

# MEETING OF SEPTEMBER 14, 1999

(Meeting will convene at 10:00 a.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

## CONSENT AGENDA

## BOARD APPOINTMENTS

1. A. MOTION TO APPROVE appointments of Richard Earle, Max Hancock, and Robert Hart to the Broward Regional Emergency Medical Services (EMS) Council. (Division of Medical Examiner and Trauma Services)

B. MOTION TO APPROVE appointment of Managing Underwriters and Co- Managers for the proposed Resource Recovery Refunding Bonds as follows: Raymond James & Associates, Senior Manager with book; PaineWebber, Inc., Co-Senior Manager; Prudential Securities, Co-Senior Manager; William R. Hough & Co., Co-Manager; The Chapman Company, Minority Owned Co- Manager; M.R. Beal and Co., Minority Owned Co-Manager; and Ramirez and Co., Minority Owned Co-Manager. (Finance & Administrative Services Department)

## AVIATION DEPARTMENT

2. MOTION TO APPROVE second amendment to the agreement between Broward County and Leigh Fisher Associates for Consulting Services related to Broward County owned airports at Broward County, Florida (RLI 101697-RB), in fiscal year 1999-2000 for a total amount not to exceed \$1,599,000, and authorize the Chair and Clerk to execute the same.

3. A. MOTION TO APPROVE commuter terminal building lease agreement between Broward County, Florida and Air Sunshine, Inc., for the lease and use of 96 square feet of ticket counter space, 182.40 square feet of airline ticket office space, 238 square feet of common use space, and 144 square feet of baggage make-up space in the commuter terminal at the Fort Lauderdale-Hollywood International Airport effective upon Board approval and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

B. MOTION TO APPROVE field usage agreement between Broward County, Florida and Air Sunshine, Inc., at the Fort Lauderdale-Hollywood International Airport effective upon Board approval and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

4.A. MOTION TO APPROVE airline-airport lease and use agreement between Broward County, Florida and AirTran Airways, Inc., and authorize the Chair and Clerk to execute same.

B. MOTION TO APPROVE addendum to the airline-airport lease and use agreement between Broward

County, Florida and AirTran Airways, Inc., revising various provisions of the airline-airport lease and use agreement, and authorize the Chair and Clerk to execute same.

5. A. MOTION TO APPROVE commuter terminal building lease agreement between Broward County, Florida and Safe Air International, Inc., d/b/a Island Express, for the lease and use of 100 square feet of ticket counter, 240 square feet of airline ticket office, 276 square feet of common use, and 150 square feet of baggage make-up space in the commuter terminal at the Fort Lauderdale-Hollywood International Airport effective upon Board approval and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

B. MOTION TO APPROVE field usage agreement between Broward County, Florida and Safe Air International, Inc., d/b/a Island Express, at the Fort Lauderdale-Hollywood International Airport effective upon Board approval and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

## **PUBLIC WORKS DEPARTMENT**

### **REAL PROPERTY SECTION**

6. MOTION TO ADOPT Resolution approving a two-year lease with one two-year renewal option for Fire Station No. 23 at 2200 SW 46th Avenue for 3,000 square feet at an annual rental of \$3,000 per year (total term \$6,000) commencing September 1, 1999 and terminating on August 31, 2001; Landlord: Peters Road Volunteer Fire Department, Inc., and authorize the Chair and Clerk to execute same.

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

7. MOTION TO ADOPT Resolution accepting a warranty deed executed by Lowe's Home Centers, Inc., donating right-of-way for Oakland Park Boulevard and for Powerline Road adjacent to the northwest quadrant of said intersection.

8. MOTION TO ADOPT Resolution amending various fee schedules for the Engineering Division by amending portions of Chapter 35, Part III, Chapter 38 Part II and Chapter 40, Part 1, Broward County Administrative Code.

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

9. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida authorizing execution of a quit-claim deed to convey title to H.B. Fuller Company to the property securing the mortgage and security agreement by Broward County, as issuer, of the \$2,500,000 Industrial Development Revenue Bond (H.B. Fuller Company Project) Series 1981; and providing for an effective date.

# ACCOUNTING DIVISION

10. MOTION TO APPROVE business travel for County employees in accordance with Administrative Code Chapter 2, Part VI - Travel.

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.

# PURCHASING DIVISION

For Community Services Department

12. MOTION TO APPROVE First Amendment to Work Authorization No.1 between Broward County and Petropac Inc., as required pursuant to the Agreement of August 23,1994, for Environmental Consultant Services, to provide professional services to replace underground steel piping, submerged pumps, spill containment, overfill protection, and Stage 1 vapor recovery for the Mass Transit Division, located at 5440 Ravenswood Road, Dania Beach, Florida, for a maximum amount not to exceed \$53,520.55, with no increase in time, and authorize the Chair and Clerk to execute same.

13. MOTION TO APPROVE First Amendment to Work Authorization No.1 between Broward County and Petropac Inc., as required pursuant to the Agreement of August 23,1994, for Environmental Consultant Services, to provide professional services to replace underground steel piping, submerged pumps, spill containment, overfill protection, and Stage 1 vapor recovery for the Mass Transit Division, located at 3201 West Copans Road, Pompano Beach, Florida, for a maximum amount not to exceed \$14,888.43, with no increase in time, and authorize the Chair and Clerk to execute same.

For Public Works Department

14. MOTION TO AWARD fixed contract to the single bidder, Native Technologies, Inc. for Alpha 250 Mitigation & Planting (Bid No. N-3-99-044-CF) for \$233,356.50, for the Environmental Engineering Division subject to receipt and acceptance of insurance/payment and performance guarantee, and authorize the Chair and Clerk to execute same.

15. MOTION TO AWARD open-end contract to low responsive/responsible bidder, Colonna Asphalt Restoration, Inc., for Job Restoration to Asphalt Concrete Services in the estimated yearly amount of \$231,565.00 (H-D-98-280-M1) for the Office of Environmental Services and authorize the Director of Purchasing to renew this contract for two-one year periods. This initial contract period shall start upon receipt and acceptance of Insurance/Performance and Payment Guarantee and terminate two years from that date.

16. MOTION TO APPROVE Work Authorization No.1, in the amount of \$58,000 and for a period of 180 calendar days, in accordance with the Agreement for General Professional Test and Balance Consultant Services dated 22 December, 1998, between Broward County and Dade Test and Balance Corp. for the inspection +of, analysis of, and the Testing and Balancing (T&B) of the air conditioning system in Annex 'A' of the Governmental Center, and authorize the Chair and Clerk to execute same.

17. MOTION TO RATIFY exceeding the \$50,000 cap on the use of the Facilities Management Qualified Vendor List by \$5,800 for additional work required to re-roof the Tarpon River Building.

18. MOTION TO RATIFY exceeding the \$50,000 cap on the use of the Facilities Management Qualified Vendor List by \$9,690 for additional work required to re-roof the West Regional Complex.

19. MOTION TO APPROVE fifth and final amendment to the deliberately phased agreement between Broward County and Keith & Schnars, P.A., for consultant services on Project 5080, Improvement of Pine Island Road from Stirling Road to Griffin Road increasing the compensation for the Construction Phase by \$59,556.84 (from \$380,073.58 to \$439,630.42), with an increase in the Time for Performance of the Construction Phase from thirteen months to 533 days, and authorize the Chair and Clerk to execute same. This is a post approval.

20. MOTION TO APPROVE increase in the change order allowance in the amount of \$161,472.30, from \$107,648.20, (5%) to a revised total of \$269,120.50, which is 12.50% of the original contract amount of \$2,152,964 with Widell, Inc., for contract No. T-01-98-18-CF, for BCOES Project No. 8681, Emergency Generator Facility - District 1A Water Treatment Plant / Master Pump Station No. 450 located near State Road 7 and Oakland Park Boulevard.

For Safety & Emergency Services Department

21. MOTION TO NOTE FOR THE RECORD Emergency Procurement of Mid-size Sedans Bid No. C-6-99-126-FF in the amount of \$172,368 to Don Reid Ford for the Building Code Services Division.

## **REVENUE COLLECTION DIVISION**

22. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Liens.

23. MOTION TO ADOPT Resolution ordering the Value Adjustment Board to certify the Assessment Roll for Broward County, Florida, pursuant to Section 197.323 Florida Statute.

## **COMMUNITY SERVICES DEPARTMENT**

### **CULTURAL AFFAIRS DIVISION**

24. MOTION TO APPROVE proposal to modify the Broward Cultural Affairs Council Tourist Related Grant guidelines for Fiscal Year 2001 as described below: (Deferred from July 13, 1999, Item 74)

## **PARKS AND RECREATION DIVISION**

25. MOTION TO APPROVE agreement between the City of Fort Lauderdale and Broward County providing for connection of Broward County's Reverend Samuel Delevoe Park to the City of Fort Lauderdale sewerage system, with a one-year time for performance from the date of execution, and authorize the Chair and Clerk to execute and record same.

## **DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

26. MOTION TO APPROVE settlement agreements between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Planning and

Environmental Protection (DPEP) and authorize the Chair and Clerk to execute same. The Respondents were cited for violations of the Broward County Code of Ordinances for the attached violations and have agreed to pay Broward County for any penalties in full:

- A. City of Pompano Beach.
- B. Seminole Bay Land Company, Inc. and P-95/FED Limited Partnership.
- C. City of Fort Lauderdale.
- D. Atlantic Lumber Company.
- E. City of Pembroke Pines.

## **AIR QUALITY DIVISION**

27. A. MOTION TO ACCEPT the United States Environmental Protection Agency (US EPA) Section 103 grant award in the amount of \$11,900.00, and authorize the County Administrator to make necessary administrative and budgetary actions to execute the grant, for the Department of Planning & Environmental Protection. The grant will be used to fund participation of Broward County in the EPA national ozone mapping program. This project will result in no additional cost to the County.

B. MOTION TO ADOPT unanticipated revenue Resolution within the Fund 830 for the Department of Planning and Environmental Protection, Air Quality Division in the amount of \$11,900 for the purpose of recognizing air quality grant funds received from the U.S. Environmental Protection Agency.

## **BIOLOGICAL RESOURCES DIVISION**

28. MOTION TO APPOINT Broward County Marine Advisory Committee as the Citizen's Advisory Committee for coordination with the Florida Inland Navigation District (FIND) during FIND's preparation of the Long Range Dredge Material Management Study of the Atlantic Intracoastal Waterway in Broward County. Approval of this motion will result in no fiscal impact to the County.

### **DEPARTMENT OF SAFETY AND EMERGENCY SERVICES**

## **FIRE RESCUE DIVISION**

29. A. MOTION TO ADOPT unanticipated revenue Resolution within the Fire Fund in the Fire Rescue Division in the amount of \$176,500 for the purpose of reimbursing the Division for the purchase of hazardous materials equipment and reimbursing the overtime account in the Fund for overtime expended as a result of the Fire Rescue Division's participation in fighting wildfires in 1998 in the State of Florida.

B. MOTION TO ADOPT unanticipated revenue Resolution within the Emergency Medical Services (EMS) Fund in the Fire Rescue Division in the amount of \$8,506 for the purpose of reimbursing the overtime account in the Fund for overtime expended as a result of the Fire Rescue Division's participation in fighting wildfires in 1998 in the State of Florida.

C. MOTION TO ADOPT unanticipated revenue Resolution within the General Fund in the Fire Rescue Division in the amount of \$25,628 for the purpose of reimbursing the overtime account in the Fund for overtime expended as a result of the Fire Rescue Division's participation in fighting wildfires in 1998 in the State of Florida.

## **TELECOMMUNICATIONS DIVISION**

30. MOTION TO APPOINT first amendment to the license agreement between Broward County and TVMAX Telecommunications, Inc., a Delaware corporation, d/b/a OpTel, Inc., providing for a change in antenna location, at its expense, to two six-foot antennas and one four-foot antenna on the County tower, with additional compensation of \$5,600 per year to be paid to the County (amended to \$35,264 annually), and authorize the Chair and Clerk to execute same.

## **ZONING CODE SERVICES DIVISION**

31. MOTION TO APPROVE interlocal agreement between Broward County, by and through the Broward County Zoning Code Services Division (formerly the Code and Zoning Enforcement Division) and the City of Margate for the period beginning July 1, 1999 and ending July 2, 2001, pursuant to which the Broward County Zoning Code Services Division shall serve as the Nuisance Abatement Board Administrator to hear municipal complaints regarding drugs, prostitution, youth and street-gang related nuisances.

## **PORT EVERGLADES DEPARTMENT**

32. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Sargeant Bulkainers, Inc. for 29,392 square feet of vacant land at Port Everglades, for the period of October 1, 1999 through September 30, 2000, and authorize the Chair and Clerk to execute same.

33. MOTION TO APPROVE agreement between Broward County and Florida Department of Community Affairs (DCA), for construction of the Southport expansion area at Port Everglades, and authorize the Chair and Clerk to execute same.

34. MOTION TO APPROVE easement to Florida Power and Light Company (FP&L) for the purpose of providing an FP&L Utility Easement for the relocation of various FP&L electric utility poles as a result of the Eisenhower Boulevard and SE 32nd Street Improvement Project, and authorize the Chair and Clerk to execute same. (Deferred from September 7, 1999, Item 23)

## **OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

35. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida exempting from the classified civil services, the vacant position of Division Secretary II (BPN 03399) for the Office of Public and Governmental Relations.

## **COUNTY ATTORNEY**

36. MOTION TO APPROVE settlement in the amount of \$55,000 (inclusive of attorney's fees and

costs) of a lawsuit filed in Broward County Circuit Court, Jangie v. Otten and Broward County, Case No. 98-14198 (05).

37. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver Satisfaction of Mortgage for certain Mortgage executed by Eleanor Jean Cooke for the purpose of posting appearance bond in the case of State of Florida v. Sandra Armenteros, 17th Circuit Case No. 97-07498CF10A.

38. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver Satisfaction of Mortgage for certain Mortgage executed by Jorge F. Benel and Linda Patricia Benel, his wife, for the purpose of posting appearance bond in the case of State of Florida v. Alicia Portugal, 17th Circuit Case No. 97-11450CF10A.

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

39. MOTION TO ADOPT Resolution authorizing the County Administrator to advertise a public hearing to be held September 28, 1999 at 2 p.m. in Room 422, Governmental Center to adopt supplemental budgets in various funds to adjust revenues and appropriations.

## **REGULAR AGENDA**

### **40. COUNTY ADMINISTRATOR'S REPORT**

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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 PLANNING AND ENVIRONMENTAL PROTECTION**

## **DEVELOPMENT MANAGEMENT DIVISION**

41. DELEGATION: Elizabeth Pulice regarding request to amend the note on the Golden Plat (094-MP-95). (Deferred from August 17, 1999, Item 94)

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

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**FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

42. A. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida stating its intention to participate in the financing program of the Florida Ports Financing Commission; indicating the anticipated source for its matching share of moneys required for participation in the Intermodal Program; and providing an effective date.

B. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida authorizing and directing the execution and delivery of a loan agreement with the Florida Ports Financing Commission; authorizing the borrowing of not exceeding \$35,000,000 pursuant to the terms of the loan agreement for purposes of financing, refinancing, and reimbursing the costs of acquiring, constructing, and installing certain projects; agreeing to secure repayment of the principal of and interest on such loan with a pledge of moneys in the State Transportation Trust Fund pursuant to Section 320.20 (4), Florida Statutes; authorizing the execution and delivery of such other documents as may be necessary to effect such borrowing; and providing an effective date.

**ACCOUNTING DIVISION**

43. MOTION TO APPROVE travel for County employees on the attached list, in accordance with Administrative Code Chapter 2, Part VI - Travel.

**PURCHASING DIVISION**

For Aviation Department

44. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide communications technical support to Broward County Aviation Department (BCAD) staff in the areas of planning, design and construction administration for the development of a Communications Center at Fort Lauderdale- Hollywood International Airport, and approve RLI No. 062599-RB.

**COUNTY ADMINISTRATOR**

45. A. MOTION TO ASSIGN agreement for design/build services for a kitchen/warehouse facility, utility plant and 1,020 bed women’s detention facility at North Broward Detention Center from Wackenhut Corrections Corporation to James A. Cummings, Inc. Wackenhut Corrections Corporation will remain the architect of record for the project and James A. Cummings, Inc. will be the responsible design/build firm, general contractor and construction manager.

B. MOTION TO APPROVE Amendment No. 1 between Broward County and James A. Cummings, Inc. for design/build services for a kitchen/warehouse facility, utility plant and 1,020 bed women’s detention facility at North Broward Detention Center in order to clearly define Wackenhut’s role as the

architect of record; reduce the contract by an amount of \$250,000; add a security consultant at no additional cost, and include a builder's risk insurance policy.

## **OFFICE OF BUDGET SERVICES**

46. MOTION TO ADOPT budget Resolution within the General Fund in the amount of \$115,515 from the Non-Departmental Restricted Reserve for the 17th Judicial District to provide funding reserved in anticipation of Local Government Criminal Justice Trust Fund revenues.

## **COUNTY COMMISSION**

47. MOTION TO DIRECT County Attorney to prepare a Resolution re-naming the Dania Beach Library in honor of Mr. Paul DeMaio, a library activist and Dania Beach resident, who led a longtime drive to get more space for the Dania Beach Library. (Commissioner Gunzburger)

## **SUPPLEMENTAL AGENDA**

### **COUNTY ATTORNEY**

48. MOTION TO RATIFY selection of Moskowitz, Mandell, Salim & Simowitz, P.A. as special counsel in connection with filing an action against Waste Management, Inc. regarding Resource Recovery Revenue Bond Refinancing.

### **COUNTY COMMISSION**

49. DISCUSSION: Resource Recovery Board/Wheelabrator Refinancing Negotiations; Agreement between Broward County and Waste Management, Inc., dated July 9, 1996. (Commissioner Cowan)

50. MOTION TO DISCUSS: Placing a Union Representative(s) to serve as a voting member(s) on the Selection Negotiation Committee for the Broward County Employee Insurance contracts. (RLI No. 120398 RB) (Commissioner Rodstrom)

51. A. MOTION TO TERMINATE Agreement No. 99-8371-5C-GMRDD-1 between Broward County and Areawide Housing for the Elderly, Inc. from October 1, 1998 to September 30, 1999 in the amount of \$31,430 due to changes in construction circumstances and the acquisition of 100% funding, and authorize the Chair and Clerk to execute same.

B. MOTION TO APPROVE Agreement No. 99-NWFWC-2 between Broward County and Northwest Federated Woman's Club, Inc., from date of execution to December 31, 1999 in the amount of \$31,430 to re-roof the original service facility, and authorize the Chair and Clerk to execute same.

C. MOTION TO WAIVE Administrative Code Chapter 19, Section 19, Application for Capital Aid for Nonprofit Organizations part e. No. 1 County funds may not exceed 33% of the total cost of the project, allowing for the entire cost of repair due to the emergency nature of the request and the unsafe service delivery environment created by the state of disrepair. (Commissioner Abramowitz)

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