

MEETING OF AUGUST 15, 1995

(The meeting convened at 10:00 a.m. and adjourned at 11:16 a.m.)

PLEDGE OF ALLEGIANCE - led by Commissioner John P. Hart

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE consent to a sublease between Tele-Trip Company Inc. and NationsBank of Florida, N.A., for the installation and operation of two automated teller machines at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

2. MOTION TO ADOPT Resolution 95-738 authorizing acceptance and execution of a joint participation agreement between Broward County and the Florida Department of Transportation, WPI No. 4820426 in the amount of \$155,000 (State share) for land acquisition for approach and transition zone for Runway 9R/27L at the Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

3. MOTION TO TERMINATE interstate ground transportation permits between Broward County and two companies who are no longer conducting business at the Fort Lauderdale-Hollywood International Airport, effective upon Board approval.

ACTION: (A-300) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

4. MOTION TO AUTHORIZE staff to give written notification to the appropriate state agencies that Broward County has no further use for State lands located at 780 Southwest 24 Street, Fort Lauderdale, Florida (former Florida Department of Transportation (FDOT) headquarters), in accordance with Paragraph 27 of Lease #4043 between Broward County and the Board of Trustees of the Internal Improvement Fund of the State of Florida.

ACTION: (A-300) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

FISCAL OPERATIONS DIVISION

5. MOTION TO ADOPT Resolutions 95-739 and 95-740 assessing liens for unpaid water or sewer or water and sewer charges.

ACTION: (A-300) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

6. MOTION TO APPROVE a revocable license agreement between Broward County and Florida National Properties Inc. for the installation and maintenance of median landscaping and irrigation in the right-of-way of Coral Ridge Drive between Westview Drive and approximately the C-4 North Springs Improvement District (NSID) Canal, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

STREETS AND HIGHWAYS DIVISION

7. MOTION TO ADOPT budget resolution 95-741 transferring funds within the Streets and Highways Capital Outlay Fund for the Streets and Highways Division in the amount of \$26,500 for resurfacing Riverside Drive (Royal Palm Boulevard south to Southwest 19 Drive) in the city of Coral Springs.

ACTION: (A-300) Approved.

TRAFFIC ENGINEERING DIVISION

8. MOTION TO ADOPT unanticipated revenue resolution 95-742 within the Computerized Traffic Signal Fund for the Traffic Engineering Division in the amount of \$300,000 for the second year funding of a six-year joint project agreement for enhanced operation of the Computerized Traffic Signal System.

ACTION: (A-300) Approved.

OFFICE OF PROJECT MANAGEMENT

AND CONSTRUCTION

CONSTRUCTION MANAGEMENT DIVISION

9. MOTION TO APPROVE grant utility easement for the water lines of the Sunrise Branch Library to the city of Sunrise, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

10. MOTION TO APPROVE modification of the Bill of Sale Absolute for the water and sewer lines of the Sunrise Branch Library. The original Bill of Sale Absolute was previously approved by the Board on December 20, 1994 to convey water and sewer lines to the city of Sunrise, as required by the city of Sunrise. Subsequently, the city of Sunrise has requested that the Bill of Sale Absolute be modified to include water lines only and exclude sewer lines, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

11. MOTION TO APPROVE the commission meeting minutes of June 6 and 20 and the land use plan public hearing of June 7, 1995.

ACTION: (A-300) Approved.

PURCHASING DIVISION

12. MOTION TO AWARD open-end contract to the low responsive and responsible bidders, Group I, Trillium USA and Group II, Suburban Propane Inc., for county co-op for Compressed Natural Gas (CNG) Liquefied Propane Gas (LPG) bi-fuel conversion (Bid #C-01-95-07-12) in the approximate amount of \$263,709 for the Energy Management Division, and to authorize the Purchasing Division director to renew the contract for a one-year period. The initial contract period shall start August 15, 1995 and shall terminate August 14, 1996.

ACTION: (A-300) Approved.

REVENUE COLLECTION DIVISION

13. MOTION TO APPROVE AND EXECUTE satisfaction of claim of liens against Anthony Davis.

ACTION: (A-300) Approved.

14. MOTION TO ACKNOWLEDGE receipt of Notice of Lands Available for Taxes submitted per F.S. 197.241(4).

ACTION: (A-300) Approved.

15. MOTION TO ADOPT Resolution 95-743 authorizing cancellation of warrants from Central Account #96442522 (NationsBank of Florida).

ACTION: (A-300) Approved.

HUMAN SERVICES DEPARTMENT

FIRE RESCUE DIVISION

16. MOTION TO APPROVE an interlocal agreement between Broward County and the city of Cooper City for the purpose of providing cooperative delivery of emergency medical services utilizing Advanced Life Support (ALS) first responder units, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

17. MOTION TO ADOPT budget resolution 95-744 transferring within the Capital Fund (451) the amount of \$150,000 from the Mass Transit Capital Reserve to capital maintenance items for the

purchase of bus parts which can be capitalized using grant funds.

ACTION: (A-300) Approved.

18.A.MOTION TO APPROVE the second amendment to an agreement between the city of Margate and Broward County to provide an additional heavy duty, wheelchair-accessible vehicle; to extend the term of the agreement; to provide for advertising revenues to help offset operating expenses; and to provide for alcohol and drug testing, as required by the U.S. Department of Transportation, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

B.MOTION TO ADOPT budget resolution 95-745 transferring within the County Transportation Trust Fund the amount of \$18,000 from the Commission Reserve to pay for the Amendment to the Interlocal Agreement operating subsidy.

ACTION: (A-300) Approved.

C.MOTION TO ADOPT unanticipated revenue resolution 95-746 within the Operating Fund (450) for the Mass Transit Division in the amount of \$18,000 to pay for the Amendment to the Interlocal Agreement operating subsidy.

ACTION: (A-300) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

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

A.Hang Tough Inc. & Lemual Knows

B.South Broward Utility Inc.

C.Gordon-Darby Inc.

D.Iacobelli Underground Contracting Corporation and Coastal Utilities Inc.

E.Southeastern Machine Co. Inc.

F.Florida Department of Transportation

G.Uhel Polly Hauling Inc.

H.Hardrives of Delray Inc.

I.Coral Ridge Golf Course Inc. and Ray Qualmann Marine Construction Inc.

J.City of Pembroke Pines and Engle Homes/Pembroke Inc.

ACTION: (A-300) Approved.

PORT EVERGLADES DEPARTMENT

20.MOTION TO APPROVE a Port Everglades taxi/limo/bus service business permit between Broward County, Florida, and Prince Bush Investments d/b/a Days Inn-Hollywood, effective for the calendar year 1995 with an expiration of December 31, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-300) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-300) Approved.

COUNTY ATTORNEY

22.MOTION TO APPROVE settlement agreement and mutual release with Patricia Piercy, and to authorize payment of \$87,500 in settlement of all claims by Piercy concerning her employment, and to authorize the Chair to execute the settlement agreement and mutual release on behalf of the Board of County Commissioners.

ACTION: (A-325) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

23.County Administrator B. Jack Osterholt stated that he has nothing to report at this time. A jail report dated August 15, 1995 was submitted for the record.

ACTION: (A-1430) No action was taken.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

24.MOTION TO APPROVE use of up to \$1.9 million in road impact fees for highway improvements in the Ravenswood Road corridor, south of Griffin Road in support of the Bass-Pro location decision in Broward County.

ACTION: (A-1431) Approved.

DEVELOPMENT MANAGEMENT DIVISION

QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. You must be sworn before

addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

25.DISCUSSION of Plat entitled "Waste Management Inc. Plat No. 5" - District 2, (018-UP-94). (Deferred from February 7, 1995.)

ACTION: (A-1515) Approved staff's recommendation of denial.

26.DELEGATION: Gary L. Heldenmuth regarding motion to approve traffic concurrency agreement relating to the Exxon - Pembroke Road Plat (194-MP-85).

ACTION: (A-1543) Approved subject to staff's recommendations.

27.DELEGATION: Gary L. Heldenmuth regarding request to amend the note on the Exxon - Pembroke Road Plat (194-MP-85). (Deferred from April 4, 1995.)

ACTION: (A-1556) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

28.MOTION TO ADOPT Resolution 95-747 of the Board of County Commissioners of Broward County, Florida approving the issuance of up to \$11,800,000 aggregate principal amount of the Housing Finance Authority of Broward County, Florida Multifamily Housing Revenue Bonds 1995 Series B (Harbour Town of Jacaranda Project) in order to refund an equivalent principal amount of the Authority's \$16,000,000 adjustable rate demand Multifamily Housing Revenue Bonds 1994 Series A (Harbour Town of Jacaranda Project); determining the need for a negotiated sale of the 1995 Bonds; approving the form of Bond Purchase Agreement for the 1995 Bonds; approving the form of Trust Indenture with respect to the 1995 Bonds; approving the form of Loan Agreement; approving the form of Modification Agreement; approving the form of Satisfaction of Mortgage and Assignment of Leases; approving the form of an Assignment of Mortgage; approving the form of an Arbitrage Rebate Agreement; approving the form of Secondary Market Disclosure Agreement; approving the form of Disclosure Agreement; approving the form of Intercreditor Agreement; approving the form of a Trustee Fee Agreement; approving the form of a Remarketing Agreement; approving the form of Official Statement; approving the form of Letter of Representations; approving the form of Amended and Restated Loan Agreement with respect to the unrefunded 1994 Bonds; approving the form of Subordination and Waiver Agreement; approving the form of Assignment of Borrower Documents; approving the form of Trustee Transfer and Indemnity Agreement; approving the form of Satisfaction and Release of Lender and Original Credit Provider Documents; approving the form of Assignment to the 1984 Trustee; providing for certain other actions and details with respect thereto; and providing an effective date.

ACTION: (A-1570) Approved.

29.MOTION TO ADOPT Resolution 95-748 of the Board of County Commissioners of Broward County, Florida, authorizing the transfer of ownership of the 18th Street Industrial Venture Corporation

Project from the 18th Street Industrial Venture Corporation to 18th Street Limited Partnership; authorizing the assignment of all rights and obligations of Ernest E. Dempsey, Elizabeth Ann Dempsey, Albert L. Wells, Heather E. Wells, Charles E. Kennedy, Elva Kennedy, Robert N. Sansone, and Janice R. Sansone of the 18th Street Industrial Venture Corporation Project to Sylvia Danburg Andis and Jamie A. Danburg of the same; approving authorizing the execution of an assignment, assumption and modification agreement; approving and authorizing the execution of a consent certificate by First Union National Bank of Florida as Trustee and sole bond holder providing for the consummation of the transactions contemplated under the assignment, assumption and modification agreement; and providing certain other details with respect thereto.

ACTION: (A-1578) Approved.

DIVISION OF HUMAN RESOURCES

30.A.MOTION TO APPROVE amendment to collective bargaining agreement between Broward County and the Federation of Public Employees representing the County's blue collar bargaining unit.

ACTION: (A-1582) Approved.

B.MOTION TO AUTHORIZE the Chair to sign on behalf of the County.

ACTION: (A-1582) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

31.MOTION TO ADOPT Resolution 95-749 of the Board of County Commissioners of Broward County, Florida, pursuant to Chapter 24, Part III, Section 27.17 (f) (1) of the Broward County Administrative Code; approving shell agreements for cultural grant programs; providing for execution on behalf of the County by the County Administrator; providing for severability; and providing for an effective date.

ACTION: (A-1589) Approved.

PORT EVERGLADES DEPARTMENT

32.MOTION TO AUTHORIZE Broward County Attorney's Office and the law firm of Thompson & Mitchell, special maritime counsel to the Port Everglades Department of Broward County, as co-counsel, to file comments as part of a consortium of ports in response to a petition filed with the Federal Maritime Commission (Petition No. P3-95) by several vessel agent interests for a ruling declaring tariff provisions which hold vessel agents liable for terminal charges unlawful.

ACTION: (A-1597) Approved.

33.MOTION TO AUTHORIZE the County Attorney's Office to initiate appropriate legal action against Terminal Shipping Company Inc. for collection of the current outstanding balance of \$24,339.38 plus additional amounts accrued, and interest, finance charges, costs and reasonable attorneys' fees.

ACTION: (A-1601) Approved.

34.A.MOTION TO APPROVE a settlement agreement between Broward County and Sea-Land Service Inc., compromising the amount due and owing to Port Everglades Department, Broward County, as a result of the removal of a Midport crane by Sea-Land.

ACTION: (A-1606) Approved.

B.MOTION TO AUTHORIZE the Port Department Director to seek judicial enforcement of the settlement agreement in the event payment is not timely forthcoming from Sea-Land Service Inc.

ACTION: (A-1606) Approved.

C.MOTION TO WAIVE the accrued finance charges in the amount of \$65,631.02 from June 16, 1994 through September 1, 1995.

ACTION: (A-1606) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

35.MOTION TO ADOPT unanticipated revenue resolution 95-750 within the Law Enforcement Trust Fund in the amount of \$789,918 to provide funding for drug and crime prevention programs and other law enforcement purposes for the Broward Sheriff's Office.

ACTION: (A-1613) Approved.

36.MOTION TO ADOPT budget resolution 95-751 transferring within the Pay Telephone Commissions Trust Fund the amount of \$150,000 from the Reserve for Commission for funding of Cities In Schools (CIS) of Broward County Inc. at the request of the Broward Sheriff's Office.

ACTION: (A-1621) Approved. Commissioner Parrish requested that staff provide the county commission with a copy of the Non Profit Organizations' (NPO's) established outcomes and goals as well as the success.

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

ACTION: (A-1659) Approved with addendum.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

38.MOTION TO ADOPT Resolution 95-752 opposing United States Senate Bill 851, the "Wetland Regulatory Reform Act of 1995" which is currently being considered in the United States Senate; requesting that the Act be withdrawn by its sponsors in the United States Senate; providing for an effective date.

ACTION: (A-1667) Approved.

SUPPLEMENTAL AGENDA

COMMUNITY SERVICES DEPARTMENT

39.DELEGATION: Dr. Larry G. Dee, D.V.M., Chairman of the Pet Overpopulation Focus Group, to present their report. He reviewed the report and anticipated the completion of the final report in November 1995 which will be presented to the Board.

ACTION: (A-1675) No action was taken.

NON AGENDA

40.CHAIR'S ABSENCE The Vice Chair relayed a telephone call from Commissioner Suzanne N. Gunzburger, Chair, about the condition of her husband, Mr. Jerry Gunzburger, and his recent operations.

ACTION: (A-300) Staff will convey appropriate wishes for recovery for Mr. Gunzburger.

41.PRESENTATION Mr. David L. John, Miller, Legg and Associates Inc., noted the Honor Award presented in the Florida Institute of Consulting Engineers (FICE) 1994 - 1995 Engineering Excellence competition to the Parks and Recreation Division and Miller, Legg and Associates for the Broward County's West Lake Park Wetlands Mitigation project. He recognized that the project was constructed on time and under budget and relayed the environmental groups' remarks on the success of the project.

Mr. John presented the FICE's Engineering Excellence Award and a framed-photograph of the West Lake Park Wetlands Mitigation project to Mr. Robert Harbin, Parks and Recreation division director.

ACTION: (A-150) Mr. Harbin accepted and thanked Mr. Miller for the award.

42.EMPLOYEE SERVICE RECOGNITION On behalf of the Board, County Administrator B. Jack Osterholt recognized the following employees for their many years of service with the county government:

Mr. Roy Herrera, Fire Rescue 20 years

Mr. James Lance, Equipment Management 20 years

Mr. Robert Simmons, Jr., Mass Transit 20 years

Mr. Vincent Inglese, Mass Transit 20 years

Mr. Paul Edwards, Streets and Highways 25 years

ACTION: (A-219) The employees accepted their service awards and thanked the Board.

43.MOTION TO DESIGNATE Commissioner Gerald F. Thompson to attend the Florida League of Cities Inc. 69th Annual Convention in Kissimmee, Florida on August 17 through 19, 1995. (Comm. Thompson)

ACTION: (A-2034) Approved.

44.MOTION TO APPOINT Commissioner John P. Hart to serve on an evaluation committee -- approved at the June 27, 1995 commission meeting -- to evaluate a Request for Proposal (RFP) to hire a firm to perform janitorial services at the Fort Lauderdale-Hollywood International Airport. (Comm. Hart)

ACTION: (A-2073) Approved.

45.INTRODUCTION Commissioner Poitier introduced Reverend Joseph Collins, United Methodist Church, who was present at this day's meeting.

ACTION: (A-2100) The Board welcomed Reverend Collins.

46.OVERSIGHT COMMITTEE Commissioner Parrish referred to the numerous requests she received from organizations to serve on the Oversight Committee which would involve bipartisan people to review the School Board of Broward County's generated revenues and expenditures. She questioned whether there are any objections to make appointments from the county commission to serve on the committee at a future meeting. (Appointments would be selected from the county commission, the League of Cities, and the school board.)

ACTION: (A-2142) The Board will consider the appointments on the Oversight Committee at its September 12 meeting after the Blue Ribbon Committee has met to discuss the creation of general criteria of the individuals that will serve on the committee before a referendum is called on the subject issue on September 19, 1995. It was noted that people do not have a vested interest to conduct business with the school board and the county commission appointees could serve on another county board.

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