

MEETING OF DECEMBER 1, 1998

(Meeting convened at 10:00 a.m. and adjourned at 1:30 p.m.)

PLEDGE OF ALLEGIANCE - Led by Howard O. Coggin, Port Everglades, a 20-year employee, and Tom A. Cuyler, Aviation, a 40-year employee.

CONSENT AGENDA

BOARD APPOINTMENTS

1. MOTION TO NOMINATE Patricia A. Shub as a member of the Animal Care Trust Fund Committee of Broward County. (Commissioner Lieberman)

ACTION: (A-185) Approved.

A. MOTION TO APPROVE re-appointment of Diane Sepielli to the Homeless Initiative Partnership Advisory Board (Commissioner Gunzburger)

ACTION: (A-185) Approved.

B. MOTION TO APPROVE the appointment of Angela Waiters Mason to the District 10 Health and Human Services Board. Ms. Mason replaces Nan Rich who has resigned. (Commissioner Gunzburger)

ACTION: (A-185) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Amendment No. 2 to the Pay Telephone Concession Agreement between Broward County and AT&T Communications, Inc. which provides for a three-month extension of the term with an option for another three-month extension, provides for a Change Over Period for the change out of the pay telephone equipment and privilege fees that are to be paid to the County during the extension and Change Over Period, and authorize the Chair and Clerk to execute same.

ACTION: (A-185 & 300)) Approved as amended. Commissioner Abramowitz requested County Administration provide information on schedule of payments.

3. MOTION TO APPROVE Amendment No. 3 to the Airline-Airport Lease and Use Agreement between Broward County and Delta Air Lines, Inc. at the Fort Lauderdale-Hollywood International Airport for the lease of 3,002 square feet of operations space in Terminal 1 on a month-to-month basis effective upon Board approval, and authorize the Chair and Clerk to execute same.

ACTION: (A-185) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

4. MOTION TO ADOPT Resolution 1198-1166 authorizing the conveyance by Quit Claim Deed properties acquired by foreclosure on Broward County Tax Sale Certificates 1507 & 1509 on June 1, 1967 and Tax Deed 13960 to the City of Fort Lauderdale; and authorize the Chair and Clerk to execute same.

ACTION: (A-185) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

5. MOTION TO ADOPT Resolution 1998-1167 accepting Warranty Deed executed by P-95/Fed Limited Partnership, donating right-of-way for SW 39th Street in Section 30, Township 50 South, Range 42 East, and being a portion of SW 39th Street approximately 1,500 feet west of Ravenswood Road.

ACTION: (A-185) Approved.

6. MOTION TO APPROVE Amendment to the Traffic Concurrency Agreement among Broward County, the Town of Davie, Sandler at Broward, L.P., M S and S Toyota, Inc., Martin Square, L.P. West City Pointe West Commerce I Limited Partnership, BMS Davie, LTD. successors in Interest to Silverado Development Corp. related to the ICW North Plat (008-MP-96) and the ICW South Plat (028-MP-96); and authorize the Chair and Clerk to execute same.

ACTION: (A-185) Approved.

STREETS AND HIGHWAYS DIVISION

7. MOTION TO ADOPT budget Resolution 1998-1168 transferring funds within Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$216,000 for construction/resurfacing of NW 31st Avenue (NW 62nd Street to Turnpike Overpass). Project 9906.

ACTION: (A-185) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

8. MOTION TO FILE Annual Independent Post Audit of Financial Reports for certain independent/dependent districts for the year ended September 30, 1997:

- A. Broward County Housing Authority
- B. Broward County Water Control District Nos. 3 and 4
- C. Broward Economic Development Council, Inc.
- D. Central Broward Water Control District
- E. Cypress Cove Community Development District
- F. Florida Atlantic Research and Development Authority
- G. Hillsboro Inlet District
- H. Indian Trace Community Development District
- I. North Lauderdale Water Control District
- J. North Springs Improvement District
- K. Performing Arts Center Authority
- L. Pine Tree Water Control District
- M. Plantation Acres Improvement District
- N. South Broward Drainage District
- O. West Lauderdale Water Control District

ACTION: (A-185) Approved.

9. 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-185) Approved.

COUNTY RECORDS DIVISION

10. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items

listed below that were approved in prior years.

ACTION: (A-185) Approved.

11. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission meeting of September 28, 1998; minutes of the 2:00 p.m. Public Hearing of September 28, 1998; and minutes of the County Commission Governmental Leasing Corporation of September 28, 1998.)

ACTION: (A-185) Approved.

OFFICE OF INFORMATION TECHNOLOGY

12. MOTION TO ADOPT Resolution 1998-1169 of the Board of County Commissioners of Broward County, Florida relating to the cable television franchise granted to Margate Video Systems, Inc., by Resolution No. 95-376; consenting to change of control of parent company by restructuring and merger; providing for severability; and providing for an effective date.

ACTION: (A-185) Approved.

13. MOTION TO ADOPT Resolution 1998-1170 of the Board of County Commissioners of Broward County, Florida relating to the cable television franchise granted to TCI TKR of South Florida, Inc., d/b/a TCI of South Florida, by Resolution No. 94-998; consenting to change of control of parent company by restructuring and merger; providing for severability; and providing for an effective date.

ACTION: (A-185) Approved.

PURCHASING DIVISION

For Aviation Department

14. MOTION TO APPROVE First Amendment to the Agreement between Broward County and Cummings-Centex Rooney, (a Joint Venture) for construction of the Infield Parking Garage at the Fort Lauderdale-Hollywood International Airport providing no increase in time or dollars and incorporating contract language that authorizes the Contract Administrator to release retainage for short term portions of the work, and authorize the Chair and Clerk to execute same.

ACTION: (A-185) Approved.

15. MOTION TO APPROVE Fifth Amendment to Agreement between Broward County and HNTB Corp. for the preparation of an Environmental Impact Statement for the proposed South Runway Extension at the Fort Lauderdale-Hollywood International Airport (FLL) for additional services related to the change in conceptual design for the preferred project, rerunning the air quality model, the changes in the runway completion date to 2005 and new fleet mix forecast with associated revisions to the

environmental impact categories, which will increase the total amount not to exceed from \$1,231,847 to \$1,378,334 including an increase of \$161,867 in professional services and \$5,945 in reimbursables and a reallocation of \$21,325 in unused funds from tasks in both Exhibits A and B to offset costs for new services for a net increase to the Agreement amount of \$146,487 and to extend the term of the Agreement by a second one-year extension to December 4, 1999, and add a third one-year option, and authorize the Chair and Clerk to execute the same.

ACTION: (A-185) Approved.

For Community Services Department

16. MOTION TO AWARD fixed contract to the low responsive, responsible bidder, MBR Construction, Inc., for construction of a golf practice facility at Osswald Park (Bid No. Q-5-98-109CF) in the amount of \$278,355.75, for the Parks and Recreation Division, subject to receipt and acceptance of Insurance/Performance and Payment Guarantee.

ACTION: (A-185) Approved.

For Port Everglades Department

17. MOTION TO NOTE FOR THE RECORD Emergency/Sole Source rental of a genset (generator system) to power the Paceco container crane (P-1) during the period June 16, 1997 through October 8, 1998 in the amount of \$177,917.50, for the Port Everglades Department.

ACTION: (A-185) Approved.

For Public Works Department

18. A. MOTION TO ESTABLISH Qualified Bidders' List for Board-Up, Demolition, and Pool Fill-ins of various abandoned buildings, structures, and pools in Broward County (No. L-7-98-181-A-1): A-C Construction; American Atlas Wrecking; Cali Home General Contractor; Crawford Paving & Demolition; Daise Management Corporation; Danker Construction Corp.; F.A. Home Improvement; Frederico Equipment; Gold Hands Construction; International Salvage; J.J.R. Construction Co.; Landmor Corporation; Omega Contracting, Inc.; Pete's Trucking & Demo.; Rick Hamann & Son; Sharp Construction, and authorize the Purchasing Director to renew the qualified bidders' list for a one-year period subject to vendor acceptance, satisfactory performance, and determination that renewal is in the best interest of Broward County, for the Building & Permitting Division. The initial period of this list will be from November 27, 1998 through November 26, 1999,

ACTION: (A-185) Approved.

B. MOTION TO APPROVE established procurement procedures as outlined in Exhibit A.

ACTION: (A-185) Approved.

C. MOTION TO AUTHORIZE Purchasing Director to add to the Qualified List pending vendors as the specified paperwork is completed, submitted and accepted by the County, and to remove vendors from the Qualified List who do not keep their requirements current.

ACTION: (A-185) Approved.

REVENUE COLLECTION DIVISION

19. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Liens.

ACTION: (A-185) Approved.

HUMAN SERVICES DEPARTMENT

BUREAU OF CHILDREN & FAMILY SERVICES

20. MOTION TO APPROVE grant application to the Emergency Food and Shelter Program Board of Broward County in the amount of \$180,000 for the purpose of providing rent/mortgage emergency financial assistance to prevent homelessness for low income families in Broward County, from January 1, 1999 through October 31, 1999, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation (no matching funds required).

ACTION: (A-185) Approved.

HEALTH CARE MANAGEMENT DIVISION

21. A. MOTION TO ADOPT unanticipated revenue Resolution 1998-1171 within the Fiscal Year 1998 Ryan White Title I Comprehensive AIDS Resources Emergency (CARE) Act Grant for the Health Care Management Division in the amount of \$292,000 from unutilized Fiscal Year 1993-95 Federal Department of Health Resources & Services Administration Grant Funds, increasing the Grant amount from \$10,208,826 to \$10,500,826 for direct contract services for HIV/AIDS persons and their families.

ACTION: (A-241) Approved. (Commissioner Lieberman abstained from voting on this item.)

B. MOTION TO ADOPT Resolution 1998-1172 of the Board of County Commissioners of Broward County, Florida, approving an allocation of \$292,000 in appropriated Fiscal Year 1998 Ryan White Title I CARE Act Grant Funding for not-for-profit, for-profit health or social service organizations or governmental entities; approving the use of the contract shells previously approved by Resolution 98-115; authorizing the County Administrator to execute the appropriate contract or amendment for each organization as listed on Exhibit No. 3; providing for severability; and providing for an effective date. No County match is required.

ACTION: (A-241) Approved. (Commissioner Lieberman abstained from voting on this item.)

COMMUNITY SERVICES DEPARTMENT EMERGENCY MANAGEMENT DIVISION

22. A. MOTION TO APPROVE grant agreement between Broward County and the State of Florida, Department of Community Affairs, in the amount of \$100,000 to develop and implement a county-wide economic vulnerability disaster assessment for Broward County, from date of execution, to December 30, 1998, and authorize the Chair and Clerk to execute same. (No county match required)

ACTION: (A-185) Approved. Commissioner Parrish suggested that staff prepare letters of thanks from the Chair, to be signed by all commissioners, to Vice President Al Gore and to the City of Deerfield Beach, as it was through their efforts, initially, that the county received this money.

B. MOTION TO ADOPT unanticipated revenue Resolution 1998-1173 within the Grant Fund for the Emergency Management Division in the amount of \$100,000 for the purpose of developing and implementing a County-wide economic disaster vulnerability analysis.

ACTION: (A-185) Approved.

MASS TRANSIT DIVISION

23. MOTION TO ADOPT budget Resolution 1998-1174 transferring within the Capital Fund the amount of \$150,000 from Contingency Reserve for Mass Transit Division to resurface the parking and staging surface lots at Mass Transit's Copans Road facility (100% federal funding).

ACTION: (A-185) Approved.

PARKS AND RECREATION DIVISION

24. MOTION TO APPROVE master plan for the neighborhood equestrian park in the Sunshine Ranches.

ACTION: (A-254) Approved.

25. MOTION TO APPROVE agreement between Broward County and the Florida Inland Navigation District (FIND) for a FIND Waterway Assistance Program grant project in the amount of \$30,000 for the West Lake Park Boat Dock, Phase I project, from October 1, 1998 through September 30, 2000; and authorize the Chair and Clerk to execute the same. (County in-kind match of \$15,000 included in above amount)

ACTION: (A-185) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

AIR QUALITY DIVISION

26. MOTION TO APPROVE transfer of a surplus ozone monitor and ozone calibrator to the Science Program at Ely High School.

ACTION: (A-185) Withdrawn for further staff review per County Administrator's memorandum.

27. MOTION TO APPROVE Amendment No. 2 to Contract AQ 123 between Broward County Department of Natural Resource Protection, Air Quality Division (DNRP, AQD) and the Florida Department of Environmental Protection (FDEP) in the amount of \$381,684.00, and authorize the Chair and Clerk to authorize the same.

ACTION: (A-185) Approved.

ENVIRONMENTAL MONITORING DIVISION

28. MOTION TO APPROVE amendment to a contract between Broward County Department of Natural Resource Protection and the Florida Department of Environmental Protection (FDEP) to prepare quality control samples to assess analytical proficiency of the state's pesticide residue laboratory, DEP Contract GW162, and authorize the Chair and Clerk to execute same for the Environmental Monitoring Division.

ACTION: (A-185) Approved.

POLLUTION PREVENTION & REMEDIATION DIVISION

29. MOTION TO APPROVE renewal of the Solid Waste Program Delegation Specific Operating Agreement (SOA) between the Florida Department of Environmental Protection (FDEP) and Broward County, and authorize the Chair and the Clerk to execute same for the Pollution Prevention and Remediation Programs Division.

ACTION: (A-185) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

30. MOTION TO APPROVE business travel for County employees in accordance with Administrative

Order 105.

ACTION: (A-185) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

31. MOTION TO APPROVE agreement between Broward County and the South Florida Regional Planning Council for economic cost analysis services related to the County's business attraction efforts for a maximum amount not to exceed \$20,000.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-185) Withdrawn for further staff review per County Administrator's memorandum.

32. MOTION TO APPROVE agreement between Broward County and Dickey Consulting Services for one year with two additional one-year periods, at the option of the County, for brownfields redevelopment coordination services pursuant to a grant between Broward County and the State of Florida, Office of Tourism, Trade, and Economic Development in an amount not to exceed \$80,000.00, and authorize the Chair and Clerk to execute same.

ACTION: (A-185) Withdrawn for further staff review per County Administrator's memorandum.

COMMISSION AUDITOR

33. MOTION TO APPROVE Commission Auditor travel to Daytona Beach, Florida to attend the Southeastern Intergovernmental Audit Forum Meeting January 20-22, 1999.

ACTION: (A-185) Approved.

COUNTY ATTORNEY

34. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver a Satisfaction of Mortgage for a certain mortgage executed by Edward Vugler and Rita Vugler to Broward County.

ACTION: (A-185) Approved.

COUNTY COMMISSION

35. MOTION TO FILE City of Fort Lauderdale Resolution No. R-98-163 dated October 20, 1998 entitled:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, OPPOSING THE ELIMINATION OF THE RENEWAL FEE EXEMPTION FOR LOCAL GOVERNMENT EMPLOYEES' CERTIFICATES OF COMPETENCY.

(Commissioner Lieberman)

ACTION: (A-185) Approved as amended correcting a scrivener's error.

36. MOTION TO FILE City of Hollywood Resolution No. R-98-390 dated November 4, 1998 entitled:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, URGING THE FEDERAL GOVERNMENT TO INCLUDE THE RESURFACING OF U.S. HIGHWAY 1 IN SOUTH FLORIDA AS PART OF THE \$200.5 BILLION DOLLAR TRANSPORTATION BILL NOW PENDING BEFORE CONGRESS; AND PROVIDING FOR AN EFFECTIVE DATE.

(Commissioner Lieberman)

ACTION: (A-185) Approved.

37. MOTION TO FILE City of Hollywood Resolution No. R-98-400 dated October 21, 1998 entitled:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, REQUESTING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO CONDUCT A PUBLIC HEARING ON THE PROPOSED VOLUNTARY ANNEXATION OF THE SECURITY CAPITAL INDUSTRIAL TRUST PROPERTY (IMMEDIATELY WEST OF THE CITY'S PORT 95 COMMERCE PARK) FROM THE UNINCORPORATED AREA INTO THE MUNICIPAL LIMITS OF THE CITY OF HOLLYWOOD.

(Commissioner Lieberman)

ACTION: (A-185) Approved.

38. MOTION TO FILE City of Hollywood Resolution No. R-98-405 dated November 4, 1998 entitled:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RECOMMENDING A PROPOSED ANNEXATION BILL, WHICH SEEKS TO PROVIDE AN ELECTION BY RESIDENTS IN CERTAIN UNINCORPORATED AREAS ADJACENT TO THE NORTHERN PORTION OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

(Commissioner Lieberman)

ACTION: (A-185) Approved.

REQUEST TO SET FOR PUBLIC HEARING

39. MOTION TO ADOPT Resolution 1998-1175 authorizing a Public Hearing to be held Tuesday, December 22, 1998 at 2:00 p.m. in Room 422 of the Governmental Center to exchange County property and directing the County Administrator and Clerk to publish a Notice of Exchange of County property owned by Highwoods Properties, Inc., located at 6100 Hollywood Boulevard, Hollywood, Florida, as

provided in Section 125.37, Florida Statutes. (Parcel 98-7E)

ACTION: (A-185) Approved.

40. MOTION TO ADOPT Resolution 1998-1176 of the Board of County Commissioners of Broward County, Florida directing the County Administrator to publish a public notice of public hearing to consider approval of a development agreement among Broward County and Arvida/JMB Partners, providing for publication of a public notice at least 14 days prior to the public meeting scheduled to be held Tuesday, December 22, 1998 at 10:00 a.m. in Room 422 of the Governmental Center; providing for the public notice to identify a project and a cost estimate for the project; providing for the public notice to specify the purpose of the public meeting; and providing for an effective date.

ACTION: (A-185) Approved.

REGULAR AGENDA

41. COUNTY ADMINISTRATOR'S REPORT

ACTION: (A-336) No report submitted.

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

42. DISCUSSION: of plat entitled "McNab Commercial Plat" - District 2, (016-MP-98).

ACTION: (A-406) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

43. DISCUSSION: of plat entitled "Walgreens Plaza Plat" - District 1, (089-MP-97).

ACTION: (A-340) Deferred to December 15, 1998 at applicant's request.

44. DISCUSSION: of plat entitled "In The Pines " - District 3, (011-MP-98).

ACTION: (A-424) Approved the plat subject to staff's recommendations as outlined in the Development Review Report as amended by correcting staff comment 2 to read: "Trafficways approval is valid for six months. Approval was received on November 19, 1998."

45. DISCUSSION: of plat entitled "Pembroke Isles V " - District 5, (014-MP-98).

ACTION: (A-340) Deferred to July 6, 1999 or sooner, under Section 5-181(i) of the Land Development Code to study traffic concurrency.

46. DISCUSSION: of plat entitled "Riviera Isles I" - District 5, (025-MP-98).

ACTION: (A-498) Approved the plat subject to staff's recommendations as outlined in the Development Review Report as amended to approval.

47. DELEGATION: Susan P. Motley regarding request to amend the note on the Westpoint Section 7 Plat (042-MP-94).

ACTION: (A-340) Deferred to July 6, 1999 or sooner, under Section 5-181(i) of the Land Development Code to study compatibility.

48. DELEGATION: Jonathan W. Keith regarding request to revise the note on the Handy Storage Tract Plat (023-UP-96).

ACTION: (A-457) Approved subject to staff's recommendation.

49. DELEGATION: James Kahn regarding request to amend the note on the Center Port Plat (112-MP-96).

ACTION: (A-470) Approved subject to staff's recommendation.

50. DELEGATION: Michael Covelli regarding request to amend the note on the Ocean Walk Plat (037-UP-87).

ACTION: (A-340) Deferred to June 1, 1999 or sooner, under Section 5-181(i) of the Land Development Code to study zoning.

51. DELEGATION: Daniel Fee regarding request to amend the note on the CTA Plat (209-MP-84).

ACTION: (A-487) Approved subject to staff's recommendation.

52. DELEGATION: Dennis Mele regarding request to amend the non-vehicular access line on the Islands of Pembroke Pines Plat (038-MP-85). (Deferred from November 3, 1998, Item 54)

ACTION: (A-340) Deferred to June 1, 1999 or sooner, under Section 5-181(i) of the Land Development Code to study access.

53. DELEGATION: Francisco Rojo regarding:

A. Designation as an affordable housing project for the Stirlingwood III Plat (040-MP-98).

B. Conceptual approval for partial waivers of impact and administrative fees for the Stirlingwood III Plat (040-MP-98).

ACTION: (A-340) *Withdrawn at applicant's request.*

END OF QUASI-JUDICIAL HEARING

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

54. A. MOTION TO APPOINT Complete Count Committee for Census 2000, as recommended in Exhibit 1.

ACTION: (A-553) *Approved as amended by adding representatives from the Haitian American Democratic and Republican Clubs; the Latin American Democratic Club and Republican equivalents; the North and South Broward Hospital Districts; Child Care Connection; the Haitian, Jamaican and West Indian radio stations, and television cable companies be added to the media representation, and a representative from Mass Transit Division to add a message to county buses.*

B. MOTION TO APPOINT Commissioner Lieberman as the Chair of the Census 2000 Complete Count Committee.

ACTION: (A-553) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

55. MOTION TO ADOPT unanticipated revenue Resolution 1998-1177 within the Debt Service Fund (Fund 239) in the amount of \$28,865,169 to recognize the proceeds of the Series 1998 Refunding Certificates of Participation.

ACTION: (A-780) Approved.

56. MOTION TO ADOPT Resolution 1998-1178 of the Board of County Commissioners of Broward County, Florida supplementing and amending Resolution No. 82-A-2 of the County, as supplemented and amended by Resolution No. 82-A-3, Resolution No. 89-1126 and Resolution No. 93-740; providing for severability; and providing an effective date.

ACTION: (A-790) Approved.

57. MOTION TO ADOPT Resolution 1998-1179 of the Board of County Commissioners of Broward County, Florida providing for the issuance, in one or more series, of the County's Passenger Facility Charge Revenue Bonds and Passenger Facility Charge Revenue Refunding Bonds; providing that such bonds shall not constitute a general indebtedness of the county within the meaning of any Constitutional

or statutory provision or limitation, or a pledge of the County's full faith and credit, but shall be payable as to Principal and Interest solely from the specified Pledged Revenues; providing that any series of such Bonds may be issued as Convertible Lien Bonds payable from Net Revenues of the Airport System on and as of the Conversion Date; providing for the issuance of the first two series of Bonds as Convertible Lien Bonds, in an aggregate principal amount not to exceed \$150,000,000, for the purpose of financing the cost of airport capital improvements; providing for the issuance of additional bonds under certain conditions; providing for the creation of certain funds and accounts; specifying the form of such Bonds and providing for the determination of the details thereof; setting forth the rights and remedies of the holders of such Bonds; providing for severability; and providing an effective date.

ACTION: (A-795) Approved as amended.

58. MOTION TO ADOPT Series Resolution 1998-1180 of the Board of County Commissioners of Broward County, Florida authorizing the issuance of the County's not exceeding \$80,000,000 Airport System Revenue Bonds, Series G, for the purpose of providing funds, together with other available moneys, to pay a portion of the cost of the Series 1998 Project, such bonds to be issued as additional bonds under Resolution No. 82-A-2, adopted on November 9, 1982, as amended and supplemented (the "ASR Bond Resolution"); authorizing the issuance of the County's not exceeding \$75,000,000 Passenger Facility Charge/ Airport System Revenue Convertible Lien Bonds, Series 1998H-1 and not exceeding \$75,000,000 Passenger Facility Charge/Airport System Revenue Convertible Lien Bonds, Series 1998H-2, each as additional bonds consisting of Convertible Lien Bonds under the ASR Bond Resolution, for the purpose of providing funds, together with other available moneys, to pay a portion of the cost of the Series 1998 Project; determining the form and certain details of said bonds; delegating to the County Administrator the determination of certain matters and details concerning said bonds; authorizing the negotiated sale of said bonds and the execution and delivery of a Bond Purchase Agreement; ratifying the distribution of a Preliminary Official Statement; authorizing the execution and delivery of an Official Statement; approving uncertificated, book- entry only registration of said bonds with the Depository Trust Company; delegating to the County Administrator authority to negotiate and obtain a municipal bond insurance policy to insure said bonds and to execute and deliver any related agreements; delegating to the County Administrator authority to negotiate and obtain a Reserve Product and to execute and deliver any related agreements; authorizing the execution and delivery of a Continuing Disclosure Agreement; providing for the application of bond proceeds; appointing a Trustee, Bond Registrar and Paying Agent; providing for the appointment of a financial printer for the Preliminary Official Statement and the Official Statement; approving the issuance of the bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale and delivery of said Bonds; and providing an effective date.

ACTION: (A-820) Approved.

59. MOTION TO ADOPT Series Resolution 1998-1181 of the Board of County Commissioners of Broward County, Florida authorizing the issuance of the County's not exceeding \$75,000,000 Passenger Facility Charge/Airport System Revenue Convertible Lien Bonds, Series 1998H-1 and not exceeding \$75,000,000 Passenger Facility Charge/Airport System Revenue Convertible Lien Bonds, Series 1998H-2, each as Convertible Lien Bonds under the PFC Bond Resolution described herein, for the purpose of providing funds, together with other available moneys, to pay the cost of the Series 1998 Project; determining the form and certain details of said bonds; delegating to the County Administrator the determination of certain matters and details concerning said bonds; authorizing the negotiated sale of said bonds and the execution and delivery of a Bond Purchase Agreement; authorizing the distribution

of a Preliminary Official Statement; authorizing the execution and delivery of an Official Statement; approving uncertificated, book-entry only registration of said bonds with the Depository Trust Company; delegating to the County Administrator authority to negotiate and obtain a municipal bond insurance policy to insure said Bonds and to execute and deliver any related agreements; delegating to the County Administrator authority to negotiate and obtain a Reserve Product and to execute and deliver any related agreements; authorizing the execution and delivery of a Continuing Disclosure Agreement; providing for the application of bond proceeds; appointing a Trustee, Bond Registrar and Paying Agent; providing for the appointment of a financial printer for the Preliminary Official Statement and the Official Statement; approving the issuance of the bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale and delivery of said bonds; and providing an effective date.

ACTION: (A-826) Approved.

PURCHASING DIVISION

For Department of Natural Resources Protection

60. MOTION TO APPROVE agreement between Broward County and the firms of Coastal Planning & Engineering, Inc. and Olsen Associates, Inc., operating as a Joint Venture, for coastal engineering consultant services for the Broward County Shore Protection Project, RLI No. 040897-RB, for a lump sum of \$1,245,159 for Phase I Services consisting of Preliminary Engineering and Design, Permitting, NEPA Documentation, Easements, Funding Assistance and Coordination, and ancillary evaluations; for a lump sum of \$485,394 for Phase II Services consisting of Final Design, Plans and Specifications, and Bidding Assistance; with a target for construction bid award by October 31, 2001; with each phase to be authorized by a separate Notice To Proceed; and authorize the Chair and Clerk to execute same. Approximately 80% of the costs may be reimbursable by the Federal and State governments subject to legislative appropriation and subsequent apportionment/allocation. (Withdrawn from November 17, 1998, Item 17)

ACTION: (A-834) Approved and directed the County Attorney's Office to review the last paragraph of Exhibit 2 and prepare verbiage to better state the same intent.

COMMUNITY SERVICES DEPARTMENT

61. DISCUSSION: Proposed settlement of arena public art. (Deferred from November 17, 1998, Item 51)

ACTION: (A-900) Approved setting aside the amount of \$407,117 from bond proceeds which is the exact amount due for art maintenance, pursuant to the Art Ordinance, agreeing to settle the remaining dispute regarding art expenditures for \$175,000 for seating; \$154,158 to be taken from the interest accumulating in the prevailing wage escrow account; and the money remaining in the escrow account, if nothing else to be disputed, goes to the prevailing wage pool to pay potential wages or administrative costs. Further, the commissioners suggested that, by the end of the business day, the County Attorney fax a letter to Judge Leroy Moe and Arena Development Corporation expressing their concern that, due to the upcoming holidays, this matter be expedited. The Chair added that there is some dollar number of claims that are not disputed, which is the money that needs to be expedited

and paid quickly. The second issue is that for any disputed claim there should be speedy adjudication process, and there be prompt appeal on any decision not to pay. Third, although it is a two year statute of limitations for a claim on a contract, ADC could agree to hold the money for some additional period of time and recognize in the stipulation that they understand that they are responsible for any additional claims above this amount.

62. DISCUSSION: Nova Southeastern University Library Proposal.

ACTION: (A-185) Withdrawn for further staff review per County Administrator's memorandum.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

POLLUTION PREVENTION & REMEDIATION DIVISION

63. MOTION TO DIRECT County Attorney to amend Chapter 27, Natural Resource Protection Code, by: creating a new Article XVII entitled "Waste Transporter," relocating the "Waste Hauler" provisions from Article XII, Section-356(d), including that section in the new Article XVII, and amending waste transporter license and operating requirements to provide consistency with the state and federal hazardous material transporter regulations. Amending Article XII to provide for the use of risk based corrective action procedures for the remediation of contaminated sites. And amend Article XIII to allow for compositing of drinking water samples.

ACTION: (A-3575) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-3580) Approved as amended per staff's addendum.

65. A. MOTION TO ADOPT Resolution amending and approving the Fiscal Year 1999-2003 Capital Program to allocate the \$14.4 million proceeds of the newly approved Florida Power and Light Company (FPL) franchise fee for unincorporated area infrastructure improvements.

ACTION: (A-3588) Deferred to December 8, 1998 and directed staff to provide that it be in conformance with county policy.

B. MOTION TO ADOPT unanticipated revenue Resolution within the Municipal Service District Fund (002) in the amount of \$3,333,330 to transfer the proceeds of the FPL franchise fee to the Unincorporated Capital Fund (342) to appropriate for infrastructure improvements.

ACTION: (A-3588) Deferred to December 8, 1998 and directed staff to provide that it be in conformance with county policy.

C. MOTION TO ADOPT unanticipated revenue Resolution within the Unincorporated Area Capital

Fund (342) in the amount of \$3,333,330 to appropriate the proceeds of the FPL franchise fee for infrastructure improvements.

ACTION: (A-3588) Deferred to December 8, 1998 and directed staff to provide that it be in conformance with county policy.

66. MOTION TO AUTHORIZE the Chair to send the attached letter to the Broward County Legislative Delegation to provide guidance for this year's legislative session by clarifying the County's policies and commitments relating to annexation..

ACTION: (A-3832) Approved as amended by including a reference to the Broward Sheriff's Office employees under Interlocal Agreement. The Board directed that, if Michael Wanchick, Director, Department of Strategic Planning and Growth Management, is unable to answer questions on annexation, and he feels he needs additional consultants to intrepret the data for any of the unincorporated area and neighborhoods that need assistance, he will place an item on the agenda with a dollar amount for the county commission's consideration.

COUNTY ATTORNEY

67. MOTION TO APPROVE settlement in the amount of \$85,000 (inclusive of attorney's fees and costs) of a lawsuit filed in Broward County Circuit Court, Mitchell v. Broward County, Case No. 98-00297 (14).

ACTION: (A-5416) Approved.

COUNTY COMMISSION

68. DISCUSSION: Interim County Attorney. (Board of County Commissioners)

ACTION: (See item 70)

SUPPLEMENTAL AGENDA

COUNTY ATTORNEY

69. DISCUSSION: Motion to ratify retaining special counsel for Broward County in the case of City of Hollywood v. Broward County, Case No. 98-01859 (18).

ACTION: (A-5426) Approved expenditure up to \$3,500 and ratified retaining Bill Spencer as special counsel.

COUNTY COMMISSION

70. DISCUSSION: Resignation of Sharon Cruz as Interim County Attorney. (Commissioner Lieberman)

ACTION: (A-6108) Accepted, with regret and thanks, Ms. Cruz's resignation as Interim County Attorney, and appointed Russell Morrison as Interim County Attorney, subject to the same terms and conditions, and subject to the discussion by the commission with respect to what it anticipates from an interim county attorney, to become effective Friday, December 4, 1998.

GOOD AND WELFARE

71. EMPLOYEE SERVICE RECOGNITION: County Administrator Roger Desjarlais presented the following county employees with service pins and certificates in recognition of their years of county service:

TWENTY YEARS

NAME DIVISION/DEPARTMENT

Howard O. Coggin Port Everglades - Warfinger

Carol A. Coleman Grants Management

Edna B. Freeman Library - Technical Services

William C. Metcalf Elderly Services - Community Care Elderly

Enelio Rodriguez Parks and Recreation - South Park District

Tomasina G. Touhey OES Water Supply

Brenda G. Zarli OES Fiscal Operations

TWENTY FIVE YEARS

Karen S. Byers Mass Transit - Ravenswood

Lillian J. Cowell Mass Transit - Maintenance - Ravenswood

James R. Foltz Port Everglades - Harbormaster

ACTION: (A-43) Employees accepted their certificates and were congratulated by the Board.

FORTY YEARS

Tom A. Cuyler Aviation - Public Works

ACTION: (A-111) The Chair presented Mr. Cuyler with a plaque and was congratulated by the

Board.

72. PRESENTATION: The Chair presented a plaque to the Board which she received earlier in the day in recognition of the Board's efforts on behalf of World Aids Day Events.

ACTION: (A-147) No action necessary.

73. RECOGNITION: The Chair recommended that all extend a special handshake and thanks to Robert Garrett, Assistant to the County Administrator, as a recipient of the World Aids Unsung Hero Award.

ACTION: (A-150) No action necessary.

NON AGENDA

74. INFORMATIONAL: Commissioner Cowan advised that he has spoken with former Commissioner John Hart, who advised him that he will be available should his help be needed in the Census 2000 since he served on the Census 1990.

ACTION: (B-381) No action necessary.

75. DISCUSSION: Commissioner Parrish asked what time the Maple Ridge Plat would be heard on December 15, 1998. Commissioner Gunzburger advised that the City of Hollywood has signed necessary documents, and the residents of Oak Ridge and Shady Ridge have been given requested conditions.

ACTION: (B-395) The Board determined that the plat will be scheduled as part of the regular 10:00 a.m. county commission meeting.

76. DISCUSSION: Commissioner Gunzburger requested that the item on the agreement among Broward County and Downtown Hollywood Community Development Agency, City of Fort Lauderdale, and Artspace Projects, Inc., which was withdrawn from the November 24, 1998 agenda (item 18), be on the December 8, 1998 agenda. County Administrator Roger Desjarlais explained the reason for the withdrawal of the item, reviewed the proposed expenditure of funds for this project, and gave his strong recommendation that the county not participate with those two cities unless they are spending its general fund dollars and not community redevelopment dollars.

ACTION: (B-431) Commissioner Gunzburger requested that this item be placed on the agenda with the caveat that the money comes from the city's general fund.

77. DISCUSSION: The Chair and Commissioner Jacobs requested being reappointed to the Selection/Negotiation Committee on Annexation.

ACTION: (B-494) Approved.

78. DISCUSSION: The Chair requested the County Attorney's Office to provide a status report on the

Convention Center Hotel.

ACTION: (B-505) Interim County Attorney Sharon Cruz indicated that she this will be on the City of Fort Lauderdale's agenda as a Development of Regional Impact in the beginning of December 1998. The second public hearing on the ordinance will be in mid December; it is just a ministerial, non issue. Ms. Cruz will advise when the hotel amendments are placed on an agenda for discussion.

79. DISCUSSION: The Chair references prior conversations on all the lots in the county's inventory, indicating that no progress has been made on developing a program.

ACTION: (B-530) The Chair requested County Administrator Roger Desjarlais to contact staff relative to development of a program to have owner occupancy on those lots.

80. DISCUSSION: The Chair inventory of foreclosed properties.

ACTION: (B-545) The Chair requested staff review this inventory to determine what properties should be given to municipalities.

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