISCUSSION: of plat entitled "Meza Plat" - District 5, (007-UP-98).

ACTION: (A-1056) Deferred to July 6, 1999 at the applicant's request.

34. DISCUSSION: of plat entitled "Sessoms Plat" - District 5, (081-MP-97).

ACTION: (A-1056) Deferred to June 15, 1999 at the applicant's request.

35. DELEGATION: Polly Thim regarding request to amend the note on the Mitchell Sites Plat (013-UP-81).

ACTION: (A-2683) Approved subject to staff's recommendations. The applicant voluntarily agreed to hook up to wastewater lines within 24 months.

36. DELEGATION: C. William Laystrom, Jr. regarding:

A. Request to amend the note on the Cooper City Marketplace I Plat (133-MP-89). (Deferred from May 4, 1999)

ACTION: (A-1056) Deferred to July 6, 1999 at the applicant's request.

B. Request to amend the note on the Cooper City Marketplace II Plat (126-MP-89). (Deferred from May 4, 1999)

ACTION: (A-1056) Deferred to July 6, 1999 at the applicant's request.

37. DELEGATION: Shelley Eichner regarding request to amend the note on the West Lake Village Plat (069-MP-89).

ACTION: (A-3160) Approved subject to staff's recommendations.

38. DELEGATION: Hoyt Holden regarding:

A. MOTION TO APPROVE agreement between Broward County, Town of Davie, and the Archdiocese of Miami for Regional Road Concurrency relating to the St. David Church Plat (179-MP-84).

ACTION: (A-3217) Approved subject to staff's recommendations.

B. Request to amend the note on the St. David Church Plat (179-MP-84). (Deferred from April 6, 1999)

ACTION: (A-3217) Approved subject to staff's recommendations.

39. DELEGATION: Hoyt Holden regarding request to waive the four month requirement of the Land Development Code to pay or secure road impact fees for the Alton Plat (027-MP-97).

ACTION: (A-3404) Approved subject to staff's recommendations.

40. DELEGATION: Arie Steiger regarding request to amend the non-vehicular access line on the Sector 6 Plat (009-UP-89).

ACTION: (A-1056) Deferred to July 6, 1999 at the applicant's request.

41. DELEGATION: Glen Hanks regarding request to amend the non-vehicular access line on the Taft Street Industrial Park Plat (151-MP-83).

ACTION: (A-3442) Approved subject to staff's recommendations.

42. DELEGATION: Cary D. Winningham regarding request to revise the non-vehicular access line on the Riviera Isles I Plat (025-MP-98).

ACTION: (A-3471) Approved the revision of the non-vehicular access line along Southwest 172nd

Avenue subject to staff's recommendations. Deferred the portions of the request dependent upon the Trafficways Plan amendment until July 6, 1999.

43. DELEGATION: Mark D. Robbins regarding request to amend the non-vehicular access line on the Sawgrass Center Plat (028-UP-86).

ACTION: (A-3502) Deferred up to 35 days at the request of staff to review an amendment to the applicant's request.

END OF QUASI-JUDICIAL HEARING

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AVIATION DEPARTMENT/FINANCE & ADMINISTRATIVE

SERVICES DEPARTMENT

44. MOTION TO ADOPT Resolution 1999-750 of the Board of County Commissioners of Broward County, Florida amending Section 18.62 of the Broward County Administrative Code; relating to Industrial Development Revenue Bonds, Guidelines and Procedures; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (A-3538) Approved, as amended. Appropriate staff was directed to include language under Staff Review in the Port and Airport Master Plans to include applicability of Art In Public Places for exempt facility projects. Further, staff was directed to include a provision in the Code to recapture the up front County Attorney's fees for bond counsel services. (Correction: Scrivener's error - Additional attachment included with item in error.)

45. MOTION TO ADOPT Resolution 1999-751 of the Board of County Commissioners of Broward County, Florida reaffirming its authorization of the issuance of Broward County, Florida Industrial Development Revenue Bonds (Lynxs CargoPort Project), Series 1999, in the aggregate principal amount not to exceed \$6,500,000 for the purpose of lending funds to Lynxs Fort Lauderdale CargoPort, LLC or its successors or assigns, for the acquisition, construction and equipping of an airport CargoPort facility in Broward County, Florida; providing that such revenue bonds shall not constitute a debt, liability or obligation of Broward County or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided; approving and authorizing the execution and delivery of a trust indenture; approving and authorizing the execution and delivery of a loan agreement with Lynxs Fort Lauderdale CargoPort, LLC to finance the project, to provide security for such obligation, and for other matters therein provided; approving and authorizing the execution and delivery of mortgage, security agreement, assignment of rents and financing statement; approving and authorizing the execution and delivery of a bond purchase contract; approving and authorizing the execution and delivery of certain other documents required in connection with the foregoing; designating Amalgamated Bank of Chicago as Trustee under the trust indenture; and providing certain other details in connection therewith.

ACTION: (A-4000) Approved.

46. MOTION TO ADOPT Resolution 1999-752 authorizing the execution of the following, subject to Board approval of the Industrial Development Revenue Bonds (“IDRB”) (Lynxs CargoPort Project) Series 1999, in an aggregate principal amount not to exceed \$6,500,000 : (1) Agreement of Lease (“Lease”) between Broward County, Florida and Lynxs Fort Lauderdale CargoPort, LLC for 10.6155 acres of land at Fort Lauderdale-Hollywood International Airport for the construction, operation and maintenance of an air cargo facility for the period commencing on June 1, 1999 through 20 years, with option to extend the agreement for an additional four-year period and an additional option to extend the agreement for an additional five-year period, if consented to by the County; (2) Estoppel Certificate consenting to the security instruments to be executed in connection with the IDRB and the sublease of the entire premises between Lynxs Fort Lauderdale CargoPort, LLC and Emery Air Freight Corporation d/b/a Emery Worldwide; and (3) such other documents as may be required in connection with the lease, including a memorandum of lease in recordable form.

ACTION: (A-4008) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

47. A. MOTION TO APPROVE AND EXECUTE memorandum of agreement between Broward County, Florida (the “County”), Arena Development Company, Ltd. (the “Developer”), and the Florida Panthers Hockey Club, Ltd. (the “Team”) to set forth the form of the Completion Debt (for the Civic Arena project) and the method of allocating debt service to the Team pursuant to the license agreement.

ACTION: (A-4015) Deferred to June 8, 1999 at the request of Commissioner Parrish. (Scrivener’s error - Signature page for Memorandum of Agreement provided to the Board on 5/27/99 under separate cover.)

B. MOTION TO ADOPT unanticipated revenue Resolution within the Civic Arena Project Construction Fund (Fund 3500) in the amount of \$7,500,000 to recognize the proceeds of Commercial Paper Notes to be issued as the initial form of Completion Debt for the Civic Arena project.

ACTION: (A-4015) Deferred to June 8, 1999 at the request of Commissioner Parrish. (Scrivener’s error - Signature page for Memorandum of Agreement provided to the Board on 5/27/99 under separate cover.)

ACCOUNTING DIVISION

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

ACTION: (A-4088) Approved, as amended.

HUMAN SERVICES DEPARTMENT

49. MOTION TO APPROVE extension, not to exceed 30 calendar days, for submitting report and staff

recommendations related to Broward Sheriff's Office (BSO) proposal for transfer of the Drug Court Treatment Program.

ACTION: (A-4098) Approved.

50. A. MOTION TO WAIVE Broward County Administrative Code, Chapter 8, Part VIII, "Division of Community Development," Section 8.38(h) to allow the County to accept an appraisal performed by Beth S. Priest who was chosen and compensated by World Savings and Loan.

ACTION: (A-4191) Approved.

B. MOTION TO APPROVE subordination agreement for Glinda Knowles a/k/a Bradley to subordinate Broward County's second mortgage liens, on a State Housing Incentives Partnership (SHIP) 1% direct loan in the amount of \$11,900 to new refinancing with World Savings and Loan, and authorize the Chair and Clerk to execute same.

ACTION: (A-4200) Approved.

51. A. MOTION TO WAIVE Broward County Administrative Code, Chapter 8, Part VIII, "Division of Community Development," Section 8.38(h) to allow the County to accept an appraisal performed by G. Jerry Cimino who was chosen and compensated by First Union Mortgage Corporation.

ACTION: (A-4210) Approved, as corrected. (Scrivener's error - CD ROM reflects \$ as the number 5. It should read "\$6,310 not 56,310, \$88,157 not 588,157 and \$190,000 not 5190,000. Printed agenda correct.)

B. MOTION TO APPROVE subordination agreement for Bradford S. Bishop and Jonette L. Bishop to subordinate Broward County's second mortgage liens, on a Residential Construction Mitigation forgivable deferred payment loan in the amount of \$6,310 to new refinancing with First Union Mortgage Corporation, and authorize the Chair and Clerk to execute same.

ACTION: (A-4233) Approved, as corrected. (Scrivener's error - CD ROM reflects \$ as the number 5. It should read "\$6,310 not 56,310, \$88,157 not 588,157 and \$190,000 not 5190,000. Printed agenda correct.)

NOTE: The director of the Human Services Department will send a letter to the State expressing the County's concerns regarding its Residential Construction Mitigation Program and that the funding be prioritized to low to moderate income families first.

HEALTH CARE MANAGEMENT DIVISION

52. MOTION TO APPROVE Corrective Action Agreement between Broward County and Think Life, Inc. from date of execution through February 29, 2000 for the purpose of paying back \$42,000 to Broward County based on the findings of an audit performed by the Office of Management Services, (OMS) dated August 25, 1998, reference number 6104HC, and authorize the Chair and Clerk to execute same. (Deferred from May 25, 1999, Item 21)

ACTION: (A-4474) Deferred to June 8, 1999.

PUBLIC WORKS DEPARTMENT

53. A. MOTION TO APPROVE establishment of 14 exempt positions for management of programming, design, construction, acquisition of Public Art, furniture, equipment and technology for the 28 new, renovated and remodeled facilities under the Library Bond Program (anticipated duration of the program is five years). The estimated cost for staffing and related cost during the anticipated 5-year duration is \$5,232,382.00. This amount is equal to 3.7% of the \$139.9 million dollar appropriation for the program. The fourteen positions will terminate upon completion of the Library Bond Program. For the balance of Fiscal Year 1999 the initial operating cost and personnel services are approximately \$386,820.

ACTION: (A-4616) Approved.

B. MOTION TO ADOPT Resolution 1999-754 exempting the 14 positions created in the above motion and listed in Exhibit 1(page 4) from the Classified Civil Service.

ACTION: (A-4616) Approved.

C. MOTION TO APPOINT Selection/Negotiation Committee to recommend the eight most qualified firms to provide Professional Architectural and Engineering Consulting services for the eight groupings of projects into which the 28 projects of the Library Bond Program have been organized for design services. The attached Request for Letters of Interest (Marked EXHIBIT 3) is submitted for Board review and comment and will be advertised and mailed to solicit qualifications for consideration at a short listing meeting, to be scheduled in August 1999.

ACTION: (A-4616) Approved the following to serve on said Selection/Negotiation Committee: Commissioners Abramowitz, Gunzburger, Lieberman, and Parrish; Director, Public Works Department (Chair); Director, Libraries Division, and Director, Office of Budget Services. Plus, administrative support staff will be provided from the offices of the County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Construction Management, Purchasing and the Using Agency.

D. MOTION TO APPOINT Selection/Negotiation Committee to recommend the four most qualified firms to provide Construction Management at Risk services for the four construction groupings into which the 16 major projects of the Library Bond Program, have been organized for construction services.

ACTION: (A-4616) Approved the following to serve on said Selection/Negotiation Committee: Commissioners Abramowitz, Jacobs, Parrish, and Rodstrom; Director, Office of Project Management and Construction, (Chair); Director, Parks and Recreation Division, and Assistant to the County Administrator. Plus, administrative support staff will be provided from the offices of the County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Construction Management, Purchasing and the Using Agency.

E. MOTION TO ADOPT unanticipated revenue Resolution 1999-755 within the Capital Outlay Fund

(3180) in the amount of \$70,000,000 to recognize the proceeds of Commercial Paper Notes issued as Bond Anticipation Notes, pending the issuance of the General Obligation Bonds for Libraries.

ACTION: (A-) Approved.

F. MOTION TO NOTE AND FILE FOR RECORD Declaration of Official Intent for reimbursement from tax-exempt bonds/notes for capital expenditures associated with the Library Bond Projects

ACTION: (A-) Approved.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

54. MOTION TO APPROVE interlocal agreement between Broward County and the City of Pembroke Pines for the Broward County Southwest Regional Library; which is included in the 1999 Library Bond Program; providing for a \$11,931,200 lump sum payment to the City of Pembroke Pines for the land, design, construction, and easements for the regional library; providing conditions for the operation and maintenance of the regional library for a period of thirty years with mutually agreeable renewal periods; and authorize the Chair and Clerk to execute same.

ACTION: (A-4929) Approved.

55. DISCUSSION: Proposed partnership between Broward County and Nova Southeastern University for a Joint Use Library Facility.

ACTION: (A-0980) Deferred at the request of Nova Southeastern University.

OFFICE OF BUDGET SERVICES

56. MOTION TO APPROVE concept of a regional emergency communications system based upon the voluntary participation of municipalities and for staff to develop funding proposals to be included in the recommended Fiscal Year 2000 Budget and Fiscal Year 2000-Fiscal Year 2004 Capital Improvement Program.

ACTION: (A-4983) Approved.

SUPPLEMENTAL AGENDA

FOR TUESDAY, JUNE 1, 1999 AT 10:00 A.M.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

57. MOTION TO ADOPT Resolution 1999-753 of the Board of County Commissioners of Broward County, Florida approving and authorizing the execution of a Letter Agreement extending the Standby Bond Purchase Agreement executed in connection with the Broward County, Florida Subordinate Port Facilities Refunding Revenue Bonds, Series 1998, in order to continue the liquidity facility for the bonds; and providing an effective date.

REASON FOR SUPPLEMENTAL: It is necessary to renew the existing agreement prior to June 2, 1999. Staff overlooked the requirement for Commission approval thinking the matter was administrative in nature as it has been in the past under similar agendas.

ACTION: (A-0980) Approved.

HUMAN SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

58. MOTION TO APPROVE AND EXECUTE a subordination agreement for Kenneth and Patricia Smith to subordinate Broward County's second mortgage lien to a third position, on a State Housing Initiatives Partnership Act (SHIP) forgivable deferred payment loan in the amount of \$10,000, to new second mortgage with BankAtlantic, and authorize the Chair and Clerk to execute same.

REASON FOR SUPPLEMENTAL: Staff review completed after publication of regular agenda and item is time sensitive.

ACTION: (A-980) Approved.

NON AGENDA STAFF DIRECTIVES

59. CODE & ZONING ISSUE: Commissioner Parrish briefly explained the circumstances (property owner illness) regarding Rezoning Petition 3-Z-99 and asked that the item be placed on the June 8, 1999 commission agenda for reconsideration.

STAFF DIRECTIVE: (A-4995) Staff was directed to place a Motion to Reconsider conditions regarding Rezoning Petition 3-Z-99.

60. CONFLICT - LOBBYIST ISSUE - Commissioner Parrish expressed concerns regarding an amendment attached to CS/SB 748 which will have a significant fiscal impact to Broward County's Pretrial Release Program.

STAFF DIRECTIVE: (A-5055) Staff was directed to place the issue on the June 8, 1999 agenda for discussion. Staff will include the following back up information: Newspaper articles and correspondence to Governor Jeb Bush asking him to veto the bill; a list of clients that the lobbyist advised the County that he represented, prior to his approval, and the section from the lobbyist

contract which addresses conflicts of interest.

61. BOARD APPOINTMENT - Commissioner Rodstrom requested that item 1C from this day's meeting be deferred to June 8, 1999 to enable him to meet with his appointment to the Animal Control Trust Fund Committee of Broward County.

STAFF DIRECTIVE: (A-5105) Item 1C will be placed on the June 8, 1999 agenda for consideration.

62. CONVENTION CENTER HOTEL - Commissioner Gunzburger referred to correspondence dated May 27, 1999, from Clark Construction regarding the Convention Center Hotel. She briefed the Board on the hotel's status.

STAFF DIRECTIVE: (A-5124) Staff was requested to follow up on the subject letter and to determine whether the terms of the agreement have been met.

63. MOTION TO ADOPT Resolution 1999-756 requesting the Florida Building Commission adopt a Florida Building Code that will maintain the current level of life safety provided to residents of Broward County and providing for an effective date.

ACTION: (A-5163) Approved.

64. ANALYSIS OF COST - STRONG MAYOR - The Chair thanked Commission Auditor Norman Thabit for the Analysis of Cost with respect to the Strong Mayor. Commissioner Parrish asked for additional cost information.

STAFF DIRECTIVE: (A-5183) The Commission Auditor was asked to show the increase: 1) What the current budget is now. 2) The increase to go from seven (7) county commissioners to nine (9). 3) The budget of nine (9) commission district offices (staff, telephone equipment, computers, etc.)

65. LITIGATION - SENATOR JIM SCOTT - Commissioner Rodstrom commented on Senator Jim Scott's (District #31), litigation regarding the retaining of his District/Senate seat. He briefly explained that the litigation is based on the fact that when the item was placed on the ballot it was an item for a single purpose. Senator Scott claims that the ballot was asking two questions. Commissioner Rodstrom stated that he believed the issue is applicable to the Strong Mayor/Single Member District argument.

STAFF DIRECTIVE: (A-5215) The County Attorney was directed to research the following issues: 1) The subject litigation as it relates to the Strong Mayor/Single Member District argument. (Commissioner Rodstrom) 2) Research the equity issue as it relates to running for election in a district that is twice the size of some of the other commission districts. (Commissioner Parrish) 3) Research the three-year residency requirement for the Strong Mayor which may be in violation of the federal election law. (The Chair)

66. THINK LIFE, INC. - County Administrator Roger J. Desjarlais advised the Board that the State Attorney's Office does have information on Think Life, Inc. and there is an investigation in progress.

ACTION: (A-5266) For informational purposes.

DEFERRED ITEMS

DEFERRED TO JUNE 8, 1999 - 1C, 30A, 47A & B, and 52

DEFERRED TO JUNE 15, 1999 - 34

DEFERRED UP TO JULY 6, 1999 - 5,

DEFERRED TO JULY 6, 1999 - 33, 36A & B, 40, and 42

DEFERRED FOR UP TO 30 CALENDAR DAYS - 49

DEFERRED FOR UP TO 35 DAYS - 43

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