

. MEETING OF DECEMBER 15, 1998

(The meeting convened at 10:00 a.m.; recessed at 12:25 p.m.; reconvened at 2:35 p.m., and adjourned at 5:00 p.m.)

MOMENT OF SILENCE The Chair declared a moment of silence in memory of the late Governor Lawton Chiles and Mrs. Noreen Schapiro, the late wife of 17th Judicial Circuit Court Judge Sheldon M. Schapiro. The Chair, on behalf of the Board of County Commissioners, sent condolences to both families during their time of sorrow.

PLEDGE OF ALLEGIANCE was led by Tyler James Dix and his parents, Debbie and Walter Dix.

CONSENT AGENDA

1. BOARD APPOINTMENTS

A. **MOTION TO APPROVE** appointment of Mr. Peter Hernandez to the Zoning Board. (Commissioner Lieberman)

ACTION: (A-0275) Approved.

B. **MOTION TO APPROVE** appointment of Ms. Nancy G. Terrel to the Commission on the Status of Women. (Commissioner Lieberman)

ACTION: (A-0275) Approved.

C. **MOTION TO APPROVE** appointment of Mr. Paul Eichner to serve on the Children's Services Board. Mr. Eichner will replace Mr. Don Samuels in that position. (Commissioner Rodstrom)

ACTION: (A-0275) Approved.

D. **MOTION TO RE-APPOINT** Mary Ann Gray to the Marine Advisory Committee. (Commissioner Lieberman)

ACTION: (A-0275) Approved.

AVIATION DEPARTMENT

2. **MOTION TO APPROVE** termination agreement between Broward County and Northwest Airlines, Inc. for the lease of 2,100 square feet of space in the cargo building at the Fort Lauderdale-Hollywood International Airport effective upon 60-day written notice, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

3. MOTION TO APPROVE first amendment to the bulk product line license agreement between Broward County, Florida and Everglades Pipe Line Company, L.P. to replace Exhibit "A-1" delineating the new location of Everglades' bulk product lines on the Airport property effective upon Board approval, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

4. MOTION TO ADOPT Resolution 1998-1232 authorizing acceptance and execution of a Joint Participation Agreement between Broward County and the Florida Department of Transportation (Financial Project. No. 236165-1-84-01) in the amount of \$125,000 (state's share) for Airport Rescue Fire Fighting (ARFF) Facilities Improvements at the Fort Lauderdale-Hollywood International Airport, and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant.

ACTION: (A-0275) Approved.

PUBLIC WORKS DEPARTMENT

FISCAL OPERATIONS DIVISION

5. MOTION TO APPROVE AND EXECUTE Satisfactions of Claim of Lien to release liens recorded for unpaid water and/or sewer charges.

ACTION: (A-0275) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

6. MOTION TO APPROVE road improvement phasing agreement among Broward County; First Union National Bank of Florida; and VVBM Investments, Inc., a Florida Corporation, relating to Albertsons - Lighthouse Point (090-MP-96); and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

TRAFFIC ENGINEERING DIVISION

7. MOTION TO APPROVE agreement among Broward County, State of Florida Department of

Transportation, City of Lauderdale Lakes, and City of Lauderhill for temporary traffic signal at the intersection of State Road 7 (SR-7/US441) and NW 21st Street; and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

8. MOTION TO APPROVE minutes of the 10:00 a.m. Board of County Commission meeting of October 6, 1998.

ACTION: (A-0275) Approved.

OFFICE OF HOUSING FINANCE

9. MOTION TO APPROVE satisfaction of mortgage for a State Housing Incentives Partnership (SHIP) Home Repair Program loan in the amount of \$7,200 to Yves Deloge, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

PURCHASING DIVISION

For Aviation Department

10. MOTION TO APPROVE sole source/sole brand agreement and installation of the Grinnell Sitewatch 8000 Fire Alarm Computer System, a year 2000 compliant system, at the Fort Lauderdale-Hollywood International Airport from W.S.A. Systems, Inc. for the Aviation Department in the amount of \$255,000.00, subject to receipt and acceptance of performance and payment guarantee. The contract time of performance shall be 24 weeks upon issuance of the Notice to Proceed, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Withdrawn for further staff review.

11. MOTION TO APPROVE First Amendment to the Construction Contract between Broward County and The de Moya Group, Inc. for terminal area roadway improvements at the Fort Lauderdale-Hollywood International Airport (Bid No. H-01- 98-14-CF) which does not authorize additional time or dollars but provides for commencement of the project through the issuance of two sequential Notices to Proceed, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

12. A. MOTION TO APPROVE sole brand standardization for future procurement of Chromcraft/Guardsman Task Seating at the Fort Lauderdale-Hollywood International Airport for the Aviation Department.

ACTION: (A-0275) Approved.

B. MOTION TO APPROVE procurement of Chromcraft/Guardsman Task Seating on an open-end basis for the life of the contract, from Corporate Express of The South, Inc., the awarded vendor for Chromcraft/Guardsman Task Seating on the School Board of Broward County Contract Number 97-520X in the estimated amount of \$1,400,000 for the Aviation Department.

ACTION: (A-0275) Approved.

Community Services Department

13. MOTION TO AWARD fixed contract to the low responsive and responsible bidder, MBR Construction, Inc. for Woodmont Park ESL Site Improvements (Bid No. N-6-98-150-CF) for the base bid in the amount of \$284,882 for the Parks and Recreation Division, subject to receipt and acceptance of insurance/payment and performance guarantee.

ACTION: (A-0371) Approved.

Finance and Administrative Services Department

14. MOTION TO RESCIND award of open-end contract to Landtech Image System for providing Tagged Image File Format (TIFF) Electronic Images (Bid No. A-4-98-107-B-2) in the estimated amount of \$173,478 for failure to meet the required specifications.

ACTION: (A-0380) Approved. (Staff was directed to study technical issues; amending the Bid, if necessary; and quality of the overall product being provided.)

For Public Works Department

15. MOTION TO APPROVE Amendment No. 2 to the Agreement between Broward County and Montgomery Watson Americas, Inc. providing for a change in scope related to contract deliverables (BCOES Project Number: 8612 - Retail Service Water and Wastewater Master Plan) with no change in the current cost of \$1,311,550.26, with the period of performance remaining at 926 days, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

16. MOTION TO APPROVE Seventh Amendment to the Agreement between Broward County and Craven, Thompson and Associates, Inc. for professional engineering services for the South County Neighborhood Improvement Project at an increase of \$624,079 from \$13,177,281 to \$13,801,360 and no additional contract time to provide for additional professional services required as a result of the default of the Contractor on Sections 2, 3 and 5 of the project, Coastal Utilities, Inc., and authorize the Chair

and Clerk to execute same. (BCOES Project Number: 1148 / 8600 - South County Neighborhood Improvement Project)

ACTION: (A-0275) Approved.

17. A. MOTION TO ADOPT budget Resolution 1998-1233 within the Fleet Services Fund (501) transferring \$175,295 from the Fleet Services Fund Reserve to provide additional funding for the purchase of a replacement fleet management information software system for the Fleet Services Division.

ACTION: (A-0275) Approved.

B. MOTION TO APPROVE contract between Broward County and Control Software Incorporated in the amount of \$279,295 providing for the purchase and installation of the maintenance control and management (MCMS) fleet management software programs, including all software and hardware, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

REVENUE COLLECTION DIVISION

18. MOTION TO ACKNOWLEDGE receipt of Notice of Lands Available for Taxes submitted per Florida Statutes 197.502(7), 12D-13.064(1)(2)(3) and 197.542(2).

ACTION: (A-0581) Approved. (Staff was directed to research the zoning of the property and whether it was suitable for affordable housing or a non-profit administration facility, and to respond to the District Commissioner, copying the County Commissioners. Further, the County Administrator was directed to establish a committee to review parcels of land that come into the possession of the county for their utilization options.)

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

19. MOTION TO APPROVE assignment of Transit Bus Advertising Program Agreement between Broward County and Philbin & Coine, Inc., d/b/a P&C Media, from P&C Media to Obie Media Corporation, and delegate authority to execute the same to the Mass Transit Division Director or designee as Contract Administrator, effective upon approval by the Board and execution by the Contract Administrator.

ACTION: (A-0275) Approved.

DEPARTMENT OF NATURAL RESOURCE PROTECTION

20. MOTION TO APPROVE settlement agreements between Broward County and the listed respondents for violations of Broward County Code of Ordinances for Department of Natural Resource Protection (DNRP). The Respondents were cited for violations of the Broward County Code of Ordinances for the attached violations and have agreed to pay Broward County for any penalties in full:

A. Pompano Silica & Sand, Inc.

B. Pompano Transfer & Recycling, L.C.

C. United Waste Services & Recycling, Inc. d/b/a United Waste Management & Recycling, Inc./United Waste Management, Inc. d/b/a United Waste Management & Recycling, Inc.

ACTION: (A-0597) Tabled the item to the conclusion of the commission meeting.

ACTION: (B-0062) Approved, as presented. (The County Attorney's Office was asked to research drafting an ordinance for long term payment arrangements relating to settlement agreements for violations of the Broward County Code of Ordinances and return before the Board with recommendations.)

ENVIRONMENTAL MONITORING DIVISION

21. MOTION TO APPROVE contract between Broward County Department of Natural Resource Protection (DNRP) and the Florida Department of Environmental Protection (FDEP) to sample the Ambient Water Quality Monitoring Network in Broward County, FDEP Contract GW179, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

PORT EVERGLADES DEPARTMENT

22. MOTION TO APPROVE renewal of Port Everglades Taxi/Limo/Bus Service Business Permits between Broward County, Florida and the companies listed on Schedule A attached hereto, effective January 1, 1999 through December 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

23. MOTION TO APPROVE renewal of a lease agreement between Broward County and Mar, Inc. for 4,474 square feet (or 0.10 acre) of vacant land at Port Everglades, for the period of January 1, 1999 through December 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

24. MOTION TO APPROVE renewal of a lease agreement between Broward County and Prestige

Storage & Distribution, Inc. for 15,851 square feet of warehouse space in Building "A" of Foreign Trade Zone No. 25 at Port Everglades, for the period of January 1, 1999 through December 31, 1999, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

25. MOTION TO APPROVE renewal of a lease agreement between Broward County and Lamorte Burns & Co., Inc. for Suites No. 10 and 11 in Building 611 at Port Everglades, consisting of 1,050 square feet of office space, for the period of January 1, 1999 through December 31, 2000, and authorize the Chair and Clerk to execute same.

ACTION: (A-0275) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

26. MOTION TO APPROVE business travel for County employees in accordance with Administrative Order 105.

ACTION: (A-0275) Approved.

27. MOTION TO ADOPT unanticipated revenue Resolution 1998-1234 within the Law Enforcement Trust Fund in the amount of \$570,431 for 14 Byrne Fund Subgrants for Fiscal Year 1998/99 approved and accepted by the Board on June 9, 1998 for substance abuse services and programs in Broward County.

ACTION: (A-0275) Approved.

28. MOTION TO ADOPT unanticipated revenue Resolution 1998-1235 within the Law Enforcement General Fund in the amount of \$39,390 for a Crime Analyst position to be hired by the Broward Sheriff's Office and assigned full time to the Metropolitan Organized Crime Unit. This position is to be funded by the Metropolitan Organized Crime Intelligence Unit (MIU) through the City of Fort Lauderdale.

ACTION: (A-0275) Approved.

29. MOTION TO ADOPT unanticipated budget Resolution 1998-1236 within the Law Enforcement Trust Fund in the amount of \$81,975 for the Broward Sheriff's Office to purchase one tractor/trailer and generator, for use in high risk and counter-drug operations.

ACTION: (A-0275) Approved.

REQUEST TO SET FOR PUBLIC HEARING

30. MOTION TO ADOPT Resolution 1998-1237 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 12, 1999 at 2:00 p.m. in Room 422 of the Governmental Center to consider enactment of a proposed ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, REPEALING CHAPTER 27, ARTICLE XV, SECTIONS 421 THROUGH 429, "TREE ABUSE"; AND CHAPTER 27, ARTICLE XI, SECTION 342, "TREE PRESERVATION"; CREATING CHAPTER 27, ARTICLE XIV, SECTIONS 401 THROUGH 430, "BROWARD COUNTY TREE PRESERVATION AND ABUSE ORDINANCE"; PROVIDING FOR A DECLARATION OF INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR DOCUMENTS INCORPORATED BY REFERENCE; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL PROHIBITIONS; PROVIDING FOR GENERAL EXEMPTIONS; PROVIDING FOR THE MUNICIPAL CERTIFICATION; PROVIDING FOR TREE REMOVAL LICENSE REQUIREMENTS AND STANDARDS; PROVIDING FOR CONSTRUCTION AND LAND CLEARING REQUIREMENTS; PROVIDING FOR TREE ABUSE; PROVIDING CRITERIA FOR NATURAL FOREST COMMUNITIES; PROVIDING CRITERIA FOR HISTORICAL TREES; PROVIDING FOR THE TREE PRESERVATION TRUST FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-0640) *Approved, as amended. (The County Attorney's Office was directed to amend Section 27-407, subsection (d) (page 9). Municipal Certification to include all Drainage Districts and Florida Power & Light lands, and wherever applicable in the ordinance.)*

STAFF DIRECTIVES: 1) *Staff was directed to gather substantive suggestions from the League of Cities and copy the Commission before the item is considered at the public hearing on January 12, 1999.* 2) *DNRP staff will work with the Street & Highways Division to develop a tree trimming training program to avoid the "hat racking" of trees.* 3) *Staff was asked to meet with the Historical Society to develop a process to designate the preservation of historical trees.*

REGULAR AGENDA

31. **COUNTY ADMINISTRATOR'S REPORT** County Administrator Roger J. Desjarlais requested that the Board engage in discussion with the Legislative Delegation at this day's 1999 Legislative Program workshop regarding the mailing process to the residents of the annexation areas.

ACTION: (A-1914 & A-4680) *By way of a motion, the County Commission adopted an official position that the type of mailing to the residents in the annexation areas will be changed from certified return receipt requested to two first class mailings.*

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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. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT DEVELOPMENT MANAGEMENT DIVISION

32. DISCUSSION: of plat entitled "Jean-Joseph Plat" - District 4, (019-MP-98).

ACTION: (A-2037) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

33. DISCUSSION: of plat entitled "L" Reserve Residences at Plantation" - District 4, (018-MP-98).

ACTION: (A-2974) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

34. DISCUSSION: of plat entitled "CT Industrial Plat" - District 5, (020-MP-98).

ACTION: (A-2092) Deferred to December 22, 1998 to enable staff to contact the South Florida Water Management District to determine if subject plat is part of the District's Everglades Restudy.

35. DISCUSSION: of plat entitled "Spielman-Margolis Replat" - District 4, (006-MP-96).

ACTION: (A-2123) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

36. DISCUSSION: of plat entitled "Walgreens Plaza Plat" - District 1, (089-MP-97). (Deferred from December 1, 1998.)

ACTION: (A-2143) Deferred to January 5, 1999 or sooner to study safety.

37. DISCUSSION: of plat entitled "Maple Ridge Plat" (f/k/a Oakridge West) - District 6, (029-MP-98). (Deferred from November 10, 1998)

ACTION: (A-2282 & B-0985) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. The applicant decreased the number of units on the plat from 440 units to 410 single family units to be consistent with the proposed zoning in the City of Hollywood.

STAFF DIRECTIVE: *The County Attorney's Office was directed to draft an amendment to the County's Wetlands Ordinance which prioritizes Wetlands and Wetlands characteristics on-site before off-site mitigation is allowed.*

38. DELEGATION: Gary Levine regarding request to amend the note on the Levine Plat (009-UP-95).

ACTION: *(A-0275) Deferred to July 20, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study traffic concurrency.*

39. DELEGATION: Dennis Mele regarding request to amend the non-vehicular access line on the Cypress Creek Road No. 1 Plat (193-MP-89).

ACTION: *(A-2268) Approved subject to staff's recommendations.*

40. DELEGATION: Elizabeth Pulice regarding request to amend the non-vehicular access line on the West Park-East Parcel Plat (077-MP-86). (Deferred from September 28, 1998.)

ACTION: *(A-0275) Deferred to March 16, 1999 or sooner, under Section 5-181(i) of the Land Development Code, to study access.*

41. DELEGATION: Peter Colussy regarding request to amend the non-vehicular access line on the 196 Pines Plaza Plat (124-MP-90).

ACTION: *(A-0275) Deferred to February 2, 1999 or sooner, under Section 5-181 (i) of the Land Development Code, to study access.*

END OF QUASI-JUDICIAL HEARING

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42. DISCUSSION: regarding motion to authorize staff to issue administrative sidewalk waivers within Central County Neighborhood Improvement Project.

ACTION: *(B-2877) Approved, as amended. (Staff was directed to remove the exhibit (Memorandum dated November 16, 1998, from Patrick J. MacGregor, Project Manager, Environmental Engineering Division) from the backup material.)*

COMPREHENSIVE & NEIGHBORHOOD PLANNING DIVISION

43. MOTION TO FIND Application 98-RF-02 for the allocation of 50 reserve dwelling units in the Town of Davie compatible with the adjacent land uses, provided potential incompatibilities are appropriately mitigated as required by the Town of Davie Land Development Code, and that impacts on public school facilities have been adequately considered. (Withdrawn from the November 24, 1998 County Commission Agenda, Item 30. Resubmitted for the December 15, 1998 County Commission Agenda.)

ACTION: *(A-4668) Deferred to the December 22, 1998 commission meeting.*

44. MOTION TO FIND Application 98-RF-05 for the allocation of 56 reserve dwelling units in the City of Tamarac compatible with adjacent land uses and that impacts upon public school facilities have been adequately considered, provided that the note on the King's Point Commercial Plat is amended restricting the use to 56 adult only units. (Withdrawn from the November 24, 1998 County Commission Agenda, Item 31. Resubmitted for the December 15, 1998 County Commission Agenda.)

ACTION: (A-4817) Deferred to the December 22, 1998 commission meeting.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

45. MOTION TO ADOPT Resolution 1998-1238 of the Board of County Commissioners of Broward County, Florida authorizing, in connection with the \$6,390,000 Broward County, Florida Industrial Development Revenue Bonds (Superior Fabrics, Inc. Project) Series 1998, an amendment to the trust indenture to permit re-registering of the bonds in the name of Cede & Co. and deposit of the bonds with the Depository Trust Company; approving form of, and authorizing the execution and delivery of, a First Supplemental Trust Indenture; and providing certain other details in connection therewith.

ACTION: (B-0113) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

46. MOTION TO APPOINT replacement voting staff member for two Selection/ Negotiation Committees.

ACTION: (B-0122) Approved the following appointments: 1) Bond Engineering Services, RLI #021398-RB - Director, Finance Division, Port Everglades Department. 2) Airport Stormwater Master Plan, RL #073098-RB - Director, Water Management Division, OES, Public Works Department.

For Port Everglades Department

47. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide professional engineering services for the design of Berth No. 34, an elevated pier at the western end of the Southport Turning Notch and circulation access road linking SE 38th Street at Port Everglades.

ACTION: (B-0130) Approved the following appointments to the Selection/Negotiation Committee: Commissioner Abramowitz; Deputy Director, Port Everglades Department (Chair); Director of Operations, Port Everglades Department; and Deputy Director, Public Works Department. Plus, administrative support staff from the offices of the County Attorney, Commission Auditor, Office of Equal Opportunity, Risk Management, and Purchasing.

48. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide professional engineering services for the design of a garage expansion and access ramps to the Northport Parking Facility at Port Everglades.

ACTION: (B-0141 & B-0171) Deferred to December 22, 1998 for further staff review. Commissioner Abramowitz requested that he sit on said Selection/Negotiation Committee.

HUMAN SERVICES DEPARTMENT

49. MOTION TO APPROVE second amendment to the agreement for a common database implementation study between Broward County and Data Industries, Ltd., a fixed contract in the amount of \$475,000.00, through a State grant, to perform tasks related to the actual implementation of the Broward Information Network (BIN), with no additional positions, subject to authorization from the Chair and Clerk to execute same.

ACTION: (A-0146) Approved.

OFFICE OF BUDGET AND MANAGEMENT POLICY

50. MOTION TO APPROVE travel for County employees on the attached list, in accordance with Administrative Order 105.

ACTION: (B-0218) Approved, as amended. Further, by way of a motion, Broward County Planning Council Administrator Susan M. Tramer, alternate to Commissioner Parrish on the Governor's Commission for a Sustainable South Florida, was given the authority to vote on any issues in Commissioner Parrish's stead. In the event that Ms. Tramer is not able to attend said meetings, authority to vote in Commissioner Parrish's stead will be passed to Roy Reynolds, Director, Water Management Division.

OFFICE OF LEGISLATIVE & INTERGOVERNMENTAL MANAGEMENT

51. MOTION TO APPROVE Second Amendment to Agreement between Broward County and Advocates for Resources, Inc. for services as Natural Resource Advocate, to authorize Patti Webster to provide professional lobbying services regarding environmental legislation during the 1999 Legislative Session.

ACTION: (B-0293) Approved.

52. A. MOTION TO SELECT additional firm to represent Broward County during the 1999 Legislative Session.

ACTION: (A-1226) Selected the firm of Pennington, Moore, Wilkinson, Bell & Dunbar, P.A. to represent Broward County during the 1999 Legislative Session.

B. MOTION TO ALLOCATE funding and expenses for lobbying contract.

ACTION: (A-1226) The Board allocated \$40,000, plus up to \$4,000 for expenses from the Commission Reserves for the lobbying contract.

SUPPLEMENTAL AGENDA

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10 A.M. PUBLIC HEARING

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

53. A. MOTION TO CONDUCT public hearing on the proposed issuance of City of Fort Lauderdale Health Care Facilities Refunding Revenue Bonds (Ann Storck Center, Inc. Project), Series 1998 in the aggregate principal amount not exceeding \$2,605,000.

ACTION: (B-2793) Approved.

B. MOTION TO ADOPT Resolution 1998-1239 of the Board of County Commissioners of Broward County, Florida approving an Interlocal Agreement providing for the issuance by the City of Fort Lauderdale, Florida, of the City’s Health Care Facilities Refunding Revenue Bonds (Ann Storck Center, Inc. Project), Series 1998, in the aggregate principal amount not exceeding \$2,605,000 for the purpose of providing funds to make a loan to Ann Storck Center, Inc. (The “Borrower”), to refund the existing bonds described herein and to pay the costs of the acquisition, construction and equipping of improvements to the Borrower’s properties in Broward County, Florida.

ACTION: (B-2819) Approved.

END PUBLIC HEARING

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COUNTY COMMISSION

54. MOTION TO ADOPT Resolution 1998-1240 of sympathy to Governor Lawton Chiles’ family. (Commissioner Lieberman)

ACTION: (B-3139) Approved.

55. MOTION TO DIRECT office of the County Attorney to draft an ordinance regulating the motor vehicle title loan business and establishing that such license fees be determined by a resolution of the Board of County Commissioners. (Commissioner Lieberman)

ACTION: (B-3148) Approved.

COUNTY ATTORNEY

56. A. MOTION TO APPEAL on behalf of Broward County, Broward Circuit Court's ruling granting City of Hollywood's Motions for Partial Summary Judgment as to Liability on Counts I and II of the City's Complaint in the matter of City of Hollywood, Florida v. Broward County, Florida, Seventeenth Judicial Circuit Court Case No. 98-01859-18.

ACTION: (B-3184) Approved.

STAFF DIRECTIVE: The Board suggested that the County Administrator might meet with Hollywood City Manager Samuel A. Finz to attempt to negotiate a settlement and return before the Board with recommendations.

B. MOTION TO RATIFY selection of Conrad & Scherer as Special Counsel to provide legal services in the matter of City of Hollywood, Florida v. Broward County, Florida, Seventeenth Judicial Circuit Court Case No. 98-01859-18, as lead attorney and appellate counsel.

ACTION: (B-3395) Approved.

57. MOTION TO RATIFY selection of Tripp Scott as Special Counsel to provide legal services in the matter of Broward County v. William Markham, Seventeenth Judicial Circuit Court Case No. 95-17060-04, as lead attorney.

ACTION: (B-3923) Approved. (The County Attorney's Office was directed to submit a monthly summary of what was expended in costs and fees for this case. (A dollar number synopsis)

GOOD & WELFARE

58. **PROCLAMATION:** Commissioner Jacobs, on behalf of the Board, read into the record a proclamation designating December 1998 as **DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH in Broward County**. The County Commission called upon all citizens, government agencies, business leaders, hospitals, schools, and public and private institutions in Broward County to promote awareness of the impaired driving problem; to support programs and policies to reduce the incidence of impaired driving; to promote safer and healthier behaviors regarding the use of alcohol and other drugs, and to provide opportunities for all to participate in strengthening safe communities this December holiday season.

ACTION: (A-0125) George Danz, Director, Trauma Management Division, thanked the Board and accepted the proclamation with great appreciation. Mr. Danz introduced Dr. Ivan Puente, Director of Trauma Services, Broward General Medical Center and Chief of the Quality Improvement Committee and Paula Cassel, Trauma Nurse Coordinator, North Broward Hospital District, who suggested the proclamation.

59. **THANK YOU:** Commissioner Gunzburger thanked everyone for their warm feelings and help during her time of sorrow in the loss of her mother.

ACTION: (A-0250) The Chair informed Commissioner Gunzburger that she declared a moment of silence in memory of the commissioner's mother at the December 8, 1998 commission meeting.

NON AGENDA

60. SELECTION/NEGOTIATION COMMITTEE: Commissioner Abramowitz requested that he be appointed to serve on the Selection/Negotiation Committees for items 47 and 48 of this day's meeting.

ACTION: (B-4209) By a consensus of the Board, Commissioner Abramowitz was appointed to serve on said Selection/Negotiation Committee's (items 47 & 48).

61. RESCHEDULE WORKSHOP: Due to scheduling conflicts with a few of the commissioners, Commissioner Parrish requested that the Commission Goal Setting Workshop scheduled for Thursday, January 28, 1999 be rescheduled.

ACTION: (B-4241) By a consensus of the Board, the County Administrator was directed to reschedule the Commission Goal Setting Workshop and to confirm the date with the commissioners' respective administrative assistants.

62. DISCUSSION - CAMPAIGN REFORM: Commissioner Rodstrom explained a concept currently being used in the bond industry called "Pay to Play," whereby the FCC has cast guidelines dealing with underwriters. This same concept is being explored in the legal community. Commissioner Rodstrom suggested that the "Pay to Play" concept be applied to campaign elections in local government. The requirement is that a bond counsel firm is prohibited from contributing more than \$250 in donations to anyone that they cannot vote for. By doing so, the opportunity for "Pay to Play" is greatly reduced.

ACTION: (B-4322) By a consensus of the Board, the County Attorney's Office was directed to research drafting an ordinance relating to campaign reform with respect to restricting the amount of campaign contributions (up to \$250.) from bond counsels (similar to the "Pay to Play" concept). Further, same staff was directed to draft an ordinance, concurrently, which allows no campaign contributions, whatsoever, from bond counsels of Broward County.

63. AQUACULTURE FACILITY: Commissioner Jacobs informed the Board that there is a Community Development Corporation in Collier City which is exploring a partnership with NOVA Oceanographic Institute to develop an aquaculture facility. They applied for a grant; it did not go forward, but they are still pursuing the project. Commissioner Jacobs commented that it is a worthy project. Presently, she is working with staff to identify lands for a similar project in Broward County. Commissioner Jacobs asked that staff continue to work and identify property and creative ways to develop an aquaculture facility in the County. Also, that it be added to the lobbying list for appropriations of funds from various state/federal funding sources.

ACTION: (B-4435) Staff was directed to: 1) Continue to work and identify property and creative ways to develop an aquaculture facility in Broward County; and 2) Add the aquaculture project to the lobbying list for appropriations of funds from various state/federal funding sources.

64. RECONSIDERATION OF MARCH 1999 BALLOT DISCUSSION: Commissioner Gunzburger requested that due to her absence at the December 8, 1998 County Commission meeting, she was not able to participate in the March 1999 ballot discussion, item 33 from said meeting. Brief discussion ensued regarding a time frame to receive public input (such as town hall meetings) and the

commissioners scheduling time to debate the process, structure, and governance of single member districts to enable the County Commission to form a consensus.

ACTION: (B-4519) By way of a motion to reconsider, discussion of the March 1999 Ballot will be placed on the agenda of the December 22, 1998 Commission meeting. Staff was directed to provide the deadlines to place issues on the March 1999 Ballot and the time frames for the scheduling of the issues.

65. PREVAILING WAGE: The Chair stated that she and the Board members received a memorandum from Interim County Attorney Russell Morrison, apprising the Board of the proposed settlement with respect to the Broward County Prevailing Wage litigation. There are differences in what the Board voted on and what is being proposed as a settlement to the litigation. The Chair asked if the item could be placed on the agenda for discussion at the December 22, 1998 commission meeting.

ACTION: (B-4880) Staff was directed to place the proposed Prevailing Wage settlement for discussion on the agenda for the December 22, 1998 commission meeting.

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