

MEETING OF OCTOBER 6, 1998

(The meeting convened at 10:00 a.m.; recessed at 12:45 p.m., reconvened at 3:38 p.m., and adjourned at 5:00 p.m.)

PLEDGE OF ALLEGIANCE - *led by Commissioner Ilene Lieberman, Vice Chair*

CALL TO ORDER

COUNTY ADMINISTRATOR

1. MOTION TO DIRECT staff to coordinate a review of Unisys' proposed plan to cure the default in the civil court application and direct staff through the Selection/ Negotiation Committee to evaluate the proposal, and if acceptable, present a recommendation to the Board within 45 days. (Deferred from September 28, 1998, Item 77)

ACTION: (A-673) Approved.

CONSENT AGENDA

BOARD APPOINTMENTS

2. A. MOTION TO APPROVE the appointment of Mr. Victor P. DeBianchi, Jr. to the Broward County Historical Commission. Mr. DeBianchi will fill a vacant slot. (Commissioner Gunzburger)

ACTION: (A-2245) Approved.

B. MOTION TO APPOINT Ms. Susan Foster to serve on the Hillsboro Inlet Board. Ms. Foster will fill a vacant position. (Commissioner Rodstrom)

ACTION: (A-2245) Approved.

C. MOTION TO APPOINT Mr. Bill Hensley to the Board of Adjustment. (The seat was assigned to Commissioner Abramowitz but was left vacant for more than 30 days.) (Commissioner Parrish)

ACTION: (A-2245) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

3. MOTION TO FILE the 1997-1998 Annual Report on all county-owned properties including those properties which are surplus inventory.

ACTION: (A-2351) Approved. After referring to the October 5, 1998 article from The Herald, "Home-Buying Program Often Slow to Pay Up", the Chair requested that the County Administrator arrange for a comparative analysis to be conducted on how fast funds are used, how often, and which option with respect to loans for home buyers (such as the State Housing Initiative Partnership (SHIP), Community Development Block Grant (CDBG) and so forth) would be processed quickly.

4. MOTION TO ACCEPT AND RATIFY the recordation of a warranty deed pursuant to a tri-party agreement dated July 8, 1997, among Broward County, City of Dania and Sportsman Park Development Company for roadway improvements to serve the tri-rail system and the Bass Pro Development.

ACTION: (A-2388 and A-3407) Approved.

5. MOTION TO APPROVE a contract for sale and purchase executed by Albrin Rental Properties, Inc., a Florida Corporation, in the amount of \$77,000 for the purchase of right-of-way for Northwest 6 Street (Sistrunk Boulevard) Road Project No. 5075, Parcel 15; Engineering Division authorized the Real Property Section to acquire this property using Engineering Division funds; authorize the Chair and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed.

ACTION: (A-2245) Approved.

6. A. MOTION TO APPROVE the reconveyance by quit claim deed under F.S. 255.22 of a portion of unimproved road right-of-way donated to Broward County; to Highland Pines, Ltd., a California limited partnership, a successor in title to the donor; authorize the Chair and Clerk to execute quit claim deed, and authorize acceptance and recordation of deed.

ACTION: (A-2245) Approved.

B. MOTION TO ACCEPT an easement dedicated to Broward County and executed by Highland Pines, Ltd., a California limited partnership, and authorize recordation of same.

ACTION: (A-2245) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

FISCAL OPERATIONS DIVISION

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

ACTION: (A-2420) Approved and directed staff to provide, for future agenda, details on the deposit of residential or commercial water bills, how many months they were in arrears, and how they were

allowed to accrue.

OFFICE OF INTEGRATED WASTE MANAGEMENT

8. MOTION TO APPROVE the first amendment to an agreement between Broward County and Broward County Solid Waste Disposal District for County Employee Services dated February 17, 1998, extending its expiration date to March 17, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

RECYCLING AND CONTRACT ADMINISTRATION DIVISION

9. MOTION TO APPROVE agreements between Broward County and South Florida Council, Boy Scouts of America, Boy Scout Troops 311 and 836 for Waste Tire Removal, not to exceed \$15,000 provided through the waste tire grant, authorizing the necessary administrative and budgetary actions to implement, and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

OFFICE OF TRANSPORTATION ENGINEERING DIVISION

10. MOTION TO ADOPT Resolution 1998-1009 providing for the use of internal, private roads (Southwest 39 Street, Southwest 40 Street, and Southwest 18 Avenue) shown on the plat known as the Fort Lauderdale-Hollywood International Airport Third Addition Plat (PB124, Page 34).

ACTION: (A-2245) Approved.

11. MOTION TO ADOPT Resolution 1998-1010 securing the installation of fire hydrants required as a condition of approval of the Fort Lauderdale-Hollywood International Airport Seventh Addition (016-UP-97).

ACTION: (A-2245) Approved.

12. MOTION TO APPROVE a road transfer agreement between Broward County and Town of Davie for Hiatus Road from Southwest 14 Street to State Road 84, and authorize the Chair and Clerk to execute said agreement.

ACTION: (A-2245) Approved.

13. MOTION TO APPROVE an assignment and assumption agreement between WCI Communities Limited Partnership (assignor) and Zom Coral Springs, Ltd. (assignee) for the installation of required improvements on Coral Ridge Drive adjacent to the plat of CRC Two (093-MP-96), and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

14. MOTION TO APPROVE an assignment and assumption agreement between WCI Communities Limited Partnership (assignor) and Zom Coral Springs, Ltd. (assignee) for the installation of traffic signalization requirements, at the intersection of Coral Ridge Drive and the 100-foot opening, relating to the plat of CRC Two (093-MP-96), and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

STREETS AND HIGHWAYS DIVISION

15. MOTION TO ADOPT budget Resolution 1998-1011 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$150,000 to resurface Andrews Avenue (South Fork Middle River Bridge to Oakland Park Boulevard) in the City of Wilton Manors. (Project 9819)

ACTION: (A-2245) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

16. MOTION TO FILE Tangible Property Asset Disposal Certificate No. 428.

ACTION: (A-2512) Approved. The Board requested that the County Administrator arrange for staff to provide, in writing, a comprehensive review from the agencies on the approach of security measures taken; management of county-owned property, and what inventory system is used for radios.

COUNTY RECORDS DIVISION

17. MOTION TO APPROVE the minutes of the 10:00 a.m. Board of County Commission meetings of August 11, August 18, and August 25; the minutes of the 2:00 p.m. Public Hearings of August 11, and August 25; the minutes of Twin Lakes Water Control District of August 25, and the minutes of Cocomar Water Control District meeting of August 11, 1998.

ACTION: (A-2245) Approved.

18. MOTION TO APPROVE FOR FILING the supplemental papers pertaining to plats and other items listed below that were approved in prior years.

ACTION: (A-2245) Approved.

PURCHASING DIVISION

For Aviation Department

19. MOTION TO APPROVE an assignment of the Director of Airports and/or the Director of Aviation as Chairperson of the Selection/Negotiation Committee for the Task 2 Roadways Design/Build Project for the Airport Expansion Project for the Fort Lauderdale-Hollywood International Airport.

ACTION: (A-2245) Approved.

20. A. MOTION TO ADOPT budget Resolution 1998-1012 transferring \$105,000 from Runway Overlay Construction Fund 401 407 3412 6500 to Airfield Electric Upgrade Machinery and Equipment Fund 401 407 3413 6400 for the purpose of funding award for Airfield Electrical Improvements - North Perry General Aviation Airport - Bid No. N-3-98-061-CF.

ACTION: (A-2245) Approved.

B. MOTION TO AWARD a fixed contract to the low responsive, responsible bidder, H.L. Pruitt Corporation, for Airfield Electrical Improvements, at North Perry General Aviation Airport (Bid No. N-3-98-061-CF) in the amount of \$575,545.50, for the Aviation Department subject to receipt and acceptance of Insurance/Performance and Payment Guarantee.

ACTION: (A-2245) Approved.

For Public Works Department

21. MOTION TO AWARD an open end contract to W. Jackson & Son Construction Co., single bidder, for Cleaning, Repair and Rehabilitation of Water Control Structures, Pipe and Storm Drains, Bid No. N-01-98-12-12 in the estimated amount of \$306,951 for the Office of Environmental Services Division, and authorize the Purchasing Division Director to renew the contract for a one-year period. The initial contract period shall commence upon award and end one year from that award date.

ACTION: (A-2245) Approved.

22. MOTION TO REJECT the single bid with CEM Enterprises, Inc., for Bid No. Q-01-98-17-12, Bridge Repairs, various Broward County locations, for the Streets and Highways Division.

ACTION: (A-2245) Approved.

23. MOTION TO APPROVE the second amendment to an agreement between Broward County and Kimley-Horn & Associates, Inc. for consultant services for Pembroke Road improvements, from Flamingo Road to Douglas Road, Project No. 5169 in the amount of \$8,544.67, changing the total contract amount from \$677,153.67, to \$685,698.34, with no increase in contract time, and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

REVENUE COLLECTION DIVISION

24. MOTION TO APPROVE the contracts with Elite Title Investigation and Alexander L. Domb, P.A. to provide abstracts on an as needed basis, at no cost to the county, for the Revenue Collection Division as set forth in Section 197.502, F.S., and Florida Administrative Code Sections 12D-13.060(4) and 12D-13.061 with reference to Tax Deed Sales, and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved with addendum.

25. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien.

ACTION: (A-2245) Approved.

RISK MANAGEMENT DIVISION

26. MOTION TO AUTHORIZE full and final settlement of claim No. BBG/092094RIVE in the amount of \$70,000.

ACTION: (A-2245) Approved.

HUMAN SERVICES DEPARTMENT

27. MOTION TO ADOPT Resolution 1998-1013 authorizing the Homeless Initiative Partnership Advisory Board to add two ex-officio members, including; the executive director, or other agency representative, of the Broward Partnership for the Homeless, Inc. (BPHI), and the executive director, or other agency representative, of the Broward Coalition for the Homeless, Inc. (BCH) providing for severability and an effective date.

ACTION: (A-2245) Approved.

HEALTH CARE MANAGEMENT DIVISION

28. MOTION TO ADOPT Resolution 1998-1014 of the Board of County Commissioners of Broward County, Florida approving a reallocation of \$856,900 in appropriated Fiscal Year 1998 Ryan White

C.A.R.E. Act Title I Comprehensive AIDS Resources Emergency Act Grant Funding for not-for-profit or for-profit health or social service organizations or governmental entities; approving the use of the contract shells previously approved by Resolution No. 98-115 on March 3, 1998; authorizing the County Administrator to execute the appropriate contract or amendment to an existing contract, as applicable, for each organization listed on Exhibit 2 and approved herein; providing for severability; and providing for an effective date.

ACTION: (A-2639) Approved with the exception of Think Life Inc. and requested that staff follow up on the issue for the Board to consider, at its October 13, 1998 meeting, the number of clients utilizing units of service to justify case management; otherwise the matter in question would remain as it is.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

29. MOTION TO APPROVE an agreement between Broward County and The Humane Society of Broward County for placement of stray animals impounded by Broward County Animal Care and Regulation Division, at no cost to the county, for the period November 1, 1998 to September 30, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

30. MOTION TO APPROVE an agreement between Broward County and The Florida Humane Society, Inc. for placement of stray animals impounded by Broward County Animal Care and Regulation Division, at no cost to the county, for the period November 1, 1998 to September 30, 1999 and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

CULTURAL AFFAIRS DIVISION

31. A. MOTION TO APPROVE an agreement between Broward County and the State of Florida Division of Cultural Affairs (Grant No. 99-6004) in the amount of \$13,076 for the purpose of developing and implementing an intergenerational literary and performing arts project as part of the Broward County Arts in Education program from September 1, 1998 through August 31, 1999, and authorize the Chair and Clerk to execute same. (Cash match \$1,538)

ACTION: (A-2245) Approved with addendum.

B. MOTION TO ADOPT budget Resolution 1998-1015 transferring within the Cultural Affairs Fund (016) the amount of \$1,538 from the Broward Cultural Affairs Reserve (016-025-7421-9414) for the purpose of providing a local cash match for a grant from the State of Florida Division of Cultural Affairs. (No. 99-6004)

ACTION: (A-2245) Approved with addendum.

C. MOTION TO ADOPT unanticipated revenue Resolution 1998-1016 in the Cultural Affairs Grant Fund (725) in the amount of \$6,538 for the purpose of an Arts in Education Program.

ACTION: (A-2245) Approved with addendum.

32. A. MOTION TO APPROVE an agreement between Broward County and the State of Florida Division of Cultural Affairs (Grant No. 99-8003) in the amount of \$55,446 for the purpose of providing general program support for the Broward Cultural Affairs Council for the period October 1, 1998 through September 30, 1999, and authorize the Chair and Clerk to execute same. (Cash match \$27,723)

ACTION: (A-2245) Approved with addendum.

B. MOTION TO ADOPT budget Resolution 1998-1017 transferring within the Cultural Affairs Fund (016) the amount of \$27,723 from the Broward Cultural Affairs Reserve for the purpose of providing local cash match for State of Florida Division of Cultural Affairs grant. (No. 99-8003)

ACTION: (A-2245) Approved with addendum.

C. MOTION TO ADOPT unanticipated revenue Resolution 1998-1018 in the Cultural Affairs Grant Fund (725) in the amount of \$55,446 for the purpose of General Program Support for Fiscal Year 1999.

ACTION: (A-2245) Approved with addendum.

LIBRARIES DIVISION

33. A. MOTION TO APPROVE State Touring Program Grant Agreement No. 99-3812 between Broward County and the Department of State, Division of Cultural Affairs in the amount of \$4,000 in support of the Core Ensemble Group for the period October 1, 1998 through April 1, 1999, and authorize the Chair and Clerk to execute same. No cash match is required.

ACTION: (A-2245) Approved with addendum.

B. MOTION TO ADOPT unanticipated revenue Resolution 1998-1019 within the Grant Fund for the Broward County Libraries Division in the amount of \$4,000 for the Core Ensemble Group performances from October 1, 1998 through April 1, 1999.

ACTION: (A-2245) Approved with addendum.

MASS TRANSIT DIVISION

34. MOTION TO APPROVE an assignment and a second amendment to agreement for construction of bus shelters/advertising program, among Broward County, Patrick Media Group, Inc., and Eller Media Company, effective upon execution by the parties; providing for assignment of Patrick Media Group, Inc.'s interest in the placement and operations of bus shelters under the agreement to Eller Media Company; reducing the amount of the construction, maintenance, removal and restoration bond from \$1,000,000 to \$100,000; amending the schedule for installation of bus shelters for the remainder of the

contract term, and authorize the Chair and Clerk to execute same.

ACTION: (A-2738) Approved and requested that staff provide an answer identifying where the revenues from the bus shelters are allocated.

PARKS AND RECREATION DIVISION

35. MOTION TO APPROVE an agreement among Broward County, the City of Weston, and Arvida/JMB Partners in the amount of \$4,812,887 for each party, for design, development, maintenance and operation of a 102 ± acre regional park in the City of Weston, upon terms and conditions mutually acceptable to all parties, and authorize the Chair and Clerk to execute same.

ACTION: (A-2876) Approved as amended and approved Exhibit D, Quit Claim Deed, to read: “The express condition that the subject property is specifically restricted for use only for a regional public park and recreation purposes, and uses accessory and incidental thereto, and that, in the event . . . ” and approved contingent upon the City of Weston Commission working in cooperation with Broward County in naming the park, as agreed, to “Broward County Regional Park at Weston”.

PORT EVERGLADES DEPARTMENT

36. MOTION TO APPROVE the bulk petroleum product pipeline license agreement between Broward County and Mobil Oil Corporation for underground pipelines at Port Everglades for a ten-year period effective October 6, 1998 through October 5, 2008, and authorize the Chair and Clerk to execute same.

ACTION: (A-2245) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

37. MOTION TO APPROVE business travel for county employees in accordance with Administrative Order 105.

ACTION: (A-2245) Approved.

COURT ADMINISTRATION

38. MOTION TO APPROVE a grant-in aid agreement between the Office of the State Courts Administrator, Seventeenth Judicial Circuit and the Broward County Board of County Commissioners in the amount of \$375,291 for court reporting services.

ACTION: (A-2245) Approved as corrected.

REQUEST TO SET FOR PUBLIC HEARING

39. MOTION TO ADOPT Resolution 1998-1020 directing the County Administrator to publish a notice of public hearings to be held at 2:00 p.m. on Tuesday, October 27, 1998 and Tuesday, November 10, 1998 in Room 422 of the Governmental Center to consider a lease agreement between Broward County and Seaboard Marine, Ltd., Inc.

ACTION: (A-3303) Approved and directed the County Attorney to draft an amendment to the 94429 Special Act, Laws of Florida and Chapter 32, Part I, Section 32.5(d) of the Broward County Administrative Code, to eliminate the provision authorizing the County Administrator to execute a lease at Port Everglades when the term is for one year or less. Additionally, the Board requested that the County Attorney's Office provide said information to Ms. Pam Madison, Office of Legislative and Intergovernmental Management Director, to include same in the 1999 Legislative Program.

REGULAR AGENDA

COUNTY ADMINISTRATOR

40. REPORT County Administrator Roger J. Desjarlais advised that he has nothing to report at this time.

ACTION: (A-3470) No action was necessary.

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

AND GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

41. DISCUSSION: of plat entitled "Miami Evangelical Church Plat" - District 5, (003-UP-98).

ACTION: (A-3649) Approved subject to staff's recommendations outlined in the Development Review Report.

42. DISCUSSION: of plat entitled "Handy Storage Tract" - District 2, (023-UP-96). (Deferred from

August 11, 1998.)

ACTION: (A-3696) Approved subject to staff's recommendations outlined in the Development Review Report.

43. DISCUSSION: of plat entitled "Anglers Office Park" - District 6, (079-MP-97).

ACTION: (A-3480) Deferred to October 27, 1998 at the applicant's request.

44. DISCUSSION: of plat entitled "Big Sky North Commercial" - District 5, (009-MP-98).

ACTION: (A-3725) Approved subject to staff's recommendations outlined in the Development Review Report.

45. DISCUSSION: of plat entitled "Parcel D at Sunset Lakes" - District 5, (064-MP-97).

ACTION: (A-3745) Approved subject to staff's recommendations outlined in the Development Review Report and approved the regional park fees, as corrected to read: "Impact Fee - \$91,290; administration fee - \$3,060" (said change reflects October 1, 1998 adjustments).

46. DISCUSSION: of plat entitled "Sector 2 - Parcels 1, 2, 3, 4, 5, 6, 7 and 8" - District 3, (002-MP-98). (Deferred from September 15, 1998.)

ACTION: (A-3825) Approved subject to staff's recommendations outlined in the Development Review Report.

47. DISCUSSION: of plat entitled "Sunrise Harbour Plat" - District 7, (091-MP-97). (Deferred from September 15, 1998.)

ACTION: (A-3875) Deferred for up to six months to study whether live-aboards are included in the proposed marina and any additional impacts of said live-aboards.

48. DISCUSSION: of plat entitled "Walnut Creek" - District 6, (002-UP-98).

ACTION: (A-3453) Deferred to May 11, 1998 or sooner, under Section 5-181(i) of the Land Development Code, to study regional road concurrency.

49. DELEGATION: Mr. Richard Shan regarding request to amend the note on the Discount Auto Parts No. 535 Subdivision Plat (066-MP-96).

ACTION: (A-4820) Approved subject to staff's recommendations.

50. DELEGATION: Ms. Patricia Monahan regarding request to amend the note on the Nutter Subdivision No. 2 Plat (075-MP-82).

ACTION: (A-4880) Approved subject to staff's recommendations.

51. DELEGATION: Mr. Robert C. McLaughlin, Jr., regarding request to amend the note on the First Baptist Church of North Lauderdale Plat (013-MP-92).

ACTION: (A-4913) Approved subject to staff's recommendations.

52. DELEGATION: Ms. Bonnie Miskel regarding request to amend the note on the Young World Plat (104-MP-83).

ACTION: (A-4931) Approved subject to staff's recommendations.

53. DELEGATION: Mr. Frank A. Utset regarding request to amend the note on the Dorothea Sabety Property Plat (026-UP-90).

ACTION: (A-4959) Approved subject to staff's recommendations.

54. DELEGATION: Frank A. Utset regarding request to amend the note on a portion of Tract 57, Bonaventure Plat (903-UP-92).

ACTION: (A-4973) Approved subject to staff's recommendations.

55. DELEGATION: Mr. Pete Marra regarding request to amend the note on the Church of Christ Plat (091-MP-83).

ACTION: (A-3459) Deferred to October 20, 1998 at the applicant's request.

56. DELEGATION: Ms. Donna C. West regarding request to amend the non-vehicular access line on the Kings Point Replat (058-MP-93).

ACTION: (A-5044) Approved subject to staff's recommendations.

57. DELEGATION: Mr. James Waldman regarding request to amend the non-vehicular access line on the Meadowlands Commercial Plat (167-MP-80).

ACTION: (A-5063) Approved subject to staff's recommendations.

58. DELEGATION: Mr. Gustavo X. Aguirre regarding request to amend the non- vehicular access line on the Lester Industrial Park Plat (189-MP-84).

ACTION: (A-5088) Approved subject to staff's recommendations.

59. DELEGATION: Mr. Charles Putman regarding request to amend the non-vehicular access line on the McJames Plat No. 1 (048-MP-89).

ACTION: (A-5107) Approved, verbal addendum of approval, subject to staff's recommendations.

60. DELEGATION: Mr. Larry Justiz regarding request to amend the non-vehicular access line on the Jacaranda Parcel 817 Plat (092-MP-88).

ACTION: (A-5131) Approved subject to staff's recommendations.

61. DELEGATION: Mr. Michael Gai regarding request to amend the non-vehicular access line on the "ICC Plat" (129-MP-88).

ACTION: (A-5146) Approved subject to staff's recommendations.

62. DELEGATION: Ms. Gladys A. DiGirolamo regarding request to amend the non- vehicular access line on the Antigua at Spring Valley Plat (037-MP-95).

ACTION: (A-5165) Approved subject to staff's recommendations.

63. DELEGATION: Mr. Leigh R. Kerr regarding request to amend the non-vehicular access line on the Sunrise Industrial Park Parcel 82 Plat (057-MP-85). (Deferred from September 1, 1998.)

ACTION: (A-5186) Approved subject to staff's recommendations.

64. DELEGATION: Mr. Hoyt Holden regarding request to modify the conditions of Plat approval on the Vulcan Materials Company Plat No. 2 (063-MP-93).

ACTION: (A-5201) Approved subject to staff's recommendations.

65. DELEGATION: Mr. Jorge Gonzalez regarding request to modify the conditions of Plat approval on the Prospect Road Plat (024-UP-90).

ACTION: (A-5219) Approved subject to staff's recommendations.

66. DELEGATION: Mr. Gerald L. Knight regarding motion to approve an agreement among Broward County, Town of Davie and CCD Griffin, Ltd., relating to the issuance of building permits while platting is in progress for the Bojaco Plat (023-MP-97).

ACTION: (A-5240) Approved, with addendum, reflecting the setback distance, subject to staff's recommendations, and withdrew, at the applicant's request, building permits prior to plat recordation, as the plat has been recorded.

END OF QUASI-JUDICIAL HEARING

67. MOTION TO ACCEPT the proposed Development Order for the Northport/Broward County Convention Center Development of Regional Impact.

ACTION: (A-5268) Approved as amended to add a section stating: "For the purposes of this condition, the property does not include the Northport Leasehold Area or the area leased to the Broward County Convention Center Hotel Limited Partnership."

PURCHASING DIVISION

68. MOTION TO ADOPT Resolution 1998-1021 relating to the Procurement Code of Broward County, amending Sections 21.4; 21.6.b; 21.8.b.34, 21.8.b.40, 21.8.b.41, 21.8.b.43, 21.8.b.45, 21.8.b.46, 21.8.b.56, 21.8.b.61, 21.8.b.66, 21.8.b.67, 21.8.b.68, 21.8.b.69, 21.8.b.70, 21.8.b.71, 21.8.b.72, 21.8.b.73; 21.14.c.6; 21.17; 21.18.k, 21.18.l, 21.18.m, 21.18.n, 21.18.o, 21.18.p, 21.18.q; 21.22.d.1, 21.22.d.2; 21.30.a, 21.30.c, 21.30.f.1(c), 21.30.f.3(b), 21.30.f.4(a), 21.30.f.4(c); 21.31.a.2, 21.31.a.3, 21.31.a.4; 21.31.b.1, 21.31.b.2, 21.31.b.3, 21.31.c.6, 21.31.h; 21.36; 21.40; 21.42.b; 21.45.d; 21.54.b; 21.67; 21.73.c; 21.77.b, 21.77.d; 21.83.a, 21.83.b, 21.84.a, 21.84.c, 21.85.c.1, 21.85.c.2, 21.85.c.4,

21.85.c.6; 21.86.c; 21.87.a; 21.94.a, 21.94.b, 21.94.c, 21.94.d, 21.94.e, 21.94.f; 21.113.b, 21.113.b.5; 21.118.a, 21.118.a.1, 21.118.a.2, 21.118.h, 21.118.i; 21.119.a; 21.120.a, 21.120.b, 21.120.c.4, 21.120.c.5, 21.120.c.6, 21.120.c.7, 21.120.c.8; 21.127.a, 21.127.b; 21.135.a.1(a), 21.135.a.1(b), 21.135.a.2, 21.135.c, 21.135.e; 21.147.a; 21.150.a, 21.150.b; and 21.151; providing for severability; providing the inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (B-174) Approved as amended.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

69. MOTION TO DIRECT the County Attorney to draft an ordinance to amend Chapter 27, Article X “Storage Tanks” of the Natural Resource Protection Code, Broward County Code of Ordinances, for the Department of Natural Resource Protection (DNRP), to provide consistency with the recently revised State storage tank rule, Chapter 62-761, Florida Administrative Code (FAC).

ACTION: (B-745) Approved.

PORT EVERGLADES DEPARTMENT

70. MOTION TO ADOPT Resolution 1998-1022 for the waiver of wharfage charges in an amount not to exceed \$25,000 pursuant to Port Everglades Tariff No. 11, Section 165, for Port Everglades participating carriers transporting humanitarian related relief items to Caribbean Islands devastated by Hurricane Georges.

ACTION: (B-750) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (B-755) Approved, with addendum.

OFFICE OF ECONOMIC DEVELOPMENT

72. MOTION TO APPROVE the Broward Economic Development Council, Inc., d/b/a The Broward Alliance, Fiscal Year 1998 Report pursuant to the agreement between the Broward Economic Development Council, Inc. and Broward County.

ACTION: (B-111) Approved.

73. MOTION TO APPROVE the Broward Economic Development Council, Inc., d/b/a The Broward Alliance, Fiscal Year 1999 Business Plan and Budget pursuant to the agreement between the Broward Economic Development Council, Inc. and Broward County.

ACTION: (B-151) Approved.

GREATER FORT LAUDERDALE

CONVENTION AND VISITORS BUREAU

74. A. MOTION TO WAIVE the Broward County Procurement Code, Section 21.6C.

ACTION: (B-759) Approved.

B. MOTION TO APPROVE an agreement between Broward County and Anna Hayes, an independent contractor, for Convention and Meeting Sales at the Broward County Convention Center to provide meeting and convention business development services within the Washington, D.C., Maryland, Virginia, and West Virginia market territory, and will receive a fee for professional services in the amount of \$1,875 semi-monthly (a bonus of \$0.50 per room night booked will be given after booking 15,000 room nights; this agreement will be funded by Tourist Development Taxes; the annual total compensation of salary and bonus shall not exceed \$65,000 per year, and reimbursables and any direct non-salary expenses shall not exceed \$30,000 per year), and authorize the Chair and Clerk to execute same.

ACTION: (B-763) Approved with addendum.

COUNTY COMMISSION

75. MOTION TO APPROVE Amendment No. 1 to an agreement between Broward County and the International Game Fish Association, Inc. (IGFA) regarding payment of \$300,000 for fiscal year 1998. (October 1, 1997 to September 30, 1998) (Commissioner Parrish)

ACTION: (A-5851) Approved.

76. A. DISCUSSION: Appointment of Commissioner John E. Rodstrom Jr., to the Resource Recovery Board in accordance with Article XII, Section 1-233, Broward County Code. (At the request of the Resource Recovery Board.)

ACTION: (B-779) Approved.

B. MOTION TO ACCEPT the resignation of Commissioner Lori Nance Parrish from the Resource Recovery Board effective November 30, 1998. (Commissioner Parrish) (Deferred from September 28, 1998, Item 83)

ACTION: (B-877) Denied. The Board agreed to accept the resignation after March 31, 1999.

QUASI-JUDICIAL HEARING

(To be considered with other quasi-judicial items)

77. A. MOTION TO FIND the allocation of commercial flexibility in the Broward County Unincorporated Area compatible with adjacent land uses and that impacts on public school facilities have been adequately considered in conjunction with Rezoning Petition 12-Z-98. (Continued from September 28, 1998, Item 14)

ACTION: (A-2245) Withdrawn at the County Administrator's request.

B. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida.

REZONING PETITION 12-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 11, TOWNSHIP 50 SOUTH, RANGE 40 EAST; FROM R-1T, MOBILE HOME DWELLING DISTRICT, TO B-2, COMMUNITY BUSINESS DISTRICT UTILIZING THE 5% COMMERCIAL FLEXIBILITY RULE; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HERewith; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-2245) Withdrawn at the County Administrator's request.

END OF QUASI-JUDICIAL HEARING

SUPPLEMENTAL AGENDA

COUNTY ATTORNEY

78. MOTION TO RATIFY the selection of Johnson, Anselmo, Murdoch, Burke & George, P.A., as Special Counsel, to provide legal services in the matter of Maden and Thompson v. Broward County, United States District Court Case No. 98-6925- CIV-DIMITROULEAS.

REASON FOR SUPPLEMENTAL: This item is being placed on the supplemental agenda because an answer to the lawsuit is due on Friday, October 23, 1998.

ACTION: (B-894) Approved.

79. MOTION TO APPROVE the tolling agreement with the Cities of Dania, Deerfield Beach, Hallandale, Hollywood, Oakland Park, Lauderdale Lakes, Sunrise, Margate, and Pompano Beach to toll the statute of limitations for a period of 30 days retroactive to October 5, 1998, and authorizing the Chair to execute same, subject to execution by the respective city officials for each city.

ACTION: (B-902) Approved with the Chair's execution of the agreement retroactive October 5, 1998, at such time it is submitted to her, and contingent upon receiving the respective signatures from the city officials.

COUNTY COMMISSION

80. MOTION TO AUTHORIZE the Chair to accept the amendment to the Cooperative Agreement with the Florida Department of Revenue concerning the Broward County Support Enforcement Division depository. (Chair)

ACTION: (B-996) Approved.

81. DISCUSSION: Holding a 7:00 p.m. Public Hearing for Oakridge West Plat at the request of the adjoining homeowners, i.e., Shady Ridge. (Chair)

ACTION: (B-1013) Approved holding the 7:00 p.m. public hearing on October 20, 1998.

82. MOTION TO APPROVE Commissioner Cowan as substitute for Commissioner Poitier on the Selection/Negotiation Committee to recommend the most qualified firm to provide technical support to Aviation Department staff to develop a Stormwater Master Plan for the Fort Lauderdale-Hollywood International Airport.

ACTION: (B-1370) Approved.

GOOD AND WELFARE

83. EMPLOYEE SERVICE AWARDS On behalf of the Board, County Administrator Roger J. Desjarlais recognized the twenty, twenty-five, and thirty-year employees with many years of county service.

ACTION: (A-136) The employees thanked the Board, accepted their service pins and service awards, and were given a day of their choice off.

84. PRESENTATION On behalf of the Board, Commissioner Abramowitz presented Certificates of Appreciation to Ms. Rosemary Lue-Barton, Volunteer of the Month for June 1998 and Mr. Michael Kung, Volunteer of the Month for August 1998 in recognition of their devotion to the community and their untiring efforts to promote a more prosperous and vital environment for all the people in Broward County.

ACTION: (A-400) Messrs. Kung and Abdool Rashied, on behalf of Ms. Lue- Barton, accepted the awards and thanked the Board.

85. PROCLAMATION On behalf of the Board, Commissioner Rodstrom read into the record a proclamation designating the week of October 4 through 10, 1998 as “*Fire Prevention Week*” in Broward County in commemoration of the great Chicago Fire of 1871 which killed more than 250 people, left 10,000 homeless, and destroyed more than 17,400 buildings. The Board urged its citizens to participate in fire prevention activities at home, work, and school.

ACTION: (A-472) Mr. Rick Court, Fire Rescue Division and Chief Charles Raiken, Fire Marshal, accepted the proclamation and thanked the Board.

86. PROCLAMATION On behalf of the Board, Commissioner Poitier read into the record a proclamation designating Thursday, October 8, 1998 as “*Ralph J. Domenico Appreciation Day*” in Broward County.

ACTION: (A-561) Mr. Sam Morrison accepted the proclamation; thanked the Board, and noted the Broward County Public Library Foundation’s annual meeting at the Museum of Art on Thursday, October 8, 1998 at 7:00 p.m. to acknowledge donors and supporters of the foundation and noted the art auction for the African American Research Library and encouraged support from the members of the community to support.

NON AGENDA

87. COMMISSIONER’S REQUEST Commissioner Cowan referred to the Board’s actions during 1983 enacting the longest waiting period (10 days) for the purchase of hand guns and other firearms in the State of Florida who subsequently took away that ability from the county. He noted the statistics for concealed weapons permits which significantly increased from that period to present.

Commissioner Cowan pointed out Amendment No. 12 of the proposed Florida Constitutional Revisions for the November 1998 Ballot which, if it passes, would allow local jurisdictions to determine their gun ordinances and would give three to five days waiting period. He expressed preference for the county to implement same.

ACTION: (B-1381) By unanimous consent, the Board approved placing an item on the October 13 agenda directing the County Attorney to draft an ordinance requiring a criminal background check and providing for the maximum allowable waiting period before the purchase of hand guns and other firearms in Broward County and direct the County Administrator to set a public hearing to be held at 2:00 p.m. on Tuesday, November 24 to consider the enactment of the subject ordinance to be effective January 5, 1999, assuming the Amendment passes the ballot; otherwise, the item would be eliminated from the November 24, 1998 agenda.

88. DISCUSSION Commissioner Gunzburger referred to a recent meeting she had with small business taxi cab owners who expressed concerns on the Consumer Affairs Division’s proposed changes to increase the insurance limits from \$50,000/\$100,000 to \$100,000/\$300,000. She pointed out Miami-Dade County’s recent inclusion of \$50,000 per occurrence \$100,000 for an event and indicated that such increase would drive some smaller taxi cab companies out of business.

Commissioner Gunzburger addressed the intent of Ms. Mona Fandel, Consumer Affairs Division

Director, to meet with the industry before bringing the item before the Board and suggested that she get together with the smaller independent taxi companies.

ACTION: (B-1431) For informational purposes.

89. DISCUSSION Commissioner Lieberman referred to the August 12, 1998 article from the Wall Street Journal, “*County Weighs Higher Fees for Developers*” and pointed out a memorandum dated September 21, 1998 from Mr. Elliot Auerhahn, Development Management Division, on the Revision of Impact Fee Rates. She indicated that the regional park impact fee structure has not been modified since its inception in the late 1970’s and noted the issue dealing with school impact fees.

ACTION: (B-1532) County Administrator Roger J. Desjarlais confirmed that he would work with Dr. Frank Petruzielo, Superintendent of the School Board of Broward County, on the subject issue.

90. DISCUSSION Commissioner Lieberman referred to the Chair’s letter dated September 21, 1998 regarding the Emergency Medical Services (EMS) Minnet Payments to attempt to reach a negotiated settlement to the dispute.

ACTION: (B-1013) No action was taken; however, the Board confirmed its direction at its September 15, 1998 7:00 p.m. first budget public hearing for Fiscal Year 1998-1999 authorizing Commissioners Cowan and Lieberman, representing the county commission, to explore the potential for settlement and report back to the Board.

91. A. DISCUSSION The Chair referred to Resolution 1134.98 from the Town of Golden Beach requesting that the Broward County Board of County Commissioners and the Broward County Administrator direct that an annexation study be conducted to obtain an objective and informative analysis of benefits and costs to the Town of Golden Beach and Broward County Government and changes in service providers which would result from a move of the Miami-Dade/Broward County border south of Golden Beach to include Golden Beach in Broward County.

The Chair pointed out Section 2, “That the study should focus on keeping the students residing in Golden Beach in the same schools; recognized the designation of the School Board members as constitutional officers of the State of Florida, and indicated that school districts are provided for in the State Constitution. She explained the impossibility of implementing Section 2, according to applicable state law. (Commissioner Parrish)

ACTION: (B-1013) No action was taken.

B. MOTION TO DIRECT the County Administrator to write a letter to the Town of Golden Beach, responding to its Resolution No. 1134.98 on Broward County’s intent to continue such dialogue; however, the county does not believe it could accommodate Section 2 of the town’s Resolution due to applicable state law; requesting from the town what resembles an annexation study (costs of which to be borne by the town), and indicating the county’s willingness to cooperate in providing needed information. (Commissioner Parrish)

ACTION: (B-1956) Approved.

92. A. DISCUSSION The Chair referred to the Broward Cultural Affairs Council’s Board Attendance

Record; indicated that she was out of the area on two occasions during its meeting dates, and noted that she missed three consecutive meetings. (Commissioner Parrish)

ACTION: (B-1961) No action was taken.

B. MOTION TO REAPPOINT Commissioner Lori Nance Parrish to the Broward County Cultural Affairs Council. (Commissioner Parrish)

ACTION: (B-1961) Approved and directed the County Attorney's Office to review the provisions in Terms of Appointees to Broward County Boards, Authorities, and Agencies Ordinance 92-46, Subsection 1-233(c),(e) exempting the Board of County Commissioners and draft an amendment to same.

93. A. DISCUSSION The Chair referred to the October 6, 1998 memorandum from Ms. Sharon L. Cruz, Interim County Attorney, regarding the Canvassing Board. She mentioned the issue of absentee ballots which are opened and counted in the absence of the Canvassing Board; addressed the composition of the Canvassing Board, and requested additional representation from the County Attorney's Office to represent a county commissioner. (Commissioner Parrish)

ACTION: (B-2006) The Board directed the County Attorney's Office to contact the State of Florida Division of Elections check with Ms. Barbara Lithicum, Elections Commission, on the subject issue, and the Secretary of State's Office, Division of Elections.

B. MOTION TO APPOINT Commissioner Lieberman, representing the county commission, to serve on the Canvassing Board. (Commissioner Parrish)

ACTION: (B-2190) Approved.

94. DISCUSSION The Chair expressed concerns to the October 6, 1998 Sun-Sentinel editorial entitled "Latest arrests underline need for tightened security at ports; there can be no flagging, especially, in going ahead with background checks on all workers at the port".

The Board discussed with Mr. Gene Ciccarelli, Port Everglades Department Deputy Director, and Chief Jeffery Brown, Public Safety Division Director, the current status and accomplishments of implementing additional staffing from the Broward Sheriff's Office (BSO) to conduct criminal background checks with employees and issue the Port's identification cards and Restricted Use Zone permits (the Board's previous action adopting unanticipated revenue Resolution 1998-711 at its July 14, 1998 meeting) and the process and impacts of security measures around the area.

County Administrator Roger J. Desjarlais mentioned the series of meetings staff held with businesses and respective associations to coordinate the security efforts at the port and addressed staff's intent to provide recommendations to the Board at a future meeting.

ACTION: (B-2211) No action was necessary.

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