

MEETING OF OCTOBER 25, 1994

(The meeting convened at 10 a.m. and adjourned at 11:25 a.m.)

PLEDGE OF ALLEGIANCE - led by Mayor Bob Mikes, city of Dania.

CALL TO ORDER

THOUGHT OF THE DAY - given by Commissioner Gunzburger

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE a Memorandum of Agreement (MOA) between the Federal Aviation Administration (FAA) and Broward County which provides the county access to certain agreed-upon radar data from the Air Traffic Control/radar system for monitoring such radar data using the county's Airport Noise and Operations Monitoring System, and authorize the Chair and Clerk to execute same.

ACTION: (A-700) Approved.

2. MOTION TO APPROVE a release, consent, subordination, attornment and nondisturbance agreement between Broward County, Florida, North Perry Aviation, Inc. and Mary Jo Eaton for T-Hangar No. 1 located at North Perry Aviation, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-700) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

3. MOTION TO APPROVE a permanent utility easement executed by HBC, Inc., a Florida corporation, and authorize payment in the amount of \$12,000 for BCOES Regional Water Supply Project 1134, Parcel "A"; authorize the Chair and Clerk to execute easement agreement, and authorize acceptance and recordation of same.

ACTION: (A-700) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

4. MOTION TO APPROVE check lists issued from September 1, through September 30, 1994 in accordance with Florida Statute 136.06.

ACTION: (A-700) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

5. MOTION TO AWARD an open-end contract to low responsive responsible bidder, Dillard Paper Company, Group 1 (Items 1 through 3) for NCR-type paper, (Bid D-07-94-15-12) in the approximate amount of \$148,800 for the Print Shop, subject to receipt and acceptance of insurance, and to authorize the Purchasing Division director to renew the contract for two (2) one-year periods. The initial contract period shall start after acceptance of insurance and shall terminate one (1) year from that date.

ACTION: (A-736) Withdrawn at staff's request. Commissioner Rodstrom suggested that the Chair write a letter to Dade and Palm Beach Counties and find out whether they intend to pursue reciprocity for local vendors.

For Public Works Department

6. MOTION TO APPROVE a release of retainage and final payment in the amount of \$2,427.02 to International Technology Inc., for contamination assessment and cleanup at Lift Station 50M under Work Authorization No. 1 per the agreement approved by the Board of County Commissioners on July 10, 1990 for "Assessment and Cleanup of Contamination by Petroleum or other Hazardous Material." BCOES Project 8484.

ACTION: (A-700) Approved.

7. MOTION TO APPROVE a release of retainage and final payment in the amount of \$316.68 to International Technology Inc., for contamination assessment and cleanup at Lift Station 50K under Work Authorization No. 1 per the agreement approved by the Board of County Commissioners on July 10, 1990 for "Assessment and Cleanup of Contamination by Petroleum or other Hazardous Material." BCOES Project 8484.

ACTION: (A-700) Approved.

8. MOTION TO NOTE for the record Usage #18 of Contract P-03-92-29-12, Emergency Installation and Repair Services for Water and Sewer Systems, W. Jackson and Sons Construction, for asphalt repair at a cost of \$6,569 for the Water Supply Division, approval having been given under the conditions of the contract and the emergency provisions of the Broward County Procurement Code.

ACTION: (A-700) Approved.

For Community Services Department

9. MOTION TO APPROVE an agreement between Broward County and ArtServe, Inc. on a sole source basis in an amount not to exceed \$134,800 for a cooperative marketing program for the period October 25, 1994 through September 30, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-834) Approved.

REVENUE COLLECTION DIVISION

10. MOTION TO APPROVE AND EXECUTE satisfaction of claim of liens against Karry Alan Kaduk, Cheryl D. Stroman, Albert Diggs, Christine Mar, John H. Pelkey, Dell Maurice Anderson and James Hawthorne Byran.

ACTION: (A-700) Approved.

11. MOTION TO APPROVE Tabulation of Investments for month of September 1994.

ACTION: (A-700) Approved.

HUMAN SERVICES DEPARTMENT

TRAUMA MANAGEMENT AGENCY

12. MOTION TO APPROVE an agreement between Broward County and the city of Hallandale through March 31, 1995 in the amount of \$18,698.75 for the purpose of purchasing handheld, pen-based computers and associated software, enhancements and training, and authorize the Chair and Clerk to execute same.

ACTION: (A-700) Approved.

13. MOTION TO APPROVE an agreement between Broward County and the city of Margate through March 31, 1995 in the amount of \$14,038.75 for the purpose of purchasing handheld, pen-based computers and associated software, enhancements and training, and authorize the Chair and Clerk to execute same.

ACTION: (A-700) Approved.

ELDERLY SERVICES DIVISION

14. A. MOTION TO APPROVE agreement between Broward County and the Areawide Council on Aging of Broward County, Inc., from September 30, 1994 to September 29, 1995 for the continuation of the Emergency Home Energy Assistance for the Elderly Program in the amount of \$1,500, and authorize the Chair and Clerk to execute same. (No county match is required.)

ACTION: (A-700) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-1290 within the Federal Grants Revenue Fund for the Elderly Services Division in the amount of \$1,500 for the purpose of providing Emergency Home Energy Assistance for the Elderly Program services.

ACTION: (A-700) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

15. MOTION TO FILE a report for the fourth quarter in accordance with Section 29.17g of the Broward County Administrative Code relating to the Broward County Cultural Grant Agreements.

ACTION: (A-700) Approved.

PARKS AND RECREATION DIVISION

16. MOTION TO ADOPT Resolution 94-1291 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation from the Hannibal Penny, Jr. family of a

concrete and bronze model helicopter takeoff and landing pad for the use and benefit of the Broward County Parks and Recreation Division at Markham Park, and authorizing the County Administrator to take all administrative actions to implement same.

ACTION: (A-700) Approved.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

BUILDING AND PERMITTING DIVISION

17. MOTION TO APPROVE an interlocal agreement between Broward County and the city of North Lauderdale to provide the city of North Lauderdale inspection, plan review and/or Building Official services to be performed by the Broward County Building and Permitting Division from October 1, 1994 to September 30, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-700) Approved.

COMMUNITY DEVELOPMENT DIVISION

18. MOTION TO APPROVE a new funding agreement between Broward County and the Davie Community Redevelopment Agency to fund the improvements for Davie's East Area in the amount of \$538,182 from the Notice to Proceed to October 31, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-700) Approved.

19. A. MOTION TO ADOPT budget resolution 94-1292 transferring funds within the Disaster Relief Grant Fund for the Community Development Division in the amount of \$500,000 to expend funds within the allotted timeframe.

ACTION: (A-700) Approved.

B. MOTION TO ADOPT budget resolution 94-1293 transferring funds within the Community Development Block Grant Fund for the Community Development Division in the amount of \$500,000 to replace Disaster Relief funds.

ACTION: (A-700) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

20. MOTION TO APPROVE business travel and trips on the approved travel list for county employees in accordance with Administrative Order 105.

ACTION: (A-700) Approved.

COUNTY ATTORNEY

21. MOTION TO EXECUTE termination of revocable license agreement in accordance with the county

and owner's settlement stipulation in the condemnation case Broward County v. Steak and Ale of Florida, Inc., et al., Case No. 91-10846-17, Parcel Nos. 28 and 28 TE (Temporary Construction Easement); Northwest 62 Street, Cypress Creek Road Project, Powerline Road to Interstate 95.

ACTION: (A-700) Approved.

22. MOTION TO APPROVE an offer of judgment in the amount of \$4,200 inclusive of interest, but exclusive of attorney's fees and costs in the condemnation case Broward County v. DSH-LTD., a Florida limited partnership, et al., Case No. 92-28759 (05); Parcel Nos. 63 and 63 TCE (Temporary Construction Easement), McNab Road Project.

ACTION: (A-700) Approved.

23. MOTION TO APPROVE an offer of judgment in the amount of \$10,500 inclusive of interest, but exclusive of attorney's fees and costs in the condemnation case of Broward County v. DSH-LTD., a Florida limited partnership, et al., Case No. 92-28759 (05); Parcel Nos. 58 and 58 TCE (Temporary Construction Easement), McNab Road.

ACTION: (A-700) Approved.

24. MOTION TO APPROVE an offer of judgment in the amount of \$3,800 inclusive of interest, but exclusive of attorney's fees and costs in the condemnation case Broward County v. DSH-LTD., a Florida limited partnership, et al., Case No. 92-28759 (05); Parcel Nos. 59 and 59 TCE (Temporary Construction Easement), McNab Road Project.

ACTION: (A-700) Approved.

25. MOTION TO APPROVE settlement of attorney's fees in the amount of \$42,000 in the condemnation case of Broward County v. Ann Blanton Coleman and Herbert L. Fletcher, et al., Case No. 90-8834 (04), Parcel No. 10.1, Environmentally Sensitive Lands, Secret Woods Nature Center.

ACTION: (A-700) Approved.

26. MOTION TO APPROVE settlement of attorney's fees in the amount of \$25,000 and costs including experts fees in the amount of \$22,740, in the condemnation case Broward County v. Century Service Transportation, Inc., et al., Case No. 92-27530 (09), Parcel No. 1.10, Environmentally Sensitive Lands.

ACTION: (A-700) Approved.

BOARD APPOINTMENTS

27. MOTION TO APPROVE reappointment of Joy Mack to the Multi-Ethnic Advisory Board. (Comm. Gunzburger)

ACTION: (A-700) Approved.

28. MOTION TO APPROVE appointment of Mr. Timothy P. Griffin to the Code Enforcement Board (Second) in the subcontractor slot which is currently vacant. (Comm. Gunzburger)

ACTION: (A-700) Approved.

29. MOTION TO APPROVE appointment of Doris Barnett to the Advisory Board for Persons with Disabilities. Ms. Barnett fills a vacant slot. (Comm. Gunzburger)

ACTION: (A-700) Approved with addendum noting that this is Commissioner Poitier's nomination.

30. MOTION TO APPROVE appointment of Eugenio R. Torres to the Multi-Ethnic Advisory Board. Mr. Torres will fill a vacancy in District 5 on this Advisory Board. (Comm. Parrish)

ACTION: (A-700) Approved.

31. MOTION TO APPROVE appointment of Mr. Don Faust to serve on the Drug-Related Nuisance Abatement Board. Mr. Faust fills a vacancy. (Comm. Gunzburger)

ACTION: (A-700) Approved.

32. MOTION TO APPROVE reappointment of Ron Greenstein to the Broward Regional Health Planning Council, representing the Major Purchaser category. Mr. Greenstein's present term expires on October 30, 1994 and his reappointment will be for another two-year term, through October 30, 1996. (Comm. Hart)

ACTION: (A-700) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR

33. A. JAIL REPORT County Administrator B. Jack Osterholt reported that the county is 93 percent of the cap at the detention facilities. He stated that the county exceeds the cap on four floors and continues to pay a fine.

ACTION: (A-936) No action was taken.

B. BARC Mr. Osterholt extended an open invitation to the county commission to attend the official opening of the new Broward Addiction and Recovery Center (BARC) facility in the city of Coral Springs on Wednesday, October 26, 1994 at 3 p.m.

ACTION: (A-943) For informational purposes.

34. DELEGATION: Mayor Bob Mikes, city of Dania regarding request that county submit an application for development approval.

(Comm. Poitier)

ACTION: (A-960) The Board moved the agenda and no action was taken on the item.

PUBLIC WORKS DEPARTMENT

35. MOTION TO APPROVE the fourth amendment to a lease agreement between Broward County and Riverview of Fort Lauderdale, Ltd. for redevelopment of the East Annex Property, and authorize the Chair and Clerk to execute same.

ACTION: (A-1327) Withdrawn at staff's request.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works Department

36. MOTION TO APPROVE an increase in the Change Order allowance of \$50,000 for a revised total of \$591,334.67, which is 19 percent of the original contract amount of \$3,184,326.59 awarded by the Board on May 4, 1993 to Triple R. Paving, Inc., Contract H-01-93-26-OF, for improvements to Rock Island Road. BCED Project 5077.

ACTION: (A-1327) Approved.

HUMAN SERVICES DEPARTMENT

ALCOHOL AND DRUG ABUSE SERVICES DIVISION

37. MOTION TO ADOPT Resolution 94-1294 of the Board of County Commissioners of Broward County, Florida, amending Section 36.1 of the Broward County Administrative Code, relating to the fee schedules for the Alcohol and Drug Abuse Services Division; substituting new fee schedules; providing for severability; providing for inclusion in Administrative Code; and providing for an effective date.

ACTION: (A-1339) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-1347) Approved with addendum.

GREATER FORT LAUDERDALE

CONVENTION AND VISITORS BUREAU

39. MOTION TO APPROVE an agreement between Broward County and a joint venture of Everett Clay Associates, Inc. and Manning, Selvage, and Lee, Inc. for public relation services for the Greater Fort Lauderdale Convention and Visitors Bureau in an amount not to exceed the amount budgeted for Greater Fort Lauderdale Convention and Visitors Bureau public relations for the period October 1, 1994 through September 30, 1996 with two (2) one-year renewal options, and authorize the Chair and Clerk to execute same.

ACTION: (A-1360) Approved with addendum and approved the amendments which will be outlined in the minutes of this meeting.

COUNTY COMMISSION

40. MOTION TO ADOPT Resolution 994-1295 of the Board of County Commissioners of Broward

County, Florida, providing for the rededication and naming of the West Ken Lark Community Center in honor of the late George Perry, the founding president of the West Ken Lark Homeowners Association; and providing for an effective date. (Comm. Poitier)

ACTION: (A-1844) Approved.

41. A. MOTION TO ADOPT budget resolution 94-1296 transferring Two Hundred Sixty Thousand dollars (\$260,000) within the Convention Center Fund from reserve to fund an agreement relating to the 1995 Super Bowl.

ACTION: (A-1865) Approved.

B. MOTION TO APPROVE an agreement between Broward County and the South Florida Super Bowl XXIX Host Committee, Inc. in the amount of Two Hundred Sixty Thousand Dollars (\$260,000) for an event sponsorship. (Execution contingent upon proper execution and provision of exhibits by Super Bowl Committee.)

ACTION: (A-1865) Approved with addendum.

42. MOTION TO APPROVE an agreement between Broward County and King Street I Associates for lease of office space in Washington, D.C. (our Alexandria Office).

ACTION: (A-1933) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

43. MOTION TO ADOPT budget resolution 94-1297 transferring funds within the General Fund for the Supervisor of Elections in the amount of \$475,000 to provide terminal upgrades and network equipment to support the National Voter Registration Act (NVRA) requirements.

ACTION: (A-1944) Approved.

NON AGENDA

44. PROCLAMATION On behalf of the Board, Commissioner Cowan read into the record a proclamation designating October 25, 1994 as **Mr. William "Popsy" Thompson and the World Famous Rainbow Crusaders Day**. The Board requested that the entire county join to celebrate this day with Rainbow Crusaders.

ACTION: (A-317) Mr. Thompson accepted the proclamation and extended his appreciation to the Board.

45. CERTIFICATES On behalf of the Board, the Chair presented Certificates of Appreciation to the sponsors, parents, Rainbow kids, the Rainbow volunteer staff, the county agencies, city agencies and private individuals who shown their strength in coming together for one common goal to help the community.

ACTION: (A-500) The certificates were presented to Mr. Thompson. On behalf of Rainbow Crusaders, Mr. Thompson extended appreciation to the sponsors involved and acknowledged their efforts to promote racial harmony and a drug-free society.

46. PROCLAMATION On behalf of the Board, Commissioner Thompson read into the record a proclamation designating October 25 through November 5, 1994 as **Senior Games Days in Broward County Florida.**

ACTION: (A-421) Mr. Bob Harbin, Parks and Recreation Division director, accepted the proclamation and thanked the Board.

47. EMPLOYEE SERVICE PINS On behalf of the Board, County Administrator B. Jack Osterholt honored the following employees with service pins for their 20 years of county service:

Mr. Irwin Brenner - Mass Transit

Mr. Claude A. Viau - Mass Transit

Mr. Patrick Cunningham - Mass Transit

Ms. Carolyn L. Dixson - Libraries

Ms. Paula Sue Coy - Libraries

Mr. Willie E. Muccing - Libraries

Mr. Lee Billingsley - Public Works

Mr. Cleveland Boatwright - Water Supply

Mr. James Booker Jr. - Water Supply

Mr. Patricia A Walsh - Human Services

Mr. Lelia Roberts - Consumer Affairs

Mr. David Pompey - Aviation

ACTION: (A-700) The employees accepted their service pins and thanked the Board.

48. EMPLOYEE SUGGESTION PROGRAM On behalf of the Board, County Administrator B. Jack Osterholt presented Ms. Rita Perreault, Office of Environmental Services (OES), with an Intangible Award check for \$150. She suggested that the county identify locks on floodgates, fences, boat ramps and so forth with the county name and a contact telephone number so that people could call for information instead of just cutting off a lock.

ACTION: (A-614) Ms. Perreault accepted the award and thanked the Board.

49. ANNEXATION Commissioner Thompson discussed his understanding of the city of Fort Lauderdale's plan to annex Marina Mile; recognized the city performing a satisfactory job of taking commercial properties as a tax basis; questioned the county's position in this regard and suggested that the possibility of the county acquiring some equity off any future annexations be reviewed.

County Administrator B. Jack Osterholt reported on the recent meetings the county had with the city of

Fort Lauderdale regarding the city's proposal to annex Marina Mile and the annexation issue; recognized the proposed Local Annexation Bills before the Broward County Legislative Delegation which are currently analyzed by staff and mentioned the intent to apprise the Board on same in the near future.

Commissioner Rodstrom addressed the Board's previous discussions to eliminate the Broward County Unincorporated Areas and relocate them under the local governments, and mentioned the Board, if it is its policy, possibly reviewing favorably any annexation issue before them with the exception of it being contested by another individual.

After discussion, Commissioner Parrish referred to a copy of a letter dated October 5, 1994 from Mr. Walter J. Dix, Broward County Professional Paramedics and Fire Fighters, International Association of Fire Fighters, Local 3333, opposing the proposed annexation of the Marina Mile area and whether their positions would be protected. She recognized the outstanding work on infrastructure deficits for the south county and the unincorporated areas; questioned if this is the county's issue, whether the municipalities' and the unincorporated area residents' would be willing to accept the annexation or if the county ought to voice its concerns formally. Commissioner Parrish mentioned her doubts as to the timing in taking a position on the subject with the legislature.

Commissioner Rodstrom discussed the city of Fort Lauderdale's decline in population and federal revenue sharing and mentioned the city's review on ways to increase its city boundaries.

Commissioner Parrish expressed concerns on the fairness issue whereby municipalities would profit from properties generating revenue and the county would fund the unprofitable properties.

Commissioner Hart believed the county commission has an obligation to determine how to comprehensively address the annexation of the unincorporated areas and not deal with them in segments.

ACTION: (2041) No Board action was taken on the item.

50. EXPLORATORY DRILLING IN THE EVERGLADES Commissioner Hart discussed the meeting he had with Mr. Bruce Babbitz, U.S. Secretary, Department of the Interior (DOI) on October 24, 1994 regarding the Board's and Department of Natural Resource Protection's (DNRP's) concerns on the Exploratory Drilling in the Everglades.

Commissioner Hart addressed the possibility of the federal government moving forward to invest millions of dollars into the restoration and clean up of the Everglades and Florida Bay and at the same time, running the risk of pollution by permitting drilling outside the conservation area.

Commissioner Hart advised that Mr. Babbitz was appreciative of the Board's concerns, gave reasons why he believed the issue was dead, agreed to review again the U.S. Bureau of Land Management (BLM) Final Environmental Impact Statement (FEIS) and confirmed that he will arrange for a DOI staff to respond to the county commission.

ACTION: (A-2041) This item was submitted for informational purposes.

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