

MEETING OF DECEMBER 13, 1994

(The meeting convened at 10 a.m. and adjourned at 12:20 p.m.)

PLEDGE OF ALLEGIANCE - led by Broward Sheriff Ron Cochran

CALL TO ORDER

CONSENT AGENDA

PUBLIC WORKS DEPARTMENT/HUMAN SERVICES DEPARTMENT

1. MOTION TO APPROVE an agreement between Broward County and Sunshine Health Center, Inc., a Florida not-for-profit corporation in the amount of \$48,000 to be used for funding of a modular building to aid in the provision of services at the main facility in Pompano Beach, Florida from October 1, 1994 through September 30, 1995, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

WASTEWATER MANAGEMENT DIVISION

2. MOTION TO APPROVE the amended and restated leachate and sludge disposal agreement between Broward County and Waste Management Inc. of Florida (WMI), and authorize the Chair and Clerk to execute same.

ACTION: (A-234) Continued to the 5:15 p.m. public hearing, for further review by staff and the Commission Auditor.

OFFICE OF GENERAL SERVICES

3. MOTION TO APPROVE a service agreement between Broward County and Peoples Gas Sales and Services Company for preventative and periodic maintenance of a compressed natural gas fuel station located at Fleet Service Center #2 to support the county alternative vehicle fuels program, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

EQUIPMENT MANAGEMENT DIVISION

4. A. MOTION TO ADOPT budget resolution 94-1427 transferring funds within the Motor Pool Fund (501) for the Equipment Management Division in the amount of \$100,000 for an oil/water separator and filter system at Fleet Service Center #3 and #4.

ACTION: (A-148) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-1428 within the General Capital Outlay

Fund (301) for the Equipment Management Division in the amount of \$100,000 for an oil/water separator and filter system at Fleet Service Center #3 and #4.

ACTION: (A-148) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

5. **MOTION TO ADOPT** Resolution 94-1429 accepting and ratifying recordation of a warranty deed executed by Van C. Phillips and Robin Phillips, donating right-of-way for Holmberg Road in Section 2, Township 48 South, Range 41 East.

ACTION: (A-148) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

6. **MOTION TO APPROVE** the first amendment to agreement among Broward County, Broward County Sheriff and Madsen, Sapp, Mena, Rodriguez & Co., P.A. providing for an audit of the records of the Sheriff of Broward County, Florida for fiscal years 1992-1993 through 1993-1994, providing for revised maximum fees for fiscal years 1992-1994.

ACTION: (A-148) Approved.

PURCHASING DIVISION

For Public Works Department

7. **MOTION TO AWARD** open-end contract to low responsive, responsible bidders, Fluid Control Specialties, Items 1-9, 11-29, 31, 37-39, 41 and single responsive, responsible bidder Item 40; and Weksler Instruments Corporation, Items 10, 30, and 32-36 for pressure gauges (Bid E-05-94-05-12) in the approximate amount of \$126,490.74 for the Office of Environmental Services, Wastewater Management Division, and authorize the Purchasing Division director to renew contract for three (3) one-year periods. The initial **MOTION TO AWARD** open-end contract to low responsive, responsible bidders, Fluid Cont

ACTION: (A-148) Approved.

For Finance and Administrative Services Department

8. **MOTION TO ADOPT** Resolution of the Board of County Commissioners of Broward County, Florida, declaring as surplus property three hundred (300) tote bags, and authorizing donation of same to the Community Blood Center for distribution to participating donors in the Blood Drive of January 8 through 13, 1995; providing for severability; and providing for an effective date.

ACTION: (A-148) Withdrawn at staff's request.

RISK MANAGEMENT DIVISION

9. MOTION TO AUTHORIZE full and final settlement of Claim #SSA/091294KELS in the amount of \$59,462.04.

ACTION: (A-148) Approved.

10. MOTION TO AUTHORIZE full and final settlement of Claim #SSA/111793JAMI in the amount of \$45,000.

ACTION: (A-148) Approved.

11. MOTION TO AUTHORIZE full and final settlement of Claim #DNG/072492SWIL in the amount of \$25,000.

ACTION: (A-148) Approved.

HUMAN SERVICES DEPARTMENT

ALCOHOL AND DRUG ABUSE SERVICES DIVISION

12. A. MOTION TO ADOPT budget resolution 94-1430 transferring funds within the Grant Fund for the Alcohol and Drug Abuse Services Division in the amount of \$28,000 in order to transfer funds from Grant Fund 874 to Grant Fund 837 for the purpose of repaving the east parking lot and correct flooding conditions at 1011 Southwest 2 Court, Fort Lauderdale.

ACTION: (A-148) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-1431 within Grant Fund 837 for the Alcohol and Drug Abuse Services Division in the amount of \$28,000 for repaving the east parking lot.

ACTION: (A-148) Approved.

BUREAU OF CHILDREN'S SERVICES

13. MOTION TO APPROVE Agreement #95-25 between State of Florida Department of Health and Rehabilitative Services and Broward County from November 15, 1994 to September 30, 1995 in the amount of \$260,000 for the purpose of local match for Federal Family Support Act Funds to provide child care slots for Project Independence, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

14. MOTION TO ADOPT budget resolution 94-1432 transferring funds within the General Fund in the amount of \$5,000 to transfer funds from the Bureau of Children's Services/Children's Services Section to Broward County Court Administrator's Office, Judicial Family Court Section.

ACTION: (A-148) Approved.

HEALTH CARE MANAGEMENT

15. MOTION TO APPROVE an agreement between Broward County and American Preferred Prescription-FLA, Inc. from July 1, 1994 to January 31, 1995 in the amount of \$146,000 for the purpose

of pharmaceutical services, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

16. MOTION TO APPROVE an agreement between Broward County and Children's Diagnostic and Treatment Center (a division of North Broward Hospital District) from July 1, 1994 to January 31, 1995 in the amount of \$289,500 for the purpose of providing medical diagnostic treatment services under Fiscal Year 1994, Ryan White Title I, C.A.R.E. Act, Formula Grant, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

TRAUMA MANAGEMENT AGENCY

17. MOTION TO APPROVE fifth amendment to contract/certificate between Broward County and Broward Ambulance Acquisition, Inc. d/b/a LifeFleet Atlantic from December 13, 1994 to April 30, 1996 for the purpose of providing emergency ambulance service, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

18. MOTION TO APPROVE fifth amendment to contract/certificate between Broward County and Medics Ambulance Service, Inc. from December 13, 1994 to April 30, 1996 for the purpose of providing emergency ambulance service, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

19. MOTION TO APPROVE fifth amendment to contract/certificate between Broward County and American Ambulance Service, Inc. from December 13, 1994 to April 30, 1996, for the purpose of providing emergency ambulance service, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

20. MOTION TO APPROVE a lease agreement between Broward County and the Board of Trustees of the Internal Trust Fund of the State of Florida for a term of fifty years for the county's management of a state-owned 53.25 acre site located in the city of Miramar and referred to as Snake Warrior's Island, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

21. MOTION TO ADOPT Resolution 94-1433 of the Board of County Commissioners of Broward County, Florida, authorizing the transfer by quitclaim deed of certain county-owned property from Broward County to the city of Miramar for a required street right-of-way adjacent to Miramar Parkway at the future Miramar Regional Park site; and providing for an effective date.

ACTION: (A-148) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

22. **MOTION TO APPROVE** an agreement between Broward County and Florida Department of Environmental Protection in the amount of \$104,489.02 for providing the department with an inventory of existing Class V wells within Broward County, including the information concerning high priority Class V well types within wellhead protection areas, automobile repair bay drain wells, and stormwater drainage wells located in industrial areas, providing the most efficient method for obtaining this information so that simil**MOTION TO APPROVE** an agreement between

ACTION: (A-148) Approved.

23. **MOTION TO APPROVE** the settlement agreements between Broward County and the listed respondents for violations of Broward County ordinances:

A. Sultan & Sons, Inc.

B. Pines Group, Inc.

C. City of Fort Lauderdale

D. Shell Oil Company

E. Discount Auto Parts

F. Superior Fabrics, Inc.

G. Superior Fabrics, Inc.

H. Superior Fabrics, Inc.

ACTION: (A-148) Approved.

AIR QUALITY DIVISION

24. **MOTION TO APPROVE** a lease agreement between Broward County and the city of Coconut Creek to lease a parcel of property at the Twin Lakes Park Complex for the purpose of air pollution monitoring, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved.

CITIZENS SERVICE CENTER

25. **MOTION TO AUTHORIZE** Chair and County Administrator to execute "Request for Temporary Closing/Special Use of State Road" required by the State Department of Transportation for the Dr. Martin Luther King, Jr. Memorial March and Rally scheduled on January 16, 1995.

ACTION: (A-148) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-148) Approved.

OFFICE OF EQUAL OPPORTUNITY

HUMAN RIGHTS DIVISION

27. MOTION TO APPROVE the Fiscal Year 1994-95 Fair Employment Practices Agency/Award Contract between Broward County in behalf of the Human Rights Division and the Miami District Office of the U.S. Equal Employment Opportunity Commission (EEOC) in the amount of \$156,050 for charge resolution, intake services and training, and authorize the Chair and Clerk to execute same.

ACTION: (A-148) Approved with addendum.

COUNTY ATTORNEY

28. MOTION TO APPROVE the third amendment to an agreement between Broward County and the city of Sunrise for the transfer of a fire station site within the 84 South Development.

ACTION: (A-148) Approved.

29. MOTION TO APPROVE a settlement agreement with Dr. Teri Stockham and authorize payment of \$125,000 in settlement of all of Dr. Stockham's claims concerning her employment, and authorize the Chair to execute the agreement on behalf of the Board of County Commissioners.

ACTION: (A-148) Approved.

BOARD APPOINTMENTS

30. MOTION TO APPOINT Gregg D'Attile to Broward County Central Examining Board of Plumbers, a position once held by Paul J. Gatto who has resigned. (Comm. Thompson)

ACTION: (A-148) Approved.

REQUEST TO SET PUBLIC HEARING

31. MOTION TO ADOPT Resolution 94-1434 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 10, 1995 at 2:00 p.m., to consider enactment of proposed ordinance.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTIONS 2-221, 23-20.9, AND 23-20.16(f) OF THE BROWARD COUNTY CODE OF ORDINANCES, WHICH RELATE TO ADMINISTRATIVE HEARING OFFICER REVIEW OF PARKING CITATIONS; PROVIDING FOR THE CREATION OF A FEE FOR THE COSTS OF AN ADMINISTRATIVE HEARING WHERE THE CITATION IS UPHELD BY THE HEARING OFFICER; PROVIDING FOR THE CREATION OF A FEE FOR THE GRANTING OF A POSTPONEMENT OR RESETTING OF A HEARING; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN

EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-148) Approved.

REGULAR AGENDA

COUNTY ADMINISTRATOR'S REPORT

32. **JAIL UPDATE:** County Administrator B. Jack Osterholt reported that as from December 11, 1994, the county is 94 percent of the cap, over on six floors and is continuing to pay the fine.

ACTION: (A-2601) Submitted for informational purposes.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

DEVELOPMENT MANAGEMENT DIVISION

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.

33. **DISCUSSION** of Plat entitled "Sector 7 Parcel J-1" - District 3, (016-UP-94). (Deferred from December 6, 1994.)

ACTION: (A-2684) Approved subject to staff's recommendations outlined in the Development Review Report.

34. **DISCUSSION** of Plat entitled "Sector 7 Parcel O" - District 3, (017-UP-94). (Deferred from December 6, 1994.)

ACTION: (A-2990) Approved subject to staff's recommendations outlined in the Development Review Report.

END OF QUASI-JUDICIAL HEARING

35. **DELEGATION:** A. L. Stein regarding Ely High School Marching Band. (Chair)

ACTION: (A-3043) The Board recognized the county's policy that it cannot raise funds for the marching band. Commissioner Poitier advised that she will solicit funds from her forthcoming graduation class reunion and request that county commissioners endorse her plea for the marching band.

CODE AND ZONING ENFORCEMENT DIVISION

36. MOTION TO ADOPT Resolution 94-1437 amending the Broward County Administrative Code to increase the blasting permit fee for annual renewals from \$4,000 to \$6,700.

ACTION: (3563) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

37. MOTION TO REVIEW a special lot clearing charge imposed by Code and Zoning Enforcement Division.

ACTION: (A-3571) Continued to the 2 p.m. public hearing.

DIVISION OF HUMAN RESOURCES

38. A. MOTION TO ADOPT drug and alcohol testing policies for safety-sensitive employees as defined by the Federal Department of Transportation.

ACTION: (A-3612) Approved.

B. MOTION TO AUTHORIZE the County Administrator to amend the drug and alcohol testing policies as needed to reflect subsequent changes in law or due to collective bargaining.

ACTION: (A-3612) Approved.

39. A. MOTION TO APPROVE an amendment to collective bargaining agreement between Broward County and Amalgamated Transit Union (ATU) Local 1267.

ACTION: (A-3615) Approved.

B. MOTION TO AUTHORIZE the Chair to sign on behalf of the county.

ACTION: (A-3615) Approved.

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

40. MOTION TO DIRECT the County Attorney to draft an ordinance to provide for the issuance of temporary limousine permits for a two-week period during Super Bowl 1995.

ACTION: (A-3620) Approved contingent upon receiving Dade County's reciprocal agreement.

PARKS AND RECREATION DIVISION

41. MOTION TO ADOPT Resolution 94-1438 of the Board of County Commissioners of Broward County, Florida, amending Chapter 24 of the Administrative Code, setting policies and procedures for the Broward County Marine Advisory Committee enhanced marine law enforcement grant application; providing for severability; providing for inclusion in Administrative Code; and providing for an

effective date.

ACTION: (A-3685) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

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

ACTION: (A-3690) Approved.

OFFICE OF EQUAL OPPORTUNITY

43. MOTION TO APPROVE a set-aside for minority-owned firms under the provisions of the Small Disadvantaged Business Enterprise (SDBE) Affirmative Action Program of Broward County for the purpose of achieving maximum participation of minority-owned computer maintenance firms and other disadvantaged business enterprises.

ACTION: (A-3696) Approved.

COUNTY ADMINISTRATOR

44. A. MOTION TO ADOPT budget resolution 94-1435 within the General Fund for the Sheriff in the amount of \$72,000 from Commission Reserve to fund Pretrial Release Programs, including electronic monitoring and day reporting.

ACTION: (A-614) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-1436 within the General Fund for the Sheriff in the amount of \$50,000 to recognize Federal Fine Funds to expand the electronic monitoring program.

ACTION: (A-614) Approved.

C. MOTION TO SUPPORT and conceptually approve county funding of approximately \$1,067,000 for 150 community work release beds with appropriation pending development of a final contract by Broward Sheriff's Office.

ACTION: (A-614) Approved. The county commission directed Mr. Pete Corwin, Assistant to the County Administrator, to arrange for a January 1995 workshop meeting with BSO and the private industry to review the three to five-year comprehensive analysis proposal prepared by BSO; address reports on the management of the jail system by the private industry and discuss the additional beds to Phase I and II operations.

COUNTY COMMISSION

45. DISCUSSION: The applicability of Broward County Motor Vehicle Repair Licensing Ordinance to used automobile dealerships. (Comm. Rodstrom) (Deferred from November 22, 1994.)

ACTION: (A-3849) Approved to exclude used car dealers.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

46. **DISCUSSION:** Authorize the County Attorney's Office to draft an amendment to the Motor Vehicle Repair Ordinance to restore consumer protection provisions deleted from the Florida Motor Vehicle Repair Act. (Comm. Parrish)

ACTION: (A-3902) Approved.

NON AGENDA

47. **STUDENTS' VISIT** The Chair acknowledged the presence of Mses. Edith Gooden-Gonzalez, Principal of the New River Middle School; Gloria Jackson, the school's Student Council Sponsor; Laura Martin, Special Programs Coordinator for the School Board of Broward County and a number of students from the subject school.

ACTION: (A-148) The Board welcomed the visitors to this day's county commission meeting.

48. **DISCUSSION:** Commission Cowan discussed his appointment as the Board of County Commissioners' nominee on the Public Safety Coordinating Council; gave reasons why it has not been possible for him to attend the meetings as often as he would have liked and requested that the Board appoint another commissioner to serve on the council.

ACTION: (A-1234) By unanimous consent, the Board approved the appointment of the Chair on the Public Safety Coordinating Council with Commissioner Scott I. Cowan serving as alternate.

49. **DISCUSSION:** Amending Article V portion of Broward County's legislative package to coincide with the Florida Association of Counties' (FACo's) official position on Article V funding adopted at the FACo Legislative Conference on November 30, 1994. (Comm. Hart)

ACTION: (A-3938) Approved. Commissioner Rodstrom requested that Commissioner Hart articulate the Board's position in not supporting the creation of a statewide public defender's office.

50. **COMMISSIONER'S REQUEST** Commissioner Hart referred to The Miami Herald article of December 13, 1994 entitled "State Axes Discount Toll Calls For Some -- North Broward Won't be Saving".

ACTION: (A-4229) Commissioner Hart requested that the Board support the position to maintain equal access to Broward County residents on this issue.

51. **DISCUSSION:** The Board discussed Judge W. Herbert Moriarty's ruling when he granted the temporary injunction prohibiting Mr. Wayne M. Thrasher from serving on the Board of Rules and Appeals pending the final determination of the case and noted the resignation of Mr. Harry Jones from the Board of Rules and Appeals.

ACTION: (A-4261 and B-1242) The Board agreed to continue its discussions on this item to the 2 p.m. public hearing.

[Back to previous page](#)