

**MEETING OF MAY 24, 1994**

(The meeting convened at 10 a.m. and adjourned at 12:05 p.m.)

PLEDGE OF ALLEGIANCE - led by Commissioner Thompson.

THOUGHT FOR THE DAY - a moment of silence given by Commissioner Gunzburger for Port Commissioner Alan Kan.

**CONSENT AGENDA**

**PUBLIC WORKS DEPARTMENT**

**OFFICE OF GENERAL SERVICES**

**EQUIPMENT MANAGEMENT DIVISION**

1. MOTION TO ADOPT unanticipated revenue resolution 94-528 within the General Capital Outlay Fund for the Equipment Management Division in the amount of \$8,510 to complete the Monitoring Only Plan sampling in order to obtain a No Further Action rating.

ACTION: (A-256) Approved.

**FACILITIES MANAGEMENT DIVISION**

2. MOTION TO ADOPT Resolution 94-529 accepting lease for Personnel Division/Employee Assistance Program, at 1317 S.E. 4 Avenue, Fort Lauderdale, Florida; 1,373 sq. ft. at \$13.98 per sq. ft.; \$1,599.54 monthly for 1st year; Landlord: Marc H. Gold and Barbara A. Gold; term of lease May 1, 1994 to April 30, 1997; and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

**OFFICE OF TRANSPORTATION**

**ENGINEERING DIVISION**

3. MOTION TO APPROVE road improvement phasing agreement between Broward County and the School Board of Broward County, and to authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

4. MOTION TO APPROVE road improvement phasing agreement between Broward County and the Cleveland Clinic Foundation, and to authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

5. MOTION TO ADOPT Resolution 94-530 accepting warranty deed executed by Jacaranda West Associates, Ltd., donating right-of-way for Hiatus Road and Cleary Boulevard in Section 6, Township 50 South, Range 41 East.

ACTION: (A-256) Approved.

6. MOTION TO ADOPT Resolution 94-531 for highway improvement project for Pine Island Road, Project 5080, from Stirling Road to Griffin Road, accepting and adopting a portion of the Official Right-Of-Way Map as revised to supersede a portion of the Official Right-Of-Way Map previously adopted, confirming parcels necessary for condemnation, and authorizing the County Attorney to proceed with condemnation.

ACTION: (A-256) Approved.

7. A. MOTION TO ADOPT budget resolution 94-532 transferring funds within the Engineering Division Capital Outlay Fund in the amount of \$500,000 for the Riverside Drive Improvement Project from Sample Road to Wiles Road, Project 5110.

ACTION: (A-256) Approved.

B. MOTION TO ADOPT unanticipated revenue resolution 94-533 within the Engineering Division Capital Outlay Fund (315) in the amount of \$254,424 to reimburse the County for expenses related to utility relocation for the City of Coral Springs.

ACTION: (A-256) Approved.

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

### **ACCOUNTING DIVISION**

8. MOTION TO ADOPT Resolution 94-534 to delegate authority to the County Administrator or his/her designee to dispose of surplus tangible personal property and retire said property from the official property records, subject to compliance with Florida Statutes, Chapter 274.

ACTION: (A-256) Approved.

### **COUNTY RECORDS DIVISION**

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

ACTION: (A-256) Approved.

2/12/80 # Release of lot clearing lien La Doris

Tutston

9/19/89 57 Agreement BC & Town of Davie relating to College Avenue Plat

5/1/90 44 Agreement BC & Lennar Homes Kings Point Commercial Plaza

1/7/92 94 Certificate of Consistency applicants:

Golden Heights Church of Christ; BC Housing

Authority; Wesley Group Home Ministries; Soref

Jewish Community Ctr.

3/31/92 75B Termination of road improvement phasing agreement; Trackside Industrial

2/2/93 49 Plat Enclave 2nd Section

3/9/93 38 Budget resolution \$1,636,500 RBUD 94-140

3/30/93 40 Plat-Temple B'Nai Sephardim

5/18/93 55 Plat-Fordan Trace

6/29/93 64 Amendments to Cooperative Agreements on FY93 &

FY94 epa Air Grant Awards

7/13/93 15 Corrected Budget resolution RBUD 94-030

\$8,274,000

8/24/93 59 Affidavit amend note of face of plat

Broward County Plat No. 1

10/29/93 43 Plat - Kings Point Replat

10/19/93 57 Agreements; Holy cross Hospital Plat;

Traffic Signalization; Note Amendment

Agreement; Road Concurrency Agreement

11/2/93 34 Plat-Ameritrail Section III

10. MOTION TO APPROVE the minutes of the Commission meeting of April 26, 1994 and the 2 p.m. public hearing of April 26, 1994.

ACTION: (A-256) Approved.

### **PURCHASING DIVISION**

For Aviation Department

11. MOTION TO APPROVE Amendment 2 to Work Authorization No. 2 between Broward County and LMC Environmental, Inc. in the amount of \$223,937.50 for a total contract amount of \$498,371.75 for completion of known contamination remediation on Parcels 1085.3 and 1085.4 within a time period of 90 calendar days, and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

For Public Works Department

12. MOTION TO APPROVE Work Authorization No. 2 for professional engineering services associated with the Pompano Incinerator closure for an amount not to exceed \$202,750 in accordance with the agreement of October 13, 1981 between Broward County and Malcolm Pirnie, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Deferred to May 31, 1994 for additional study after concerns raised by Commission Auditor.

13. MOTION TO APPROVE sole brand standardization for future procurements of Stanley Manufacturing hydraulic power units and accessories for the Traffic Engineering Division.

ACTION: (A-256) Approved.

#### **REVENUE COLLECTION DIVISION**

14. MOTION TO APPROVE Tabulations of Investments for month of April 1994.

ACTION: (A-256) Approved.

15. MOTION TO ADOPT Resolution 94-535 authorizing cancellation of warrants from Central Account #96442522 (NationsBank).

ACTION: (A-256) Approved.

16. MOTION TO APPROVE and execute satisfaction of claim of lien against Curtis F. Pafford.

ACTION: (A-256) Approved.

#### **RISK MANAGEMENT DIVISION**

17. MOTION TO AUTHORIZE full and final settlement of Claim #SZG/020993THOM in the amount of \$25,000.

ACTION: (A-256) Approved.

18. MOTION TO AUTHORIZE full and final settlement of Claim #DNT/072393DEGR in the amount of \$16,166.26.

ACTION: (A-256) Approved.

19. MOTION TO APPROVE the award of the Allendale Mutual Insurance Company's property insurance proposal through Schwab & Co., Inc. in the amount of \$3,478,070.38 for the period of June 8, 1994 to June 8, 1995, with two one-year renewable options.

ACTION: (A-256) Approved, as amended by Phillip C. Allen, Director, Finance & Administrative Services Department.

## **HUMAN SERVICES DEPARTMENT**

### **HEALTH CARE MANAGEMENT**

20. MOTION TO ADOPT unanticipated revenue resolution 94-536 within the Grant Fund for the Human Services Department in the amount of \$55,421 for Ryan White C.A.R.E. Act, Title I, Formula 1994 funds.

ACTION: (A-256) Approved.

## **COMMUNITY SERVICES DEPARTMENT**

### **CULTURAL AFFAIRS DIVISION**

21. MOTION TO APPROVE and authorize final payment to Cork Marcheschi in the amount of \$28,000 for the creation and installation of a neon artwork at Fort Lauderdale-Hollywood International Airport, Terminal 2 baggage claim area.

ACTION: (A-256) Approved.

### **LIBRARIES DIVISION**

22. MOTION TO APPROVE a grant application between Broward County and the City of Fort Lauderdale, Economic Development Advisory Board, in the amount of \$48,600 for the enhancement and marketing of specialized business information resources at the Broward County Main Library for the period October 1, 1994 through September 30, 1995, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. (No match required).

ACTION: (A-256) Approved.

### **MASS TRANSIT DIVISION**

23. MOTION TO APPROVE first amendment to agreement between Broward County and Broward County Shelters, a joint venture between G.B.S., Inc. and Broward Bus Shelters, Inc. for construction of bus shelters/advertising program, and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Withdrawn for additional study by Community Services Department.

### **PARKS AND RECREATION DIVISION**

24. MOTION TO ADOPT unanticipated revenue resolution 94-537 within the General Fund for the Parks and Recreation Division in the amount of \$90,000 to recognize income from park concessions.

ACTION: (A-256) Approved.

## **DEPARTMENT OF NATURAL RESOURCE PROTECTION**

25. MOTION TO APPROVE an agreement between the Florida Department of Environmental Protection and Broward County in the amount of \$30,000 for the purpose of constructing an artificial reef, and to authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

26. A. MOTION TO APPROVE the disbursement of \$20,025 from the Tree Preservation Trust Fund to the City of North Lauderdale for the planting of trees in Hampton Pines Park and along McNab Road.

ACTION: (A-256) Approved.

B. MOTION TO APPROVE the disbursement of \$23,100 from the Tree Preservation Trust Fund for the planting of trees along the major entryways of the West Ken Lark-Kennedy Estates community of unincorporated Broward County.

ACTION: (A-256) Approved.

C. MOTION TO APPROVE the disbursement of \$40,985 from the Tree Preservation Trust Fund for the planting of trees along the major entryways of the Cresthaven community of unincorporated Broward County.

ACTION: (A-256) Approved.

27. MOTION TO APPROVE agreement between Broward County and the City of Fort Lauderdale in the amount of \$20,250 (\$10,800 for the Public Works Department and \$9,450 for the Utilities Department) as a grant for construction of an approved vapor recovery system (Stage II) at two city-owned motor vehicle refueling stations to be performed by the City of Fort Lauderdale.

ACTION: (A-256) Approved.

## **DEPARTMENT OF STRATEGIC PLANNING & GROWTH MANAGEMENT**

### **COMMUNITY DEVELOPMENT DIVISION**

28. MOTION TO APPROVE a satisfaction of mortgage on a deferred payment loan in amount of \$12,900 to Laura K. Jones, and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

29. MOTION TO APPROVE a satisfaction of mortgage on a residential redevelopment benefit payment in the amount of \$25,000 to Rufus Jackson and Willie M. Jackson, his wife, and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

30. MOTION TO APPROVE a satisfaction of mortgage on a residential redevelopment benefit payment in the amount of \$25,000 to John Jackson, a single man, and Emma L. Bryant, a single woman, and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

31. MOTION TO APPROVE a satisfaction of mortgage on a residential redevelopment benefit payment in the amount of \$25,000 to David Humphrey and Fannie Humphrey, his wife, and authorize the Chair and Clerk to execute same.

ACTION: (A-256) Approved.

**DEVELOPMENT MANAGEMENT DIVISION**

32. MOTION TO ADOPT Resolution 94-538 exempting Assistant Director, Development Management Division, from the classified civil service.

ACTION: (A-256) Approved.

**METROPOLITAN PROGRAM COORDINATION**

33. MOTION TO APPROVE an agreement between Broward County and the Transportation Management Association for the Guaranteed Ride Home Program.

ACTION: (A-256) Approved.

34. MOTION TO ADOPT Resolutions 94-539 thru 94-547 of Broward County encouraging the State of Florida Department of Transportation to approve the County's request for Transportation Enhancement funding for:

- A. Construction of an Everglades overlook tower at I-595, I-75, and the Sawgrass Expressway.
- B. I-95 landscaping along the noise barrier wall within Broward County.
- C. Pond Apple Slough restoration along I-595 and U.S. 441.
- D. Mitigation of ecological impact from highway runoff.
- E. Installation of bike racks on buses.
- F. Landscaping around existing bus shelters.
- G. Provide pedestrian link between the bus service on Broward Boulevard and the Tri-County Commuter Rail Service.
- H. Installation of sidewalks and landscaping in the South County Neighborhood Improvement Project.
- I. Park entrance paths for Quiet Waters, Tradewinds, and Fern Forest Nature Center.

ACTION: (A-256) Approved.

**OFFICE OF BUDGET AND MANAGEMENT POLICY**

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

ACTION: (A-256) Approved.

**COUNTY ATTORNEY**

36. MOTION TO MAKE offer of judgment in First Baptist Church of Southwest Broward, Inc. v. Broward County, in the amount of \$110,120, exclusive of attorney's fees and costs.

ACTION: (A-256) Approved.

37. MOTION TO APPROVE settlement of full compensation excluding attorney's fees and costs for Parcels 125 and 706 TCE (Temporary Construction Easement) for \$2,071 in the condemnation case Broward County v. Helen Fabian, et al. - Copans Road Project 5079.

ACTION: (A-256) Approved.

38. MOTION TO APPROVE payment of an additional \$101,500, for a total amount of \$147,000, for settlement of Parcel Nos. 106, 106 P.E. and 106 T.E., Broward County v. Haas (Racetrack Road Project).

ACTION: (A-256) Approved.

### **COUNTY COMMISSION**

39. MOTION TO FILE Resolution #94-77 of the City of Sunrise, Florida, in support of the development of Broward County's film and television industry; and providing an effective date. (Comm. Poitier)

ACTION: (A-256) Approved.

### **BOARD APPOINTMENTS**

40. MOTION TO APPOINT Carlos M. Suarez, Jr. to the Broward County Human Rights Board. (Comm. Poitier)

ACTION: (A-256) Approved.

41. MOTION TO APPOINT Maurice Lawrence to the Broward County Human Rights Board. (Comm. Poitier)

ACTION: (A-256) Approved.

### **REQUEST TO SET FOR PUBLIC HEARING**

42. MOTION TO ADOPT Resolution 94-548 directing the County Administrator to publish notice of public hearing to be held on June 8, 1994 at 10:00 a.m. to consider adoption of the first annual 1994 amendments to the Broward County Comprehensive Plan.

ACTION: (A-256) Approved.

43. MOTION TO ADOPT Resolution 94-549 directing the County Administrator to publish notice of public hearing to be held on June 8, 1994 at 10:00 a.m. to consider adoption of a proposed amendment to the 1989 Broward County Comprehensive Plan which would alter the land use designation of the Headway Office Park Development of Regional Impact in the City of Lauderdale Lakes.

ACTION: (A-256) Approved.

44. MOTION TO ADOPT Resolution 94-550 directing the County Administrator to publish notice of public hearing to be held Tuesday, June 14, 1994 at 2:00 p.m. to vacate and abandon utility easements lying and being in Broward County, Florida, located at the southeast corner of State Road 84 and Southwest 70 Avenue in the Town of Davie. Petitioner: Irwin R. Mogergerman, Sol Rosenfeld & Jules Ross (Richard M. Mogergerman, Esq.-Agent) 21-V-94.

ACTION: (A-256) Approved.

45. MOTION TO ADOPT Resolution 94-551 directing the County Administrator to publish notice of public hearing to be held Tuesday, June 14, 1994 at 2:00 p.m. to vacate and abandon road right-of-way lying and being in Broward County, Florida, located at 4810 and 4811 SW 133 Avenue in unincorporated Broward County. Petitioner: James S. & Susan B. Miller, and Robert K. & Janet B. Zwerner 19-V-94.

ACTION: (A-256) Approved.

46. MOTION TO ADOPT Resolution 94-552 directing the County Administrator to publish notice of public hearing to be held Tuesday, June 14, 1994 at 2:00 p.m. to vacate and abandon a drainage easement, lying and being in Broward County, Florida, located on the east side of Holiday Springs Blvd. between Sample Road and Royal Palm Blvd. in the City of Margate. Petitioner: Landstar Development Corp. & Franklin Golf Properties, Inc. 22-V-94.

ACTION: (A-256) Approved.

47. MOTION TO ADOPT Resolution 94-553 directing the County Administrator to publish notice of a public hearing to be held Tuesday, June 14, 1994, at 2:00 p.m. to consider adoption of a proposed ordinance.

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS; AMENDING ORDINANCE NO. 93-15, CHAPTER 27, ARTICLE XVI, BROWARD CLEAN AND BEAUTIFUL TRUST FUND, SECTION 27-430; PROVIDING FOR THE TRANSFER OF ALL MONIES HELD IN THE FORMER BROWARD COUNTY HIGHWAY BEAUTIFICATION TRUST FUND AND ACCOUNT INTO THE BROWARD CLEAN AND BEAUTIFUL 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-256) Approved.

48. A. MOTION TO AUTHORIZE the County Attorney to draft an ordinance approving the establishment of the South Florida Sports and Entertainment District and providing for filing with the Office of Special District Information.

ACTION: (A-0313) Approved.

B. MOTION TO ADOPT Resolution 94-554 directing the County Administrator to publish notice of public hearing to be held Tuesday, June 14, 1994 at 2:00 p.m. to consider enactment of the proposed ordinance.



areas.

Mr. Osterholt relayed that there is a special session of the Florida Legislature scheduled for June 7, 1994 to June 13, 1994 regarding the health care bill.

ACTION: (A-852) No Board action was necessary.

52. DELEGATION: Afua Baptiste and Earl Hall, The African American Caribbean Cultural Center, regarding request for waiver of deadline for cultural expansion grant.

ACTION: (A-1191) Approved.

53. DELEGATION: Christopher Hood, President, The Phoenix Group regarding various minority business matters.

ACTION: (A-1230) Staff to further research The Phoenix Group's concerns regarding the various matters discussed at this day's meeting. The Chair encouraged Christopher Hood to register as a lobbyist for his delegation.

**DEPARTMENT OF STRATEGIC PLANNING**  
**& GROWTH MANAGEMENT**

**DEVELOPMENT MANAGEMENT DIVISION**

54. DELEGATION: Gerald L. Knight regarding motion to adopt amendment to legal description for the school agreement relating to the Florida QSB, L.P. Plat No. 1 (065-MP-92).

ACTION: (A-3067) Approved, as per staff's verbal recommendation.

**PUBLIC WORKS DEPARTMENT**

**TRAFFIC ENGINEERING DIVISION**

55. DISCUSSION: Agreement between Broward County and the City of Deerfield Beach for the installation of multiway stop signs at thirteen intersections.

ACTION: (A-3086) Approved. In addition, the Chair will forward a letter to the mayors of all 28 cities in Broward County advising them that effective at 5:00 p.m., May 24, 1994, the County Commission's current policy is to disallow all unwarranted multiway stop signs, except for those that have already been applied for by 5:00 p.m., May 24, 1994. The action is based upon the back up material to be forwarded with the letter. The county is monitoring air quality control.

**FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

56. A. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from firms providing financial advisor services for the issuance of port acquisition revenue bonds.

ACTION: (A-3893) Approved.

B. MOTION TO AUTHORIZE County staff to solicit Letters of Interest from financial underwriting firms for the issuance of port acquisition revenue bonds.

ACTION: (A-3893) Approved.

C. MOTION TO APPROVE a selection/negotiation committee for both financial advisor services and a financial underwriting firm for the issuance of port acquisition revenue bonds.

ACTION: (A-3905) Approved. The following were appointed to subject Selection/Negotiation Committee: Commissioner Poitier, Commissioner Parrish, Commissioner Gunzburger, Commissioner Cowan, the County Administrator or designee, and the Director of the Finance and Administrative Services Department.

### **PURCHASING DIVISION**

57. A. MOTION TO APPROVE an increase in the Change Order allowance of \$266,000, bringing the total to \$271,455.60, or 43.65% of the original contract amount for Contract Q-12-92-13-OF. BCOES Project 8502, Primary Digester Repair - Phase II.

ACTION: (A-3953) Approved.

B. MOTION TO APPROVE Change Order No. 2 with Utilities Services, Inc. for Primary Digester Repair - Phase II at an increase of \$265,506 from \$627,284.60 to \$892,790.60 with an increase in time of 130 days from 330 to 460 days, for Contract Q-12-92-13-OF. BCOES Project 8502 - Primary Digester Repair - Phase II.

ACTION: (A-3953) Approved.

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

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

ACTION: (A-3968) Approved, as amended.

59. MOTION TO DIRECT the Office of County Attorney to draft an Intergovernmental Radio Communications Ordinance for Broward County.

ACTION: (A-3975) Approved.

### **NON AGENDA**

60. PROCLAMATION Commissioner Cowan read into the record a proclamation designating the month of June 1994 as HURRICANE AWARENESS MONTH in Broward County. The Board urges residents to take this opportunity to educate themselves regarding the proper preparations and procedures necessary to protect themselves from the devastating effects of a hurricane.

ACTION: (A-135) Art St. Armand, Director, Emergency Management Division, accepted the proclamation and thanked the Commission.

61. PRESENTATION John Nevin, President and CEO of the Information People, (TIP), Inc. presented the "VANGUARD" award for political leadership to Commissioner Poitier.

ACTION: (A-195) Commissioner Poitier accepted the award with great appreciation.

62. DISCUSSION Commissioner Parrish volunteered to serve on the Broward County Board of Rules and Appeals Ad Hoc (Recommendation/Selection) Committee.

ACTION: (A-4009) The Board had no objection to Commissioner Parrish volunteering to serve on the Board of Rules and Appeals Ad Hoc (Recommendation/Selection) Committee.

[Back to previous page](#)