

MEETING OF SEPTEMBER 10, 1996

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

PLEDGE OF ALLEGIANCE was led by Joseph Millsaps, Chair, Broward Navy Days.

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE termination of the Commuter Terminal Building Lease Agreement between Broward County and Airways International, Inc. at Fort Lauderdale-Hollywood International Airport for nonpayment of rentals, fees and charges pursuant to Article VII of the Commuter Terminal Building Lease Agreement, authorize the Aviation Department and the County Attorney's Office to serve all required notices and take such enforcement action as may be necessary to collect all arrears.

ACTION: (A-0428) Approved.

2. MOTION TO APPROVE bulk product line license agreement between Broward County, Florida and Everglades Pipe Line Company, L.P. for the operation and maintenance of an underground aircraft fuel pipeline from Port Everglades to the Fort Lauderdale-Hollywood International Airport effective upon Board approval and terminating five years thereafter, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

3. MOTION TO APPROVE terminal services permit between Broward County and Northwest Airlines, Inc. at the Fort Lauderdale-Hollywood International Airport, effective upon Board approval with an expiration date of September 30, 1997 and year to year thereafter with a 30-day cancellation clause by either party, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

4. MOTION TO FILE 1996 Annual Report on County-owned vacant and surplus property inventory as of July 31, 1996.

ACTION: (A-0428) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

5. MOTION TO ADOPT Resolution 96-783 accepting road easement executed by Ronald V. Archetti and Kevin O. Murray, as trustees, donating right-of-way for SW 54th Court in Section 36, Township 50 South, Range 41 East.

ACTION: (A-0428) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

6. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission meeting of July 9, 1996 and the 2:00 p.m. Public Hearing of July 9, 1996.

ACTION: (A-0428) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

7. A. MOTION TO AWARD open-end contract to BellSouth Business Systems, Inc., single bidder, for fiber optic connectivity between the Government Center and the Midrise (No. A-01-95-20-120) in the amount of \$242,000 for the Office of Information Technology. The initial contract period shall commence upon the first date the service is available for use and shall terminate five years from that date. The Purchasing Director may renew the contract for additional one year terms.

ACTION: (A-0428) Approved.

B. MOTION TO APPROVE agreement between Broward County and BellSouth Business Systems, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

8. MOTION TO APPROVE procurement of one IBM AS/400 minicomputer from IBM Corp. in the amount of \$139,507 (State of Florida Contract No. 250-040-96-1/Client Server Systems) for the Court Administration Department.

ACTION: (A-0428) Approved.

For Port Everglades Department

9. MOTION TO APPROVE procurement and installation of 259 Assisa beam seating units with fabric protection from Thomas W. Ruff & Co. in the amount of \$204,780 (State of Florida Contract No. 420-660-96-1/Furniture: Conference/Public Area) and \$8,400 for fabric protection for Port Everglades.

ACTION: (A-0428) Approved.

For Public Works Department

10. MOTION TO REJECT all bids for North Regional Public Health Center Modular TB Clinic (Bid No. L-12-95-06-OF).

ACTION: (A-0428) Approved.

11. MOTION TO APPROVE agreement between Broward County and Miller, Legg and Associates, Inc. for consultant services on Project 5144, Improvement of Pine Island Road from Sheridan Street to Stirling Road in the amount of \$318,016.71, with contract time of 12 months for design, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

REVENUE COLLECTION DIVISION

12. MOTION TO APPROVE AND EXECUTE satisfaction of claim of lien(s) against Tina, Tanya and Timothy Brown and Charles Sibley, children.

ACTION: (A-0428) Approved.

RISK MANAGEMENT DIVISION

13. MOTION TO AUTHORIZE full and final settlement of claim No. BBT/102195EMIL/20 in the amount of \$25,000.

ACTION: (A-0428) Approved, as amended, to reflect correct concurrence.

14. MOTION TO AUTHORIZE full and final settlement of claim No. DNT/040294RODR in the amount of \$15,000.

ACTION: (A-0428) Approved.

HUMAN SERVICES DEPARTMENT

ALCOHOL & DRUG ABUSE SERVICES DIVISION

15. MOTION TO ADOPT Resolution 96-784 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of computer equipment of the value of \$155,525.32, from the United Way, Broward County Commission on Substance Abuse for the benefit of the Broward County Alcohol and Drug Abuse Services Division, and authorize the County Administrator to take all administrative actions to implement same.

ACTION: (A-0428) Approved.

FAMILY DEVELOPMENT & RESOURCE DIVISION

16. MOTION TO APPROVE subcontract agreement between Broward County and North Broward Hospital District from June 15, 1996 to March 31, 1997, in the amount of \$440,000 for health care services provided to eligible refugees and Cuban and Haitian entrants under the Targeted Assistance Health Grant MJ706, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

HEALTH CARE MANAGEMENT

17. MOTION TO APPROVE Agreement 96S-HPC between Broward County and the Broward Regional Health Planning Council from April 1, 1996 through April 4, 1997, in the amount of \$122,137 for the purpose of providing administrative support services under Ryan White Title I, C.A.R.E. Act FY96 Supplemental Grant, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

18. MOTION TO APPROVE Agreement 96F-HPC between Broward County and the Broward Regional Health Planning Council from August 1, 1996 through January 31, 1997 in the amount of \$115,720 for the purpose of providing administrative support services under Ryan White Title I, C.A.R.E. Act FY96 Formula Grant, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

TRAUMA MANAGEMENT

19. MOTION TO APPROVE agreement between Broward County and Broward General Medical Center from June 1, 1996 to June 30, 1997 in the amount of \$21,440 for the purpose of developing training tools for paramedics and prehospital providers to teach seniors injury prevention, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

20. MOTION TO APPROVE agreement between Broward County and Florida Atlantic University, acting on behalf of the Board of Regents, for the purpose of defining terms and conditions under which the Broward County Library System will utilize \$468,845 for library resources to be included in the inventories of Florida Atlantic University and Florida International University for Fiscal Year 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

AIR QUALITY DIVISION

21. MOTION TO APPROVE renewal of Department of Environmental Protection (DEP) Contract AQ101 between Broward County Department of Natural Resource Protection and the State of Florida Department of Environmental Protection in the amount of \$35,000 to provide for air conditioner chlorofluorocarbon (CFC) recycling program services from November 1, 1996 to October 31, 1997, and authorize the Chair and Clerk to execute same for Air Quality Division.

ACTION: (A-0428) Approved.

22. MOTION TO APPROVE Amendment to Exhibit 1 of the Memorandum of Agreement implementing the transportation conformity criteria and consultation procedures, revision to the Florida State Implementation Plan, pursuant to the Clean Air Act Amendments of 1990, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

PORT EVERGLADES DEPARTMENT

23. MOTION TO APPROVE agreement between Broward County and the United States to provide potable water and ancillary services for Naval vessels calling at Port Everglades for the period January 1, 1997 through December 31, 1997, with two one-year option periods, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

OFFICE OF BUDGET AND MANAGEMENT

POLICY

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

ACTION: (A-0428) Approved.

25. A. MOTION TO ADOPT unanticipated revenue Resolution 96-785 within the General Fund in the amount of \$241,277 in the Clerk's Data Processing Fund due to transfer of Modernization Trust funds to the Clerk of Courts General Fund budget.

ACTION: (A-0428) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-786 within the General Fund in the amount of \$241,277 in the Clerk of Courts due to transfer of funds from the Clerk's Data Processing Fund.

ACTION: (A-0428) Approved.

C. MOTION TO ADOPT budget Resolution 96-787 transferring \$3,123 within the General Fund from the Commission Reserve for overtime and \$48,489 from the Facilities Management Relocation Expense for relocation expenses.

ACTION: (A-0428) Approved.

COUNTY ATTORNEY

26. MOTION TO APPROVE offer of judgment in the amount of \$31,535.29, in the inverse condemnation case, Josias v. Broward County, Parcel Nos. 11A, 12A, 13A, and 13.

ACTION: (A-0428) Approved.

GREATER FORT LAUDERDALE

CONVENTION & VISITORS BUREAU

27. MOTION TO APPROVE first amendment to agreement between Broward County and Mangum Management GmbH for marketing, sales, advertising, public relations, publicity, and consulting services in Germany, Switzerland and Austria, and authorize the Chair and Clerk to execute same.

ACTION: (A-0428) Approved.

BOARD APPOINTMENTS

28. MOTION TO REAPPOINT James W. Loyd to the Bicycling Advisory Committee of Broward County. (Commissioner Thompson)

ACTION: (A-0428) Approved.

REQUEST TO SET FOR PUBLIC HEARING

29. MOTION TO ADOPT Resolution 96-788 directing the County Administrator to publish notice of public hearing to be held on Tuesday, October 8, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon right-of-way lying and being in Broward County, Florida and located north of Hillsborough Boulevard between Lyons Road and NW 39th Avenue in the City of Coconut Creek. Petitioner: Dies Trust (Consul-Tech Engineering, Inc. - Agent) 34-V-96.

ACTION: (A-0428) Approved.

30. MOTION TO ADOPT Resolution 96-789 directing the County Administrator to publish notice of public hearing to be held on Tuesday, October 8, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to renew a cable television franchise with Advocate Communications, Inc., d/b/a Cable TV of Coral Springs.

ACTION: (A-0428) Approved.

REGULAR AGENDA

31. COUNTY ADMINISTRATOR'S REPORT - County Administrator B. Jack Osterholt informed the Board there was no report.

Submitted for the record, was the jail report, which is 3,574 (82 under) the cap of 3,656.

ACTION: (A-0450) No board action was taken.

AVIATION DEPARTMENT

32. A. MOTION TO ADOPT Resolution 96-790 of the Board of County Commissioners of Broward County, Florida amending Chapter 26, Part II, 26.13 of the Broward County Administrative Code to revise individual concessions and consumer service privileges for the limousine concession at the Fort Lauderdale-Hollywood International Airport, providing for severability, providing for inclusion in the Administrative Code, and providing for an effective date.

ACTION: (A-0458) Approved.

B. MOTION TO APPOINT evaluation committee to evaluate proposals for the limousine concession at the Fort Lauderdale-Hollywood International Airport.

ACTION: (A-0458) Approved. The following were appointed to serve on the evaluation committee: Commissioners Gunzburger, Poitier, Hart and Rodstrom; Jack Lee, Director of Business, Aviation Department; Barbara Churchill, Director of Operations, Aviation Department; and Georgina Echert, Director of Finance, Aviation Department.

PUBLIC WORKS DEPARTMENT

OFFICE OF INTEGRATED WASTE MANAGEMENT

33. MOTION TO APPROVE fourth amendment to the interlocal agreement between Broward County and the following municipalities dated November 25, 1986 for solid waste disposal service which would allow the Resource Recovery Board to employ its own Executive Director, Legal Counsel, and special consultants, and authorize the Chair and Clerk to execute same: (Deferred from August 27, 1996)

Coconut Creek Coral Springs Davie Deerfield Beach

Hollywood Lauderhill Margate Miramar

North Lauderdale Tamarac

ACTION: (A-0546) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

34. MOTION TO ADOPT Resolution 96-791 of the Board of County Commissioners of Broward County, Florida authorizing the issuance of Broward County, Florida Industrial Development Revenue Bonds (Heico Aerospace Corporation Project), Series 1996, in an aggregate principal amount of not to exceed \$3,500,000 for the purpose of making a loan of funds to finance all or a portion of the cost of a capital project consisting of the renovation, expansion, rehabilitation and equipping of a facility in the City of Hollywood, Broward County, Florida providing that such Revenue Bonds shall not constitute a debt, liability or obligation of Broward County or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided, approving and authorizing the execution and delivery of a loan agreement with Heico Aerospace Corporation to finance the project, to provide security for such obligation, and for other matters therein provided, approving and authorizing the execution and delivery of an indenture of trust, approving and authorizing the execution and delivery of certain other documents required in connection with the foregoing, designating SunTrust Bank, Atlanta as the Placement Agent and Remarketing Agent, designating SunTrust Bank Nature Coast, as Trustee

under the Indenture of Trust, designating SunTrust Bank, South Florida, National Association as the letter of credit provider, and providing certain other details in connection therewith.

ACTION: (A-1574) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

35. MOTION TO APPOINT evaluation committee for procurement of Circuit, County and Grand Jury Court Reporting Services RFP No. A-09-96-01-12, for the 17th Judicial Court.

ACTION: (A-1579) Approved, as amended. The following were appointed to serve on the evaluation committee: Commissioners Parrish and Cowan; Assistant to the County Administrator, Chair; Chief Judge, or designee; Circuit Court Judge as designated by the Chief Judge; and Director of the Office of Budget & Management Policy.

HUMAN SERVICES DEPARTMENT

36. MOTION TO APPROVE Amendment No. 1 to Agreement between Broward County and Broward County Community Development Corporation, Inc. from October 1, 1995 to September 30, 1996, increasing the value of the agreement by \$5,000 from \$25,000 to \$30,000 for the purpose of providing transitional housing opportunities through rental subsidies to persons with mental illness, and authorize the Chair and Clerk to execute same. (Deferred from August 27, 1996)

ACTION: (A-1671) Approved, with addendum.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-1687) Approved, as amended.

OFFICE OF URBAN AFFAIRS

38. A. MOTION TO APPROVE entering into interlocal agreement with several Broward County municipalities to engage the services of a consultant to prepare potential ordinances and other responsibilities relating to telecommunication issues at a cost to the county not to exceed \$7,500.

ACTION: (A-1694) Approved.

B. MOTION TO ADOPT Resolution 96-797 authorizing Broward County to participate in an interlocal agreement with other Broward municipalities to engage a telecommunications consultant at a cost not to exceed \$7,500.

ACTION: (A-1694) Approved.

COUNTY ATTORNEY

39. A. MOTION TO AUTHORIZE Broward County to exercise its option to acquire ±135 acres of land, located in the City of Sunrise, as a site for the proposed Broward County Civic Arena, in accordance with the Agreement for Sale and Purchase of Land between Broward County and Lennar Florida Land III, Q.A., Ltd. dated June 25, 1996, and authorize the County Attorney to deliver such notice to the seller, subject to confirmation by the project developer, that all conditions precedent regarding the site have been satisfied.

ACTION: (A-1701) Approved, with addendum.

B. MOTION TO AUTHORIZE the Chair to execute all required closing certificates, statements, and resolutions required to be delivered by the County in accordance with the Agreement for Sale and Purchase of Land between Broward County and Lennar Florida Land III, Q.A., Ltd., dated June 25, 1996.

ACTION: (A-1701) Approved.

NON AGENDA

40. PRESENTATION: The Chair called upon Joe Millsaps, Chair, Broward Navy Days, who introduced Captain Ron Christianson, Commanding Officer of the aircraft carrier USS Theodore Roosevelt. Captain Christianson presented the County Commission with a framed picture of the USS Roosevelt and its crew on the flight deck. He thanked the Commission and the City of Fort Lauderdale on behalf of all the crew members of the Theodore Roosevelt for supporting the United States Navy. Captain Christianson stated that the Navy advertises the City of Fort Lauderdale as the finest liberty port in the world.

In a related discussion, Mr. Millsaps mentioned that Captain Christianson is an Admiral Select waiting for his commission.

ACTION: (A-0085) The Chair, on behalf of the County Commission, accepted the framed picture with great appreciation and thanked the Captain for his presence at this day's meeting. Further, the Chair congratulated Captain Christianson on his upcoming Admiral's commission.

41. PRESENTATION: The Chair acknowledged Mary Ann Gray, Past Chair, Broward Navy Days, who presented the Commission with a plank-owner plaque on behalf of the USS Cole commemorating the Navy's appreciation for Broward County's participation in the USS Cole's commissioning at the Port. Ms. Gray thanked the Commission for all its support throughout the event and for its continued support of the Navy.

ACTION: (A-0305) The Chair, on behalf of the Commission, accepted the plaque with much gratitude. The Chair thanked the Navy for everything that it does for the country.

42. COMMISSIONER REQUEST: Commissioner Gunzburger requested the Board's permission to be removed from serving on the Selection/Negotiation Committee for the O'Brien/Krietzburg contract.

ACTION: (A-1708) Without objection, the Board gave its permission to Commissioner Gunzburger to be removed from serving on the Selection/Negotiation Committee for the O'Brien/Krietzburg contract.

43. DISCUSSION: Commissioner Poitier advised that the Minority Economic Development Advisory Board has been given the responsibility by the County Commission to oversee the Minority Economic Summit proposals. She explained that the Advisory Board is having great difficulty in obtaining a quorum. Commissioner Poitier urged the board members to fill any commission appointment vacancies that may exist.

In a related discussion, Commissioner Thompson volunteered to serve on the Minority Economic Development Advisory Board after his term as County Commissioner ends on November 19, 1996. County Attorney John J. Copelan, Jr. was directed to research whether Commissioner Thompson would be able to accept a commission appointment to said Advisory Board.

ACTION: (A-1722) The Board agreed to fill any commission appointment vacancies that exist on the Minority Economic Development Advisory Board.

It now being the 2:00 public hearing, County Attorney John J. Copelan, Jr. advised that Commissioner Thompson would be able to serve on the Minority Economic Development Advisory Board. With respect to the timing of the appointment, Mr. Copelan advised to make the appointment effective from the date Commissioner Thompson is no longer serving on the County Commission.

44. INFORMATIONAL: Commissioner Parrish clarified a statement (her response to a question posed by reporter David Nitkin) she made that appeared in a Sun Sentinel article relating to the automatic pay increases given to the Commissioners and other elected officials.

ACTION: (A-1809) No board action was taken.

45. DISCUSSION: Commissioner Cowan referred to the Plantation Towne Mall fire which occurred on September 6, 1996. Following discussions with county staff and City of Plantation Mayor Frank Veltri, it was determined that Small Business Administration (SBA) funds (at a low interest rate) may be available to aid the small business owners affected by the fire. Financial aid would enable the merchants to replenish/rebuild their stock. Commissioner Cowan explained that the requirement for SBA funds is that the request must derive from the State. The State's requirement is that the request must come from the County, not the city.

ACTION: (A-1969) A motion was made by Commissioner Cowan, seconded by Commissioner Poitier and unanimously carried, that the Board of County Commissioners be authorized to request that the City of Plantation ask the Small Business Administration to allocate funds to aid the merchants affected by the Plantation Towne Mall fire.

46. INFORMATIONAL: Commissioner Rodstrom mentioned that if any board member has the opportunity to speak to members of the Florida Cabinet, to recommend that the State purchase the company that owns the Florida East Coast tracks that are for sale. Maintaining the tracks and right-of-way would be advantageous for the Tri-Rail Authority to remain competitive.

ACTION: (A-2046) No board action was taken.