

MEETING OF JUNE 11, 1996

(The meeting convened at 10:08 a.m. and adjourned at 12:02 p.m.)

PLEDGE OF ALLEGIANCE - *led by Commissioner Sylvia Poitier*

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

1. MOTION TO ADOPT Resolution 96-402 accepting a warranty deed for road right- of-way executed by Barnett Bank Premises Company - Las Olas Inc., and dedicated to Broward County.

ACTION: (A-130) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING AND CONTRACT ADMINISTRATION DIVISION

2. MOTION TO APPROVE an agreement between Broward County and Boy Scout Troop No. 182 for waste tire removal authorizing the necessary administrative and budgetary actions to implement, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO APPROVE an amendment to an agreement between Broward County and the city of Cooper City for landscape development of Stirling Road, from Southwest 100 Avenue to Pine Island Road, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

STREETS AND HIGHWAYS DIVISION

4. MOTION TO ADOPT budget Resolution 96-403 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$70,000 for storm sewer repairs on Northeast 32 Place (Northeast 15 Avenue to Northeast 17 Avenue), unincorporated Pompano area. Project 9616

ACTION: (A-130) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

5. MOTION TO ADOPT Resolution 96-404 releasing lot clearing charges upon certain described lands.

ACTION: (A-130) Approved.

6. MOTION TO APPROVE satisfactions and releases of anti-litter liens.

ACTION: (A-130) Approved.

7. MOTION TO APPROVE satisfactions and releases of land clearance liens.

ACTION: (A-130) Approved.

8. MOTION TO APPROVE satisfactions of land clearance liens and releases of notices of noncompliance with the Land Clearing Code of Broward County.

ACTION: (A-130) Approved.

9. MOTION TO APPROVE satisfaction of lien levied for road improvements.

ACTION: (A-130) Approved.

COUNTY RECORDS DIVISION

10. MOTION TO APPROVE the April 23, 1996 minutes of the 10:00 a.m. Board of County Commissioners meeting and the 2:00 p.m. Public Hearing.

ACTION: (A-130) Approved.

PURCHASING DIVISION

For Aviation Department

11. MOTION TO APPROVE the fifth amendment to the agreement between Broward County and Leigh Fisher Associates for additional consultant services related to Broward County-owned airports in the amount of \$119,200 increasing but not to exceed the amount for fiscal year 1995-1996 from \$971,000 to \$1,090,200, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

12. MOTION TO APPROVE an agreement between Broward County and Walker Parking Consultants/Engineers Inc. in a maximum amount not to exceed \$4,383,771 for planning, design and construction services for additional structural parking at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

13. MOTION TO APPROVE an agreement between Broward County and Michael A. Shiff & Associates in an amount not to exceed \$428,645 for design of Phase I Replacement Maintenance Facilities at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

For Public Works Department

14. MOTION TO APPROVE the first amendment to Work Authorization No. 8 in accordance with the agreement of July 10, 1990 between Broward County and CH2M Hill Inc. to provide technical services associated with a water distribution regrowth study and that \$16,785 of the reimbursable budget be transferred to the salary cost budget and the total contract amount to be decreased by \$15,018 from \$149,819 to \$134,801. BCOES Project Number 9108 - Water Distribution Regrowth Study.

ACTION: (A-130) Approved.

15. A. MOTION TO WAIVE specification item 13.10 curbside ladder.

ACTION: (A-130) Approved.

B. MOTION TO AWARD a fixed contract to the low responsive and responsible bidder, Southeast Waste Systems, for sewer cleaner vacuum truck (rebid) (Bid No. C-12-95-03-OF) in the amount of \$194,562 for the Streets and Highways Division.

ACTION: (A-130) Approved.

For Community Services Department

16. MOTION TO APPROVE Amendment No. 2 to Work Authorization No. 1 between Broward County and I.T. Corporation increasing amount by \$29,334.75 from \$529,643.22 to \$558,977.97, and authorize an additional 90 days for completion of the project to provide services for assessment and clean-up of contamination created by petroleum or other hazardous materials, and authorize the Chair and Clerk to execute same.

ACTION: (A-182) Approved.

RISK MANAGEMENT DIVISION

17. MOTION TO AUTHORIZE full and final settlement of claim No. SSG/070994JACO in the amount of \$42,500.

ACTION: (A-130) Approved.

OFFICE OF INFORMATION TECHNOLOGY

18. MOTION TO ADOPT budget Resolution 96-405 transferring \$159,015 within the 911 Special Purpose Fund from reserve to fund payments to cities and the county for salary expenses related to 911 services.

ACTION: (A-198) Approved.

HUMAN SERVICES DEPARTMENT

BUREAU OF CHILDREN'S SERVICES

19. MOTION TO APPROVE an agreement between Broward County and Frann R. Korn, Ph.D. from July 1, 1996 to June 30, 1997 for psychological consultation and evaluation for Children's Victim Services Section in the amount of \$300 per psychological evaluation and \$75 per hour of consultation for a maximum not to exceed \$80,000, and authorize the Chair and Clerk to execute same.

ACTION: (A-258) Approved and requested that staff submit the Request for Proposals for providers for 1997.

20. A. MOTION TO APPROVE Amendment No. 2 to an agreement between the State of Florida Department of Health and Rehabilitative Services and Broward County from July 1, 1995 to June 30, 1996 to increase the value of the agreement by \$34,884, from \$208,597 to \$243,481 for the provision of

licensure, monitoring and local background screening for child care owners/operators, and authorize the Chair and Clerk to execute same. (No county match is required.)

ACTION: (A-130) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-406 with the State of Florida Grant Fund for the Bureau of Children's Services in the amount of \$34,884 to receive a one-time rollover dollars approved by the local District X Administration.

ACTION: (A-130) Approved.

HEALTH CARE MANAGEMENT DIVISION

21. MOTION TO APPROVE Agreement 96F-HPC between Broward County and Broward Regional Health Planning Council Inc. from February 1, 1996 through July 31, 1996 in the amount of \$90,000 for the purpose of providing administrative and staff support services for the Broward County HIV Health Services Planning Council under Ryan White Title I, C.A.R.E. Act Formula Grant Funding, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

22. MOTION TO APPROVE the settlement agreements between Broward County and the listed respondents for violations of Broward County Code of Ordinances:

- A. Petro-Chemical Transport
- B. Port Property Associates, L.P.
- C. Town of Hillsboro Beach
- D. Sunvest Lawn & Landscape Corp.
- E. West Lake Associates II, L.P.
- F. Cousins Mica Inc.

ACTION: (A-130) Approved.

PORT EVERGLADES DEPARTMENT

23. MOTION TO APPROVE the Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida and Palm Shuttle Services Inc. in accordance with Chapter 32 of the Broward

County Administrative Code effective from the date of approval with an expiration date of December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

24. MOTION TO APPROVE a one-year lease agreement between Broward County and the International Longshoremen's Association (ILA), Locals 1922 and 1922-1 for Suite No. 1 in Building 611 at Port Everglades consisting of 522 square feet for the period of August 1, 1996 through July 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-338) Approved.

25. MOTION TO APPROVE an easement to Florida Power & Light Company (FP&L) for the purpose of replacing overhead power lines with underground power lines at Eller Drive and the Public Safety Building at Port Everglades, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

26. MOTION TO APPROVE an easement to Florida Power & Light Company (FP&L) for the purpose of providing additional electrical service to Continental Cement Company and replacing the temporary easement between Broward County (county) and FP&L dated June 6, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

27. MOTION TO APPROVE an easement to Florida Power & Light Company (FP&L) for the purpose of providing electrical service to the Midport Cargo Yard area and replacing the temporary easement between Broward County (county) and FP&L dated May 30, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

28. MOTION TO APPROVE easement to Florida Power & Light Company (FP&L) for the purpose of providing new electrical service to the Terminal 18 renovations project, and authorize the Chair and Clerk to execute same.

ACTION: (A-130) Approved.

**OFFICE OF BUDGET AND MANAGEMENT
POLICY**

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

ACTION: (A-130) Approved.

30. MOTION TO ADOPT unanticipated revenue Resolution 96-407 within the Law Enforcement Trust Fund in the amount of \$24,547 to provide funding for court- ordered equitable distribution of funds for various forfeiture and domestic interdiction cases.

ACTION: (A-130) Approved.

BOARD APPOINTMENTS

31. MOTION TO APPROVE the appointment of Mr. Anthony D. Wright to the Minority Economic Development Advisory Board. Mr. Wright's appointment will fill an existing vacancy. (Commissioner Hart)

ACTION: (A-130) Approved.

32. MOTION TO APPROVE the appointment of Mr. G. Wil Trower to the Broward Regional Health Planning Council, in the provider category, for a term ending January 31, 1997. Mr. Trower replaces Mr. Richard J. Stull. (Commissioner Hart)

ACTION: (A-130) Approved.

REQUEST TO SET FOR PUBLIC HEARING/MEETING SCHEDULE

33. MOTION TO ADOPT Resolution 96-408 directing the County Administrator to publish notice of public hearing to be held Tuesday, July 9, 1996 at 2:00 p.m., Room 422, Governmental Center, to vacate and abandon right-of-way, lying and being in Broward County, Florida, and located at 7300 Northwest Cypress Road in the city of Plantation. Petitioner: Marblehouse Ltd. (CCL Consultants Inc. - Agent) 4-V-96.

ACTION: (A-130) Approved.

34. MOTION TO ADOPT Resolution 96-409 directing the County Administrator to publish notice of public hearing to be held Tuesday, July 9, 1996 at 2:00 p.m., Room 422, Governmental Center, to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 7300 Northwest Cypress Road in the city of Plantation. Petitioner: Marblehouse Ltd. (CCL Consultants Inc. - Agent) 6-V-96.

ACTION: (A-130) Approved.

35. MOTION TO ADOPT Resolution 96-410 directing the County Administrator to publish notice of public hearing to be held Tuesday, July 9, 1996 at 2:00 p.m., Room 422, Governmental Center, to vacate and abandon utility easements, lying and being in Broward County, Florida, and located south of Griffin

Road, north of Stirling Road between Southwest 35 Avenue and Southwest 32 Terrace in the city of Hollywood. Petitioner: Hollywood Oaks Developers (Brad Deckelbaum - Agent) 17-V-96.

ACTION: (A-130) Approved.

36. MOTION TO DIRECT County Administrator to publish notice of public hearing at 2:00 p.m., June 25, 1996, Room 422, Governmental Center, to consider the following applications for (new) Nonemergency Medical Transportation Service (NEMTS) licenses to A-One Transportation Inc.; Medi Trans Inc.; Medi-Transportation of South Florida Inc.; and M & T Transportation Inc.

ACTION: (A-130) Approved.

37. MOTION TO ESTABLISH Commission Meeting Schedule for June/July 1996.

ACTION: (A-130) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

38. REPORT County Administrator B. Jack Osterholt stated that he had nothing to report at this time; however, a copy of the Jail Report dated June 10, 1996 was submitted.

ACTION: (A-353) No Board action was necessary.

QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

39. DISCUSSION of Plat entitled "1150 S.R. 84 Plat" - District 7, (034-MP-94).

ACTION: (A-435) Approved subject to staff's recommendations as outlined in the Development Review Report.

40. DISCUSSION of Plat entitled "The Lujo Plat" - District 5, (024-UP-95).

ACTION: (A-451) Approved subject to staff's recommendations as outlined in the Development Review Report.

41. DISCUSSION of Plat entitled "Wynne Commercial Plat" - District 1, (056-MP-95).

ACTION: (A-418) Deferred to July 9, 1996 at applicant's request.

42. DISCUSSION of Plat entitled "Davie Tropicana Replat" - District 4, (068-MP-95). (Deferred from May 7, 1996)

ACTION: (A-418) Deferred to July 9, 1996 to study access under Section 5-181(i) of the Land Development Code.

43. DISCUSSION of Plat entitled "Hallcrest" - District 7, (063-MP-95). (Deferred from February 6, 1996)

ACTION: (A-825) Deferred to July 9, 1996.

44. DELEGATION: William Laystrom, Jr. regarding request to amend the note on the Jacaranda Parcel 817 Plat (092-MP-88). (Deferred from May 21, 1996)

ACTION: (A-418) Deferred to June 18, 1996 at applicant's request.

45. DELEGATION: Gregory S. Mire regarding request to amend the note on the Wyndham Heights Plat (028-MP-94).

ACTION: (A-475) Approved subject to staff's recommendations and corrected the date to amend the note on the face of the plat to read "prior to December 11, 1996".

46. DELEGATION: Gregory S. Mire regarding request to modify conditions of plat approval on the Parkland Heights Plat (041-MP-93). (Deferred from May 21, 1996)

ACTION: (A-492) Approved the applicant's commitment to post the bond for three years for the construction of a sidewalk and pursue the necessary permit from the Florida Department of Transportation and report back to the Board within 12 months.

47. DELEGATION: Gregory S. Mire regarding request to amend the non-vehicular access line on the Caravel Village Plat (097-UP-80).

ACTION: (A-418) Deferred to July 9, 1996 at applicant's request.

48. DELEGATION: Gustavo X. Aquirre regarding request to amend the non-vehicular access line on the Kapok Grove Estates Plat (094-MP-94).

ACTION: (A-418) Deferred to June 18, 1996 at applicant's request.

49. DELEGATION: John L. Farquhar regarding motion to approve third amendment to clarification agreement relating to the Olympia And York Residential Plat (066-MP-95).

ACTION: (A-781) Approved subject to staff's recommendations.

50. DELEGATION: Robert Lochrie regarding motion to approve second amendment to Mystique Plat Traffic Concurrency Agreement (026-MP-89).

ACTION: (A-794) Approved subject to staff's recommendations.

51. DELEGATION: Michael D. Rose regarding request for a waiver of sidewalk requirements for the Community Worship Center Plat (015-UP-95).

ACTION: (A-435) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

52. MOTION TO APPOINT a Selection/Negotiation Committee to hire a firm to provide and install an automated gate control system for the Fort Lauderdale-Hollywood International Airport.

ACTION: (A-1436 & B-152) Approved.

53. MOTION TO APPOINT a Selection/Negotiation Committee to hire a firm to provide advertising/publicity/promotional services for the Broward County Aviation Department, Port Everglades Department and Greater Fort Lauderdale Convention and Visitors Bureau.

ACTION: (A-1482) Approved, with the appointments of Commissioners Parrish, Gunzburger and Poitier, and waived the provision of the county's procurement code to allow a Tourist Development Council member, who is not a county employee or an elected official, to serve on the S/NC.

HUMAN SERVICES DEPARTMENT

54. MOTION TO APPROVE the allocation of Fiscal Year 1996-97 Federal Anti-Drug Abuse Act funds in the amount of \$1,065,706 as recommended by the Broward County Commission on Substance Abuse and the Substance Abuse Policy Advisory Board, and authorize the Commission Chair to sign a letter stating approval to the State Department of Community Affairs.

ACTION: (A-1963) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

55. MOTION TO ADOPT Resolution 96-411 of the Board of County Commissioners of Broward County, Florida pursuant to Chapter 24, Part III, Section 27.17 (f) (1) of the Broward County Administrative Code; approving shell agreements for cultural grant programs; providing for execution on behalf of the county by the County Administrator; providing for severability; and providing for an effective date.

ACTION: (A-1968) Approved.

PARKS AND RECREATION DIVISION

56. MOTION TO ADOPT Resolution 96-412 of the Board of County Commissioners of Broward County, Florida providing for the naming of a county regional park located in Miramar, Florida as “Miramar Festival Isle Park”; and providing for an effective date.

ACTION: (A-1973) Approved. The Board requested that the county’s emblem is identified on the signage at the regional park’s entranceway.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

AIR QUALITY DIVISION

57. MOTION TO ADOPT Resolution 96-413 in support of Broward County joining the Cities for Climate Protection Campaign and pledging to take a leadership role in reducing greenhouse gas emissions, for Air Quality Division.

ACTION: (A-2375) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-2400) Approved with addendum.

59. MOTION TO ADOPT unanticipated revenue Resolution 96-414 within the Law Enforcement Trust Fund in the amount of \$284,022 to provide funding for drug and crime prevention programs and other law enforcement purposes for the Broward Sheriff’s Office.

ACTION: (A-2410) Approved.

COUNTY ATTORNEY

60. A. MOTION TO ADOPT nine Resolutions 96-415 through 96-423 to authorize referendums to be placed on the ballot for the General Election to be held on November 5, 1996 throughout Broward County, Florida on the questions of amending the Broward County Charter as proposed by the Broward County Charter Review Commission.

ACTION: (A-2414) Approved.

B. MOTION TO AUTHORIZE the County Administrator to publish notices of the referendum elections.

ACTION: (A-2414) Approved.

NON AGENDA

61. COMMISSIONER'S REQUEST Commisisoner Gunzburger referred to the National Association of Counties' (NACo's) Legislative Alert dated June 5, 1996 urging the House Appropriations Committee members to support an amendment to restore funding cuts in Community Development Block Grants (CDBG). She requested that the Board send letters to the Congressional Delegation protesting the significant cuts.

ACTION: (A-2535) Approved by unanimous consent. Commissioner Poitier addressed her intent to submit said information to the NACo's Employment and Steering Committee due to its involvement with CDBG.

62. INFORMATIONAL ITEM The Board discussed the recent concern from a city of Fort Lauderdale official on a letter dated June 6, 1996 from Mr. Steve Somerville, Department of Natural Resources Protection (DNRP) director, regarding an action plan to address water quality concerns in the Las Olas Isles; the city's commitment to draft an ordinance mandating direct sewer hook ups to accomodate boats with waste disposal systems before July 1, 1996, and the county's alternative position -- if the commitment is not carried out -- to pursue other remedies to resolve the subject issue.

Mr. Somerville relayed staff's comments to the city commission on the need for immediate and direct action to clean up the pollution in the Las Olas Isles area; otherwise, the county will initiate enforcement action and noted the city's commission action directing staff to draft said ordinance.

ACTION: (A-2487) No Board action was necessary.

63. DISCUSSION - MSBU At Commissioner Parrish's request, Mr. Osterholt gave the status of the county meeting the city of Fort Lauderdale's deadline to submit a list of names from the county's prior firefighter/paramedics and the city's willingness to shortly resolve the issue on the Interlocal Agreement (ILA) on the Municipal Services Benefits Unit (MSBU).

ACTION: (A-2799) No Board action was necessary.

64. DISCUSSION - TDWR County Administrator B. Jack Osterholt, in response to several questions posed by Commissioner Gunzburger, explained that the Fort Lauderdale-Hollywood International Airport's (FL-HIA's) Doppler Weather Radar Tower (TDWR) -- to be made available by the Florida Aviation Administration (FAA) on the west side of the Sawgrass Expressway in the city of Sunrise -- was never proposed by the legislature in Tallahassee. He addressed the county's withdrawal due to the

city's commitment and believed the reported demise to be a little premature.

Mr. Steve Alexander, Assistant to the County Administrator, mentioned his conversations earlier this day with Mr. Pat G. Salerno, city of Sunrise manager, on the city's plan to schedule its second reading (public hearing) to consider the TDWR and its attempts to work out the matter with the FAA and obtain more computer-assisted photographs to show what the proposed site would look like. Mr. Alexander relayed his concerns on the delay and commented on Mr. Salerno's response on the city's efforts to address the issue.

ACTION: (A-3053) For informational purposes only.

65. COMMISSIONER'S REQUEST - STEIN & COMPANY INC. Commissioner Parrish referred to the Board's approval of an agreement with Stein & Company Inc. for owner's representative services for the Broward County Civic Arena Project at its June 4, continued public hearing and pointed out a memorandum from Mr. Richard H. Brossard, Office of Project Management and Construction director, and a letter from Mr. Vincent P. Ziolkowski, Stein & Company confirming the resignation of Mr. Kevin Johnston, Stein & Company's project manager (copies the correspondence in question were dated June 6, 1996). As a member of the Selection/Negotiation Committee (S/NC) Owner's Representative for the Arena Project, Commissioner Parrish requested that the process begin again and that the Board consider the three firms at its next commission meeting.

ACTION: (A-3115) The Board voiced objections to the removal of Stein & Company's key staff person and suggested that written notification be sent immediately to the company in question relaying the Board's concerns and inviting a representative to appear at the next commission meeting to address the subject issue.

66. FLORIDA PANTHERS Commissioner Cowan noted the unquantifiable advantage or the "quality of a life for community spirit" in south Florida due to the Florida Panther players in the Stanley Cup Finals recently. On behalf of the Board, he extended congratulations to the Panthers.

ACTION: (A-3666) County Administrator B. Jack Osterholt concurred with the Chair's suggestion to make arrangements to formally recognize the panther's great achievements at a future meeting.

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