

MEETING OF DECEMBER 3, 1996

(The meeting convened at 10:00 a.m. and adjourned at 12:50 p.m.)

PLEDGE OF ALLEGIANCE - *led by the Chair.*

CALL TO ORDER

CONSENT AGENDA

AVIATION DEPARTMENT

1. MOTION TO APPROVE Amendment No. 1 to the building lease agreement between Broward County, Florida and Carnival Airlines Inc. extending the termination date on a month to month basis with a 30-day cancellation clause at the Fort Lauderdale- Hollywood International Airport commencing January 1, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

2. MOTION TO APPROVE the consent to a sublease between Sheltair Aviation Center Inc. and G. E. Capital Commercial Financing Inc. at Sheltair Aviation Center Inc.'s leasehold at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

3. MOTION TO APPROVE the consent to a sublease between Sheltair Aviation Center Inc. and G. E. Capital Services Commercial Equipment Funding Inc. at Sheltair Aviation Center Inc.'s leasehold at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

4. A. MOTION TO APPROVE an airline-airport lease and use agreement between Broward County, Florida and Southwest Airlines Company, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

B. MOTION TO APPROVE an addendum to the airline-airport lease and use agreement between Broward County, Florida and Southwest Airlines Company revising various provisions of the Airline-Airport Lease and Use Agreement, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

5. MOTION TO APPROVE Amendment No. 1 to the Agreement of Lease between Broward County, Florida and Carnival Air Lines Inc. extending the termination date to December 31, 1997 at the Fort Lauderdale-Hollywood International Airport commencing January 1, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

6. MOTION TO APPROVE a tri-party lease agreement with the City of Pembroke Pines, the School Board of Broward County and Broward County for a County Library at Walter C. Young Middle School. Term of Lease: 30 years at \$1 per year and this agreement provides for one 20-year renewal period, and authorize the Chair and Clerk to execute lease agreement.

ACTION: (A-170) Approved.

7. MOTION TO APPROVE a contract for sale and purchase executed by Mapei Corporation, an Illinois Corporation, for the purchase and release of a railroad siding easement in the amount of \$5,000.00, and authorize the Chair and Clerk to execute contract for sale and purchase and release of easement.

ACTION: (A-170) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

8. MOTION TO ADOPT budget Resolution 96-1083 transferring within the Engineering Capital Outlay Fund (315) the amount of \$222,000 from the Engineering Capital Outlay reserves in order to fund court ordered settlements and final judgements on right-of-way acquisition for the Pine Island Road improvement project from Griffin Road to Stirling Road, Project No. 5080.

ACTION: (A-170) Approved.

STREETS AND HIGHWAYS DIVISION

9. MOTION TO ADOPT budget Resolution 96-1084 transferring funds within the Streets and Highways' Capital Outlay Fund for Streets and Highways Division in the amount of \$172,000 to resurface various streets within Palm-Aire Village in unincorporated Broward County, Project No. 9704.

ACTION: (A-170) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

10. MOTION TO APPROVE the Board of County Commissioners' minutes of September 17 and October 8, Public Hearing of October 8, and the first Budget Public Hearing of September 12, 1996.

ACTION: (A-170) Approved.

OFFICE OF INFORMATION TECHNOLOGY

11. A. MOTION TO AWARD a fixed contract to the first ranked consultant, The Warner Group, for Phase I consultant services of the Broward County Integrated Judicial Services of the Broward County Information System, in the amount of \$257,040 for the Office of Information Technology.

ACTION: (A-170) Deferred to the December 10, 1996 agenda at staff's request.

B. MOTION TO ADOPT budget Resolution transferring within the General Capital Outlay Fund, in the amount of \$280,000 from the capital reserve for judicial automation for the purpose of procuring consultant services for Phase I of Broward County Integrated Judicial Information System.

ACTION: (A-170) Deferred to the December 10, 1996 agenda at staff's request.

PURCHASING DIVISION

For Public Works Department

12. MOTION TO AWARD an open-end contract to single bidder Instrumentation Services Inc. for Electronic/Electrical Instrumentation Repair (Bid No. E-07-96-15-12) in the estimated amount of \$107,300 for the Office of Environmental Service Wastewater Management Division, subject to receipt and acceptance of performance and payment guaranty, and authorize the Purchasing Division director to renew the contract for three one-year periods. The initial contract period shall start after acceptance of performance and payment guaranty and shall terminate one year from that date.

ACTION: (A-170) Approved.

REVENUE COLLECTION DIVISION

13. MOTION TO APPROVE AND EXECUTE satisfaction of claim of lien(s) against Doug Janoff and Kenneth Johnson.

ACTION: (A-170) Approved.

HUMAN SERVICES DEPARTMENT

BUREAU OF CHILDREN AND FAMILY SERVICES

14. MOTION TO APPROVE a grant application to the Emergency Food and Shelter Program Board of Broward County in the Amount of \$143,000 for the purpose of providing emergency assistance with rent/mortgage and maintaining four food pantries to feed homeless and needy families from January 1, 1997 through September 30, 1997, and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation.

ACTION: (A-170) Approved.

ELDERLY AND VETERANS SERVICES

15. A. MOTION TO APPROVE Amendment No. 1 to an agreement between Broward County and Areawide Council on Aging of Broward County Inc. from July 1, 1996 to June 30, 1997 decreasing the value of the agreement by \$77,880 from \$5,901,771 to \$5,823,891 for the purpose of decreasing Community Care for the Elderly Program, and authorize the Chair and Clerk to execute same. (County cash match of \$613,407 and county in-kind of \$19,367 is included.)

ACTION: (A-170) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-1085 within the State Grant Fund for the Elderly and Veterans Services Division in the amount of \$77,880 for the implementation of an administrative cost reduction mandated by the State Legislature.

ACTION: (A-170) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

16. MOTION TO ADOPT Resolution 96-1086 of the Board of County Commissioners of Broward County, Florida authorizing the Commission Chair to execute and file an amended Application for Federal Assistance for Fiscal Year 1997 with the Federal Transit Administration, pursuant to 49 USC Section 5307 funding, in the amount of \$10,466,732 under the Urban Mass Transportation Act of 1964, as amended; and authorize the County Administrator to take the necessary administrative and budgetary

actions to implement same.

ACTION: (A-170) Approved.

PARKS AND RECREATION DIVISION

17. MOTION TO ADOPT Resolution 96-1087 of the Board of County Commissioners of Broward County, Florida authorizing the acceptance of a donation of candy, gum and peanuts valued at approximately \$2,500 from Nabisco Inc. for the use and benefit of the Parks and Recreation Division's 1996 Holiday Fantasy of Lights to be held at Tradewinds Park from November 24, 1996 through January 3, 1997 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-170) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

WATER RESOURCE DIVISION

18. MOTION TO APPROVE an interlocal agreement by and among Broward County and the Cities of Coconut Creek, Cooper City, Coral Springs, Dania, Deerfield Beach, Hallandale, Lauderdale Lakes, Lauderdale, Lighthouse Point, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Pines, Plantation, Pompano Beach, Sunrise, Tamarac, and Wilton Manors; the Towns of Davie, Lauderdale-by-the-Sea, and Pembroke Park; the Village of Sea Ranch Lakes; and the Florida Department of Transportation (FDOT) to share the responsibility of the Broward County United States Environmental Protection Agency (EPA), the National Pollutant Discharge Elimination System (NPDES), and the Municipal Separate Storm Sewer System (MS4) Permit requirements, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

BUILDING AND PERMITTING DIVISION

19. MOTION TO APPROVE the refund of \$1,000 from the Prepaid Permit Fees account at Building and Permitting to Lennar Homes Inc. c/o Mike Hutchison, a construction firm located at 8190 State Road 84, Davie, Florida 33324.

ACTION: (A-170) Approved.

20. MOTION TO APPROVE an interlocal agreement between Broward County and the Town of Hillsboro Beach to provide the Town of Hillsboro Beach inspection, plan review and/or building official services to be performed by the Broward County Building and Permitting Division from October 1, 1996 to September 30, 1998, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

CODE AND ZONING ENFORCEMENT DIVISION

21. MOTION TO APPROVE an interlocal agreement between Broward County and the Town of Hillsboro Beach, to provide the Town of Hillsboro Beach zoning plan review and permit inspection services, to be performed by the Broward County Code and Zoning Enforcement Division, from October 1, 1996 to September 30, 1998, and authorize the Chair and the Clerk to exercise same.

ACTION: (A-170) Approved.

22. MOTION TO APPROVE an agreement between Ron Cochran, Sheriff of Broward County, Florida and Broward County to continue to equip four Broward County Code and Zoning Enforcement Division vehicles with emergency lights and sirens, which are to be used in conjunction with the enforcement of Broward County Ordinance No. 96-07 (Blasting and Explosive Handling) and the accompanying Administrative Policy 12.

ACTION: (A-170) Approved.

COMMUNITY DEVELOPMENT DIVISION

23. MOTION TO APPROVE the satisfaction of mortgage on a deferred payment loan in the amount of \$26,287 made to Virginia Olige a/k/a Elma V. Olige, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

24. MOTION TO APPROVE the satisfaction of mortgage on a deferred payment loan in the amount of \$13,500 made to Evelyn L. Brown, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

25. MOTION TO APPROVE the satisfaction of mortgage on a 0 percent direct loan in the amount of \$13,200 made to Pauline Butler, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

26. MOTION TO APPROVE the satisfaction of mortgage on a 4 percent direct loan in the amount of \$3,350 made to Barbara J. Duffy and Bettina Vonhaakien-Rogers, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

PORT EVERGLADES DEPARTMENT

27. MOTION TO APPROVE the Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and A & L Limo Company Inc. d/b/a A&L Limousine Service, Dolphin Limousine Service Inc., East Coast Limousine Service Inc., and Ships Ahoy 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, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

28. MOTION TO APPROVE the Port Everglades Car Rental Service Business Permit between Broward County, Florida and InterAmerican Car Rental Inc. in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

29. MOTION TO APPROVE the Port Everglades Crane Service Business Permit between Broward County, Florida and Capital Equipment & Rigging Inc. in accordance with Chapter 32 of the Broward County Administrative Code, effective from the date of approval, with an expiration of December 31, 1996, and authorize the Chair and Clerk to execute same.

ACTION: (A-170) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

30. MOTION TO APPROVE business travel and trips in accordance with Administrative Order 105.

ACTION: (A-170) Approved.

31. A. MOTION TO ADOPT budget Resolution 96-1088 transferring funds within the General Fund (001) for the Alcohol and Drug Abuse Services Division in the amount of \$209,946 for the purpose of

funding the Fiscal Year 1997 compensation increases.

ACTION: (A-170) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 96-1089 within the Meyers Act Grant Fund (929) for the Alcohol and Drug Abuse Services Division in the amount of \$209,946 for the purpose of funding the Fiscal Year 1997 compensation increases.

ACTION: (A-170) Approved.

BOARD APPOINTMENTS

32. MOTION TO APPROVE the appointment of Mr. John T. Dollar, Sr. to the Board of Adjustment. Mr. Dollar will fill an existing vacancy. (Commissioner Parrish)

ACTION: (A-170) Withdrawn at Commissioner Parrish's request as the item was approved at the November 26, 1996 meeting.

REQUEST TO SET FOR PUBLIC HEARING

33. MOTION TO DIRECT the County Administrator to publish notice of public hearing to be held December 10, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider Nonemergency Medical Transportation Service (NEMTS) licenses (new) for Broward Livery Service Inc. and Tender Care Centers Inc.

ACTION: (A-170) Approved.

34. MOTION TO DIRECT the County Administrator to publish notice of public hearing to be held December 10, 1996 at 2:00 p.m. in Room 422 of the Governmental Center to consider Nonemergency Medical Transportation Service (NEMTS) license (renewal) for B & L Services Inc.

ACTION: (A-170) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

35. REPORT County Administrator B. Jack Osterholt advised that he has nothing to report at this time; however, a Jail Report dated December 2, 1996 reflecting the population at 3,649 was submitted for the record.

ACTION: (A-200) No action was necessary.

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. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

10:00 A.M. PUBLIC HEARING

CONTINUED FROM NOVEMBER 12, 1996

36. AMENDMENT PC 96-11

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

FROM: Approximately 236 acres Agricultural

TO: Approximately 226 acres Irregular (2) Residential and 10 acres Commercial; all within a dashed line area indicating an overall density of 2 dwelling units per acre

SIZE: Approximately 236 acres

LOCATION: in Section 1, Township 51, Range 39; bound on the west by Southwest 196 Avenue, on the north by Stirling Road and on the south by Sheridan Street; located west of Southwest 184 Avenue.

RECOMMENDED ACTION: Approve the amendment per Planning Council recommendation.

ACTION: *(A-203) Approved the Planning Council's recommendation.*

37. AMENDMENT PC 96-10

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

FROM: Agricultural

TO: Low (2) Residential

SIZE: Approximately 328 acres

LOCATION: in Sections 24 and 25, Township 50, Range 39; located east of U.S. 27, south of South Post Road, west of Bonaventure Boulevard and north of Griffin Road.

RECOMMENDED ACTION: Deny the amendment per Planning Council recommendation.

ACTION: (A-3057) Continued to the next adoption public hearing.

38. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING THE SECOND ANNUAL 1996 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN IN THE CITY OF WESTON; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

END OF PUBLIC HEARING

ACTION: (A-5331) The Board filed proof of publications and enacted the ordinance, as amended, to be effective as provided by law.

DEPARTMENT OF STRATEGIC PLANNING AND GROWTH MANAGEMENT DEVELOPMENT MANAGEMENT DIVISION

39. DISCUSSION of Plat entitled “Wyndham Lakes Plaza” - District 3, (041-MP-96).

ACTION: (A-5404) Approved subject to staff’s recommendations outlined in the Development Review Report.

40. DISCUSSION of Plat entitled “Atwal Plat” - District 2, (053-MP-96).

ACTION: (A-5404) Deferred to December 17, 1996 at the applicant’s request.

41. DISCUSSION of Plat entitled “Groves Park Plat” - District 4, (060-MP-96).

ACTION: (A-5425) Approved subject to staff’s recommendations outlined in the Development Review Report.

42. DELEGATION: Ms. Barbara Hall regarding request to amend the note on the Emerald Park Plat (085-MP-80).

ACTION: (A-5454) Approved subject to staff’s recommendations.

43. DELEGATION: Mr. Dennis Mele regarding request to modify conditions of plat approval on the Coconut Point Plat (061-MP-95).

ACTION: (A-5492) Approved subject to staff’s recommendations.

44. DELEGATION: Mr. Cary Winningham regarding request to amend the non-vehicular access line on

the GBC Properties Plat (103-MP-89).

ACTION: (A-5506) Approved with addendum subject to staff's recommendations.

END OF QUASI-JUDICIAL HEARING

COMMUNITY DEVELOPMENT DIVISION

45. MOTION TO APPROVE the revision to the Contingency List for the 22nd Year Program under the Community Development Block Grant program by adding the Deerfield Beach Boys and Girls Club Project in the amount of \$350,000 for land acquisition, and authorize the County Administrator to execute the respective funding agreement.

ACTION: (A-5425) Approved subject to staff's recommendations outlined in the Development Review Report.

AVIATION DEPARTMENT

46. MOTION TO AUTHORIZE Aviation Department to negotiate an agreement with a single provider, A to Z Parking Services Inc., to provide a test program for valet parking services at the Fort Lauderdale-Hollywood International Airport for a period not to exceed 24 months.

ACTION: (A-5558) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

FISCAL OPERATIONS DIVISION

47. MOTION TO ADOPT Resolution 96-1090 prescribing the provision of financial subsidies for residential customers of the Office of Environmental Services to facilitate the repair of water leaks, and providing for an effective date.

ACTION: (A-5817) Approved for OES residential customers in the low or moderate income ranges with the maximum reimbursement amounts as outlined in the Commission Auditor's December 2, 1996 memorandum.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

HUMAN RESOURCES DIVISION

48. MOTION TO APPROVE the collective bargaining agreement between Broward County and the Amalgamated Transit Union (ATU) Local 1267, and authorize the Chair and Clerk to execute same.

ACTION: (A-5854) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-5864) Approved with addendum.

OFFICE OF EQUAL OPPORTUNITY

50. MOTION TO APPROVE the 1997 Worksharing Agreement between Broward County, on behalf of the Human Rights Division, and the Miami District Office of the Equal Employment Opportunity Commission (EEOC) for the period effective October 1, 1996 through September 30, 1997, and authorize the Chair and Clerk to execute same.

ACTION: (A-5900) Approved.

OFFICE OF URBAN AFFAIRS

51. MOTION TO ACCEPT NOMINATIONS for a vacant position on the Health Facilities Authority. (Deferred from November 26, 1996)

ACTION: (A-5905) Deferred to December 10, 1996 at staff's request.

COUNTY ATTORNEY

52. MOTION TO APPROVE the partial settlement pursuant to the terms and conditions of the proposed partial settlement agreement in the amount of \$257,045 (inclusive of attorney's fees and costs), of a lawsuit filed in Broward County Circuit Court, Case No. 95-011398(14), Broward County v. State Paving Corporation.

ACTION: (A-5908) Approved.

COUNTY ADMINISTRATOR

53. MOTION TO APPROVE the Elected Official Bonds for Property Appraiser, Sheriff and Supervisor

of Elections.

ACTION: (A-5949) Approved.

COUNTY COMMISSION

54. MOTION TO APPROVE travel to Tallahassee to participate in the Sustainable Communities Selection Committee of the Department of Community Affairs on December 11, 1996 and December 19, 1996. (Commissioner Gunzburger)

ACTION: (A-5956) Approved.

BOARD APPOINTMENTS

55. MOTION TO APPROVE the appointment of Ms. Kristin Jacobs to the Zoning Board of Broward County. Ms. Jacobs will fill a vacant position on the board. (Commissioner Rodstrom)

ACTION: (A-170) Approved.

NON AGENDA

56. SPECIAL RECOGNITION: Commissioner Gunzburger referred to the November 25, 1996 article of the Nation's Cities Weekly entitled "Phone Audits Can Yield Big Refunds". She noted the credit given to Broward County on its phone bill audit which indicated that the county contracted with a private company to do a phone bill audit on a contingency fee basis, and cited the county's recovery of \$589,000 in overcharges and its annual savings of \$112,000 by correcting recurring monthly errors.

ACTION: (A-134) On behalf of the Board, Commissioner Gunzburger congratulated Mr. Phillip C. Allen, Finance and Administrative Services Department Director, for introducing the concept approximately two years ago.

57. DISCUSSION: Commissioner Gunzburger referred to a letter dated November 21, 1996 from United States Department of Housing and Urban Development's (HUD's) Office of the Assistant Secretary for Community Planning and Development indicating that it will be making \$9,424,000 available to the county for affordable housing, homelessness, and community economic development activities for Fiscal Year 1997.

ACTION: (A-5981) For informational purposes.

58. INFORMATIONAL: Commissioner Poitier announced that for personal reasons, she will be away from the commission on Tuesday, December 17, 1996.

ACTION: (A-6016) No action was necessary.

59. APPOINTMENT: Commissioner Cowan noted the Commission Chair's authority to appoint representatives from the community to four-year terms on the Public Safety Coordinating Council.

ACTION: (A-6156) The Chair stated that he will send a memorandum to the county commissioners and explained that if they have a recommendation, it will be given every consideration.

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