

MEETING OF DECEMBER 8, 1992

(Meeting convened at 10:00 a.m. and adjourned at 11:52 a.m.)

INVOCATION - The Reverend Luther Anderson, All Saints Lutheran

Church, Tamarac gave the invocation.

PLEDGE OF ALLEGIANCE - led by Commissioner Cowan

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT

OFFICE OF CONSTRUCTION AND GENERAL SERVICES

FACILITIES MANAGEMENT DIVISION

I. MOTION TO APPROVE renewal of a revocable license agreement between Broward County and MCCA W Communications of Florida, first approved July 9, 1991, Item 161, to place cellular antennas on antenna tower on U.S. 27 in Broward County; term one year renewable each year by resolution, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

OFFICE OF ENVIRONMENTAL SERVICES

II. MOTION TO EXECUTE satisfaction of claim of liens to release liens recorded for unpaid water or sewer or water and sewer charges.

ACTION: (A-341) (10:10 a.m.) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

III. MOTION TO APPROVE a temporary construction easement agreement executed by Frank D. Hoble, president of Floridan Enterprises Inc., a Florida corporation, in the amount of \$1,400 for road right-of-way, Project 4102, McNab Road, Parcel 6TCE; and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

IV. MOTION TO APPROVE contract for sale and purchase executed by the United States Postal Service in the amount of \$42,850 for the purchase of two parcels of land and two temporary construction easements, Parcels 4, 4TCE, 5 and 5TCE in connection with Riverside Drive Project 5094 (University Drive to Atlantic Boulevard); authorize the Chair and the Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of conveyances.

ACTION: (A-341) (10:10 a.m.) Approved.

V. MOTION TO APPROVE the estimated cost of \$48,813 for the relocation of overhead and underground facilities by Florida Power & Light on Project 5094, improvements to Riverside Drive, from west of University Drive to north of Atlantic Boulevard.

ACTION: (A-341) (10:10 a.m.) Approved.

VI. MOTION TO ADOPT Resolution 92-1687 accepting a road easement executed by Patrick A. Canizio and Phyliss Canizio, his wife, donating right-of-way for Holmberg Road in Section 2, Township 48 South, Range 41 East.

ACTION: (A-341) (10:10 a.m.) Approved.

VII. MOTION TO APPROVE partial release of property from Claim of Lien for a portion of the Lauderdale Lakes Shoppes Plat; and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

VIII. MOTION TO APPROVE encroachment agreement between Broward County and the state of Florida Department of Transportation covering request for installation of a pipe line crossing at approximately milepost SX 1006, as part of Project 5029, Northwest 62 Street (Northwest 31 Avenue to North Andrews Avenue); and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

IX. A. MOTION TO APPROVE settlement agreement between Broward County and Olympia & York and Andrews Associates Venture, relating to right-of-way acquisition and construction of developer improvements on Andrews Avenue and Northwest 62 Street; and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

B. MOTION TO APPROVE amendment to the conditions of plat approval for the Corporate Park Phase III Plat and the Andrews Associates Plat.

ACTION: (A-341) (10:10 a.m.) Approved.

TRAFFIC ENGINEERING DIVISION

X. MOTION TO APPROVE installation of a pedestrian traffic signal on Stirling Road at Young Israel of Hollywood.

ACTION: (A-341) (10:10 a.m.) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

XI. MOTION TO APPROVE closing agreement with the state of Florida Department of Revenue for

payment of additional sales tax of \$12,899.02 plus interest, and authorize the Chair to sign the agreement on behalf of the Commission.

ACTION: (A-341) (10:10 a.m.) Approved.

COUNTY RECORDS DIVISION

XII. MOTION TO APPROVE the minutes of the Commission meetings of November 3 and 10, 1992.

ACTION: (A-341) (10:10 a.m.) Approved.

PURCHASING DIVISION

For Human Services Department

XIII. MOTION TO REJECT single bid for Decontamination Trailer, Bid C-07-92-17-OF, for the Emergency Services Division.

ACTION: (A-341) (10:10 a.m.) Approved.

For Community Services Department

XIV. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 1 in the amount of \$38,565.23 for Contract P-10-91-24-OF with Mancini Building Inc. for the Community Center renovations for the Parks and Recreation Division; approval of this change order has been given under the terms of the emergency provisions of the Broward County Procurement Code; the contract amount changing from \$138,672.00 to \$177,237.23.

ACTION: (A-371) (10:10 a.m.) Approved.

For Public Works Department

XV. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 4 reflecting an increase in the contract value of \$104,340.03 with an increase in the contract time of 6 days for Contract H-04-91-19-OF with Hardrives Inc., for the construction of Stirling Road from Southwest 101 Avenue to University Drive (Project 5070); approval having been given under the emergency provisions of the Broward County Procurement Code; the total contract value will be increased from \$2,862,951.50 to \$2,967,291.53 and the contract time will increase from 395 to 401 days.

ACTION: (A-371) (10:10 a.m.) Approved.

XVI. A. MOTION TO GRANT permission to the Purchasing Division to dispose of VH 7798 1980 GMC single-axle trash dump, VH 7800 GMC single-axle trash dump, VH 7265 1983 International single-axle trash dump, VH 7268 single-axle, 6-yard dump, 1983 Ford, in accordance with the applicable Florida State Statutes and Purchasing Division Internal Control Handbook Chapter 6.

ACTION: (A-341) (10:10 a.m.) Approved.

B. MOTION TO WAIVE specification requirement for tilt telescoping steering and allow tilt type steering column for specification A-1, Item 4.1.

ACTION: (A-341) (10:10 a.m.) Approved.

C. MOTION TO AWARD fixed contract to low bidder Group 1, Broward Truck, and low bidder Group 2, Palm Peterbilt-GMC Trucks Inc. for dump trucks (Bid C-07-92-20-OF) in the amount of (Group 1) \$124,874 and (Group 2) \$32,740 for the Streets and Highways Division.

ACTION: (A-341) (10:10 a.m.) Approved.

XVII. MOTION TO GRANT PERMISSION to the Purchasing Division to dispose of Vehicles 7271 and 7272, Wood Chuck tree chippers, in accordance with the applicable Florida State Statute and Purchasing Division Internal Control Handbook Chapter 6.

ACTION: (A-341) (10:10 a.m.) Approved.

XVIII. MOTION TO NOTE FOR THE RECORD Emergency Change Order No. 15 in the amount of \$87,161.21, increasing the contract amount from \$5,549,530.35 to \$5,636,691.56 with no change in time for Contract N-05-90-17-OF to S. I. Nicholas Inc. for construction of the West Regional Courthouse; approval for this change order has been given under the emergency provisions of the Broward County Procurement Code; Project: West Regional Courthouse.

ACTION: (A-371) (10:10 a.m.) Approved.

RISK MANAGEMENT DIVISION

XIX. MOTION TO AUTHORIZE full and final settlement of Workers' Compensation Claim 89 WC 0650 KB/WL in the amount of \$30,478.

ACTION: (A-341) (10:10 a.m.) Approved.

HUMAN SERVICES DEPARTMENT

XX. MOTION TO APPROVE agreement between Broward County and the Broward Regional Health Planning Council for Trauma Planning from October 1, 1992 to September 30, 1993 in the amount of \$24,914, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

ALCOHOL AND DRUG ABUSE SERVICES DIVISION

XXI. MOTION TO ADOPT unanticipated revenue resolution 92-1688 within the Grant Fund from the Broward Sheriff's Office account for the Alcohol and Drug Abuse Services Division in the amount of \$350,000 for the Drug Court Treatment Program.

ACTION: (A-341) (10:10 a.m.) Approved.

MEDICAL EXAMINER DIVISION

XXII. MOTION TO APPROVE an amendment to the contract between Broward County and Lynn University Inc., f/k/a College of Boca Raton Inc., for placement of students in the Broward County Medical Examiner Division, adding the performance of embalming and restorative services as requested

by County, at no cost to County; and to authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

MENTAL HEALTH DIVISION

XXIII.A. MOTION TO ADOPT a budget resolution 92-1689 transferring \$192,500 within the State Grant Fund to a transfer account to close out the fiscal year 1991-92 Mental Health Division, Adult Baker Act Program.

ACTION: (A-341) (10:10 a.m.) Approved.

B. MOTION TO ADOPT an unanticipated revenue resolution 92-1690 within the State Grant Fund in the amount of \$192,500 for the fiscal year 1992-93 Mental Health Division, Adult Baker Act Program.

ACTION: (A-341) (10:10 a.m.) Approved.

SOCIAL SERVICES DIVISION

XXIV. MOTION TO APPROVE agreement between Broward County and Legal Aid Services of Broward County Inc., in the amount of \$12,000 for the period October 1, 1992 through September 30, 1993, to provide legal services to Cuban/Haitian Entrants and Refugees, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXV. MOTION TO APPROVE agreement between Broward County and Hispanic Unity of Florida Inc., in the amount of \$45,000 for the period October 1, 1992 through September 30, 1993, to provide employment services to Cuban/Haitian Entrants and Refugees, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXVI. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Catholic Community Services Inc., decreasing the value of the agreement by \$42,879 from \$77,846 to \$34,967 for the delivery of adult day health care services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXVII. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Heart to Heart Unlimited Inc., decreasing the value of the agreement by \$10,922 from \$182,569 to \$171,647 for the delivery of personal care services from July 1, 1992 through June 30, 1993, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXVIII. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Heart to Heart Unlimited Inc., decreasing the value of the agreement by \$18,703 from \$34,851 to \$16,148 for the delivery of respite care services from July 1, 1992 through December 31, 1992, and authorize the

Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXIX. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Interim Health Care of Hollywood Inc., f/k/a Medical Personnel Pool of Hollywood Inc., decreasing the value of the agreement by \$5,390 from \$14,638 to \$9,248 for the delivery of homemaker services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXX. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Interim Health Care of Hollywood Inc., f/k/a Medical Personnel Pool of Hollywood Inc., decreasing the value of the agreement by \$21,765 from \$43,564 to \$21,799 for the delivery of respite care services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXI. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Kimberly Home Health Care Inc., d/b/a Kimberly Quality Care, decreasing the value of the agreement by \$12,722 from \$25,000 to \$12,228 for the delivery of personal care services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXII. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Nursecare Inc., decreasing the value of the agreement by \$29,670 from \$52,276 to \$22,606 for the delivery of respite care services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXIII. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Nursecare Inc., decreasing the value of the agreement by \$18,657 from \$44,860 to \$26,203 for the delivery of personal care services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXIV. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Staff Builders Services Inc., decreasing the value of the agreement by \$23,380 from \$43,564 to \$20,184 for the delivery of respite care services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXV. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Staff Builders Services Inc., decreasing the value of the agreement by \$3,593 from \$9,758 to \$6,165 for the delivery of homemaker services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXVI. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Staff Builders Services Inc., decreasing the value of the agreement by \$13,797 from \$40,000 to \$26,203 for the delivery of personal care services from July 1, 1992 through December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXVII. MOTION TO APPROVE a grant agreement between Broward County and Areawide Council on Aging of Broward County Inc., in the amount of \$130,676 to provide cash match to Broward County as Lead Agency for Community Care for the Elderly (CCE) from October 1, 1992 through September 30, 1993, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXVIII. A. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Areawide Council on Aging of Broward County Inc., decreasing the value of the agreement by \$47,643 from \$86,495 to \$38,852 for the provision of Community Care for the Elderly (CCE) Program Adult Day Health Care from July 1, 1992 to December 31, 1992, and authorize the Chair and the Clerk to execute same. (No county match is required.)

ACTION: (A-341) (10:10 a.m.) Approved.

B. MOTION TO ADOPT an unanticipated revenue resolution 92-1691 in the amount of (\$47,643) within the State of Florida Grant Fund for Community Care for the Elderly (CCE) Program Adult Day Health Care for the purpose of implementing a transfer of Medicaid funds required by the Department of Elder Affairs.

ACTION: (A-341) (10:10 a.m.) Approved.

XXXIX. MOTION TO APPROVE Amendment 1 to the agreement between Broward County and Interim Health Care of Hollywood Inc., f/k/a Medical Personnel Pool of Hollywood Inc., decreasing the value of the agreement by \$17,291 from \$40,000 to \$22,709 for the delivery of personal care services from July 1, 1992 to December 31, 1992, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

COMMUNITY SERVICES DEPARTMENT

BUILDING AND PERMITTING DIVISION

XL. MOTION TO APPROVE an interlocal agreement between Broward County and the city of Wilton Manors to provide the city of Wilton Manors inspection and/or Building Official services to be performed by the Broward County Building and Permitting Division from October 1, 1992 to September 30, 1993, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

COMMUNITY DEVELOPMENT

XLII. MOTION TO APPROVE an agreement between Bank of North America and Broward County for participation in the Community Development Division Commercial Revitalization Program, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

PARKS AND RECREATION DIVISION

XLIII. MOTION TO APPROVE an agreement between Broward County and the Florida Inland Navigation District (FIND) in the amount of \$260,000 for improvements to West Lake Park with a County match of \$260,000 for a total cost of \$520,000 from date of execution to September 30, 1993, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

OFFICE OF NATURAL RESOURCE PROTECTION

XLIV. MOTION TO APPROVE contract between Broward County Office of Natural Resource Protection and the Florida Department of Environmental Regulation to sample the ground water monitoring network in Broward County, DER Contract GW017, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

XLV. MOTION TO APPROVE amendment to the agreement between the Florida Department of Environmental Regulation and Broward County for Contract CG 70 to allow for return to FDER of interest accrued during previous contracts covering FY 89-92, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

OFFICE OF EQUAL OPPORTUNITY

XLVI. MOTION TO APPROVE interagency agreement between the Florida Commission on Human Relations (FCHR) and Broward County on behalf of the Human Rights Division in the amount of \$3,000 to process housing discrimination complaints originating in Broward County as a result of Hurricane Andrew, and authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

COMMISSION AUDITOR

XLVII. MOTION TO FILE Commission Auditor report dated November 20, 1992 entitled, Animal Control Division.

ACTION: (A-341) (10:10 a.m.) Approved.

COUNTY ATTORNEY

XLVIII. MOTION TO APPROVE travel of Assistant County Attorney Charles H. Webb to attend the

Florida Chamber of Commerce Ninth Annual Environmental Permitting Short Course in Tallahassee, Florida from January 20, 1993 to January 22, 1993.

ACTION: (A-341) (10:10 a.m.) Approved.

XLVIII. MOTION TO APPROVE payment of \$1,728,173.82 for Parcel 12.1 for settlement in the condemnation case, Broward County v. Dorothy Baez, et al., Environmentally Sensitive Land Project.

ACTION: (A-341) (10:10 a.m.) Approved.

XLIX. MOTION TO APPROVE payment of \$102,923 for Parcels 103 and 103 TCE for business damages and lessor's property for partial settlement in the condemnation case, Broward County v. Donald Oowler, et al., Rock Island Road Project 5077.

ACTION: (A-341) (10:10 a.m.) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-341) (10:10 a.m.) Approved.

LI. MOTION TO ADOPT an unanticipated revenue resolution 92-1692 within the General Capital Outlay Fund for the Equipment Management Division in the amount of \$240,000 to implement the Remedial Action Plan to clean-up contamination at Fleet Center 1.

ACTION: (A-341) (10:10 a.m.) Approved.

BOARD APPOINTMENTS

LII. MOTION TO APPROVE the following appointments to the HIV Health Services Planning Council:

Jeannette A. Martinez - Affected Community

Richard Greenberg - Affected Community

Father William Collins - Nonelected Community Leader

Dr. Susan Widmayer - Social Service Provider/

HRSA Pediatric Demo Project

ACTION: (A-341) (10:10 a.m.) Approved.

LIII. MOTION TO APPROVE appointment of Mr. Gary Steinsmith to the HIV Health Services Planning Council (representing Group 7, Affected Communities including persons with HIV disease). (Comm. Hart)

ACTION: (A-341) (10:10 a.m.) Approved.

LIV. MOTION TO APPROVE appointment of Elaine Beck Greenstein to the Broward County Human Rights Board. Mrs. Greenstein's appointment fills the vacancy due to the recent death of Alvin Siegel. (Comm. Hart)

ACTION: (A-341) (10:10 a.m.) Approved.

LV. MOTION TO APPROVE appointment of Marvin E. Ackerman to the Alcohol and Drug Abuse Advisory Board. Mr. Ackerman replaces Andy M. Molinari. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

LVI. MOTION TO APPROVE appointment of Dr. Irene Ettinger Spalter to the Advisory Board for Persons with Disabilities. Doctor Spalter replaces Mary L. Dailing. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

LVII. MOTION TO APPROVE appointment of Dr. Joel David Schram to the Health and Sanitary Control Board (Environmental Health Board). Doctor Schram replaces Dr. Marvin Green. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

LVIII. MOTION TO APPROVE appointment of Claude L. Blocker to the Multi-Ethnic Advisory Board. Mr. Blocker replaces Dr. Morton Malavsky. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Withdrawn at the request of Commissioner Gunzburger.

LIX. MOTION TO APPROVE appointment of G. Steven Werthman to the Natural Resource Protection Advisory Board. Mr. Werthman replaces Susan Edn. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

LX. MOTION TO APPROVE appointment of Kathryn Chesser Ward to the Natural Resource Protection Advisory Board. Ms. Ward replaces Hilliard Moldof. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

LXI. MOTION TO APPROVE appointment of Ellen M. Schinder to the Commission on the Status of Women. Mrs. Schinder replaces Sandra Cahill. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

LXII. MOTION TO APPROVE appointment of Susan B. Katz to the Commission on the Status of Women. Ms. Katz replaces Annette Van Howe who has resigned. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

LXIII. MOTION TO APPROVE appointment of Martin J. Katz to the Zoning Board. Mr. Katz replaces

Mr. Oren Hernandez. (Comm. Gunzburger)

ACTION: (A-341) (10:10 a.m.) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING AND CONTRACT ADMINISTRATION DIVISION

LXIV. MOTION TO APPROVE agreement between Broward County and Boy Scouts of America, St. Anthony's Troop 600 for waste tire removal, authorizing the necessary administrative and budgetary actions to implement and to authorize the Chair and the Clerk to execute same.

ACTION: (A-341) (10:10 a.m.) Approved.

REQUEST TO SET FOR PUBLIC HEARING

LXV. MOTION TO ADOPT Resolution 92-1693 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 12, 1993, and on Tuesday, January 26, 1993, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES; DEFINING CERTAIN ADULT-ORIENTED USES AS "DESIGNATED USES"; DECLARING THE PURPOSE OF THE ORDINANCE TO PREVENT THE DELETERIOUS EFFECTS OF DESIGNATED USES ON SURROUNDING PROPERTIES; PROVIDING DEFINITIONS OF VARIOUS TERMS RELATING TO DESIGNATED USES; ESTABLISHING A MINIMUM DISTANCE BETWEEN DESIGNATED USES, AND BETWEEN DESIGNATED USES AND RESIDENTIALLY ZONED AREAS, CHURCHES, SCHOOLS, DAY CARE CENTERS AND NURSERIES; ESTABLISHING, FOR THE PURPOSE OF THIS ORDINANCE, THE METHOD OF MEASURING DISTANCES; ESTABLISHING

THE APPLICABILITY OF THIS ORDINANCE; REQUIRING NONCONFORMING DESIGNATED USES TO BE REMOVED OR DISCONTINUED WITHIN A SPECIFIED TIME AFTER THE EFFECTIVE DATE; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE; PROVIDING FOR PENALTIES; REPEALING ORDINANCE NOS. 77-48, 78-33 AND 85-17 AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (92-414)

(Sponsored by the Board of County Commissioners)

ACTION: (A-341) (10:10 a.m.) Approved.

LXVI. MOTION TO ADOPT Resolution 92-1694 directing the County Administrator to publish notice of public hearings to be held on Tuesday, January 12, 1993, and on Tuesday, January 26, 1992, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

A ZONING ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39, THE BROWARD COUNTY ZONING CODE;

CREATING A NEW ARTICLE LXXXII, RURAL ESTATES; PROVIDING FOR THE PURPOSE OF THE DISTRICT; PROVIDING FOR USES PERMITTED; PROVIDING FOR SIZE OF PLOT; PROVIDING FOR PLOT COVERAGE; PROVIDING FOR HEIGHT; PROVIDING FOR FRONT YARDS; PROVIDING FOR SIDE YARDS; PROVIDING FOR REAR YARDS; PROVIDING FOR MINIMUM FLOOR AREA; PROVIDING FOR ACCESSORY USE SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (92-403)

(Sponsored by Commissioner Lori Nance Parrish)

ACTION: (A-341) (10:10 a.m.) Approved.

LXVII. MOTION TO ADOPT Resolution 92-1695 directing the County Administrator to publish notice of public hearings to be held on Tuesday, January 12, 1993, and on Tuesday, January 26, 1993, both at 5:15 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

A ZONING ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39, THE BROWARD COUNTY ZONING CODE; CREATING A NEW ARTICLE LXXXIII, RURAL RANCHES; PROVIDING FOR THE PURPOSE OF THE DISTRICT; PROVIDING FOR USES

PERMITTED; PROVIDING FOR SIZE OF PLOT; PROVIDING FOR PLOT COVERAGE; PROVIDING FOR HEIGHT; PROVIDING FOR FRONT YARDS; PROVIDING FOR SIDE YARDS; PROVIDING FOR REAR YARDS; PROVIDING FOR MINIMUM FLOOR AREA; PROVIDING FOR ACCESSORY USE SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (92-412)

(Sponsored by Commissioner Lori Nance Parrish)

ACTION: (A-341) (10:10 a.m.) Approved.

LXVIII. MOTION TO ADOPT Resolution 92-1696 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 12, 1993 at 2 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TO AMEND CERTAIN PROVISIONS FOR LICENSE FEES AND OTHER FEES FOUND WITHIN CHAPTER 27 OF THE BROWARD COUNTY CODE TO PROVIDE THAT THESE FEES SHALL BE ESTABLISHED BY RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (91-460)

(Sponsored by the Board of County Commissioners)

ACTION: (A-341) (10:10 a.m.) Approved.

LXIX. MOTION TO ADOPT Resolution 92-1697 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 12, 1993 at 2 p.m., to consider adoption of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 27, ARTICLE I OF THE BROWARD COUNTY CODE OF ORDINANCES, NATURAL RESOURCE PROTECTION; AMENDING SECTION 27-24

TO PROVIDE FOR THE GRANTING OF A VARIANCE FOR A DEMONSTRATION PROJECT IN FURTHERANCE OF AN ENVIRONMENTAL GOAL AND WHICH DOES NOT SIGNIFICANTLY DEGRADE THE ENVIRONMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (91-446)

(Sponsored by the Board of County Commissioners)

ACTION: (A-341) (10:10 a.m.) Approved.

LXX. MOTION TO ADOPT Resolution 92-1698 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 12, 1993 at 2 p.m., to vacate and abandon a utility easement, lying and being in Broward County, Florida located on the west side of State Road 7 between Wiles Road and the Sawgrass Expressway in the city of Coral Springs; Petitioner: Florida National Properties Inc., 35-V-92.

ACTION: (A-341) (10:10 a.m.) Approved.

REGULAR AGENDA

PLANNING COUNCIL

LXXI. DISCUSSION: Broward County Commission review of the alternative courses of action available pertaining to Broward County Land Use Plan Amendment PC 92-14 and direction to staff regarding the course of action selected. (Continued from the November 24, 1992 meeting.)

ACTION: (A-581) (10:11 a.m.) The Board directed the County Attorney and County Administrator to embark upon a negotiated settlement with the Florida Department of Community Affairs in order to find the Broward County Land Use Plan Amendment 92-14 in compliance with the Florida Local Government Comprehensive Plan and Land Development Regulation Act with the position being a roll back to where the county was before the amendment was originally processed and absent of a negotiated settlement, the Board additionally directed that the county's position be defended and not the intervenors' at the Division of Administrative Hearings of the Department of Administration.

LXXII. DISCUSSION: Request for late submission of FY 94 general operating program grant application by the Ann White Theatre Inc., Broward County Archaeological Society Inc., and the Miami City Ballet.

ACTION: (A-2237) (11:10 a.m.) Approved the applicant's request subject to staff's recommendation.

LXXIII. DISCUSSION of Plat entitled "A. Sapp Plat" - District 3, 022-MP-92, (Deferred from December 1, 1992 meeting.)

ACTION: (A-2260) (11:13 a.m.) Approved subject to staff's recommendation outlined in the Development Review Report.

LXXIV. COUNTY ADMINISTRATOR'S REPORT County Administrator B. Jack Osterholt advised

that at the Chair's request, staff is currently reviewing the acoustics under the dome of the Governmental Center's commission chambers.

ACTION: (A-2267) (11:13 a.m.) Mr. Osterholt advised that staff will report back to the Board in two weeks' time. The Board requested that the County Administrator find ways to improve the lighting in the commission chambers and additionally requested that cost estimates are obtained before any work is carried out.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PERSONNEL DIVISION

LXXV. MOTION TO APPROVE holiday schedule for County employees for calendar year 1993 by the Board of County Commissioners.

ACTION: (A-2322) (11:15 a.m.) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

LXXVI. MOTION TO APPOINT a selection/negotiation committee to hire a consulting engineering firm to develop improvements to Copans Road from Powerline Road to State Road 7, Project 5111.

ACTION: (A-2325) (11:15 a.m.) Approved with the appointments of Commissioners Hart and Poitier.

LXXVII. MOTION TO APPOINT a selection/negotiation committee to hire a consulting engineering firm to develop improvements to Douglas Road from Sheridan to Pembroke Road, Project 5116.

ACTION: (A-2338) (11:16 a.m.) Approved with the appointments of Commissioners Parrish and Gunzburger.

LXXVIII. MOTION TO APPOINT a selection/negotiation committee to hire a consulting engineering firm to develop improvements to McNab Road from University Drive to Pine Island Road, Project 5117.

ACTION: (A-2341) (11:16 a.m.) Approved with the appointments of Commissioners Thompson and Hart.

LXXIX. MOTION TO APPOINT a selection/negotiation committee to hire a consulting engineering firm to develop improvements to Pine Island Road from Oakland Park Boulevard to Commercial Boulevard; Project 5121.

ACTION: (A-2345) (11:16 a.m.) Approved with the appointments of Commissioners Cowan and Rodstrom.

LXXX. MOTION TO APPOINT a selection/negotiation committee to hire a consulting engineering firm to develop improvements to Hiatus Road from State Road 84 to Griffin Road, Project 5123.

ACTION: (A-2350) (11:17 a.m.) Approved with the appointments of Commissioners Cowan and Parrish.

LXXXI. MOTION TO APPOINT a selection/negotiation committee to hire a consultant to develop a basin-wide drainage and outfall corridor study to be known as South County Collective Outfall, BCOES Project 1148.

ACTION: (A-2357) (11:17 a.m.) Approved with the appointments of Commissioners Parrish and Gunzburger.

HUMAN SERVICES DEPARTMENT

MEDICAL EXAMINER DIVISION

LXXXII. MOTION TO ADOPT Resolution 92-1699 amending Section 36.28 of the Broward County Administrative Code, relating to disposal of indigent dead; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (A-2374) (11:18 a.m.) Approved.

SOCIAL SERVICES DIVISION

LXXXIII. MOTION TO DIRECT the County Attorney's Office to amend Chapter 7 of the Broward County Code (Child Care Ordinance) to update and incorporate the 1991 Florida state legislation and housekeeping changes into the child care standards where appropriate.

ACTION: (A-2420) (11:18 a.m.) Approved. The Board requested that the County Attorney obtain an opinion on the State Mandate Bill and report back to the Board at its Tuesday, December 15, 1992 meeting. Additionally, the Board further requested that the County Attorney research whether the rules were adopted on the mandate and find out whether there is an override provision.

COMMUNITY SERVICES DEPARTMENT

CULTURAL AFFAIRS DIVISION

LXXXIV. A. MOTION TO DELETE a grant position and add one Administrative Aide position to the personnel cap within the Broward Cultural Affairs Council Fund for the Cultural Affairs Division for the purpose of administering cultural grants.

ACTION: (A-2329) (11:19 a.m.) Approved.

B. MOTION TO ADOPT a budget resolution 92-1700 transferring within the Broward Cultural Affairs Council Fund the amount of \$30,316 from the Cultural Affairs Division Reserve budget for the purpose of funding a position for a period of twelve months.

ACTION: (A-2329) (11:19 a.m.) Approved.

GREATER FORT LAUDERDALE

CONVENTION AND VISITORS BUREAU

LXXXV. MOTION TO APPROVE agreement between Broward County and Nova University for Superior Small Lodging; to expire on September 30, 1995, with an option for a three year extension, and

authorize the Chair and the Clerk to execute same.

ACTION: (A-2495) (11:20 a.m.) Approved.

LXXXVI. MOTION TO APPROVE third amendment to the agreement between Broward County and Sastel International, Limited in an amount not to exceed \$62,000 for period October 1, 1991 to September 30, 1992, and an amount not to exceed \$128,000 and to expire on September 30, 1993; and authorize the Chair and the Clerk to execute same.

ACTION: (A-2500) (11:20 a.m.) Deferred for the approval of the Tourist Development Council's at its next meeting. The Board requested that accountability is included in all the contracts.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-2744) (11:26 a.m.) Approved with addendum.

COUNTY COMMISSION

LXXXVIII. DISCUSSION: Constitutional Officers of Broward County. (Comm. Thompson)

ACTION: (A-2770) (11:27 a.m.) The Board requested that the County Attorney review the time-frame to address any recommended changes to the Charter Review Committee. Additionally, Commissioner Gunzburger requested that the Board consider reviewing whether the Charter Review Committee will present a charter in its entirety to the voters.

SUPPLEMENTAL AGENDA

LXXXIX. DELEGATION: Skye Molineux, Broward Discount Carpet and Tiles, 2401 Northeast Fourth Avenue, Pompano Heights, regarding zoning code and a request for a waiver to extend application deadline for a Christmas Tree Lot permit.

ACTION: (A-2759) (11:26 a.m.) Approved.

NON AGENDA

XC. EMPLOYEE SERVICE RECOGNITION On behalf of the Board, Commissioner Rodstrom recognized the following employees for their many years of county service:

Wanda Geisler Parks and Recreation 30 years

Dorothy O'Grady Records 25 years

Marie Reynolds Alcohol and Drug Abuse Services 20 years

ACTION: (A-160) (10:04 a.m.) The employees accepted their service pins, thanked the Board and were given a day of their choice off.

a) PROCLAMATION On behalf of the Board, Commissioner Cowan read into the record a proclamation designating December 8, 1992 as "Florida Philharmonic Orchestra Day". The Board congratulated Mr. James Judd and the Florida Philharmonic Orchestra on the release of their first international recording on the Harmonica Mundi label.

ACTION: (A-239) (10:05 a.m.) Mr. Judd, Florida Philharmonic Orchestra, accepted the proclamation, presented a gift of appreciation to the commission and announced that he hoped that everything the Florida Philharmonic Orchestra does would encourage the community in the way through music.

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