

MEETING OF OCTOBER 7, 1997

(The meeting convened at 10:00 a.m.; recessed at 2:50 p.m.; reconvened at 3:30 p.m. and adjourned at 4:30 p.m.)

PLEDGE OF ALLEGIANCE was led by the Chair.

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE consent to sublease between Sheltair Aviation Center, Inc. and Photo Chemical Systems of Florida, at Sheltair Aviation Center, Inc.'s leasehold at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

2. MOTION TO APPROVE consent to sublease between Sheltair Fort Lauderdale International, Inc. and Fox Electric Enterprises at Sheltair Fort Lauderdale- Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

3. MOTION TO APPROVE consent to sublease between Sheltair Aviation Center, Inc. and International Field Studies, at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

4. MOTION TO APPROVE Amendment One to a limited reimbursable agreement between the Federal Aviation Administration (FAA) and Broward County in a maximum amount not to exceed \$5,040 for additional work on the site study for the relocation of the Very High Frequency Omni Directional Range (VOR) at the Fort Lauderdale-Hollywood International Airport, increasing the agreement amount from \$12,600 to \$17,640.00, and authorize the Chair and Clerk to execute the same prior to execution by the FAA.

ACTION: (A-0826) Approved.

5. MOTION TO APPROVE building lease agreement between Broward County, Florida and Key Power Technical Institute, Inc. for 2.98 acres of land, including a 13,230 square foot building at North Perry Airport commencing upon Board approval through July 31, 1998 and month to month thereafter until July 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-2521) Deferred to October 14, 1997 to allow staff the opportunity to contact Mr. Bob Boegli, Principal of McFatter Vocational Technical Center for additional information.

6. MOTION TO AUTHORIZE Aviation Department to transmit amendments to the Airport Layout Plan (ALP) for Fort Lauderdale-Hollywood International Airport (FLL) to the Federal Aviation Administration (FAA) for approval of a modified approach and transition zone and west side aviation support area.

ACTION: (A-2721) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY

7. MOTION TO ADOPT Resolution 1997-1047 authorizing the conveyance of certain real property to the Collier City/Pompano Beach Community Development, Inc., a Florida not for profit corporation, pursuant to Florida Statute 125.38, and authorize the Chair and Clerk to execute statutory quit claim deed.

ACTION: (A-1876) Approved, as amended. Resolution amended to include that the grantee shall be required to maintain and insure the property. Reverter clause shall specify that in the event that Collier City/Pompano Beach Community Development, Inc. dissolves, the conveyance of the property would not go to a subsequent community development corporation without prior Board consent.

8. MOTION TO ADOPT Resolution 1997-1048 authorizing the conveyance of property to the City of Fort Lauderdale pursuant to Florida Statute 125.38, and authorize the Chair and Clerk to execute statutory quit claim deed.

ACTION: (A-0826) Approved.

9. MOTION TO ADOPT Resolution 1997-1049 accepting a lease agreement for Fire Rescue Division, Fire Station No. 36, 1 Sunset Lane, Pompano Beach, Florida for 10,500 square feet, \$15,063.30, annually, \$1,255.28, monthly; Term of Lease: Two years commencing on the 1st day of October, 1997 and terminating on the 30th day of September, 1999; Landlord: Olga Bondarenko, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

10. MOTION TO APPROVE one-year lease with a one-year option commencing October 1, 1997 through September 30, 1998 with the City of Lauderhill for a branch library at 4257 NW 12th Street, Lauderhill, Florida, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

11. MOTION TO ADOPT budget Resolution 1997-1050 transferring funds within the Water and Wastewater Construction Fund for the Office of Environmental Services in the amount of \$650,000 from BCOES Project No. 8089, WTP 3A Expansion and Improvements, for the purpose of increasing the funding for BCOES Project No. 8681, WTP 1A Generator.

ACTION: (A-0826) Approved.

WATER MANAGEMENT DIVISION

12. MOTION TO APPROVE continuation of the Joint Funding Agreement for 1997- 1998 of the Water Resources Investigation Program between Broward County and the Geological Survey, United States Department of the Interior, in the amount of \$30,719 to be paid in four quarterly amounts of \$7,679.75, the first payment being due December 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

OFFICE OF TRANSPORTATION ENGINEERING DIVISION

13. MOTION TO ADOPT Resolution 1997-1051 for Highway Improvement Project for Pine Island Road, Project No. 5121, from Oakland Park Boulevard to Commercial Boulevard, accepting and adopting the Official Right-of-Way Map set as revised to supersede the Official Right-of-Way Map set previously adopted, confirming parcels necessary for condemnation, and authorize the County Attorney to proceed with condemnation.

ACTION: (A-0826) Approved.

14. MOTION TO APPROVE road improvement phasing agreement between Broward County and Lennar Homes, Inc. relating to the Highland Ranch Estates Plat (099-MP-95), and authorize the Chair and Clerk to execute same

ACTION: (A-0826) Approved.

15. MOTION TO APPROVE contract between Broward County and Peoples Gas System, Inc. for the

funding of increased costs and of utility conflict structures (estimated at \$3,000 caused by Peoples Gas facilities located in the right-of-way of Douglas Road, from Sheridan Street to Pembroke Road, Project No. 5116, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

16. A. MOTION TO ADOPT Resolution 1997-1052 accepting a warranty deed executed by Taco Bell Corp., donating right-of-way for Sample Road in Section 18, Township 48 South, Range 43 East.

ACTION: (A-0826) Approved.

B. MOTION TO ADOPT Resolution 1997-1053 accepting a bus shelter easement executed by Taco Bell Corp., donating right-of-way for Sample Road in Section 18, Township 48 South, Range 43 East.

ACTION: (A-0826) Approved.

17. MOTION TO APPROVE agreement for trafficway beautification between Broward County and the City of Plantation for Hiatus from I-595 to Broward Boulevard, Road Project 5143, and authorize the Chair and Clerk to execute same

ACTION: (A-0826) Approved.

18. MOTION TO APPROVE agreement between Broward County and the City of Coconut Creek for the funding of the addition of a northbound right turn lane to the intersection of Lyons Road and NW 34th Street, Project No. 5184, and authorize the Chair and Clerk to execute same

ACTION: (A-0826) Approved.

19. MOTION TO APPROVE road improvement phasing agreement between Broward County and the Archdiocese of Miami relating to the Broward Central Catholic High School Plat (011-UP-95), and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

STREETS AND HIGHWAYS DIVISION

20. MOTION TO ADOPT budget Resolution 1997-1054 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$28,000 to eliminate erosion of the swale caused by surface water runoff from Sheridan Street at Piccolo Park. (Project 9728)

ACTION: (A-0826) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

21. MOTION TO APPROVE agreement between Anthem Life Insurance Company and Broward County Board of County Commission providing for the transfer of all unused reserves as a premium refund in the amount of \$60,795 to the policyholder.

ACTION: (A-2740) Approved.

OFFICE OF HOUSING FINANCE

22. A. MOTION TO APPROVE loan purchase agreement between Broward County and SunTrust Bank/South Florida, National Association, for the purchase of two loans from SunTrust in the State Housing Incentives Partnership (SHIP) Lease/Purchase Program.

ACTION: (A-0826) Approved.

B. MOTION TO APPROVE agreement of deed restrictions among Broward County, Broward County Community Development Corporation and SunTrust Bank/South Florida, National Association for the purpose of placing deed restrictions on two properties (7966 SW 7th Street, North Lauderdale, Florida and 7825 Fairview Drive, No. 105, Tamarac, Florida) purchased through the SHIP Lease/Purchase Program.

ACTION: (A-0826) Approved.

ACCOUNTING DIVISION

23. MOTION TO FILE annual audit and financial reports for units of local government for certain independent districts for the year ended September 30, 1996.

- A. Broward County Housing Authority
- B. Coral Bay Community Development District
- C. Coral Springs Improvement District
- D. Cypress Club Recreation District
- E. Cypress Cove Community Development District
- F. Fort Lauderdale Housing Authority
- G. Indian Trace Community Development District
- H. North Broward Hospital District

I. North Lauderdale Water Control District

J. North Springs Improvement District

K. Oakridge Community Development District

L. Old Plantation Water Control District

M. Hollywood Housing Authority

ACTION: (A-0826) Approved.

COUNTY RECORDS DIVISION

24. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission meeting of August 12, 1997; the minutes of the 2:00 p.m. Public Hearings of July 8, 1997 and August 12, 1997.

ACTION: (A-0826) Approved.

HUMAN RESOURCES DIVISION

25. MOTION TO APPROVE Holiday Schedule for County Employees for Calendar Year 1998 by the Board of County Commissioners.

ACTION: (A-0826) Approved.

26. MOTION TO APPROVE contract with LegaLine Pre-Paid Legal Services, Inc. for Group Legal Expense Insurance benefits for Broward County employees, effective upon execution through December 31, 2000 with plan benefits going into effect January 1, 1998, and providing for three one-year renewals, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

OFFICE OF INFORMATION TECHNOLOGY

27. MOTION TO APPROVE interlocal agreement providing for funding and maintenance for enhanced 9-1-1 equipment pursuant to the Florida Telephone Act for the City of Coral Springs.

ACTION: (A-0826) Approved.

28. MOTION TO APPROVE first amendment to the agreement between Broward County and PKS Information Services, Inc. for contractor services to fund Phase I, Stage 2 of Broward County's Year

2000 Compliance Project (RLI No. 061396-RB).

ACTION: (A-0826) Approved.

PURCHASING DIVISION

For Aviation Department

29. MOTION TO APPROVE transfer of reimbursable expense funds in the agreement between Broward County and O'Brien Kreitzberg, Inc. for program management services for the Airport Expansion Program at the Fort Lauderdale-Hollywood International Airport, transferring \$6,000 from Program Office Relocation expenses to Air Travel and Travel Expenses bringing the total transferred amount to \$25,570.

ACTION: (A-0826) Approved.

30. MOTION TO APPROVE First Amendment to Work Authorization No. 1 in accordance with the agreement of August 23, 1994 as amended on September 5, 1995, between Broward County and OHM Remediation Services Corp. (OHM) from the Library of Environmental Consultant Services to install, operate and maintain a groundwater treatment system at the former Garside's Aircraft Site (Parcel 1088) located in the Ravenswood area which was acquired as part of the Land Acquisition Program, to reallocate \$61,000 from reimbursable expenses to labor expenses for a no net change in the Work Authorization amount, and with a change in time period of 91 calendar days, increasing the time from 477 to 568 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

31. MOTION TO APPROVE Optional Services Work Authorization No. TO05-07 pursuant to the agreement, as amended, between Broward County and Hellmuth, Obata & Kassabaum, Inc. ("Consultant") for underground investigation and surveying services for the Utility Corridor project which serves the new terminal and parking garage at the Fort Lauderdale-Hollywood International Airport in the maximum not-to-exceed amount of \$14,500 to be completed within 30 days, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

32. A. MOTION TO APPROVE transfer of funds totaling \$30,000 in the agreement between Broward County and ACA1 & Associates, dated May 28, 1996 for design for an air freight building at the Fort Lauderdale-Hollywood International Airport from Optional Services, Item No. 3 (Special Coordination) in the amount of \$15,000 and Item No. 5 (Construction Cost Estimates) in the amount of \$15,000 to Item No. 6 (Undefined Tasks).

ACTION: (A-0826) Approved.

B. MOTION TO APPROVE Work Authorization No. F006-05 pursuant to the agreement between Broward County and ACA1 & Associates, dated May 28, 1996 in a maximum not-to-exceed amount of \$36,997 for design and engineering services to provide tenant plan revisions, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

For Finance and Administrative Services Department

33. MOTION TO REJECT all bids for Cross Comm Routers (Bid No. A-03-97-02-12).

ACTION: (A-0826) Approved.

For Public Works Department

34. MOTION TO APPROVE increase in the change order allowance in the amount of \$34,000 from \$58,458 (5%) to \$92,458.00, which is 7.91% of the original contract amount of \$1,169,161.50, for Contract No. H-12-96-08-CF with Man-Con, Inc. for BCOES Project No. 1148/8600-BP13: South County Neighborhood Improvements Project - Transmission Main, BP No. 13.

ACTION: (A-0826) Approved.

35. MOTION TO AWARD open-end contracts to low bidders, Norac, Inc., Zone 1, in the approximate amount of \$361,350; Retranca Equipment & Trucking, Zone 2, in the approximate amount of \$785,500; L. W. Rozzo, Zones 3, 4, 5 in the approximate amount of \$1,060,850; and Marime, Inc., Zone 6, in the approximate amount of \$353,750 for furnishing and delivering aggregates (Bid No. E-07-97-16-12) in the total approximate amount of \$2,561,450 for the Streets and Highways Division and authorize the Purchasing Director to renew the contract for a one-year period. The initial contract period shall start on October 7, 1997 and terminate on October, 6, 1998.

ACTION: (A-0826) Approved.

36. MOTION TO AWARD open-end contracts to low bidder, Groups 1, 3 and 4 to MGI - Morgan General Mechanical Group in the approximate amount of \$31,320; and to the low responsive, responsible bidder, Group 2, to Tampa Armature Works, in the approximate amount of \$27,975 for generator maintenance (Bid No. E-05-97-14-12) in the total approximate amount of \$59,295 for various Broward County agencies, subject to receipt and acceptance of performance and payment guaranty, and authorize the Director of Purchasing to renew the contract for one year. The initial contract period shall start after acceptance of performance and payment of guaranty and shall terminate June 12, 1998.

ACTION: (A-0826) Approved.

REVENUE COLLECTION DIVISION

37. MOTION TO ADOPT Resolution 1997-1055 authorizing cancellation of warrants from Central Operating Account No. 96442522, Court Trustee Account No. 95035370, and Payroll Account No. 96442530 (NationsBank).

ACTION: (A-0826) Approved.

38. MOTION TO APPROVE Master Banking Services Agreement with First Union National Bank to provide banking services to Broward County, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

HUMAN SERVICES DEPARTMENT

ALCOHOL AND DRUG ABUSE SERVICES DIVISION

39. MOTION TO APPROVE agreement between Broward County and United Way of Broward County, Commission on Substance Abuse, from October 1, 1997 to September 30, 1998 in the total amount of \$149,140 (Federal funds \$111,855 - United Way match of \$23,341.00, Broward Sheriff's Office match of \$13,944 and no County funding) regarding administrative support to the Broward County Commission on Substance Abuse and its Substance Abuse Policy Board, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

40. MOTION TO APPROVE agreement between Broward County and Community Reconstruction Institute, Inc. from October 1, 1997 to September 30, 1998 in the total amount of \$28,000 in federal funding regarding Community Re-entry for African American Males participating in the Drug Court Program, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Withdrawn for further staff coordination.

ELDERLY AND VETERANS SERVICES DIVISION

41. A. MOTION TO APPROVE Amendment No. 1 to Agreement No. JC701 between Broward County and Areawide Council on Aging of Broward County Inc. from July 1, 1997 to June 30, 1998 decreasing the value of the agreement by (-)\$10,277 from \$5,905,893 to \$5,895,616 for the purpose of decreasing Community Care for the Elderly Services, and authorize the Chair and Clerk to execute same. Total revenue includes \$4,050,055 in State dollars; \$320,676 AAA cash match; \$114,000 program income; \$613,407 County cash match; \$410,000 commission in fees; \$368,111 sub-contractor in-kind; and \$19,367 County in-kind

ACTION: (A-0826) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-1056 within the State Grant Fund for the Elderly and Veterans Services Division in the amount of (-)\$10,277 for the implementation of a reduction resulting from a State-mandated transfer in funds to the Home and Community Based Medicaid Waiver Program.

ACTION: (A-0826) Approved.

42. MOTION TO APPROVE non-financial agreement between Broward County and Nova University for the purpose of providing Occupational Therapy services for Elderly and Veterans Services Division's Mental Health clients through the placement of field work students from September 29, 1997 through July 22, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-1122) Approved, as amended. Adjusted benchmark goals to 80% of 500 case management service recipients with a comprehensive service plan; to report achievement and progress towards personal goals and longer periods of improved mental health stability.

FIRE RESCUE DIVISION

43. MOTION TO APPROVE agreement between Broward County and John Ward, coordinator, to act as liaison between the County and the various volunteer fire associations, in the amount of \$4,900 which shall be paid at the rate of \$100 per week for 49 weeks from October 1, 1997 through September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

HEALTH CARE MANAGEMENT DIVISION

44. MOTION TO APPROVE Amendment No. 1 to Agreement 97FS-HPC between Broward County and the Broward Regional Health Planning Council, Inc. from February 1, 1997 through February 28, 1998 increasing the value of the Agreement from \$306,557 to \$336,557 which is an increase of \$30,000 for the purpose of providing administrative support services under Ryan White Title I, C.A.R.E. Act Fiscal Year 1997 Formula\Supplemental Grants, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

45. MOTION TO APPROVE Amendment No. 001 to Agreement No. JJ400 between the State of Florida Department of Children and Families (DCF) and Broward County from July 1, 1997 to June 30, 1998 stipulating that no federal funds received in connection with the Agreement are to be used for purposes of lobbying, and for the establishment and implementation of a Quality Improvement Program and Plan, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

MEDICAL EXAMINER & TRAUMA MANAGEMENT DIVISION

46. MOTION TO APPROVE the appointments of Robert Pudney and Dr. Gary Birken to the Broward Regional Emergency Medical Services (EMS) Council.

ACTION: (A-0826) Approved.

COMMUNITY SERVICES DEPARTMENT

AGRICULTURE & EXTENSION EDUCATION DIVISION

47. MOTION TO APPROVE agreement between Broward County and Broward Soil and Water Conservation District in the amount of \$20,000 to promote environmental education and provide administrative support from October 1, 1997 through September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

ANIMAL CARE AND REGULATION DIVISION

48. MOTION TO APPROVE agreement between Broward County and the Society for the Prevention of Cruelty to Animals of Broward County, Inc., a/k/a Wildlife Care Center, for the custodial and veterinary care of Broward County Wildlife, in the amount of \$88,000 for the fiscal year October 1, 1997 through September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved, with revised page 8 (Article XII - 12.1); addition of language requiring the contractor to provide audited annual financial statement.

49. MOTION TO APPROVE agreement between Broward County and Animal Birth Control for Broward, Inc., a non-profit corporation, in the amount of \$30,000 for the purchase of services for spaying or neutering dogs and/or cats for the Fiscal Year October 1, 1997 through September 30, 1998, and authorize the Chair and Clerk to authorize same.

ACTION: (A-0826) Approved.

50. MOTION TO APPROVE agreement between Broward County and Dr. R.W. Lundberg, V.M.D., in the amount of \$10,000 for the purchase of temporary veterinarian services, injured animal radiology services, emergency medical and surgical treatment for the period October 1, 1997 to September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

CULTURAL AFFAIRS DIVISION

51. MOTION TO FILE annual financial report and audit for the Fiscal Year ending September 30, 1996 in accordance with Section 8 of the South Florida Cultural Consortium Interlocal Agreement.

ACTION: (A-0826) Approved.

EMERGENCY MANAGEMENT DIVISION

52. MOTION TO APPROVE submittal of a grant proposal to the Florida Department of Community Affairs, State Emergency Management, Preparedness and Assistance Trust Fund in the amount of \$95,000 from the State for a total of \$125,500 to develop a Community Hazard Identification and Mitigation Program, authorize the Chair to execute grant application proposal and transmittal letter, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. (County in-kind match of \$30,500)

ACTION: (A-0826) Approved.

53. MOTION TO APPROVE submittal of a grant proposal to the Florida Department of Community Affairs, State Emergency Management, Preparedness and Assistance Trust Fund in the amount of \$89,984 from the State for a total of \$269,950 to enhance Broward County special needs shelters, authorize the Chair to execute grant application proposal and transmittal letter, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. (County in-kind match of \$179,966)

ACTION: (A-0826) Approved.

54. MOTION TO APPROVE submittal of a grant proposal to the Florida Department of Community Affairs, State Emergency Management, Preparedness and Assistance Trust Fund in the amount of \$300,000 from the State for a total of \$463,000 to develop an Alternate State Emergency Operating Center, authorize the Chair to execute grant application proposal and transmittal letter, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. (County in-kind match of \$163,000)

ACTION: (A-0826) Approved.

MASS TRANSIT DIVISION

55. MOTION TO APPROVE agreement between Broward County and the City of Pembroke Pines in the amount of \$20,000 per vehicle, annually for community shuttle service from October 1, 1997 to

September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

56. MOTION TO APPROVE amended grant agreement between Broward County and the Federal Transit Administration in the amount of \$11,326,732 for capital and operating assistance for October 1, 1996 through September 30, 1997, authorize the Chair and Clerk to execute same, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the agreement.

ACTION: (A-0826) Approved.

57. A. MOTION TO ADOPT budget Resolution 1997-1057 transferring within the General Fund the amount of \$47,840 from the Commission's Reserve for additional security at the Broward Terminal. (Fiscal Year 1998)

ACTION: (A-0826) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-1058 within the Operating Fund (450) for the Mass Transit Division in the amount of \$47,840 for additional security at the Broward Terminal.

ACTION: (A-0826) Approved.

PARKS AND RECREATION DIVISION

58. MOTION TO APPROVE agreement between Broward County and William J. Binger providing for safety and security services at Markham Park, and authorize the Chair and clerk to execute same.

ACTION: (A-0826) Approved.

59. MOTION TO APPROVE interlocal agreement between the Florida Inland Navigation District (FIND) and Broward County in the amount not to exceed \$15,000 to provide for the installation, maintenance and replacement of boating safety regulatory signs in Broward County, from October 1, 1997 to September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

60. MOTION TO APPROVE settlement agreements between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Natural Resource Protection (DNRP). 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 the penalties in full:

- A. City of Fort Lauderdale
- B. Ionel Bejenaru, Violeta Hancu, and George Cretu
- C. Environmental Petroleum Recovery, Inc.
- D. Greater Hollywood Chamber of Commerce
- E. Engle Homes/Broward, Inc.

ACTION: (A-0826) Approved.

ENVIRONMENTAL MONITORING DIVISION

61. MOTION TO APPROVE contract between Broward County Department of Natural Resource Protection and the Florida Department of Environmental Protection to sample the Ground Water Monitoring Network in Broward County, DEP Contract GW154, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

COMMUNITY DEVELOPMENT DIVISION

62. MOTION TO APPROVE satisfaction of mortgage on a deferred payment loan in the amount of \$24,950 made to Brenda Harris, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

63. MOTION TO APPROVE satisfaction of mortgage on a deferred payment loan in the amount of \$12,500 made to Ethel Marshall, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

64. MOTION TO APPROVE satisfaction of mortgage on a 2% direct loan in the amount of \$12,000 made to Patricia Hurley, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

65. MOTION TO APPROVE agreement between the State of Florida, Department of Community Affairs (DCA) and Broward County from October 1, 1997 to June 30, 1998 in the amount of \$40,000 for the purpose of providing design, development and implementation of the Residential Construction Mitigation Program, and authorize the necessary administrative and budgetary action to implement same.

ACTION: (A-0826) Approved.

66. MOTION TO ADOPT unanticipated revenue Resolution 1997-1059 in the amount of \$500,000 within the Community Development Division's Rental Rehabilitation LGFS Grant Fund 711 for the receipt of program income from Rental Rehabilitation Program loans on a continuous basis, and authorize the County Administrator to take the necessary administrative and budgetary actions.

ACTION: (A-0826) Approved.

PORT EVERGLADES DEPARTMENT

67. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County and Cousins Limousine of South Florida, Inc. in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

68. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and R. O. White & Company, Inc. for Suite No. 302 in Building 611 at Port Everglades, consisting of 232 square feet of office space, for the period of October 1, 1997 through September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved.

69. MOTION TO ADOPT Resolution 1997-1060 waiving dockage charges of up to \$35,000 for special activities from October 30, 1997 through November 2, 1997 for the maiden voyage of Celebrity Cruises' newest ship, the Mercury.

ACTION: (A-0826) Approved.

70. MOTION TO APPROVE bulk product line license agreement between Broward County and Chevron U.S.A., Incorporated for underground pipelines at Port Everglades for a ten-year period effective October 7, 1997 through October 6, 2007, and authorize the Chair and Clerk to execute same.

ACTION: (A-2826) Deferred. (The County Attorney's Office was directed to draft an amendment to the agreement which stipulates that: "In the event Chevron should bring in product other than by water (with the exception of incidental transportation of petroleum products or additives by truck or rail into its Port Everglades terminal), Chevron would be in violation of the contract and the lease would become null and void.

71. MOTION TO ADOPT budget Resolution 1997-1061 transferring \$60,000 in surplus funds from Capital Project No. 472-470-6372 Inter-Port Terminal Passenger Mover to Capital Project No. 472-470-6688 Property Acquisition.

ACTION: (A-0826) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-0826) Approved.

73. MOTION TO ADOPT budget Resolution 1997-1062 transferring \$100,000 from the Reserve for General Capital Outlay to the Broward Sheriff's Office for the addition of 212 beds in Units 11 and 12 of the North Broward Detention Center.

ACTION: (A-0826) Approved.

74. MOTION TO ADOPT budget Resolution within the General Fund in the amount of \$80,000 from the Commission Reserve for a pilot Inmate Work Crew for District II - Dania.

ACTION: (A-1545) Denied.

75. A. MOTION TO ADOPT budget Resolution 1997-1063 transferring \$37,370 within the General Fund to the Commission Reserve to reduce Fiscal Year 1998 travel budgets.

ACTION: (A-0826) Approved.

B. MOTION TO ADOPT budget Resolutions 1997-1064 and 1997-1065 transferring \$48,650 within Special Purpose Funds to reduce Fiscal Year 1998 travel budgets.

ACTION: (A-0826) Approved.

C. MOTION TO ADOPT budget Resolutions 1997-1066 thru 1997-1070 transferring \$7,680 within the

Enterprise Funds to reduce Fiscal Year 1998 travel budgets.

ACTION: (A-0826) Approved.

D. MOTION TO ADOPT budget Resolution 1997-1071 transferring \$1,000 within the Grant Fund to Reserve to reduce Fiscal Year 1998 travel budgets.

ACTION: (A-0826) Approved.

OFFICE OF URBAN AFFAIRS

76. MOTION TO NOTE FOR THE RECORD vacant board positions on the attached list.

ACTION: (A-2865) Approved.

77. MOTION TO APPOINT seven members, five alternate members and reappoint Dr. Charles Chesson to the HIV Health Services Planning Council.

ACTION: (A-0826) The following new members were appointed: Antonia King, Affected Comm.; Theresa Burke, Affected Comm.; Alban DelGado, Affected Comm.; Jose Fontanez, Affected Comm.; Yvette Walker, Affected Comm.; Stormy Schevis, Title IV Mandate; and Stacey Ganes, Title V Mandate. The following were appointed as alternates: Larry DiPietro, Susan Larkins, Jose Cosme, Debbie Diamond, and William Marx. Further, the Board approved the reappointment of Dr. Charles Chesson, Provider Category.

GREATER FORT LAUDERDALE

CONVENTION & VISITORS BUREAU

78. MOTION TO APPROVE agreement between Broward County and Florida Tourism Industry Marketing Corporation (FTIMC) for sublease of office space at Roebuck House/London for a period of five years commencing on the date of execution of this sublease, except that County shall have the option, on annual basis, to terminate this sublease by providing written notice of cancellation to FTIMC via certified mail return receipt requested, no later than 90 days prior to the first, second, third and fourth year anniversary dates from the date of execution of this sublease, and authorize the Chair and Clerk to execute same.

ACTION: (A-0826) Approved, with addendum.

COUNTY ATTORNEY

79. MOTION TO APPROVE settlement in the case of Citadel Development, Inc. and Horace A. Fonseca v. Broward County, City of Plantation , Case No. 97-012147 (09).

ACTION: (A-0826) Approved.

80. MOTION TO REJECT settlement offer in the amount of \$20,000 in the case Broward County v. D.B. Trucking, Inc., et al., Case No. 95-12393.14.

ACTION: (A-0866) Approved.

BOARD APPOINTMENTS

81. MOTION TO APPROVE the appointment of Mr. Sherander Williams to the Advisory Board for Persons with Disabilities. (Commissioner Poitier) (Deferred from September 23, 1997)

ACTION: (A-0826) Approved.

82. MOTION TO APPROVE the appointment of Ms. Gladys Sutton to the Broward County Human Rights Board. (Commissioner Poitier) (Deferred from September 23, 1997)

ACTION: (A-0826) Approved.

83. MOTION TO APPROVE appointment of Ms. Bobbie Grace to the Minority Economic Development Advisory Board. Ms. Grace replaces Mr. Andrew Vaz. (Commissioner Gunzburger)

ACTION: (A-0826) Approved.

84. MOTION TO APPROVE appointment of Mr. Jack E. Milbery to the Homeless Initiative Partnership Advisory Board. Mr. Milbery replaces Mr. Brion Blackwelder who was recently appointed to serve on the Planning Council. (Commissioner Gunzburger)

ACTION: (A-0826) Approved.

85. MOTION TO APPROVE appointment of Ms. Pearl Frazier to the Commission on the Status of Women. Ms. Frazier will fill an existing vacancy in the "In District" category. (Commissioner Parrish)

ACTION: (A-0826) Approved.

86. MOTION TO APPROVE appointment of Ms. Beatriz H. Miniaci to the Alcohol and Drug Abuse Advisory Board. Ms. Miniaci will fill an existing vacancy. (Commissioner Parrish)

ACTION: (A-0826) Approved.

REQUEST TO SET FOR PUBLIC HEARING

87. MOTION TO ADOPT Resolution 1997-1072 directing the County Administrator to publish a notice of public hearing to be held on Tuesday, October 28, 1997 and Tuesday, November 25, 1997 at 2:00 p.m. in Room 422 of the Government Center to consider a lease agreement between Broward County and Princess Cruises, Inc.

ACTION: (A-0826) Approved.

88. MOTION TO ADOPT Resolution 1997-1073 directing the County Administrator to publish notice of public hearing to be held on Tuesday, October 28, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 23-20.13 OF THE BROWARD COUNTY CODE, WHICH RELATES TO DISABLED PARKING SPACES; REMOVING THE \$25.00 PENALTY FOR PERSONS WHO ARE ISSUED DISABLED PARKING PERMITS AND WHO NEVERTHELESS VIOLATE THE PROHIBITION OF SECTION 23-20.12 OF THE BROWARD COUNTY CODE BY FAILING TO DISPLAY THE PARKING PERMIT; INSTITUTING A PROCESS AS PROVIDED BY STATE LAW, WHICH IS A \$5.00 CLERK DISMISSAL OF CITATION FEE UPON SUBMISSION OF APPROPRIATE AFFIDAVIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1748) Approved.

89. MOTION TO ADOPT Resolution 1997-1074 directing the County Administrator to publish notice of public hearing to be held Tuesday, October 28, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ESTABLISHING PENALTIES AND ENFORCEMENT PROVISIONS APPLICABLE TO ALL VIOLATIONS OF COUNTY ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0826) Approved.

REGULAR AGENDA

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COUNTY COMMISSION SITTING AS

GOVERNING BOARD OF THE TWIN LAKES WATER CONTROL DISTRICT

90. A. MOTION TO OPEN the second hearing of the County Commission as the Governing Board of the Twin Lakes Water Control District to hear and receive any objections of interested persons to the confirmation of the preliminary assessment roll.

ACTION: (A-3180) The Chair opened the second public hearing..

B. MOTION TO CONFIRM the preliminary assessment roll.

ACTION: (A-3183) Approved.

C. MOTION TO CLOSE the Public Hearing.

ACTION: (A-3190) The Chair closed the public hearing.

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91. **COUNTY ADMINISTRATOR’S REPORT** - County Administrator Phillip C. Allen advised the Board that there was no report.

Urban League

Brief discussion was held regarding the potential relocation of the Urban League to the third floor of the Main library. Commissioner Parrish commented that the appropriate process when dealing with an issue such as relocation, is to bring the issue before the County Commission for consideration prior to making any announcements.

Civic Arena Roof

Commissioner Gunzburger questioned staff regarding the hurricane warranty on the Civic Arena roof. Mr. Allen stated that staff consulted with O’Brien-Kreitzberg with respect to the subject roof. It was determined that it was more important that the base of the roof remain in tact in the event of a hurricane. The decking, trusses, and everything that is structural, will withstand winds of up to 122 mph in conformance with South Florida Building Code requirements. Engineers and designers certified that the roof structure would remain in tact in the event of a hurricane.

NOTE: Staff was requested to perform a cost benefit analysis on the roof structure and roof membrane (repair/replace/coverage) in the event of a hurricane.

ACTION: (A-3194) No board action was taken.

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DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

92. MOTION TO FIND Application 97-RF-02 utilizing residential flexibility for 155 reserve units for town homes in the City of Sunrise compatible with the adjacent land uses and that impacts upon public school facilities have been adequately considered.

ACTION: (A-3304) Approved.

93. MOTION TO FIND Application 97-RF-03 utilizing residential flexibility for 52 reserve units for single family homes in the City of Pembroke Pines compatible with the adjacent land uses and that impacts upon public school facilities have been adequately considered.

ACTION: (A-3436) Deferred up to 35 days for additional information.

DEVELOPMENT MANAGEMENT DIVISION

94. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County establishing which development permit applications shall be subject to the new school impact fees; providing for severability and providing for an effective date.

ACTION: (A-3666) Deferred to October 21, 1997 for further review.

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 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.

95. DISCUSSION of Plat entitled "Sands Plat" - District 5, (012-UP-97).

ACTION: (A-3963) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

96. DISCUSSION of Plat entitled "Leder Hillsboro Company Limited - Part 2" - District 3, (094-MP-96). (Deferred from May 6, 1997)

ACTION: (A-3981) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

97. DISCUSSION of Plat entitled “Pembroke Falls Employment Center Plat” - District 5, (014-MP-97).

ACTION: (A-4031) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report. The applicant voluntarily agreed to stipulate that the restaurant is ancillary to the hotel in the note on the plat.

98. DISCUSSION of Plat entitled “F & N Plat” - District 3, (009-MP-97).

ACTION: (A-4120) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

99. DISCUSSION of Plat entitled “Promenade at Miramar” - District 5, (035-MP-95).

ACTION: (A-4156) Deferred up to 35 days to enable the applicant to meet with the School Board to develop a more definitive plan to reduce the severe student overenrollment with respect to Sea Castle Elementary & Walter C. Young Middle Schools.

100. DISCUSSION of Plat entitled “Siemens Pembroke Pines Plat” - District 5, (008-MP-97).

ACTION: (A-3943) Defer to May 19, 1998 or sooner under Section 5-181(i) of the Land Development Code to study traffic concurrency.

101. DISCUSSION of Plat entitled “Sessa Eight” - District 5, (092-MP-96).

ACTION: (A-3943) Defer to May 19, 1998 or sooner under Section 5-181(i) of the Land Development Code to study traffic concurrency.

102. DELEGATION: Donald R. Hall regarding request to amend the note on the West Park-West Parcel Plat (078-MP-86). (Deferred from September 16, 1997).

ACTION: (A-4285) Approved subject to staff’s recommendations, with addendum. The applicant voluntarily agreed to any policy adopted by the County Commission regarding the school impact fees for the entire parcel of units.

103. DELEGATION: Donald R. Hall regarding request to amend the note on the West Park - East Parcel Plat (077-MP-86).

ACTION: (A-4874) Approved subject to staff’s recommendations, with addendum. The applicant voluntarily agreed to any policy adopted by the County Commission regarding the school impact fees for the entire parcel of units.

104. DELEGATION: Donald R. Hall regarding request to amend the note on the West Park - Hotel Site Plat (074-MP-87).

ACTION: (A-4917) Approved subject to staff’s recommendations, with addendum. The applicant voluntarily agreed to any policy adopted by the County Commission regarding the school impact fees for the entire parcel of units.

105. DELEGATION: Bonnie Miskel regarding request to amend the note on the Weston Park of Commerce Plat One Plat (029-UP-86).

ACTION: (A-4945) Deferred to October 21, 1997 for further review. (The County Attorney's Office will send notification to the appropriate party and take all efforts necessary, on behalf of the Board of County Commissioners, to collect the \$1.2 million (1987 dollars) from the applicant due to the project's violation of Section 3.01(k)(3) of the Development Order (Ordinance 87-79).

106. DELEGATION: Bonnie Miskel regarding request to amend the note on The North Broward School Plat (009-UP-96). (Deferred from September 16, 1997).

ACTION: (A-3948) Withdrawn at the applicant's request.

107. DELEGATION: Chip Bryan, representing Broward County Office of Environmental Services, regarding request to waive requirements of the Land Development Code for the South County Neighborhood Improvement Project.

ACTION: (A-5416) Deferred to enable staff to notify the Carver Ranches Homeowners Association of the delegation request through its public meeting.

108. DELEGATION: Dawn Sonneborn regarding request to modify conditions of plat approval on the Pembroke Isles II Plat (059-MP-95). (Deferred from September 2, 1997).

ACTION: (A-3948) Withdrawn at the applicant's request.

109. DELEGATION: Dagoberto Diaz, representing the School Board of Broward County, regarding request to waive sidewalk requirements for the Meadowbrook Elementary School - Additions and Renovations Project.

ACTION: (A-3959) Deferred to October 21, 1997 to clarify the request with the applicant, per staff recommendation.

110. DELEGATION: Gregory Mire regarding status of sidewalk requirements for the Parkland Heights Plat (041-MP-93). (Deferred from July 1, 1997).

ACTION: (A-5537) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

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CODE AND ZONING ENFORCEMENT DIVISION

111. MOTION TO ADOPT Resolution 1997-1075 to amend Chapter 40 "Fees and Other Charges, Strategic Planning and Growth Management", Part VI, "Code and Zoning Enforcement" of the Broward County Administrative Code amending the Schedule of Fees and Charges for certain permits and services provided by the Code and Zoning Enforcement Division.

ACTION: (A-5664) Approved.

112. MOTION TO DIRECT the County Attorney's Office to amend Chapter 10½ of the Broward County Code relating to prostitution and gang related activities. (Requested by the Department of Strategic Planning and Growth Management)

ACTION: (A-5678) Approved. The Board gave directives to the County Attorney regarding the following issues: 1) Allow an "opt in" provision for Chapter 10½ to be applied countywide. By way of a Resolution, a municipality could apply Chapter 10½. 2) If the municipality "opts in" and wants the ability to perform Foreclosure Orders, the municipality must indemnify the County (To the extent that one governmental agency is allowed to indemnify another governmental agency). 3) The cases be presented to the Nuisance Abatement Board (NAB) by a prosecuting attorney or designee. The person presenting the case does not have to be a member of the bar (limit the designee). 4) In addition to the NAB, the County shall have the ability to use a hearing officer under some circumstances. (#4 on hold until current State legislation is amended). Options are to be included in the ordinance, to be chosen on a case-by-case basis

(With respect to Foreclosure Orders, staff was requested to research: If in the enabling ordinance the County gives notice, can the foreclosure orders take precedence (priority) over later mortgages.

NOTE: Urban Affairs staff was directed to keep the Board apprised of the issues brought forward by the City/County Liaison Group meetings.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

113. A. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from firms providing financial advisor services for the issuance of refunding bonds/certificates.

ACTION: (A-6167) Approved.

B. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from financial underwriting firms for the issuance of refunding bonds/certificates.

ACTION: (A-6167) Approved.

C. MOTION TO APPROVE Selection/Negotiation Committee for both financial advisor services and financial underwriting for the issuance of refunding bonds/certificates.

ACTION: (A-6167) Approved. The following were appointed to serve on the Selection/Negotiation Committee: Commissioners Lieberman, Parrish, and Poitier; the County Administrator or designee; and the Assistant to the Director of Finance & Administrative Services Department.

HUMAN SERVICES DEPARTMENT

114. MOTION TO APPROVE site selection proposal to the Florida Department of Veterans' Affairs for the construction of a Veterans' Affairs Nursing Home in Pembroke Pines which shall include a County

cash match of up to \$1,000,000 for preconstruction site preparation costs, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the proposal.

ACTION: (A-3028) Approved.

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

115. MOTION TO DIRECT County Attorney to draft an ordinance amending Chapter 20 of the Broward County Code of Ordinances (Consumer Protection Code) relating to towing of motor vehicles; providing for the regulation of “vehicle immobilization” (The Denver Boot) and regulating those businesses engaged in towing as any part of their operation; limiting criminal background checks; incorporating state towing distance requirements; requiring a written estimate to the consumer for roadside assistance; providing the division with the authority to inspect towing vehicles for selected safety items and equipment; requiring on-hook insurance for operators engaged in towing or removing vehicles which are not their personal property; and various housekeeping changes.

ACTION: (A-6436) Approved. (Staff was requested to include language expediting the notification of the Certified Letter to the vehicle owner.)

116. MOTION TO DIRECT County Attorney to draft an amendment to Chapter 8½-16 of the Broward County Code of Ordinances to include failure of licensed towing companies to have required insurance and failure of licensed towing companies to have a vehicle which meets minimum operational and safety requirements as citable offenses.

ACTION: (A-6519) Approved. (Appropriate staff requested to provide the number of complaints from consumers for one and two years regarding damages to vehicles in tow.)

PARKS AND RECREATION DIVISION

117. MOTION TO AUTHORIZE County Administrator to take necessary steps to redesign the proposed regional park in the City of Miramar to include the county’s 157+ acres only, excluding the 45+ acres owned by the Broward County Fair. (Deferred from September 23, 1997)

ACTION: (A-6532) Deferred to October 21, 1997.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

118. MOTION TO ADOPT Resolution 1997-1076 authorizing an amended Schedule of Fees, Chapter 41, Section 41.5, Broward County Code, for licensing services rendered by the Broward County Department of Natural Resource Protection, and providing for an effective date, for the Department of Natural Resource Protection.

ACTION: (A-6541) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-6611) Approved, as amended.

120. DISCUSSION: Letter from the Chief Deputy Sheriff for \$500,000 from Fiscal Year 1996/97 Commission Reserve to fund labor agreements in Fiscal Year 1997/98.

ACTION: (A-6622) Deferred at the request of the Sheriff's Office. (Staff requested to breakdown where funds (\$500,000) will be allocated. Further, staff to provide the letter circulated which requested pay increases for top level personnel.)

COUNTY ADMINISTRATOR

121. MOTION TO DIRECT staff and Broward Sheriff's Office (BSO), as Chief Correctional Officer, to prepare a budget for a new 700-bed corrections facility.

ACTION: (A-6667 & B-0049) Approved. An audit/special review will be performed by independent auditors (to be included as additional services in the County's existing audit contract) on the budget submitted by BSO. The financial information will be provided to the Commission Auditor for his review. Staff was requested to project the cost to construct a 700-bed & 1,000 bed correctional-facility.

OFFICE OF URBAN AFFAIRS

122. MOTION TO ACCEPT nominations for an at-large position on the Minority Economic Development Advisory Board. (Deferred from September 23, 1997)

ACTION: (B-0401) There were no nominations presented at this day's meeting. Item deferred until Board members have nominations.

COUNTY COMMISSION

123. A. MOTION TO WAIVE Section 21.94 of the Broward County Procurement Code which establishes the requirement to have the proposed Fourth Amendment approved by the Selection Negotiation Committee.

ACTION: (B-0407) Approved.

B. MOTION TO APPROVE fourth amendment to agreement between Broward County and O'Brien-

Kreitzberg for program management services for the Airport Expansion Program at the Fort Lauderdale-Hollywood International Airport to provide funding in the maximum amount not-to-exceed of \$6,118,278 for the third year of the multi-year agreement, and authorize the Chair and Clerk to execute same. (Commissioner Parrish and Commissioner Poitier)

ACTION: (B-0407) Approved.

COMMISSION AUDITOR

124. A. MOTION TO SHORT LIST applicants for an interview for the position of County Administrator.

ACTION: (B-0529) The following applicants were selected to interview for the position of County Administrator: Larry James Brown, Robert "Skip" Johnston, Phillip C. Hill, Roger J. Desjarlais, John Wesley White, Patricia Jennings Brayon, Samuel A. Finz, George Hanbury, Ron H. Rabun, Kathy C. Harris, and Alice Amhrein.

B. MOTION TO SET ASIDE Monday, October 20, 1997 and Tuesday afternoon, October 21, 1997 for County Administrator interviews.

ACTION: (B-1185) Approved. Prior to the October 20 meeting, staff will perform background checks, verify references, education and employment, and confirm that the applicants are still interested to interview for the position of County Administrator.

NON AGENDA

125. PROCLAMATION: Commissioner Lieberman, on behalf, of the County Commission, read into the record a proclamation designating the week of October 20 through 26, 1997, as **MEDIATION WEEK in Broward County** and recognizes the importance of mediation in resolving disputes.

ACTION: (A-0076) Susan Dubow, representing the Trial Court Administrator's Office, Court Mediation and Arbitration, and The Association of Broward Mediators thanked the Board and accepted the proclamation with great appreciation. Ms. Dubow introduced Aileen Hubert, Director for Family Mediation; Dan Bass, David Kaufman, Jeanne Potthoff Eleanor Robin, and Geraldine Wasman, all Certified Mediators.

126. PRESENTATION: On behalf of Roosevelt Walters and the National Association for Advancement of Colored People (NAACP), Commissioner Abramowitz presented a plaque to the Chair for the Broward County Commission.

ACTION: (A-0165) The Chair thanked Mr. Roosevelt and accepted the plaque on behalf of the Broward County Commission.

127. PROCLAMATION: Commissioner Abramowitz, on behalf of the County Commission, read into the record a proclamation designating Wednesday, October 8, 1997, as **STOP TELEMARKETING FRAUD DAY in Broward County** and encouraged seniors to "Don't Be Shy! Say Goodbye!" and report telemarketing fraud to the Senior Connection of the Area Agency on Aging Elder Helpline.

ACTION: (A-0193) Edith Lederberg Executive Director, Area Agency on Aging, along with Gary Roberts, Chair of the Florida Telefraud Prevention Committee, thanked the Board and accepted the proclamation with great appreciation. Ms. Lederberg introduced the people who will implement the pilot program in Broward County.

128. PROCLAMATION: Commissioner Gunzburger, on behalf of the County Commission, read into the record a proclamation designating the month of October 1997 as **ARTS AND HUMANITIES MONTH in Broward County** and called upon its citizens to appreciate the importance of arts and humanities in everyday life. Commissioner Gunzburger relayed that more than 375 local nonprofit cultural organizations, 10,000 artists, local businesses, and the media will participate in the campaign to bring awareness of the cultural arts to the citizens of Broward County. Citizens can also purchase Arts and Humanities license tags for their vehicles which will help enrich the Arts in Broward County.

ACTION: (A-0345) Mary Becht, Director, Cultural Affairs Division, thanked the Board and accepted the proclamation with gratitude. It was noted that Broward County has the highest per capita attendance at cultural affairs in the United States. Ms. Becht introduced Michael Bassichis, Board member, Cultural Affairs Council; Lottie Stein, Chief Volunteer for coordinating activities for National Arts and Humanities Month; and Jody Horne-Leshinsky, Marketing Administrator, Cultural Affairs Division. Activities schedules and pins were distributed to the Board.

129. PROCLAMATION: Commissioner Parrish, on behalf of the County Commission, read into the record a proclamation designating Tuesday, October 7, 1997, as **MAEVE INGOLDSBY DAY in Broward County**. Ms. Ingoldsby was selected by Americans for the Arts as one of four Irish artists to visit the United States. Ms. Ingoldsby is the recipient of the Irish Life Award for best children's production in the 1995 Dublin Theatre Festival. Ms. Ingoldsby will share her knowledge of Ireland and her experiences as a playwright with public school students in Broward.

ACTION: (A-0473) Ms. Ingoldsby thanked the Board and accepted the proclamation with great appreciation on behalf of all the people Ms. Ingoldsby represents in Ireland, who are working so hard for children's theatre in Ireland.

130. EMPLOYEE SERVICE RECOGNITION County Administrator Phillip C. Allen presented the following County employees with service pins and certificates in recognition of their years of County Service:

THIRTY (30) YEARS

NAME DIVISION TITLE

Bonnie Shaw Port Everglades PE Admin.Spec.

Raquel Pazos Parks & Recreation Assoc. Planner

TWENTY-FIVE (25) YEARS

NAME DIVISION TITLE

Kenneth Vathauer DNRP Environ.MonitoringChemist II

Craig S. Wilbur DNRP Environ.MonitoringLab. Manager

TWENTY (20) YEARS

NAME DIVISION TITLE

Eugene M. Davis Parks & Recreation Park Aide II

James Gilrane Public Works Property Agent II

Edgar D. Jacques Mass Transit Mechanic

Beverly B. Keeve Bureau of Child.&Fam.Svcs.Social Worker II

Pia Page PE Business Admin.Property Manager

Leonard Tashman Mass Transit Supt. of Transp.

Edward L. WilliamsMass Transit Clerk III

ACTION: (A-0577) All recipients thanked the Board and accepted their service pins and certificates with great appreciation.

131. INTERNET TAX FREEDOM ACT: Commissioner Lieberman commented that she received a letter from the Florida League of Cities, Federal Action Strike Team (FAST) regarding the Internet Tax Freedom Act. The legislation would impose some of the largest mandates, as well as undercut the County's ability for current and future revenues currently in use. Commissioner Lieberman requested that a letter of opposition be forward to U.S. Senators Mack and Graham from the Chair.

ACTION: (B-1335) Staff was directed to draft a letter, from the Chair, on behalf of the Broward County Commission, to U.S. Senators Connie Mack and Bob Graham.

132. HOUSE RESOLUTION 1534 - TAKING PREEMPTIONS BILL: Commissioner Lieberman requested that a letter be sent to the Congressional Delegation regarding the County Commission's concerns. This legislation would allow individuals another means to sue the County on takings besides legislation which currently exists.

ACTION: (B-1359) Staff was directed to send a letter to the Broward Congressional Delegation expressing the County's concerns regarding the ramifications of House Resolution 1534.

133. REQUEST FOR UPDATES FROM COUNTY ADMINISTRATOR: Commissioner Lieberman commented that she found it disconcerting to receive telephone calls from the community about issues/projects, whereby individuals believe they apparently have reached a final accord with staff when, in fact, the issue has not been presented to the County Commission for consideration. Commissioner Lieberman requested that the County Administrator provide updates on issues/projects which arise at the commission meetings.

ACTION: (B-1367) No Board action was taken.

134. CELLULAR TOWERS AT SCHOOLS: Commissioner Lieberman referred to item 106 (North Broward School Plat) of this day's meeting, and stated that she provided staff with a report relating to information generated over the last several years opposing cellular towers at schools due to health hazards. Commissioner Lieberman relayed that she asked staff to review the issue and determine whether the County should be adopting a restrictive ordinance based on the data in the report. County Administrator Phillip C. Allen advised the Board that Federal government has taken zoning restrictions away from the County Commission and local authorities, in general, as it relates to the sitings towers.

ACTION: (B-1425) Staff was requested to provide an update.

135. MEADOWBROOK ELEMENTARY SCHOOL - WAIVING SIDEWALK REQUIREMENTS: Commissioner Lieberman referred to the waiving of sidewalk requirements for Meadowbrook Elementary School, and conveyed that when staff begins working with the Broward School Board, she would like to know how the Americans with Disabilities Act (ADA) will impact the decision.

ACTION: (B-1440) No board action was taken.

136. ATTORNEY GENERAL'S OPINION - PORT JURISDICTIONAL AREA: Due to the Attorney General's opinion relating to whether the County Commission can include a purchase option in the lease agreement for real property located in the Port jurisdiction area without complying with the competitive bid requirements, board members questioned staff whether the process for the Convention Center hotel lease has been changed. The Attorney General's opinion stipulates that there must be at least two public hearings on the hotel lease.

Deputy County Attorney Noel Pfeffer advised the Board that it was always contemplated that the hotel lease would require two public hearings. Notice for a public hearing cannot be set until the lease agreement is substantially in final form. The agenda report to be placed on the agenda for the October 14, 1997 commission meeting is only to approve the form of the lease, subject to two (2) public hearings. No final board action on the lease agreement will be taken on October 14. Commissioner Parrish reviewed the acceptable process used for advertising and conducting public hearings. If there are exceptions to the process, the Board must be informed beforehand. Board members expressed their concerns regarding some of the pending issues involved in the lease agreement. Additionally, concerns were expressed regarding setting artificial deadlines for staff to expedite legal documents.

ACTION: (B-1468) No board action was taken.

137. SWERDLOW PURCHASE: Discussion was held regarding the pending litigation between John E. Rodstrom, Jr. v. the Broward County Board of County Commissioners. Mr. Copelan advised that the attorney representing the Plaintiff secured a preliminary hearing Wednesday, October 8, 1997, in the afternoon, and an additional hearing date on Monday, October 13, 1997. Mr. Copelan further advised the Board that there were ethical and practical concerns regarding how the County Attorney's Office can represent the County in defense of the action. In this case, the County Attorney also represents the Plaintiff in an official capacity as well. Mr. Copelan opined that at this day's meeting, the Board of County Commissioners should retain the services of special outside counsel to represent the Board as a whole and to address issues and concerns the Board has.

Commissioner Parrish disclosed to the Board that she had a conflict. Mr. William Scherer's legal firm, (the Plaintiff's attorney), represents a corporation that Commissioner Parrish represents in a private

capacity. There is a major lawsuit going to court on Wednesday, October 8, 1997.

The Chair confirmed with staff that until such time as the court decides otherwise, the necessary documents and continuation of the Swerdlow purchase will commence.

ACTION: (B-1930) By way of a motion, the Board retained the legal services of Mr. Terry Russell and Mr. Glen Smith, Ruden, McClosky, Smith, Schuster & Russell, P.A., as special outside counsel to represent the Broward County Board of County Commissioners in the lawsuit John E. Rodstrom, Jr. v. the Broward County Board of County Commissioners.

Attorney's fees shall not to exceed \$250. The firm of Ruden, McClosky, et al. voluntarily committed not to sue the Broward County Board of County Commissioners. The County Commission waived its conflict of interest policy. This matter is unrelated to any of the matters that Ruden, McCloskey, et al. handles for the County.

Further, the County Commission directed appropriate staff to give public notice and schedule an Attorney/Client Session ("shade meeting"), pursuant to 286.011 (8) F.S., on Thursday, October 9, 1997 at 1:30 p.m.

With respect to the "shade" meeting, Commissioner Rodstrom stated he would file a stipulation that he would not attend the Attorney/Client session ("shade meeting").

138. KIDS VOTING FLORIDA: Commissioner Gunzburger informed the Board that she will sit as a member of the new Advisory Board of Directors of Kids Voting Broward. Kids Voting prepares and motivates future voters by offering K-12 electoral process curriculum.

ACTION: (B-4703) No Board action was necessary.

139. REMOTE PARKING: Commissioner Gunzburger requested that the County Administrator research the cost of instituting remote parking (shuttle service) for Port employees, especially in the cargo area.

ACTION: (B-4750) Staff is working to develop an answer to all Customs issues at the Port. Further, staff will research the option of instituting remote parking for employees at the Port.

140. CLARIFICATION OF THE RECORD: With respect to the potential move of the Urban League to the third floor of the Main library, Commissioner Poitier briefly relayed what transpired on Saturday, October 4, 1997, at the Reverend Samuel Delevoe Park, Fort Lauderdale, Fl. while giving a speech to the Friends of the Library, who were at the park in support of the Von D. Mizell branch.

ACTION: (B-4841) No Board action was necessary.

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