

**MEETING OF DECEMBER 6, 1994**

(The meeting convened at 10 a.m. and adjourned at 1:40 p.m.)

PLEDGE OF ALLEGIANCE - led by Mayor Frank Veltri, city of Plantation.

**CONSENT AGENDA**

**AVIATION DEPARTMENT**

1. MOTION TO APPROVE consent to sublease between Sheltair Aviation Center, Inc. and Kirke-Van Orsdel, Inc. at Sheltair Aviation Inc.'s leasehold at Fort Lauderdale-Hollywood International Airport, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Withdrawn for additional study at the request of the Aviation Department.

**PUBLIC WORKS DEPARTMENT**

**REAL PROPERTY SECTION**

2. MOTION TO ADOPT Resolution 94-1410 authorizing the sale and conveyance by quitclaim deed of a parcel of property owned by Broward County to County National Bank of South Florida that was acquired by Tax Deed #12288 pursuant to Florida Statutes 197.502(3), and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

3. MOTION TO ADOPT Resolution 94-1411 authorizing the conveyance by quitclaim deed, various Tax Deed properties that have escheated to Broward County for delinquent real estate taxes, to the City of Hollywood, and authorize the Chair and Clerk to execute and record same.

ACTION: (A-5920A) Approved.

4. MOTION TO ADOPT Resolution 94-1412 authorizing the conveyance by quitclaim deed, various Tax Deed properties that have escheated to Broward County for delinquent real estate taxes, to the City of Hallandale, and authorize the Chair and Clerk to execute and record same.

ACTION: (A-5920A) Approved.

5. MOTION TO APPROVE the conveyance of an aerial easement for the installation of a street light to Florida Power & Light Company to provide service to the citizens of Cresthaven, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

**OFFICE OF INTEGRATED WASTE MANAGEMENT**

**RECYCLING & CONTRACT ADMINISTRATION DIVISION**

6. A. MOTION TO APPROVE agreement between Broward County and Broward County School Board

for the period of August 31, 1994 through August 31, 1995 in the amount of \$263,681 to provide comprehensive recycling service to School Board facilities and schools.

ACTION: (A-5920A) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-1413 within the Solid Waste Fund for the Office of Integrated Waste Management in the amount of \$53,681, and authorize the County Administrator to execute same.

ACTION: (A-5920A) Approved.

7. A. MOTION TO APPROVE a grant agreement between Broward County and Florida Department of Environmental Protection in the amount of \$20,909 for the continuation of a litter debris prevention and education program through September 30, 1995; authorize the Chair and Clerk to execute same, and authorize the necessary budgetary and administrative action.

ACTION: (A-5920A) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-1414 within the Solid Waste Grant Fund for the Office of Integrated Waste Management in the amount of \$20,909 through September 1995 for litter debris prevention and education projects in the unincorporated area, and authorize the County Administrator to execute same.

ACTION: (A-5920A) Approved.

## OFFICE OF TRANSPORTATION

### ENGINEERING DIVISION

8. MOTION TO APPROVE payment of the revised cost of \$21,008.72 for the relocation of certain Florida Power & Light facilities on Project 5081, improvements to Broward Boulevard from Nob Hill Road to Pine Island Road.

ACTION: (A-5920A) Approved.

9. MOTION TO ADOPT Resolution 94-1415 authorizing conveyance of a perpetual easement to the State of Florida Department of Transportation for road purposes for Hollywood Boulevard, and authorize the Chair and Clerk to deliver and execute same.

ACTION: (A-5920A) Approved.

10. MOTION TO ADOPT Resolution 94-1416 accepting a warranty deed executed by Silver Lakes Partnership donating right-of-way for NW 172 Avenue in Section 18, Township 51 South, Range 40 East.

ACTION: (A-5920A) Approved.

11. MOTION TO ADOPT Resolution 94-1417 accepting a road easement executed by Alter R. Ingraham and Chartis S. Ingraham, donating right-of-way for SW 48 Avenue and SW 19 Street in Section 19, Township 51 South, Range 42 East.

ACTION: (A-5920A) Approved.

12. MOTION TO ADOPT Resolution 94-1418 accepting and ratifying recordation of a non-exclusive easement executed by SCI Funeral Services of Florida, Inc., donating right-of-way for Copans Road in Section 26, Township 48 South, Range 42 East.

ACTION: (A-5920A) Approved.

13. MOTION TO APPROVE a revocable license agreement between Broward County and The Olen Company for the installation of additional landscaping and irrigation in the right-of-way of Coral Ridge Drive, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

### **COUNTY RECORDS DIVISION**

14. MOTION TO APPROVE for filing supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (A-5920A) Approved.

15. MOTION TO APPROVE the minutes of the Commission meetings of October 4, 1994 and November 1, 1994.

ACTION: (A-5920A) Approved.

### **PURCHASING DIVISION**

For Community Services Department

16. MOTION TO APPROVE release of retainage and final payment in the amount of \$3,649 to Electrical Contracting Services, Inc. for velodrome lighting system at Brian Piccolo Park under Contract H-02-94-12-OF for the Parks and Recreation Division.

ACTION: (A-5920A) Approved.

For Public Works Department

17. MOTION TO NOTE for the record Usage #22 of Contract P-03-92-12, emergency installation and repair services for water and sewer systems, W. Jackson and Sons Construction, for gravity sewer repair at a cost of \$15,062.38 for the Water Supply Division, approval having been given under the conditions of the contract and the emergency provisions of the Broward County Procurement Code.

ACTION: (A-5920A) Approved.

18. MOTION TO AWARD fixed contract to the low bidder Rechten International Trucks Inc. for dump trucks (Bid C-10-94-11-OF) in the amount of \$193,500 for the Office of Integrated Waste Management and Parks and Recreation Division.

ACTION: (A-5920A) Approved.

19. MOTION TO AWARD fixed contract to the low responsive and responsible bidder, Option B, Neff Machinery, for loader-crawler, track type (Bid C-10-94-03-OF) in the amount of \$147,766 for the Office of Integrated Waste Management.

ACTION: (A-5920A) Approved.

20. MOTION TO AWARD fixed contract to low responsive, responsible bidder Siga, Inc. (P-04-94-05-OF) for landscape development of SW 100 Avenue from Orange Drive to State Road 84 for the grand total bid of \$260,288.46 for the Engineering Division, subject to receipt of insurance and payment and performance guaranty.

ACTION: (A-5920A) Approved.

### **REVENUE COLLECTION DIVISION**

21. MOTION TO APPROVE AND EXECUTE satisfaction of claim of liens against Lawrence Hai, Christy Stull, Larry Wilson, Petru Halmagian, Kenneth L. Duncan, Sinclair Davis, George Gertz, and Steinmueller Children.

ACTION: (A-5920A) Approved.

## **HUMAN SERVICES DEPARTMENT**

### **BUREAU OF CHILDREN'S SERVICES**

22. A. MOTION TO ADOPT budget resolution 94-1419 transferring funds within the General Fund in the amount of \$52,000 from the Bureau of Children's Services/Children's Services Section Reserve to Ann Storck Center, Inc.

ACTION: (A-5920A) Approved.

B. MOTION TO APPROVE Agreement #95-74 between Broward County and Ann Storck Center, Inc. from November 1, 1994 to September 30, 1995 in the amount of \$52,000 for the purpose of providing individualized family support services to pre-school special needs children, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

### **ELDERLY SERVICES DIVISION**

23. MOTION TO APPROVE Amendment #1 to Agreement JH015 between State of Florida Department of Health and Rehabilitative Services and Broward County from July 1, 1994 to June 30, 1995 for the purpose of including a requirement in the form of proviso language mandated by Fiscal Year 1994-95 Appropriations Act (House Bill 2221), and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

### **HEALTH CARE MANAGEMENT**

24. A. MOTION TO APPROVE agreement between Broward County and Center One, Anyone in Distress, Inc. from October 1, 1994 to January 31, 1995 in the amount of \$65,000 for the purpose of providing medical treatment services under FY 94, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

B. MOTION TO APPROVE Amendment #1 to agreement between Broward County and Center One, Anyone in Distress, Inc. from July 1, 1994 to January 31, 1995 in the amount of \$25,000 for the purpose of allowing unrestricted monthly reimbursements, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

25. MOTION TO APPROVE agreement between Broward County and North Broward Hospital District from October 1, 1994 to September 30, 1995 in the amount of \$70,000 for the purpose of providing pharmaceutical services under Fiscal Year 1994, Ryan White Title I, C.A.R.E. Act, "Formula" grant funding, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

### **MENTAL HEALTH DIVISION**

26. MOTION TO ADOPT unanticipated revenue resolution 94-1420 within the Grant Fund for the Mental Health Division in the amount of \$2,866,943 for the Baker Act adult program to appropriate County match funding.

ACTION: (A-5920A) Approved.

27. A. MOTION TO APPROVE Amendment #2 to the Agreement (JH006) between State of Florida Department of Health and Rehabilitative Services and Broward County from July 1, 1994 through June 30, 1995, increasing the value of the agreement by \$399,376, from \$3,763,677 to \$4,163,053, for the provision of adult Baker Act services, and authorize the Chair and Clerk to execute same.

ACTION: (A-5920A) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-1421 within the Grant Fund 744 for the Mental Health Division in the amount of \$399,376 to account for the State of Florida Department of Health and Rehabilitative Services grant award increase.

ACTION: (A-5920A) Approved.

### **COMMUNITY SERVICES DEPARTMENT**

#### **CONSUMER AFFAIRS DIVISION**

28. MOTION TO APPROVE the change of ownership of Certificate of Public Convenience & Necessity No. 74 currently issued to Jovi All Occasion Limousine. One limousine permit currently issued to Jovi All Occasion Limousine will be transferred to Bullet Limousine Company.

ACTION: (A-5920A) Approved.

**PARKS AND RECREATION DIVISION**

29. MOTION TO ADOPT budget resolution 94-1422 transferring within the General Capital Outlay Fund the amount of \$10,500 to complete the replacement of the telecommunications system for the Parks and Recreation Division Administration Complex.

ACTION: (A-5920A) Approved.

**OFFICE OF BUDGET AND MANAGEMENT POLICY**

30. MOTION TO APPROVE business travel and trips on the approved travel list for county employees in accordance with Administrative Order 105.

ACTION: (A-5920A) Approved.

**COUNTY ATTORNEY**

31. MOTION TO APPROVE settlement of \$255,000 for Parcels 47 and 47 TCE (Temporary Construction Easement) in the condemnation case of Broward County v. Gina Patel, et al., Case No. 88-23659 (21) - A1A Road Expansion Project.

ACTION: (A-5920A) Approved.

32. MOTION TO APPROVE settlement of \$199,950 for attorney's fees for Parcel No. 9.1, Environmentally Sensitive Land site in the condemnation case of Broward County v. Hollywood Pines - Environmentally Sensitive Land Project File No. 90-785.

ACTION: (A-5920A) Approved.

**REQUEST TO SET PUBLIC HEARING/MEETING SCHEDULE**

33. MOTION TO ESTABLISH Broward County Commission Comprehensive Plan amendment public hearing dates for calendar year 1995. Public hearings to be held for the consideration of transmittal and adoption of the first and second group of amendments for 1995, as well as for the adoption of "small-scale" plan amendments per the provisions of Chapter 163, Florida Statutes.

ACTION: (A-5920A) Approved, as amended.

34. MOTION TO ADOPT Resolution 94-1423 of the Board of County Commissioners of Broward County, Florida directing the County Administrator to publish a notice of public hearing to be held on Tuesday, January 10, 1995 at 2:00 p.m. in Room 422 of the Governmental Center to receive public input on the Broward County Complementary Paratransit Service Plan Update in compliance with the Americans with Disabilities Act (ADA) of 1990 and the ADA Paratransit Handbook of September 1991, issued by the Urban Mass Transp

ACTION: (A-5920A) Approved.

**REGULAR AGENDA**

35. COUNTY ADMINISTRATOR'S REPORT County Administrator B. Jack Osterholt informed the

Board there was no report.

Submitted, for the record, was the jail report, which is 3,460 (196 under) the cap of 3,656.

ACTION: (A-062B) No board action was taken.

**DEPARTMENT OF STRATEGIC PLANNING**

**& GROWTH MANAGEMENT**

**DEVELOPMENT MANAGEMENT DIVISION**

**QUASI-JUDICIAL HEARING**

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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.

36. DISCUSSION of Plat entitled "Shaw Plat" - District 1, (044-MP-93). (Deferred from November 15, 1994.)

ACTION: (A-128B) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

37. DELEGATION: Gerald L. Knight regarding motion to approve traffic concurrency agreement among Broward County, City of Coral Springs, and Lara Properties, Ltd. relating to the Z Plat (004-MP-94). (Deferred from October 4, 1994.)

ACTION: (A-135B) Approved, as amended and subject to staff's recommendations.

38. DISCUSSION of Plat entitled " 'Z' Plat" - District 3, (004-MP-94). (Deferred from October 4, 1994.)

ACTION: (A-150B) Approved the plat, as amended, and as outlined in the Development Review Report.

39. A. DISCUSSION relating to a request for a waiver of sidewalk requirements for the Peico Estates II Plat (050-MP-94).

ACTION: (A-411B) Approved. The sidewalk will be constructed within the county right-of-way, and the bridle path will be constructed outside of the county right-of-way for SW 26th Street.

B. DISCUSSION of Plat entitled "Peico Estates II" - District 5, (050-MP-94).

ACTION: (A-411B) Approved the plat subject to staff's recommendations and as outlined in the Development Review Report.

40. DISCUSSION of Plat entitled "S & W Estates II" - District 2, (030-MP-94). (Deferred from November 1, 1994.)

ACTION: (A-160B) Approved the plat, as amended, and as outlined in the Development Review Report.

41. DISCUSSION of Plat entitled "Pembroke Falls Park Plat" - District 5, (038-MP-94).

ACTION: (A-169B) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

42. DISCUSSION of Plat entitled "Dave Plat" - District 4, (008-MP-94).

ACTION: (A-092B) Deferred to 7/11/95, under Section 5-181(i) of the Land Development Code to further study traffic concurrency.

43. DISCUSSION of Plat entitled "Requejo Subdivision" - District 5, (004-UP-94).

ACTION: (A-092B) Deferred to 7/11/95, under Section 5-181(i) of the Land Development Code to further study zoning.

44. DISCUSSION of Plat entitled "Sector 7 Parcel J-1" - District 3, (016-UP-94).

ACTION: (A-520B) Continued to Commission meeting of 12/13/94 to obtain further information.

45. DISCUSSION of Plat entitled "Sector 7 Parcel O" - District 3, (017-UP-94).

ACTION: (A-880B) Continued to Commission meeting of 12/13/94 to obtain further information.

46. DISCUSSION of Plat entitled "Sectors 8, 9 & 10 Plat" - District 3, (001-UP-94).

ACTION: (A-092B) Deferred to 7/11/95, under Section 5-181(i) of the Land Development Code to further study land use and zoning.

47. DELEGATION: Gerald L. Knight regarding request to revise the note on the Hollywood and Douglas Plat (179-MP-86).

ACTION: (A-267B) Approved, subject to staff recommendations.

48. DELEGATION: Robert P. Legg regarding request to modify conditions of plat approval for the Ferris Trust Plat (059-MP-93).

ACTION: (A-274B) Approved, as amended, and subject to staff recommendations.

49. DELEGATION: Robert C. Smith regarding request to modify the non-vehicular access line on the Jeffrey's Plat (066-MP-93).

ACTION: (A-283B) Approved, subject to staff recommendations.

50. DELEGATION: Robert C. Cohn regarding request to place a note on the University Hospital Plat (063-CP-79). (Deferred from November 15, 1994.)

ACTION: (A-092B) Deferred to 6/20/95 under Section 5-181(i) of the Land Development Code to further study access.

51. DELEGATION: James Shiskin regarding request to amend the non-vehicular access line on the Pines 86 Plat (156-MP-85). (Deferred from November 15, 1994.)

ACTION: (A-292B) Approved, subject to staff recommendations.

52. DELEGATION: Patricia Z. Hitchcock regarding request to amend the non-vehicular access line on the Eagle Trace First Addition Plat (107-MP-86). (Deferred from November 15, 1994.)

ACTION: (A-302B) Approved, subject to staff recommendations.

53. DELEGATION: Gregory S. Mire regarding request to revise the note on the Country Lakes Section 3 North Plat (200-MP-89).

ACTION: (A-311B) Approved, subject to staff recommendations.

54. DELEGATION: Gregory S. Mire regarding motion to approve agreement to obtain building permits prior to plat recordation for the Country Lakes Section 3 North Plat (200-MP-89).

ACTION: (A-315B) Approved, subject to staff recommendations.

55. DELEGATION: Gregory S. Mire regarding motion to approve agreement to obtain building permits prior to plat recordation for the Sun Tattler Plat (096-MP-93). (Deferred from November 15, 1994.)

ACTION: (A-893B) Denied per staff's recommendation.

56. DELEGATION: Leslie McCall regarding motion to approve agreement to obtain building permits prior to plat recordation for the McCall Nursery Plat No. 1 (043-MP-93). (Deferred from November 15, 1994.)

ACTION: (A-326B) Approved, as amended and subject to staff recommendations.

57. DELEGATION: Bonnie Miskel regarding request to place a note on the face of the Palm Aire Cypress Course Estates 3rd Section Plat (043-MP-80).

ACTION: (A-341B) Approved, per addendum and subject to staff recommendations.

**END OF QUASI-JUDICIAL HEARING**

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58. DELEGATION: Marcia Berkley, representing the City of Hallandale, regarding motion to terminate concurrency agreement relating to the Hallandale Municipal Complex Plat (047-MP-91).

ACTION: (A-1262B) Approved.

### **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

59. MOTION TO DIRECT the County Attorney's Office to amend the enabling Ordinance 77-35 and 90-17 of the Broward County Health Facility Authority to conform to Florida Statute Chapter 154, Part III, which allows the Authority to appropriate excess funds to not-for-profit human health service agencies.

ACTION: (A-1269B) Approved.

### **DIVISION OF HUMAN RESOURCES**

60. MOTION TO ADOPT Resolution 94-1424 authorizing participation in the Florida Retirement System Senior Management Service Class for the positions of Director of Port Everglades and Deputy County Attorney effective January 1, 1995.

ACTION: (A-1272B) Approved.

### **HUMAN SERVICES DEPARTMENT**

#### **FIRE RESCUE DIVISION**

61. A. MOTION TO INCREASE the personnel cap within the Fire Rescue Division by eight (8) EMS-I's.

ACTION: (A-5789A) Approved.

B. MOTION TO ADOPT Resolution 94-1408 transferring \$667,000 from the General Fund Commission Reserve to a transfer account in the Emergency Medical Services Fund.

ACTION: (A-5789A) Approved.

C. MOTION TO ADOPT unanticipated revenue resolution 94-1409 within the Emergency Medical Services Fund in the amount of \$667,000 to fund the EMS "Bridge Plan."

ACTION: (A-5789A) Approved.

D. MOTION TO APPROVE conceptual plan for restructuring the County's emergency medical services (EMS) within geographic Broward County, and direct staff to return with an implementation plan January 10, 1995.

ACTION: (A-086A) The County Commission directed staff to refer the conceptual plan for restructuring the County's emergency medical services (EMS) to a special committee comprised of various elected representatives and interested parties. City/county budget staff and others will act in an advisory capacity to the committee. The purpose of the special committee is to reach consensus on how to promote and implement a coordinated county-wide plan for the EMS system.

The deadline for special committee appointments is December 1994. The meetings will begin the first week in January 1995. The committee will return before the County Commission no later than March 15, 1995 with recommendations.

In addition, the services of a facilitator to aid discussions will be utilized.

The following elected representatives and interested parties will serve on said committee:

1 County Commissioner (Commissioner Scott I. Cowan)

1 County Administrator/representative (B. Jack Osterholt)

1 representative of Trauma Service Provider Network

1 elected representative of the cities currently receiving Minnet subsidies

1 representative of the Broward County Council of Firefighters

1 representative of IAFF Local 3333

1 elected representative of the six cities petitioning for CONs

1 representative of private ambulance companies

1 Chair EMS Advisory Council

1 Chair Leg. Delegation's Ad hoc committee on EMS issues

1 elected representative of the 11 cities that would be left if the 6 leave

1 representative of Metro-Broward Firefighters

62. MOTION TO ADOPT Resolution authorizing the acceptance of a donation of new video and audiovisual equipment from the Firefighters Charitable Foundation to the Fire Marshal's Office to assist the Juvenile Firesetters Network with training and education programs, to authorize the County Administrator to take all administrative actions to implement same, and providing for an effective date. (Deferred from November 22, 1994.)

ACTION: (A-1322B) Withdrawn at the request of staff.

63. MOTION TO APPROVE agreement between Broward County and City of Dania for the purpose of mutually terminating an interlocal agreement for providing fire protection in certain annexed areas of the City, and authorize the Chair and Clerk to execute same.

ACTION: (A-1332B) Approved.

64. MOTION TO APPROVE agreement between Broward County and City of Hollywood for the purpose of mutually terminating an interlocal agreement for providing fire protection in certain annexed areas of the City, and authorize the Chair and Clerk to execute same.

ACTION: (A-1346B) Approved.

### **OFFICE OF BUDGET AND MANAGEMENT POLICY**

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

ACTION: (A-1349B) Approved, as amended.

### **CONVENTION CENTER**

66. MOTION TO APPROVE an agreement with Arthur Andersen to conduct a feasibility study on hotel development and Convention Center expansion.

ACTION: (A-1404B) Deferred to 12/20/94. County Attorney's Office directed to write an amendment to expand the scope of services to include the feasibility of the Merchandise Mart in conjunction with the agreement to conduct a feasibility study on hotel development and Convention Center expansion.

### **NON AGENDA**

67. DISCUSSION: Commissioner Cowan requested staff to study whether or not in the future, all transfers of taxi-cab permits or issuance of new taxi-cab permits, require the taxi-cabs to be wheelchair accessible.

ACTION: (A-1768B) Staff will research this item.

68. INFORMATIONAL ITEM: Commissioner Parrish apprised the Board of possible litigation involving the Broward County Board of Rules and Appeals and the County Commission. The issue involves an action taken by the County Commission to fund \$15,000 to pay for the legal fees of Messrs. Jones and Thrasher, for which the Commission will take same from the Board of Rules and Appeals' budget.

ACTION: (A-1788B) The issue was referred to the County Attorney's Office.

69. DISCUSSION: The Chairperson requested Commission Auditor Norman Thabit to research the budget and the recordation of "Navy Days." The group has not filed a 501C3 form for 1993 as of this date.

ACTION: (A-1803B) Commission Auditor to research this item.

[Back to previous page](#)