

## **MEETING OF OCTOBER 17, 2000**

(The meeting convened at 10:00 a.m. and adjourned at 11:50 a.m.)

PLEDGE OF ALLEGIANCE was led by Commissioner Samuel Goldsmith, City of Coconut Creek.

MOMENT OF SILENCE In memory of the 17 sailors on the USS Cole who gave their last full measure to protect the safety and liberty of the United States.

### **CALL TO ORDER**

### **CONSENT AGENDA**

#### **BOARD APPOINTMENTS**

A. MOTION TO APPROVE the re-appointment of David L. Hughes to the Broward Regional Health Planning Council. (Commissioner Cowan)

*ACTION: (A-0210) Approved.*

B. MOTION TO APPOINT Mr. Edward C. Portner to the World War II Memorial Ad Hoc Coordinating Committee. (Commissioner Abramowitz)

*ACTION: (A-0210) Approved.*

### **PUBLIC WORKS DEPARTMENT**

#### **REAL PROPERTY SECTION**

- A. MOTION TO AUTHORIZE payment to Howard C. Jelks, as Trustee, in the amount of \$724,833.33, in accordance with the terms of Broward County's option to purchase as exercised on February 22, 2000, Item 4 for property located at 5 South Andrews Avenue, Fort Lauderdale, Florida, and authorize acceptance and recordation of deed.

*ACTION: (A-0348) Approved. See Page 24.*

B. MOTION TO ADOPT budget Resolution 2000-1221 within the General Capital Outlay Fund (3010) transferring \$730,000 from reserve to purchase the Jelks site, including title insurance and closing expenses.

*ACTION: (A-0348) Approved. See Page 24.*

### **OFFICE OF ENVIRONMENTAL SERVICES**

#### **ENVIRONMENTAL ENGINEERING DIVISION**

- MOTION TO VOID developer's agreement between Broward County and Sea Side Construction Corporation, by executing an affidavit stating that the agreement is voided and providing for the issuance of a letter signed by the Chair advising the developer of the Commission's action and of its intention to make no refund of monies to the developer, and authorize the Chair and Clerk to

execute same. (BCOES Project No. 72-6-50)

***ACTION: (A-0450) Approved. See Page 27.***

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

- A. **MOTION TO APPROVE** agreement between Broward County and Florida Power and Light Company (FPL) whereby Broward County will place FPL furnished conduit under Miramar Parkway at specified locations as part of the Improvements of Miramar Parkway from SW 148<sup>th</sup> Avenue to east of Flamingo Road and FPL will reimburse Broward County for the construction bid price (estimated to be \$24,250), and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

B. **MOTION TO APPROVE** agreement between Broward County and Florida Power and Light Company whereby Broward County will excavate and remove subsoil around an existing buried FPL duct line which crosses Miramar Parkway at SW 136<sup>th</sup> Avenue and FPL will reimburse Broward County for the construction bid price (estimate to be \$39,167), and authorize the Chair and Clerk to execute same. (BCED Project No. 5042)

***ACTION: (A-0210) Approved.***

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

- **MOTION TO ADOPT** Resolution 2000-1222 relating to the previous issuance by Broward County, Florida of its Industrial Development Revenue Bonds (Rex Three, Inc. Project) Series 1996A; approving the form of a first amendment and supplement to trust indenture and a first amendment and supplement to loan agreement; and providing certain other agreements and covenants in connection with the amendments relating to such bonds; and providing an effective date.

***ACTION: (A-0210) Approved.***

### **OFFICE OF INFORMATION TECHNOLOGY**

- **MOTION TO APPROVE** assignment agreement between Broward County and City of Fort Lauderdale consented to by Comcast Cablevision of Broward County, Inc. relating to the cable television franchise for certain areas annexed to the City of Fort Lauderdale, and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

- **MOTION TO ADOPT** Resolution 2000-1223 of the Board of County Commissioners of Broward County, Florida granting a non-exclusive right, privilege and license to Florida Digital Network, Inc., to construct, operate and maintain a tele-communications facility in the public rights-of-way in Broward County for a time period certain; providing for severability; and providing for an effective date.

***ACTION: (A-0210) Approved.***

**PURCHASING DIVISION**

For Aviation Department

- **MOTION TO APPROVE** amendment to open-end Contract, RFP No. G-07-95-38-36 for Janitorial Service for Fort Lauderdale-Hollywood International Airport to Sunshine Cleaning Systems, Inc. for Terminal 1 scheduled to open in April/May of 2001, in the estimated amount of \$1,100,000 for the Aviation Department. The amendment period, contingent upon renewal of the original contract, will start at the opening of the new terminal, and terminate February 28, 2002, coinciding with the existing contract.

***ACTION: (A-0210) Approved.***

For Community Services Department

- **MOTION TO APPROVE** agreement between Broward County and Recreational Design and Construction, Inc. (RDC), for design/build services for miscellaneous small projects and accessibility compliance at various County park sites (RLI No. 111599-RB), for a two-year term effective from the date of the initial Notice to Proceed, with the County paying RDC a not to exceed maximum amount of \$2,935,200 for all Segments of the agreement; and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

For Finance and Administrative Services Department

- **MOTION TO APPROVE** amendment to agreement with Principle Title Agency, Inc. for Abstracts or Title Searches made in connection with Tax Deed Applications for an extension of one year from October 21, 2000 to October 20, 2001 at no cost for the Revenue Collection Division, and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

For Public Works Department

- **MOTION TO AWARD** fixed contract to the low responsive and responsible bidder Group 1 Broward Truck & Equipment Co., Inc. for Water Tank Trucks (Bid No. C600131FF) in the amount of \$237,539 for the Streets and Highways Division.

***ACTION: (A-0210) Approved.***

- **MOTION TO APPROVE AND AWARD** fixed contract to sole source/sole brand Proctor Honda for Nine Honda Civic GX Natural Gas Vehicles, Quotation No. C2242-00 in the amount of \$183,780.00, including a five-year 75,000 mile extended warranty for each vehicle for the Office of General Services/Fleet Services Division.

***ACTION: (A-0210) Withdrawn for further staff review.***

- A. MOTION TO APPROVE AND AWARD sole brand/sole source open-end contract to Clarke Mosquito Control Products (Clarke) for Item 1 in the estimated amount of \$139,500 and for Item 3 in the estimated amount of \$73,000 for a total estimated amount of \$212,500 and to Adapco, Inc. (Adapco) for Item 2 in the estimated amount of \$52,000 for Adult Mosquito Insecticides (No. T-3-00-063-B-1) for the Mosquito Control Section of Streets and Highways Division, and authorize the Director of Purchasing to renew the contract for a one-year period. The initial contract period shall start on date of award and shall terminate one year later.

***ACTION: (A-0210) Withdrawn for further staff review.***

B. MOTION TO AWARD open-end contract to low bidder, Adapco for Item 4 in the estimated amount of \$42,380 for Adult Mosquito Insecticides (No. T-3-00-063-B-1) for the Mosquito Control Section of Streets and Highways Division, and authorize the Director of Purchasing to renew the contract for a one-year period. The initial contract period shall start on date of award and shall terminate one year later.

***ACTION: (A-0210) Withdrawn for further staff review.***

### **REVENUE COLLECTION DIVISION**

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

***ACTION: (A-0210) Approved.***

### **HUMAN SERVICES DEPARTMENT**

- MOTION TO APPROVE agreement between Broward County and Miami Rescue Mission, Inc., d/b/a Broward Outreach Center, from October 1, 2000 through September 30, 2003 in the amount of \$4,823,000 to operate the Broward County North Homeless Assistance Center (North HAC) located at 1700 North Blount Road in Pompano Beach, and authorize the Chair and Clerk to execute same. Funding in the amount of \$4,452,000 for this agreement will come from the Homeless Services Fund, and \$371,000 from the Construction Management Fund.

***ACTION: (A-0210) Approved.***

### **OFFICE OF HOUSING FINANCE**

- MOTION TO ADOPT unanticipated revenue Resolution 2000-1224 within the Broward County Affordable Housing Assistance Trust Fund for the Fiscal Year 2000-2001 in the amount of \$6,549,116 to be used for implementing affordable housing strategies described in the 1999-2001 Joint Local Housing Assistance Plan as required by the State Housing Initiatives Partnership (SHIP) Act. No County match is required.

***ACTION: (A-0210) Approved.***

- MOTION TO FILE Quarterly Foreclosure Report for the State Housing Initiatives Partnership (SHIP) Single Family Second Mortgage Program administered by the Office of Housing Finance.

***ACTION: (A-0210) Approved.***

- MOTION TO FILE Quarterly Report for Satisfactions of Mortgages and Subordinations of

Mortgage Agreements under the State Housing Initiatives Partnership (SHIP) affordable housing programs administered by the Office of Housing Finance.

***ACTION: (A-0210) Approved.***

### **SUBSTANCE ABUSE AND HEALTH CARE SERVICES**

- **MOTION TO APPROVE** agreement between the State of Florida Department of Health and Broward County from October 1, 2000 to September 30, 2001 in the amount of a cash contribution not to exceed \$1,694,310 for the purpose of enabling the County Health Department (CHD) to promote, protect, maintain and improve the health and safety of the citizens and visitors of Broward County, and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

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

#### **MEDICAL EXAMINER & TRAUMA SERVICES DIVISION**

- **MOTION TO APPROVE** extension to the Class 3 - ALS Transfer Certificate of Public Convenience and Necessity (COPCN) for Medics Emergency Services, Inc., until November 30, 2000.

***ACTION: (A-0210) Approved.***

### **PORT EVERGLADES DEPARTMENT**

- **MOTION TO APPROVE** renewal of a one-year lease agreement between Broward County and Rikki Davis, Inc. for Suite No. 206 in Building 611 at Port Everglades, consisting of 416 square feet of office space, for the period of November 1, 2000 through October 31, 2001 at an annual rental amount of \$7,280.00, and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

- **MOTION TO APPROVE** renewal of a one-year lease agreement between Broward County and Harrington & Company, Inc. for 3,081 square feet of warehouse and office space in Building No. 612 at Port Everglades for the period of November 1, 2000 through October 31, 2001 at an annual rental amount of \$16,483.35, and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

- **MOTION TO APPROVE** consent to sublease agreement between Maersk, Inc. and PJN Exchange, Inc. for 5,743 square feet of office space in Suite 300 in the Port Administration Building in Port Everglades, and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

### **COUNTY ATTORNEY**

- **MOTION TO APPROVE** agreement between Broward County and William Robert Scherer, Jr.,

Esq. for Special Master Services.

***ACTION: (A-0210) Approved.***

### **COUNTY COMMISSION**

- **MOTION TO FILE** Resolution No. 2000-9-6 from the City Commission of the City of Cooper City, Florida, supporting Safe Parks and Land Preservation Bond Referendum; and providing for an effective date. (Chair)

***ACTION: (A-0210) Approved.***

- **MOTION TO FILE** Resolution No. 185-00-11078 from the Mayor and City Commission of the City of South Miami, Florida, relating to windstorm insurance; authorizing the City Manager and City Attorney to provide all reasonable assistance to the process of a citizen's initiative to amend the Florida Constitution to require the Department of Insurance to provide affordable and adequate windstorm coverage to all Florida property owners; providing an effective date. (Chair)

***ACTION: (A-0210) Approved.***

- **MOTION TO FILE** City of Pompano Beach, Florida, Resolution No. 2000-270 dated September 12, 2000, entitled: (Chair)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE STATE OF FLORIDA DEPARTMENT OF JUVENILE JUSTICE TO RECONSIDER ITS POLICY OF REJECTING CERTAIN YOUTH DURING WEEKNIGHT AND WEEKEND HOURS AT THE COUNTY'S JUVENILE INTAKE FACILITY, AND ACCEPT ALL YOUTH TAKEN INTO CUSTODY BY LAW ENFORCEMENT OFFICERS; AND URGING APPROPRIATION OF SUFFICIENT FUNDS DURING THE 2001 LEGISLATIVE SESSION TO FULLY FUND OPERATIONS AT THE JUVENILE INTAKE FACILITY; PROVIDING AN EFFECTIVE DATE.

***ACTION: (A-0210) Approved.***

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

- **MOTION TO APPROVE AND EXECUTE** Satisfaction of Lien.

***ACTION: (A-0210) Approved.***

- **MOTION TO APPROVE** settlement agreements in the total amount of \$30,930 between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Planning and Environmental Protection (DPEP), and authorize the Chair and Clerk to execute same.

***ACTION: (A-0210) Approved.***

### **COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION**

- **MOTION TO ADOPT** Resolution 2000-1225 amending Chapter 8, Part I, Department of

Planning and Environmental Protection, Sections 8.1 and 8.3a, and Part III, Division of Comprehensive and Neighborhood Planning, Sections 8.12 and 8.13 of the Broward County Administrative Code, pertaining to a name change for the Comprehensive and Neighborhood Planning Division (Planning Services Division).

**ACTION: (A-0210) Approved.**

**WATER RESOURCES DIVISION**

- **MOTION TO APPROVE** First Amendment to Work Authorization No. 1 between Broward County and Montgomery Watson Americas, Inc., concerning "Investigation of Surface Water Strategies to Increase Water Supply Benefits in Northern Broward County" pursuant to an agreement for Environmental Consultant Services approved by the Broward County Board of County Commissioners on August 23, 1994, as amended September 5, 1995, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0210) Approved.**

**TRANSPORTATION PLANNING DIVISION**

- **MOTION TO APPROVE** local agency program agreement with the Florida Department of Transportation, providing for \$300,000 in federal grant funds to construct sidewalks on Oakland Park Boulevard at no cost to the County, and authorize the Chair and Clerk to execute same.

**ACTION: (A-0210) Approved.**

- **MOTION TO ADOPT** unanticipated revenue Resolution 2000-1226 for the Metropolitan Planning Organization (MPO) in the amount of \$1,372,049 for support of the MPO 2000-01 Unified Planning Work Program; authorize the necessary administrative and budgetary actions for implementation, and authorize the Chair and Clerk to execute the same.

**ACTION: (A-0210) Approved.**

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**QUASI-JUDICIAL CONSENT HEARING**

**DEVELOPMENT MANAGEMENT DIVISION**

- **DISCUSSION:** of plat entitled "Riverland Crossings" - District 7, (010-MP-00).

**ACTION: (A-0210) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.**

- **DISCUSSION:** of plat entitled "Dockside Village" - District 7, (040-MP-00).

**ACTION: (A-0210) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.**

- **DELEGATION:** Richard G. Coker, Jr. regarding request to amend the note on Alexander Plat - District 3, (002-MP-96). (Deferred from April 11, 2000)

**ACTION: (A-0210) Withdrawn at the applicant's request.**

- **DELEGATION:** James Kahn regarding request to amend the non-vehicular access line on the Cypress Creek Station Plat - District 7, (050-MP-95).

**ACTION: (A-0210) Approved subject to staff's recommendations.**

- **DELEGATION:** Stephanie J. Toothaker-Walker regarding request for a partial waiver of road impact fees for the affordable housing project on the Banyan Trails Plat - District 3, (084-MP-90).

**ACTION: (A-0210) Deferred to November 7, 2000 at the applicant's request.**

- **DELEGATION:** Dean M. Gerchar regarding MOTION TO APPROVE agreement among Broward County, the City of Parkland, and Michael Beaty relating to the issuance of building permits while platting is in progress - Willow Acres Plat - District 3, (087-MP-99).

**ACTION: (A-0210) Withdrawn at the applicant's request.**

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

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**10:00 A.M. PUBLIC HEARING**

- A. MOTION TO CONDUCT Public Hearing on the project issuance of Broward County Industrial Development Revenue Bonds for Increte Holdings LLC project not to exceed \$2,140,000.

**ACTION: (A-0474) Approved.**

B. MOTION TO ADOPT Resolution 2000-1227 of the Board of County Commissioners of Broward County, Florida, approving the issuance following a Public Hearing of Industrial Development Revenue Bonds of Broward County in the aggregate principal amount not to exceed \$2,140,000 for the benefit of Increte Holdings, LLC and providing an effective date.

**ACTION: (A-0474) Approved.**

**END PUBLIC HEARING**

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- **COUNTY ADMINISTRATOR'S REPORT** County Administrator Roger J. Desjarlais referred to the fax received October 16, 2000 from developer Mr. R. Donahue Peebles and the memorandum from the County Attorney Edward A. Dion dated October 16, 2000 regarding the October 18, 2000 deadlines for the developer to provide the County with proof of financing and the execution of the Fourth Amendment to the original contract. Mr. Desjarlais informed the Board that he spoke with the developer's representative and the developer who stated that the loan commitments would be signed by the end of business on Wednesday, October 18, 2000. However, the issue of the Fourth Amendment is still outstanding. Mr. Desjarlais asked the Board for its direction.

***ACTION: (A-0487/2946) The Board directed the County Attorney's Office to advise Mr. Peebles that unless the Fourth Amendment is executed and Mr. Peebles has provided evidence satisfactory to the County's reasonable satisfaction that he has accepted a loan commitment in writing, the offer for the Fourth Amendment negotiated in June and July 2000 will be withdrawn as of 12:01 A.M., Thursday, October 19, 2000.***

***See Page 28 and 85.***

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- **DELEGATION:** Mr. Steven Kamelhair regarding site plan approval of parcel located at 6651 Dykes Road.

***ACTION: (A-0973) No Board action was taken. The County Attorney explained that the issue falls under the jurisdiction of the Town of Southwest Ranches. See Page 37.***

**FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

**HUMAN RESOURCES DIVISION**

- **MOTION TO ADOPT** Resolution 2000-1228 of the Board of County Commissioners of Broward County, Florida, relating to the Classified Civil Service; amending Chapter 14, Broward County Administrative Code, by creating Part XXVIII, relating to Recruitment Standards and Guidelines for positions exempt from the Classified Civil Service; creating Section 14.300; providing guiding principles for filling positions exempt from the classified civil service; creating section 14.301; specifying the role of appointing authorities; creating Section 14.302; specifying the role of the

Human Resources Division in exempt position recruitment; creating Section 14.303; providing for certain responsibilities regarding employees covered under Collective Bargaining Agreements; creating Section 14.304; providing recruitment options for appointing authorities; creating Section 14.305; providing minimum process standards for exempt position recruitment; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date. (Deferred from October 3, 2000, Item 51)

***ACTION: (A-1245) Approved as presented by staff. See Page 42.***

## **HUMAN SERVICES DEPARTMENT**

- **MOTION TO DISCUSS AND FINALIZE** processes for applications and nominations for the Children's Services Council candidates.

***ACTION: (A-1325) The Board approved, as amended, the process for applications and nominations. Amendments were made with respect to conflicts, funding teenage pregnancy and birth control, alcohol and drug abuse and domestic violence. See Page 44.***

## **COMMUNITY SERVICES DEPARTMENT**

### **PARKS AND RECREATION DIVISION**

- A. **MOTION TO APPROVE** Broward County Safe Parks and Land Preservation Bond Issue Challenge Grant minimum qualifications and rules and standard form application and the SWIM Central Grant minimum qualifications and rules and standard form application.

***ACTION: (A-1646) Approved, as amended. See Page 51.***

B. **MOTION TO ADOPT** Resolution 2000-1229 of the Board of County Commissioners of Broward County, Florida, amending Volume 1, Chapter 12, Part V, Broward County Administrative Code relating to the Broward County Parks and Recreation Advisory Board, to revise Section 12.47 in relation to the 2000 Safe Parks and Land Preservation Bond Issue; designating the Broward County Parks and Recreation Advisory Board to serve in a citizens oversight committee capacity for the non-land acquisition components of the Safe Parks and Land Preservation Bond Issue; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

***ACTION: (A-1646) Approved, as amended. See Page 51.***

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

### **BIOLOGICAL RESOURCES DIVISION**

- **MOTION TO ADOPT** Resolution 2000-1230 of the Board of County Commissioners of Broward County, Florida to be known as the Land Preservation and Acquisition Resolution to provide criteria for the land acquisition portion of the Safe Parks and Land Preservation Bond Issue; and creating the Land Preservation and Acquisition Advisory Board to serve in a citizens' oversight capacity.

***ACTION: (A-1847) Approved, as amended. See Page 57.***

## **COUNTY ADMINISTRATOR**

- **MOTION TO SUPPORT** Florida League of Cities' position on HR 5265, and direct the Chair to send letters to the Broward Congressional Delegation asking them to co-sponsor and support this legislation.

***ACTION: (A-2907) Approved, as corrected. (Scrivener's Error see County Administrator's memorandum.)***

## **SUPPLEMENTAL AGENDA**

### **COUNTY ATTORNEY**

- **DISCUSSION:** Request for waiver of potential attorney-client privilege between the Broward County Board of County Commissioners and Mr. John J. Copelan Jr., in connection with his prior employment at County Attorney regarding the acquisition of land at Port Everglades.

***ACTION: (A-0210) Approved request for waiver of potential attorney-client privilege.***

### **COUNTY COMMISSION**

- **MOTION TO APPOINT** Commissioner Lieberman to the Engineering/Inspection of Midport Cranes S/N RLI No. 091500-RB. (Commissioner Lieberman)

***ACTION: (A-0210) Approved.***

## **NON AGENDA**

### **50. GREETINGS TO COMMISSIONER PARRISH'S GRANDMOTHER ORENE NEWSOME - COMMISSIONER PARRISH**

***ACTION: (A-3115) See Page 81.***

### **51. GET WELL WISHES TO PATTIE WEBSTER - COMMISSIONER PARRISH**

***ACTION: (A-3142) See Page 82.***

### **52. TAXI CAB LOTTERY - COMMISSIONER PARRISH**

***ACTION: (A-3235) See Page 83.***

### **53. INFRASTRUCTURE SUBCOMMITTEE MEETING OF THE GROWTH MANAGEMENT STUDY COMMISSION - TUESDAY, OCTOBER 24, 2000 - SEND COUNTY REPRESENTATION - COMMISSIONER LIEBERMAN**

***ACTION: (A-3533) See Page 89.***

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