

MEETING OF DECEMBER 5, 2000

(The meeting convene at 10:00 a.m.; recessed at 1:00 p.m.; reconvened at 2:50 p.m.; recessed at 3:40 p.m.; reconvened at 4:00 p.m. and adjourned at 5:10 p.m.)

PLEDGE OF ALLEGIANCE was led by County Administrator Roger J. Desjarlais.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

- MOTION TO APPROVE appointments to the Broward County HIV Health Services Planning Council.

ACTION: (A-0050) Approved.

A. MOTION TO NOMINATE Attorney Johnny McCray to the Broward County Charter Review Commission. Board approval is required for appointments. (Commissioner Eggelletion)

ACTION: (A-0050) Withdrawn at the request of Commissioner Eggelletion.

B. MOTION TO APPROVE Appointment of Mr. Michael Bassichis to the Broward Cultural Affairs Council. Mr. Bassichis fills a vacancy; Ms. Betty Henn is ineligible to serve as she does not reside in Commissioner Parrish's district. (Commissioner Parrish)

ACTION: (A-0050) Approved.

C. MOTION TO APPOINT Ms. Ginger Alvarez to the Municipal Services Advisory Board. Ms. Alvarez will replace Mr. Jacob Greene. (Commissioner Jacobs)

ACTION: (A-0050) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING & CONTRACT ADMINISTRATION DIVISION

- MOTION TO APPROVE agreement between Broward County and Waste Management, Inc. of Florida for trash transfer station and disposal services in an estimated amount of \$728,000 per year, for a three-year term effective January 1, 2001 with two one-year renewal options, and authorize the Chair and Clerk to execute same.

ACTION: (A-0050) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

- MOTION TO ADOPT Resolution 2000-1330 accepting a road easement, at no cost to the County, executed by Sanchez Family Investments, Ltd. for right-of-way for Sheridan Street (north side) at the intersection with Appaloosa Trail (SW 127th Avenue). (**Commission District 5**)

ACTION: (A-0050) Approved.

- MOTION TO ADOPT Resolution 2000-1331 accepting a drainage easement, at no cost to the County, executed by Florida Power & Light Company for drainage purposes in proximity to the intersection of Griffin Road and SW 190th Avenue (south side and west side, respectively). (**Commission District 8**)

ACTION: (A-0124/B-3540) Deferred to Tuesday, December 13, 2000.

See Page 23 and 192.

- A. MOTION TO ADOPT Resolution 2000-1332 accepting a warranty deed, at no cost to the County, executed by Sprint Communications Company L.P. for right-of-way for Pembroke Road (south side) located approximately 780 feet east of SW 40th Avenue. (**Commission District 8**)

ACTION: (A-0050) Approved.

B. MOTION TO ADOPT Resolution 2000-1333 accepting a warranty deed, at no cost to the County, executed by Pembroke Commerce Center Ltd., for right-or-way for Pembroke Road (south side) located approximately 710 feet east of SW 40th Avenue. (**Commission District 8**)

ACTION: (A-0050) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

- A. MOTION TO APPROVE minutes of the 10:00 a.m. Board of Broward County Commission meeting of October 24, 2000; and the minutes of the 2:00 p.m. Public Hearing of October 24, 2000.

ACTION: (A-0050) Approved.

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

ACTION: (A-0050) Approved. See Page 198.

PURCHASING DIVISION

For Finance and Administrative Services Department

- MOTION TO AWARD open-end contract to low bidder Mac Papers, Inc. for groups 1A, 1R, 2A, 2R, 3A, 3R, 4A, 4R, 5A, 7A, 7R, 11A and 11R in the estimated amount of \$476,700.43, and low

bidder Unisource for groups 6A, 8A, 8R, 9A, 10A, 10R and item No. 40 in the estimated amount of \$106,525.60, for Paper, Cut, Various Types, Bid No. G-8-00-189-B1 in the total estimated amount of \$583,226.03, for various agencies, and authorize the Director of Purchasing to renew the contract for a one year period. The initial contract period shall start on date of award and shall terminate one year from that date.

ACTION: (A-0050) Approved.

For Public Works Department

- MOTION TO APPROVE Amendment No. 3 to Work Authorization No. 9614 in accordance with the Agreement of September 12, 1995 between Broward County and Williams, Hatfield and Stoner, Inc. to provide additional professional engineering services for continued supervisory control and data acquisition (SCADA) system implementation support services at a net increase of \$25,000 from \$125,985 to \$150,985 and an additional 240 days from 825 to 1065, and authorize the Chair and Clerk to execute same. SCADA is a computerized system for controlling, monitoring, and collecting data on wastewater equipment and related plant security devices. [BCOES Project No. 8624 - North Regional Wastewater Treatment Plant (NRWWTP)]

ACTION: (A-0050) Approved.

REVENUE COLLECTION DIVISION

- 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-0050) Approved.

RISK MANAGEMENT DIVISION

- MOTION TO APPROVE full and final settlement of Claim No. SM030300MONT in the amount of \$87,100 (inclusive of attorney's fees and costs).

ACTION: (A-0050) Approved.

HUMAN SERVICES DEPARTMENT

FAMILY SUCCESS ADMINISTRATION DIVISION

- MOTION TO APPROVE agreement between Broward County and Catholic Charities Legal Services, Inc. for the period November 1, 2000 through September 30, 2001 in the amount of \$48,000 for the purpose of providing free legal assistance in immigration matters to eligible refugees/entrants in Broward County, and authorize the Chair and Clerk to execute same. The funding for this agreement is available within the budget for Refugee Services under the Family Success Administration Division.

ACTION: (A-0050) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

- **MOTION TO APPROVE** agreement between Broward County and Cat Rescue, Inc. to place stray cats, made adoptable by vaccination, medical treatment and sterilization through Cat Rescue, Inc. and reimbursed \$30 of the \$60 adoption fee, in Broward County Pet Supermarket stores for adoption from date of execution through September 30, 2003.

ACTION: (A-0050) Approved.

PARKS AND RECREATION DIVISION

- A. **MOTION TO APPROVE** Project Grant Agreement between Broward County and the Florida Department of Environmental Protection (DEP) for Florida Recreation Development Assistance Program (FRDAP) grant in the amount of \$150,000 for Broadview Park; effective upon execution by both parties for a two-year term from the date of final execution by DEP; authorizing the Chair and Clerk to execute same, and authorizing the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement. (County Match of \$150,000 is required) (**Commission District 1**)

ACTION: (A-0050) Approved.

B. **MOTION TO ADOPT** unanticipated revenue Resolution 2000-1334 within the Unincorporated Capital Fund for the Parks and Recreation Division in the amount of \$150,000 for the construction of Broadview Park.

ACTION: (A-0050) Approved.

PORT EVERGLADES DEPARTMENT

- **MOTION TO ADOPT** Resolution 2000-1335 waiving dockage charges on December 7, 8, 9 and December 10, 2000 in an amount not to exceed \$25,000 and reducing by 50% the parking fees from December 7, 2000 through December 10, 2000 in an amount not to exceed \$10,000 for the inaugural activities of Royal Olympic Cruises newest ship, the M/S Olympic Voyager.

ACTION: (A-0050) Approved.

- **MOTION TO ADOPT** Resolution 2000-1336 waiving dockage charges on December 14, 15, and December 16, 2000 in an amount not to exceed \$50,000 and reducing by 50% the parking fees from December 14, 2000 through December 16, 2000 in an amount not to exceed \$10,000 for the inaugural activities of Celebrity Cruises newest ship, the GTS Millennium.

ACTION: (A-0050) Approved.

OFFICE OF BUDGET SERVICES

- **MOTION TO ADOPT** budget Resolution 2000-1337 within the General Fund for the Broward Sheriff's Office (BSO) the amount of \$125,000 from the Broward Sheriff's Office reserve to fund negotiated settlements as a result of litigation.

ACTION: (A-0050) Approved.

COUNTY COMMISSION

- MOTION TO FILE Ordinance of the City of Hollywood, Florida, voluntarily annexing to the City of Hollywood, the west ½ of the west ½ of Lot 1, Block 3, of Reed Land Company Subdivision, in Section 31, Township 50 South, Range 42 East, according to the Plat thereof, as recorded in Plat Book 2, Page 32, of the Public Records of Dade County, Florida, less that portion lying within 53 feet of the south line of Section 31, Township 50 South, Range 42 East, said lands situate, lying and being in Broward County, Florida; and now known as all of Parcel A, of Temple B'nai Sephardim, according to the Plat thereof, as recorded in Plat Book 156, Page 1 of the Public Records of Broward County, Florida. (Chair)

ACTION: (A-0163) Approved. See Page 25.

- MOTION TO ADOPT Resolution 2000-1338 approving the identification of that part of NE 56th Street in unincorporated Broward County as "Brent Jett Boulevard," while simultaneously retaining its original address. (Commissioner Rodstrom)

ACTION: (A-0050) Approved.

REQUEST TO SET FOR PUBLIC HEARING

- A. MOTION TO WAIVE Public Hearing after 5:00 p.m. for a rezoning ordinance.

ACTION: (A-0050) Approved.

B. MOTION TO ADOPT Resolution 2000-1339 setting two Quasi-Judicial Public Hearings on Tuesday, January 9, 2001 at 2:00 p.m. and Tuesday, January 23, 2001 at 2:00 p.m. in Room 422 of the Governmental Center to enact an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida. (**Commission District 1**)

REZONING PETITION 13-Z-00

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA; FROM RM-10, MULTIPLE-FAMILY DWELLING DISTRICT TO RD-10, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HERewith; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0050) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

- A. MOTION TO APPROVE Amendment No. 2 to Cooperative Agreement No. C-9899 between

the South Florida Water Management District (SFWMD) and Broward County, relating to restoration of the North Fork New River, to increase funding of the Agreement by \$450,000.00, provide for an additional \$48,000 County contribution of in-kind services, amend the Statement of Work, extend the period of performance under the Agreement to September 30, 2003, and authorize the Chair and Clerk to execute same. **(Commission District 9)**

ACTION: (A-0195) Approved. See Page 26.

B. MOTION TO ADOPT unanticipated revenue Resolution 2000-1340 within Fund 8640 for the Water Resources Division of the Department of Planning and Environmental Protection in the amount of \$450,000 for the purpose of implementing additional dredging, water quality and outreach projects in the North Fork New River. **(Commission District 9)**

ACTION: (A-0050) Approved. See Page 26.

QUASI-JUDICIAL CONSENT HEARING

DEVELOPMENT MANAGEMENT DIVISION

- **DELEGATION:** Michael G. Pennell regarding request to amend the note on the Pennell Family Plat - District 2, (001-MP-95).

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** Courtney A. Callahan regarding request to amend the note on the Hallcrest Plat - District 7, (063-MP-95).

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** C. William Laystrom, Jr. regarding request to amend the note on the Main Street Plat - District 4, (049-MP-85).

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** Richard G. Coker, Jr. regarding request to amend the note on the Flowers Distribution Center Plat - District 9, (066-MP-88).

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** Richard G. Coker, Jr. regarding request to amend the note on the Barding Plat - District 2, (075-MP-97).

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** Reverend Michael P. Sullivan regarding request to amend the note on the Our Lady of Mercy Parish Center Plat - District 2, (005-UP-82). (Deferred from November 7, 2000.)

ACTION: (A-1006) Deferred to June 19, 2001 or sooner, under Section 5-181(I) of the Land Development Code, to study regional transportation concurrency.

- **DELEGATION:** Alfonso C. Tello regarding request to amend the note on the Gould South Plat - District 3, (083-MP-93).

ACTION: (A-0050) Approved, as amended, and subject to staff's recommendations. Staff agreed with the applicant's request to change Recommendation 6 from the Engineering and Traffic Engineering Divisions' from a dedication requirement to an easement.

- **DELEGATION:** Robin Banks regarding request to amend the non-vehicular access line on the Ice Plat - District 5, (098-MP-95).

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** Gregory Mire regarding request to amend the non-vehicular access line on the Sunrise Industrial Park Phase I Plat - District 5, (035-MP-81).

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** Greg Siefker regarding request to amend the non-vehicular access line on the McNab Center Plat - District 1, (159-MP-84). (Deferred from November 21, 2000)

ACTION: (A-0050) Approved subject to staff's recommendations.

- **DELEGATION:** Jeff Hodapp regarding request to waive impact fees on the Replat of Portion of West Broward Industrial Park Plat - District 8, (069-MP-93).

ACTION: (A-0050) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

TIME CERTAIN 11:00 A.M.

COUNTY ATTORNEY

- DISCUSSION: Lease agreement between Broward County and BCCC Hotel Limited Partnership (Convention Center Hotel Lease). (Continued from October 24, 2000, Item 46; deferred from November 7, 2000, Item 91; and November 21, 2000, Item 48)

ACTION: (A-1572) The County Commission took the following action: 1) Waived the procurement code to authorize staff to hire a consultant to perform a feasibility study for the County to issue bonds for the construction of a Convention Center hotel, which the County would own. 2) Waived the procurement code to authorize staff to hire an expert to assist in the negotiation of the agreement. 3) The County will consider entering into a management agreement for the operation of the hotel with a hotel operator. The County and BCCC will endeavor to keep the current flag committed to the project. BCCC agrees to maintain the current construction schedule, moving forward along the line of discussion that took place with the County Administrator. 4) If the feasibility study shows the room revenue is insufficient, the County may consider a backstop of its credit. 5) The consultant will evaluate the necessary length for the term of a management agreement. If the feasibility study reveals that a 10 to 15 or 20 year term is in order for the project to be feasible, the County may approve such recommendation. 6) The County will immediately begin its procurement process to hire the owner's representative. 7) BCCC and County will attempt to negotiate a term sheet for a development agreement which includes guarantees which will bring the development in at a specific price and time. 8) BCCC will make available as necessary all the design drawings and other documents requested by the County and its expert who will be performing the feasibility study. BCCC will work with the expert to obtain all the information that is needed. 9) Both parties shall enter into a 90-day standstill agreement during this time frame and that a letter of agreement will be provided with the terms and conditions. 10) If agreement on all issues is not fully concluded within 60 days, the existing lease agreement may be terminated between the parties upon paying Mr. Peebles his actual costs incurred in the project subject to a County audit. See Page 110.

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

ACTION: (A-1035) No board action was necessary.

- MOTION TO APPROVE meeting schedule for January 2001 to December 2001.

ACTION: (A-1040) Approved, as amended. The meeting of January 2, 2001 was rescheduled to Tuesday, January 30, 2001; the meeting of September 18, 2000 was rescheduled to Monday, September 17, 2001 and the meeting of July 3, 2001 was cancelled. See Page 43.

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HUMAN SERVICES DEPARTMENT

- A. MOTION TO DISCUSS AND FINALIZE list of candidates for consideration for gubernatorial appointments to the Children's Services Council.

ACTION: (A-1735) The Board short listed the candidates by eliminating candidates with 2 votes or less. Staff was directed to schedule interviews for the remaining candidates on Monday, December 11, 2000 from 10:00 a.m. to 11:30 a.m. and 2:00 p.m. to 4:00 p.m. Candidates who have scheduling conflicts on Monday, December 11th will be interviewed Tuesday, December 12, 2000 following the 2:00 p.m. public hearing meeting. See Page 62.

B. MOTION TO SELECT Broward County Commissioner for membership on the Children's Services Council.

ACTION: (A-1735) The Board selected Broward County Commissioner Suzanne N. Gunzburger for membership on the Children's Services Council. See Page 62.

COMMISSION AUDITOR

- MOTION TO FILE Commission Auditor's report on Health Insurance for Retired County Employees and to discuss recommendations.

ACTION: (B-3540) Deferred to Tuesday, December 12, 2000.

See Page 192.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

HUMAN RESOURCES DIVISION

- A. MOTION TO APPROVE two-year Collective Bargaining Agreement between the County and the Federation of Public Employees representing the Port Supervisory Bargaining Unit for the Fiscal Years 1998/99 and 1999/00, and authorize the Chair to sign the agreement.

ACTION: (A-1595) Approved.

B. MOTION TO APPROVE three-year Collective Bargaining Agreement between the County and Federation of Public Employees representing the Port Supervisory Bargaining Unit for the Fiscal Years 2000/01, 2001/2002, 2002/03, and authorize the Chair to sign the agreement.

ACTION: (A-1595) Approved.

C. MOTION TO APPROVE two-year Collective Bargaining Agreement between the County and the Federation of Public Employees representing the Port Non-Supervisory Bargaining Unit for the Fiscal Years 1998/99 and 1999/00, and authorize the Chair to sign the agreement.

ACTION: (A-1595) Approved.

D. MOTION TO APPROVE three-year Collective Bargaining Agreement between the County and Federation of Public Employees representing the Port Non-Supervisory Bargaining Unit for the Fiscal Years 2000/01, 2001/2002, 2002/03, and authorize the Chair to sign the agreement.

ACTION: (A-1595) Approved.

- A. MOTION TO ACCEPT Phase I report on the feasibility of proceeding to implement the Strategic Testing and Recruitment Project (STAR) and approve proceeding with STAR implementation.

ACTION: (A-1600) Approved. See Page 58.

B. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm(s) to provide a fully integrated automated Recruitment, Applicant Tracking, Evaluation and Referral Management System which will support an e-recruitment/e-government strategy, and approve RLI.

ACTION: (A-1600) Approved the following to serve on the Selection/Negotiation Committee: Director, Human Resources, Finance & Administrative Services Department (Chair); Chief Information Officer, Office of Information Technology and Director, Office of Environmental Services. Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and Human Resources will support the procurement process.

C. MOTION TO ADOPT budget Resolution 2000-1341 transferring \$697,715 within the General Capital Outlay Fund from the reserve for the Human Resources Hiring and Recruitment System for Phase II of the Strategic Testing and Recruitment (STAR) project for Fiscal Year 2000/2001.

ACTION: (A-1600) Approved.

D. MOTION TO INCREASE personnel cap for the Human Resources Division by four positions to augment the STAR team (currently 4 positions) in order to implement Phase II of the project. These temporary positions will be deleted at the conclusion of this project.

ACTION: (A-1600) Approved.

NON AGENDA

39. CHAIR TO SEND LETTER TO MR. "BILL" BANKHEAD - SECRETARY DEPARTMENT OF JUVENILE JUSTICE - COMMISSIONER GUNZBURGER

ACTION: (A-1688) See Page 60.

40. REQUEST TO SIT ON SELECTION/NEGOTIATION COMMITTEES - COMMISSIONER WASSERMAN-RUBIN

ACTION: (A-1735) See Page 62.

41. CHAIR TO SEND LETTER TO SECRETARY PRUIT - ISSUES RAISED BY SUNSHINE COUNT - COMMISSIONER LIEBERMAN

ACTION: (B-3634) See Page 195.

42. THANK YOU FOR APPOINTMENT - COMMISSIONER GUNZBURGER

ACTION: (B-3646) See Page 195.

43. RANKING ON LEGISLATIVE ISSUES - THE CHAIR

ACTION: (B-3667) See Page 196.

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