

MEETING OF NOVEMBER 18, 1997

(Meeting convened at 10:00 a.m., recessed for lunch at 1:45 p.m.,
reconvened at 2:30 p.m., and adjourned at 4:30 p.m.)

PLEDGE OF ALLEGIANCE - Led by Scott I. Cowan, Chair

CALL TO ORDER

1. STATE OF THE COUNTY ADDRESS - Given by Commissioner Scott I. Cowan in written form.
2. ELECTION OF COUNTY COMMISSION CHAIR

ACTION: (A-446) Commissioner Lori Nance Parrish was elected as Chair.

3. ELECTION OF COUNTY COMMISSION VICE CHAIR

ACTION: (A-457) Commissioner Ilene Lieberman was elected as Vice Chair.

4. A. MOTION TO APPOINT County Commissioners to the following boards for one-year terms
expiring November 17, 1998:

1. Broward County Employment and Training Administration (BETA), one commissioner.

ACTION: (A-479) Approved the reappointment of Commissioner Poitier.

2. City/County Liaison Group, three commissioners including Chair.

ACTION: (A-489) Approved the appointment of Commissioner Parrish and the reappointments of Commissioners Abramowitz and Lieberman.

3. Cultural Affairs Council, one commissioner.

ACTION: (A-500) Approved the reappointment of Commissioner Parrish.

4. Economic Development Council, Inc., one commissioner.

ACTION: (A-508) Approved the reappointment of Commissioner Gunzburger.

5. Emergency Medical Services (EMS) Council, one commissioner.

ACTION: (A-520) Approved the reappointment of Commissioner Abramowitz.

6. Metropolitan Planning Organization (MPO), five commissioners including Commission appointee to
Tri-Rail.

***ACTION: (A-527) Approved the appointment Commissioners Cowan and Gunzburger and the
reappointment of Commissioners Lieberman, Parrish and Rodstrom.***

7. Planning Council, one commissioner.

ACTION: (A-554) Approved the reappointment of Commissioner Gunzburger.

8. South Florida Regional Planning Council (SFRPC), three commissioners.

ACTION: (A-566) Approved the reappointment of Commissioners Cowan, Poitier and Rodstrom.

9. Value Adjustment Board (VAB), three commissioners.

ACTION: (A-573) Approved the appointment of Commissioner Abramowitz, and the reappointment of Commissioners Cowan and Rodstrom.

10. Water Advisory Board (WAB), four commissioners.

ACTION: (A-592) Approved the appointment of Commissioner Cowan and the reappointment of Commissioners Gunzburger, Lieberman, and Rodstrom.

11. Juvenile Justice Board, one commissioner.

ACTION: (A-613) Approved the reappointment of Commissioner Poitier.

12. Children's Services Board, one commissioner.

ACTION: (A-623) Approved the appointment Commissioner Gunzburger.

B. MOTION TO DESIGNATE a commissioner to the following: (the Chair by virtue of the office serves on the following, unless he or she asks the Commission to designate):

1. Public Safety Coordinating Council.

ACTION: (A-623) The Chair accepted the position and replaced Commissioner Cowan.

2. Tourist Development Council.

ACTION: (A-634) The Chair accepted the position and replaced Commissioner Abramowitz.

3. Homeless Initiative Partnership Advisory Board.

ACTION: (A-638) Commissioner Rodstrom accepted the Chair's request to continue to serve on this board.

4. HIV Health Services Planning Council.

ACTION: (A-646) Commissioner Poitier accepted the Chair's request to continue to serve on that Board.

CONSENT AGENDA

AVIATION DEPARTMENT

5. MOTION TO APPROVE field usage agreement between Broward County and Flying Boat, Inc. d/b/a Chalk's International Airlines and d/b/a Pan Am Air Bridge 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-665) Approved.

6. MOTION TO APPROVE reimbursable agreement between Broward County and the Federal Aviation Administration (FAA) in an estimated amount of \$137,346 to raise up to three Remote Transmitter Towers at the Fort Lauderdale-Hollywood International Airport (FLL); and authorize the Chair and Clerk to execute same prior to execution by the FAA.

ACTION: (A-665) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

7. MOTION TO APPROVE contract for sale and purchase executed by Barbara Lynch in the amount of \$65,000 for the purchase of property needed for right-of-way on NW 6th Street Widening Project, Parcel 8; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-665) Withdrawn per staff's addendum.

8. MOTION TO APPROVE contract for sale and purchase executed by James A. Dockery and Banner Shoemaker a/k/a Banner Shoemaker, in the amount of \$70,000 for purchase of right-of-way for NW 6th Street (NW 31st Avenue to NW 27th Avenue); Project 5075, Parcel 17; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed.

ACTION: (A-665) Approved.

9. MOTION TO ADOPT Resolution 1997-1190 for Libraries Division, 3403 Galt Ocean Drive, Fort Lauderdale, Florida, 2,450 square feet at \$13.23, per square foot; \$2,701.13, monthly. \$32,413.56, annually; Term of Lease: Commencing on January 1, 1998 and terminating on December 31, 1999; Landlord: Virginia Erdman; and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

10. MOTION TO ADOPT Resolution 1997-1191 accepting lease agreement between Broward County

and the Florida Department of Children and Family Services for the facility commonly known as the Juvenile Assessment Center at 333 SW 28th Street, Fort Lauderdale, Florida for the total amount of \$1; Term of Lease: Five years commencing October 1, 1997 and terminating September 30, 2002; and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

OFFICE OF ENVIRONMENTAL SERVICES FISCAL OPERATIONS DIVISION

11. MOTION TO ADOPT Resolution 1997-1192 assessing liens for unpaid water and/or sewer charges.

ACTION: (A-665) Approved.

ENVIRONMENTAL ENGINEERING DIVISION

12. MOTION TO VOID developer's agreement between Broward County and Nuwin Development, Inc. by executing an Affidavit stating that the agreement is voided and providing for the issuance of a letter signed by the Chair advising the developer of the Commission's action and of its intention to make a refund of \$13,831.36, to the developer, to retain the sum of \$5,000 as liquidated damages, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

OFFICE OF TRANSPORTATION ENGINEERING DIVISION

13. MOTION TO APPROVE road improvement phasing agreement between Broward County and Pasadena at Imagination Farms, Inc. relating to the Imagination Farms East Plat (009-MP-96); and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

14. MOTION TO ADOPT Resolution 1997-1193 accepting a road easement executed by Eli Bohadanah, donating right-of-way for SW 42nd Terrace and SW 47th Court in Section 25, Township 50 South, Range 41 East.

ACTION: (A-665) Approved.

15. MOTION TO APPROVE amendment to the Roadway Improvement Phasing Agreement, between Broward County and the City of Fort Lauderdale, related to the Northwest Fort Lauderdale Commercial Plat (113-MP-89); and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

16. MOTION TO APPROVE “Agreement for Construction of Required Offsite Improvements as Part of County Road Project” between Broward County and Nicholas and Shirley Alexander; and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

17. MOTION TO APPROVE Road Improvement Phasing Agreement between Broward County and Sandler at Broward, Inc. as general partner of Sandler at Broward, L.P., a Virginia limited partnership, relating to the ICW North Plat (008-MP-96); and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

18. MOTION TO ADOPT Resolution accepting a road easement executed by Belle R. Aultman, donating right-of-way for SW 18th Street, SW 43rd Way and SW 44th Avenue in Section 13, Township 50 South, Range 41 East.

ACTION: (A-665) Withdrawn per staff's addendum.

19. MOTION TO ADOPT Resolution 1997-1194 accepting a warranty deed executed by ESA 0328, Inc. donating right-of-way for SW 11th Way in Section 12, Township 48 South, Range 42 East.

ACTION: (A-665) Approved.

20. A. MOTION TO ADOPT Resolution 1997-1195 accepting a warranty deed executed by Juan Vazquez, donating right-of-way for Pembroke Road in Section 24, Township 51 South, Range 40 East.

ACTION: (A-665) Approved.

B. MOTION TO ADOPT Resolution 1997-1196 accepting a road easement executed by Dim Flamingo Limited Partnership, donating right-of-way for Pembroke Road in Section 24, Township 51 South, Range 40 East.

ACTION: (A-665) Approved.

21. MOTION TO APPROVE amendment to agreement between Broward County and Craven

Thompson and Associates, Inc. for consultant services for the NW 136th Avenue Improvement from Sunrise Boulevard to Flamingo Road, Project No. 5179, to redesign the Oakland Park Boulevard at Flamingo Road intersection, including design for a wall in the southeast corner, which will be constructed with funds from the City of Sunrise, in an amount not to exceed \$40,773.10, changing the total contract amount from \$343,011.27, to \$383,784.37, and an increase of contract time of 30 days; and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved per staff's addendum as indicated above.

STREETS AND HIGHWAYS DIVISION

22. MOTION TO ADOPT budget Resolution 1997-1197 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$100,000 to resurface various streets within the Loch Lomond area of Unincorporated Broward County. (Project 9803)

ACTION: (A-665) Approved.

23. MOTION TO ADOPT budget Resolution 1997-1198 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$50,000 for a channelization project on Pine Island Road and State Road 84. (Project 9804)

ACTION: (A-665) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

24. MOTION TO FILE Semi-Annual Financial Summary for the Park, Open Space and Recreational Trust Fund for the six-month period ended September 30, 1997.

ACTION: (A-665) Approved.

COUNTY RECORDS DIVISION

25. MOTION TO APPROVE minutes of the 1:30 p.m. Attorney-Client meeting of October 9, 1997 for the Board of County Commissioners.

ACTION: (A-665) Approved.

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

ACTION: (A-665) Approved.

PURCHASING DIVISION

For Aviation Department

27. MOTION TO APPROVE Eighth Amendment to the Agreement between Broward County and Leigh Fisher Associates for consultant services related to Broward County-owned airports in Fiscal Year 1997-1998 for a total amount not to exceed \$950,000.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

28. MOTION TO AWARD open-end contract to the low, responsive and responsible bidder, Vantage Equipment Company, for high speed airport sweeper (Bid No. C-09-97-22-06) in the approximate amount of \$231,304 for the Aviation Department and authorize the Director of Purchasing to renew the contract for one six-month period. The initial contract period shall start November 18, 1997 and shall terminate on May 17, 1998.

ACTION: (A-665) Approved.

For Port Everglades Department

29. MOTION TO APPROVE emergency procurement for repairs to seawall beneath Berths 24 and 25 at Port Everglades in the estimated amount of \$896,550.

ACTION: (A-665) Approved.

For Public Works Department

30. A. MOTION TO ADOPT budget Resolution 1997-1199 transferring funds within the Water and Wastewater Construction Fund for the Office of Environmental Services in the amount of \$112,000 from BCOES Project No. 8089, 3A WTP Expansion and Improvement for the purpose of increasing the funding for BCOES Project No. 8216, 3B Storage Tank.

ACTION: (A-665) Approved.

B. MOTION TO AWARD fixed contract to low bidder, John J. Kirlin, Inc. of Florida for District 3 Water System Improvements, 3B Ground Storage Tank and Pump Station (Bid No. N-04-97-06-CF) for total bid amount of \$1,873,000 for the Office of Environmental Services, subject to receipt and acceptance of insurance/performance and payment guaranty and contingent upon approval of Motion A, above.

ACTION: (A-665) Approved.

31. MOTION TO APPROVE Third Amendment to Agreement between Broward County and Post, Buckley, Schuh & Jernigan, Inc. for consultant (CEI) services for Douglas Road from Sheridan Street to Pembroke Road, Project No. 5116, in the amount of \$568,600 increasing the total contract amount from \$673,717.18, to \$1,242,317.18, and increasing the contract time from 929 calendar days to 1,469 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

REVENUE COLLECTION DIVISION

32. MOTION TO FILE Quarterly Investment Report as required by Ordinance 95.40 approved by the Board of County Commissioners on October 10, 1995.

ACTION: (A-665) Approved.

RISK MANAGEMENT DIVISION

33. MOTION TO ADOPT unanticipated revenue Resolution 1997-1200 within Fund 501 for Fleet Services to purchase a van in the amount of \$19,000 for the Risk Management Division.

ACTION: (A-665) Approved.

HUMAN SERVICES DEPARTMENT

ALCOHOL & DRUG ABUSE SERVICES DIVISION

34. MOTION TO ACCEPT grant award from the Department of Justice in the amount of \$300,000 for the purpose of providing enhancements to the existing Drug Court Treatment Program from April 1, 1997 through September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

35. MOTION TO APPROVE Agreement No. 97-WAGES-CR-004 between the Broward Employment and Training Administration and Broward County from November 4, 1997 through June 30, 1998, in the amount of \$444,900 to provide substance abuse treatment services, authorize the Chair and Clerk to execute same, and authorize necessary budget action to implement same.

ACTION: (A-665) Approved.

BUREAU OF CHILDREN & FAMILY SERVICES

36. MOTION TO APPROVE Agreement No. 98-BCFS-001 between Broward County and December 2nd, Inc. d/b/a Henry's Retirement Center from the date of execution to September 30, 1998 in the amount of \$90,000 for the purpose of providing transitional housing and supportive services, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

FIRE RESCUE DIVISION

37. A. MOTION TO APPROVE agreement among Broward County, Westview Resorts Corporation and Berkley Vacation Resorts, Inc. in the amount of \$170,001.25, in development fees for 307 parcels of property located within the City of Weston, such funds to be paid to Broward County and which shall be utilized to satisfy the Development Review Requirements of the Broward County Land Development Code requiring that fire apparatus and facilities be adequate to serve the reasonably projected needs of developments within Broward County, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 1997-1201 within the Unincorporated Area Capital Outlay Fund No. 342 for the Fire Rescue Division in the amount of \$170,001 for the purchase of an aerial fire apparatus to service the needs of the current and future residents of the City of Weston.

ACTION: (A-665) Approved.

MEDICAL EXAMINER & TRAUMA MANAGEMENT DIVISION

38. MOTION TO APPROVE reappointments of Lueron Dixon, Matthew Frankel, Meryl Guerrero, Jim Holland, Elizabeth Jordan, Dr. Wayne Lee, Dr. Larry Lottenberg, Ralph Marrinson, Andrew Popick, and Anthony Stravino to the Broward Regional Emergency Medical Services (EMS) Council.

ACTION: (A-655) Approved.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

39. MOTION TO APPROVE agreement between Broward County and Florida Atlantic University, acting on behalf of the Board of Regents, for the purpose of defining terms and conditions under which

the Broward County Library System will utilize \$468,845 for library resources to be included in the inventories of Florida Atlantic University and Florida International University for Fiscal Year 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

PARKS AND RECREATION DIVISION

40. MOTION TO APPROVE non-financial agreement between Broward County and Florida Atlantic University for Environmental Education, Field Studies, and Research Programs at Natural Areas owned and/or managed by Broward County commencing on the date executed by the County and continuing for a period of five years, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

41. MOTION TO ADOPT Resolution 1997-1202 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$3,000 to the Friends of the Parks and Recreation Division Trust Fund from The South Florida Presidents Council of Motorcycle Clubs and Organizations; and authorize the County Administrator to take all administrative actions to implement same.

ACTION: (A-665) Approved.

42. MOTION TO ADOPT Resolution 1997-1203 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$2,500 from Humana, Inc. for the use and benefit of the Parks and Recreation Division's 1997 Holiday Fantasy of Lights at Tradewinds Park from November 23, 1997 through January 3, 1998 in exchange for promotional services; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

ACTION: (A-665) Approved.

43. MOTION TO ADOPT Resolution 1997-1204 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of \$2,500 from Prime Hospitality Corporation d/b/a Wellesley Inns for the use and benefit of the Parks and Recreation Division's 1997 Holiday Fantasy of Lights to be held at Tradewinds Park from November 23, 1997 through January 3, 1998 in exchange for promotional services; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

ACTION: (A-665) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

44. MOTION TO APPROVE settlement agreements between Broward County and the listed

respondents for violations of Broward County Code of Ordinances for Department of Natural Resource Protection (DNRP). The respondents were cited for violations of the Broward County Code of Ordinances for the attached violations and have agreed to pay Broward County for the penalties in full:

1. Island Homes, Ltd.
2. City Management Corporation d/b/a City Environmental Services, Inc. of Florida.
3. Wayne and Tina Freeman and Hobart O. Harrison.

ACTION: (A-665) Approved.

45. MOTION TO APPROVE AND EXECUTE Satisfaction(s) of Lien.

ACTION: (A-665) Approved.

BIOLOGICAL RESOURCES DIVISION

46. MOTION TO ACCEPT conservation easement from Weston Towers, Inc. for wetland mitigation associated with the construction of two transmission towers and ancillary facilities, over approximately 0.446 acres of real property in the City of Weston, for the Biological Resources Division.

ACTION: (A-665) Approved.

47. MOTION TO APPROVE disbursement of \$14,340 from the Tree Trust Preservation Trust Fund for the planting of trees along a major entryway and a playground in the Palm Aire neighborhood of Unincorporated Broward County, for the Biological Resources Division of the Department of Natural Resource Protection.

ACTION: (A-665) Approved.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

BUILDING & PERMITTING DIVISION

48. MOTION TO APPROVE interlocal agreement between Broward County and the City of Lauderhill to provide the City of Lauderhill hearings before the Broward County Unsafe Structures Board and shall continue in effect for a two-year period beginning November 18, 1997 and be in effect until midnight November 17, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

PORT EVERGLADES DEPARTMENT

49. MOTION TO APPROVE Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and Metro Medical Transportation Services, Inc. d/b/a Health Trans of South Florida, and Net Tours, Inc. respectively, in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-665) Approved.

50. MOTION TO ADOPT Resolution 1997-1205 waiving dockage charges of up to \$19,000 and 50% of the parking fees to a maximum of \$10,000 from December 12, 1997 through December 19, 1997 inclusive for the naming ceremony and inaugural introduction of Radisson Seven Seas Cruises' newest ship, the M/S Paul Gauguin.

ACTION: (A-665) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

51. MOTION TO APPROVE business travel for County employees in accordance with Administrative Order 105.

ACTION: (A-665) Approved.

OFFICE OF URBAN AFFAIRS

52. MOTION TO APPROVE appointments by Governor Lawton Chiles of Seth Gelman and Margaret Mayes to the Broward County Housing Authority.

ACTION: (A-665) Approved.

COUNTY ADMINISTRATOR

53. MOTION TO ADOPT Resolution amending the Fiscal Year 1998 appropriations schedule for special events to include the Hispanic Unity Annual Gala Dinner.

ACTION: (A-665) Withdrawn per staff's addendum.

COUNTY COMMISSION

54. MOTION TO AUTHORIZE extension to January 1, 1998 for Ad Hoc Agricultural Study Committee Report to County Commission. (Commissioner Parrish)

ACTION: (A-665) Approved.

BOARD APPOINTMENTS

55. MOTION TO APPROVE appointment of Mr. John Garon to the Advisory Board for Persons with Disabilities. Mr. Garon will fill an existing vacancy. (Commissioner Parrish)

ACTION: (A-665) Approved.

REQUEST TO SET FOR PUBLIC HEARING

56. MOTION TO ADOPT Resolution 1997-1206 directing the County Administrator to publish notice of public hearing to be held Tuesday, December 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon retention, access, canal and drainage easements lying and being in Broward County, Florida and located west and adjacent to North Andrews Avenue between Copans Road and Sample Road in the City of Pompano beach. Petitioner: Park Central Industrial, et. al. (Consul- Tech Engineering, Inc. - Agent) 28-V-97.

ACTION: (A-665) Approved.

57. MOTION TO ADOPT Resolution 1997-1207 directing the County Administrator to publish notice of public hearing to be held Tuesday, December 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center to vacate and abandon drainage and utility easements, lying in Broward County, Florida, and located at 1200 North Commerce Parkway in the City of Weston. Petitioner: Arvida/JMB Partners (David W. Harris, P. E. - Agent) 2-V-98.

ACTION: (A-665) Approved.

58. MOTION TO ADOPT Resolution 1997-1208 authorizing the County Administrator to advertise a public hearing to be held on Tuesday, December 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center for adopting supplemental budgets to adjust revenues and appropriations.

ACTION: (A-665) Approved.

REGULAR AGENDA

10 a.m. PUBLIC HEARING

PROPOSED AMENDMENTS

TO THE BROWARD COUNTY COMPREHENSIVE PLAN

(CONTINUED FROM NOVEMBER 4, 1997)

59. ITEM *BLUE BOOK TAB 1*

AMENDMENT PC 97-16

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF COOPER CITY

FROM: Estate (1) Residential

TO: Commercial

SIZE: Approximately 12.5 acres

LOCATION: in Section 5, Township 51, Range 41; located east of Palm Avenue and south of Northwest 29 Court; bound on the east by Northwest 98

Avenue and on the south by Sheridan Street.

RECOMMENDED ACTION: Approve the amendment per Planning Council recommendation.

ACTION: *(A-725, A-1778 & B-1466) The Board reconsidered its the action taken on November 4, 1997 and deferred action on this item to its meeting of December 2, 1997 at 10:00 a.m. after the consent agenda items. The Chair directed that the affected parties be renoticed, remailed and it be readvertised.*

60. ITEM *BLUE BOOK TAB 2*

AMENDMENT PC 97-17

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF PEMBROKE PINES

FROM: approximately 2.7 acres Commercial and 113.3 acres Low (2) Residential

TO: Conservation - Reserve Water Supply Areas

SIZE: Approximately 116 acres

LOCATION: in Section 15, Township 51, Range 39; bound on the west by U.S. 27; located south of Pines Boulevard, west of Southwest 208 Avenue and north of Pembroke Road.

RECOMMENDED ACTION: Approve the map amendment and related text amendment PCT 97-5 per Planning Council recommendation.

ACTION: (A-728 & B-2752) *The Board accepted the Planning Council's recommendation.*

61. ITEM *BLUE BOOK TAB 3*

AMENDMENT PCT 97-3

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revisions to Section IV.D.7, “Monitoring and Enforcement Procedures”, pertaining to local governmental reporting requirements.

RECOMMENDED ACTION: Approve the amendment per Planning Council recommendation.

ACTION: (A-725) *Withdrawn per staff's addendum.*

62. ITEM *BLUE BOOK TAB 4*

AMENDMENT PCT 97-4

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revision to Policy 09.13.02 regarding clarification of Dredge Spoil Disposal Sites site selection criteria.

RECOMMENDED ACTION: Approve the amendment per Planning Council recommendation.

ACTION: (A-725) *Withdrawn per staff's addendum.*

63. ITEM *BLUE BOOK TAB 5*

PUBLIC SCHOOL FACILITIES ELEMENT AMENDMENT

Amendment proposes changes to Level of Service Standards.

RECOMMENDED ACTION: Defer the amendment to subsequent amendment cycle per Department of Strategic Planning and Growth Management staff recommendation.

ACTION: (A-725) *Withdrawn per staff's addendum.*

64. ITEM *BLUE BOOK TAB 6*

PUBLIC SCHOOL FACILITIES ELEMENT AND CAPITAL IMPROVE- MENT ELEMENT AMENDMENT

Amendment to the Public School Capital Facilities Program.

RECOMMENDED ACTION: Defer the amendment to subsequent amendment cycle per Department of Strategic Planning and Growth Management staff recommendation.

ACTION: (A-725) Withdrawn per staff's addendum.

65. ITEM BLUE BOOK TAB 7

AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT TEXT

Amendment proposes revisions to the Goals, Objectives and Policies of the Future Unincorporated Area Land Use Element based upon recommendations of the adopted Evaluation and Appraisal Report and Support Documents.

RECOMMENDED ACTION: Approve the amendment per Local Planning Agency recommendation.

ACTION: (A-725) Withdrawn per staff's addendum.

66. ITEM BLUE BOOK TAB 8

AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT MAP

Amendment based on adopted 1996 Evaluation and Appraisal Report.

RECOMMENDED ACTION: Approve the amendment per Local Planning Agency recommendation.

ACTION: (A-725) Withdrawn per staff's addendum.

67. ITEM BLUE BOOK TAB 9

AMENDMENT TO THE TRAFFIC CIRCULATION ELEMENT MAP NO. 4-6, YEAR 2010 HIGHWAY NETWORK MAP

Amendment proposes to add a new interchange on the Sawgrass Expressway between Oakland Park Boulevard and Sunrise Boulevard for the Broward County Arena.

RECOMMENDED ACTION: Approve the amendment per Local Planning Agency recommendation.

ACTION: (A-725) Withdrawn per staff's addendum.

68. ITEM BLUE BOOK TAB 10

MOTION TO ENACT AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING THE SECOND ANNUAL 1997 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITIES OF COOPER CITY AND PEMBROKE PINES; AMENDING THE 1989

BROWARD COUNTY LAND USE PLAN TEXT RELATING TO MONITORING AND ENFORCEMENT PROCEDURES, DREDGE SPOIL DISPOSAL SITES AND IDENTIFICATION OF AND PERMITTED USES WITHIN THE CONSERVATION LAND USE CATEGORY; AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT; AMENDING THE TRAFFIC CIRCULATION ELEMENT; AMENDING THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT TEXT; AMENDING THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (A-1750 & B-3234) Enacted Ordinance 1997-48 as amended to be effective as provided by law.

END OF PUBLIC HEARING

COUNTY ADMINISTRATOR'S REPORT

69. A. County Administrator Phillip C. Allen commented on a letter that the commissioners received from the City of Hollywood addressing its request to have a meeting with the county commissioners relative to the city's intent to sue under the Port Interlocal Agreement. Mr. Allen advised that staff will schedule that for December 2, 1997 as a delegation to allow the city to come forth and make their case.

County Attorney John J. Copelan Jr. added that he received a second letter on Monday, November 17, 1997 indicating the city's concern as to the timing, location, and its designation as a delegation being conducive to the city and county commissioners having a dialogue.

ACTION: (A-1930) No action necessary at this time.

B. County Administrator Phillip C. Allen advised that staff is preparing the final draft agreement on the Convention Center Hotel, which will be presented to the commissioners on November 20, 1997. On the November 25 agenda there will be a request to advertise to schedule public hearings on this agreement on December 9 and 16, 1997. The Board will not be expected to negotiate final terms until December 16.

ACTION: (A-2060) No action necessary at this time.

C. County Administrator Phillip C. Allen reported that staff conducted a public hearing on November 14, 1997 on the county's Small Disadvantaged Business Enterprise (SDBE) program, during which they took verbal comments that are being transcribed. Also, staff is in the process of receiving written comments. Mr. Allen advised that staff's recommendations on the next step to proceed relative to consideration of the SDBE will be presented to the Board on December 9, 1997.

ACTION: (A-2154) No action necessary at this time.

D. County Administrator Phillip C. Allen commented that over the last few weeks the Board may have seen some concerns relative to the cut-backs in U.S. Customs Office at Port Everglades, which was included in legislation proposed by the Administration on the Fast Track. He advised that it was pulled by Administration with the assistance of Congressmen Shaw and Deutch, and Senators Graham and Mack, who over the weekend were able to get a special bill passed that provides for the continued

appropriation of customs for that service until September 30, 1998.

Mr. Allen advised that a task force is being formed from port staff, the local customs office, and managers from all the shipping lines to consider the issue of security and come back in a few months with recommendations.

ACTION: (A-2173) No action necessary at this time.

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. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

DEPARTMENT OF STRATEGIC PLANNING

& GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

70. DISCUSSION of plat entitled "St. Edward - West" - District 5, (024-MP-97).

ACTION: (A-2331) Approved the plat subject to staff's recommendations as outlined in the Development Review Report as amended per staff's addendum.

71. DISCUSSION of plat entitled "Church of God of Prophecy Plat" - District 2, (054-MP-97).

ACTION: (A-2352) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

72. DISCUSSION of plat entitled "Palmaire Marketplace" - District 2, (057-MP-97).

ACTION: (A-2255) Deferred to November 25, 1997 at the applicant's request.

73. DISCUSSION of plat entitled "Volante Plat" - District 5, (011-MP-97).

ACTION: (A-2255) Deferred to June 23, 1998 or sooner, under Section 5-181(i) of the Land Development Code, to study access.

74. DISCUSSION of plat entitled "Country Western Store" - District 4, (020-MP-97). (Deferred from October 21, 1997).

ACTION: (A-2375) Approved the plat subject to staff's recommendations as outlined in the

Development Review Report as amended per staff's addendum.

75. DISCUSSION of plat entitled "Centres/Trion Plat" - District 1, (012-MP-97). (Deferred from October 21, 1997).

ACTION: (A-2255) Deferred to December 16, 1997 at the applicant's request.

76. DISCUSSION of plat entitled "Coral Creek Replat No. 4" - District 3, (022-MP-97).

ACTION: (A-2395) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

77. DISCUSSION of plat entitled "Tamarac Island" - District 1, (055-MP-97).

ACTION: (A-2404) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

78. DISCUSSION of plat entitled "Pod 4 at Monarch Lakes" - District 5, (037-MP-97).

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

79. DISCUSSION of plat entitled "Pod 8 at Monarch Lakes" - District 5, (041-MP-97).

ACTION: (A-2447) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

80. DISCUSSION of plat entitled "Pod 11 at Monarch Lakes" - District 5, (044-MP-97).

ACTION: (A-2473) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

81. DELEGATION: Mitchell N. Harvey, representing the Port Everglades Department, regarding:

A. Request to amend the note on the Port Everglades Plat No. 10 (089-MP-90).

B. Request for waiver of transit impact fees.

ACTION: (A-2485) Approved subject to staff's recommendations.

82. DELEGATION: Donald R. Hall regarding request to amend the note on the New River Center Plat (028-MP-90). (Deferred from October 21, 1997).

ACTION: (A-2500) Approved subject to staff's recommendations.

83. DELEGATION: Leigh R. Kerr regarding request to amend the note on the Pembroke Pines Regional Shopping Center Plat (144-MP-89). (Deferred from November 4, 1997).

ACTION: (A-2255) Withdrawn at the applicant's request.

84. DELEGATION: Leigh R. Kerr regarding request to amend the note on the Towngate Plat (062-MP-93). (Deferred from November 4, 1997).

ACTION: (A-2255) Withdrawn at the applicant's request.

85. DELEGATION: Dean M. Gerchar regarding request to amend the non-vehicular access line on the Turtle Run Plat (109-MP-86).

ACTION: (A-2539) Approved subject to staff's recommendations.

86. DELEGATION: James Kahn regarding request to amend the non-vehicular access) Approved subject to staff's recommendations line on the Coquina Flats Plat (023-UP- 92).

ACTION: (A-2556) Approved subject to staff's recommendations.

87. DELEGATION: James Kahn regarding request to amend the non-vehicular access line on the Regency Plat (033-UP-82).

ACTION: (A-2574) Approved subject to staff's recommendations.

88. DELEGATION: Glen Hanks regarding request to amend the non-vehicular access line on the Weston Park of Commerce Plat One (029-UP-86).

ACTION: (A-2620) Approved subject to staff's recommendations.

89. DELEGATION: Gladys A. DiGirolamo regarding request to amend the non-vehicular access line on the Ice Plat (098-MP-95).

ACTION: (A-2255) Deferred to December 22, 1997 or sooner at the applicant's request.

90. DELEGATION: Sue Jackson regarding request to modify conditions of plat approval for the Belmont Lakes at Davie Plat (021-MP-96).

ACTION: (A-2735) Approved subject to staff's recommendations.

91. DELEGATION: Francisco Rojo regarding:

A. Designation as an affordable housing project for the Stirlingwood Plat (127-CP-79) and Stirlingwood II Plat (182-CP-79).

B. Partial waiver of impact, administrative, and application fees for the Stirlingwood Plat (127-CP-79) and Stirlingwood II Plat (182-CP-79).

ACTION: (A-2650) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

AVIATION DEPARTMENT

92. A. MOTION TO ADOPT Preliminary Resolution proposing to amend Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation"; amending the schedule of rates, fees and charges for Airport Public Parking Facilities at Fort Lauderdale-Hollywood International Airport; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-2690) Denied.

B. MOTION TO ADOPT Resolution directing the County Administrator to publish a notice of public hearing to be held on Tuesday, December 9, 1997 at 2:00 p.m. in Room 422 of the Governmental Center proposing to amend Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation"; amending the schedule of rates, fees and charges for Airport Public Parking Facilities at Fort Lauderdale-Hollywood International Airport providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-2690) Denied.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Finance and Administrative Services Department

92. MOTION TO AWARD open-end contract to low responsive, responsible bidders, Capital Reporting Services, Official Reporting Service, and Associates/Certified Reporting, Inc., for court reporting services (Bid No. J-07-97-19-24) in the approximate amounts of \$34,191.13, for the Office of the County Attorney, and \$598,977.87, for Court Administration for the Special Public Defenders and authorize the Director of Purchasing to renew the contract for two one-year periods. The initial contract shall commence December 1, 1997 and shall terminate November 30, 1999.

ACTION: (A-2945) Approved.

93. A. MOTION TO APPROVE changes to the Procurement Code as reflected in the attached Resolution which encompasses all changes recommended by the Blue Ribbon Committee (as amended by suggestions of individual Commissioners) at the Board's regular meeting on October 14, 1997.

OR

B. MOTION TO APPROVE changes to the Procurement Code as reflected in the attached Resolution 1997-1209 which reflects only the changes conceptually approved by the Board at their regular meeting on October 14, 1997.

ACTION: (B-43 & 1308) Approved 94B with one amendment providing that the level of professional services that can be administratively approved by the county administrator or purchasing director is

changed from \$20,000 to \$50,000.

HUMAN SERVICES DEPARTMENT

HEALTH CARE MANAGEMENT DIVISION

94. MOTION TO ADOPT Resolution 1997-1210 of the Board of County Commissioners of Broward County, Florida making a finding and determination that the work and services of certain organizations serve a public purpose; authorizing appropriations and disbursements for the organizations for Fiscal Year 1997-1998; prescribing requirements and conditions for disbursement of appropriated funds; approving funding of \$294,115 for non-profit/for profit organizations; adopting form contracts to be used for execution on behalf of the County by the County Administrator; and providing for an effective date.

ACTION: (B-428) Approved as amended per staff's addendum to defer contracts #DV98-07 in the amount of \$7,255 and #DV98-08 in the amount of \$6,700 for further staff consideration.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (B-618) Approved as amended per staff's addendum.

PUBLIC WORKS DEPARTMENT

96. MOTION TO APPROVE superseding Memorandum of Understanding (mediation agreement) with Kajima International, Inc., on a contingent basis, relating to County and Contractor claims resulting from the Broward County Judicial Center expansion project, and authorize the Chair and County Attorney to execute, as necessary. (Deferred from October 28, 1997)

ACTION: (B-654) Approved.

COUNTY ADMINISTRATOR

97. MOTION TO RATIFY allowance of up to 34 years without interest for existing Port Everglades tenants to repay amounts paid by the Port in settlement of Port Everglades Authority v. Markham, et al., Fourth District Court of Appeal Case No. 94-2872. (Deferred from November 4, 1997)

ACTION: (B-664) Approved with the exception of Port Everglades Cold Storage (Primlaks, U.S.A., Inc.), which was deferred to December 2, 1997, provided that the property owner or representative has submitted the appropriate profit and loss statements. The Board also deferred discussion on Dry

Marinas to December 2, 1997. The Board accepted everyone paying the county and would not extend terms to those who have agreed to pay within the three years. The Board approved amending item 98 to indicate that each one is allowed up three years for repayment without interest; any time period negotiated by the staff different than that would be brought back to the Board and would include interest, with the recommendation to use the Federal Reserve Discount Rate as set by the United States Federal Reserve Board.

98. A. MOTION TO NOTE FOR THE RECORD the status of tax liability for Eller Drive Limited Partnership.

ACTION: (B-1233) Approved.

COUNTY COMMISSION

98. A. MOTION TO APPROVE interlocal agreement between Broward County and Metropolitan Dade County, Palm Beach County, the Broward County Metropolitan Planning Organization, the Metro-Dade County Metropolitan Planning Organization, the Metropolitan Planning Organization of Palm Beach County, and the State of Florida Department of Transportation for the purpose of creating a Regional Transit Organization (RTO). (Commissioner Parrish)

ACTION: (B-1260) Approved and appointed Commissioner Parrish.

B. MOTION TO APPOINT two members to the RTO. (Commissioner Parrish)

ACTION: (B-1275) The Board appointed Commissioner Parrish as its one member to the RTO and delegated one of its appointments to be made from the MPO.

SUPPLEMENTAL AGENDA

BOARD APPOINTMENTS

99. MOTION TO APPROVE appointment of John Pisz to the Municipal Services Advisory Board. (Commissioner Lieberman)

ACTION: (A-665) Approved.

COUNTY COMMISSION

100. DISCUSSION: Miramar Park Project. (Commissioner Parrish)

ACTION: (B-1339) Deferred to December 2, 1997 to allow Russell H. Klinet, Executive Vice President, The Rubin Group, on behalf of the City of Miramar, to work with county staff, engineering etc. on the 157 acres.

NON AGENDA

101. DISCUSSION: Commissioner Gunzburger advised that the League of Cities is currently asking for a change in the makeup of the MPO to have only three county commissioners appointed. Commissioner Gunzburger requested that the county's legislative agenda package include that change.

ACTION: (A-545) There were no objections to this request.

102. DISCUSSION: Commissioner Gunzburger expressed her concern about the City of Hollywood providing fire service delivery beyond city limits, which she would like Mr. Allen to bring to the table, with the commissioners concurrence. She indicated that when she had a meeting with Commissioner Eleanor Sobel, City Manager Sam Finz, and other city representatives, Mr. Finz spoke about providing fire/EMS service to the unincorporated areas. Commissioner Gunzburger asked Mr. Finz if he would be looking to annex the unincorporated areas and he responded, "Perhaps the areas to the north, but definitely not the ones to the south." Commissioner Gunzburger expressed concern about providing services in the unincorporated areas without looking toward annexation, and services should be keyed to that.

Mr. Allen responded that the meeting was requested by Mr. Finz to talk primarily about the assumption of responsibilities for protecting Port Everglades by the Hollywood Fire Department. This has grown since that into other issues that staff thought it had resolved last year. Mr. Allen advised that he is scheduled to meet with Mr. Finz on November 20, and clearly the issue of "cherry-picking" certain service areas is contrary to the county's accepted policy of annexation, and would not be something that the administrator's office would look favorably upon.

ACTION: (A-1980) There was no disagreement with Commissioner Gunzburger's position on this issue.

103. DISCUSSION: Filing of appeal to challenge judge's ruling that Commissioner Rodstrom was acting within his official capacity when he filed his lawsuit.

ACTION: (A-2967) Motion to withdraw appeal was not carried due to a tie vote.

104. INFORMATIONAL: Commissioner Cowan remarked that it has been the county's policy to insure there is representation on the VAB, and while three commissioners are designated as prime, the rest of the commission is also designated in the event a designated commissioner is not available.

ACTION: (B-3256) No action necessary.

105. INFORMATIONAL: Commissioner Abramowitz advised that he has received information from Tallahassee that the Governor and the Cabinet have designated Broward County as the new home of the Veterans Nursing Home Center.

ACTION: (B-3273) No action necessary.

106. INFORMATIONAL: Commissioner Gunzburger commented on a fax received from the Florida Association of Counties on Article V and requested the Chair to send a letter on this issue.

ACTION: (A-3295) The Chair will send a letter as requested.

107. DIRECTIVE: Commissioner Lieberman asked that all departments, having the potential for downsizing as a result of annexation, make available, and post, job opportunities in the cities.

ACTION: (B3324) No action necessary.

108. DISCUSSION: Commissioner Lieberman asked when the television coverage of the County Commission meetings would begin.

ACTION: (B-3341) County Administrator Phillip C. Allen advised that staff is preparing a report. He stated that they are trying to work through a directive of the commission not to expend funds for this coverage and trying to encourage the cable companies to put funds into the project. Mr. Allen will provide a status report at the November 25, 1997 meeting. Commissioner Parrish stated that her concern is that current agenda procedures would not be changed, and the commissioners concurred.

109. Commissioner Parrish commented on a notice she received relative to revamping the legal system, which advised that selection was Unisys number 1 and IBM number 2. Commissioner Parrish commented on past concerns with Unisys.

ACTION: (B-3409) County Administrator Phillip C. Allen advised that, under the procedures of the procurement code, with the receipt of the notice there is five days for any commissioner to notice the administrator of an objection. Mr. Allen reported that Commissioner Abramowitz informed him earlier in this day that he was objecting to that award, and he is now required to bring this back as a discussion item at the next county commission meeting.

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