

MEETING OF OCTOBER 22, 1996

(The meeting convened at 10:12 a.m., recessed at 1:10 p.m., reconvened at 2:25 p.m., and adjourned at 2:54 p.m.)

PLEDGE OF ALLEGIANCE - *led by Commissioner John P. Hart.*

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE an interstate ground transportation permit between Broward County, Florida and Bahama Link Inc. at the Fort Lauderdale-Hollywood International Airport effective upon Board approval with an expiration date of September 30, 1997 and month to month thereafter, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

2. MOTION TO APPROVE an interstate ground transportation permit between Broward County, Florida and Dolphin Tours & Transportation Inc. at the Fort Lauderdale- Hollywood International Airport effective upon Board approval with an expiration date of September 30, 1997 and month to month thereafter, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

3. MOTION TO APPROVE the consent to a sublease between The Certified Group Inc. and Shasta Aviation Corporation d/b/a Crescent Helicopters, at The Certified Group Inc.'s leasehold at North Perry Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

4. MOTION TO APPROVE a certificate by Broward County, Florida ("County") to Village Shoppes Associates, Ltd. ("Lessee") and the Great-West Life Assurance Company ("Lender"), with respect to the lease agreement between the county and lessee (as successor to H.A.U.L. Associates), dated April 24, 1984, as amended by the First Amendment to Lease, dated October 3, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

5. MOTION TO APPROVE the terminal building lease agreement between Broward County, Florida and Laker Airways Inc. for the lease and use of 157 square feet of airline ticket office space (Type 1)

and 13 square feet of common use hallway (Type 1) in Terminal Three at the Fort Lauderdale-Hollywood International Airport effective upon Board approval and shall continue in effect until October 31, 1996, and month to month thereafter with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

6. MOTION TO ADOPT Resolution 96-981 authorizing acceptance and execution of a Joint Participation Agreement between Broward County and the Florida Department of Transportation (WPI No. 4820138) in the amount of \$4,383,000 (state's share) for construction of Concourse "E" terminal and connector at the Fort Lauderdale- Hollywood International Airport; and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-1256) Approved.

7. MOTION TO AUTHORIZE Aviation Department to transmit an interim Airport Layout Plan (ALP) for Fort Lauderdale-Hollywood International Airport (FLL) to the Federal Aviation Administration (FAA) for approval of Concourse "E", Terminal Building Expansion, Parking and Roadway Improvements, Airport Maintenance Facility and related modifications.

ACTION: (A-1256) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

8. MOTION TO APPROVE reconveyance by quit claim deed under 255.22 of the Florida Statutes of a portion of road right-of-way previously donated to Broward County to Engle Homes/Pembroke Inc. as successor in title to the donor, and authorize the Chair and Clerk to execute and record quit claim deed. Parcel 96-7

ACTION: (A-1256) Approved.

9. MOTION TO APPROVE a contract for assignment of tax certificate from Barbara Rubin for Tax Certificate 9335.000; Tax Year 1989, in the amount of \$1,483.46; authorize the Chair and Clerk to execute contracts, and authorize acceptance of assignment and transfer of same.

ACTION: (A-1256) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

FISCAL OPERATIONS DIVISION

10. MOTION TO APPROVE AND EXECUTE satisfactions of claim of lien to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A-1256) Approved.

11. MOTION TO ADOPT Resolution 96-982 assessing liens for unpaid water or sewer or water and sewer charges.

ACTION: (A-1256) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

12. MOTION TO APPROVE a transfer agreement between Broward County and the City of Parkland for transfer of jurisdiction over Holmberg Road, between Riverside Drive and University Drive, and authorize the Chair and Clerk to execute said agreement.

ACTION: (A-1256) Approved.

STREETS AND HIGHWAYS DIVISION

13. MOTION TO ADOPT budget Resolution 96-983 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$70,000 to resurface Holmberg Road (Riverside Drive to University Drive) in the City of Parkland. Project 9701

ACTION: (A-1256) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

14. MOTION TO APPROVE the first amendment to an agreement between Broward County and Habitat for Humanity of Broward Inc. to increase the amount of the agreement to \$100,000 for Habitat's participation in the Affordable Housing Revolving Loan Fund.

ACTION: (A-1256) Approved.

PURCHASING DIVISION

For Public Works Department

15. MOTION TO APPROVE the second amendment to an agreement between Broward County and Post, Buckley, Schuh & Jernigan Inc. for consultant services for Douglas Road, from Sheridan Street to Pembroke Road, Project No. 5116, in the amount of \$13,307.80, increasing the total contract amount from \$660,409.38, to \$673,717.18, increasing the contract time from 788 calendar days to 929 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

RISK MANAGEMENT DIVISION

16. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim No. 94 WC 0175 MR in the amount of \$124,300.

ACTION: (A-1256) Approved.

17. MOTION TO AUTHORIZE full and final settlement of Claim No. BBT/061390MILL in the amount of \$17,500.

ACTION: (A-1256) Approved.

18. MOTION TO AUTHORIZE full and final settlement of Claim No. DNM/092590LOPE in the amount of \$155,000.

ACTION: (A-1256) Approved.

OFFICE OF INFORMATION TECHNOLOGY

19. MOTION TO APPROVE the fourth amendment to an agreement dated June 23, 1992 between Broward County and SCC Communications Corp. for a Computer Aided Dispatch System (CADS) amending scope of work, modifying time for performance and terms of payment, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES

20. MOTION TO APPROVE Amendment No. 1 to agreements between Broward County and Staff Builders Services Inc. from July 1, 1996 to June 30, 1997, for the purpose of incorporating administrative changes pursuant to Section 17.1 of the three agreements for homemaker, personal care and respite care services, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

FIRE RESCUE DIVISION

21. MOTION TO APPROVE an agreement between Broward County and John Ward, Coordinator, in the amount of \$4,900 which shall be paid at the rate of \$100 per week for 49 weeks from October 1, 1996 through September 30, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

HEALTH CARE MANAGEMENT

22. MOTION TO APPROVE Agreement No. 94H-SH02 between Broward County and Sunshine Health Center Inc. from July 1, 1996 to February 28, 1997 in the amount of \$447, 110 for the purpose of the acquisition and renovation of affordable housing and adjunct support services, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

23. MOTION TO APPROVE Agreement No. IMC-97 between Broward County and Inphynet Managed Care Contracting Services Inc. from October 1, 1996 to September 30, 1997 at a total cost not to exceed \$180,000 annually for the purpose of providing medical/legal examinations for sexual assault victims and child physical abuse victims, and authorize the Chair and Clerk to execute same

ACTION: (A-1256) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

24. MOTION TO APPROVE an agreement between Broward County and the State of Florida Division of Cultural Affairs (Grant No. 97-6006) in the amount of \$10,594 for the purpose of conducting a literary arts program as part of the Broward Cultural Affairs Division Arts Education Program for the period September 1, 1996 through August 30, 1997, and authorize the Chair and Clerk to execute same.

(Cash match \$10,594)

ACTION: (A-1256) Approved.

EMERGENCY MANAGEMENT DIVISION

25. A. MOTION TO APPROVE a grant agreement between Broward County and the State of Florida, Department of Community Affairs (DCA) in the amount of \$617,522 to shutter and otherwise mitigate future hurricane damage to Broward County buildings, from date of execution through completion of project scope, and authorize the Chair and Clerk to execute same. (County in-kind match of \$302,216)

ACTION: (A-1256) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-984 within the Grant Fund for the Emergency Management Division in the amount of \$617,522 for the purpose of mitigating future hurricane damage to Broward County buildings.

ACTION: (A-1256) Approved.

26. A. MOTION TO APPROVE a grant agreement between Broward County and the State of Florida, Department of Community Affairs (DCA) in the amount of \$31,780 to update hazardous material data from date of execution through September 30, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-985 within the Grant Fund for the Emergency Management Division in the amount of \$31,780 for the purpose of updating hazardous material data.

ACTION: (A-1256) Approved.

27. A. MOTION TO APPROVE a grant agreement between Broward County and the State of Florida, Department of Community Affairs (DCA) in the amount of \$115,090 to implement and administer Broward County's emergency management and preparedness program from October 1, 1996 to September 30, 1997, and authorize the Chair and Clerk to execute same. (County in-kind match is existing program funding, cannot be used to supplant existing funds)

ACTION: (A-1256) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-986 within the Grant Fund for the Emergency Management Division in the amount of \$115,090 for the purpose of enhancing Broward County's emergency management and preparedness programs.

ACTION: (A-1256) Approved.

C. MOTION TO APPROVE one new grant funded position, Administrative Manager II, to be assigned to the Emergency Management Division.

ACTION: (A-1256) Approved.

D. MOTION TO ADOPT Resolution 96-987 exempting from Civil Service the Administrative Manager II position within the Emergency Management Division.

ACTION: (A-1256) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

POLLUTION PREVENTION AND REMEDIATION DIVISION

28. A. MOTION TO APPROVE Agreement No. 447 between the Florida Department of Environmental Protection (FDEP) and Broward County to provide petroleum contamination site cleanup related services.

ACTION: (A-1587) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-988 within the special purpose fund 027 Environmental Detection Incentive (EDI) "State Cleanup Fund" in the amount of \$463,576 for Fiscal Year 1997.

ACTION: (A-1256) Approved.

29. MOTION TO APPROVE Contract GC460 between Broward County and the Florida Department of Environmental Protection (FDEP) for the Compliance Verification (CV) Program of the Department of Natural Resources Protection for which the total expenditures will be \$546,018 and which expenditures are fully funded by the state.

ACTION: (A-1256) Approved.

BIOLOGICAL RESOURCES DIVISION

30. MOTION TO ACCEPT a conservation easement from the George H. Lange Living Trust for wetland mitigation associated with Centrum Hillsboro Plat, a commercial parcel, over approximately 1.05 acres of real property in the City of Coconut Creek, Broward County, Florida for the Biological Resources Division.

ACTION: (A-1256) Approved.

31. MOTION TO ACCEPT a conservation easement from A. Mitzvah Inc. for wetland mitigation associated with Meadowbrook Terrace, an adult congregate living facility, over approximately 0.314 acres of real property in the City of Hollywood, Broward County, Florida for the Biological Resources Division.

ACTION: (A-1256) Approved.

32. MOTION TO ACCEPT a conservation easement from Country Lakes, L.P. for wetland mitigation associated with Country Lakes North, a residential development, over approximately 25.0 acres of real property in Unincorporated Broward County, Florida for the Biological Resources Division.

ACTION: (A-1256) Approved.

33. MOTION TO APPROVE Amendment No. 6 to an agreement between the State of Florida and Broward County for cost-sharing of the Hollywood/Hallandale Beach Renourishment Project to include a feasibility study to examine the use of structures to stabilize beach sand from erosion, and authorize the Chair and Clerk to execute same for the Biological Resources Division.

ACTION: (A-1256) Approved.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

BUILDING AND PERMITTING DIVISION

34. MOTION TO APPROVE an interlocal agreement between Broward County and the City of Wilton Manors to provide the City of Wilton Manors hearings before the Broward County Unsafe Structures Board and shall continue in effect for a two-year period beginning October 1, 1996 until midnight September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

35. MOTION TO APPROVE an interlocal agreement between Broward County and the City of Wilton Manors to provide the City of Wilton Manors inspection, plan review and/or Building Official services to be performed by the Broward County Building and Permitting Division from October 1, 1996 to September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

COMMUNITY DEVELOPMENT DIVISION

36. MOTION TO APPROVE the satisfaction of mortgage on a residential redevelopment benefit payment in the amount of \$33,500 made to James Going, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

37. MOTION TO APPROVE two subordination agreements for the purpose of permitting Broward County to remain in second and third lien positions on two deferred payment loans for rehabilitation work in the amount of \$550 and \$9,900 made to Mary Lord Parchmont, now known as Mary Lord Adderley, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

38. MOTION TO APPROVE the satisfaction of mortgage on a 5 percent direct loan in the amount of \$60,000 made to Faj-Hein, a general partnership, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

39. MOTION TO APPROVE two satisfaction of mortgages on two deferred payment loans in the amounts of \$12,200 and \$600 respectively made to Katie Williams a.k.a. Katie Weathers, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

40. MOTION TO APPROVE the second amendment to the new funding agreement between Broward County and the Davie Community Redevelopment Agency to fund the Improvements to Davie's East Area, requesting a five-month extension of the agreement from October 31, 1996 to March 31, 1997 with no change in the original funding allocation of \$538,182, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

41. MOTION TO APPROVE the first amendment to an agreement between Broward County and Davis Financial Corporation requesting a modification in the scope of services and a six-month extension to the term of the agreement from October 31, 1996 to April 30, 1997 under the State Housing Initiatives Partnership (SHIP) Program with no change to the original funding allocation of \$146,000, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

PORT EVERGLADES DEPARTMENT

42. A. MOTION TO APPROVE a relocation agreement between Broward County, Minnesota Mining and Manufacturing Company (3M), and MMI International Corp. (MMI) to relocate 3M from its current leasehold in Foreign Trade Zone No. 25 at Port Everglades wherein MMI agrees to bear the costs of such relocation, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

B. MOTION TO APPROVE an amendment to the lease agreement between Broward County and Minnesota Mining and Manufacturing Company (3M) to relocate 3M from its current leasehold in Building "B", Bay 7, consisting of 3,033 square feet of warehouse space to Building "E", Bay 14, consisting of 2,958 square feet in Foreign Trade Zone No. 25 at Port Everglades, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

C. MOTION TO APPROVE a lease agreement between Broward County and MMI International Corp. (MMI) for 11,976 square feet of warehouse space in Building "B", Bays 7,8,9 and 10, in Foreign Trade Zone No. 25 at Port Everglades, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

43. MOTION TO APPROVE the renewal of a one-year lease agreement between Broward County and Anchor Petroleum Inc. for Suite No. 304 in Building 611 at Port Everglades, consisting of 332 square feet for the period November 1, 1996 through October 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

44. MOTION TO APPROVE the 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, for the period of November 1, 1996 through October 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

45. MOTION TO APPROVE a Consent, Estoppel Certificate and Agreement of Broward County, for a leasehold mortgage between Eller Drive Limited Partnership, as lessee, and Internationale Nederlanden (U.S.) Capital Corporation upon lessee's leasehold interest, and authorize the Chair and Clerk to execute same.

ACTION: (A-1256) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

46. MOTION TO APPROVE the business travel and trips in accordance with Administrative Order 105.

ACTION: (A-1256) Approved.

47. MOTION TO ADOPT budget Resolution 96-989 transferring within the General Fund in the amount of \$67,373 from the County Commission Reserve for expenses of Cash Bond Project.

ACTION: (A-1620) Approved.

COMMISSION AUDITOR

48. MOTION TO FILE the Commission Auditor's report entitled "Batterers' Intervention Program", dated October 9, 1996. Administrator response is attached; no further response is necessary.

ACTION: (A-1256) Approved.

BOARD APPOINTMENTS

49. MOTION TO APPROVE the appointment of Mr. Dennis Haas to serve on the Committee for Community Development. Mr. Haas will fill a vacant position on the board. (Commissioner Rodstrom)

ACTION: (A-1256) Approved.

50. MOTION TO APPROVE the appointment of Council member Richard Pratt to the Community Action Agency Advisory Board. Council member Pratt will fill an existing vacancy in the elected official category. (Commissioner Parrish)

ACTION: (A-1256) Approved.

REQUEST TO SET FOR PUBLIC HEARING/MEETING SCHEDULE

51. MOTION TO ADOPT Resolution 96-990 directing the County Administrator to publish a notice of public hearing to be held Tuesday, November 12, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider a resolution consenting to the assignment of a vessel bunkering franchise at Port Everglades from Tropical Energy Inc. to Diversified Oil Company.

ACTION: (A-1256) Approved.

52. MOTION TO ADOPT Resolution 96-992 directing the County Administrator to publish notice of a public hearing to be held on Tuesday, November 5, 1996, at 10:00 a.m. in Room 422 of the Governmental Center to consider enactment of proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TO BE ENTITLED THE BROWARD COUNTY DETENTION FACILITY ORDINANCE; AUTHORIZING THE OPERATION AND MAINTENANCE OF A COUNTY DETENTION FACILITY BY A PRIVATE ENTITY; PROVIDING FOR THE APPOINTMENT OF A CONTRACT MONITOR; AUTHORIZING THE ADOPTION OF REGULATIONS FOR PRIVATELY OPERATED DETENTION FACILITIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1256) Approved.

53. MOTION TO ADOPT Resolution 96-991 directing the County Administrator to publish notice of public hearing to be held on November 12, 1996, at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of the second annual 1996 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING THE SECOND ANNUAL 1996 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN IN THE CITY OF WESTON; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE TOWN OF DAVIE AND THE CITY OF PEMBROKE PINES; AMENDING THE BROWARD COUNTY LAND USE PLAN TEXT RELATING TO COMMERCIAL USES, CONSERVATION USE, PUBLIC FACILITIES AND PHASED GROWTH, NATURAL AND HISTORIC RESOURCES, INTERGOVERNMENTAL COORDINATION, REDEVELOPMENT AND INCOMPATIBLE USES, AGRICULTURAL LANDS AND USES, AND FLEXIBILITY RULES PURSUANT TO THE 1996 BROWARD COUNTY LAND USE PLAN EVALUATION AND APPRAISAL REPORT; AMENDING THE BROWARD COUNTY LAND USE PLAN TO REVISE THE NATURAL RESOURCE MAP SERIES TO IDENTIFY COASTAL HIGH HAZARD AREAS AND DREDGE SPOIL SITES; AMENDING THE INTRODUCTION ELEMENT AND THE MONITORING AND EVALUATION ELEMENT AND ADMINISTRATION ELEMENT; AMENDING THE POTABLE WATER COMPONENT, THE SANITARY SEWER COMPONENT, THE SOLID WASTE COMPONENT, AND THE DRAINAGE AND NATURAL GROUNDWATER AQUIFER RECHARGE COMPONENT OF THE INFRASTRUCTURE ELEMENT; AMENDING THE COASTAL MANAGEMENT ELEMENT AND THE NATURAL DISASTER COMPONENT OF THE COASTAL MANAGEMENT ELEMENT; AMENDING THE CONSERVATION ELEMENT; AMENDING THE RECREATION AND OPEN SPACE ELEMENT; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-1256) Approved.

54. MOTION TO ADOPT Resolution 96-993 directing the County Administrator to publish notice of public hearing to be held on November 12, 1996 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, RELATING TO CARDROOMS; APPROVING AND AUTHORIZING PARI-MUTUEL WAGERING FACILITIES LICENSED PURSUANT TO CHAPTER 550, FLORIDA STATUTES, AND LOCATED IN BROWARD COUNTY TO OPERATE CARDROOMS AUTHORIZED PURSUANT TO SECTION 849.086, FLORIDA STATUTES; PROVIDING FOR THE DISTRIBUTION OF TAXES AND OTHER PAYMENTS BY CARDROOM OPERATORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner John P. Hart)

ACTION: (A-1256) Approved.

55. MOTION TO ADOPT Resolution 96-994 directing the County Administrator to publish notice of public hearing to be held on November 12, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of two "Small-Scale" amendments, in the Town of Davie and the City of Coconut Creek, to the Broward County Comprehensive Plan per Chapter 163, Section 163.3187(1)(c), Florida Statutes.

ACTION: (A-1256) Approved.

56. MOTION TO ADOPT Resolution 96-995 directing the County Administrator to publish notice of public hearing to be held on November 12, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of a "Small-Scale" amendment, in the City of Hallandale, to the Broward County Comprehensive Plan per Chapter 163, Section 163.3187(1)(c), Florida Statutes.

ACTION: (A-1256) Approved.

57. MOTION TO APPROVE County Commission meeting schedule for November, 1996.

ACTION: (A-1256) Approved.

58. MOTION TO APPROVE County Commission meeting schedule for December, 1996.

ACTION: (A-1256) Approved.

REGULAR AGENDA

10:00 A.M. PUBLIC HEARINGS

COUNTY COMMISSION SITTING AS GOVERNING BOARD

OF THE COCOMAR WATER CONTROL DISTRICT

59. A. MOTION TO OPEN the meeting as the Governing Board of the Cocomar Water Control District.

ACTION: (A-1857) By unanimous consent.

B. MOTION TO APPROVE a flowage easement agreement between Regency Lakes and the Cocomar Water Control District, and authorize the Chair and Clerk to execute same.

ACTION: (A-1857) Approved.

C. MOTION TO APPROVE the reappointment of Mr. Michael O'Donnell to the Cocomar Water Control District Advisory Board.

ACTION: (A-1872) Approved.

D. MOTION TO CLOSE the meeting of the Cocomar Water Control District.

ACTION: (A-1872) By unanimous consent.

COUNTY COMMISSION SITTING AS GOVERNING BOARD

OF THE TWIN LAKES WATER CONTROL DISTRICT

60. A. MOTION TO OPEN the meeting as the Governing Board of Twin Lakes Water Control District.

ACTION: (A-1879) By unanimous consent.

B. MOTION TO APPROVE the reappointment of the following members to the Twin Lakes Water Control District Advisory Board: Messrs. Jim O'Sullivan, William Meyer, and Michael DeRosa.

ACTION: (A-1884) Approved.

C. MOTION TO CLOSE the meeting of the Twin Lakes Water Control District.

ACTION: (A-1886) By unanimous consent.

COUNTY COMMISSION SITTING AS GOVERNING BOARD

OF THE WATER CONTROL DISTRICT NO. 2

61. A. MOTION TO OPEN the meeting as Governing Board of Water Control District No. 2.

ACTION: (A-1888) By unanimous consent.

B. MOTION TO APPROVE the reappointment of the following members to the Water Control District No. 2 Advisory Board: Ms. Nancy Hurlbert and Mr. Jack Butler.

ACTION: (A-1893) Approved.

C. MOTION TO CLOSE the meeting of the Water Control District No. 2.

ACTION: (A-1895) By unanimous consent.

END OF PUBLIC HEARINGS

COUNTY ADMINISTRATOR'S REPORT

62. REPORT County Administrator B. Jack Osterholt advised that he has nothing to report at this time; however, the jail report dated October 22, 1996 reflecting the total population of 3,592 was submitted for the record.

ACTION: (A-1927) 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. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

**DEPARTMENT OF STRATEGIC PLANNING
AND GROWTH MANAGEMENT**

DEVELOPMENT MANAGEMENT DIVISION

63. DELEGATION: Louis Cowling regarding request to amend the note on the Stirling Palm Estates Plat (046-MP-89). (Deferred from October 15, 1996)

ACTION: (A-1934) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

AVIATION DEPARTMENT

64. A. MOTION TO WAIVE Section 21.94 of the Broward County Procurement Code, "Changes to Negotiated Contracts", which requires changes to negotiated contracts be negotiated by the Selection Negotiation Committee prior to Board approval.

ACTION: (A-3524) Approved.

B. MOTION TO APPROVE Amendment No. 1 to an agreement between Broward County and Bermello, Ajamil & Partners Inc. for consultant services for Airfield Improvements (Interim Capacity Enhancement) at the Fort Lauderdale-Hollywood International Airport increasing the contract in a maximum amount not to exceed \$1,498,539, for additional services for expansions to F Ramp, South Economy Parking Lot and Ground Transportation Area (GTA) No. 2; for additional design services for Concourse E; to incorporate schematic design services, and to increase the reimbursable amount increasing the total contract amount to \$4,138,377, and authorize the Chair and Clerk to execute same.

ACTION: (A-3524) Approved and requested that O'Brien-Kreitzberg review the subject project as part of their duties and responsibilities as project manager for the airport expansion.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

65. A. MOTION TO ADOPT Resolution 96-996 of the Board of County Commissioners of Broward County, Florida stating its intention to participate in the financing program of the Florida Ports Financing Commission; indicating the anticipated source for its matching share of money required for participation in the program; and providing for an effective date.

ACTION: (B-118) Approved.

B. MOTION TO ADOPT Resolution 96-997 of the Board of County Commissioners of Broward County, Florida authorizing and directing the execution and delivery of a loan agreement with the Florida Ports Financing Commission; authorizing the borrowing of and not exceeding \$52,000,000 pursuant to the terms of the Loan Agreement for purposes of financing, refinancing and reimbursing the costs of acquiring, constructing and installing certain projects; agreeing to secure repayment of the principal of and interest on such loan with a pledge of moneys in the State Transportation Trust Fund; authorizing the execution and delivery of such other documents as may be necessary to effect such borrowing; and providing an effective date.

ACTION: (B-118) Approved.

OFFICE OF HOUSING FINANCE

66. MOTION TO ADOPT Resolution 96-998 of the Board of County Commissioners of Broward County, Florida amending the 1996-1998 Broward County Local Housing Assistance Plan as required by the Florida State Housing Initiatives Partnership (SHIP) Program; approving the amended 1996-1998 Local Housing Assistance Plan; authorizing submission of the amended Plan for review and approval by the Florida Housing Finance Agency; and authorizing the necessary certifications; providing for severability; and providing for an effective date.

ACTION: (B-123) Approved.

PURCHASING DIVISION

For Community Services Department

67. A. MOTION TO APPROVE an agreement between Broward County and M & N Transportation to provide paratransit services at a varying rate structure for the period December 29, 1996 through December 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (B-133) Approved.

B. MOTION TO APPROVE an agreement between Broward County and Cruisin' Community Transit Connection to provide paratransit services at a varying rate structure for the period December 29, 1996 through December 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (B-133) Approved.

C. MOTION TO APPROVE an agreement between Broward County and Handi- Van Inc. to provide paratransit services at a varying rate structure for the period December 29, 1996 through December 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (B-133) Approved.

D. MOTION TO APPROVE an agreement between Broward County and AAA Wheelchair and Stretcher to provide paratransit services at a varying rate structure for the period December 29, 1996 through December 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (B-133) Approved.

68. A. MOTION TO APPROVE an agreement between Broward County and Area Agency on Aging to

provide paratransit services at a varying rate structure for the period December 29, 1996 through December 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (B-140) Withdrawn at staff's request for further study.

B. MOTION TO APPROVE an agreement between Broward County and Village Car Service to provide paratransit services at a varying rate structure for the period December 29, 1996 through December 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (B-140) Approved.

C. MOTION TO APPROVE an agreement between Broward County and Comprehensive Paratransit Service to provide paratransit services at a varying rate structure for the period December 29, 1996 through December 28, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (B-140) Approved.

REVENUE COLLECTION DIVISION

69. MOTION TO ADOPT Resolution 96-999 of the Board of County Commissioners of Broward County, Florida amending Chapter 35, Part 1, Section 35.3 of the Broward County Administrative Code to provide for an increase of the service fee to be collected by Broward County officials and agencies for dishonored checks, drafts or money orders; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (B-159) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

70. DELEGATION: Mr. Bob Van Fleet, member of the Pet Overpopulation Focus Group, will present the final report.

ACTION: (B-164) By unanimous consent, the Board approved staff's recommendation to direct the County Attorney's Office to draft an ordinance to amend the section of Zoning Ordinance 91-3 limiting the number of pets in the household and determined that the Group, although sunsetted, could continue to meet informally and report to the county commission by delegation request.

71. MOTION TO ACCEPT the Animal Care and Regulation Division's final report on the Pet Overpopulation Focus Group's recommendations.

ACTION: (B-133) Approved.

**DEPARTMENT OF STRATEGIC PLANNING
AND GROWTH MANAGEMENT
CODE AND ZONING ENFORCEMENT
DIVISION**

72. MOTION TO DIRECT the County Attorney's Office to prepare a resolution amending the Schedule of Fees and Charges for certain permits and services provided by the Code and Zoning Enforcement Division in order to conform with changes in the Broward County Zoning Ordinance.

ACTION: (B-472) Approved.

73. A. MOTION TO WAIVE by a majority plus one vote, the public hearing after 5:00 p.m. for a rezoning ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (B-683) Approved.

B. MOTION TO ADOPT a Resolution 96-1000 setting two public hearings on Tuesday, November 26, 1996 at 2:00 p.m. and Tuesday, December 10, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 12-Z-96).

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearings at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

REZONING PETITION 12-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 20 AND 29, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; R-3, LOW-DENSITY MULTIPLE DISTRICT; R-1T, MOBILE HOME DWELLING DISTRICT; T-1 TRAVEL TRAILER PARK DISTRICT; RM-5, RESIDENTIAL MULTIPLE-FAMILY DWELLING DISTRICT; S-2, OPEN SPACE DISTRICT; B-3, GENERAL BUSINESS DISTRICT; M-1, LIGHT INDUSTRIAL DISTRICT AND M-2 MEDIUM INDUSTRIAL DISTRICT TO M-2, MEDIUM INDUSTRIAL DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE

REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

The November 26, 1996 and December 10, 1996 Public Hearings are to be Quasi-Judicial Public Hearings.

ACTION: (B-705) Approved.

74. A. MOTION TO WAIVE by a majority plus one vote, the public hearing after 5:00 p.m. for a rezoning ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (B-710) Approved.

B. MOTION TO ADOPT Resolution 96-1001 setting two public hearings on Tuesday, November 26, 1996 at 2:00 p.m. and Tuesday, December 10, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 13-Z-96).

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearings at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

REZONING PETITION 13-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 31, TOWNSHIP 47 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT TO RS-4, ONE-FAMILY DETACHED DWELLING; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

The November 26, 1996 and December 10, 1996 Public Hearings are to be Quasi-Judicial Public Hearings.

ACTION: (B-713) Approved.

75. A. MOTION TO WAIVE by a majority plus one vote, the public hearing after 5:00 p.m. for a rezoning ordinance as required by Section 125.66(4), Florida Statutes.

ACTION: (B-716) Approved.

B. MOTION TO ADOPT Resolution 96-1002 setting two public hearings on Tuesday, November 26, 1996 at 2:00 p.m. and Tuesday, December 10, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 17-Z-96).

This is required by Section 125.66(4), Florida Statutes. In order to schedule the Public Hearings at 2:00 p.m., the Board of County Commissioners must approve this proposed resolution by a majority plus one vote.

REZONING PETITION 17-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 15, TOWNSHIP 48 SOUTH, RANGE 41 EAST; FROM R-4, APARTMENT DISTRICT TO RM-19, MULTIPLE-FAMILY DWELLING DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

The November 26, 1996 and December 10, 1996 Public Hearings are to be Quasi-Judicial Public Hearings.

ACTION: (B-720) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (B-725) Approved with addendum.

COUNTY ADMINISTRATOR

77. MOTION TO ADOPT Resolution 96-1003 to dissolve the Courthouse Security Committee and amend the Broward County Administrative Code.

ACTION: (B-731) Approved.

78. MOTION TO ADOPT Resolution 96-1004 to dissolve the Broward County Criminal Justice Policy Committee and amend the Broward County Administrative Code.

ACTION: (B-737) Approved.

79. DISCUSSION: The appointment of a Blue Ribbon Committee to examine the process of amending professional services contracts and to make recommendations for streamlining.

ACTION: (B-740) Authorized the County Administrator to appoint the committee and additionally review the process of timely payment of invoices.

COUNTY ATTORNEY

80. MOTION TO APPROVE the execution of a Stipulated Final Judgment for full compensation in the amount of \$3,704,987 in the eminent domain case styled Broward County v. J.S. Powell, Jr., R.O. Powell, et al., Case No. 96-1847 (14), Parcel No. 1407A, inclusive of prejudgment interest and exclusive of reasonable attorney's fees and costs.

ACTION: (B-820) Approved.

81. MOTION TO APPROVE execution of a Stipulated Final Judgment for full compensation in the amount of \$1,169,811.50 in the eminent domain case styled Broward County v. J.S. Powell, Jr., R.O. Powell, et al., Case No. 96-1848 (07), Parcel No. 1407B, inclusive of prejudgment interest and exclusive of reasonable attorney's fees and costs.

ACTION: (B-825) Approved.

SUPPLEMENTAL AGENDA

PUBLIC WORKS DEPARTMENT

OFFICE OF GENERAL SERVICES

82. MOTION TO APPROVE the assignment of a lease agreement between Riverview of Fort Lauderdale Ltd. and Broward County from Riverview of Fort Lauderdale Ltd., the lessee/assignor to New River Associates Ltd., the assignee, in accordance with the terms of the attached assignment of lease, and authorize the Chair to execute a consent to such assignment.

REASON FOR SUPPLEMENTAL: There is a closing on November 1, 1996 and these items necessitate Commission action prior to that date.

ACTION: (B-834) Approved.

83. MOTION TO AUTHORIZE County Administrator to execute an estoppel certificate concerning the validity and effect of the lease agreement between Riverview of Fort Lauderdale Ltd. (New River Associates Ltd.) and Broward County.

REASON FOR SUPPLEMENTAL: There is a closing on November 1, 1996 and these items necessitate Commission action prior to that date.

ACTION: (B-845) Approved.

BOARD APPOINTMENTS

84. MOTION TO APPOINT Mr. Russell C. Guess to the Bicycle Advisory Committee of Broward County. (Commissioner Poitier)

ACTION: (A-1256) Approved.

NON AGENDA

85. PRESENTATION Mr. Roosevelt Walters, National Association for the Advancement of Colored People (NAACP), presented a plaque to County Administrator B. Jack Osterholt expressing appreciation for his support during 1996. He thanked the county commissioners for their continued work in moving forward to make Broward County a better place to live.

ACTION: (A-128) In accepting the plaque, Mr. Osterholt recognized NAACP for their contribution to the community and thanked Mr. Walters for the recognition.

86. PRESENTATION Sheriff Ron Cochran, Broward County Sheriff, mentioned the Board's support of the Broward Sheriff's Office (BSO) budget; recalled their investigation and identification of unclaimed cash bonds since taking office in 1993, and recognized the hard work of Mr. William E. McDonald, BSO's Bureau of Management, Finance, and Budget Director, and Mr. Jim Cali, BSO's Internal Auditor. Sheriff Cochran explained that BSO is approaching \$2 million for the recovery of said funds and returned a check to the Board for \$1.175 million which represents unclaimed Cash Appearance Bond funds.

ACTION: (A-219) The Board accepted the check and thanked Sheriff Cochran.

87. RECOGNITION Ms. Nicki E. Grossman, Greater Fort Lauderdale Convention Visitors' Bureau (GFLCVB) President, thanked the Board for supporting the tourism industry and the GFLCVB's activities. She introduced Meses. Sharon Wardel, Debbie Torsen, and Kelly Ripheneerg, GFLCVB, who are the reason that 44 percent of conventions and meetings return to the Greater Fort Lauderdale area. Ms. Grossman noted the presentation of the Gold Service Award to the GFLCVB "*the best big city in America to live, play, and conduct business in South Florida*", to be the result of a vote of 76,000 corporate, incentive and association planning readers of Meetings & Conventions Magazine who, after questioning, expressed their desire to serve at the GFLCVB.

Ms. Grossman reported on CVB's increase of 3 percent and the collection of 12.9 percent more in tourist tax in business and hotel for September 1996 over 1995.

ACTION: (A-289) The Board congratulated Convention Services Division of the Convention Visitors Bureau (CVB) and extended best wishes as the bureau moves forward into duplicating the number of meetings and conventions in 1997 to those held in 1996.

88. PROCLAMATION On behalf of the Board, the Chair read into the record a proclamation designating the week of November 3 through 9, 1996 as “*Animal Shelter Appreciation Week*” in Broward County and urged residents to be responsible pet owners.

ACTION: (A-414) Mr. Alan Davis, Animal Care and Regulation Division Director, accepted the proclamation and thanked the Board.

89. PROCLAMATION On behalf of the Board, the Chair read into the record a proclamation designating the week of October 28 through November 3, 1996 as “*Animal Care Officers, Animal Care Attendants, and Support Staff Days*”.

ACTION: (A-450) Mr. Alan Davis, Animal Care and Regulation Division Director, his colleagues, and volunteers accepted the proclamation and thanked the Board. He recognized his colleagues’ efforts to make the community better for everyone and encouraged everyone to support the Animal Shelter, a lifesaving service, by visiting and adopting a pet.

90. AWARD The Chair presented an award to Mr. Jim Acton, Assistant Director, and Ms. Susan Delicoppia, Employee Development, Human Resources Division, received by Broward County for “*Working Women Count Honor Roll*” from the United States Department of Labor (DOL), for innovative employer programs to enhance gender and family-supportive equity in the workplace. The Chair read an extract of a memorandum dated September 30, 1996 from Mr. Phil Rosenberg, Human Resources Division Director, regarding DOL’s “*Working Women Count Honor Roll*” Award.

ACTION: (A-629) On behalf of Mr. Rosenberg and the division, Mr. Acton and Ms. Delicoppia, accepted the award, thanked the Board and county administration for giving them the method to develop policies and programs that reflect its visions.

91. PRESENTATION Mr. Roosevelt Walters, National Association for the Advancement of Colored People (NAACP), presented a plaque to the county commission thanking them for their support over the previous years.

ACTION: (A-690) On behalf of the Board, the Chair accepted the plaque.

92. PROCLAMATION On behalf of the Board, Commissioner Gunzburger read into the record a proclamation designating Tuesday, October 22, 1996 as “*Rabbi Yaakov Thompson Day*” in Broward County.

ACTION: (A-769) Rabbi Thompson accepted the Proclamation, thanked the Board and the Temple Beth Israel congregation in welcoming himself and his family to Greater Fort Lauderdale, and invited the Board to join their congregation anytime.

93. PROCLAMATION On behalf of the Board, Commissioner Poitier read into the record a proclamation designating the week of October 23 through 30, 1996 as “*Florida Red Ribbon Week in Broward County*”.

ACTION: (A-932) Ms. Delores Hastings accepted the proclamation on behalf of the Commission on

Substance Abuse (a Division of the United Way), Mothers Against Drunk Drivers (MADD), and the National Public Safety Council. She recognized the Drug Free Years Program which informs parents about the rejection of drug and alcohol abuse and distributed red ribbons to the commission in recognition of this worthy cause.

94. EMPLOYEE SERVICE RECOGNITION On behalf of the Board, the Chair presented the following county employees with service pins in recognition of their many years of county service:

TWENTY YEARS

Ms. Becky D. Peters, Library Division

Ms. Barbara K. Ludwig, Library Division

Ms. Valerie C. Kloes, Animal Care and Regulation Division Animal Control Division

Mr. Ralph R. Monteferranty, Water Supply Division

Mr. Isaac J. Baker, Water Supply Division

TWENTY-FIVE YEARS

Mr. William Gilmartin, Parks and Recreation Division

Mr. George R. Maurer, Code and Zoning Enforcement Division

Mr. F. D. Markward, Water Resources Management Division

ACTION: (A-1065) The employees accepted their service pins and thanked the Board.

95. MOTION TO DESIGNATE Commissioner Gunzburger to attend the Logic and Accuracy (L & A) on Monday, November 4, 1996 at 10:00 a.m. (Comm. Cowan)

ACTION: (B-882) Approved.

[Back to previous page](#)