

MEETING OF NOVEMBER 2, 1993

(Meeting convened at 10 a.m. and adjourned at 12:55 p.m.)

PLEDGE OF ALLEGIANCE - Led by Commissioner Hart.

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

1. MOTION TO APPROVE an agreement between Broward County and Child Care Connection of Broward County, Florida, a not-for-profit organization, in the amount of \$100,000 as a capital grant to provide for the partial funding of the renovation and upgrade of a resource library and training center in North Lauderdale, Florida from October 1, 1993 through September 30, 1994, and authorize the Chair and Clerk to execute same.

ACTION: (A-469) (10:21 a.m.) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING & CONTRACT ADMINISTRATION DIVISION

2. MOTION TO APPROVE an agreement between Broward County and Florida Atlantic University acting on behalf of the Board of Regents for a waste tire generation and market study, authorizing the necessary administrative and budgetary actions to implement and authorize Chair and Clerk to execute same.

ACTION: (A-469) (10:21 a.m.) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 93-1218 accepting and ratifying recordation of a warranty deed executed by Larry Sharpe and Denise Sharpe, donating right-of-way for Holmberg Road in Section 2, Township 48 South, Range 41 East.

ACTION: (A-469) (10:21 a.m.) Approved.

4. MOTION TO ADOPT Resolution 93-1219 accepting a road easement executed by George H. LeMieux, donating right-of-way for Southwest 178th Avenue and Southwest 68th Court in Section 6, Township 51 South, Range 41 East.

ACTION: (A-469) (10:21 a.m.) Approved.

5. MOTION TO ADOPT budget Resolution 93-1220 transferring funds within the Engineering Capital Outlay Fund (315) for the Engineering Division in the amount of \$256,000 for the purpose of settlement of Case No. 92-06097(08).

ACTION: (A-469) (10:21 a.m.) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

6. MOTION TO APPROVE the minutes of the Commission meetings of September 7, 1993, September 14, 1993, September 28, 1993 and the zoning public hearing of September 28, 1993.

ACTION: (A-469) (10:21 a.m.) Approved.

7. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (A-469) (10:21 a.m.) Approved.

09/19/89 76 Savannah PUD Plat 3, Traffic Sign. Agreement

03/08/90 89 Savannah PUD Plat 4, Traffic Sign.

Agreement

05/01/90 43 Savannah PUD Plat 6, Phasing Agreement

11/06/90 34 Savannah PUD Plat 7, Phasing Agreement

07/02/91 79 Roadway Improvement Reimbursement Agreement Gopichan Saroop

08/06/91 90 Termination of Road Improvement Phasing Agreement relating to Harrell's Estates Plat

02/18/92 54A/B Pompano East Congregation of Jehovah's Witnesses

03/03/92 44 Plat S & N Plat

03/31/92 55B Budget Resolution R Bud 94-020 \$54,176

03/31/92 56B Budget Resolution R Bud 94-017 \$183,590

03/31/92 57B Budget Resolution R Bud 94-021 \$19,500

10/06/92 67 First Amendment Interlocal Agreement Solid Waste Disposal Service-Deerfield Beach (also Interlocal Agreement with BC for Recyclable Materials Recovery Deerfield Beach

11/10/92 4 Declaration of Restrictive Covenants - C & K Reich

11/10/92 4 Warranty Deed and County Deed and Bill of Sale Charles and Kathleen Reich

11/10/92 44 Interlocal Agreement - Cultural Affairs never received

09/15/92 76 Plat - Cocopalms Plat

PURCHASING DIVISION

For Public Works Department

8. MOTION TO APPROVE second amendment to Work Authorization 3C between Broward County and Professional Services Industries, Inc., to provide technical services in accordance with Articles 2 and 4 of the agreement for cleanup (remedial action) of petrochemical contamination at Fleet Service Center #1 in the amount of \$123,352.40, to be performed within sixty (60) calendar days for the Equipment Management Division, and authorize the Chair and Clerk to execute same.

ACTION: (A-469) (10:21 a.m.) Approved.

9. MOTION TO APPROVE release of retainage and final payment in the amount of \$63,191.06 to Man Con, Inc. for the construction of the Rock Island/Lake Tahoe storm drainage improvements under Contract P-12-92-12-OF. BCOES Project No. 8410 (1145).

ACTION: (A-469) (10:21 a.m.) Approved.

10. MOTION TO APPROVE agreement between Broward County and Jeff Falkanger & Associates, Inc. for architectural services for the renovation to Administration Buildings 1, 2, & 3 at the North Regional Wastewater Treatment Plant at the total lump sum amount of \$198,277 with a completion time of 314 calendar days and authorize the Chair and Clerk to execute same. BCOES Project No. 8291.

ACTION: (A-469) (10:21 a.m.) Approved.

11. MOTION TO AWARD open-end contract to the following vendors on a multiple award basis; Lace Construction d/b/a D.J. Casey Enterprises, P.J. Constructors, Jimmie Crowder Excavating, Thomas Enterprise, for chipping equipment rental on an emergency basis, Bid P-08-93-11-12, for the Office of Integrated Waste Management and to authorize the Purchasing Director to renew the contract for a one (1) year period. The initial contract period shall start November 2, 1993 and shall terminate November 1, 1994.

ACTION: (A-469) (10:21 a.m.) Approved as amended with the deletion of Thomas Enterprise, per the Commission Auditor's memorandum.

HUMAN SERVICES DEPARTMENT

BUREAU OF CHILDREN'S SERVICES

12. A. MOTION TO ADOPT an unanticipated revenue Resolution 93-1221 within the State Grant Funds in the amount of \$230,233 increasing the Broward County Bureau of Children's Services, Juvenile Alternative Services Program Grant for the 1993-1994 budget from \$653,480 to \$883,713, decreasing the amount of the 1992-1993 Juvenile Alternative Services Program Grant by the same (\$230,233) for the purpose of providing non-judicial intervention services to juvenile offenders.

ACTION: (A-469) (10:21 a.m.) Approved.

B. MOTION TO ADOPT budget Resolution 93-1222 transferring \$230,233 within the State Grant Fund

to a transfer account to close out the 1992-1993 Juvenile Alternative Services Program Grant.

ACTION: (A-469) (10:21 a.m.) Approved.

## COMMUNITY SERVICES DEPARTMENT

### CONSUMER AFFAIRS DIVISION

13. MOTION TO APPROVE the change of ownership of Certificate of Public Convenience & Necessity No. 118 currently issued to Perry Potofsky. One taxi permit currently issued to Perry Potofsky will be transferred to Ishak Siama.

ACTION: (A-469) (10:21 a.m.) Approved.

### CULTURAL AFFAIRS DIVISION

14. MOTION TO APPROVE an agreement between the City of Fort Lauderdale and Broward County for placement of artwork by Barry Tinsley on Riverwalk and authorize Chair and Clerk to execute same.

ACTION: (A-503) (10:22 a.m.) Approved.

15. MOTION TO ADOPT Resolution 93-1223 of the Board of County Commissioners of Broward County, Florida, approving grant funding for nonprofit organizations under the Cultural Expansion Program; providing for execution of approved shell contracts for approved organizations by the County Administrator; providing for severability; and providing for an effective date.

ACTION: (A-469) (10:21 a.m.) Approved.

16. MOTION TO ADOPT budget Resolution 93-1224 transferring within the Broward Arts Council Fund the amount of \$8,500 from the Cultural Arts Council Reserve for the purpose of printing the 1994-1995 Cultural Directory.

ACTION: (A-469) (10:21 a.m.) Approved.

### MASS TRANSIT DIVISION

17. MOTION TO APPROVE an agreement between Broward County and the Broward Sheriff's Office in the amount of \$235,801.56 to provide protection services for the Mass Transit Division from October 1, 1993 to September 30, 1994 (with option to renew for one year) and authorize Chair and Clerk to execute same.

ACTION: (A-469) (10:21 a.m.) Approved.

### PARKS AND RECREATION DIVISION

18. A. MOTION TO APPROVE a mutual termination agreement between Broward County and the City of Miramar for the transfer of real and personal property relating to Southwest Little League Park to city and authorize Chair and Clerk to execute same.

ACTION: (A-469) (10:21 a.m.) Approved.

B. MOTION TO ADOPT Resolution 93-1225 of the Board of County Commissioners of Broward County, Florida, authorizing the conveyance of certain property known as Southwest Little League Park to the City of Miramar for operation by the city as a public park; providing for severability; and providing for an effective date.

ACTION: (A-469) (10:21 a.m.) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

19. A. MOTION TO APPROVE amendment to Agreement GC212 between the Florida Department of Environmental Protection and Broward County for FY 94 funding in the amount of \$1,370,489 for managing the Early Detection Incentive (EDI) Program in Broward County and to conduct the associated cleanup projects, and authorize the Chair and the Clerk to execute same.

ACTION: (A-469) (10:21 a.m.) Approved.

B. MOTION TO APPROVE unanticipated revenue Resolution 93-1226 within the General Fund in the amount of \$32,609 for the Early Detection Incentive (EDI) Program for which the total expenditure will be \$620,489 and which expenditures are fully funded by the Florida Department of Environmental Protection.

ACTION: (A-469) (10:21 a.m.) Approved.

C. MOTION TO APPROVE unanticipated revenue Resolution 93-1227 within the Special Purpose Fund 023 "EDI State Cleanup Fund" in the amount of \$750,000 for FY 1994.

ACTION: (A-469) (10:21 a.m.) Approved.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

TRANSPORTATION PLANNING DIVISION

20. MOTION TO APPROVE grant applications for the Metropolitan Planning Organization (MPO) for new grants for FY 1993-94 in the total amount of \$971,427 in support of the MPO 1993-94 Unified Planning Work Program; and authorize the necessary administrative and budgetary actions for implementation and authorize the Chair to do the same.

ACTION: (A-469) (10:21 a.m.) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-469) (10:21 a.m.) Approved.

22. MOTION TO ADOPT budget resolution transferring funds within the Trust and Agency Fund in the amount of \$7,796 from the Reserve for Future Capital Outlay for the purpose of allocating the funds to

Reserve for Park Impact Fee Waivers.

ACTION: (A-469) (10:21 a.m.) Withdrawn as item is duplication of item 64C.

#### COUNTY ATTORNEY

23. MOTION TO APPROVE a settlement agreement and to authorize payment of \$435,000 in settlement (inclusive of attorney's fees and costs) of a claim filed against Broward County by contractor, Community Asphalt Corporation.

ACTION: (A-469) (10:21 a.m.) Approved.

#### BOARD APPOINTMENTS

24. MOTION TO APPROVE appointment of Maria San Juan to the Minority Economic Development Advisory Board. Ms. San Juan is being removed from the Multi-Ethnic Advisory Board.

(Comm. Gunzburger)

ACTION: (A-469) (10:21 a.m.) Approved.

25. MOTION TO APPROVE appointment of Marina Garcia Wood, Esq. to the Broward County Nuisance Abatement Board. Ms. Wood replaces Maria Rodriguez Lewis, Esq. who has resigned.

(Comm. Gunzburger)

ACTION: (A-469) (10:21 a.m.) Approved.

26. MOTION TO APPROVE the appointment of Clarence Wright to the Municipal Services Advisory Board, replacing Paul Cassidy who has resigned. (Comm. Thompson)

ACTION: (A-469) (10:21 a.m.) Approved.

27. MOTION TO APPROVE the appointment of John D. Voight, Jr. to the Drug-Related Nuisance Abatement Board. He replaces Joseph Cartafalsa who has moved from the area.

(Comm. Thompson)

ACTION: (A-469) (10:21 a.m.) Approved.

#### REQUEST TO SET FOR PUBLIC HEARING

28. MOTION TO ADOPT Resolution 93-1228 directing the County Administrator to publish a Notice of Public Hearing to be held Tuesday, December 14, 1993 at 2:00 p.m. to vacate and abandon utility and right-turn deceleration lane easements, lying and being in Broward County, Florida located at 2500 Rock Island Road in the City of Margate. Petitioner: Landstar Development Corp. (Schwebke-Shiskin & Assoc. - Agent) 20-V-93.

ACTION: (A-469) (10:21 a.m.) Approved.

29. MOTION TO ADOPT Resolution 93-1229 directing the County Administrator to publish notice of public hearing to consider transmittal to the State of Florida Department of Community Affairs on November 10, 1993 at 10 a.m. (Headway Office Park Development of Regional Impact).

ACTION: (A-469) (10:21 a.m.) Approved.

30. MOTION TO ADOPT Resolution 93-1230 directing the County Administrator to publish notice of a public hearing to be held on Tuesday, November 9, 1993 at 2 p.m. to consider the County's legislative package for the 1994 legislative session.

ACTION: (A-469) (10:21 a.m.) Approved.

## REGULAR AGENDA

### 10 A.M. CONTINUED PUBLIC HEARING

31. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida, subject to the dedication of road right-of-way (Rezoning Petition 13-Z-93). (Continued from October 26, 1993.)

AN ORDINANCE OF BROWARD COUNTY, FLORIDA CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 39 EAST; FROM A-1, LIMITED AGRICULTURAL DISTRICT TO A-5, AGRICULTURAL-EXCAVATION 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)

ACTION: (A-761) (10:31 a.m.) The Board found that the request for rezoning from A-1 Limited Agriculture District to A-5 Agricultural-Excavation District is consistent with the Broward County Land Use Plan; the Board found that the request for rezoning is compatible with the surrounding area because 1) it is surrounded by vacant land, and 2) there are other excavations located in the surrounding area; and the Board found the request for rezoning would not change the character of the neighborhood and surrounding area. The Board enacted the ordinance subject to receipt of right-of-way within 120 days.

## END OF PUBLIC HEARING

### INDUSTRIAL DEVELOPMENT REVENUE BONDS

32. MOTION TO ADOPT Resolution 93-1231 of the Board of County Commissioners of Broward County, Florida, approving and authorizing the issuance and securing of Broward County, Florida Industrial Development Revenue Bonds (American Whirlpool Products Corp. Project), Series 1993, to be issued in an aggregate principal amount not exceeding \$2,300,000 consisting of one or more series (collectively, the "Series 1993 Bonds") for the purpose of (1) making a loan to American Whirlpool Products Corp., a Florida Corporation (The "Company") in order to refinance the project herein described, (2) providing for the payment of the costs of any credit facilities, if necessary, (3) providing

for funding any bond reserve fund requirement, if necessary, and (4) providing for the costs of issuance of the Series 1993 Bonds; providing for the use of proceeds of such Series 1993 Bonds; designating Sun Bank, National Association as Trustee, paying agent and registrar and NationsBank of North Carolina, N.A. as remarketing agent for the Series 1993 Bonds; approving the form, authorizing the execution and directing the authentication and delivery of the Series 1993 Bonds; providing for a book entry system with respect to the Series 1993 Bonds; authorizing the execution and delivery of a Letter of Representations; finding the necessity for a private placement by negotiated sale of the Series 1993 Bonds; approving the form of a private placement agreement providing for the sale and award of said Series 1993 Bonds through the placement agent named therein; authorizing the distribution and use of information regarding Broward County in the Company's preliminary private placement memorandum and authorizing the distribution and use of information regarding Broward County in the Company's final private placement memorandum relating to the Series 1993 Bonds; authorizing the County Administrator to approve any and all credit facilities, bond reserve credit facilities and any agreements related thereto, if necessary, and providing that such agreements shall supersede any inconsistent provisions in bond resolutions relating to the Series 1993 Bonds; approving the forms and authorizing the execution and delivery of an Indenture of Trust, a Loan Agreement, an assignment to trustee, related uniform commercial code financing statements and certain other documents in connection with the delivery of said Series 1993 Bonds; approving the forms of a Promissory Note, a Mortgage (as described herein), a Reimbursement Agreement, and a Remarketing and Interest Service Agreement; authorizing proper official to do all things deemed necessary in connection with the issuance, sale, execution and delivery of the Series 1993 Bonds; and providing for conflicts, severability and an effective date.

ACTION: (A-2333) (11:21 a.m.) Approved.

#### COUNTY ADMINISTRATOR'S REPORT

33. County Administrator B. Jack Osterholt presented a map that will be placed on every public building in Downtown Fort Lauderdale, which was a joint effort between the county's Planning and Graphics staff, the Downtown Council, the Downtown Development Authority (DDA), and the city of Fort Lauderdale, showing the location of the various buildings.

ACTION: (A-2347) (11:22 a.m.) No action necessary.

#### DEPARTMENT OF STRATEGIC PLANNING

#### & GROWTH MANAGEMENT

#### DEVELOPMENT MANAGEMENT DIVISION

34. DISCUSSION of Plat entitled "Ameritrail Section III" - District 5, (049-MP-93).

ACTION: (A-2420) (11:24 a.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

35. DISCUSSION of Plat entitled "Royal Townhomes" - District 5, (016-MP-93).

ACTION: (A-2427) (11:24 a.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

36. A. DISCUSSION of Plat entitled "Coral Springs Regional Park Addition" - District 3, (005-MP-93).

ACTION: (A-2436) (11:25 a.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report as amended verbally by staff on recommendation 7 correcting the storage from 200 feet to 150 feet.

B. MOTION TO ADOPT budget resolution 93-1232 transferring within the County Transportation Trust Fund the amount of \$4,440 from the Reserve for Future Capital Outlay for the purpose of allocating the funds to the Reserve for Road Impact Fee Waivers for the Coral Springs Regional Park Addition Plat (005-MP-93).

ACTION: (A-2436) (11:25 a.m.) Approved.

37. DISCUSSION of Plat entitled "Northwest FLL Airport Plat (Plat 10)" - District 6, (003-UP-93). (Deferred from October 5, 1993.)

ACTION: (A-2505) (11:27 a.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report, as amended by approving the applicant's request for waiver of the sidewalk along Ravenswood Road.

38. DISCUSSION of Plat entitled "Ravenswood Commercial FLL Airport Plat (Plat 1)" - District 6, (004-UP-93). (Deferred from October 5, 1993.)

ACTION: (A-2522) (11:27 a.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

39. DISCUSSION of Plat entitled "Canaan S.D.A. Church" - District 2, (018-UP-92). (Deferred from August 10, 1993.)

ACTION: (A-2532) (11:27 a.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

40. DISCUSSION of Plat entitled "Pine Tree Pointe and Landings" - District 2, (012-MP-93).

ACTION: (A-2377) (11:23 a.m.) Deferred to December 7, 1993 at the request of the applicant.

41. DISCUSSION of Plat entitled "McGee Estate" - District 4, (035-MP-93). (Deferred from October 19, 1993.)

ACTION: (A-2540) (11:28 a.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report as amended per staff's addendum.

42. DISCUSSION of Plat entitled "Shauna Leigh" - District 5, (034-MP-93). (Deferred from October 19, 1993.)

ACTION: (A-2549) (11:28.m.) Approved the plat subject to staff's recommendations as outlined in the Development Review Report as amended per staff's addendum.

43. DISCUSSION of Plat entitled "The First Place" - District 7 (059-MP-92). (Deferred from October 5, 1993.)

ACTION: (A-2377) (11:23 a.m.) Deferred to May 3, 1994, at the request of the applicant, under Section

5-181(k)(2) for study of traffic concurrency.

44. DISCUSSION of Plat entitled "N.B.M.B. Plat" - District 1, (023-MP-92). (Deferred from October 5, 1993.)

ACTION: (A-2377) (11:23 a.m.) Deferred to November 16, 1993, at the request of the applicant, under Section 5-181(k)(2) for study of traffic concurrency.

45. DELEGATION: Robert P. Legg concerning placement of a note on a pre-1979 plat - Resubdivision of Horton's Subdivision and portions of the East ½ of Block 180 - Progresso (901-MP-93). (Deferred from October 19, 1993.)

ACTION: (A-2559) (11:28 a.m.) The Board deferred action to its meeting of November 16, 1993 and directed staff to grant credit for previous use.

46. DELEGATION: Gregory S. Mire regarding request to amend the note on the face of the Bonaventure Plat (901-UP-90).

ACTION: (A-2908) (11:37 a.m.) Approved subject to staff's recommendation.

47. DELEGATION: Gregory S. Mire regarding request to amend the note on the face of the Replat of Country Lakes Section 1 Plat (176-MP-88).

ACTION: (A-2946) (11:38 a.m.) Approved subject to staff's recommendation.

48. DELEGATION: Linda C. Strutt regarding request to amend the note on the face of the Holiday Springs East Plat (165-MP-86).

ACTION: (A-2377) (11:23 a.m.) Deferred to November 16, 1993 at the request of the applicant.

49. DELEGATION: Bonnie L. Miskel regarding request to place a note on the face of the Coquina Lakes Plat (45-CP-79).

ACTION: (A-2953) (11:40 a.m.) Approved subject to staff's recommendation.

50. DELEGATION: Bonnie L. Miskel regarding request to amend the note on the face of the Coquina Lakes II Plat (123-MP-84).

ACTION: (A-2965) (11:40 a.m.) Approved subject to staff's recommendation.

51. DELEGATION: Patricia Z. Hitchcock regarding request to amend the note on the face of the Coral Creek Plat (58-UP-88).

ACTION: (A-2977) (11:40 a.m.) Approved subject to staff's recommendation as amended in its addendum.

52. DELEGATION: Marcia Berkley, City of Hallandale, regarding request to amend the note on the face of the Hallandale Municipal Complex Plat (047-MP-91).

ACTION: (A-2377) (11:23 a.m.) Deferred to December 7, 1993 at the request of the applicant.

53. DELEGATION: Leigh R. Kerr regarding request to amend the note on the face of the Pembroke Lakes Regional Center (165-MP-84).

ACTION: (A-2983) (11:41 a.m.) Approved subject to staff's recommendation.

54. DELEGATION: Scott Allsworth regarding request to amend the note on the face of the Jacaranda West Parcel F Plat (76-MP-87).

ACTION: (A-2993) (11:41 a.m.) Approved subject to staff's recommendation.

55. DELEGATION: C. William Laystrom, Jr. regarding request to amend the non-vehicular access line on the Jacaranda West Parcel F Plat (76-MP-87) and on the Jacaranda West Parcel G Plat (77-MP-87).

ACTION: (A-2999) (11:41 a.m.) Approved subject to staff's recommendation.

56. DELEGATION: C. William Laystrom, Jr. and Adam Armaganian regarding request to amend the non-vehicular access line on the Galt Ocean Center Plat (001-MP-80).

ACTION: (A-3010) (11:41 a.m.) Approved subject to staff's recommendation.

57. DELEGATION: Dawn Sonneborn regarding request to amend the non-vehicular access line on the Banyan Oakridge Commercial Plat (66-MP-92).

ACTION: (A-3019) (11:41 a.m.) Approved subject to staff's recommendation.

58. DELEGATION: Gregory S. Mire regarding request to amend the non-vehicular access line on the Park of Commerce Plat (73-UP-80).

ACTION: (A-2377) (11:23 a.m.) Deferred to November 16, 1993 at the request of the applicant.

59. DELEGATION: Arnold Ramos regarding request to amend the non-vehicular access line on the Infante Plat (037-MP-91).

ACTION: (A-3025) (11:42 a.m.) Approved subject to staff's recommendation.

60. DELEGATION: Gerald L. Knight regarding request to amend the non-vehicular access line on the Pembroke Commons Plat (191-MP-88). (Deferred from October 19, 1993.)

ACTION: (A-2377) (11:23 a.m.) Deferred to November 16, 1993 at the request of the applicant.

61. DELEGATION: Robert P. Legg regarding request to modify conditions of plat approval for the School Site 3390 Plat (044-MP-92). (Deferred from October 5, 1993.)

ACTION: (A-2377) (11:23 a.m.) Deferred to December 7, 1993 at the request of the applicant.

62. DELEGATION: Dennis Mele regarding request to A) terminate a concurrency agreement and B) modify conditions of plat approval for the Coquina Flats Plat (023-UP-92).

ACTION: (A-3030) (11:42 a.m.) Approved subject to staff's recommendation.

63. DELEGATION: Edward Wiener regarding request to approve concurrency agreement relating to a building permit in unincorporated Broward County.

ACTION: (A-3040) (11:42 a.m.) Approved subject to staff's recommendation and its verbal addendum to approval.

64. A. DELEGATION: Cynthia Paddock regarding request to waive a portion of road and park impact fees relating to the Colonnade Business Center 2 Plat (102-MP-85).

ACTION: (A-3050) (11:42 a.m.) Approved subject to staff's recommendation.

B. MOTION TO ADOPT a budget Resolution 93-1233 transferring within the County Transportation Trust Fund the amount of \$2,904 from the Reserve For Future Capital Outlay for the purpose of allocating the funds to the Reserve For Road Impact Fee Waivers for the Colonnade Business Center 2 Plat (102-MP-85).

ACTION: (A-3050) (11:42 a.m.) Approved.

C. MOTION TO ADOPT a budget Resolution 93-1234 transferring within the Trust and Agency Fund the amount of \$7,796 from the Reserve For Future Capital Outlay for the purpose of allocating the funds to the Reserve For Park Impact Fee Waivers for the Colonnade Business Center Plat (102-MP-85).

ACTION: (A-3050) (11:42 a.m.) Approved.

65. MOTION TO AUTHORIZE the Chair and the County Administrator to execute the proposed Broward County Plat No. 2 Plat as property owner, for submission to the City of Pompano Beach for approval.

ACTION: (A-3056) (11:43 a.m.) Approved.

#### PUBLIC WORKS DEPARTMENT/HUMAN SERVICES DEPARTMENT

66. A. MOTION TO APPROVE contract for sale and purchase executed by Comprehensive Care Corporation, in the amount of \$3,800,000 for the purchase of real estate and personal property.

ACTION: (A-3070) (11:43 a.m.) Approved.

B. MOTION TO ADOPT budget Resolution 93-1235 transferring funds within the General Capital Outlay Fund (301) in the amount of \$4,060,000 for the purpose of purchasing and renovating the former private facility known as the Care Unit of Coral Springs.

ACTION: (A-3070) (11:43 a.m.) Approved.

C. MOTION TO ADOPT Resolution 93-1236 naming the newly purchased Alcohol and Drug Abuse Treatment Center the Booher Addiction Recovery Center to commemorate the Honorable Stephen R. Booher; and authorize the County Administrator to take all administrative actions to implement same.

ACTION: (A-3070) (11:43 a.m.) Approved

#### COMMUNITY SERVICES DEPARTMENT

67. MOTION TO APPROVE an agreement between Broward County as Community Transportation Coordinator, and United Way of Broward County, Inc. in the amount of \$42,210 to provide computer operations and maintenance support, equipment, and software development through September 30, 1994 and authorize the Chair and Clerk to execute same.

ACTION: (A-3258) (11:48 a.m.) Approved with the caveat to direct OIT staff to do a feasibility study to bring this program in-house and if it is determined that the county can purchase items like modems cheaper than leasing them from United Way, those purchases be made and at the end of the program either United Way or the county will have the asset.

## FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

### PURCHASING DIVISION

For Finance and Administrative Services Department

68. MOTION TO APPOINT a negotiation committee to close out the uncompleted Motorola Automated Monitoring System agreement.

ACTION: (A-3296) (11:49 a.m.) Approved with the appointment of Commissioners Hart and Thompson.

69. MOTION TO APPOINT a negotiation committee to receive Letters of Interest from firms to provide an independent engineer for the Resource Recovery facilities.

ACTION: (A-3328) (11:50 a.m.) Approved as amended as follows: Increased the County Commission representation by one commissioner, and appointed Commissioners Cowan and Rodstrom; deleted the director of Solid Waste Operations and the Assistant to the County Administrator; approved including the appointment of the County Administrator or his designee, with that person to assume the Chair. Also, the verbiage should be Commissioner Roper or another municipal member of the Resource Recovery Board.

For Supervisor of Elections

70. A. MOTION TO ADOPT an unanticipated revenue resolution within Capital Projects Fund 306 in the amount of \$2,910,000 for the Supervisor of Elections automated voting system.

ACTION: (A-3485) (11:54 a.m.) Deferred to November 23, 1993 for staff, Mr. Osterholt, Mr. Copelan, and Mr. Thabit to answer the concerns as outlined by Mr. Osterholt.

B. MOTION TO ADOPT budget resolution within the General Fund in the amount of \$245,000 to transfer funding from the Supervisor of Elections budget to a non-departmental transfer account.

ACTION: (A-3485) (11:54 a.m.) Deferred to November 23, 1993 for staff, Mr. Osterholt, Mr. Copelan, and Mr. Thabit to answer the concerns as outlined by Mr. Osterholt.

C. MOTION TO ADOPT an unanticipated revenue resolution within Debt Service Fund 221 in the amount of \$245,000 to fund commercial paper debt service.

ACTION: (A-3485) (11:54 a.m.) Deferred to November 23, 1993 for have staff, Mr. Osterholt, Mr.

Copelan, and Mr. Thabit to answer the concerns as outlined by Mr. Osterholt.

D. MOTION TO GRANT permission to the Purchasing Division to dispose of CMX tabulating system in accordance with applicable Florida State Statutes and the Purchasing Division Internal Control Handbook, Chapter 15.

ACTION: (A-3485) (11:54 a.m.) Deferred to November 23, 1993 for have staff, Mr. Osterholt, Mr. Copelan, and Mr. Thabit to answer the concerns as outlined by Mr. Osterholt.

E. MOTION TO APPROVE sole source procurement with Global Election Systems to provide a Voting System for the Supervisor of Elections in the amount of \$3,540,000 less trade-in of present equipment valued at \$630,000 for a total cost to the County of \$2,910,000, and to authorize Chair and Clerk to execute same.

ACTION: (A-3485) (11:54 a.m.) Deferred to November 23, 1993 for staff, Mr. Osterholt, Mr. Copelan, and Mr. Thabit to answer the concerns as outlined by Mr. Osterholt.

71. MOTION TO ADOPT Resolution 93-1237 of the Board of County Commissioners of Broward County, Florida ratifying the execution and delivery of a first amendment to the loan agreement dated June 21, 1989 between Broward County, Florida and the First Florida Governmental Financing Commission, as a precondition of the First Florida Governmental Financing Commission undertaking the 1993 loan to Broward County, Florida; and providing for an effective date.

ACTION: (A-5386) (12:40 p.m.) Approved.

#### OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-5391) (12:41 p.m.) Approved as amended per staff's addendum.

#### COUNTY COMMISSION

73. MOTION TO APPROVE appointment of Mr. David A. Marshall to the Bicycling Advisory Committee. Mr. Marshall replaces Mr. Bruce Epperson, who has resigned. (Comm. Parrish).

ACTION: (A-469) (10:21 a.m.) Approved.

#### SUPPLEMENTAL AGENDA

#### HUMAN SERVICES DEPARTMENT

74. MOTION TO ADOPT Resolution 93-1238 of the Board of County Commissioners of Broward County, Florida, affirming the goal of the State of Florida's Children and Families Initiative; providing for consideration of offering assistance to the State of Florida to ensure the efforts of the Initiative; and providing for an effective date.

ACTION: (A-5400) (12:42 p.m.) Approved.

## NON AGENDA

75. SERVICE RECOGNITION AWARDS: The Chairman and County and County Administrator B. Jack Osterholt presented service pins to the following employees in recognition of 20 years of dedication and service to Broward County government:

### NAME DIVISION

Ralph Piacente Jr. OES - Water Supply

Jimmy Gary Clark Parks and Recreation

Annie Jean Clark Revenue Collection

Nathaniel Harden Facilities Management

Shebby J. Fleming Revenue Collection

Charles B. Adderley Parks and Recreation

Gary A. Hofer Aviation

**ACTION:** (A-90) (10:04 a.m.) The employees accepted their pins and were congratulated by the Board and staff.

76. PROCLAMATIONS FOR THE RECORD: The Chairman advised for the record that Commissioner Poitier had presented a proclamation designating Thursday, October 28, 1993 as Camp Meeting '93 - Alvin Slaughter Day at ceremonies at the Cathedral Church of God in Deerfield Beach, Florida.

**ACTION:** (A-220) (10:12 a.m.) No action necessary.

77. PROCLAMATION FOR THE RECORD: The Chairman advised for the record that, at the request of Commissioner Poitier, Gloria Battle, Director of the Human Relations Office, will present a proclamation designating Tuesday, November 2, 1993 as Geroge A Wilder Remembrance Day at funeral ceremonies in Fort Lauderdale, Florida. The late Mr. Wilder was a retired county employee and a six year member of the Human Rights Board as an appointee of Commissioner Thompson.

**ACTION:** (A-223) (10:12 a.m.) No action necessary.

78. PROCLAMATION: Commissioner Cowan read into the record a proclamation designating Friday, November 5, 1993 as Big Brothers/Big Sisters of Broward "Big For A Day" in Broward County, and honoring all the participating children and the corporate, community, and governmental entities and leaders who devote their valuable time in making a difference in a child's experience, perspective, self-esteem, and self-confidence thereby strengthening the very fiber of the community.

**ACTION:** (A-245) (10:13 a.m.) Sam Denons accepted the proclamation, and on behalf of the entire staff of Big Brothers/Big Sisters, the bigs and the littles and their single parents, and expressed appreciation that the county has given them and hope those participating in the "Big For A Day" program will find that experience as heart warming and as special as they do.

79. PROCLAMATION: Commissioner Parrish read into the record a proclamation in recognition of Janet Siegel Rogers, who is the eighth recipient of the Arts Teacher of the Year Award, and designating Tuesday, November 2, 1993 as Janet Siegel Rogers Day in Broward County.

ACTION: (A-336) (10:16 a.m.) Ms. Rogers accepted the proclamation.

80. PROCLAMATION: Commissioner Parrish read into the record a proclamation honoring the law firm of English, McCaughan and O'Bryan, P.A. for its eight years of dedicated sponsorship to the Arts Teacher of the Year Award and for its commitment to quality and total education of the students of Broward County.

ACTION: (A-411) (10:19 a.m.) Don Adams, representing the firm, accepted the proclamation.

#### NON AGENDA

81. MOTION TO RATIFY Commissioner Suzanne Gunzburger having represented the Commission on L & A on Friday, October 29, 1993 and appoint Commissioner Cowan for the certification on Tuesday, November 2, 1993.

ACTION: (A-5411) (12:41 p.m.) Approved.

82. DISCUSSION: Commissioner Rodstrom commented if the county has the opportunity it should give free flu shots to those employees who want one, stating he thinks it would save the county a lot of money.

ACTION: (A-5418) (12:42 p.m.) County Administrator B. Jack Osterholt stated staff is investigating if this should be done, and, if it can be done, can it be located in the building to make it easier for the employees.

83. DISCUSSION: Commissioner Parrish stated she has spoken to Norman Ostrau, Assistant County Attorney, relative to discussion held at the Community Health Purchasing Alliance (CHPA) on whether or not it is under the Sunshine Law. She told the CHPA Board she would request County Attorney John J. Copelan Jr. allowing Mr. Ostrau to pro bono in-service the CHPA Board either before or after one of the meetings.

ACTION: (A-5472) (12:48 p.m.) Mr. Copelan stated that Board is also looking for an attorney at \$75 an hour the County Attorney's Office can provide services. Mr. Ostrau's initial contact would be pro bono.

84. DISCUSSION: County Attorney John J. Copelan Jr. commented on two alternatives to the way the county just conducted the rezoning hearing, which he put into an October 25, 1993 memorandum to the Board. In summary, he stated the Board could have a hearing examiner conduct the rezoning hearings and make a recommended order to the commission. The commission would then sit as an appellate body only, would not hear any testimony, but would review the record and either accept or reject the recommended order based upon the record established at the hearing. Another alternative would be a hearing panel could be chosen from the Zoning Board, it hear the rezoning, and the commission would act as the appellate body. Again, there would be no sworn testimony taken and no discussion; only those issues of argument at the appellate category. Mr. Copelan stated some basic documents would have to be changed if the Board wanted to conduct the hearing by either method.

Also, Mr. Copelan asked the Board for an indication if the Zoning Board should now conduct quasi-

judicial hearings. It is his feeling they are only an advisory board because the ultimate decision is made by the county commissioners.

ACTION: (A-5550) (12:50 p.m.) Without objection, Mr. Copelan will draft something preferably to the second option.

[Back to previous page](#)