

## MEETING OF NOVEMBER 14, 2000

(The meeting convened at 10:00 a.m. and adjourned at 12:30 p.m.)

PLEDGE OF ALLEGIANCE was led by Ms. Brenda Marshall, Project Manager, Trust for Public Land.

### CALL TO ORDER

### CONSENT AGENDA

### BOARD APPOINTMENTS

*ACTION: (A-0474) No board action was taken.*

### AVIATION DEPARTMENT

- MOTION TO ADOPT Resolution 2000-1276 authorizing acceptance and execution of a Supplemental Joint Participation Agreement between Broward County and the Florida Department of Transportation Financial Project No. 405832-1-94-01 in the amount of \$552,000 (State's share) for construction of additional runway pavements at North Perry Airport; and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

*ACTION: (A-0474) Approved.*

- MOTION TO APPROVE field usage agreement between Broward County, Florida and Federal Express Corporation, with an anticipated annual revenue of \$624,000 at the Fort Lauderdale-Hollywood International Airport effective upon Board approval and shall terminate on the fifth annual anniversary of the effective date with a 30-day cancellation notice, and authorize the Chair and Clerk to execute same.

*ACTION: (A-0474) Approved.*

### PUBLIC WORKS DEPARTMENT

### OFFICE OF TRANSPORTATION

### ENGINEERING DIVISION

- A. MOTION TO ADOPT Resolution 2000-1277 accepting a warranty deed, at no cost to the County, executed by Cleghorn Shoe Corp., for right-of-way for Miramar Boulevard (north side) located approximately 1,220 feet west of Flamingo Road.

*ACTION: (A-0474) Approved.*

B. MOTION TO ADOPT Resolution 2000-1278 accepting a warranty deed, at no cost to the County, executed by Miramar Apartments Limited Partnership for right-of-way for Flamingo Road (east side) located approximately 600 feet north of Miramar Boulevard.

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

- MOTION TO APPROVE second amendment to the roadway improvement phasing agreement, between Broward County and Westbrooke Companies, Inc., related to the Maple Ridge Plat (029-MP-98), and authorize the Chair and Clerk to execute same.

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

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

### **ACCOUNTING DIVISION**

- MOTION TO FILE Annual Report of Interest Payment made under the Prompt Payment Act pursuant to Florida Statute 218 and County Ordinance No. 89-49.

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

### **PURCHASING DIVISION**

For Port Everglades Department

- A. MOTION TO APPROVE first amendment to agreement between Broward County and S.F.C.S., Inc. for Port Everglades Terminal 21 Expansion, Contract No. T-6-98-146-CF to accelerate construction for occupancy of the existing facility by December 2, 2000 and occupancy of the entire facility by December 29, 2000; to provide a lump sum increased amount of \$300,000 with forfeiture of \$150,000 if occupancy is not achieved by December 29, 2000; and to increase the contract price from \$8,768,505 to \$9,068,505.00, and authorize the Chair and Clerk to execute same.

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

B. MOTION TO APPROVE increase in the change order contingency from 10% to 12½ %.

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

For Public Works Department

- MOTION TO AWARD fixed contract to low bidder, Siemens Building Technologies, Inc., for the Fire Alarm Upgrade, Main Library, for the Construction Management Division, (Bid No. L4000092CF) in the amount of \$160,000.00, subject to receipt of certificate of insurance and performance and payment guarantee, and authorize the Chair and Clerk to execute same.

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

- MOTION TO AWARD fixed contract to the low bidder, Coastal Contracting and Development, Inc., for the construction of the Northwest Federated Woman's Club Van Storage Facility, Bid No. Q-3-00-061-CF in the amount of \$199,500 for the Construction Management Division, subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Chair and Clerk to execute same.

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

- A. MOTION TO AWARD fixed contract to the low bidder, Collage Design and Construction Group, Inc., d/b/a The Collage Companies, for Hurricane Hardening-North Regional Wastewater Treatment Plant and 13 Offsite Master Lift Stations, Bid No. P-6-00-142-CF in the amount of \$3,198,025 for the Office of Environmental Services (OES), subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Chair and Clerk to execute same.

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

B. MOTION TO APPROVE change order contingency of 10% instead of the standard 5%.

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

- MOTION TO AWARD open-end contract to low bidder, W. Jackson & Sons Construction Company for emergency installation and repair service for water and sewer systems (Bid No. N-7-00-162-B2) in the estimated amount of \$299,253 for the Environmental Engineering Division subject to receipt and acceptance of the performance/payment guarantee, and authorize the Director of Purchasing to renew the contract for an additional one-year period. The initial contract period shall start on the date of award and shall terminate one year from that date.

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

- MOTION TO APPROVE second amendment to the deliberately phased agreement between Broward County and Craven Thompson & Associates, Inc. for consultant services on Project 5042, Miramar Parkway from SW 148<sup>th</sup> Avenue to Flamingo Road, at an increased cost to the County not to exceed \$676,109.04, increasing contract costs from \$565,806.63, to \$1,241,915.67, and an increase in time of performance of 19 months from notice to proceed from 16 months to 35 months, and authorize the Chair and Clerk to execute same.

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

- MOTION TO APPROVE open-end contract for the procurement of mast arms, light poles and luminaries from SJG Distribution Corp. off the State of Florida Department of Transportation Contract No. 0C079801, in the estimated annual amount of \$278,000 for the Traffic Engineering Division, and authorize the Director of Purchasing to renew in accordance with any renewal periods or subsequent extensions exercised by the State. The initial term of the contract will be from date of award through November 3, 2001.

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

- MOTION TO AWARD open-end contract to low bidder, Group 2, High Tech Striping, Inc. to furnish and install thermoplastic pavement marking material, Bid No. E-5-00-123-B1, in the estimated amount of \$229,580 for the Traffic Engineering Division, and authorize the Director of Purchasing to renew the contract for one year. The initial contract period shall start on the date of award and terminate one year from that date.

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

## For Safety and Emergency Services

- MOTION TO AWARD open-end contract to standardized sole brand/sole source Globe Firefighters Suits for firefighter suits (bunker gear), Bid No. J600145B1, in the estimated amount of \$123,000 for the Fire Rescue Division, and authorize the Director of Purchasing to renew the contract for a one-year period. The initial period of the contract shall start on date of award and terminate one year from that date.

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

## **REVENUE COLLECTION DIVISION**

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

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

- MOTION TO ADOPT Resolution 2000-1279 of the Board of County Commissioners of Broward County, Florida amending the Broward County Administrative Code at Chapter 22, Part XIII, Entitled "Investment Policy for Broward County," Section 22.83, Entitled, "Eligible Securities," to add subsection (R), which provides for the investment in funds established by the Florida Tax Collector's Investment Trust; and adding Section 22.93 to Chapter 22, Part XIII, Entitled "Investment Policy for Broward County," to provide for an additional continuing education requirement for officers responsible for making investment decisions; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

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

- MOTION TO ADOPT three Resolutions 2000-1280 thru 2000-1282 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Payroll No. 2079940003798, and Self-Insurance No. 2090002760518.

***ACTION: (A-0540) Approved. See Page 29.***

## **HUMAN SERVICES DEPARTMENT**

### **COMMUNITY DEVELOPMENT DIVISION**

- MOTION TO APPROVE agreement between Broward County and the City of Lauderdale Lakes from the date of execution through April 30, 2001 in the amount of \$140,000 for the purpose of planning and construction of a community center primarily to serve the lower and middle income populations of the Eastgate community, and authorize the Chair and Clerk to execute the same. Funding for this agreement is provided through the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program.

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

### **ELDERLY AND VETERANS SERVICES DIVISION**

- MOTION TO APPROVE Agreement No. 01-LMAA02 between Broward County and the

Areawide Council on Aging of Broward County, Inc. from October 1, 2000 to September 30, 2001 in the amount of \$543,970 for the purpose of providing for local match funding of senior services, and authorize the Chair and Clerk to execute same.

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

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

- **MOTION TO ADOPT** Resolution 2000-1283 of the Board of County Commissioners of Broward County, Florida approving a reallocation of \$358,016 in appropriated Fiscal Year 2000 Ryan White Title I Comprehensive AIDS Resources Emergency Act Grant Funding for non-profit organizations or Governmental entities; approving the amendment of existing contracts; authorizing the County Administrator to execute the appropriate amendments to contracts for each organization as indicated on Attachment A and as approved herein, providing for severability; and providing for an effective date.

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

### **COMMUNITY SERVICES DEPARTMENT**

#### **ANIMAL CARE AND REGULATION DIVISION**

- **MOTION TO APPROVE** agreement between Broward County and Cocker Rescue, Inc. for placement of stray animals impounded by the Broward County Animal Care & Regulation Division, at no cost to the County, and to provide license tags at a cost of \$1 per tag for Cocker Rescue's adoption program for the period upon execution to September 30, 2003.

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

- **MOTION TO APPROVE** agreement between Broward County and the Everglades Golden Retriever Club, Inc. for placement of stray animals impounded by the Broward County Animal Care & Regulation Division, at no cost to the County, and to provide license tags at a cost of \$1 per tag for the Golden Retriever Club's adoption program for the period upon execution to September 30, 2003.

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

#### **PARKS AND RECREATION DIVISION**

- **MOTION TO APPROVE** agreement between Broward County and Greg S. Mize for safety and security services at the Flamingo Road Environmentally Sensitive Land (ESL) site for a term commencing on the date of execution by the County, and authorizing the Chair and the Clerk to execute same.

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

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

- **MOTION TO APPROVE** settlement agreements in the total amount of \$14,298 between Broward County and the listed respondents for violations of Broward County Code of Ordinances for

Department of Planning and Environmental Protection (DPEP), and authorize the Chair and Clerk to execute same.

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

### **WATER RESOURCES DIVISION**

- **MOTION TO APPROVE** Release of Surface Water Management Designation and Release of Declaration of Restrictive Covenants based on the approval by the South Broward Drainage District of a substitute Surface Water Management Designation and Declaration of Restrictive Covenants of equal area for the property known as Lot 10 of Christy's Ranches, according to the plat thereof, as recorded in Plat Book 160, at Page 41, of the Public Records of Broward County, and authorize the Chair and Clerk to execute same.

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

### **PORT EVERGLADES DEPARTMENT**

- **MOTION TO APPROVE** Port Everglades Taxi/Limo/Bus Service Business Permit between Broward County, Florida and Florida Airport Express, Inc., effective November 14, 2000 through December 31, 2000, and authorize the Chair and Clerk to execute same.

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

- **MOTION TO APPROVE** Port Everglades Crane Service Business Permit between Broward County, Florida and Marine Cargo Management, Inc., effective November 14, 2000 through December 31, 2000, and authorize the Chair and Clerk to execute same.

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

- **MOTION TO ADOPT** Resolution 2000-1284 amending the Broward County Administrative Code, Volume 2, Chapter 32, Operational Policy, Port Everglades; authorizing the County Administrator to execute one year Business Permits; providing housekeeping changes; providing for inclusion in the Broward County Administrative Code; providing for severability; and providing for an effective date.

***ACTION: (A-0474) Approved, with revised Resolution.***

- A. **MOTION TO APPROVE** agreement between Broward County and the Broward Sheriff's Office ("BSO") in the amount of \$4,833,000 to provide law enforcement services for a period of five years, commencing on December 1, 2000 and expiring on November 30, 2005, and authorize the Chair and Clerk to execute same.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

B. **MOTION TO APPROVE** transfer of the functions and employees of the Port's Public Safety Division to BSO.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

C. MOTION TO ADOPT Resolution amending the Broward County Administrative Code, Volume 1, Chapter 2, Part III, Section 2.11, Divisions and Offices, to delete the Public Safety Division from the Port Everglades Department.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

D. MOTION TO ADOPT Resolution amending the Broward County Administrative Code, Volume 2, Chapter 32, Operational Policy, to delete and reassign certain duties of the Public Safety Division.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

E. MOTION TO ADOPT Resolution amending the Broward County Administrative Code, Volume 3, Chapter 42, Part I, Sections 42.1 through Sections 42.12, to authorize BSO to implement and enforce the Restricted Access Permit and Port Everglades Identification Card Policy.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

F. MOTION TO ADOPT Resolution amending the Broward County Administrative Code, Volume 3, Chapter 42A, Sections 1, 2, 3, and 7 of the Port Everglades Tariff No. 11, to reassign certain Port Public Safety responsibilities to other Port divisions.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

G. MOTION TO APPROVE transfer of County assets to be used exclusively in the Port for security services in the amount of \$52,435 from Port Everglades to BSO in accordance with Volume 2, Section 21.113, Broward County Administrative Code.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

H. MOTION TO APPROVE one-time optional cash payment of accrued annual leave and/or sick leave on an hour-for-hour basis up to a maximum of 200 hours limited to employees directly affected by the transfer to BSO.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

I. MOTION TO ADOPT unanticipated revenue Resolution within the General Fund for the BSO in the amount of \$973,122 for the purpose of increasing the contract for Police Services for Port Everglades. All direct costs are funded by Port Everglades.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30..***

J. MOTION TO DECREASE personnel cap within the Port Everglades Fund for the Port Everglades Department by 10 positions for the purpose of transferring these employees to BSO.

***ACTION: (A-0560) Deferred to November 28, 2000. See Page 30.***

#### **OFFICE OF BUDGET SERVICES**

- MOTION TO ADOPT unanticipated revenue Resolution 2000-1285 within the General Capital Outlay Fund (3010) in the amount of \$300,000 for the purchase of 1.608 acres of land on

the south side of Hillsboro Boulevard joining Quiet Waters Park in Deerfield Beach.

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

**COUNTY ATTORNEY**

- MOTION TO APPROVE settlement in the amount of \$42,500.00, including costs and attorney's fees of a lawsuit filed in Broward County Circuit Court, Vallagi v. Broward County, et al., Case No. 99-07411(02).

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

**COUNTY COMMISSION**

- MOTION TO FILE Resolution No. 2001-48 from City Commission of the City of Pompano Beach, Florida, supporting a proposed bill providing for the annexation of the Pompano Beach Highlands Area into the City of Pompano Beach; providing an effective date. (Chair)

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

- MOTION TO FILE Resolution No. 2000-283 from City Commission of the City of Tamarac, Florida, approving the City of Tamarac legislative agenda for the 2001 Legislative Session: directing the City Clerk to send a copy of the City of Tamarac legislative agenda for the 2001 Legislative Session to the Broward County Board of County Commissioners for consideration; providing for conflicts; providing for severability; and providing for an effective date. (Chair)

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

**REQUEST TO SET FOR PUBLIC HEARING**

- MOTION TO ADOPT Resolution 2000-1286 authorizing the County Administrator to advertise a public hearing to be held Tuesday, December 12, 2000 at 2:00 p.m. in Room 422 of the Governmental Center to adopt supplemental budgets in various funds to adjust revenues and appropriations.

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

**REGULAR AGENDA**

- COUNTY ADMINISTRATOR'S REPORT County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

**ACTION: (A-1510) No Board action was necessary.**

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## **PUBLIC WORKS DEPARTMENT**

### **OFFICE OF GENERAL SERVICES**

#### **ENERGY MANAGEMENT SECTION**

- A. MOTION TO APPROVE first amendment to the agreement between Broward County and Johnson Controls, Inc. (JCI) for energy conservation measures at Broward County Government Buildings: Broward County Main Jail, Broward County Stockade, North Broward Detention Facility in order to provide recommended additions and alterations for a lump sum of \$4,034,387 with overall resulting ten-year savings of \$1,570,516.00, and authorize the Chair and Clerk to execute same. (Deferred from November 7, 2000, Item 4)

***ACTION: (A-1520) Approved.***

B. MOTION TO ADOPT budget Resolution 2000-1287 transferring \$2,560,525 within the General Capital Outlay Fund (3010) to reallocate funds for energy conservation measures at Detention Facilities. (Deferred from November 7, 2000, Item 4)

***ACTION: (A-1520) Approved.***

C. MOTION TO ADOPT unanticipated revenue Resolution 2000-1288 within the Commercial Paper Capital Fund (3060) in the amount of \$4,034,387 to provide funds for the first amendment to the agreement between Broward County and Johnson Controls, Inc. (JCI) for energy conservation measures at Broward County Government Buildings: Broward County Main Jail, Broward County Stockade, North Broward Detention Facility. (Deferred from November 7, 2000, Item 4)

***ACTION: (A-1520) Approved.***

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

#### **ACCOUNTING DIVISION**

- MOTION TO APPROVE travel for County employees in accordance with Administrative Code Chapter 3, Part II - County Employee Travel.

***ACTION: (A-1527) Approved.***

#### **PURCHASING DIVISION**

For Finance and Administrative Services Department

- MOTION TO APPOINT Selection Committee to recommend the most qualified contractors to submit bids for the rebuilding and widening of SW 4<sup>th</sup> Avenue from State Road 84 south to Perimeter Road, and approve RLI 101300-RB.

***ACTION: (A-1531) Approved the following to serve on the Selection Committee: Commissioners Gunzburger and Rodstrom; Director, Planning Development Division, Aviation (Chair); Director, Engineering Division and Director, Traffic Engineering Division. Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management,***

*Purchasing and the using agency.*

**COMMUNITY SERVICES DEPARTMENT**

**PARKS AND RECREATION DIVISION**

- A. MOTION TO APPROVE Conceptual Master Plan for the natural area known as Snake Creek/Miramar Pineland located in the City of Miramar.

***ACTION: (A-1546) Approved.***

B. MOTION TO ADOPT budget Resolution 2000-1289 transferring within the 1989 General Obligation Bond Environmentally Sensitive Land Fund the amount of \$1,187,480 from the Reserve Account to the Snake Creek/Miramar Pineland Project Account for the Parks & Recreation Division to design and construct public access amenities.

***ACTION: (A-1546) Approved.***

**DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

**PLANNING SERVICES DIVISION**

- MOTION TO FIND Application 00-CF-07 for the allocation of 5.32 acres of Commercial Flexibility in the City of Fort Lauderdale compatible with adjacent land uses and that impacts upon public school facilities have been adequately considered.

***ACTION: (A-1554) Approved. See Page 52..***

**COUNTY ADMINISTRATOR**

- MOTION TO APPROVE assignment of lease from Port Everglades Commerce Center Associates Limited Partnership, a Delaware Limited Partnership, to Flagler Development Company, a Florida corporation of all of Tenant's interest in that certain Lease dated October 15, 1997, between Broward County (Lessor) and Port Everglades Commerce Center Associates Limited Partnership, Successor-in-Interest to World Gate Associates Limited Partnership (Tenant).

***ACTION: (A-1644) Deferred to November 28, 2000. See Page 55.***

**SUPPLEMENTAL AGENDA**

**COUNTY ADMINISTRATOR**

- MOTION TO AUTHORIZE County Administrator to enter into a contract with the Broward County Director of Aviation.

***ACTION: (A-1980) Approved. Contract will become effective November 21, 2000. See Page 61.***

**NON AGENDA**

44. REMOVAL OF COUNTY ATTORNEY'S OFFICE AS ATTORNEY FOR CANVASSING

BOARD - COMMISSIONER PARRISH

***ACTION: (A-2716) See Page 75.***

45. CHARTER REVIEW COMMISSION'S REQUEST TO WAIVE PROCUREMENT CODE - COMMISSIONER PARRISH

***ACTION: (A-3346) See Page 88.***

46. STAFF TO CONFIRM - WHEELABRATOR HAS BEEN SOLD - COMMISSIONER LIEBERMAN

***ACTION: (A-3807) See Page 95.***

47. COUNTY'S OPEN ACCESS ORDINANCE - COMMISSIONER JACOBS

***ACTION: (A-3870) See Page 96.***

48. EXPLORE NEW MICROPHONE SYSTEM IN COMMISSION CHAMBERS - COMMISSIONER RODSTROM

***ACTION: (A-3891) See Page 96.***

49. ABSENTEE BALLOTS - COMMISSIONER COWAN

***ACTION: (A-3928) See Page 97.***

50. MARINE CORPS RETREAT CELEBRATION - THANKS FROM WWII VETERANS - COMMISSIONER ABRAMOWITZ

***ACTION: (A-4394) See Page 103.***

51. ABSENTEE BALLOTS - REVISITED ISSUE - COMMISSIONER ABRAMOWITZ

***ACTION: (A-4452) See Page 104.***

52. NOTIFICATION TO HEALTH AND SANITARY CONTROL BOARD - REGARDING SUNSETTING - COMMISSIONER PARRISH

***ACTION: (A-4582) See Page 106.***

53. MUNICIPAL SERVICES ADVISORY BOARD - NUMBER OF MEMBERSHIP - COMMISSIONER JACOBS

***ACTION: (A-4599) See Page 107.***

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