

# MEETING OF JUNE 18, 1996

(Meeting convened at 10:00 a.m. and adjourned at 12:20 p.m.)

PLEDGE OF ALLEGIANCE was led by Commissioner Thompson.

## CONSENT AGENDA

### AVIATION DEPARTMENT

1. MOTION TO APPROVE consent to sublease between Hollywood Aviation, Inc. and Aircraft Professionals, Inc., and Rick Von Gunten at Hollywood Aviation, Inc.'s leasehold at North Perry Airport, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

2. MOTION TO APPROVE consent to sublease between Sheltair Fort Lauderdale International, Inc., and ITS, Inc. at Sheltair Fort Lauderdale International, Inc.'s leasehold at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

3. MOTION TO APPROVE license agreement between Florida Power and Light Company and Broward County, Florida for installation and maintenance of electrical utility service along Southwest 42nd Street at Fort Lauderdale-Hollywood International Airport effective upon Board approval and will remain in force as long as required by FPL to serve its customers or until the county terminates the license agreement and provides for relocation of the facilities, whichever occurs first, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

4. MOTION TO APPROVE Amendment No. 5 to the Terminal Building Lease Agreement between Broward County, Florida and Carnival Airlines, Inc. to provide for a modification to the ticket counters effective at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

5. MOTION TO APPROVE submittal of a registration form to Florida Department of State, Division of Historical Resources for listing Building No. 8 (Link Trainer Building) in the National Register of Historic Places, and authorize the County Administrator to take the necessary administrative actions to execute the application.

## **ACTION: (A-880) Approved.**

6. MOTION TO AUTHORIZE Aviation Department to transmit an interim Airport Layout Plan (ALP) for Fort Lauderdale-Hollywood International Airport to the Federal Aviation Administration for approval to redesignate land acquired for noise compatibility purposes from noise sensitive land to airport development land.

## **ACTION: (A-880) Approved.**

7. MOTION TO APPROVE limited reimbursable agreement between the Department of Transportation, Federal Aviation Administration (FAA), and Broward County in an amount not to exceed \$12,600 for a site study for the relocation of the Terminal Very High Frequency Omni-Directional Range (TVOR) for construction of the dual taxiway to Runway 9L/27R at the Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same prior to execution by the FAA.

## **ACTION: (A-880) Approved.**

## **PUBLIC WORKS DEPARTMENT**

### **REAL PROPERTY SECTION**

8. MOTION TO APPROVE compensation as required under federal procedures for moving costs associated with the relocation of Gold Coast Repair, Inc., a tenant located on Land Parcel 1407A of the Fort Lauderdale-Hollywood International Airport South Runway Expansion Project.

## **ACTION: (A-880) Approved.**

9. MOTION TO APPROVE contract for sale and purchase executed by Robert M. Hall in the amount of \$1,200,000 for 4.8+ acre Hollywood library site at 3151 Stirling Road; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

## **ACTION: (A-880) Approved.**

10. MOTION TO APPROVE agreement for terms of occupancy of the Edgar P. Mills Multipurpose Center. This is a third amendment to that agreement executed on June 17, 1982 between Broward County and the State of Florida Department of Rehabilitative Service amending the usage from 12,577 square feet to 7,109 square feet at the rate of \$7 per square foot; annually: \$49,763.00, effective June 1, 1996; and authorize the Chair and Clerk to execute same.

## **ACTION: (A-880) Approved.**

11. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver certificate of satisfaction for

certain deed of trust executed by Emil, and Nina Massaro his wife, to Broward County as a property bond in State of Florida v. Fred Massaro, Case No. 91- 3372CF10A, 91-6765CF10A and 91-8219CF10A.

**ACTION: (A-880) Approved.**

## **OFFICE OF ENVIRONMENTAL SERVICES**

### **ENVIRONMENTAL ENGINEERING DIVISION**

12. MOTION TO APPROVE joint participation agreement between the city of Miramar and Broward County for the study of the feasibility of drainage facilities servicing parts of the city of Miramar and discharging to county owned or controlled retention areas or positive outfalls performed in conjunction with the South County Neighborhood Improvement Project (SCNIP) with the city of Miramar reimbursing the county \$48,700 for the additional cost above the SCNIP preliminary design effort.

**ACTION: (A-880) Approved.**

## **OFFICE OF INTEGRATED WASTE MANAGEMENT**

### **RECYCLING AND CONTRACT ADMINISTRATION**

13. MOTION TO APPROVE grant application to the Florida Department of Environmental Protection (FDEP) for a litter control and prevention grant for fiscal year 1997, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation.

**ACTION: (A-880) Approved.**

14. MOTION TO APPROVE Part One of the Fiscal Year 1996-97 Recycling and Education Grant Application to the Florida Department of Environmental Protection (FDEP) for recycling grant funds, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation.

**ACTION: (A-880) Approved.**

15. MOTION TO APPROVE grant application to the Florida Department of Environmental Protection

(FDEP) for a waste tire grant for fiscal year 1996-97, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation.

**ACTION: (A-880) Approved.**

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

16. MOTION TO APPROVE roadway improvement phasing agreement between Broward County and Glassman Associates, Inc./Adrain Developers Corp. related to the Antigua at Spring Valley (019-UP-95), and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

17. MOTION TO ADOPT Resolution 96-0522 accepting a sidewalk easement executed by First Baptist Church at Weston, Inc. donating right-of-way for Indian Trace and Three Village Road in Section 8, Township 50 South, Range 40 East.

**ACTION: (A-880) Approved.**

18. A. MOTION TO ADOPT Resolution 96-0523 accepting a warranty deed executed on April 19, 1996 by Minto Towngate Limited Partnership, a Florida Limited Partnership, donating right-of-way for Dykes Road in Section 9, Township 51 South, Range 40 East.

**ACTION: (A-880) Approved.**

B. MOTION TO ADOPT Resolution 96-0524 accepting a road easement executed on April 19, 1996 by Minto Towngate Limited Partnership, a Florida Limited Partnership, donating right-of-way for Dykes Road in Section 9, Township 51 South, Range 40 East.

**ACTION: (A-880) Approved.**

C. MOTION TO ADOPT Resolution 96-0525 accepting a road easement executed on May 6, 1996 by Minto Towngate Limited Partnership, a Florida Limited Partnership, donating right-of-way for Dykes Road in Section 9, Township 51 South, Range 40 East.

**ACTION: (A-880) Approved.**

D. MOTION TO ADOPT Resolution 96-0526 accepting a utility easement executed on April 19, 1996 by Minto Towngate Limited Partnership, a Florida Limited Partnership, donating right-of-way for Dykes Road in Section 9, Township 51 South, Range 40 East.

## **ACTION: (A-880) Approved.**

E. MOTION TO ADOPT Resolution 96-0527 accepting a utility easement executed on May 6, 1996 by Minto Towngate Limited Partnership, a Florida Limited Partnership, donating right-of-way for Dykes Road in Section 9, Township 51 South, Range 40 East.

## **ACTION: (A-880) Approved.**

19. A. MOTION TO ADOPT Resolution 96-0528 accepting a quit claim deed executed by Wayne D. Weekley; Daniel D. Weekley and Brenda L. Weekley; Troy L. Weekley and Linda G. Weekley, donating right-of-way for SW 36th Street in Section 26, Township 50 South, Range 39 East.

## **ACTION: (A-880) Approved.**

B. MOTION TO ADOPT Resolution 96-0529 accepting a special warranty deed executed by Indian Trace Community Development District, donating right-of-way for SW 36th Street in Section 26, Township 50 South, Range 39 East.

## **ACTION: (A-880) Approved.**

C. MOTION TO ADOPT Resolution 96-0530 accepting a special warranty deed executed by Wayne Indian Trace Community Development District, donation right-of-way for SW 36th Street in Section 26, Township 50 South, Range 39 East.

## **ACTION: (A-880) Approved.**

**FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

## **COUNTY RECORDS DIVISION**

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

## **ACTION: (A-880) Approved.**

## **PURCHASING DIVISION**

For Aviation Department

21. MOTION TO APPROVE amendment to agreement and consent to subcontractor to Contract No. A-11-91-01-12 for installation of a noise operation monitoring system (NOMS) and reducing the first year maintenance cost from \$78,500 to \$45,000 and to authorize the Purchasing Director to renew the

maintenance for three additional one-year periods with annual adjustments based upon the change in CPI, and authorize the Chair and Clerk to execute same.

***ACTION: (A-880) Approved, as amended. (Scrivener's error in the maintenance costs. The original first year maintenance cost was \$87,500, not \$78,500, and the new amount is a maximum \$50,000, not \$45,000.)***

22. A. MOTION TO RESCIND award of fixed contract in the amount of \$126,000 to low quoter, Daise Management Corporation for demolition of 40 structures at Fort Lauderdale/Hollywood International Airport (Quotation No. L932-96).

**ACTION: (A-924) Approved.**

B. MOTION TO REJECT all quotes.

**ACTION: (A-924) Approved.**

For Community Services Department

23. MOTION TO AWARD fixed contract to low bidder Hardrives Company for Tradewinds Park North Road Extension (Bid No. H-04-96-01-OF) for the base bid and alternate A in the amount of \$316,154 for the Parks & Recreation Division subject to receipt and acceptance of insurance/performance and payment guaranty.

**ACTION: (A-880) Approved.**

For Department of Natural Resource Protection

24. MOTION TO APPROVE agreement between Broward County and the University of Florida in the amount of \$43,958 to develop an ozone prediction model to forecast ozone concentrations in Broward County for the Air Quality Division within one year of notice to proceed, and authorize the Chair and Clerk to execute same.

***ACTION: (A-880) Approved with revised pages 6 and 7 of contract, corrected discrepancy in dollar amounts.***

For Department of Strategic Planning & Growth Management

25. MOTION TO ADD following vendor to the qualified bidders' list for construction services for Community Development Division in Broward County (B-09-95-05-12): George V. Behan Construction, Inc. for the period June 18, 1996 through April 2, 1997.

**ACTION: (A-880) Approved.**

**RISK MANAGEMENT DIVISION**

26. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim No. 89 WC 0128 MR in the amount of \$116,214.49.

**ACTION: (A-880) Approved.**

## **HUMAN SERVICES DEPARTMENT**

### **ALCOHOL & DRUG ABUSE SERVICES DIVISION**

27. A. MOTION TO APPROVE Amendment No. 2 to JH207 agreement between State of Florida Department of Health and Rehabilitative Services and Broward County from July 1, 1995 through June 30, 1996, decreasing the agreement by \$143,483 from \$3,166,060 to \$3,022,577 for the provision of substance abuse services, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

B. MOTION TO ADOPT unanticipated budget Resolution 96-0531 within the Grant Fund decreasing the 910 Fund for the Alcohol and Drug Abuse Services Division in the amount of \$143,483 for Amendment No. 2 to the Agreement JH207.

**ACTION: (A-880) Approved.**

## **BUREAU OF CHILDREN'S SERVICES**

28. MOTION TO APPROVE Amendment No. 1 to Agreement No. 96-28 between Broward County and Early Childhood Development Association of Broward County, Inc. d/b/a Child Care Connection of Broward County, Florida for one-time funding increasing the value of the agreement by \$114,280 from \$429,564 from April 1, 1996 to September 30, 1996 for the purpose of providing additional slots for subsidized day care to reduce the waiting list, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

## **ELDERLY SERVICES DIVISION**

29. A. MOTION TO APPROVE Amendment No. 2 to agreement between Broward County and Areawide Council on Aging of Broward County, Inc. from July 1, 1995 to June 30, 1996 in the amount of \$34,941 for the purpose of assuring Community Care for the Elderly (CCE) service provision through the remainder of the fiscal year increasing the value from \$5,509,716 to \$5,544,657.00, and authorize the Chair and Clerk to execute same. (County cash match of \$281,103 and county in-kind of \$22,774 is included.)

**ACTION: (A-880) Approved.**

B. MOTION TO ADOPT unanticipated budget Resolution 96-0532 within the State Grant Fund for the Elderly Services Division in the amount of \$34,941 for the purpose of maintaining the operational integrity of the Community Care for the Elderly service system.

**ACTION: (A-880) Approved.**

## **MEDICAL EXAMINER**

30. MOTION TO APPROVE payment of expenses incurred while hosting the monthly meeting of the South Florida Society of Pathologists in the amount of \$870.30.

**ACTION: (A-1254) Approved, as revised.**

## **COMMUNITY SERVICES DEPARTMENT**

### **MASS TRANSIT DIVISION**

31. MOTION TO APPROVE first amendment to agreement between Broward County and Carr Smith Associates for consultant services to conduct an intermodal assessment of transit needs in Broward County to extend the term of the agreement, at no additional cost, from June 21, 1996 to August 21, 1996, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

32. MOTION TO APPROVE Amendment No. 4 to the agreement between Broward County and Transportation Displays Incorporated (TDI), formerly known as Winston Network, Inc., to implement a minimum monthly advertising rate of \$2,750.00, and authorize the Chair and Clerk to execute same.

*ACTION: (A-880) Approved with revised Exhibit B.*

## **PARKS AND RECREATION DIVISION**

33. MOTION TO APPROVE Addendum II to the Conceptual Approval Agreement among the Florida Communities Trust (FCT), the city of Hollywood and Broward County to receive an extension of the June 10, 1996 deadline for submitting all documents required by the grant for purchase of the Sheridan Oaks site to December 10, 1996, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

## **DEPARTMENT OF NATURAL RESOURCE PROTECTION**

## **BIOLOGICAL RESOURCES DIVISION**

34. MOTION TO ACCEPT conservation easement from Chapel Trail Corporate Park Association for a commercial development over approximately 8.902 acres of real property in the city of Pembroke Pines, Broward County, Florida for the Biological Resources Division.

**ACTION: (A-880) Approved.**

## **DEPARTMENT OF STRATEGIC PLANNING**

### **& GROWTH MANAGEMENT**

## **COMMUNITY DEVELOPMENT DIVISION**

35. MOTION TO APPROVE first amendment to the agreement between Broward County and Habitat for Humanity of Broward, Inc. to provide for a decrease in construction of the number of units from ten (10) single family houses to six (6) houses, to replace SHIP 1992/1993 Program Year funds with SHIP 1994/1995 Program Year funds in the amount of \$44,000 and to revise the recapture provision to provide for a reduction of one-fifteenth (1/15) of the grant amount per year during the fifteen (15) year term of affordability.

**ACTION: (A-880) Approved.**

## **PORT EVERGLADES DEPARTMENT**

36. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida, and Perera Investment, Inc. d/b/a Royal Limousines and A-1 Liquidating Corporation d/b/a Gray Line Daytona Beach, respectively, 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-880) Approved.**

37. MOTION TO APPROVE one-year lease agreement between Broward County and General Brokerage Services, Inc. for Suite No. 6 in Building 611 at Port Everglades consisting of 520 square feet for the period of July 1, 1996 through June 30, 1997, and authorize the Chair and Clerk to execute same.

**ACTION: (A-1373) Approved.**

38. MOTION TO APPROVE one-year lease agreement between Broward County and The Frank Pesce International Group, Limited for Bay No. 1 in Building 'B' in Foreign Trade Zone No. 25 at Port

Everglades consisting of 2,952 square feet of warehouse space for the period of August 1, 1996 through July 31, 1997, and authorize the Chair and Clerk to execute same.

**ACTION: (A-880) Approved.**

## **OFFICE OF BUDGET AND MANAGEMENT POLICY**

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

**ACTION: (A-880) Approved.**

40. A. MOTION TO ADOPT budget Resolution 96-0533 transferring within the Pay Telephone Trust Fund the amount of \$144,430 from the Commission Reserve to fund temporary summer positions at local parks for the summer recreation program.

**ACTION: (A-1384) Approved.**

B. MOTION TO ADOPT unanticipated budget Resolution 96-0534 within the Municipal Services District Fund for the Parks & Recreation Division in the amount of \$144,430 for temporary positions for the summer recreation program.

**ACTION: (A-1384) Approved.**

41. MOTION TO ADOPT budget Resolution 96-0535 transferring within the General Fund in the amount of \$92,633 from the County Commission Reserve for expenses of Cash Bond Project.

**ACTION: (A-880) Approved.**

## **BOARD APPOINTMENTS**

42. MOTION TO APPROVE appointment of Paul L. Feinsmith, Esq. to the Advisory Board for Persons with Disabilities. Mr. Feinsmith replaces Ms. Chris Franklin who resigned. (Commissioner Parrish)

**ACTION: (A-880) Approved.**

43. MOTION TO APPROVE appointment of Mildred C. Mariner, Esq. to the Parks and Recreation Advisory Board. Ms. Mariner replaces Mr. Howard J. Zimmerman who resigned. (Commissioner Parrish)

## **ACTION: (A-880) Approved.**

44. MOTION TO APPROVE re-appointment of Frank Hall, Jr. to serve on the Minority Economic Development Advisory Board. (Commissioner Rodstrom)

## **ACTION: (A-880) Approved.**

45. MOTION TO REAPPOINT Harold Wishna to the Alcohol and Drug Abuse Advisory Board. (Commissioner Thompson)

## **ACTION: (A-880) Approved.**

46. MOTION TO APPROVE appointment of Daniel S. Reif to the Homeless Initiative Partnership Advisory Board. Mr. Reif will replace James Maultsby who has resigned. (Commissioner Hart)

## **ACTION: (A-880) Approved.**

47. MOTION TO APPROVE appointment of Emily Austin to serve on the Alcohol and Drug Advisory Board. Ms. Austin will replace the vacated seat of Dr. Benjamin Brumberg. (Commissioner Rodstrom)

## **ACTION: (A-880) Approved.**

### **REQUEST TO SET FOR PUBLIC HEARING/MEETING SCHEDULE**

48. MOTION TO ADOPT Resolution 96-0536 of the Board of County Commissioners of Broward County, Florida directing the County Administrator to publish notice of public hearing to be held on Tuesday, July 9, 1996, at 2:00 p.m. in Room 422 of the Governmental Center to consider Broward County's Consolidated Strategic Plan, Annual Action Plan for FY 1997 for the U.S. Department of Housing and Urban Development 22nd Year Community Development Block Grant Program, Emergency Shelter Grants Program and the Home Investment Partnerships Program.

## **ACTION: (A-880) Approved.**

49. MOTION TO ADOPT Resolution 96-0537 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, July 9, 1996 at 2:00 p.m. to vacate and abandon right-of-way and utility easement, lying in Broward County, Florida and located on Perimeter Road between Sample Road and State Road 7 in the city of Margate. Petitioner: Pulte Home Corp. (Craig A. Smith & Assoc. - Agent) 2- V-96.

## **ACTION: (A-880) Approved.**

50. MOTION TO ESTABLISH Commission Meeting Schedule for August 1996.

**ACTION: (A-880) Approved.**

**COUNTY ATTORNEY**

51. MOTION TO APPROVE settlement of \$84,365 for appellate attorneys' fees in Michaelson v. Broward County.

**ACTION: (A-880) Approved.**

**REGULAR AGENDA**

**10:00 a.m. PUBLIC HEARING**

52. A. MOTION TO OPEN public hearing in accordance with Section 255.20, Florida Statutes.

*ACTION: (A-1919) By the unanimous consent of the Board, the Chair opened the public hearing.*

B. MOTION TO ADOPT Resolution 96-0538 relating to the procurement of a Broward County Civic Arena and approving a development agreement for design and construction of a Broward civic arena facility.

**ACTION: (A-1919) Approved.**

C. MOTION TO APPROVE agreement between Broward County and Arena Development Co., Ltd. for the design and construction of a sport arena facility, and authorize the Chair and Clerk to execute same.

**ACTION: (A-1919) Approved.**

**END OF PUBLIC HEARING**

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53. **COUNTY ADMINISTRATOR'S REPORT** - County Administrator B. Jack Osterholt informed the Board there was no report.

Submitted for the record, was the jail report, which is 3,632 (24 under) the cap of 3,656.

*ACTION: (A-2706) No board action was taken.*

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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. 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 & GROWTH MANAGEMENT DEVELOPMENT MANAGEMENT DIVISION

54. DISCUSSION of Plat entitled "Sample Road/441 Partners Plat" - District 3, (006-MP-95).

***ACTION: (A-2723) Deferred to January 14, 1997, under Section 5-181(i) of the Land Development Code, to study traffic concurrency.***

55. DISCUSSION of Plat entitled "Seven K's Plat" - District 3, (005-MP-95).

***ACTION: (A-2723) Deferred to January 14, 1997, under Section 5-181(i) of the Land Development Code, to study traffic concurrency.***

56. DISCUSSION of Plat entitled "A. Sapp Plat" - District 3, (040-MP-95). (Deferred from May 21, 1996)

***ACTION: (A-3030) Approved the plat subject to staff's recommendations as outlined in the Development Review Report, with addendum.***

57. DELEGATION: Dennis Mele regarding request to amend the note on the Sawgrass Ranch Plat (039-MP-93).

***ACTION: (A-2810) Approved subject to staff's recommendations.***

58. DELEGATION: Steve Berman regarding request to amend the note on the Exxon- Sunrise Boulevard Plat (006-UP-87).

***ACTION: (A-2827) Approved subject to staff's recommendations***

59. DELEGATION: K.G. Stamos regarding request to amend the non-vehicular access line on the Cary Plat (050-MP-85).

***ACTION: (A-2845) Approved subject to staff's recommendations***

60. DELEGATION: Michael J. Covelli regarding request to amend the note on the Regency Lakes at Coconut Creek (075-MP-93).

***ACTION: (A-2923) Approved subject to staff's recommendations.***

61. DELEGATION: Chip Bryan regarding request to amend the non-vehicular access line on the Kings Point Replat plat (058-MP-93). (Deferred from May 21, 1996)

***ACTION: (A-2723) Deferred to July 9, 1996, under Section 5-181(i) of the Land Development Code, to study access.***

62. DELEGATION: Rosana Cordova regarding request to modify conditions of plat approval on the New Testament Baptist Church (020-UP-90).

***ACTION: (A-2938) Approved subject to staff's recommendations.***

63. DELEGATION: Paul Lovesky regarding request to modify conditions of plat approval on the Rolling Oaks Estates Replat No. 1 (014-UP-95).

***ACTION: (A-2950) Approved subject to staff's recommendations.***

64. DELEGATION: Richard G. Coker, Jr. regarding request to amend the note on The F and H Plat (161-MP-85).

***ACTION: (A-2990) Approved subject to staff's recommendations.***

65. DELEGATION: William Laystrom, Jr. regarding request to amend the note on the Jacaranda Parcel 817 Plat (092-MP-88). (Deferred from June 11, 1996)

***ACTION: (A-2723) Deferred to July 9, 1996 at the applicant's request.***

66. DELEGATION: Gustavo X. Aquirre regarding request to amend the non-vehicular access line on the Kapok Grove Estates Plat (094-MP-94). (Deferred from June 11, 1996)

***ACTION: (A-3012) Approved subject to staff's recommendations.***

## **END OF QUASI-JUDICIAL HEARING**

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## **PUBLIC WORKS DEPARTMENT**

67. MOTION TO DISCUSS Stein & Company, Inc. agreement for the Broward County Civic Arena Project Owner's Representative Services and Selection/Negotiation Committee recommendation.

***ACTION: (A-2511) The Board approved the recommendations of the Selection/Negotiation Committee as follows:***

1) MOTION TO APPROVE the mutual rescission of the agreement dated June 4, 1996 between Stein & Company, Inc. and Broward County due to the unavailability of the designated project manager with each party to be responsible for their respective costs and expenses. Further, authorizing the County Attorney's Office to draft mutual rescission agreement for execution by Stein and County, which will include mutual releases.

**ACTION: (A-2619) Approved.**

2) MOTION TO APPROVE a finding of a valid public emergency pursuant to F.S. 287.055(3)(a) and thereby waive the procedures thereunder as well as the Broward County Procurement Code.

**ACTION: (A-2640) Approved.**

3) MOTION TO RECONSTITUTE AND REAPPOINT Selection/Negotiation Committee and to open negotiations with the second ranked firm. Additionally, the Board directed appropriate county staff to begin negotiations with the second ranked firm and return before the committee to confirm results of staff's negotiations.

**ACTION: (A-2660) Approved.**

## **OFFICE OF PROJECT MANAGEMENT & CONSTRUCTION**

### **CONSTRUCTION MANAGEMENT DIVISION**

68. A. MOTION TO AUTHORIZE Contract Administrator to notify Bellco Contracting, Inc. that it is in default pursuant to the construction contract awarded on June 13, 1995.

**ACTION: (A-3242) Approved.**

B. MOTION TO AUTHORIZE County Attorney's Office to take all necessary actions to proceed against Bellco Contracting, Inc., and the surety to obtain completion of the project.

**ACTION: (A-3242) Approved.**

## **OFFICE OF TRANSPORTATION ENGINEERING DIVISION**

69. A MOTION TO ADOPT budget Resolution 96-0539 transferring within the Engineering Capital Project Fund (315) the amount of \$148,000 from the Engineering Capital Project Reserve for future capital outlay to meet costs of a settlement agreement with Community Asphalt Corporation for Copans Road, BCED Project No. 5079.

## **ACTION: (A-3284) Approved.**

B. MOTION TO APPROVE settlement agreement between Broward County and Community Asphalt Corp., Contract No. N-06-92-24-OF, for improvements to Copans Road, I-95 to U.S. 1 of \$282,891.33, and a time extension of 103 days, and authorize the Chair and Clerk to execute same.

## **ACTION: (A-3284) Approved.**

### **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

## **OFFICE OF HOUSING FINANCE**

70. MOTION TO ADOPT Resolution 96-0540 of the Board of County Commissioners of Broward County, Florida approving the issuance of \$8,695,000 aggregate principal amount of the Housing Finance Authority of Broward County, Florida Multifamily Housing Revenue Refunding Bonds (Tamarac Pointe Apartments Project - GNMA Collateralized) Series 1996; determining the need for a negotiated sale of such bonds; approving the public hearing held in respect of the issuance of the bonds; approving the form of bond purchase agreement; approving the form and distribution of a preliminary official statement and approving the distribution of a final official statement with respect to the bonds; approving the form of the trust indenture; approving the form of financing agreement; approving the form of amended and

restated regulatory agreement and agreement of deed restrictions; approving the designation of a trustee and a trustee fee agreement; approving the form of letter of representations; authorizing other actions required to issue and deliver the bonds; and providing an effective date.

## **ACTION: (A-3296) Approved.**

71. MOTION TO ADOPT Resolution 96-0541 of the Board of County Commissioners of Broward County, Florida approving the issuance of \$9,880,000 aggregate principal amount of the Housing Finance Authority of Broward County, Florida Multifamily Housing Revenue Refunding Bonds (Boardwalk Apartments Project) Series 1996; determining the need for a negotiated sale of such bonds; approving the public hearing held in respect of the issuance of the bonds; approving the form of bond purchase agreement; approving the form and distribution of a preliminary official statement and approving the distribution of a final official statement with respect to the bonds; approving the form of the indenture; approving the form of financing agreement; approving the form of amended and restated regulatory agreement and agreement of deed restrictions; approving the designation of a trustee and a trustee fee agreement; approving the form of letter of representations; authorizing other actions required to issue and deliver the bonds; and providing an effective date.

***ACTION: (A-3302) Approved, as amended to reflect a \$10,000 (\$9,870,000) decrease from the County***

*Commission's Resolution (\$9,880,000).*

## **HUMAN SERVICES DEPARTMENT**

### **FAMILY DEVELOPMENT & RESOURCE DIVISION**

72. MOTION TO DIRECT County Attorney's Office to prepare an ordinance which authorizes the establishment of the Multi-Ethnic Trust Fund.

**ACTION: (A-3324) Approved.**

73. MOTION TO DIRECT County Attorney's Office to prepare an ordinance which authorizes the establishment of the Community Action Agency Trust Fund.

**ACTION: (A-3428) Approved.**

### **DEPARTMENT OF NATURAL RESOURCE PROTECTION**

## **BIOLOGICAL RESOURCES DIVISION**

74. MOTION TO AUTHORIZE the Chair to execute a letter to the Governor of Florida, Florida's U.S. Senators, Broward County's members the U.S. House of Representatives and the Chairs of the appropriate House and Senate Committees and Subcommittees in support of the Shore Protection Act of 1996 (S. 1811 and H.R. 3551), for the Biological Resources Division.

**ACTION: (A-3443) Approved.**

## **PORT EVERGLADES DEPARTMENT**

75. A. MOTION TO APPROVE agreement between Broward County and the Seamen's Church Institute of Florida d/b/a Seafarer's House for the period June 18, 1996 through November 30, 1996 to present Port Everglades' 15th Annual Golf and Tennis Tournament, and authorize the Chair and Clerk to execute same.

**ACTION: (A-3488) Approved.**

B. MOTION TO WAIVE Section 1.11.bb.1 of the Broward County Administrative Code relating to non-profit organization audits to allow for an audit of the event and not the entire organization.

**ACTION: (A-3488) Approved.**

# OFFICE OF BUDGET AND MANAGEMENT POLICY

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

**ACTION: (A-3496) Approved, as amended.**

## COUNTY ATTORNEY

77. A. MOTION TO APPROVE stipulation between Broward County and David Braun relating to the final order of the court regarding the Pines West Plat lawsuit.

**ACTION: (A-3591) Approved.**

B. MOTION TO APPROVE Pines West Plat for 11,950 square feet of commercial use.

**ACTION: (A-3591) Approved.**

## COUNTY COMMISSION

78. MOTION TO RECONSIDER enactment of an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 2-Z-96).  
(Commissioner Parrish)

REZONING PETITION 2-Z-96

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING ORDINANCE 86-3, AS AMENDED, WHICH CREATED A PLANNED UNIT DEVELOPMENT (PUD) OF APPROXIMATELY 89 ACRES IN UNINCORPORATED BROWARD COUNTY DESCRIBED AS PARCELS A & B, BROWARD CORRECTIONAL INSTITUTION PLAT, AS RECORDED IN PLAT BOOK 90, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY; BY MAKING TECHNICAL CHANGES TO UPDATE THE ORDINANCE; BY AMENDING SECTION 3 TO REVISE THE CONCEPTUAL SITE PLAN BY REVISING THE DEFINITION OF MINOR CHANGES WHICH CAN BE APPROVED BY THE DIRECTOR OF THE BROWARD COUNTY OFFICE OF STRATEGIC PLANNING AND GROWTH MANAGEMENT; BY AMENDING SECTION 5 TO REVISE THE LIST OF PERMITTED USES; PROVIDING FOR LIMITATIONS, CONDITIONS AND QUALIFICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (A-3739) Approved. Public hearing to be held on July 9, 1996 at**

2:00 p.m., Room 422 of the Governmental Center.

## **SUPPLEMENTAL AGENDA**

### **BOARD APPOINTMENTS**

79. MOTION TO APPROVE re-appointment of Dr. Sein Lwin to serve on the Multi- Ethnic Advisory Board. (Commissioner Rodstrom)

**ACTION: (A-3835) Approved.**

80. MOTION TO APPOINT Rev. Luc Del Harrigan to serve on the Multi-Ethnic Advisory Board. Rev. Harrigan will fill a vacant position on the board. (Commissioner Rodstrom)

**ACTION: (A-3840) Approved.**

### **NON AGENDA**

81. PROCLAMATION: Commissioner Hart, on behalf of the Board, read into the record a proclamation designating the week of **June 16 through June 22, 1996**, as **CODE ENFORCEMENT OFFICERS' APPRECIATION WEEK** in Broward County, and expressed appreciation for the dedication and outstanding service they provide.

***ACTION: (A-0085) Susan Pierce, Director, Code & Zoning Enforcement Division, thanked the Board and accepted the proclamation with appreciation.***

82. PROCLAMATION: Commissioner Gunzburger, on behalf of the Board, read into the record a proclamation designating **Tuesday, June 18, 1996**, as **DELTA DAY** in Broward County. Commissioner Gunzburger relayed that Delta Sigma Theta Sorority, Inc., a private, nonprofit organization, is a sisterhood of more than 195,000 college educated women providing services and programs to promote human welfare. There are more than 860 chapters throughout the United States and the world. The local Broward County Alumnae Chapter of Delta Sigma Theta Sorority, Inc. was chartered in 1955. The Delta Educational Education and Life Development Foundation, Inc., established in March 1986, provides cultural and educational enrichment activities, primary pregnancy prevention programs, counseling, economic development seminars and political awareness and education.

***ACTION: (A-216) Doris Salette, member of Delta Sigma Theta Sorority, Inc., thanked the Board and accepted the proclamation on behalf of the sorority with great appreciation. Ms. Salette introduced the following members: Damita R. Salters, President, Broward County Alumnae Chapter; Juanita Williams, President, Pompano Beach Alumnae Chapter; Gloria Jackson, Chair, Democratic Executive Committee; Dr. Barbara Wilson, professor at Nova University; Frankie Thomas, retired from the Florida Department of Health and Rehabilitative Services, District 10 and past member of the Broward County Coordinating Board for Transportation Disadvantaged Services (BCCB-TDS); Kathy Harris, Director, Broward County Human Services Department; Marilyn Jones; Dorothy Howard and Wanda Walker.***

*Ms. Salters respectfully submitted issues of concern expressed by the sorority relating to housing, crime, and economic development. (A copy is filed with the supplemental papers to the minutes of this meeting.)*

*Ms. Williams conveyed that both the Broward and Pompano Chapters have provided over \$300,000 in scholarships to local high school students, in addition to recognizing students through scholastic achievement programs.*

83. PROCLAMATION: The Chair, on behalf of the Board, read into the record a proclamation designating **Friday, July 5, 1996**, as **LAKER AIRWAYS DAY** in Broward County. The Chair wished to acknowledge Laker Airways upon its inauguration of nonstop transatlantic service between Fort Lauderdale/Hollywood International Airport and London's Gatwick Airport. The service will create 65,000 jobs in the County. In honor of the event the Greater Fort Lauderdale Convention and Visitor's Bureau and the Broward County Aviation Department plan a gala reception prior to the departure of its first flight.

*ACTION: (A-496) Patricia D. Walker, Director, Airports Division, Aviation Department and Nicki Grossman, President, Greater Fort Lauderdale Convention & Visitors Bureau thanked the Board and accepted the proclamation with great appreciation. Ms. Walker commented that a transatlantic service has been a dream of Mr. Laker's for many years; he is delighted.*

In a related discussion, Ms. Walker was asked about the ramifications, if any, of the grounding of ValuJet on the Fort Lauderdale/Hollywood International Airport. Ms. Walker gave a brief overview of ValuJet's service history at the airport, and stated that the loss ValuJet has in flights will be picked up by other airlines.

84. AWARDS - EMPLOYEE SUGGESTION PROGRAM: County Administrator B. Jack Osterholt presented awards to county employees for their participation in its Employee Suggestion Program. They will receive the following awards for their implemented suggestions:

**EMPLOYEE DIVISION AWARD/SAVINGS**

**Alvin Wentworth** Mass Transit \$ 100/Intangible

(Modified elect.circuit for step lights on 1983 coaches - alleviate wear on door motor)

**Joanne Block** Libraries 200/Intangible

(Designate numbered transp.stops at Main Library - assist pickup/delivery of patrons)

**Curtis Preece** Wastewater Management 200/Intangible

(Use reclaimed water for irrigation at the Septage Recovery Facility, other co.facil.)

**Kenneth Krason** Wastewater Management 102/Tangible

and **Walter Smith** Wastewater Management 102/Tangible

(Repair/replace methane check valves in-house - tangible savings of \$2,037)

**John Fahlgren** Traffic Engineering 350/Tangible

(Reduce trash pickup to one day a week - volume of trash decreased since recycling)

**Richard Levasseur** Wastewater Management 1,500/Tangible

and **Thomas McGovern** Wastewater Management 1,500/Tangible

(Upgrade existing master lift station data acquisition and control equipment - tangible savings of \$40,636)

***ACTION: (A-686) All the recipients thanked the Board for their awards.***

85. DISCUSSION: Commissioner Gunzburger relayed that she and Deputy County Attorney Norman Ostrau will meet with city of Hallandale Mayor Arnold Lanner. Commissioner Gunzburger requested a consensus from the Board members regarding the Cardroom legislation.

Commissioner Cowan relayed that at his request, he met with the President of the League of Cities Mayor Alex Fekete to convey his position on the issue and offered the following proposal:

Commissioner Cowan proposed that if the city of Hallandale was prepared to share 50 percent of its revenue with Broward County (to be placed in a fund), Commissioner Cowan supported taking the entire figure the County was entitled to (approximately \$155,000 between Dania and Pompano Race Track, combined; revenue from Hollywood Dog Track is approximately \$45,000), and placing the entire \$177,000 in the fund, from which the County would fund the entire cost of the Broward County League of Cities operation. The League of Cities' current operations run approximately \$132,000 per year, most of it paid by dues. There would be a maximum cap of \$150,000 given to the League. Commissioner Cowan elucidated that if there was not an agreement to share cardroom revenue from Hallandale, he would not support the plan he was proposing to Mayor Fekete.

In addition, if there was a shortfall in revenue from cardroom operations, and the revenue did not cover the full expense involved in operating the League of Cities, the first dues to be paid from the money contributed (County & 50 percent from Hallandale) would be paid for the cities of Hallandale, Pompano, Dania, and Broward County.

***ACTION: (A-3858) By unanimous consent, the Board supported Commissioner Cowan's proposal to the city of Hallandale.***

86. DISCUSSION: Commissioner Parrish asked for the status on an issue regarding a recommendation made by Administrative Jury Judge Robert L. Andrews that Chief Judge Dale Ross, on behalf of the 17th Judicial Circuit Court, retain counsel and enter into litigation against the County, as a result of the County reallocating Jury Room 520 to the Clerk of Courts. County Administrator B. Jack Osterholt advised that county staff has been working with Court Administration to avoid such litigation. The new jury rooms that have been planned will adequately meet all the potential needs. At this time, there is a problem with furniture which will be resolved in the near future.

***ACTION: (A-4268) County staff will continue to work with Court Administration to resolve any conflicts that may exist.***

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