

# MEETING OF AUGUST 25, 1998

(The meeting convened at 10:00 a.m. and adjourned at 11:25 a.m.)

PLEDGE OF ALLEGIANCE was led by Pembroke Pines Mayor Alex Fekete and Pastor John W. Glorie of St. Elizabeth Catholic Church.

## CONSENT AGENDA

### AVIATION DEPARTMENT

1. MOTION TO APPROVE lease agreement between Broward County, Florida and the United States of America, Federal Aviation Administration for the operation and maintenance of a center field wind facility at the Fort Lauderdale-Hollywood International Airport for the period of October 1, 1998 through September 30, 2018, and authorize the Chair and Clerk to execute same prior to the execution by the United States of America.

**ACTION: (A-0207) Approved.**

### PUBLIC WORKS DEPARTMENT

#### REAL PROPERTY SECTION

2. MOTION TO APPROVE assignment of that certain Lease for Human Services Department dated February 20, 1996 for 4,850 s.f. located in Suite 5 at 101 NE 3rd Avenue, Fort Lauderdale, Florida to the City of Fort Lauderdale effective September 1, 1998; and authorize the Chair and Clerk to execute same.

**ACTION: (A-0207) Approved.**

3. MOTION TO APPROVE reconveyance by Quit Claim Deed under F.S. 255.22 of the Florida Statutes, of a portion of right-of-way previously donated to Broward County, to Keith & Ballbe Investments, Inc. and D.C. Casey Company, as successor in title to the donor; and authorize the Chair and Clerk to execute and record Quit Claim Deed. (Parcel 98-5)

**ACTION: (A-0207) Approved.**

4. MOTION TO ADOPT Resolution 1998-766 ratifying recordation of Corporate Warranty Deed executed by the City of Miramar, donating to Broward County right-of-way for Project 5142, Douglas Road (Countyline Road to Pembroke Road), Parcel 106; and authorize the Chair and Clerk to approve same.

**ACTION: (A-0207) Approved.**

## **OFFICE OF ENVIRONMENTAL SERVICES**

### **FISCAL OPERATIONS DIVISION**

5. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien to release liens recorded for unpaid water and/or sewer charges.

**ACTION: (A-0207) Approved.**

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

6. MOTION TO ADOPT Resolution 1998-767 accepting a road easement executed by Habitat for Humanity of Broward, Inc. donating right-of-way for NW 9th Court in Section 5, Township 50 South, Range 42 East.

**ACTION: (A-0207) Approved.**

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

### **COUNTY RECORDS DIVISION**

7. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commissioners meetings May 26, June 9, June 16, June 23, and July 14, 1998; the minutes of 2:00 p.m. Public Hearings of May 26, June 9, and June 23, 1998; and the minutes of Cocomar Water Control & Water Control District No. 2 meetings of June 16 and June 23, 1998.

**ACTION: (A-0207) Approved.**

## **HUMAN RESOURCES DIVISION**

8. A. MOTION TO APPROVE Settlement Agreement and General Release in the third Paramedic Overtime Lawsuit (i.e., Menendez, et al. v. Broward County).

**ACTION: (A-0207) Approved.**

B. MOTION TO ADOPT budget Resolution 1998-768 transferring \$49,277 from the Reserve for Litigation within the General Fund for the Settlement Agreement in the third Paramedic Overtime Lawsuit.

**ACTION: (A-0207) Approved.**

## **PURCHASING DIVISION**

For Community Services Department

9. MOTION TO AUTHORIZE Purchasing Division to purchase directly from the State of Florida Department of Transportation (contract for) five 25-foot demand response/fixed route type vehicles ten-year medium duty buses, Bid No. MD98-01, from Florida Transportation Systems Inc. in the amount of \$583,874.10, for the Mass Transit Division.

**ACTION: (A-0207) Approved.**

For Public Works Department

10. MOTION TO APPROVE sixth amendment to the agreement between Broward County and Williams, Hatfield & Stoner, Inc. for providing additional professional engineering services for the Riverland Village/Chula Vista Neighborhood Improvement Project at an increase of \$193,800 from \$2,263,164 to \$2,456,964 with multiple Notices to Proceed, subject to availability of funds, and authorize the Chair and Clerk to execute same. (BCOES Project No. 1144/8405 - Riverland Village/Chula Vista Neighborhood Improvement Project)

**ACTION: (A-0207) Approved.**

11. MOTION TO REJECT all bids for Bid No. H-3-98-062-M-1, for relighting of County buildings, for the Energy Management Division

**ACTION: (A-0207) Approved.**

## **REVENUE COLLECTION DIVISION**

12. MOTION TO ADOPT two Resolutions 1998-769 & 1998-770 authorizing cancellation of warrants from Central Account No. 96442522 and Central Account No. 2079940003785.

**ACTION: (A-0207) Approved.**

## **HUMAN SERVICES DEPARTMENT**

# **BUREAU OF CHILDREN & FAMILY SERVICES**

13. MOTION TO ADOPT Resolution 1998-771 of the Board of County Commissioners of Broward County, Florida; amending Resolution No. 1998-690 as to the amount of appropriations and disbursements for three organizations for Fiscal Year 1998-1999; amending the approved funding for three organizations; providing for severability; and providing for an effective date.

**ACTION: (A-0207) Approved.**

14. MOTION TO APPROVE Amendment No. 2 to Agreement No.98SB-7M-11-16-01- 002 between the State of Florida, Department of Community Affairs and Broward County from October 1, 1997 through September 30, 1998 revising In-kind matching fund allocation categories within the Community Services Block Grant with no change in the value of the agreement, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0207) Approved.**

## **GRANTS MANAGEMENT RESEARCH & DEVELOPMENT SERVICES**

15. MOTION TO APPROVE grant application, signed and submitted by the County Administrator, on behalf of the Commission, as authorized by previous Board action, Item No. 22, June 9, 1998, to the United States Department of Housing and Urban Development in the amount of \$18,597,203 for services to address homelessness in Broward County from January 1, 1999 through December 31, 2002, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation. (No County match required)

**ACTION: (A-0207) Approved.**

## **HEALTH CARE MANAGEMENT DIVISION**

16. MOTION TO APPROVE Amendment No. 1 to the Agreement between Broward County and Fifth Street Counseling, Inc. from October 1, 1997 to September 30, 1998, increasing the value of the Agreement from \$54,924 to \$62,820 which is an increase of \$7,896.00, with no additional cost to the County, for the purpose of continuity of services to domestic violence population, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0207) Approved.**

17. MOTION TO APPROVE Amendment No. 1 to the Agreement between Broward County and The Glass House, Inc. from October 1, 1997 to September 30, 1998, increasing the value of the Agreement from \$34,944 to \$93,593 which is an increase of \$58,649 with no additional cost to the County for the purpose of continuity of services to domestic violence population, and authorize the Chair and Clerk to

execute same.

***ACTION: (A-0207) Approved. (Correction: Scrivener's error: Exhibit 3, the percentage should be 147% vs. 1.47% for percentage used to 4/98.)***

18. MOTION TO APPROVE Amendment No. 1 to the Agreement between Broward County and Spectrum Programs, Inc. from October 1, 1997 to September 30, 1998, decreasing the value of the Agreement from \$25,002 to \$13,776 which is a decrease of \$11,226 for the purpose of continuity of services to domestic violence population, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0207) Approved.**

19. MOTION TO APPROVE Amendment No. 1 to the Agreement between Broward County and Women In Distress of Broward County, Inc. from October 1, 1997 to September 30, 1998, decreasing the value of the Agreement from \$130,320 to \$85,000 which is a decrease of \$45,320 for the purpose of continuity of services to domestic violence population, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0207) Approved.**

20. MOTION TO ADOPT Resolution 1998-772 of the Board of County Commissioners of Broward County, Florida supporting 1998 World AIDS Day events in Broward County starting with a one day event on November 21, 1998 and the remaining events from November 29, 1998 through December 1, 1998. Broward County and the North Broward Hospital District plan to cosponsor local events in conjunction with International World AIDS Day.

**ACTION: (A-0207) Approved.**

## **COMMUNITY SERVICES DEPARTMENT**

### **PARKS AND RECREATION DIVISION**

21. MOTION TO ADOPT budget Resolution 1993-773 transferring within the Unincorporated Capital Fund the amount of \$40,000 for the Parks and Recreation Division to increase funding for the Northeast High School joint use facility concession and restroom building for a total project cost of \$176,000.

**ACTION: (A-0207) Approved.**

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

22. MOTION TO APPROVE grant application to Keep Florida Beautiful, Inc. in the amount of \$5,000 to provide funding for Broward County to participate in the "Great Florida Cleanup" in the Fall of 1998, authorize the Chair and Clerk to execute the grant, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant. (No County funds are required; our

match of \$5,000 will be derived from in-kind services)

**ACTION: (A-0207) Approved.**

**DEPARTMENT OF STRATEGIC PLANNING  
& GROWTH MANAGEMENT  
BUILDING AND PERMITTING DIVISION**

23. MOTION TO ADOPT budget Resolution 1998-774 transferring within the Building and permitting Fund the amount of \$195,000 from the Building and Permitting Reserve for Heating, Ventilation and Air Conditioning System (HVAC) and roof replacement at the Tarpon River Building.

**ACTION: (A-0207) Approved.**

**CODE AND ZONING ENFORCEMENT  
DIVISION**

24. A. MOTION TO APPROVE award by the Office of Integrated Waste Management, Recycling and Contract Administration Division to Code and Zoning Enforcement Division in the amount of \$75,000 for the purpose of developing a waste tire dumping suppression program for Broward County.

**ACTION: (A-0236) Approved.**

B. MOTION TO ADOPT unanticipated revenue Resolution 1998-775 within the Municipal Service District Fund for the Code and Zoning Enforcement Division in the amount of \$75,000 for the reimbursement of expenditures for work done in relation to the Waste Tire Suppression Grant.

**ACTION: (A-0236) Approved.**

**COMMUNITY DEVELOPMENT DIVISION**

25. MOTION TO APPROVE grant agreement between the State of Florida, Department of Community Affairs (DCA), and Broward County for continuation of the Residential Construction Mitigation Program (RCMP), from the date of contract execution to June 1, 1999, for the purpose of maintaining two databases, retrofitting a minimum of 66 homes, and conducting inspections to retrofit qualified homes, authorizing the necessary administrative and budgetary actions to implement the program, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0207) Approved.**

26. MOTION TO APPROVE second amendment to agreement between Broward County and Stein Gerontological Institute for the State Housing Initiatives Partnership (SHIP) Program decreasing the funding amount by \$48,500 from \$293,225 to \$244,725 reducing the number of units to be produced from a total of 15 to a total of 12, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0207) Approved.**

## **PORT EVERGLADES DEPARTMENT**

27. MOTION TO ADOPT Resolution 1998-776 waiving dockage charges in an amount not to exceed \$35,000 for Grand Princess and not to exceed \$50,000 for Sea Princess and 50% of the parking fees up to a maximum of \$10,000 per ship for maiden voyage related events.

**ACTION: (A-0207) Approved.**

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

28. MOTION TO APPROVE business travel for County employees in accordance with Administrative Order 105.

**ACTION: (A-0207) Approved.**

29. MOTION TO ADOPT unanticipated revenue Resolution 1998-777 within the Law Enforcement Trust Fund in the amount of \$10,000 to provide funding for the Community Council, District 5.

**ACTION: (A-0207) Approved.**

## **METROPOLITAN PROGRAM COORDINATION**

30. MOTION TO ADOPT unanticipated revenue Resolution 1998-778 within the Engineering Capital Outlay Fund in the amount of \$30,000 to budget funds provided by the State to design landscaping and lighting improvements at the intersection of Atlantic Boulevard and US 1 and portions of US 1 north and south of the intersection.

**ACTION: (A-0207) Approved.**

31. A. MOTION TO ADOPT unanticipated revenue Resolution 1998-779 within the Engineering Capital Outlay Fund in the amount of \$450,000 to appropriate funds from the State Department of Transportation for the Crime Prevention Through Environmental Design (CPTED) design of landscaping and lighting improvements on Sunrise Boulevard from I-95 to US 1.

**ACTION: (A-0207) Approved.**

B. MOTION TO ADOPT Resolution 1998-780 approving a Joint Participation Agreement between Broward County and the Florida Department of Transportation for the CPTED design of landscaping and lighting on Sunrise Boulevard from I-95 to US 1.

**ACTION: (A-0207) Approved.**

## **COMMISSION AUDITOR**

32. MOTION TO FILE Commission Auditor report entitled, Clerk of the Circuit and County Courts - Budget Review Comments, dated August 13, 1998.

**ACTION: (A-0207) Approved.**

## **COUNTY ATTORNEY**

33. MOTION TO APPROVE travel of Assistant County Attorney, Dale A. Bruschi on September 13-15, 1998 to attend the Second Annual CLE International's Eminent Domain Conference in Tampa, Florida.

**ACTION: (A-0207) Approved.**

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

34. MOTION TO APPROVE Commission's meeting schedule for September, 1998.

**ACTION: (A-0207) Approved.**

35. MOTION TO ADOPT Resolution 1998-781 directing the County Administrator to publish notice of public hearing to be held Tuesday, September 15, 1998 at 7:00 p.m. at Taravella High School, 10600 Riverside Drive, Coral Springs, Florida 33071, to consider adoption of a resolution prescribing amended schedule of rates, fees, and charges for retail water and wastewater services rendered by the Broward County Office of Environmental Services and providing for an effective date.

**ACTION: (A-0207) Approved.**

36. MOTION TO ADOPT Resolution 1998-782 directing the County Administrator to publish notice of public hearing to be held Tuesday, September 15, 1998 at 7:00 p.m. at Taravella High School, 10600 Riverside Drive, Coral Springs, Florida 33071, to consider adoption of a resolution prescribing amended schedule of rates for transmission, treatment, and disposal for sewer service by Large Users of the County's North Regional Wastewater System, and providing for an effective date.

**ACTION: (A-0207) Approved.**

37. MOTION TO ADOPT Resolution 1998-783 directing the County Administrator to publish notice of public hearing to be held Tuesday, September 15, 1998 at 7:00 p.m. at Taravella High School, 10600 Riverside Drive, Coral Springs, Florida 33071, to consider adoption of a resolution prescribing amended schedule of rates for regional raw water by large users of Broward County's Regional Raw Water System, and providing for an effective date.

**ACTION: (A-0207) Approved.**

38. MOTION TO ADOPT Resolution 1998-784 directing the County Administrator to publish a notice of public hearing to be held Tuesday, September 8, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to consider a resolution renewing the vessel bunkering franchise at Port Everglades of B.V. Oil Company, Inc.

**ACTION: (A-0207) Approved.**

39. MOTION TO ADOPT Resolution 1998-785 directing the County Administrator to publish a notice of public hearing to be held Tuesday, September 8, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to consider a resolution renewing the vessel oily waste removal franchise at Port Everglades of Perma-Fix of Fort Lauderdale, Inc.

**ACTION: (A-0207) Approved.**

## **REGULAR AGENDA**

40. **COUNTY ADMINISTRATOR'S REPORT** - County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

*ACTION: (A-0310) No Board action was necessary.*

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## **10 A.M. PUBLIC HEARING**

**COUNTY COMMISSION SITTING AS GOVERNING BOARD**

# OF THE TWIN LAKES WATER CONTROL DISTRICT

41. A. MOTION TO OPEN meeting as the Governing Board of the Twin Lakes Water Control District.

**ACTION: (A-0315) Approved.**

B. MOTION TO ADOPT Resolution 1998-786 providing for a special assessment of \$40 to be levied on all parcels of land not exempt by law within the Twin Lakes Water Control District for the purpose of meeting the budgetary requirements of the District for the Fiscal Year 1998-1999.

**ACTION: (A-0322) Approved.**

C. MOTION TO CLOSE meeting of the Twin Lakes Water Control District.

**ACTION: (A-0328) Approved.**

**END PUBLIC HEARING**

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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.

## DEPARTMENT OF STRATEGIC PLANNING

## & GROWTH MANAGEMENT

## DEVELOPMENT MANAGEMENT DIVISION

42. DISCUSSION of plat entitled "Sherrod Plat No. 3" - District 5, (003-MP-97). (Deferred from August 18,1998)

**ACTION: (A-0334) Denied per staff's recommendation.**

43. DELEGATION: Hugh R. Davis regarding request to amend the note on the St. Elizabeth Plat (057-UP-87). (Deferred from August 11, 1998)

**ACTION: (A-0427) Approved request to amend the notation on the plat. In addition, the Board made a finding that this request generated no additional trips, based on the applicant's voluntary agreement to add language to the note on the plat limiting the school to 500 students.**

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

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

## **PURCHASING DIVISION**

For Aviation Department

44. MOTION TO APPROVE a second amendment to an agreement between Broward County and Pamela Pflueger and Associates Inc. for consultant services for Survey of Compliance with Accessibility Standards, modifying the scope of services to provide for additional review of the renovations to Terminals 1, 2 and 3 to ensure consistency with Americans with Disabilities Act (ADA) accessibility standards; establishing fees for professional services for such review in the maximum amount not to exceed \$66,601 and for reimbursable expenses in the maximum amount not to exceed \$2,400 (with no increase in contract amount), and authorize the Chair and Clerk to execute same. (Item was approved for reconsideration August 18, 1998. Item was originally approved August 11, 1998, Item 16)

**ACTION: (A-0826) Approved.**

## **REVENUE COLLECTION DIVISION**

45. MOTION TO DIRECT County Attorney's Office to draft an Ordinance amending Article II of Chapter 31 ½, relating to Tourist Development Tax to provide for Notice to Taxpayers, establish a time of finality of assessment or denial of refunds, and establish County's informal dispute resolution procedure.

**ACTION: (A-0860) Approved.**

### **HUMAN SERVICES DEPARTMENT**

46. A. MOTION TO APPROVE agreement between Broward County and Broward Partnership for the Homeless, Inc. establishing a pledge advance repayment plan in the amount of \$2,350,000 for

construction costs for the Homeless Assistance Center in Fort Lauderdale pursuant to Board action on June 23, 1998 item No. 62.

***ACTION: (A-0880) Approved, as amended. Also, additional language requiring that funds collected by BPHI be remitted to the County within seven (7) days after receipt, and that a monthly report be submitted to the contract administrator regarding the amount of funds collected from the contributors with a copy to the Commission Auditor. (Per Commission Auditor memorandum dated August 21, 1998)***

B. MOTION TO ADOPT unanticipated revenue Resolution 1998-787 within the General Capital Outlay Fund (301) in the amount of \$2,350,000 for construction advance to Broward Partnership for the Homeless, Inc.

**ACTION: (A-0880) Approved.**

## **ALCOHOL AND DRUG ABUSE SERVICES DIVISION**

47. MOTION TO APPROVE Thomas Corbin, C.A. and Jaime Tinoco, P.A., Acupuncture Services for Substance Dependant Consumers, as part of the list of certain organizations and individual providers for Fiscal Year 1998-1999 as approved by the Board of County Commissioners on July 7, 1998, Item 106 (these providers serve a public purpose); authorizing appropriations and disbursements in the amount of \$37,440 (\$18,720 per provider) for the Acupuncture Services for Substance Dependant Consumers, for Fiscal Year 1998-1999; adopting form contracts to be used for execution on behalf of the county by the County Administrator; and providing for an effective date. (Funding for these program allocations are recommended in the 1999 Human Services Department fiscal year budget.)

**ACTION: (A-0936) Approved.**

## **COMMUNITY SERVICES DEPARTMENT**

48. DISCUSSION: Policy for selecting names for county-owned property and buildings.

***ACTION: (A-0950) Accepted policy as submitted by staff in the Agenda Report with the following changes: 1) Property may be named after people who have died after a minimum of 90 days. 2) Include Flora and Fauna in natural characteristics criteria. 3) That people, places and events of local historical significance be given first priority, followed in descending order, by those of statewide, national, and global significance. 4) Add corporations to the criteria: Individual(s) making significant financial contributions to benefit the mission of Broward County Government.***

## **DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT**

# CODE AND ZONING ENFORCEMENT DIVISION

49. MOTION TO DIRECT County Attorney to prepare an Ordinance repealing Sections 5-16, "Method of procedure," and Article V, "Swimming Pools," of the Broward County Code of Ordinances.

**ACTION: (A-1168) Approved.**

# OFFICE OF BUDGET AND MANAGEMENT POLICY

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

*ACTION: (A-1201) Approved, as amended.*

# OFFICE OF LEGISLATIVE & INTERGOVERNMENTAL MANAGEMENT

51. A. MOTION TO ACCEPT nominations for two at-large positions on the newly created South Broward Utility Advisory Board.

*ACTION: (A-1207) Nominations accepted.*

B. MOTION TO NOMINATE Charles Tona for an at-large position on the newly created South Broward Utility Advisory Board. Mr. Tona is a 10-year water user (sewer service not yet available) within the service area of the former South Broward Utility. (Chair)

**ACTION: (A-1207) Approved.**

C. MOTION TO NOMINATE Esther Wellington for an at-large position on the newly created South Broward Utility Advisory Board. Ms. Wellington is a 10- year water user (service not yet available) within the service area of the former South Broward Utility. (Chair)

**ACTION: (A-1207) Approved.**

52. MOTION TO ADOPT Resolution 1998-788 regarding review and sunset of county boards; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing an effective date.

*ACTION: (A-1213) Approved. (Clarification of membership of the Multi-ethnic Cultural Board (attendance report included) will be placed on the September 1, 1998 agenda for discussion.)*

53. DISCUSSION: Internet Tax Freedom Act, H.R. 4105, which was approved by a unanimous voice

vote of the House of Representatives on June 23, 1998. Two different versions of S. 442 have been approved by Senate Committees and it appears that the full Senate will be considering the issue in mid September.

**ACTION: (A-2580) *The Commission took the position of the National Association of Counties (NACo). NACo supports the House version of the bill.***

## **COUNTY ATTORNEY**

54. MOTION TO NOTE FOR THE RECORD notice of settlement in the amount of \$6,000 in Furno v. Broward County, et al.

**ACTION: (A-1266) Approved.**

55. MOTION TO APPROVE settlement in the amount of \$40,000 (inclusive of attorney's fees and costs) of a lawsuit filed in Broward County Circuit Court, Case No. 95-12892-08, styled Benjamin Stratton v. Broward County.

**ACTION: (A-1272) Approved.**

## **COUNTY COMMISSION**

56. DISCUSSION The Bootstrap Program. (Commissioner Rodstrom)

**ACTION: (A-1302) *The Commission reaffirmed its position of May 1998 on the subject of security at the facility, that the agreement will only take effect at such time as the state agrees to provide twenty-four hours a day, seven days a week armed law enforcement perimeter personnel. (May 12, 1998 - item 57)***

## **REQUEST TO SET FOR PUBLIC HEARING**

57. A. MOTION TO WAIVE by a majority plus one vote, the public hearing after 5:00 p.m. for an ordinance as required by Section 125.66(4), Florida Statutes.

**ACTION: (A-1279) Approved.**

B. MOTION TO ADOPT Resolution 1998-789 setting two public hearings on Tuesday, September 8, 1998 at 2:00 p.m. and Monday, September 28, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance amending Chapter 39 of the Broward County Zoning Code.

**ACTION: (A-1282) Approved.**

This is required by Section 125.66(4), Florida Statutes. In order to schedule the public hearings at 2:00

p.m., the Board of County Commissioners must approve this proposed resolution by a **majority plus one vote**.

PETITION 6-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING SECTION 39-4, "TERMS DEFINED"; INCLUDING VIETNAMESE POT BELLIED PIGS WITHIN THE DEFINITION OF HOUSEHOLD PETS; PROVIDING

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

(Sponsored by Commissioner Lori Nance Parrish)

58. A. MOTION TO WAIVE, by a majority plus one vote, the public hearing after 5:00 p.m. for an ordinance as required by Section 125.66(4), Florida Statutes.

## **ACTION: (A-2593) Approved.**

B. MOTION TO ADOPT Resolution 1998-790 setting two public hearings on Tuesday, September 8, 1998 at 2:00 p.m. and Monday, September 28, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance amending Chapter 39 of the Broward County Zoning Code.

***ACTION: (A-2593) Approved. (Note: Insert the phrase: "whichever is greater" on Page 4 of the Proposed Ordinance, Section (d) I.c after ". . . the proposed tower.")***

***The Chair requested that staff provide a list of all proposed locations where wireless communication facility towers will be placed, by commission district. Further, staff requested to include stronger language encouraging collocation of towers.***

This is required by Section 125.66(4), Florida Statutes. In order to schedule the public hearings at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a **majority plus one vote**.

PETITION 7-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING SECTION 39-4, TERMS DEFINED, TO ADD ADDITIONAL DEFINITIONS; CREATING A NEW SECTION 39-150 RELATING TO WIRELESS COMMUNICATION FACILITIES, TOWERS, ANTENNAS, AND THE COLLOCATION OF WIRELESS COMMUNICATION ANTENNAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

## **SUPPLEMENTAL AGENDA**

# BOARD APPOINTMENTS

59. MOTION TO APPROVE appointment of Mr. Bruce Souder to the Natural Resource Protection Advisory Board. (Commissioner Lieberman)

**ACTION: (A-0207) Approved.**

## GOOD & WELFARE

60. PROCLAMATION: Commissioner Gunzburger, on behalf of the Board, read into the record a proclamation designating the month of September 1998 as **ALCOHOLISM AND DRUG ADDICTION RECOVERY MONTH** in Broward County and recognized those professionals who have dedicated their lives to helping those individuals in need of treatment.

*ACTION: (A-0104) Angelo Castillo, Director, Human Services Department and Michael DeLucca, Director Alcohol & Drug Abuse Services, Human Services Department, thanked the Board and accepted the proclamation with great appreciation.*

*Mr. Castillo presented a plaque to Mr. DeLucca for presentation to his staff for the great job that they do.*

*ACTION: (A-0193) Mr. DeLucca accepted the plaque with much gratitude.*

## NON AGENDA

61. COMMENDATION: Commissioner Abramowitz congratulated staff for their outstanding performance during the Hurricane Bonnie watch.

*ACTION: (A-2812) No board action was necessary.*

62. COMMENDATION: Commissioner Gunzburger commended the County Administrator Roger J. Desjarlais, Bertha Henry, Assistant to the County Administrator and staff, for the fine job they are doing in managing the Agenda.

*ACTION: (A-2833) No board action was necessary.*

63. PUBLIC HEARING: Commissioner Lieberman informed the Board of a Notice of Public Hearing on September 10, 1998, from 10:00 a.m. to 12:00 p.m., at Pompano Beach City Commission Chambers, Pompano Beach, Florida, regarding recent rulings by the Federal Communication Commission (FCC) which may require the counties and wireless phone companies to make upgrades in technology to improve the handling of emergency telephone calls made to 911 from wireless telephones. Commissioner Lieberman asked staff if they had quantified what the impacts would be for the County to implement the upgrades in technology.

*ACTION: (A-2869) County Administrator Roger J. Desjarlais advised that staff has quantified the expense and informed the Board that a member of staff will be attending the public hearing.*

64. SELECTION/NEGOTIATION COMMITTEE: Commissioner Lieberman relayed that she received a letter from Early Johnson and asked that the Selection/Negotiation Committee be reconvened to clarify one of the tasks that CRA was charged to perform on Mariner's Cove regarding how an issue should be studied.

***ACTION: (A-2905) The County Administrator will direct staff to contact the commissioner regarding the issue.***

65. JAMES GARDNER: The Chair announced with sadness that the former Deputy Superintendent of Schools James Gardner died on Thursday, August 20, 1998. Mr. Gardner's funeral will be held on Saturday, August 29, 1998, at Mount Olive Baptist Church, at 11:00 a.m. The Chair stated that she was asked by members of the community to prepare the appropriate acknowledgment of sympathy from the Board to honor Mr. Gardner.

***ACTION: (A-2967) By a unanimous consensus of the Board, the Chair will prepare the appropriate acknowledgment to formally extend the Board of County Commissioners' sympathy on the death of Mr. Gardner.***

66. DISCUSSION - MSBU: The Chair informed the Board that she received correspondence from seven cities (Deerfield Beach, Hollywood, Lauderdale Lakes, Miramar, Oakland Park, Pompano Beach, and Sunrise) with respect to a notice to the County that the cities intend to file suit relating to an alleged shortfall of MSBU fees owed to the named cities, and that the County has thirty days to respond by conducting a public hearing. Brief discussion ensued relative to staff's review of the cities' figures. Staff indicated that they would like to obtain the cities' formal audit and information pertaining to the work papers and the methodology used for the calculations in order to perform a thorough analysis. Interim County Attorney Sharon L. Cruz briefly apprised the Board of the issues involved.

***ACTION: (A-3005) Staff was directed to post the appropriate notice and conduct a public hearing on the MSBU issue involving the seven cities on Tuesday, September 15, 1998, at the conclusion of the first budget public hearing to be held at J.P. Taravella High School, Riverside Drive, Coral Springs, Florida.***

67. REPORT FROM COMMISSION AUDITOR: The Chair referred to a report she received from the Commission Auditor relating to leasing versus purchasing real property. She asked the County Administrator and his staff to review the issue and return before the Board with a recommendation.

***ACTION: (A-3468) The County Administrator will review the Commission Auditor's report and have staff evaluate the issue of leasing versus purchasing real property. Staff will return before the Board with a recommendation.***

68. COMMENDATION: The Chair commended the County Administrator and his staff for the Suspense Items Report. The Chair briefly questioned staff with respect to the water testing kits/ordinance.

***ACTION: (A-3505) No board action was taken.***

69. INFORMATIONAL - FEDERAL GRANT FOR LOW INCOME FAMILIES: County Administrator Roger J. Desjarlais informed the Board that a grant was issued to one of the county's not-for-profit agencies for low income families to purchase air conditioners and fans in an attempt to provide relief from the extreme weather conditions. Broward County received \$1 million. Mr. Desjarlais asked Glenn

Cummings, Director, Purchasing Division, to expedite the use of the funds. Mr. Desjarlais was pleased to inform the Board that the funds will be available within a three week time period.

***ACTION: (A-3536) No board action was taken.***

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