

## MEETING OF JUNE 30, 1992

(Meeting convened at 10:00 a.m. and adjourned at 12:16 p.m.)

INVOCATION - The Reverend Peter Wendell, Westminister Presbyterian Church, Fort Lauderdale gave the invocation.

PLEDGE OF ALLEGIANCE - led by Mr. Eric Turner, Talbot High School student.

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

I. MOTION TO APPROVE Commuter Terminal Building lease agreement between Broward County and Safe Air International Inc., d/b/a Island Express for the lease and use of approximately 490 square feet of space located in the Commuter Terminal Building effective April 1, 1992 with an expiration date of September 30, 1992 at Fort Lauderdale-Hollywood International Airport, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

II. MOTION TO APPROVE third amendment to agreement between Broward County and O.R. Colan Associates Inc. for the Land Acquisition and Relocation Assistance Program at the Fort Lauderdale-Hollywood International Airport, increasing the contract amount by \$275,177.12 for a total contract amount of \$3,812,282.88 in accordance with the Master Plan Update and Part 150 Studies, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

III. A. MOTION TO APPROVE a second amendment to agreement between Broward County and Camp Dresser & McKee for conducting environmental audits for the Land Acquisition Program at the Fort Lauderdale-Hollywood International Airport to amend Articles 5.4.2 and 5.4.3, release of retainage from 10 percent to 5 percent when 75 percent of all parcels are completed for each Work Authorization, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

B. MOTION TO APPROVE third amendment to Work Authorization 8 increasing the amount by \$204,051 for a total of \$1,039,051 for conducting environmental audits under agreement between Broward County and Camp Dresser & McKee for the Land Acquisition Program at the Fort Lauderdale-Hollywood International Airport, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

C. MOTION TO APPROVE amendment to Work Authorization 11 increasing the amount by \$310,635 for a total of \$795,635 for conducting environmental audits under agreements between Broward County and Camp Dresser & McKee for the Land Acquisition Program at the Fort Lauderdale-Hollywood International Airport, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

D. MOTION TO APPROVE amendment to Work Authorization 14 to transfer \$55,500 from Regional Hydrogeologic Study to Project Management Services with no dollar increase for conducting project management of environmental audits under agreement between Broward County and Camp Dresser & McKee for the Land Acquisition Program at the Fort Lauderdale-Hollywood International Airport, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

E. MOTION TO APPROVE release of retainage for Work Authorizations 15, 16 and 17 in the amount of \$2,614.30.

ACTION: (A-620) (10:25 a.m.) Approved.

IV. MOTION TO APPROVE consent to sublease between Sheltair Aviation Center Inc. and the following sublessee for space at Sheltair Aviation Center Inc.'s leasehold at Fort Lauderdale-Hollywood International Airport, and authorize the Chairman and the Clerk to execute same: a) Trams Inc. and b) Aerojet Inc.

ACTION: (A-620) (10:25 a.m.) Approved.

V. MOTION TO APPROVE license agreement between Broward County and Florida Department of Transportation to provide for tying-in, grading, sloping of the area adjacent to the proposed expanded Pines Boulevard along a portion of the north side of North Perry Airport, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

VI. A. MOTION TO ADOPT Resolution 92-1112 authorizing execution and filing a grant application of Broward County, Florida, to the Federal Aviation Administration (FAA) for grant funds in an amount up to \$898,050 for the Airport Master Plan Update and Part 150 Noise Study Update at the Fort Lauderdale-Hollywood International Airport (FLL).

ACTION: (A-653) (10:25 a.m.) Approved.

B. MOTION TO ADOPT Resolution 92-1113 authorizing execution of a Federal Aviation Administration grant agreement, subject to review and approval by the Office of County Attorney, for Master Plan Update and Part 150 Noise Study Update at the Fort Lauderdale-Hollywood International Airport in an amount up to \$898,050 following the receipt of such grant agreement from the FAA.

ACTION: (A-653) (10:25 a.m.) Approved.

## PUBLIC WORKS DEPARTMENT

### OFFICE OF ENVIRONMENTAL SERVICES

VII. MOTION TO EXECUTE satisfactions of claim of liens to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A-620) (10:25 a.m.) Approved.

OFFICE OF TRANSPORTATION

VIII. MOTION TO APPROVE agreement between Broward County and Florida National Properties Inc. for road improvements and contributions relating to Coral Ridge Drive (Royal Palm Boulevard to Wiles Road).

ACTION: (A-620) (10:25 a.m.) Deferred to July 7, 1992 for staff to review.

ENGINEERING DIVISION

IX. MOTION TO APPROVE the granting of an electrical transmission easement to Florida Power and Light Company through county-owned property; and authorize the Chairman and the Clerk to execute said easement.

ACTION: (A-620) (10:25 a.m.) Approved.

X. MOTION TO APPROVE three individual easements for underground water line executed by John Abdo for a cumulative amount of \$15,600, for O.E.S. Project 1134; authorize the Chairman and the Clerk to execute acceptance portion of easements; and authorize recordation of same.

ACTION: (A-620) (10:25 a.m.) Approved.

XI. MOTION TO ADOPT Resolution 92-1114 releasing certain Broward County road reservations contained in Deed Book 574, page 261 and Deed Book 574, page 263, of the Public Records of Broward County, Florida, affecting the lands in Section 13, Township 51 South, Range 39 East; and authorize the Chairman and the Clerk to execute and deliver a release of reservation.

ACTION: (A-620) (10:25 a.m.) Approved.

XII. MOTION TO ADOPT Resolution 92-1115 accepting a perpetual easement executed by state of Florida Department of Transportation donating right-of-way for Rock Island Road, Project 5077, Parcel 104 in Section 13, Township 49 South, Range 41 East.

ACTION: (A-620) (10:25 a.m.) Approved.

XIII. MOTION TO APPROVE contract for sale and purchase executed by Fred and Patrice Scarbrough, in the amount of \$300 for the purchase of right-of-way and temporary easement for West Broward Boulevard, Project 5081, Parcel 2 and 2TCE;; authorize the Chairman and the Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-620) (10:25 a.m.) Approved.

XIV. MOTION TO APPROVE contract for sale and purchase executed by Central Park Place Partners, a Florida general partnership, in the amount of \$81,800 for the purchase of right-of-way and temporary construction easement for Broward Boulevard (Nob Hill Road to Pine Island Road), Project 5081, Parcel 1/1TCE; authorize the Chairman and the Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-620) (10:25 a.m.) Approved.

XV. MOTION TO ADOPT Resolution 92-1116 approving railroad reimbursement agreement between the state of Florida Department of Transportation, the Florida East Coast Railway Company, and Broward County for automatic grade crossing traffic control devices at Northeast 48 Street (Deerfield Beach), F.D.O.T./A.A.R Crossing No. 272516-U at F.E.C. M.P. 329+27', and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

#### OFFICE OF INTEGRATED WASTE MANAGEMENT

##### RECYCLING AND CONTRACT ADMINISTRATION DIVISION

XVI. MOTION TO APPROVE Part One of the Fifth Year Recycling Grant Application to the state of Florida Department of Environmental Regulation (DER) for recycling and education grant funds for FY 93, and to authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-620) (10:25 a.m.) Approved.

XVII. MOTION TO APPROVE the purchase of a recycling truck from the city of Pembroke Pines in the amount of \$78,000; said purchase to be made with Grant funds.

ACTION: (A-620) (10:25 a.m.) Approved.

XVIII. MOTION TO APPROVE agreement between Broward County and Broward County School Board for providing comprehensive recycling service to School Board facilities and schools.

ACTION: (A-620) (10:25 a.m.) Approved.

#### FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

##### COUNTY RECORDS DIVISION

XIX. MOTION TO APPROVE the minutes of the Commission meeting of May 19, 1992.

ACTION: (A-620) (10:25 a.m.) Approved.

##### PURCHASING DIVISION

Finance and Administrative Services Department

XX. MOTION TO AWARD open-end contracts to Butler Paper Company, low responsive and responsible bidder, Item 2a; Mac Papers Inc., low bidder, Items 5, 7a, 16a, 25, 31 and 35a, low responsive and responsible bidder, Items 1a, 32a, and 34a and single bidder, Items 9a, 10a, 11a, 12a, 13a, 14a, 15a, 17a, 53a, 54a, 55a, and 56a; Palmer Paper Co., low bidder, Items 3, 4, 6, 8, 20, 21, 26, 28, 30, 33, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, and 52 and low responsive and responsible bidder, Items 36 and 37; Saxon Paper Florida, low bidder, Items 22, 23, 24, 29, 50a, and 51a; Tampa Office Supplies, low bidder, Items 18 and 19, for cut paper: Virgin and/or recycled, (D-04-92-26-12) in the

amount of \$323,753.15 for various county agencies, subject to receipt and approval of insurance, and to authorize the Purchasing Director to renew the contract for two additional one year periods; the initial contract period shall start after acceptance of insurance and shall terminate one year from that date.

ACTION: (A-620) (10:25 a.m.) Approved.

For Public Services Department

**XXI. MOTION TO NOTE FOR THE RECORD** Emergency Change Order No. 1 for an increase of \$692.07 for Contract M-07-91-16-OF with Pro Construction Co. for the construction of Markham Park Comfort Stations (2) for the Parks and Recreation Division; approval of this change order has been given under the terms of the emergency provisions of the Broward County Procurement Code; contract amount changing from \$218,639.00 to \$219,333.07.

ACTION: (A-620) (10:25 a.m.) Approved.

For Public Works Department

**XXII. MOTION TO NOTE FOR THE RECORD** Emergency Change Order No. 14 in the amount of \$51,527.74, increasing the contract amount from \$5,498,002.61 to \$5,549,530.35 with a 9-day extension in time from 451 days to 460 days for Contract N-05-90-17-OF to S. I. Nicholas Inc. for construction of the West Regional Courthouse; approval for this change order has been given under the emergency provisions of the Broward County Procurement Code; Project: West Regional Courthouse.

ACTION: (A-620) (10:25 a.m.) Approved.

**XXIII. MOTION TO AWARD** open-end contract to the best evaluated proposers, Allstate Specialty Services for Group N in the amount of \$168,156; Triangle Services of Florida (Alternate bid) for Group K in the amount of \$911,264.76; and Sunshine Cleaning Systems for Groups C & W in the total amount of \$668,952 for janitorial services for various locations (RFP K-04-92-13-36), subject to receipt and approval of Performance and Payment Guaranty and Insurance. This contract is for a three year period beginning on August 1, 1992 and ending July 31, 1995.

ACTION: (A-746) (10:26 a.m.) Withdrawn at staff's request.

**XXIV. MOTION TO AWARD** open-end contract to the single bidder, Florida Sludge Hauling Inc., for Bid A-03-92-12-12, spreading, drying and removal of sludge, in the amount of \$58,900, for the Office of Environmental Services, subject to receipt and approval of a Performance and Payment Guaranty, and to authorize the Purchasing Director to renew the contract for a one-year period. The initial contract period shall start on June 30, 1992 and shall terminate on June 29, 1993.

ACTION: (A-620) (10:25 a.m.) Approved.

**XXV. A. MOTION TO NOTE FOR THE RECORD** Emergency Change Order No. 2 with Cherokee Groundwater Consultants Inc. for contamination assessment and cleanup at Lift Station 310, at an increase of \$40,000, changing the contract amount from \$36,211 to \$76,211 with an increase in contract time of 255 calendar days per the agreement approved by the Board of County Commissioners on July 10, 1990 for "Assessment and Cleanup of Contamination by Petroleum or other Hazardous Material," approval having been given under the emergency provisions of the Broward County Procurement Code.

ACTION: (A-620) (10:25 a.m.) Approved as corrected.

B.MOTION TO NOTE FOR THE RECORD the attainment of the cumulative value of Change Orders greater than 30 percent on contract with Cherokee Groundwater Consultants and the Office of Environmental Services. (12th attainment of 30 percent threshold; 364 percent)

ACTION: (A-620) (10:25 a.m.) Approved.

XXVI. MOTION TO NOTE FOR THE RECORD Emergency Change Order Nos. 54, 55, and 56 with The Hardaway Company for improvements to Water Treatment Plants 1A and 2A, at an increase in contract amount of \$90,052 from \$27,642,088 to \$27,732,140, with time extension to be resolved at a later date for Contract P-10-89-05-OF, approval having been given under the emergency provisions of the Board County Procurement Code; BCOES Projects 8085 and 8092.

ACTION: (A-620) (10:25 a.m.) Approved.

XXVII. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 2 reflecting an increase in the contract value of \$261,437.03 with an increase in the contract time of 35 days for Contract H-04-91-19-OF with Hardrives Inc., for the construction of Stirling Road, from S.W. 101 Avenue to University Drive (Project 5070); approval having been given under the emergency provisions of the Broward County Procurement Code; the total contract value will be increased from \$2,557,335.13 to \$2,818,772.16 and the contract time will increase from 348 to 383 days.

ACTION: (A-620) (10:25 a.m.) Approved.

XXVIII. MOTION TO APPROVE release of retainage and final payment in the amount of \$5,915 to Coral-Coast Construction Co. for the Main Jail renovations under contract M-08-91-06-OF.

ACTION: (A-620) (10:25 a.m.) Approved.

XXIX. MOTION TO APPROVE agreement between Broward County and ACAI Associates Inc., for an addition to Mills Center in lump sum amount of \$34,000 and reimbursables in the amount of \$2,000, and authorize the Chairman and the Clerk to execute same for a total of \$36,000.

ACTION: (A-620) (10:25 a.m.) Approved.

#### RISK MANAGEMENT DIVISION

XXX. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim 89 WC 0895 SM in the amount of \$23,750.

ACTION: (A-620) (10:25 a.m.) Approved.

#### HEALTH AND PUBLIC SAFETY DEPARTMENT

XXXI. MOTION TO APPROVE agreement between Broward County and Broward Regional Health Planning Council Inc. for HIV/AIDS Health Care Delivery System Needs Assessment in the amount of \$55,075 for the term from June 1, 1992 through February 28, 1993, and authorize the Chair and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

#### ALCOHOL AND DRUG ABUSE SERVICES DIVISION

XXXII. MOTION TO APPROVE agreement between Broward County and the Community Service Council to provide transitional housing for clients of the Alcohol and Drug Abuse Services who are homeless, cocaine abusing pregnant women or cocaine abusing mothers and their children for the period from July 1, 1992 to June 30, 1993, for the amount of \$62,750; and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

XXXIII. MOTION TO APPROVE agreement between Broward County and House of Hope Inc. to provide halfway house services for substance abusers for the period from July 1, 1992 to September 30, 1992, for the amount of \$39,500; and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

XXXIV. MOTION TO APPROVE an agreement between Broward County and the Early Childhood Development Association of Broward County Inc., d/b/a Child Care Connection of Broward County, Florida, to begin July 1, 1992 through June 30, 1993, in the amount of \$88,000 to provide child care services for children of cocaine abusing mothers, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

XXXV. MOTION TO APPROVE application by the Alcohol and Drug Abuse Services Division to the State Department of Community Affairs for the Commission on Substance Abuse 1992-93 Grant Project: TASC - The Bridge to Treatment for Spectrum Programs Inc. to receive Federal funds of \$81,000 and county match of \$27,000, and to authorize the County Administrator to take the necessary administrative and budgetary actions for implementation.

ACTION: (A-620) (10:25 a.m.) Approved.

#### BUILDING AND PERMITTING DIVISION

XXXVI. MOTION TO APPROVE the disbursement of funds from the Tree Preservation Trust Fund Account in the amount of \$44,564 to fund a tree planting project for the Broward Estates and St. George Subdivision, authorizing the Chairman and the Clerk to execute same, and authorize the necessary administrative actions for implementation.

ACTION: (A-620) (10:25 a.m.) Approved.

#### MEDICAL EXAMINER DIVISION

XXXVII. MOTION TO ADOPT unanticipated revenue resolution 92-1117 within the General Fund for the Medical Examiner Division in the amount of \$2,163 for studies commissioned by the Centers for Disease Control.

ACTION: (A-620) (10:25 a.m.) Approved.

PRIMARY HEALTH CARE DIVISION

XXXVIII. MOTION TO APPROVE physician service agreement between Broward County and Andrew Logan, M.D. to provide specialty physician services during the period from May 1, 1992 through April 30, 1993, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

SEXUAL ASSAULT DIVISION

XXXIX. MOTION TO APPROVE an agreement between Broward County and Frann R. Korn, Ph.D. for psychological consultation and testing services from July 1, 1992 through June 30, 1993, at a cost of \$260 per client for testing and \$40 per hour of consultation, and authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

PUBLIC SERVICES DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

XL. MOTION TO APPROVE the first amendment to the 16th Year Agreement between Broward County and the city of Lauderdale Lakes for the Lauderdale Lakes Alzheimer Center extending the term for three months from June 30, 1992 to September 30, 1992, with no change in the original allocation of \$400,000, and to authorize the Chairman and the Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

CONSUMER AFFAIRS DIVISION

XLI. MOTION TO APPROVE the partial change of ownership of Certificate of Public Convenience and Necessity No. 85 currently issued to A1A Snowbird Jitney Inc. One limousine permit of the three permits (one taxicab and two limousine) currently issued to A1A Snowbird Jitney Inc. will be transferred to Elite Limousine, Inc.

ACTION: (A-620) (10:25 a.m.) Approved.

XLII. MOTION TO APPROVE the partial change of ownership of Certificate of Public Convenience and Necessity No. 85 currently issued to A1A Snowbird Jitney Inc. One taxicab permit of the three permits (one taxicab and two limousine) currently issued to A1A Snowbird Jitney, Inc. will be transferred to S.E.B. Management Corporation.

ACTION: (A-620) (10:25 a.m.) Approved.

CULTURAL AFFAIRS DIVISION

XLIII. MOTION TO ADOPT a new site for the Governmental Center Parking Garage public art project adjacent to the garage on Riverwalk, Phase 2.

ACTION: (A-620) (10:25 a.m.) Approved.

XLIV. A. MOTION TO ADOPT budget resolution 92-1118 transferring funds from the Broward Cultural Affairs Reserve Fund in the amount of \$18,160 for the purchase of equipment and/or software necessary to connect existing personal computers to a Local Area Network (LAN).

ACTION: (A-620) (10:25 a.m.) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 92-1119 within the General Fund in the amount of \$8,600 to purchase computer equipment.

ACTION: (A-620) (10:25 a.m.) Approved.

XLV. A. MOTION TO FILE a budget of the South Florida Cultural Consortium in accordance with Section 7 of the interlocal agreement.

ACTION: (A-620) (10:25 a.m.) Approved.

B. MOTION TO APPROVE Broward County matching funds in the amount of \$42,000 for the South Florida Cultural Consortium through the Florida Division of Cultural Affairs Vital Locals Grant Program; \$21,000 to be provided by the Cultural Affairs Division in-kind and \$21,000 in cash for the period July 1, 1991 - June 30, 1992.

ACTION: (A-620) (10:25 a.m.) Approved subject to subsequent execution of revised Interlocal Agreement.

C. MOTION TO ADOPT budget resolution 92-1120 transferring to Metro-Dade County the amount of \$21,000 from the Broward Cultural Affairs Council Reserve for the purpose of matching funds for South Florida Cultural Consortium.

ACTION: (A-620) (10:25 a.m.) Approved subject to subsequent execution of revised Interlocal Agreement.

#### MASS TRANSIT DIVISION

XLVI. MOTION TO ADOPT budget resolution 92-1121 transferring funds within the Capital Budget FL-90-X183 for Mass Transit from the reserve account in the amount of \$150,000 to equipment maintenance.

ACTION: (A-620) (10:25 a.m.) Approved.

#### HUMAN SERVICES DIVISION

XLVII. MOTION TO APPROVE an agreement between Broward County and the Young Men's Christian Association of Broward County, Florida Inc., in the amount of \$10,250 one-time dollars for capital enhancement to purchase educational and leisure activities supplies subject to the terms of this agreement from March 1, 1992 through September 30, 1992 and authorize Chairman and Clerk to execute same.

ACTION: (A-620) (10:25 a.m.) Approved.

#### OFFICE OF NATURAL RESOURCE PROTECTION

XLVIII. MOTION TO APPROVE the settlement agreement between Broward County and White Construction Company Inc. for violations of the Broward County Code of Ordinances.

ACTION: (A-620) (10:25 a.m.) Approved.

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

A.First Federal Savings & Loan Association

B.A L C A Auto Body

C.Crystal Lake Club Mobile Park Ltd.

D.Specialty Restaurants Inc.

E.Chevron USA Inc.

F.Exclusive Cleaners

G.Martha's Restaurant

H.Tom Endicott Buick/Isuzu Inc.

I.Tom Endicott Buick/Isuzu Inc.

J.Proto Circuits of Florida Inc.

K.Proto Circuits of Florida Inc.

L.F A M B Water Corp.

M.F A M B Water Corp.

N.F A M B Water Corp.

O.F A M B Water Corp.

P.F A M B Water Corp.

Q.F A M B Water Corp.

R.F A M B Water Corp.

S.Gator Plating

T.Gator Plating

U.Division Transport

ACTION: (A-620) (10:25 a.m.) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-620) (10:25 a.m.) Approved.

LI. MOTION TO ADOPT budget resolution 92-1122 transferring within the General Capital Outlay Fund (301) the amount of \$21,400 from the General Capital Outlay Reserve to provide matching funds for a Federal grant to build an addition to the Mills Multi-Purpose Center.

ACTION: (A-620) (10:25 a.m.) Approved.

COURT ADMINISTRATOR

LII. MOTION TO APPROVE an annual purchase of service agreement with the Florida Department of Health and Rehabilitative Services to reimburse Broward County for the personnel costs of one General Master and secretary for hearing Title IV-D cases.

ACTION: (A-620) (10:25 a.m.) Approved.

COUNTY ADMINISTRATOR

LIII. MOTION TO APPROVE sufficiency of bonds required by law for certain county officers.

ACTION: (A-620) (10:25 a.m.) Approved.

LIV. MOTION TO ADOPT budget resolution 92-1123 within the General Fund for the Personnel Division transferring \$13,760 from the Commission Reserve for Americans with Disabilities Act requirements.

ACTION: (A-620) (10:25 a.m.) Approved.

COUNTY COMMISSION

LV. MOTION TO FILE Resolution No. 92-5-2 of Pembroke Park, Florida, authorizing a project for the improvement and development of Southwest 30 Avenue between Pembroke Road on the north and Hallandale Beach Boulevard on the south; authorizing and directing the Town Administrator and all department heads to forthwith proceed without delay to institute said improvement and development; providing said project shall be funded and financed pursuant to the provision of Chapter 170, Florida Statutes; repealing all conflicting resolutions and providing an effective date.

ACTION: (A-620) (10:25 a.m.) Approved.

REQUEST TO SET FOR PUBLIC HEARING

LVI. MOTION TO ADOPT Resolution 92-1124 directing the County Administrator to publish notice of public hearing to be held on Tuesday, August 11, 1992, and Tuesday, August 25, 1992, both at 5:15

p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

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

(Sponsored by the Board of County Commissioners)

ACTION: (A-620) (10:25 a.m.) Approved.

LVII. MOTION TO ADOPT Resolution 92-1125 directing the County Administrator to publish notice of public hearing to be held on Tuesday, August 11, 1992, and Tuesday, August 25, 1992, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES; DEFINING CERTAIN ADULT-ORIENTED USES AS "DESIGNATED USES"; DECLARING THE PURPOSE OF THE ORDINANCE TO PREVENT THE DELETERIOUS EFFECTS OF DESIGNATED USES ON SURROUNDING PROPERTIES; PROVIDING DEFINITIONS OF VARIOUS TERMS RELATING TO DESIGNATED USES; ESTABLISHING A MINIMUM DISTANCE BETWEEN DESIGNATED USES, AND BETWEEN DESIGNATED USES AND RESIDENTIALLY ZONED AREAS, CHURCHES, SCHOOLS, DAY CARE CENTERS AND NURSERIES; ESTABLISHING, FOR THE PURPOSE OF THIS ORDINANCE, THE METHOD OF MEASURING DISTANCES; ESTABLISHING THE APPLICABILITY OF THIS ORDINANCE; REQUIRING NONCONFORMING DESIGNATED USES TO BE REMOVED OR DISCONTINUED WITHIN A SPECIFIED TIME AFTER THE EFFECTIVE DATE; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE; PROVIDING FOR PENALTIES; REPEALING ORDINANCE NOS. 77-48, 78-33 AND 85-17 AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (92-414)

(Sponsored by the Board of County Commissioners)

ACTION: (A-620) (10:25 a.m.) Approved.

LVIII. A. MOTION TO DIRECT the County Administrator to set a public hearing on September 17, 1992 at 7 p.m. at the Northeast High School Auditorium to adopt the fiscal year 1993 tentative budget and millage rate.

ACTION: (A-620) (10:25 a.m.) Approved.

B. MOTION TO DIRECT the County Administrator to set a public hearing on September 24, 1992 at 7 p.m. at the Hollywood Hills High School Auditorium to adopt the fiscal year 1993 tentative budget and millage rate.

ACTION: (A-620) (10:25 a.m.) Approved.

LIX. MOTION TO ADOPT Resolution 92-1126 directing the County Administrator to publish notice of public hearing to be held on Tuesday, August 11, 1992, and on Tuesday, August 25, 1992, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO FLOODPLAIN MANAGEMENT; AMENDING SECTION 13 1/2 - 3 DEFINITIONS BY REVISING AND ADDING NEW DEFINITIONS; AMENDING SECTIONS 13 1/2 - 5 ADMINISTRATION AND 13 1/2 -6 STANDARDS TO CONFORM TO THE PROVISIONS OF THE NATIONAL FLOOD INSURANCE PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (91-466)

(Sponsored by the Board of County Commissioners)

ACTION: (A-620) (10:25 a.m.) Approved.

LX. MOTION TO AUTHORIZE the County Administrator to publish notice of intent to adopt a resolution dealing with street lighting in portions of the unincorporated area of Broward County, to add to the area of the Municipal Service Taxing Subdistrict the area to be known as "Area 22" (also known as Cresthaven); and to set the public hearing date for July 7, 1992 at 2 p.m. for the purpose of adopting said resolution.

ACTION: (A-620) (10:25 a.m.) Approved.

## REGULAR AGENDA

### 10 A.M. PUBLIC HEARING

LXI. A. MOTION TO ADOPT Resolution 92-1127 declaring existence of emergency in enactment of ordinance amending the effective date of Section 27-183(d), Broward County Code of Ordinances, to 12:01 a.m. on January 1, 1993 for crematories only.

ACTION: (A-970) (10:34 a.m.) Approved as amended with the effective date of July 1, 1992.

B. MOTION TO ENACT an emergency ordinance, the substance of which is as follows:

AN EMERGENCY ORDINANCE AMENDING SECTION 27-183(d)(2) BROWARD COUNTY CODE OF ORDINANCES RELATING TO THE EFFECTIVE DATE FOR EXISTING CREMATORIES; EXTENDING THE EFFECTIVE DATE FROM 12:01 A.M. ON JULY 1, 1992 TO JANUARY 1, 1993 FOR CREMATORIES ONLY; PROVIDING THAT EXISTING CREMATORY OPERATORS WILL APPLY FOR CONSTRUCTION PERMITS NECESSARY TO CONSTRUCT FACILITIES TO COMPLY WITH THIS SECTION WITHIN 30 DAYS OF THE ENACTMENT OF THIS ORDINANCE; PROVIDING FOR THE INCINERATION OF HUMAN AND ANIMAL BODIES IN CREMATORIES ONLY; DECLARING NEED FOR AN EMERGENCY ORDINANCE; DECLARING NEED FOR EMERGENCY ENACTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1620) (10:56 a.m.) Filed proof of publication and enacted ordinance, as amended, to be effective upon receipt of official acknowledgment from the Department of State.

LXII. MOTION TO ADOPT Resolution 92-1128 establishing rates, fees and charges for Fort Lauderdale-Hollywood International Airport to correct a scrivener's error in the terminal rates and charges to establish a later effective date for Subsections 39.2(c)4 and 39.2(c)5, to add certain provisions to Subsection 39.2(c)4, and to add a new Subsection 39.2(c)6.

ACTION: (A-2373) (11:17 a.m.) Approved with addendum.

END OF PUBLIC HEARINGS

COUNTY ADMINISTRATOR'S REPORT

LXIII. A. JAIL UPDATE Administration submitted a master control recap reflecting the number of inmates from June 30, 1992. County Administrator B. Jack Osterholt reported that we are below the cap and have not been fined during the week.

ACTION: (A-2444) (11:20 a.m.) Approved.

B. The Board questioned the allocations of funds to the special master during 1991.

ACTION: (A-2444) (11:20 a.m.) The County Administrator advised that he will give a report in this regard.

C. Commissioner Grossman advised that she and the County Administrator are currently pursuing dealing with the Emergency Medical Services' lag in response time.

ACTION: (A-2444) (11:20 a.m.) The County Administrator explained that an accurate report will be forthcoming.

AVIATION DEPARTMENT

LXIV. MOTION TO ADOPT Resolution 92-1129 granting blanket authorization to the Office of County Attorney to commence, or have commenced, eviction proceedings against tenants in possession of certain property acquired by the county in connection with the Fort Lauderdale-Hollywood International Airport Land Acquisition Program.

ACTION: (A-2531) (11:22 a.m.) Approved.

LXV. MOTION TO ADOPT Resolution 92-1130 amending the provisions of Chapter 26 of the Broward County Administrative Code relating to the policy for awarding concessions and consumer services privileges at Fort Lauderdale-Hollywood International Airport and North Perry Airport to include a pay telephone concession; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-2538) (11:22 a.m.) Approved.

OFFICE OF PLANNING

LXVI. MOTION TO ADOPT Resolution 92-1131 amending the Broward County Administrative Code by adopting an updated Traffic Review and Impact Planning Systems (TRIPS) Status Report dated June 30, 1992.

ACTION: (A-2546) (11:25 a.m.) Approved. Mr. Don Kowell, Office of Planning director, advised that the city of Pompano Beach would like to take over one Broward County collector as a city road.

Mr. Kowell requested that Hammondville Road, from Powerline Road to Dixie Highway, be removed. He advised that this may affect the concurrency. Mr. Kowell explained that during the next two weeks, staff will meet with the affected municipalities and will report back to the Board at its August 1992 meeting that the city would maintain the road thus resolve any concurrency problems.

LXVII. MOTION TO DIRECT the County Attorney's Office to draft an ordinance amending the Broward County Land Development Code.

ACTION: (A-2609) (11:25 a.m.) Approved.

LXVIII. DELEGATION: John Troonin regarding motion to grant a natural resource area variance for certain property within Pine Island Ridge (NRA 79), pursuant to Section 5-283(b), Broward County Code of Ordinances. (Deferred from June 23, 1992 meeting.)

ACTION: (A-2615) (11:25 a.m.) Approved.

#### FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

LXIX. A. MOTION TO AUTHORIZE county staff to solicit Letters of Interest from firms providing financial advisor services for the issuance of solid waste disposal revenue bonds.

ACTION: (A-2648) (11:25 a.m.) Approved.

B. MOTION TO AUTHORIZE county staff to solicit Letters of Interest from financial underwriting firms for the issuance of solid waste disposal revenue bonds.

ACTION: (A-2648) (11:25 a.m.) Approved.

C. MOTION TO APPROVE a selection/negotiation committee for both financial advisory services and a financial underwriting firm for the issuance of solid waste disposal revenue bonds.

ACTION: (A-2648) (11:25 a.m.) Approved with the appointments of Commissioners Cowan and Poitier.

LXX. A. MOTION TO AUTHORIZE county staff to solicit Letters of Interest from firms providing financial advisor services for the issuance of airport system revenue bonds.

ACTION: (A-2648) (11:26 a.m.) Approved.

B. MOTION TO AUTHORIZE county staff to solicit Letters of Interest from financial underwriting firms for the issuance of airport system revenue bonds.

ACTION: (A-2648) (11:26 a.m.) Approved.

C.MOTION TO APPROVE a selection/negotiation committee for both financial advisory services and a financial underwriting firm for the issuance of airport system revenue bonds.

ACTION: (A-2648) (11:26 a.m.) Approved with the appointments of Commissioners Cowan and Poitier.

#### HEALTH AND PUBLIC SAFETY DEPARTMENT

##### ALCOHOL AND DRUG ABUSE SERVICES DIVISION

LXXI. MOTION TO AMEND Section 1 of Resolution 92-591 approved by the Commission on April 7, 1992, by substituting the attached pages as the revised fee schedule for services provided by the Alcohol and Drug Abuse Services Division; and to ratify the imposition of charges pursuant to this schedule on and after May 7, 1992.

ACTION: (A-2689) (11:26 a.m.) Approved.

#### PUBLIC SERVICES DEPARTMENT

##### CONSUMER AFFAIRS DIVISION

LXXII. MOTION TO DIRECT the County Attorney to draft an Ordinance amending Section 20-176 of the Broward County Code to provide an exemption for motor vehicle repair shops and employees who perform only restoration work.

ACTION: (A-2748) (11:28 a.m.) Approved. The Board also directed the County Attorney to include said ordinance as part of the Co-op Program and for the County Administrator to schedule said ordinance at the same time the other ordinances are heard.

#### OFFICE OF INFORMATION TECHNOLOGY

LXXIII. MOTION TO ADOPT Resolution 92-1132 reestablishing a monthly fee of \$0.50 per month per telephone line to finance the recurring and nonrecurring costs for service, equipment and salaries for the Enhanced "911" system.

ACTION: (A-2844) (11:30 a.m.) Approved.

#### OFFICE OF NATURAL RESOURCE PROTECTION

LXXIV. MOTION TO INCREASE the personnel cap in the Office of Natural Resource Protection by one position for a Systems and Programming Manager.

ACTION: (A-2817) (11:30 a.m.) Approved that the position be included in the Office of Information Technology for availability to the Office of Natural Resource Protection.

#### OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-3470) (11:48 a.m.) Approved with addendum.

LXXVI. MOTION TO DIRECT the County Attorney to amend the Fire Protection and Garbage Collection Ordinance for recommended revised rates for fiscal year 1993.

ACTION: (A-3482) (11:48 a.m.) Approved.

#### INTERGOVERNMENTAL AFFAIRS

LXXVII. MOTION TO APPOINT a selection/negotiation committee for the purpose of establishing a contract with an agency providing comprehensive federal lobbying/consulting to represent Broward County's interests before the U.S. Congress, its committees and the executive branch of the federal government.

ACTION: (A-3501) (11:49 a.m.) Approved with the appointments of Commissioners Grossman and Parrish.

#### COUNTY ADMINISTRATOR

LXXVIII. DISCUSSION: Impact of state budget impasse. County Administrator B. Jack Osterholt gave a report on the July 1, 1992 grant programs namely: the Child Protection Team, Child Care Licensing, Juvenile Alternative Services and Elderly Nursing Home Diversion Program which are 100 percent funded without county match. Mr. Osterholt also reported that the July 1, 1992 grant programs namely: Substance Abuse, Adult Baker Act, Children's Mental Health, Elderly Mental Health and Community Care for the Elderly have county match.

Mr. Osterholt advised that after careful analysis, and in the event there is no appropriations bill from the state by midnight, June 30, 1992, staff is requesting that the programs continue.

ACTION: (A-3510) (11:49 a.m.) The Board approved the County Administrator's request that the county provide basic funding for the programs, previously cited, for up to 30 working days. If, by one week, this matter is not settled, the Board will consider its action to extend the programs until August 5, 1992.

#### NON AGENDA

LXXIX. PLAQUE: On behalf of the Board, the Chairman presented a plaque to Mr. Ray M. Carson, Public Works Department director, who is retiring from Broward County government to Greenville, Tennessee.

County Administrator B. Jack Osterholt thanked Mr. Carson on his good management, leadership and his accomplishments on improving the county.

ACTION: (A-202) (10:10 a.m.) The Board extended its appreciation to Mr. Carson for his outstanding service and dedication to the growth and development of Broward County.

Mr. Carson thanked the Board for this honor, recognized and thanked the Public Works Department staff for their roles played in providing public services to the community, addressed the completion of various construction projects, commented on the various system improvements and described the reconstruction improvements of several buildings in the county.

LXXX. PRESENTATION: Mses. Susan Richard and Ann Philips, on behalf of the Young Men's Christian Association of Broward County, presented certificates of appreciation to the county commission thanking each of them for their support and cooperation with the Young Men's Christian Association School Aid Childcare Program.

ACTION: (A-2390) (11:18 a.m.) The Board accepted and thanked Mses. Richard and Philips for the certificates.

LXXXI. DISCUSSION: David H. Lucas v. South Carolina Coastal Council, United States Supreme Court, No. 91-453. County Attorney John J. Copelan Jr. reported that Broward County filed an amicus brief in support of this case. Although the supreme court ruled against South Carolina's position, the opinion would not affect Broward County's regulation of wetlands nor would it have an impact on the county's other land development regulations.

Mr. Copelan explained that the court held that if all economically viable use of land were precluded by a regulation, the government must show that the regulation seeks to prevent a use of the land which is defined as a nuisance under existing state law. Mr. Copelan advised that in an analysis of the county's wetlands current and proposed regulations, the county would have a defensible position.

ACTION: (A-3707) (11:55 a.m.) No Board action was necessary for this item.

LXXXII. MOTION TO AUTHORIZE: the Office of the County Attorney to file a lawsuit against Frank Glusman to collect monies owed to the county by the developer, Frank Glusman, for modification to the entrance at the South Resource Recovery Facility.

ACTION: (A-3840) (11:56 a.m.) Approved.

LXXXIII. MOTION TO AUTHORIZE: the County Attorney to file suit for an injunction to prevent unauthorized clearing of vegetation in violation of Chapter 5, Article XII, of the Broward County Code of Ordinances, "Natural Resource Areas", regarding certain property in Hillsboro Beach, Florida.

ACTION: (A-3856) (11:56 a.m.) Approved.

LXXXIV. COMMISSIONER'S REQUEST: Commissioner Grossman advised that the Board needs to discuss the \$25 rescheduled fee which was in the budget approximately two years ago where it appears that funds flowed to the Court Administrator's Office instead of the Clerk of the Circuit Court's Office. Prior to establishing budget parameters for both offices, the Board needs to discuss the rescheduling fee and what the money is intended for.

ACTION: (A-4620) (12:15 p.m.) Deferred to July 7, 1992.

LXXXV. COUNTY ATTORNEY: County Attorney John J. Copelan Jr. advised that Assistant County Attorney Carl E. Kern, Tri-County Commuter Rail Authority representative, has been selected as the West Palm Beach city attorney.

ACTION: (A-4650) (12:16 p.m.) The Board congratulated Mr. Kern on his future career.

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