

MEETING OF AUGUST 12, 1997

(Meeting convened at 10:00 a.m.; recessed at 12:30 p.m, reconvened at 1:30 p.m. and adjourned at 4:30 p.m.

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE amendment to business lease between Broward County, Florida and Lancaster Steel Company, Inc. to provide for four additional six-month term extensions, as provided for in the Stipulated Final Judgement, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

PUBLIC WORKS DEPARTMENT

2. MOTION TO APPROVE first amendment to the agreement between Broward County and O'Brien-Kreitzberg, Inc. for professional consultant services for the Broward County Arena in Broward County, Florida; the total maximum amount not-to-exceed of \$1,095,939.50, and reimburseables of \$72,500 from October 1, 1997 through December 31, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved, as amended.

REAL PROPERTY SECTION

3. MOTION TO FILE 1996-1997 Annual Report on all County-owned properties including those which are surplus inventory.

ACTION: (A-273) Withdrawn for further consideration.

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

4. A. MOTION TO APPROVE utility relocation agreement between Broward County Board of County Commissioners and the State of Florida Department of Transportation (FDOT) Job No. 86100-3576 and 86100-3508 for the relocation of County utilities located within the FDOT right-of-way on State Road No. 7 (US 441) between Riverland Road and Broward Boulevard. (BCOES Project Number 8741)

ACTION: (A-273) Approved.

B. MOTION TO APPROVE joint project agreement between Broward County Board of County Commissioners and the State of Florida Department of Transportation (FDOT) Job No. 86100-3576 and 81600-3508, for the relocation of County utilities located within the FDOT right-of-way on State Road No. 7 (US 441) between Riverland Road and Broward Boulevard. (BCOES Project Number 8741)

ACTION: (A-273) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING & CONTRACT ADMINISTRATION DIVISION

5. MOTION TO APPROVE Work Authorization No. 3 between Broward County and WPLG-TV 10 for a Public Awareness Campaign in the amount not to exceed \$30,020.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

OFFICE OF GENERAL SERVICES

6. MOTION TO APPROVE assignment of lease from current operator of the Charcuterie Too!, Janet Marcus, to the new operators, Rajiv and Ymelda Singh, in accordance with paragraph 23.6 of the lease agreement dated June 17, 1986.

ACTION: (A-318) Deferred to permit staff to respond to the Commission's concerns on this lease agreement.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

7. MOTION TO ADOPT Resolution 1997-878 authorizing conveyance of a County deed executed by Broward County, donating right-of-way for Sample Road and US1 (State Road No. 5) in Section 19, Township 48 South, Range 43 East; to the State of Florida Department of Transportation; and authorize the Chair and Clerk to execute and deliver said County deed.

ACTION: (A-273) Approved.

STREETS AND HIGHWAYS DIVISION

8. MOTION TO ADOPT budget Resolution 1997-879 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$43,000 for drainage project on NW 4th Street east of NW 27th Avenue in Unincorporated Broward County, Project No. 9725.

ACTION: (A-273) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

9. MOTION TO APPROVE satisfactions and releases of anti litter liens.

ACTION: (A-273) Approved.

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

ACTION: (A-273) Approved.

11. MOTION TO APPROVE satisfactions and releases of land clearance liens and releases of Notices of Non-compliance with the Land Clearing Code of Broward County.

ACTION: (A-273) Approved.

12. MOTION TO APPROVE satisfactions and releases of road improvement liens.

ACTION: (A-273) Approved.

13. MOTION TO ADOPT Resolution 1997-880 releasing land clearance charges upon certain described lands.

ACTION: (A-273) Approved.

COUNTY RECORDS DIVISION

14. MOTION TO APPROVE destruction of previous years of Board of County Commission minutes and supporting documents, 496 cubic feet of permanent paper records that have all been microfilmed.

ACTION: (A-273) Approved.

15. MOTION TO APPROVE second amendment to contract for codification of laws relating to Broward County between Broward County and Municipal Code Corporation for the provision of the Broward County Code in electronic media in the amount of \$4,250.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved, as amended.

16. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission meetings of May 6, 1997 and June 3, 1997; the minutes of the 2:00 p.m. Public Hearing of May 27, 1997; and the minutes of the Cocomar Water Control District of June 3, 1997.

ACTION: (A-273) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

17. MOTION TO AWARD open-end contract to low bidder for Group 1, Sun Coast Fence, in the approximate amount of \$19,636; to low bidder for Groups II, IV, V, VI, VII, and VIII, Martin Fence Company, in the approximate amount of \$667,040; to low bidder for Group III, Anything In Fence, Inc. in the approximate amount of \$328,385; and to low bidder for Group IX, Tropic Fence, Inc. in the approximate amount of \$7,000 for Fencing, Chain Link (Bid No.T-03-97-18-12) in the total approximate annual amount of \$1,022,061 for the Using Divisions, and authorize the Purchasing Director to renew the contract for three one-year periods. The initial period of the contract shall start after acceptance of insurance and performance/payment guaranty and end May 26, 1998.

ACTION: (A-273) Approved.

For Public Works Department

18. A. MOTION TO AWARD fixed contract to low bidder, Team Land Development, Inc. for South County Neighborhood Improvements Project, Bid Package 6, (Bid No. N-07-96-25-OF) for the base bid amount of \$1,403,093.56, for the Office of Environmental Services, subject to receipt and acceptance of performance and payment guaranty.

ACTION: (A-273) Withdrawn due to a protest received from a vendor.

B. MOTION TO APPROVE 10% Change Order Contingency.

ACTION: (A-273) Withdrawn due to a protest received from a vendor.

19. MOTION TO APPROVE Work Authorization No. 1 between Broward County and Motor Fuelers, Inc., in accordance with the Library of Environmental Services approved by the Board of County Commissioners on August 23, 1994, to provide professional services for the installation of a

Compressed Natural Gas (CNG) refueling site in the amount of \$129,120.13, and a contract time period of 90 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

20. MOTION TO APPROVE Work Authorization No. 1 between Broward County and Petropac, Inc., in accordance with the Library of Environmental Services approved by the Board of County Commissioners on August 23, 1994 to provide professional services for the installation of Compressed Natural Gas (CNG) refueling site in the amount of \$28,043.37, and a contract time period of 90 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

REVENUE COLLECTION DIVISION

21. MOTION TO ACKNOWLEDGE Receipt of Notice of Lands Available for Taxes submitted per Florida Statutes 197.502(7) and 12D-13.064(1)(2)(3).

ACTION: (A-273) Approved.

22. MOTION TO APPROVE AND EXECUTE satisfactions of Claims of Liens.

ACTION: (A-273) Approved.

RISK MANAGEMENT DIVISION

23. MOTION TO APPROVE first amendment to agreement between Broward County and North Broward Hospital District for Occupational Medical Programs.

ACTION: (A-273) Approved.

24. MOTION TO AUTHORIZE full and final settlement of Attorney's Fees of Worker's Compensation Claim No. 84 WC 0925 RS/PT in the amount of \$100,000.

ACTION: (A-880) Approved.

25. MOTION TO AUTHORIZE full and final settlement of Claim No. SSA/012094EURI/F in the amount of \$28,000.

ACTION: (A-273) Approved.

26. MOTION TO AUTHORIZE full and final settlement of Claim No. DNG/081095BUSK in the amount of \$22,000.

ACTION: (A-273) Approved.

27. MOTION TO AUTHORIZE full and final settlement of Claim No. JKG/031793HESS/C in the amount of \$20,000.

ACTION: (A-273) Approved.

HUMAN SERVICES DEPARTMENT

ELDERLY & VETERANS SERVICES DIVISION

28. A. MOTION TO APPROVE Agreement No. JP701-08-97 between Broward County and the Areawide Council on Aging of Broward County, Inc. from July 1, 1997 to June 30, 1998 in the amount of \$1,306 for the purpose of continuation funding of the Emergency Home Energy Assistance for the Elderly Program, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-881 within the Federal Grants Revenue Fund for the Elderly and Veterans Services Division in the amount of \$1,306 for the purpose of providing Emergency Home Energy Assistance for the Elderly Program Services.

ACTION: (A-273) Approved.

ALCOHOL AND DRUG ABUSE SERVICES DIVISION

29. MOTION TO APPROVE agreement between Broward County and the North Broward Hospital District in the amount of \$45,000 for the purpose of providing medical detoxification and residential substance abuse treatment services to homeless consumers from May 1, 1997 through October 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved, as amended.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

30. MOTION TO APPROVE fifth amendment to Concession Agreement between Broward County and Ski Rixen-Quiet Waters, Ltd. relating to the water ski operation at Quiet Waters Park for an additional five-year term from October 21, 1997 until October 21, 2002, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) *Withdrawn by staff for further refinement.*

31. MOTION TO APPROVE agreement between Broward County and Florida Department of Transportation for wetlands mitigation to be conducted on 0.50 acres at West Lake Park and payment of \$2,250 for perpetual maintenance, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

32. MOTION TO APPROVE non-financial agreement between Broward County and the Museum of Discovery and Science, Inc. for a term of five years for environmental education, field studies and research programs at natural areas owned and/or managed by Broward County, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved, as amended.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

33. MOTION TO APPROVE satisfaction of mortgage on property used to secure a commercial loan in the amount of \$20,000 made to Robert R. Clarke d/b/a Bob Clarke Electric, Inc. for a negotiated loan settlement amount of \$12,941.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

34. MOTION TO AUTHORIZE staff to accept offer of a joint planning grant of \$50,000 to Broward County and the City of Deerfield Beach to develop a Local Mitigation Strategy; authorize the Chair to execute a contract with the State Department of Community Affairs for the receipt of funds; and to approve match of federal funds with a 25% local/non-federal match, which can be in-kind services.

ACTION: (A-273) Approved.

PORT EVERGLADES DEPARTMENT

35. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida, and At Your Service Enterprises, Inc. and Starline Enterprises, Inc. d/b/a Starline Limousine and Charter, respectively, in accordance with Chapter 32 of the Broward County Administrative Code, effective from date of approval, with an expiration of December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-273) Approved.

37. MOTION TO ADOPT budget Resolution 1997-882 transferring funds within the General Fund in the amount of \$52,438 from the Reserve for Litigation for the Clerk of Courts for reimbursement of lawsuit expenses.

ACTION: (A-273) Approved.

HISTORICAL COMMISSION

38. MOTION TO APPROVE contract for services of Helen Landers as County Historian for period October 1, 1997 to September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-273) Approved.

COUNTY ADMINISTRATOR

39. MOTION TO APPROVE unanticipated revenue Resolution 1997-883 in the amount of \$20,000 within the General Capital Outlay Fund to appropriate grant funds awarded to the Broward Sheriff's Office (BSO) for the County to design an expansion to the BSO Forensic Lab.

ACTION: (A-273) Approved.

BOARD APPOINTMENTS

40. MOTION TO APPROVE Commissioner Lieberman's appointment of Ms. Ellyn Setnor Bogdanoff to the Human Rights Board of Broward County.

ACTION: (A-273) Approved.

41. MOTION TO APPROVE Commissioner Rodstrom's appointment of Mr. Michael F. Flynn to serve on the Broward County Consumer Protection Board. Mr. Flynn will fill a vacant board position.

ACTION: (A-273) Approved.

REQUEST TO SET FOR PUBLIC HEARING/MEETING SCHEDULES

42. MOTION TO ADOPT Resolution 1997-884 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; AMENDING CHAPTER 31, "STREETS AND SIDEWALKS," BROWARD COUNTY CODE OF ORDINANCES, ARTICLE I, "IN GENERAL," SECTION 31-3, "DISPLAY OF ADDRESS NUMBERS REQUIRED; APPLICATION," SETTING FORTH THE REQUIREMENTS FOR ADDRESS NUMBERS; AMENDING SECTION 8½-16, "SCHEDULE OF CIVIL PENALTIES," SECTION (G), PROVIDING CIVIL

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

(Sponsored by Commissioner Lori Nance Parrish)

ACTION: (A-273) Approved.

REGULAR AGENDA

43. **COUNTY ADMINISTRATOR'S REPORT** - The County Administrator submitted a Letter of Intent, which is to be filed, to end his tenure as County Administrator to Broward County on September 30, 1997. The details of his separation which were discussed at the afternoon meeting were as follows: commencing October 1, 1997, B. Jack Osterholt will be paid 90 days compensation which shall include salary, deferred compensation, car allowance, annual/sick leave accruals, county contributions for insurance for 90 days and retirement contributions, in lieu of 90 days notice as required by his agreement.

ACTION: (A-986) (C-60) For informational purposes.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

44. DISCUSSION: interlocal agreement between Broward County and the City of Pompano Beach for Development Permit Services for the Muvico property.

ACTION: (A-1763) Approved.

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

45. DISCUSSION of Plat entitled "Aztec Plat" - District 3, (039-MP-96). (Deferred from January 7, 1997)

ACTION: (A-2579) Approved staff's recommendation for denial of this plat.

END OF QUASI-JUDICIAL HEARING

COMMUNITY DEVELOPMENT DIVISION

46. MOTION TO APPROVE Community Development 23rd Year Contingency List, should funds become available from canceled or completed projects approved in the previous year.

ACTION: (A-4928) Approved.

47. MOTION TO ADOPT Resolution 1997-885 of the Board of County Commissioners of Broward County, Florida authorizing the County Administrator to execute contracts and time extension amendments on behalf of the County with subgrantees of U.S. Department of Housing and Urban Development funds; providing for the County Administrator to sign contracts and amendments of certain organizations for the funding amounts indicated and providing for an effective date.

ACTION: (A-4938) Approved.

AVIATION DEPARTMENT

48. 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. (Deferred from August 5, 1997)

ACTION: (A-4948) Approved.

49. MOTION TO APPROVE Amendment No. 1 to the Concession Agreement between Broward County, Florida and A to Z Parking Services, Inc. providing a set charge for parking of vehicles using the valet parking service and to clarify the remittance of sales tax, and authorize the Chair and Clerk to execute same.

ACTION: (A-4955) Approved.

HUMAN SERVICES DEPARTMENT

50. MOTION TO APPROVE grant application to the United States Department of Housing and Urban Development in the amount of \$29,962,471 for services to address homelessness in Broward County from October 1, 1997 through September 30, 2000, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation. (No County match required)

ACTION: (A-5021) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

51. A. MOTION TO APPROVE interlocal agreement between Broward County and City of Deerfield Beach relating to Quiet Waters Park, to delineate provision of public safety services by the City and Park operation, maintenance, and development responsibilities by the County, to commence upon annexation of the Park into the municipal boundaries of City, and authorize the Chair and Clerk to execute same.

ACTION: (A-5025) Approved.

B. MOTION TO APPROVE annexation petition by Broward County allowing Quiet Waters Park to be voluntarily annexed into the municipal boundaries of City of Deerfield Beach, and authorize the Chair and Clerk to execute same.

ACTION: (A-5025) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

BIOLOGICAL RESOURCES DIVISION

52. MOTION TO ADOPT Resolution 1997-886 authorizing the Department of Natural Resource Protection to file a long-range beach erosion control plan with the Florida Department of Natural Resource Protection; supporting the Florida Department of Environmental Protection's beach and coastal management program; confirming Broward County's ability to serve as local sponsor for projects and the County's ability to fund the appropriate local share of projects if constructed; and providing for an effective date for the Biological Resources Division.

ACTION: (A-5031) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-5067) Approved, as amended.

COUNTY ATTORNEY

54. 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 same. (Deferred from August 5, 1997)

ACTION: (A-5074) Approved.

COUNTY ADMINISTRATOR

55. A. MOTION TO ADOPT Resolution 1997-887 of the Board of County Commissioners of Broward County, Florida approving the form and execution of a Turnpike Sawgrass Arena Ramps/Right-of-Way Agreement among Broward County, State of Florida Department of Transportation, Arena Operating Company, Ltd., and Arena Development Company, Ltd., for the purpose of expanding the scope of the Arena Project to include the Sawgrass Interchange improvements; and providing for an effective date.

ACTION: (B-45) Approved.

B. MOTION TO APPROVE Turnpike Sawgrass Arena Ramps/Right-of-Way Agreement among Broward County, State of Florida Department of Transportation, Arena Operating Company, Ltd., and Arena Development Company, Ltd.

ACTION: (B-45) Approved.

C. MOTION TO APPROVE second amendment to Broward County Civic Arena Development Agreement between Broward County and Arena Development Company, Ltd.

ACTION: (B-45) Approved, as amended.

56. A. MOTION TO CONVENE Commission as the Negotiating Committee for negotiation of a Convention Center hotel to negotiate a Letter of Intent (LOI) with Peebles Atlantic Development Corporation.

1. Agenda for the Negotiating Committee (Commission as a whole to negotiate a LOI for the Convention Center Hotel). Mr. R. Donahue Peebles, President of PADC will be present to negotiate final LOI terms.
2. Approval of the Committee to recommend a LOI for the Convention Center Hotel to the Board of County Commissioners.
3. Adjourn Committee meeting.

ACTION: (B-1156) Deferred to August 19, 1997.

B. MOTION TO RECONVENE Commission meeting to approve the LOI for the development of a Convention Hotel with Peebles Atlantic Development Corporation.

ACTION: (B-1156) Deferred to August 19, 1997.

SUPPLEMENTAL AGENDA

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

57. DISCUSSION of Plat entitled "Renteria Inc., Plat" - District 2, (004-MP-97). (Deferred from August 5, 1997)

ACTION: (A-2693) Deferred to March 10, or sooner, pending information from the City of Pompano Beach relative to the City's long range ability to dispose of solid waste and to review access at applicant's request.

REASON FOR SUPPLEMENTAL: At request of Commissioner Poitier.

58. DISCUSSION of Plat entitled "Palm Aire Marketplace No. 2" - District 2, (102-MP- 96). (Deferred from August 5, 1997)

ACTION: (A-2808) 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 and to review access at applicant's request..

REASON FOR SUPPLEMENTAL: At request of Commissioner Poitier.

BOARD APPOINTMENTS

59. MOTION TO APPROVE Commissioner Lieberman's appointment of Ms. Maxine Scheffler to the Parks and Recreation Advisory Board of Broward County.

ACTION: (A-273) Approved as part of the consent agenda.

60. MOTION TO APPROVE Commissioner Poitier's appointment of Mr. James McKinley to the Florida Department of Children and Families District 10 Health and Human Services Board.

ACTION: (A-273) Approved, as part of the consent agenda.

61. MOTION TO APPROVE Commissioner Poitier's appointment of Mr. A. F. Holbrooke to the Multi-Ethnic Advisory Board.

ACTION: (A-273) Approved, as part of the consent agenda.

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