

MEETING OF OCTOBER 12, 1999

(The meeting convened at 10:00 a.m. and adjourned at 1:10 p.m.)

PLEDGE OF ALLEGIANCE was led by State House Representative Debby Sanderson, District 91.

CONSENT AGENDA

1. BOARD APPOINTMENTS

ACTION: (A-1155) There were no board appointments.

AVIATION DEPARTMENT

2. MOTION TO APPROVE terminal services permit between Broward County, Florida and OneSource Facility Services, Inc., at the Fort Lauderdale- Hollywood International Airport, effective upon Board approval with an expiration date of September 30, 2001 with a 30-day cancellation clause by either party, and authorize the Chair and Clerk to execute same.

ACTION: (A-1155) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

3. MOTION TO ADOPT Resolution 1999-1400 exempting the position of Engineer IV (BPN No. 01799) within the Office of Environmental Services, from the classified service.

ACTION: (A-1230) Approved.

ENVIRONMENTAL ENGINEERING DIVISION

4. MOTION TO APPROVE developer's agreement between Broward County and Marina Bay Hotel, Ltd., a Florida limited partnership, providing for utilities installation, by the developer, located at the northwest corner of Interstate I-95 and Interstate I-595, Fort Lauderdale, Florida with an estimated cost to the developer of \$453,852.00, at no cost to Broward County, and will furnish water and wastewater services, and authorize the Chair and Clerk to execute same. (BCOES Project No. 8820)

ACTION: (A-1155) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

5. MOTION TO ADOPT Resolution 1999-1401 exempting a vacant position of Contract/Grants Administrator I (BPN No. 81025) within the Office of Integrated Waste Management from the classified service.

ACTION: (A-1376) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

6. MOTION TO APPROVE list of computer checks issued from July 1, 1999 through July 31, 1999.

ACTION: (A-1155) Approved.

PURCHASING DIVISION

For Aviation Department

7. A. MOTION TO AWARD fixed contract to the low quoter, FMC Corporation- Jetway Systems, for 15 passenger loading bridges including installation in the amount of \$4,567,616 (Items 1-9 & 13-18 of Quotation N1934-99) for delivery April 1, 2000 subject to receipt and acceptance of insurance and payment/performance bond.

ACTION: (A-1390) Approved.

B. MOTION TO AWARD open-end contract to the low quoter, FMC Corporation-Jetway Systems, for approximately 27 passenger loading bridges including installation in the estimated amount of \$ 8,246,092 (Items 10-12 & 19-42 of Quotation N1934-99) and for bridge mounted auxiliary equipment (Pre Conditioned Air, 400 HZ Power, Bag Chute) in the estimated amount of \$5,222,934 for delivery in 2000-2004.

ACTION: (A-1390) Approved.

C. MOTION TO APPROVE contingency percentage of 5% of budgeted funds for each fiscal year this contract is in effect.

ACTION: (A-1390) Approved.

For Finance and Administrative Services Department

8. MOTION TO ADOPT Resolution 1999-1402 of the Board of County Commissioners of Broward County, Florida exempting from the classified civil service the position of Purchasing Agent III (BPN No. 02939) for the Finance and Administrative Services Department, Purchasing Division.

ACTION: (A-1376) Approved.

9. MOTION TO APPROVE agreements between Broward County and Adviron Environmental Systems, Inc.; Allied Environmental Consultants, Inc.; ATC Associates, Inc.; Camp Dresser & McKee, Inc.; Ecology and Environment, Inc.; Ecological Associates, Inc.; Emcon, Inc.; EnHealth Environmental, Inc.; EPAC Environmental Services, Inc.; GeoVerse, Inc.; Keith and Associates, Inc.; Keith and Schnars P.A., Metcalf & Eddy, Inc.; Protech Assessments, Inc.; R. W. Beck, Inc.; Scientific Environmental Applications, Inc. (SEA); SCS Engineers, and Technos, Inc.; as additions into a Resource Library for Environmental Services, for a period of three years effective with Board execution and with two one-year extensions to be approved by the Director of Purchasing, and authorize Clerk and Chair to execute same.

ACTION: (A-1155) Approved.

For Public Works Department

10. MOTION TO APPROVE increase in the change order allowance, due to unforeseeable circumstances, in the amount of \$92,698.68, from \$154,497.80, (5%) to a revised total of \$247,196.48, which is 8.00% of the original contract amount of \$3,089,956 with Shoreline Foundation, Inc., for contract No. N-01-97-03-CF, for BCOES Project No. 1144/8405, BP1, Chula Vista Outfall Canal Seawall - Blue Lake Culvert.

ACTION: (A-2055) Approved.

11. MOTION TO AUTHORIZE Purchasing Division to purchase directly from the Florida State Contract for Automobiles and Light Trucks (Bid No. 070-001-99-1) and subsequent contract awards. The annual estimated amount is \$1,250,000. The term of authorization shall start on the date of award and last the life of the State contract.

ACTION: (A-1155) Approved.

RISK MANAGEMENT DIVISION

12. MOTION TO AUTHORIZE full and final settlement of Claim No. BBT/032499TRUI in the amount of \$65,000.

ACTION: (A-1155) Approved.

HUMAN SERVICES DEPARTMENT

CHILDREN'S SERVICES ADMINISTRATION

13. MOTION TO ADOPT unanticipated revenue resolution 1999-1403 within the Victim of Crime Act Grant Fund for the Children's Services Administration Division in the amount of \$100,000.00, Federal funds awarded to Broward County through the Attorney General, to provide services for victim assistance in cases of non-caretaker child abuse. A 25% match is required and is already being provided through in-kind services. These grant funds are for Fiscal Year 1999-2000.

ACTION: (A-1155) Approved.

OFFICE OF HOUSING FINANCE

14. MOTION TO APPROVE AND EXECUTE subordination agreement for Sharon and Norris McFarlane to subordinate Broward County's third mortgage lien, on a State Housing Initiatives Partnership Program (SHIP) Home Repair forgivable deferred payment loan in the amount of \$10,000 to new refinancing with Residential Money Centers, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-2106) Approved.

NOTE: The County Attorney, with the assistance of the Human Services director, will develop a strategy that would no longer require the city programs participating in the State Housing Initiatives Partnership Program (SHIP) to come to Broward County for approval of mortgage liens. The home owners would return to their respective cities where the money was issued.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE & REGULATION DIVISION

15. MOTION TO APPROVE agreement between Broward County and the Humane Society of Broward County, Inc., providing for a reduced fee pet license tag program with the Humane Society of Broward County, Inc. for its pet adoption program for the period October 1, 1999 to September 30, 2003, and authorize the Chair and Clerk to execute same.

ACTION: (A-1155) Approved.

16. A. MOTION TO APPROVE agreement between Broward County and Cats Exclusive, Inc. for placement of stray animals impounded by the Broward County Animal Care & Regulation Division, at no cost to the County, for the period October 1, 1999 to September 30, 2000.

ACTION: (A-1155) Approved.

B. MOTION TO APPROVE waiver for section 1.11bb (audit requirement) of the administrative code in the agreement between Broward County and Cats Exclusive, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-1155) Approved.

17. A. MOTION TO APPROVE agreement between Broward County and Cocker Rescue, Inc. for placement of stray animals impounded by the Broward County Animal Care & Regulation Division, at no cost to the County, for the period October 1, 1999 to September 30, 2000.

ACTION: (A-1155) Approved.

B. MOTION TO APPROVE waiver for Section 1.11bb (audit requirement) of the Administrative Code in the agreement between Broward County and Cocker Rescue, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-1155) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

AIR QUALITY DIVISION

18. MOTION TO APPROVE Amendment No. 1 to Contract AQ 143, Ambient Air Quality Monitoring between Broward County Department of Planning and Environmental Protection, Air Quality Division and the Florida Department of Environmental Protection in the amount of \$263,221.00, and authorize the Chair and Clerk to execute same. The purpose of the contract is to perform ambient air quality monitoring in Broward County. The contract will result in no additional cost to the County.

ACTION: (A-1155) Approved.

DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

TELECOMMUNICATIONS DIVISION

19. MOTION TO APPROVE renewal of license agreement to allow the use of a Broward County communications tower facility by the Federal Bureau of Investigation.

ACTION: (A-2646) Approved.

NOTE: In the future, as the County negotiates with other state, federal and local agencies, the County's standard indemnification and anti-discrimination clauses will be sent to the agencies in advance of finalizing a contract so that the agencies are aware of the contract provisions. Further, any contracts that come forward without the County's standard indemnification and anti-discrimination clause will be returned with a cover letter from the County Attorney's Office explaining why.

ZONING CODE SERVICES

20. MOTION TO ADOPT Resolution 1999-1404 designating the commercially-zoned properties along the Broward Boulevard corridor within Unincorporated Broward County as a Redevelopment Area subject to Section 39-301, "Special regulations for B-4 commercial redevelopment overlay districts."

ACTION: (A-2779/3005) Approved. (Staff was directed to notify the homeowners' associations in the immediate area as their redevelopment projects come before the Board.)

PORT EVERGLADES DEPARTMENT

21. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida and Ace Airport and Transport Express, Inc., in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval with an expiration date of December 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-1155) Approved.

COUNTY ATTORNEY

22. MOTION TO ADOPT Resolution 1999-1405 of Broward County, Florida expressing concerns related to the proposed amendment to the definition of "Livestock" set forth in Rule 12D-1.0002, Florida Administrative Code, pursuant to section 193.461, Florida Statutes, entitled "Agricultural lands; classification and assessment."

ACTION: (A-1155) Approved.

23. MOTION TO APPROVE agreement between Broward County and Samuel S. Goren for Special Master Services.

ACTION: (A-1155) Approved.

COUNTY COMMISSION

24. MOTION TO FILE City Commission of the City of Deerfield Beach Resolution No. 1999-138 dated September 7, 1999, entitled:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH SUPPORTING THE AMENDMENT TO THE SCHEDULE OF RATES FOR OPERATION AND

MAINTENANCE TREATMENT AND DISPOSAL FOR SEWER SERVICE BY THE LARGE USERS OF THE NORTH REGIONAL WASTE WATER SYSTEM.

(Chair)

ACTION: (A-1155) Approved.

25. MOTION TO FILE City Commission of the City of Lauderdale Lakes Resolution No. 99-164 dated September 28, 1999, entitled:

A RESOLUTION ADOPTING AN AD VALOREM MILLAGE RATE FOR FISCAL YEAR 2000 ESTABLISHING AND ADOPTING AN AD VALOREM TAX TO FUND THE GENERAL FUND BUDGET FOR FISCAL YEAR 2000, COMMENCING ON THE FIRST DAY OF OCTOBER, 1999; PROVIDING FOR THE ADOPTION OF PRESENTATIONS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

(Chair)

ACTION: (A-1155) Approved.

REQUEST TO SET FOR PUBLIC HEARING

26. MOTION TO ADOPT Resolution 1999-1406 directing the County Administrator to publish notice of public hearing to be held on Tuesday, October 26, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of a proposed amendment consisting of revisions to the Broward County Comprehensive Plan's Future Unincorporated Area Land Use Element to address Section 163.3177, Florida Statutes, pertaining to criteria for collocation of public facilities and public schools.

ACTION: (A-2780) Approved.

NOTE: Staff was requested to contact appropriate Broward School Board staff to plan collocation of public facilities and public schools early on as developers come forward with projects.

27. MOTION TO ADOPT Resolution 1999-1407 directing the County Administrator to publish notice of public hearing to be held on Tuesday, October 26, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 20, ARTICLE VII, THE CONSUMER PROTECTION CODE; ADDING A NEW SECTION RELATING TO RETAIL SALES ESTABLISHMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-2895) Approved, as amended. (The County Attorney's Office was directed to amend Sec. 30-164.1(c) adding the following language: "Such refund, credit or exchange must be given to the customer immediately upon the customer's return of the item." Further, the customer must return the item within thirty (30) days.

REGULAR AGENDA

28. **COUNTY ADMINISTRATOR’S REPORT**: County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

ACTION: (A-3018) No board 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 PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

29. **DISCUSSION**: of plat entitled “The Berber Plat” - District 3, (027-MP-98). (Deferred from March 2, 1999).

ACTION: (A-3064) Denied per staff’s recommendation.

30. **DISCUSSION**: of plat entitled “University Financial Plaza” - District 3, (031-MP-98). (Deferred from March 2, 1999).

ACTION: (A-3081) Denied per staff’s recommendation.

END OF QUASI-JUDICIAL HEARING

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

31. **MOTION TO APPROVE** Broward Center for the Performing Arts Fiscal Year 1999-2000 Operating Budget, Debt Service Budget and Capital Budget.

ACTION: (A-3108) Approved.

32. MOTION TO FILE County Administrator's response to Commission Auditor's review of the County Telecommuting Program. (Deferred from September 7, 1999, Item 51)

ACTION: (A-3117) Deferred to October 19, 1999 for further staff review.

33. A. MOTION TO APPROVE one-year collective bargaining agreement between Broward County and the Federation of Public Employees, representing the County's Blue Collar employees for a one-year period between October 1, 1998 through September 30, 1999.

ACTION: (A-3167) Approved.

B. MOTION TO APPROVE three-year collective bargaining agreement between Broward County and the Federation of Public Employees, representing the County's Blue Collar employees for a period between October 1, 1999 through September 30, 2002.

ACTION: (A-3167) Approved.

C. MOTION TO AUTHORIZE the Chair to execute the Collective Bargaining Agreements.

ACTION: (A-3167) Approved.

34. A. MOTION TO APPROVE six-month collective bargaining agreement between Broward County and District 2A Transportation, Technical, Warehouse, Industrial, and Service Employees Union for a six-month period between April 2, 1999 and September 30, 1999.

ACTION: (A-3178) Approved.

B. MOTION TO APPROVE three-year collective bargaining agreement between Broward County and District 2A Transportation, Technical, Warehouse, Industrial, and Service Employees Union for a three-year period between October 1, 1999 through September 30, 2002.

ACTION: (A-3178) Approved.

C. MOTION TO AUTHORIZE the Chair to execute the Collective Bargaining Agreements.

ACTION: (A-3178) Approved.

35. A. MOTION TO APPROVE proposed amendment to the unrepresented compensation methodology for Fiscal Year 1999-2000 providing that the salary increase available to employees who are evaluated as having met their overall objectives be increased from 3.5% to 5%.

ACTION: (A-3188) Approved. (Scrivener's error: (Unrepresented Compensation) (Exhibit 3, pages 4, 9 and Exhibit 4) have been revised because they contained scriveners errors which conflicted with the detailed in formation contained in Exhibit 5.)

B. MOTION TO APPROVE proposed Fiscal Year 1999-2000 unrepresented pay plan and supplemental pay policies.

ACTION: (A-3188) Approved.

C. MOTION TO APPROVE proposed Fiscal Year 1999-2000 Board Level reclassifications, new job classifications, deletion of classifications, salary range reallocations, and title changes.

ACTION: (A-3188) Approved.

D. MOTION TO APPROVE proposed Resolution 1999-1408 exempting certain classifications and positions from the classified service.

ACTION: (A-3188) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

36. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend qualified contractors to submit bids for the construction of the Build Out of the Seventh (7th) Floor of the North Wing of the Broward County Judicial Complex (BCJC) and approve RLI No. 090299-RB.

ACTION: (A-3217) Approved the following to serve on the Selection/Negotiation Committee: Director, Construction Management Division, Chair; Director, Development Management, Deputy Trial Court Administrator. Plus, administrative support staff from the offices of the County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing, and the Using Agency.

For Public Works Department

37. A. MOTION TO APPROVE termination for convenience of Contract No. N-01-98-11-CF between WEI Construction, Inc. and Broward County, originally awarded on May 19, 1998, Item 19, in the amount of \$1,480,116.86, (BCOES Project No. 1148/8600 - BP14; South County Neighborhood Improvement Project).

ACTION: (A-3233) Approved.

B. MOTION TO APPROVE Lump Sum Negotiated Settlement with WEI Construction, Inc., in the amount of \$33,000 for Contract No. N-01-98-11-CF for the construction of Bid Package 14 in the South County Neighborhood Improvement Project, awarded on May 19, 1998, Item 19, in the amount of \$1,480,116.86.

ACTION: (A-3233) Approved.

HUMAN SERVICES DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

38. MOTION TO ADOPT Resolution 1999-1409 of the Board of County Commissioners of Broward County, Florida approving a list of organizations for funding by the County of certain activities with federal funds in Fiscal Year 1999-2000; authorizing the County Administrator on behalf of the County to execute contracts and amendments for subrecipients of U.S. Department of Housing and Urban Development funds; authorizing County Attorney to prepare appropriate amendments for execution by County Administrator; approving form agreements for the County Administrator's execution; providing for severability; and providing for an effective date. These are Federal funds and no County funds nor

match are required. The allocation was previously approved by the Board on July 13, 1999 through Resolution No. 1999-900.

ACTION: (A-3246) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

39. MOTION TO DENY transmittal of proposed small-scale Future Unincorporated Area Land Use Element Map Series amendment 00-1-M-1 to the Broward County Planning Council.

ACTION: (A-3256) Denied the transmittal, per staff's recommendation.

COUNTY COMMISSION

40. MOTION TO APPROVE reappointment of Commissioner Parrish to Selection/ Negotiation Committee for professional engineering services for Broward County Regional Water Supply Project, BCOES Project No. 1134. (Commissioner Parrish)

ACTION: (A-4762) Approved. (The County Administrator was directed to suspend the requirement of reappointing commissioners to a board when they have missed meetings.)

REQUEST TO SET FOR PUBLIC HEARING/MEETING SCHEDULE

41. MOTION TO DISCUSS meeting schedule for November, 1999 and December, 1999.

ACTION: (A-4895) Approved, as amended. The following adjustments were made to the commission meeting schedule: 1) The November 23, 1999 Commission meeting was canceled and rescheduled to November 30, 1999. 2) The County Administrator was asked to reschedule the Legislative Delegation Workshop which was scheduled for November 23, 1999 at 1:00 p.m. 3) The public hearing scheduled for 3:00 p.m. on November 23, 1999 is rescheduled to Tuesday, November 30, 1999 at 2:00 p.m. 4) The December 21, 1999 Commission meeting has been canceled. (There is no Commission meeting on December 28, 1999.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

42. DISCUSSION: Application 99-RF-01 for the allocation of 125 residential flexibility and reserve units in the City of Sunrise (September 7, 1999, Item 54)

(Commissioner Rodstrom)

ACTION: (A-5379) Application 99-RF-01 for the allocation of 88 residential flexibility and reserve units, in the City of Sunrise, will be placed on the agenda for the Board's consideration on Tuesday, October 26, 1999.

SECOND SUPPLEMENTAL AGENDA

PUBLIC WORKS DEPARTMENT

43 **MOTION TO APPROVE** Joinder of Fee Owner in Florida Power and Light (FPL) easement.

ACTION: (A-2976) Approved.

NON AGENDA

44. **INFORMATIONAL**: Commissioner Abramowitz thanked the Commission for receiving Dr. Hernandez, Secretary of the Department of Elder Affairs. Commissioner Abramowitz mentioned that the \$1.6 million was derived from the Tobacco settlement. The funds will reduce the list for Home Care for the Elderly (HCE) and Community Care for the Elderly (CCE). In total, Broward County has received approximately \$9 million towards the two programs.

ACTION: (A-6649) No board action was necessary.

45. **SPECIAL RESOURCE RECOVERY NEGOTIATING COMMITTEE**: Commissioner Parrish stated that she received a telephone call from W. Joe Moss, Executive Director, Resource Recovery District, regarding a Special Resource Recovery Negotiating meeting and that fact that one of the cities is requesting another member be added to the composition of the Committee. Commissioner Parrish questioned Committee members Commissioners Cowan and Lieberman regarding the makeup of the Special Resource Recovery Negotiating Committee with respect to city representation. Commissioner Cowan mention that there were three (3) county commissioners and (3) city representatives serving on the Committee.

ACTION: (A-6723) Commissioner Cowan stated that he would research the issue regarding a city's request to add another member.

WITHDRAWN/DEFERRED ITEMS

DEFERRED TO OCTOBER 19, 1999 - 32

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