

MEETING OF AUGUST 5, 1997

(The meeting convened at 10:00 a.m.; recessed at 12:25 p.m.; reconvened at 2:00 p.m., and adjourned at 5:00 p.m.)

PLEDGE OF ALLEGIANCE was led by the Chair.

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE Amendment No. 3 to the Agreement of Lease between Broward County, Florida and Southern Air Parks, Inc. resolving a rental dispute, and authorize the Chair and Clerk to execute same.

ACTION: (A-0801) Deferred to August 12, 1997 for further review.

PUBLIC WORKS DEPARTMENT

2. MOTION TO APPROVE tri-party agreement among the City of Fort Lauderdale, Lester's Diner, Inc. and Broward County; providing for a \$100,000 County share of cost toward installation of a sanitary sewer line, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

REAL PROPERTY SECTION

3. MOTION TO APPROVE contract for sale and purchase executed by Burlington Assembly Church of God in the amount of \$3,000 for the purchase of an outparcel for West Lake Park, Parcel 378; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-0222) Approved.

4. MOTION TO APPROVE contract for sale and purchase executed by Joseph C. Dillard, as Trustee in the amount of \$95,000 for the purchase of land and a building at 901 NW 6th Avenue in Fort Lauderdale and adjoining the parcel purchased for the Homeless Assistance Center, and authorize the Chair and Clerk to execute the contract; and authorize acceptance and recordation of deed.

ACTION: (A-0280) Approved.

5. MOTION TO APPROVE contract for sale and purchase executed by New Sunrise Palms, Inc. in the

amount of \$20,900 for the purchase of road right-of-way, Parcel 5, Pine Island Road (Oakland Park Boulevard to Commercial Boulevard) Project No. 5121; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-0222) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

6. MOTION TO APPROVE developer's agreement between the County and PDC of South Florida, Inc. providing for utility installations by the developer at an estimated installation cost of \$56,985 (at no cost to the County) to furnish water and wastewater services to a two-story sports facility building, and authorize the Chair and Clerk to execute same. (BCOES Project No. 8732)

ACTION: (A-0222) Approved.

7. MOTION TO APPROVE developer's agreement between the County and ESA 0869, Inc., a Florida Corporation, providing for utility installations by the Developer at an estimated installation cost of \$29,490 (at no cost to the County) and providing for upgrade of the water system at a cost of \$22,250 to the County, to furnish water and wastewater, and authorize the Chair and Clerk to execute same. (BCOES Project No. 8737)

ACTION: (A-0222) Approved.

8. MOTION TO APPROVE developer's agreement between the County and the Trustees of Net Realty Holding Trust, providing for utility installations by the Developer at an estimated installation cost of \$38,585 to furnish water and wastewater services to a new 59,098 square foot Winn Dixie Marketplace; providing for reimbursement to the Developer in an amount of \$24,028 for installation of certain water extensions, and authorize the Chair and Clerk to execute same. (BCOES Project No. 8730)

ACTION: (A-0222) Approved.

FISCAL OPERATIONS DIVISION

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

ACTION: (A-0222) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

10. MOTION TO ADOPT Resolution 1997-837 accepting a warranty deed executed by The Cleghorn Shoe Corp., donating right-of-way for Flamingo Road in Section 24 & 25, Township 51 South, Range 40 East.

ACTION: (A-0222) Approved.

11. MOTION TO APPROVE trafficways illumination agreement between Broward County and the City of Miramar for Miramar Parkway from SW 148th Avenue to 1300 feet east of Flamingo Road, Project 5042; and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

12. MOTION TO APPROVE amendment of the Florida East Coast Railway lease of space for encroachments - MP 329 & 47', FDOT/AAR Crossing No. 272516 in conjunction with a motion to authorize payment of the additional \$200 per year, retroactive to February 24, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

13. MOTION TO APPROVE road improvement phasing agreement between Broward County and the School Board of Broward County relating to the McFatter Vocational Site (027-MP-95); and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

14. MOTION TO APPROVE road improvement phasing agreement between Broward County and GLSL Associates relating to the Silver Shores (103-MP-95); and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

15. A. MOTION TO APPROVE agreement between Broward County and the City of Pompano Beach for trafficways illumination for Copans Road from Powerline Road to Blount Road; and authorize the Chair and Clerk to execute same. (BCED Project No. 5111)

ACTION: (A-0222) Approved.

B. MOTION TO APPROVE agreement between Broward County and the City of Pompano Beach for

trafficways beautification for Copans Road from Powerline Road to Blount Road; and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

16. MOTION TO ADOPT Resolution 1997-0877 accepting a Drainage Flowage and Storage Retention Easement executed by ESA 0869, Inc. donating right-of-way for North Andrews Avenue Extension in Section 10, Township 49 South, Range 42 East.

ACTION: (A-0222) Approved.

17. MOTION TO APPROVE agreement for trafficways beautification between Broward County and City of Miramar for Miramar Parkway from State Road 7 to University Drive; and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

18. MOTION TO APPROVE road improvement phasing agreement among Broward County and Florida Preparatory School Management II, Ltd. and George D. Hansen, Trustee relating to the North Broward School Plat (009-UP-96), and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

19. MOTION TO ADOPT budget Resolution 1997-838 transferring within the Engineering Capital Project Fund (315) the amount of \$89,000 from the Engineering Capital Project Reserve in order that the Engineering Division may refund to the Environmental Engineering Division the appropriate amount due based upon itemized final cost reconciliation for the completed Copans Road widening project from I-95 to U.S.1 (No. 5079).

ACTION: (A-0222) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

20. MOTION TO NOTE AND FILE FOR RECORD Declaration of Official Intent for reimbursement from tax-exempt bonds/notes for capital expenditures associated with the expansion of the North Broward Detention Complex.

ACTION: (A-0222) Approved.

OFFICE OF HOUSING FINANCE

21. MOTION TO ADOPT unanticipated revenue Resolution 1997-839 within the Broward County Affordable Housing Assistance Trust Fund for the Office of Housing Finance in the amount of \$385,000 for the purpose of funding the State Housing Incentives Partnership (SHIP) Purchase Assistance

Strategy within the Local Housing Assistance Plan.

ACTION: (A-0222) Approved.

22. MOTION TO APPROVE subordination agreement for the purpose of permitting Broward County to accept a third mortgage lien position on a zero percent deferred interest State Housing Incentives Partnership (SHIP) purchase assistance loan in the amount of \$10,000 made to Robin Gaugler, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

ACCOUNTING DIVISION

23. A. MOTION TO APPROVE check lists issued from May 1, 1997 through May 31, 1997 in accordance with Florida Statute 136.06.

ACTION: (A-0222) Approved.

B. MOTION TO APPROVE check lists issued from June 1, 1997 through June 30, 1997 in accordance with Florida Statute 136.06.

ACTION: (A-0222) Approved.

COUNTY RECORDS DIVISION

24. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (A-0222) Approved.

25. MOTION TO APPROVE agreement between Broward County and NewVision Systems Corporation to provide system development and integration services to custom build a comprehensive County Records Official Records Recording/Imaging System in the amount of \$1,800,000.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

PURCHASING DIVISION

For Aviation Department

26. MOTION TO APPROVE seventh amendment to the agreement between Broward County and Leigh Fisher Associates for additional consultant services related to Broward County-owned airports, including PFC Financing Alternatives, On Call Advisory Services, CADD, Development and Support and Feasibility for Revenue Bond Issues, for a maximum amount not to exceed \$120,000.00, thereby increasing the maximum amount not to exceed for Fiscal Year 1996-1997 from \$855,000 to \$975,000 and thereby increasing the total agreement amount from \$3,415,050 to \$3,535,050.00, and authorize the Chair and Clerk to execute the same.

ACTION: (A-1055) Approved.

For Finance and Administrative Services Department

27. MOTION TO APPROVE customer agreement supplements for IBM equipment support family services between Broward County and IBM with selected attachments to the agreement supplements for Parks and Recreation Division, Judicial Information Systems, Office of Information Technology, Risk Management, Building and Permitting, Revenue Collection and Port Everglades from the date executed by the County through May 31, 2000, in the estimated amount of \$108,866.25, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

For Public Works Department

28. MOTION TO APPROVE Work Authorization No. 9502 in accordance with the Agreement of September 12, 1995 between Broward County and Montgomery Watson Americas, Inc. to provide professional engineering services for the purpose of chlorination and high service pumping modifications at Districts 1A-1, 1A-2 and 1-B-1 Repump Facilities for a lump sum of \$89,526 and a time period of 450 calendar days, and authorize the Chair and Clerk to execute same. (BCOES Project Number: 9502 - Chlorination and High Service Pumping Modifications at Districts 1A-1, 1A-2 and 1B-1 Repump Facilities)

ACTION: (A-0222) Approved.

29. MOTION TO APPROVE amendment to agreement between Broward County and Miller Legg & Associates, Inc. for consultant services, for Douglas Road Improvements from Dade County Line to Pembroke Road, Project No. 5142, in the amount of \$59,745 and an increase in contract time of 35 calendar days, changing the contract amount from \$427,319.43, to \$487,064.43, and increasing the contract time from 365 calendar days to 400 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

30. MOTION TO APPROVE sole source agreement with Findley, Inc. d/b/a Office Pavilion, agent for Herman Miller Furniture and Accessories for all standardized building and miscellaneous needs as approved by the Furniture Resource Manager, in the approximate amount of \$2,000,000 for Facilities Management Division. The initial contract period shall start August 5, 1997 and shall terminate on

December 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Withdrawn for further review.

REVENUE COLLECTION DIVISION

31. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien(s).

ACTION: (A-0222) Approved.

32. MOTION TO ADOPT Resolution 1997-840 authorizing cancellation of warrants from Central Operating Account No. 96442522 and Court Trustee Account No. 95035370 (NationsBank).

ACTION: (A-0222) Approved.

33. MOTION TO FILE Quarterly Investment Report as required by Ordinance 95.40 approved by the Board of County Commissioners on October 10, 1995.

ACTION: (A-0222) Approved.

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

34. MOTION TO APPROVE agreement between Broward County and Neu Heart Health Care Services from July 1, 1997 to December 31, 1997 in the amount of \$9,999 for the provision of Older Americans Act Homemaker Services to the elderly, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

HEALTH CARE MANAGEMENT DIVISION

35. MOTION TO ADOPT Resolution 1997-841 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of \$1,000 from the Children's Opportunity Group for deposit in the Broward County Children's Victim Services Section Trust Fund (formerly known as the Sexual Assault Treatment Division Trust Fund), and authorize the County Administrator to take all administrative actions to implement same.

ACTION: (A-0222) Approved.

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

36. MOTION TO APPROVE change of ownership of Certificate of Public Convenience and Necessity No. 58 currently issued to Palm Aire Limousine Service, Inc. One limousine permit currently issued to Palm Aire Limousine Service, Inc. will be transferred to Accurate Limousine Co.

ACTION: (A-0222) Approved.

37. MOTION TO APPROVE change of name appearing on Certificate of Public Convenience and Necessity No. 125 from J.C.'s Car Service, Inc. to J.C.'s Limo Service, Inc. Certificate No. 125 is the holder of one limousine permit.

ACTION: (A-0222) Approved.

38. MOTION TO APPROVE transfer of Certificate of Public Convenience and Necessity No. 87 currently issued to Around Town Luxury Car Service, Inc. One limousine permit from Around Town Luxury Car Service, Inc. will be transferred to Boyce- Trans., Inc. which holds one limousine permit on Certificate of Public Convenience and Necessity No. 59.

ACTION: (A-0222) Approved.

CULTURAL AFFAIRS DIVISION

39. MOTION TO FILE report for the third quarter of Fiscal Year 1997 in accordance with Section 29.17h of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

ACTION: (A-0222) Approved.

EMERGENCY MANAGEMENT DIVISION

40. MOTION TO APPROVE grant agreement between Broward County and the State of Florida, Department of Community Affairs in the amount of \$49,500 to develop a comprehensive hazard mitigation program from the date of execution through June 30, 1998, and authorize the Chair and Clerk to execute the grant agreement. (County in-kind match \$24,750)

ACTION: (A-0222) Approved.

LIBRARIES DIVISION

41. MOTION TO APPROVE agreement and work site addendum between Broward County and the Service Agency for Senior Citizens of Broward County, Inc. for the participation in the Senior Aides Program for the period July 1, 1997 to June 30, 1998 at no cost to the County, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) *Approved, with addendum adding sexual orientation as non-discriminatory practice.*

PARKS AND RECREATION DIVISION

42. MOTION TO AUTHORIZE AND DIRECT STAFF TO ORDER appraisals, title information, and take any other necessary steps and enter into negotiations to purchase an additional five acre parcel of land adjacent to and immediately north of the five acre park site presently owned by Broward County in the Sunshine Ranches area, subject to final approval by the County.

ACTION: (A-0222) Approved.

43. MOTION TO APPROVE State of Florida Department of Environmental Protection (DEP) Florida Boating Improvement Program (FBIP) Tri-Party Development Project Grant Agreement among Broward County, the City of Dania, and the Florida DEP in the amount of \$77,000 for the Dania Cut-Off Canal Maintenance Project FBIP Project, and authorize the Chair and Clerk to execute same. (No County monies required)

ACTION: (A-0222) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

44. MOTION TO APPROVE settlement agreements between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Natural Resource Protection (DNRP). The Respondents were cited for violations of the Broward County Code of Ordinances for the attached violations and have agreed to pay Broward County for the penalties in full:

1. Robert Catoggio and Susan Amico, Property Owners; Bomar Builders, Inc.; Motchkavitz Engineering Company; and Tree Movers, Inc.
2. Gulfstream Park Racing Association
3. Robert Bernstein
4. South Florida Transport & Equipment Corp.
5. Sunbelt Janitorial Systems, Inc. and Aquarius Condominium Association, Inc.

ACTION: (A-0222) Approved.

AIR QUALITY DIVISION

45. MOTION TO APPROVE grant application to the United States Environmental Protection Agency in the amount of \$534,470 (of which \$241,170 is federal contribution and \$293,300 is County match) to support the Broward County Air Pollution Control Program, and authorize the County Administrator to make necessary administrative and budgetary actions to execute the grant.

ACTION: (A-0222) Approved.

BIOLOGICAL RESOURCES DIVISION

46. MOTION TO APPROVE amendment to the agreement between the Florida Department of Environmental Protection and Broward County for an extension to the contract expiration date for an artificial reef project; and authorize the Chair and Clerk to execute same for the Biological Resources Division.

ACTION: (A-0222) Approved.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

47. MOTION TO APPROVE interlocal agreement between Broward County and the City of Cooper City for development permit services for the Schott Memorial Center.

ACTION: (A-0222) Approved.

BUILDING AND PERMITTING DIVISION

48. MOTION TO APPROVE interlocal agreement between Broward County and the City of Oakland Park to provide the City of Oakland Park inspection/plan review services to be performed by the Broward County Building and Permitting Division from July 11, 1997 to July 11, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

COMMUNITY DEVELOPMENT DIVISION

49. MOTION TO APPROVE satisfaction of mortgage on a benefit payment loan in the amount of \$41,000 made to Edward Thompson (now deceased), and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

50. MOTION TO APPROVE satisfaction of mortgage on a 5% direct loan in the amount of \$24,950 made to Derrick R. Chin and Helene H. Chin, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

51. MOTION TO APPROVE satisfaction of mortgage on a deferred payment loan in the amount of \$9,300 made to Thomas Walker and Mattie M. Walker, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

52. MOTION TO FILE quarterly foreclosure report for the Housing Rehabilitation Programs administered by Community Development Division.

ACTION: (A-0222) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-0222) Approved.

54. MOTION TO ADOPT budget Resolution 1997-842 transferring within the General Fund the amount of \$128,790 from the Non-Departmental Restricted Reserve for the 17th Judicial District to provide funding reserved in anticipation of Local Government Criminal Justice Trust Fund revenues.

ACTION: (A-0222) Approved.

55. A. MOTION TO ADOPT budget Resolution 1997-843 transferring within the Clerk of Courts Data Processing Fund the amount of \$43,680 from the reserve for the renovation of South Regional Courthouse, Room 200.

ACTION: (A-0222) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-844 within the General Capital Outlay Fund in the amount of \$43,680 for the renovation of South Regional Courthouse, Room 200.

ACTION: (A-0222) Approved.

METROPOLITAN PROGRAM COORDINATION

56. MOTION TO APPROVE local agency participation agreement between Broward County and the Florida Department of Transportation for lighting and landscaping Atlantic Boulevard and improving the intersection of Atlantic Boulevard and Federal Highway, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

COMMISSION AUDITOR

57. MOTION TO APPROVE travel of Commission Auditor to Gatlinburg, Tennessee to attend the Southeastern Intergovernmental Audit Forum September 3-5, 1997.

ACTION: (A-0222) Approved.

COUNTY ATTORNEY

58. MOTION TO APPROVE travel of Assistant County Attorney Lisa Zima Bosch to attend The Florida Bar's 1997 Annual Environmental and Land Use Law Update and Section Meeting in Naples, Florida.

ACTION: (A-0222) Approved.

59. MOTION TO AUTHORIZE Assistant County Attorney Veronica M. Biddle to attend the 52nd Annual Florida Workers' Compensation Education Conference in Orlando, Florida on September 14-17, 1997.

ACTION: (A-0222) Approved.

60. MOTION TO APPROVE first amendment to agreement between Broward County and Alan L. Gabriel as Uncertified Contractor Hearing Officer and Hearing Officer for Airport related Ordinances, and authorize the Chair and the Clerk to execute same.

ACTION: (A-0222) Approved.

61. MOTION TO APPROVE first amendment to interlocal agreement between Broward County and City of Miami Beach for utilization of the legal services of the Broward County Attorney's Office for workers' compensation litigation, and authorize the chair and clerk to execute the same.

ACTION: (A-0341) Deferred to August 12, 1997 for further information, relating to a breakdown of the \$95 per hour rate, including what direct and indirect costs are involved.

62. MOTION TO AUTHORIZE FILING Proposal for Settlement for \$27,500 (Offer of Judgment) in John Green and Cheryl Green, his wife, v. Broward County.

ACTION: (A-0222) Deferred to August 12, 1997, to complete documents.

63. MOTION TO APPROVE settlement agreement and general release as full and complete resolution of a federal civil action styled Moffitt v. Broward County and Carolyn Graham, Case No. 95-6287-CIV-HURLEY, attendant with a dismissal of the action with prejudice, and authorize the Chair and Clerk to execute same.

ACTION: (A-0222) Approved.

BOARD APPOINTMENTS

64. MOTION TO APPROVE Commissioner John E. Rodstrom, Jr. to serve on the Selection/Negotiation Committee for the 500 Bed Women's Correctional Facility. (Commissioner Rodstrom)

ACTION: (A-0222) Approved.

65. MOTION TO APPROVE appointment of Ms. Mary F. Macomber, Esq. to the Multi- Ethnic Advisory Board. (Commissioner Lieberman)

ACTION: (A-0222) Approved.

REQUEST TO SET FOR PUBLIC HEARING

66. MOTION TO ADOPT Resolution 1997-845 directing the County Administrator to publish notice of public hearing to be held Tuesday, September 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon various types of easements and right-of-way, lying in Broward County, Florida, and located on 196th Avenue between Sheridan Street and Stirling Road in the City of Pembroke Pines. Petitioner: Bergeron Land Development, Inc., et. al. (Miller Legg & Associates - Agent) 8-V-97.

ACTION: (A-0222) Approved.

67. MOTION TO ADOPT Resolution 1997-846 directing the County Administrator to publish notice of public hearing to be held Tuesday, September 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon utility easements, lying and being in Broward County, Florida, and located in the 300 block of Brickell Avenue in the City of Fort Lauderdale. Petitioner: Historic Brickell Ltd., et. al. (Craven, Thompson & Associates, Inc. - Agent) 11-V-97.

ACTION: (A-0222) Approved.

68. MOTION TO ADOPT Resolution 1997-847 directing the County Administrator to publish notice of public hearing to be held on Tuesday, September 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE BROWARD COUNTY CHILDREN'S SERVICES BOARD; AMENDING SECTION 1-485 OF THE BROWARD COUNTY CODE TO ADD A MEMBER OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO THE CHILDREN'S SERVICE BOARD.

(Sponsored by The Board of County Commissioners)

ACTION: (A-1102) Approved, as amended.

69. MOTION TO ADOPT Resolution 1997-848 directing the County Administrator to publish notice of public hearing to be held on Tuesday, September 23, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider the enactment of a proposed ordinance amending the Broward County Land Development Code the title of which is set forth as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SUBSECTION 5-182 (m) RELATING TO SCHOOL IMPACT FEES AND STUDENT GENERATION RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0520) Approved.

70. MOTION TO ADOPT Resolution 1997-849 directing the County Administrator to publish notice of public hearing to be held on Tuesday, September 23, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider the enactment of a proposed ordinance amending the Broward County Land Development Code the title of which is set forth as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SUBSECTION 5-182 (m) RELATING TO ADEQUACY OF

SCHOOL SITES AND FACILITIES AND SCHOOL CONCURRENCY; PROVIDING FOR SEVERABILITY;

PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0794) Approved.

71. MOTION TO ADOPT Resolution 1997-850 directing the County Administrator to publish notice of public hearing to be held on Tuesday, September 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider the enactment of a proposed ordinance the title of which is set forth as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 1, ARTICLE XVII, "QUASI- JUDICIAL PROCEEDINGS," BROWARD COUNTY CODE OF ORDINANCES; DELETING THE REQUIREMENT THAT SITE SPECIFIC LAND USE PLAN AMENDMENTS BE REVIEWED AND APPROVED IN A QUASI-JUDICIAL MANNER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0222) Approved.

REGULAR AGENDA

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COUNTY COMMISSION SITTING AS GOVERNING BOARD

OF THE COCOMAR WATER CONTROL DISTRICT

72. A. MOTION TO OPEN meeting as Governing Board of the Cocomar Water Control District.

ACTION: (A-1167) Withdrawn. Commission action not necessary.

B. MOTION TO APPROVE canal maintenance easement agreement between K. Hovnanian at Coconut Creek, Inc. and Cocomar Water Control District, and authorize the Chair and Clerk to execute same.

ACTION: (A-1167) Withdrawn. Commission action not necessary.

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

ACTION: (A-1167) Withdrawn. Commission action not necessary.

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73. **COUNTY ADMINISTRATOR'S REPORT** - County Administrator B. Jack Osterholt advised the Board that there was no report.

ACTION: (A-1170) No Board Action was necessary.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

74. MOTION TO FIND Application 97-CF-02 utilizing commercial flexibility in the Town of Davie compatible with the adjacent land uses, provided potential incompatibilities are appropriately mitigated, and that impacts upon public school facilities have been adequately considered.

ACTION: (A-1175) Approved.

75. MOTION TO FIND Application 97-CF-03 utilizing commercial flexibility in the City of Miramar compatible with the adjacent land uses, provided potential incompatibilities are appropriately mitigated, and that impacts upon public school facilities have been adequately considered.

ACTION: (A-1252) Approved, as amended.

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QUASI-JUDICIAL HEARING

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

DEVELOPMENT MANAGEMENT DIVISION

76. DISCUSSION of Plat entitled "Fagerstrom Plat" - District 3, (107-MP-96).

ACTION: (A-1340) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

77. DISCUSSION of Plat entitled "Renteria Inc., Plat" - District 2, (004-MP-97).

ACTION: (A-1358) Deferred to March 10, 1998, or sooner, pending information from the City of Pompano Beach relative to the City's long range ability to dispose of solid waste. (The Chair will contact Mayor William F. Griffin, City of Pompano Beach, to discuss the solid waste disposal issue.)

78. DELEGATION: Gerald L. Knight regarding motion to approve agreement between Broward County and the City of Pompano Beach and American Beauty General Partnership relating to the issuance of building permits while platting is in progress for the Palm Aire Marketplace No. 2 Plat (102-MP-96).

ACTION: (A-1714) Approved, as verbally amended, and subject to staff's recommendation.

79. DISCUSSION of Plat entitled "Palm Aire Marketplace No.2" - District 2, (102-MP-96).

ACTION: (A-1798) Deferred to March 10, 1998, or sooner, pending information from the City of Pompano Beach relative to the City's long range ability to dispose of solid waste.

NOTE: Staff was requested to notify municipalities, who did not join the Broward Solid Waste Disposal District, of the County's solid waste disposal requirements.

80. DISCUSSION of Plat entitled "Hunt Plat" - District 1, (064-MP-96).

ACTION: (A-2046) Deferred up to 35 days. The County requests that the City of Oakland Park further review the traffic issue on 38th Street to ensure that the information is adequate.

81. DISCUSSION of Plat entitled "Taco Bell at Dania" - District 6, (071-MP-96).

ACTION: (A-2503) Deferred to March 10, 1998, or sooner, pending information from the City of Dania relative to the City's long range ability to dispose of solid waste.

82. DISCUSSION of Plat entitled "Miramar Plaza" - District 7, (069-MP-96).

ACTION: (A-2540) Approved the plat, with addendum, and subject to staff's recommendations as outlined in the Development Review Report. The applicant agreed to an additional condition of the plat, that an agreement incorporating buffering conditions be entered into prior to plat recordation.

83. DISCUSSION of Plat entitled "Trammell Crow Industrial Center" - District 5, (079-MP-96).

ACTION: (A-1263) Deferred to September 2, 1997 at the applicant's request.

84. DISCUSSION of Plat entitled "C.J. Schosnig Plat" - District 5, (021-UP-96).

ACTION: (A-1274) Deferred to March 10, 1998 under Section 5-181(i) of the Land Development Code to study land use and zoning.

85. DISCUSSION of Plat entitled "H.R. Schosnig Plat" - District 5, (022-UP-96).

ACTION: (A-1274) Deferred to March 10, 1998 under Section 5-181(i) of the Land Development Code to study land use, zoning, and potable water.

86. DISCUSSION of Plat entitled “Somerset II South” - District 5, (021-MP-97).

ACTION: (A-2592) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

87. DISCUSSION of Plat entitled “Somerset Four Replat” - District 5, (019-MP-97).

ACTION: (A-2619) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

88. DISCUSSION of Plat entitled “Replat of a Portion of Avalon” - District 5, (010-MP-97).

ACTION: (A-2637) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

89. DISCUSSION of Plat entitled “ Summit Pembroke” - District 5, (098-MP-96).

ACTION: (A-1274) Deferred to March 10, 1998 under Section 5-181(i) of the Land Development to study traffic concurrency.

90. DELEGATION: Patricia Z. Hitchcock regarding request to place a note on the Lakeview Drive Subdivision Plat (084-MP-83).

ACTION: (A-2732) Approved subject to staff’s recommendations.

91. DELEGATION: Francisco Rojo regarding request to place a note on the Stirlingwood Plat (127-CP-79).

ACTION: (A-2757) Deferred to August 19, 1997 for further review.

92. DELEGATION: Francisco Rojo regarding request to amend the note on the Stirlingwood II Plat (182-CP-79).

ACTION: (A-2757) Deferred to August 19, 1997 for further review.

93. DELEGATION: Paul Lovesky regarding request to revise the note on the Ascension Peace Presbyterian Church Plat (034-MP-95).

ACTION: (A-2998) Approved subject to staff’s recommendations.

94. DELEGATION: Michael Gai regarding request to revise the note on the Coconut Point Plat (061-MP-95).

ACTION: (A-3014) Approved subject to staff’s recommendations.

95. DELEGATION: Donna C. West regarding request to amend the note on the Sawgrass Commerce Center (007-MP-86).

ACTION: (A-3108) Approved subject to staff’s recommendations.

96. DELEGATION: Richard S. Lookshin regarding request to amend the note on the Nuri Al-Islam Plat (023-UP-90).

ACTION: (A-1274) Deferred to March 10, 1998 under Section 5-181(i) of the Land Development Code to study zoning.

97. DELEGATION: Manuel Gallardo regarding request to amend the note on the Wellens Commercial Plat (017-UP-82).

ACTION: (A-3128) Approved subject to staff's recommendations.

98. DELEGATION: Bonnie Miskel regarding motion to approve traffic concurrency agreement relating to the Lugar Del Ray Plat (054-MP-85) and the Breeding Property Plat (048-MP-96).

ACTION: (A-1267) Deferred to August 19, 1997 at the applicant's request.

99. DELEGATION: Jeff Hodap regarding request to revise the note on the Lugar Del Ray Plat (054-MP-85). (Deferred from March 4, 1997)

ACTION: (A-1267) Deferred to August 19, 1997 at the applicant's request.

100. DELEGATION: Jean-Louis Lacerte regarding request to amend the note on the Woodsetter North Expansion Plat (026-UP-84). (Deferred from December 17, 1996)

ACTION: (A-1271) Withdrawn at the applicant's request.

101. DELEGATION: E. Scott Allsworth regarding request to amend the note on the Jacaranda Parcel 490 Plat (186-MP-80). (Deferred from January 21, 1997)

ACTION: (A-3149) Denied per staff's recommendation.

102. DELEGATION: E. Scott Allsworth regarding request to amend the non-vehicular access line on the Jacaranda Parcel 490 Plat (186-MP-80). (Deferred from January 21, 1997)

ACTION: (A-3208) Approved subject to staff's recommendations.

103. DELEGATION: Richard G. Coker regarding request to modify conditions of plat approval on the Alexander-Young Plat (023-MP-95).

ACTION: (A-3222) Approved subject to staff's recommendations.

104. DELEGATION: Gregory S. Mire regarding request to modify conditions of plat approval on the Raintree Villas Plat (031-MP-95). (Deferred from May 20, 1997)

ACTION: (A-1267) Deferred to August 19, 1997 at the applicant's request.

105. DELEGATION: Jonathan W. Keith regarding request to amend the non-vehicular access line on the CRD Associates Plat (079-MP-86).

ACTION: (A-3266) Approved subject to staff's recommendations.

106. DELEGATION: Neal B. Janov regarding request to amend the non-vehicular access line on Our Lady of Mercy Parish Center Plat (005-UP-82).

ACTION: (A-3283) Approved subject to staff's recommendations.

107. DELEGATION: Dave Webber regarding request to amend the non-vehicular access line on the Winston Park Section One Plat (201-MP-85). (Deferred from July 1, 1997)

ACTION: (A-1286) Deferred to August 19, 1997 under Section 5-181(i) of the Land Development Code to study transit requirements.

108. DELEGATION: Singh Randhawa regarding request to waive paved access requirements on the Pannu single family residence.

ACTION: (A-3302) Approved subject to staff's recommendations.

109. DELEGATION: Robert Lochrie regarding motion to approve substitute traffic concurrency agreement relating to the Cypress Creek Station Plat (050-MP-95).

ACTION: (A-3396) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

AVIATION DEPARTMENT

110. MOTION TO RECONSTITUTE evaluation committee to evaluate proposals for the operation of the Airport Advertising Concession at the Fort Lauderdale-Hollywood International Airport from six committee members to five members.

ACTION: (A-3410) Approved, as amended. The evaluation committee was reconstituted with the following members: Commissioners Cowan, Gunzburger, Poitier, and Rodstrom; Jack Lee, Director of Business, Aviation Department, and Ed Nelson, Marketing Manager, Aviation Department.

PUBLIC WORKS DEPARTMENT

OFFICE OF GENERAL SERVICES

111. MOTION TO APPROVE staff recommendation and plan for the County to construct and manage the expansion of the 1200 space parking garage by 400 spaces to serve the need for additional general public parking.

ACTION: (A-3425) Deferred until the County receives the City of Fort Lauderdale's Parking Study, and a financial analysis from county staff which includes an analysis of the current usage, revenues,

and expenditures. Additionally, staff will provide the Board with the original concept for the mid-rise garage and the County's intentions of operating it, and how successful or lack thereof the County has been. Staff was directed to cancel the public hearing scheduled for this item on Tuesday, August 12, 1997 at 2:00 p.m.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Finance and Administrative Services Department

112. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide a comprehensive cross-platform Change Management solution for the Broward County Office of Information Technology (OIT).

ACTION: (A-3864) Approved. The following were appointed to serve on the Selection/Negotiation Committee: Commissioner Parrish; Assistant Director, Office of Information Technology, Finance & Administrative Services Department, (Chair); Director, Planning Information Technology Division, Strategic Planning & Growth Management Department; and Director, Land Use & Permitting Division, Department of Natural Resource Protection (DNRP).

For Port Everglades Department

113. A. MOTION TO ADOPT budget Resolution 1997-851 transferring within the Port Everglades Capital Fund (471) the amount of \$101,396 from Capital Reserve for Project 6475, Terminal No. 1, Phase II Improvements.

ACTION: (A-3886) Approved.

B. MOTION TO WAIVE timely submittal of complete information to questions 4, 5 and 7 of the questionnaire contained in the County Attorney Form No. 170 bid book, section 00500 for Bid No. Q-03-96-22-OF, Port Everglades Terminal No. 1, Phase II Improvements by Pass International, Inc.

ACTION: (A-3886) Approved.

C. MOTION TO AWARD fixed contract to low bidder, Pass International, Inc., for the Port Everglades Terminal No. 1, Phase II Improvements (Bid No. Q-03-96-22-OF) in the base bid amount of \$649,440 plus additive alternate for \$30,000 for a grand total amount of \$679,440 for the Port Everglades Department, subject to receipt and acceptance of insurance/ performance and payment guaranty.

ACTION: (A-3886) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

114. MOTION TO APPROVE Consent and Estoppel Certificate for Assignment of Concession Agreement between Broward County and BIL Golf, Inc. (BIL) to Broward Family Golf Centers, Inc. (BFGC), and authorize the Chair and Clerk to execute same. (Deferred from July 8, 1997)

ACTION: (A-3894) Approved, as amended. Broward Family Golf Centers, Inc. voluntarily agreed to enter into an amendment to the concession agreement with the County which would reduce the term of years from 25 years to 20 years (term of concession agreement will run until 2016).

DEPARTMENT OF NATURAL RESOURCE PROTECTION

WATER RESOURCE DIVISION

115. MOTION TO ADOPT Resolution 1997-852 endorsing “The Marjory Stoneman Douglas Wilderness and Ernest F. Coe Visitor Designation Act,” Senate Bill 931, and authorize the County Administrator to distribute it to members of the United States Congress.

ACTION: (A-4380) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-4388) Approved, as amended.

OFFICE OF ECONOMIC DEVELOPMENT

117. MOTION TO ADOPT Resolution 1997-853 recommending that The Sports Authority, Inc. be approved as a qualified applicant for participation in the Florida Qualified Target Industry Tax Refund Program incentive from Broward County for the Fiscal Years 1998 through 2002 based on the creation of the minimum requisite jobs within Broward County subject to the condition that the City of Lauderdale Lakes provides 33% of the required local participation.

ACTION: (A-4393) Approved.

OFFICE OF URBAN AFFAIRS

118. MOTION TO ACCEPT nominations for a position on the Education, Research and Training

Authority of Broward County.

A. MOTION TO APPROVE reappointment of Mitch Ceasar to the Education, Research and Training Authority of Broward County. (Commissioner Parrish)

ACTION: (A-4401) Approved the reappointment of Mitch Ceasar to the Education Research and Training Authority of Broward County.

119. MOTION TO ACCEPT nominations for a Commissioner to serve a two-year term on the Tri-County Commuter Rail Authority.

A. MOTION TO NOMINATE Commissioner Lori Parrish for re-appointment to serve as the Broward County Commission representative to the Tri-County Commuter Rail Authority. This term will expire on August 13, 1999. (Commissioner Gunzburger)

ACTION: (A-4409) Nominated Commissioner Parrish for reappointment to serve as the Broward County Commission representative to the Tri-County Commuter Rail Authority.

COUNTY ADMINISTRATOR

120. MOTION TO APPROVE in concept the counter offer of Michael S. Swerdlow Companies, Inc. dated July 30, 1997, and authorize the County Attorney to prepare a definitive lease/purchase agreement for the approximately 271 acres of property located adjacent to Port Everglades.

ACTION: (B-0167) Approved. The detailed lease/purchase agreement will be negotiated by all parties and submitted to the County Commission by September 4, 1997 for the Commission's review prior to the item being placed on the agenda September 23, 1997 for consideration.

SUPPLEMENTAL AGENDA

REQUEST TO SET FOR PUBLIC HEARING

121. MOTION TO ADOPT Resolution 1997-854 directing the County Administrator to publish notice of public meeting to be held on Tuesday, August 26, 1997 at 10:00 a.m. in Room 422 of the Governmental Center to consider the approval of a development agreement between Broward County and The Broward Partnership For the Homeless, Inc.

REASON FOR SUPPLEMENTAL: To meet advertising requirements.

ACTION: (A-4421) Approved.

NON AGENDA

122. PROCLAMATION: Commissioner Parrish, on behalf of the Board, read into the record a proclamation designating Tuesday, August 5, 1997 as **NATIONAL NIGHT OUT** in Broward County

and urged all residents to join in support of this event. Commissioner Parrish stated that the National Association of Town Watch is sponsoring this unique, nationwide crime, drug, and violence prevention program.

ACTION: (A-0170) Fernando Gutierrez, Chair of the Local National Night Out Committee, along with Mike Soucy, President of the South Broward Community Council, thanked the Board and accepted the proclamation with appreciation.

123. SOUTHWEST COUNTY COURTHOUSE PROPOSALS: Commissioner Gunzburger referred to Item 85 of the July 8, 1997 commission meeting, directing staff to advertise for, and seek proposals for, the purchase of a minimum of 40 acres of land for a future Southwest County Courthouse and other public facilities to be located on a site within a corridor extending one (1) mile each side of Sheridan Street from its intersection with I-75 to U.S. #27. Commissioner Gunzburger questioned staff regarding the number of sites which meet the criteria in the area. County Administrator B. Jack Osterholt assured Commissioner Gunzburger that there were more than the two sites in the area and there would be no difficulty obtaining proposals. The boundaries have been extended from Sheridan Street to Sterling Road, and from I-75 to U.S. #27.

ACTION: (B-0090) No Board action was taken.

124. REAPPOINTMENT of Commissioner Pat Larkins, City of Pompano Beach, to the Minority Economic Development Advisory Board.

ACTION: (A-4913) By the unanimous consent of the Board, Commissioner Pat Larkins was reappointed to serve on the Minority Economic Development Advisory Board.

125. INFORMATIONAL: Commissioner Poitier advised the Board that she recently attended the National Association of Counties (NaCo) conference in Baltimore, Maryland from July 10 thru July 15, 1997. Commissioner Carol Roberts of Palm Beach County ran for Second Vice President of NaCo. Commissioner Roberts graciously gave her votes to a western commissioner, allowing the Board equal representation. Commissioner Roberts will run for Second Vice President in 1998 at the NACo conference in Portland, Oregon. Commissioner Poitier urged the commissioners to attend.

ACTION: (A-4926) No Board action was necessary.

126. REQUEST FOR RESIGNATION: Commissioner Rodstrom asked County Administrator B. Jack Osterholt to tender his resignation by Tuesday, August 12, 1997. In the event that Mr. Osterholt's resignation is not forthcoming, Commissioner Rodstrom stated he would make a motion at next Tuesday's commission meeting for Mr. Osterholt's termination as County Administrator.

ACTION: (A-4997) No Board action was taken.

127. INFORMATIONAL: Commissioner Abramowitz informed the Board that Commodore P.C. van der Graaf invited him to welcome the NATO fleet to Fort Lauderdale/Broward County on Friday, August 1, 1997. Ships from all around the world converged at Port Everglades.

ACTION: (A-5414) No Board action was necessary.

128. INFORMATIONAL: Commissioner Abramowitz informed the Board that he was present for the launching of the United States entry in the "Whitbread Around the World" race at the Port Everglades

on Thursday, July 24, 1997.

ACTION: (A-5460) No Board action was necessary.

129. ARTICLE V DEVELOPMENTS: Commissioner Parrish referred to the memorandum and newspaper articles dated July 25, 1997, from County Attorney John J. Copelan, Jr. relating to Article V cost issues. Commissioner Parrish requested that Article V cost issues be placed on the agenda for the August 12, 1997 commission meeting for discussion. Commissioner Parrish noted that Palm Beach successfully argued before Circuit Judge James Carlisle that it is not responsible for paying filing fees on appeals filed by indigent criminal defendants. Last year, Broward County paid over \$96,000 in appellate filing fees for appeals filed by indigent criminal defendants.

ACTION: (A-5481) Staff was requested to place Article V cost issues on the agenda for the August 12, 1997 commission meeting for discussion.

130. CONSTITUTIONAL REVISION COMMISSION: Commissioner Parrish informed the Board that the Constitutional Revision Commission will be in South Florida on August 20 thru 22, 1997 to discuss Judiciary and Initiative Amendment issues. The Constitutional Revision Commission will be at the Broward Center for the Performing Arts on August 21, 1997. Commissioner Parrish stated that even though there is no representation from Broward County on the Commission, the County Commission should still participate in the discussions so the County can express its position on various judiciary issues.

ACTION: (A-5522) Prior to August 20, 1997, positions will be formulated on issues of importance (the Board's position on Article V and the Homestead Exemption) to present, on behalf of the County Commission, to the Constitutional Revision Commission.

131. VETERANS' NURSING HOME/PURCHASE OF PROPERTY: Commissioner Parrish briefly apprised the Board that Mr. Bill Kling, member of Elderly and Veterans Services Advisory Board, called her office regarding the urgent need to put pressure on Secretary Feaver of Family and Children's Services to issue another letter of intent to lease 12 acres to Florida Department of Veterans Affairs for a Veterans' Nursing home in Pembroke Pines. Commissioner Parrish requested that staff research the feasibility of the County purchasing a portion of the Waldrep property located in the Cooper City/Davie area. Commissioner Parrish explained the reasons why the area would be conducive to having a Veterans' Nursing Home.

ACTION: (A-5584) The County Administrator was requested to direct appropriate staff to research the feasibility of the County purchasing a portion of the Waldrep property for a Veterans' Nursing Home in Broward County.

132. LETTER FROM METRO-DADE MAYOR ALEX PENELAS: The Chair relayed that his office received a letter from Metro-Dade Mayor Alex Penelas, dated July 25, 1997. Mayor Penelas invited the Chair and the County Commission to attend the state's first strategic summit on handgun violence prevention at Miami Senior High School on August 15, 1997.

ACTION: (A-5781) The Chair will circulate Mayor Penelas' letter to the Commissioners, and if anyone would like to attend, the Board could make the appointment at the August 12, 1997 commission meeting.

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