

MEETING OF JANUARY 8, 2008

(Meeting convened at 10:11 a.m. and recessed at 1:42 p.m.; reconvened at 3:17 p.m., and adjourned at 4:41 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Ilene Lieberman, District 1.

MOMENT OF SILENCE

In memory of Jennie Pearl Lewis Brooks, Broward County Community Activist.

In memory of James V. Newton, father of County Attorney Jeffrey Newton.

In memory of Nelia Castillo, mother of Pembroke Pines Commissioner Angelo Castillo.

In memory of Fred Guardabassi, longtime champion of conservative causes in Broward County.

In memory of Corine Howard Boyd, Matriach of James C. Boyd Funeral Home.

In memory of all men and women of the armed forces who are serving in the Middle East and have given their lives for freedom.

CALL TO ORDER: Mayor Wexler called the meeting to order and declared a quorum present.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Absent
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

CONSENT AGENDA

A motion was made by Commissioner Lieberman, seconded by Commissioner Gunzburger and unanimously carried to approve the Consent Agenda consisting of Items 1 through 39. At the request of the Mayor, Regular Agenda Items 43, 49, 50 & 59 were transferred to the Consent Agenda.



Icon indicates that the item is related to an established Commission Goal.

The following item was pulled by a Board member and considered separately:
27.

The following Items were withdrawn: 18, 32 40 & 47.

BOARD APPOINTMENTS

1. MOTION TO APPROVE re-appointment of Elsie M. Johns to the Historical Commission. (Commissioner Gunzburger)

ACTION: (T-10:15 AM) Approved.

- A. MOTION TO APPOINT Doreen A. Gauthier to the Library Advisory Board. (Commissioner Keechl)

ACTION: (T-10:15 AM) Approved.

- B. MOTION TO APPOINT Mark Klein to the Broward County Living Wage Advisory Board. (Commissioner Lieberman)

ACTION: (T-10:15 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE first amendment to the agreement between Broward County and CTR Systems Parking, Inc. (formerly known as CTR Systems Inc.), for an increase in the contract amount of \$2,151,493; from \$5,740,544 to \$8,142,492; for the Parking Access Revenue Control System (PARCS) at the Fort Lauderdale-Hollywood International Airport (FLL); and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:15 AM) Approved. (Scrivener's error – See County Administrator's Report: 3rd line, beginning with the words "CTR Systems"... 12% should read 10%.)

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

CONSTRUCTION MANAGEMENT DIVISION

3. MOTION TO APPROVE first amendment to the agreement between Broward County and Moss & Associates, LLC, for Managing General Contractor Phase II Construction Services for Fire Rescue Station 17/27, RLI No. 200419-0-CM-01, removing M/WBE goals and references to the suspended M/WBE program; and authorize the Mayor and Clerk to execute same. (Project No. 6407) **(Commission District 8)**

ACTION: (T-10:15 AM) Approved.

WASTE AND RECYCLING SERVICES

RECYCLING AND CONTRACT ADMINISTRATION DIVISION

4. A. MOTION TO APPROVE Grant Agreement No. 07BO3 between Broward County and the Florida Department of Environmental Protection for the Beach Glass Demonstration Project for use in local beach renourishment and erosion control, effective upon execution through December 31, 2010; providing for funding by the Florida Department of Environmental Protection in the amount of \$135,165; requiring a County matching contribution of \$135,165 for a total project cost of \$270,330; and authorize the Mayor and Clerk to execute same. **(Commission Districts 4 and 6)**

ACTION: (T-10:15 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-001 in the amount of \$135,165 within the Resource Recovery Fund.

ACTION: (T-10:15 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

5. A. MOTION TO APPROVE third amendment to the agreement between Broward County and Sunshine Cleaning Systems, Inc., for janitorial services at the Fort Lauderdale/Hollywood International Airport (FLL), to provide for a contract extension, not to exceed four months, from March 1, 2008 through June 30, 2008, at the same terms and conditions, and at the current \$905,403.08, monthly fee, not to exceed \$3,621,612.32, subject to termination of the third amendment for convenience; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:15 AM) Approved. (Scrivener's error – See County Administrator's Report: Exhibit 4 – Add 11-6-2007 Purchasing issues Addendum 8 extending opening to 11-21-07.)

- B. MOTION TO APPOINT Director, Operations Division, Aviation Department as Chair of the Selection Committee for RLI 20070522-0-AV-1, Janitorial Services at FLL, to replace the Deputy Director, Operations/Maintenance Division, Aviation Department.

ACTION: (T-10:15 AM) Approved. (Scrivener's error – See County Administrator's Report: Exhibit 4 – Add 11-6-2007 Purchasing issues Addendum 8 extending opening to 11-21-07.)

6. MOTION TO APPOINT Commissioner Diana Wasserman-Rubin, District 8, to the Selection Committee for Shuttle Bus Service at the Fort Lauderdale/Hollywood International Airport, Request for Letters of Interest (RLI), No. 20070314-0-AV-01.

ACTION: (T-10:15 AM) Approved.

For Public Works and Transportation Department

7. MOTION TO APPROVE release of retainage and final payment in the amount of \$1,137.21, to Miller, Legg and Associates, Inc., for the Water and Wastewater Services Division for the North County Neighborhood Improvement Project, Southeast Quadrant, RLI No. 031199RB (WWS 1152/8629). **(Commission District 2)**

ACTION: (T-10:15 AM) Approved.

8. MOTION TO APPROVE release of retainage and final payment in the amount of \$4,507 to Native Technologies, Inc., for the Water and Wastewater Services Division for the South County Neighborhood Improvement Project, Snake Warrior Island Mitigation, Bid Package 16, Contract No. TY00252CF (WWS 1148/8600) **(Commission District 8)**

ACTION: (T-10:15 AM) Approved.

9. MOTION TO APPROVE release of retainage and final payment in the amount of \$10,250 to Ric Man International, Inc., for the Water and Wastewater Services Division for the Turnpike Force Main Relocation, Bid No. T-9-05-322-CF (WWS 9088). **(Commission District 2)**

ACTION: (T-10:15 AM) Approved.

REVENUE COLLECTION DIVISION

10. MOTION TO APPROVE request from the City of North Lauderdale for a waiver retroactive to the January 1, 2008 deadline, and a time extension to March 1, 2008 for the City to file the required documents to utilize the uniform method of collecting non-ad valorem special assessments.

ACTION: (T-10:15 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT


11. MOTION TO APPROVE Settlement Agreement in the estimated amount of \$33,000 between Broward County and Downrite Engineering Corp. to resolve wetland violations of Chapter 27 of the Broward County Code of Ordinances in the cities of Pembroke Pines and Miramar; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

ACTION: (T-10:15 AM) Approved.


BIOLOGICAL RESOURCES DIVISION

12. MOTION TO ACCEPT Joint Deed of Conservation Easement and agreement from Verizon Wireless for preservation of a mitigation area comprising 1.55 acres of real property located at Taft Street east of US Highway 27 in Section 10, Township 51 South, Range 39 East, in the City of Pembroke Pines. **(Commission District 8)**


ACTION: (T-10:15 AM) Approved.

-  13. MOTION TO APPROVE Florida Department of Environmental Protection (FDEP) Agreement No. 07BO2, for cost-sharing of engineering work associated with the Segment II Broward County Beach Nourishment Project, providing for \$269,499 in State of Florida legislative appropriations; allocating estimated federal and local shares accordingly; effective upon execution through June 30, 2010, and authorize the Mayor and Clerk to execute same (requires a County match of \$315,081). **(Commission District 4)**

ACTION: (T-10:15 AM) Approved.

-  14. MOTION TO APPROVE Florida Department of Environmental Protection (FDEP) Agreement No. 07BO4 for cost-sharing of continuing physical and environmental monitoring work associated with the Segment III Broward County Beach Nourishment Project, effective upon execution through June 30, 2010, providing for \$248,522 in State of Florida legislative appropriations; allocating estimated federal and local shares accordingly; and authorize the Mayor and Clerk to execute same (requires a County match of \$188,415.75). **(Commission District 6)**

ACTION: (T-10:15 AM) Approved.

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15. MOTION TO APPROVE Florida Department of Environmental Protection (FDEP) Agreement No. 07BO6 for cost-sharing of a study to re-evaluate the feasibility of erosion control structures along Broward County's coastline; providing for \$250,997 in State of Florida legislative appropriations; allocating estimated federal and local shares accordingly; effective upon execution through June 30, 2009; and authorize the Mayor and Clerk to execute same (requires a County match of \$250,997). **(Commission Districts 4 and 6)**

ACTION: (T-10:15 AM) Approved.

COUNTY ATTORNEY

16. MOTION TO AUTHORIZE the Mayor and Clerk to execute and deliver a Quit Claim Deed to Paul Butler and Viona Butler, his wife, to comply with a Circuit Court order discharging an appearance bond in the case of *State of Florida v. Randy Sylvester Butler*, Seventeenth Judicial Circuit Case No. 83-000160CF10A.

ACTION: (T-10:15 AM) Approved.

COUNTY ADMINISTRATION

17. MOTION TO FILE Memorandum granting signature authority for Interim Deputy County Administrator Richard Brossard, and Assistant County Administrator Pamela Madison.

ACTION: (T-10:15 AM) Approved.

COUNTY COMMISSION

18. MOTION TO REINSTATE Commissioner Rodstrom to the Tax and License Collection and Distribution SC- RFP No. 20061005-0-JR-2. (Commissioner Rodstrom)

ACTION: (T-10:15 AM) Withdrawn by Commissioner Rodstrom.

19. MOTION TO FILE Resolution No. 2007-140, adopted December 13, 2007, by the City Commission of Coconut Creek, Florida, encouraging the Broward County MPO, Board of County Commissioners, Planning Council, and State of Florida Department of Transportation to designate the State Road 7/U.S. 441 Corridor as an urban arterial and light rail corridor, and to commence a Project Development and Environmental Study (PD&ES) to determine a future alignment for same. (Mayor Wexler)

ACTION: (T-10:15 AM) Approved.

20. MOTION TO FILE Resolution No. 07-12-5287 adopted by the City Commission of the City of North Lauderdale, Florida, opposing a proposed local bill calling for the creation of the Broward County Special District Commission to review the performance and functionality of special districts located within Broward County; expressing support for the City of North Lauderdale Water Control District and the North Lauderdale Housing Authority; urging municipalities and special districts located in Broward County to oppose the proposal; etc. (Mayor Wexler)

ACTION: (T-10:15 AM) Approved.

21. MOTION TO FILE City of North Lauderdale, Florida, Resolution No. 07-12-5289, opposing the proposed constitutional amendment relating to property taxes to be considered by Florida electors at the January 29, 2008 Special Election and urging all the municipalities located in Broward County and throughout the State of Florida to oppose same. (Mayor Wexler)

ACTION: (T-10:15 AM) Approved.

22. MOTION TO FILE City of North Lauderdale, Florida, Resolution No. 07-12-5290, authorizing and directing the city administration to expend public funds for the purpose of furnishing information to the citizens and residents of the City prior to the January 29, 2008 Election on the proposed Property Tax Amendment to the Florida Constitution. (Mayor Wexler)

ACTION: (T-10:15 AM) Approved.

23. MOTION TO FILE Resolution No. R-2007-194 adopted by the City Commission of the City of Tamarac, Florida, approving the City of Tamarac Legislative Agenda for the 2008 Legislative Session; directing the City Clerk to send a copy of the City of Tamarac Legislative Agenda for the 2008 Legislative Session to the Broward County Legislative Delegation, and the Broward County Board of County Commissioners for consideration. (Mayor Wexler)

ACTION: (T-10:15 AM) Approved.

24. MOTION TO FILE Resolution 2007-12, adopted November 9, 2007, by the Florida League of Cities, Inc., urging Florida citizens to consider the consequences of the proposed constitutional amendment concerning property taxes that will appear on the January 29, 2008 ballot; opposing said proposal for reasons stated therein, supporting a constitutional amendment prohibiting unfunded state mandates in order to reduce property taxes; supporting a prohibition on the State's practice of requiring local school boards to increase property taxes; and urging the Florida Taxation and Budget Reform Commission to develop measures consistent with this Resolution. (Mayor Wexler)

ACTION: (T-10:15 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

25. MOTION TO ADOPT Resolution 2008-002 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 26, 2008 at 2:00 PM in Room 422 of the Governmental Center, to vacate a 10-foot wide Utility Easement lying within, over and across a portion of Lots 45 and 46, Block 9, North Andrews Garden 2nd Addition Plat, located at 201 NE 44th Street, Oakland Park, Florida; at no cost to the County. Petitioner: Bitner Goodman Real Estate LLC. (Law Offices of Alan Francis Ruf, Agent) (2007-V-09) **(Commission District 4)**

ACTION: (T-10:15 AM) Approved.

26. MOTION TO ADOPT Resolution 2008-003 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 12, 2008, at 2:00 PM 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, RELATING TO THE STATE JUDICIAL SYSTEM; AMENDING SECTION 10-3, BROWARD COUNTY CODE OF ORDINANCES, RELATING TO ASSESSMENT OF ADDITIONAL COURT COSTS IN CRIMINAL CASES AND JUVENILE CASES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:15 AM) Approved.

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

PLANNING SERVICES DIVISION

-  27. A. MOTION TO APPROVE agreements between Broward County and Asset Builders, LLC, Faith Construction Corporation and HBR Developers, LLC, for the construction of 22 single-family homes as part of the Affordable Housing Home Construction Program, Request for Proposal No. N20070621-PT, and authorize the Mayor and Clerk to execute same. **(Commission Districts 7 and 9)**

(This item was pulled by Commissioner Rodstrom.)

ACTION: (T-10:19 AM) Approved. (Refer to minutes for full discussion.) (Scrivener's error – See County Administrator's Report: Exhibit 4a.4.1 should read...the two (2) ~~ten (10)~~ Real Property Lots identified in Attachment 1...and Exhibit 4a.5.2 should read...the two (2) ~~ten (10)~~ single family residences...)

VOTE: 8-0.

- B. MOTION TO APPROVE Resolutions 2008-004, 2008-005 & 2008-006 transferring 22 County-owned lots in Roosevelt Gardens and Washington Park to Asset Builders, LLC, Faith Construction Corporation and HBR Developers, LLC, for the construction of single-family homes. **(Commission Districts 7 and 9)**

ACTION: (T-10:19 AM) Approved. (Refer to minutes for full discussion.) (Scrivener's error – See County Administrator's Report: Exhibit 4a.4.1 should read...the two (2) ~~ten (10)~~ Real Property Lots identified in Attachment 1...and Exhibit 4a.5.2 should read...the two (2) ~~ten (10)~~ single family residences...)

VOTE: 8-0.

QUASI-JUDICIAL CONSENT HEARING

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

28. DISCUSSION: of plat entitled "BBS Plat" (060-MP-03) - **Commission District 2.**
ACTION: (T-10:15 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.
29. DISCUSSION: of plat entitled "Winds of Sunrise" (036-MP-07) - **Commission District 3.**
ACTION: (T-10:15 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.
30. DISCUSSION: of New Findings of Adequacy for a portion of a plat entitled "Duke and Duke Subdivision" (140-MP-84) - **Commission District 7.**
ACTION: (T-10:15 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.
31. DELEGATION: David Mears regarding request to amend the note on the Central Park of Commerce Plat (052-MP-83) - **Commission District 2.**
ACTION: (T-10:15 AM) Approved subject to staff's recommendations.
32. DELEGATION: Cynthia Pasch regarding request to revise the note on the Farris Corner Plat (080-MP-05) - **Commission District 2.**
ACTION: (T-10:15 AM) Withdrawn at the applicant's request.
33. DELEGATION: Linda Connors regarding request to amend the note on the St. Elizabeth Plat (057-UP-87) - **Commission District 2.** (Deferred from October 23, 2007.)
ACTION: (T-10:15 AM) Approved subject to staff's recommendations.
34. DELEGATION: Jason Feldman regarding request to amend the note on the Center Port Plat (112-MP-96) - **Commission District 2.** (Deferred from October 23, 2007.)
ACTION: (T-10:15 AM) Approved subject to staff's recommendations.

35. DELEGATION: Stephen K. Tillbrook, representing the Housing Authority of the City of Fort Lauderdale, regarding request to amend the note on the H.A.C.F.L. Plat No. 1 (103-MP-05) - **Commission District 7.**

ACTION: (T-10:15 AM) Approved subject to staff's recommendations.

36. DELEGATION: Stephen Wilson, representing the Broward County Aviation Department, regarding request to modify conditions of plat approval on the Value 0201 Plat (092-MP-85) - **Commission District 4.**

ACTION: (T-10:15 AM) Approved subject to staff's recommendations.

37. DELEGATION: Mark Sturgis, representing the Town of Southwest Ranches, regarding request to modify conditions of plat approval on the Frontier Trails Plat (034-PL-77) - **Commission District 8.**

ACTION: (T-10:15 AM) Approved subject to staff's recommendations.

38. DELEGATION: Matt Jackson regarding request to amend the non-vehicular access line on the Treo Plat (059-MP-06) - **Commission District 8.**

ACTION: (T-10:15 AM) Approved subject to staff's recommendations.

39. DELEGATION: Daniel Habibe regarding request to amend the non-vehicular access line on the Meadow Pines Plat (008-MP-97) - **Commission District 8.** (Deferred from May 8, 2007)

ACTION: (T-10:15 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

THIS ITEM IS TIME CERTAIN FOR 11:00 AM

PUBLIC HEARING

CONTINUED FROM DECEMBER 4, 2007 – ITEM NO. 43


- 40. MOTION TO CONSIDER adoption of a Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 12 OF THE BROWARD COUNTY ADMINISTRATIVE CODE RELATING TO ORGANIZATIONS, COUNCILS, BOARDS, AND COMMITTEES; CREATING THE BROWARD COUNTY ANIMAL CARE ADVISORY COMMITTEE; PROVIDING FOR MEMBERSHIP AND APPOINTMENT; PROVIDING FOR TERM OF APPOINTMENT; PROVIDING FOR OFFICERS; AUTHORIZING THE ADOPTION OF RULES OF PROCEDURES; ESTABLISHING THE FUNCTION, POWERS, AND DUTIES OF THE COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:15 AM) Withdrawn at the request of the Mayor.

END PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  41. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 12, 2008, at 10:00 A.M., in Room 422 of the Governmental Center, to consider Contract for Sale and Purchase for the County's acquisition of Safe Parks and Land Preservation Bond Program Green Space Site GS-463.1; 0.929 acres or 40,454 square feet, a commercial property located at the southwest corner of NW 31st Avenue and NW 16th Street, Lauderhill, Florida, pursuant to Florida Statutes Chapter 125.355. **(Commission District 9)**


ACTION: (T-10:29 AM) Approved, as amended, with a new Public Hearing date scheduled for Tuesday, February 26, 2008. (Refer to minutes for full discussion.)

VOTE: 8-0.

- B. MOTION TO ACKNOWLEDGE to the Board of County Commissioners that the Real Property Section intends to present for consideration on or after February 12, 2008, a Contract for Sale and Purchase for the County's acquisition of Green Space Site GS-463.1, at a purchase price of \$809,080; subject to a satisfactory Phase II Environmental Assessment. **(Commission District 9)**

ACTION: (T-10:29 AM) Approved. The County Auditor is directed to review all audits and report back to the Board with his findings. Additionally, the County Attorney is directed to look into whether it is appropriate for Broward County and all other responsible parties to pay for the cleanup of this site. (Refer to minutes for full discussion.)

VOTE: 8-0.

-  42. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 12, 2008, 10:00 A.M. in Room 422 of the Governmental Center, to consider Contract for Sale and Purchase for the County's acquisition of Safe Parks and Land Preservation Bond Program Green Space Site GS-463.2; 2.988 acres or 130,142 square feet, a commercial property located 200 feet south of the southwest corner of NW 31st Avenue and NW 16th Street, Lauderhill, Florida, pursuant to Florida Statutes Chapter 125.355. **(Commission District 9)**

ACTION: (T-10:29 AM) Approved, as amended, with a new Public Hearing date scheduled for Tuesday, February 26, 2008. (Refer to minutes for full discussion.)

VOTE: 8-0.

- B. MOTION TO ACKNOWLEDGE to the Board of County Commissioners that the Real Property Section intends to present for consideration on or after February 12, 2008, a Contract for Sale and Purchase for the County's acquisition of Green Space Site GS-463.2 for a purchase price of \$2,829,280.77, subject to a satisfactory Phase II Environmental Assessment. **(Commission District 9)**

ACTION: (T-10:29 AM) Approved. The County Auditor is directed to review all audits and report back to the Board with his findings. Additionally, the County Attorney is directed to look into whether it is appropriate for Broward County and all other responsible parties to pay for the cleanup of this site. (Refer to minutes for full discussion.)

VOTE: 8-0.



43. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 12, 2008, at 10:00 A.M., in Room 422 of the Governmental Center, to consider Contract for Sale and Purchase for the County's acquisition of Safe Parks and Land Preservation Bond Program Open Space Site OS-18; 5.90 acres, 257,004 square feet of land, together with facilities comprising the former Hortt School, located at 1700 SW 14th Court, Fort Lauderdale, Florida, pursuant to Florida Statutes Chapter 125.355. **(Commission District 7)**

ACTION: (T-10:15 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO ACKNOWLEDGE to the Board of County Commissioners that Real Property Section intends to present for consideration on or after February 12, 2008, a Contract for Sale and Purchase for the County's acquisition of the Safe Parks and Land Preservation Bond Program Open Space Site OS-18, at a purchase price of \$3,110,000. **(Commission District 7)**

ACTION: (T-10:15 AM) Approved. (Transferred to the Consent Agenda.)



44. A. MOTION TO DECLARE surplus to the County's need, five acres of vacant land in Quiet Waters Park, located on the south side of Hillsboro Boulevard, west of and adjacent to Quiet Waters Elementary School, Deerfield Beach, Florida, for the purpose of an exchange with the School Board of Broward County for an alternate 9.855 acre parcel of land to be acquired for park and recreation purposes. **(Commission District 2)**

ACTION: (T-10:56 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0.

- B. MOTION TO DIRECT County Administrator to twice-publish a Notice of Exchange of Real Property at a Public Hearing to be held Tuesday, February 12, 2008 at 10:00 A.M. in Room 422 of the Governmental Center, to consider the exchange of a 5-acre parcel of Quiet Waters Park, located on the south side of Hillsboro Boulevard, west of and adjacent to Quiet Waters Elementary School, Deerfield Beach, Florida, together with a cash payment of \$108,750.00, for a vacant 9.855-acre parcel owned by the School Board of Broward County, known as Safe Parks and Land Preservation Bond Program Conservation Land Site CL-16A, also known as the Hillsboro Pinelands parcel, located on the west side of NW 51st Terrace, approximately 660 feet north of Hillsboro Boulevard, Coconut Creek, Florida, pursuant to Chapter 125.37, Florida Statutes. **(Commission District 2)**

ACTION: (T-10:56 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0.

- C. MOTION TO ACKNOWLEDGE to the Board of County Commissioners that the Real Property Section and Parks and Recreation Division intend to present for consideration by the Board, on or after February 12, 2008, a Resolution authorizing the Board of County Commissioners to request and direct the exchange of a 5-acre County-owned vacant parcel of land located on the south side of Hillsboro Boulevard within Quiet Waters Park, adjacent to the west side of Quiet Waters Elementary School, Deerfield Beach, Florida, that the Board has determined is surplus to the needs of the County, plus a cash payment of \$108,750 in exchange for a 9.855-acre parcel, known as Safe Parks and Land Preservation Bond Program Conservation Land Site CL-16A, owned by The School Board of Broward County, located on the west side of NW 51st Terrace approximately 660 feet north of Hillsboro Boulevard, Coconut Creek, Florida; Both parcels of land will be deed-restricted for park purposes. **(Commission District 2)**

ACTION: (T-10:56 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

45. **MOTION TO APPROVE** Work Authorization No. 1, in accordance with Agreement No. LZ06387A3, Library of professional consultant services, between Broward County and HNTB Corporation, for professional aviation engineering services, to provide assessment of operational concerns by the Air Traffic Organization (ATO), regarding the B1c Runway Alternative at the Fort Lauderdale/Hollywood International Airport (FLL), for a total lump sum labor expense amount of \$24,700; and reimbursable expenses not-to-exceed amount of \$200; for a total not-to-exceed amount of \$24,900 and a contract time of 56 calendar days from notice to proceed date, and authorize the Mayor and Clerk to execute same.

ACTION: (T-11:13 AM) Withdrawn. (Refer to minutes for full discussion.)

OFFICE OF EQUAL OPPORTUNITY

CIVIL RIGHTS DIVISION

46. A. **MOTION TO APPROVE** Extension of Contract Number 5FPSLPO111 between Broward County and the U.S. Equal Employment Opportunity Commission (EEOC) authorizing Broward County to investigate employment discrimination complaints on behalf of the EEOC, for Fiscal Year 2008; and authorize the County Administrator to execute same.

ACTION: (T-11:14 AM) Approved, including the recommendation made by the County Auditor, as cited in his memorandum dated January 7, 2008. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Eggelletion was not present during the vote.

- B. MOTION TO APPROVE Extension of the Work Sharing Agreement between the Broward County Civil Rights Division and the U.S. Equal Employment Opportunity Commission (EEOC) Miami District Office for through Fiscal Year 2008; and authorize the County Administrator to execute same. (Deferred from November 6, 2007 – Item No. 17)

ACTION: (T-11:14 AM) Approved, including the recommendation made by the County Auditor, as cited in his memorandum dated January 7, 2008. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Eggelletion was not present during the vote.

COUNTY ADMINISTRATION

47. MOTION TO CONFIRM appointment of Mr. David Baber as the Historical Commission's Administrator effective January 22, 2008.

ACTION: (T-10:15 AM) Withdrawn for further staff review.

48. MOTION TO DISCUSS standard form interlocal agreement (ILA) with municipalities for the provision of jail housing for violators of Municipal Ordinances, and if approved determine an effective date; authorize the Mayor to execute agreements with participating municipalities, and request that the Sheriff cease to accept individuals charged solely with a municipal ordinance violation into County detention facilities unless the municipality has entered into an interlocal agreement with the County.

ACTION: (T-11:34 AM) Deferred to Tuesday, February 12, 2008. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Eggelletion was not present during the vote.

COUNTY COMMISSION

49. MOTION TO ADOPT Resolution 2008-007, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, APPROVING THE REQUEST OF THE PROPERTY APPRAISER TO WAIVE THE REQUIREMENT FOR AN ANNUAL APPLICATION TO BE MADE FOR THE VETERAN'S DISABILITY DISCOUNT AS PERMITTED BY SUBSECTION 196.011(9)(b), FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Ilene Lieberman)

ACTION: (T-10:15 AM) Approved. (Transferred to the Consent Agenda.)

50. MOTION TO DIRECT County Attorney to establish non-profit corporations within the meaning of Section 501(c)(3) of the Internal Revenue Code for Vision Broward and Broward Beautiful. (Commissioner Lieberman)

ACTION: (T-10:15 AM) Approved. (Transferred to the Consent Agenda.)

51. MOTION TO ABROGATE RLI No. 20070222-0-FA-1, Financial Advisory Services for Broward County Bonds due to inequities developing from CDBE requirements. (Commissioner Rodstrom)

ACTION: (T-11:45 AM) No Board action was taken.

VOTE: 6-1, with Commissioner Rodstrom voting no. Commissioner Eggelletion was not present during the vote.

52. MOTION TO DISCUSS location of Broward County's proposed Sexual Assault Treatment Center adjacent to County-owned land acquired for BARC and presently occupied by the Christian Romany Ministries, Inc., pending its appeal of order granting Broward County's petition in eminent domain. Consideration of Broward County's option to charge rent relative to Christian Romany Ministries, Inc., extended possession of County-owned land. (Commissioner Rodstrom)

ACTION: (T-12:20 PM) No Board action taken. (Refer to minutes for full discussion.)



53. MOTION TO DISCUSS Fort Lauderdale Transportation Management Association's (TMA) offer to continue the Broward East-West Express (BEWE) bus service between the Broward County Governmental Center and Governmental Center West to provide the County with an opportunity to investigate funding options. **(Commission Districts 1, 7, and 9)** (Mayor Wexler)

ACTION: (T-3:17 PM) No Board action was taken. (Refer to minutes for full discussion.)

54. COUNTY ADMINISTRATOR'S REPORT

A. BROWARD ACADEMY

ACTION: (T-3:43 PM) Interim County Administrator Bertha Henry, announced that Broward Academy won a "Best Practice" recognition from the American Society of Training and Development (ASTD). (Refer to minutes for full discussion.)

B. BILINGUAL VOLUNTEERS NEEDED FOR POLLING LOCATIONS

ACTION: (T-3:43 PM) Interim County Administrator Bertha Henry, asked for assistance in helping the Supervisor of Elections find bilingual volunteers to work at the polling stations for the primary election, and explained that training will be provided. (Refer to minutes for full discussion.)

C. WATER RESTRICTIONS

ACTION: (T-3:46 PM) Interim County Administrator Bertha Henry, reported on the once-a-week water restrictions to go into effect January 15, 2008, and Commissioner Jacobs explained how residents can visit NatureScape Broward to incorporate changes on how to protect their yards. (Refer to minutes for full discussion.)

D. HOMELESS PROGRAMS

ACTION: (T-3:48 PM) Interim County Administrator Bertha Henry, acknowledged that Broward County received \$7 million for the homeless programs and Commissioner Gunzburger complimented staff for their efforts. (Refer to minutes for full discussion.)

55.

MAYOR'S REPORT

A. **ASSIGNMENT OF LIAISONSHIPS**

ACTION: (T-3:48 PM) Mayor Wexler stated that an agenda item will be coming for the February 5, 2008 meeting regarding the liaison assignments and that she will be assigning just two Commissioners to act as the Tallahassee liaisons this year. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION
OFFICE OF TRANSPORTATION



56.

A. **MOTION TO DISCUSS** I-95 Express Urban Partnership Agreement (UPA) between US Department of Transportation and Florida Department of Transportation Districts IV and VI (FDOT), as well as Broward County Office of Transportation's participation in this project.

ACTION: (T-3:21 PM) Board discussion took place. (Refer to minutes for full discussion.)

B. **MOTION TO DIRECT** the County Administrator to negotiate a joint participation agreement between the County and FDOT to accept the \$5.655 million in capital funding and the reimbursement of the County's operating expense to extend the County's Breeze routes into downtown Miami in Phase 1 and to implement one new Breeze route in Phase 2.

ACTION: (T-3:21 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

COUNTY ADMINISTRATION

57. MOTION TO AMEND Broward County Board of Commissioner meeting schedule for January 2008 to add a workshop and presentation on January 15, 2008.

ACTION: (T-3:26 PM) Approved. The Board directed staff to schedule a meeting for the week of November 10, 2008, due to the Veteran's Day holiday occurring on Tuesday, November 11, 2008. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

COUNTY COMMISSION

58. MOTION TO DIRECT Community Services/Animal Care and Regulation to complete the Humane Society of the United States (HSUS) Animal Services Consultation Program Evaluation Application and report back to County Commission. (Commissioner Keechl)

ACTION: (T-3:29 PM) Approved, as amended, to direct staff to also complete the National Animal Control Association (NACA) application. (Refer to minutes for full discussion.)

VOTE: 8 – 0.

59. MOTION TO APPOINT Commissioner John E. Rodstrom, Jr. to the Metered Taxicab Concession SNC, RLI No. 20070417-0-AV-04 for the Fort Lauderdale-Hollywood International Airport. (Commissioner Rodstrom)

ACTION: (T-10:15 AM) Approved. (Transferred to the Consent Agenda.)

NON-AGENDA

60. PROPERTY TAX INITIATIVE – COMMISSIONERS JACOBS AND KEECHL

ACTION: (T-3:52 PM) Commissioner Jacobs discussed the notice from the Florida Association of Counties regarding a Public Service Announcement (PSA) for the property tax initiative that is on the ballot and explained it is available to air on the County's television station. Commissioner Lieberman stated that Assistant County Administrator Pam Madison has been provided a copy and is working on getting the PSA aired. *Upon Commissioner Jacobs' request, staff will provide copies of the PSA to the Board.*

ACTION: (T-4:36 PM) Commissioner Keechl clarified that the Board would be allowed to review the PSA before running it, suggesting that some of the PSA's currently being aired need to be updated. Mayor Wexler stated that she has already addressed that issue with Assistant County Administrator Pam Madison. (Refer to minutes for full discussion.)

61. ORIOLES – COMMISSIONER JACOBS

ACTION: (T-3:54 PM) Commissioner Jacobs referenced an article regarding the Orioles leaving Fort Lauderdale for Vero Beach and commented on the mutual obligations and conditions that must be considered before this can occur. *She then requested that the County Attorney look into this matter and report back to the Board. (Refer to minutes for full discussion.)*

62. HISTORIC COMMISSION APPOINTMENT – BOARD OF COUNTY COMMISSIONERS

ACTION: (T-3:54 PM) Commissioner Jacobs reported on the actions taken by the Historic Commission regarding their improper appointment of an Executive Director, noting it was without staff oversight and *requested that staff provide oversight and review before bringing this issue back before the Board.*

Commissioner Keechl requested that this item come back as quickly as possible and that the County Attorney provide an opinion.

Upon Mayor Wexler's request, staff provided an overview of the chronological events and when this item would be placed on an agenda.

Commissioners Lieberman and Keechl requested that Interim County Administrator Bertha Henry ensure that the County attorneys assigned to the boards carefully monitor and oversee all procedural matters going forward. (Refer to minutes for full discussion.)

63. INPUT FROM TRIP – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-4:15 PM) Commissioner Wasserman-Rubin stated that she experienced wonderful customer service while traveling to and from Hawaii and commended the staff at Fort Lauderdale/Hollywood International Airport. She also discussed the possibility and potential of incorporating a device called the “Zipper” in Broward County, which she observed being used in Hawaii for better traffic control. (Refer to minutes for full discussion.)

64. SOUTHWEST RANCHES – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-4:18 PM) Commissioner Wasserman-Rubin announced that Southwest Ranches has recently been named a Tree City USA by the National Arbor Foundation and invited everyone to attend the celebration to be held on Friday, January 18, 2008, at 12:00 p.m. at Town Hall located at 6589 SW 160th Avenue. (Refer to minutes for full discussion.)

65. COURTHOUSE AWNING – COMMISSIONER LIEBERMAN

ACTION: (T-4:19 PM) Commissioner Lieberman discussed the replacement of the awning in front of the courthouse and **asked that staff expedite, per the Chief Judge’s written request. Mr. Corwin responded that it is an awning with a sprinkler and as such, requires design and permitting, but that staff would work as quickly as possible to expedite completion and that he would convey that to the Chief Judge. (Refer to minutes for full discussion.)**

66. PROGRAM FOR FUTURE LEADERS – COMMISSIONER LIEBERMAN

ACTION: (T-4:21 PM) Commissioner Lieberman discussed the need for a program for future leaders in Broward County and **requested that the Interim County Administrator look into it and report back on what needs to be done to initiate such a program. (Refer to minutes for full discussion.)**

67. SWIM CENTRAL– COMMISSIONERS LIEBERMAN AND WASSERMAN-RUBIN

ACTION: (T-4:22 PM) Commissioner Lieberman discussed the importance of Swim Central and the statistics regarding involvement in the program. As a member of the Swim Central Board, she noted the impact it has in the community in saving lives among young children.

ACTION: (T-4:26 PM) Commissioner Wasserman-Rubin referenced her son’s near-drowning and commented on the effort it took to get this program in place and the lives it has saved. (Refer to minutes for full discussion.)

68. LEGISLATIVE PLATFORM REQUEST– COMMISSIONER LIEBERMAN

ACTION: (T-4:24 PM) Commissioner Lieberman stated that she has asked that the issue of insuring autistic children be added to the Legislative platform and that it will come before the Board at the January 15, 2008 meeting. She asked that if any of the Board members would like to co-sponsor this item with her to contact Assistant County Administrator Pam Madison. (Refer to minutes for full discussion.)

69. CENTRAL BROWARD REGIONAL PARK – COMMISSIONER EGDELLETION

ACTION: (T-4:28 PM) Commissioner Egdelletion requested that the County Attorney report back to the Board on how far from completion the work is with respect to the contract at Central Broward Regional Park. (Refer to minutes for full discussion.)

70. SECURITY CAMERAS IN PARKING LOTS – COMMISSIONER EGDELLETION

ACTION: (T-4:28 PM) Commissioner Egdelletion referenced the increase in murders and armed robberies and requested, without objection, for the County Attorney to research the possibility of requiring security cameras in parking lots of commercial establishments and to report back to the Board. (Refer to minutes for full discussion.)

71. COMMITTEE VACANCIES – COMMISSIONER KEECHL

ACTION: (T-4:38 PM) Commissioner Keechl stated that he reviews his committees periodically, noting any vacancies, and suggested that this be done to avoid problematic situations. (Refer to minutes for full discussion.)

72. CHARTER REVIEW COMMISSION – COMMISSIONER KEECHL

ACTION: (T-4:38 PM) Commissioner Keechl discussed the appointment of members to the Charter Review Commission and urged the Board to watch the televised meetings. (Refer to minutes for full discussion.)

73. TRIP TO ISRAEL – COMMISSIONER GUNZBURGER

ACTION: (T-4:41 PM) Commissioner Gunzburger noted that while on her trip to Israel she observed that the roof of every building uses a cistern to collect rain water and suggested that this could be looked at as a way to capture water during the rainy season in Broward County. She also mentioned that she observed stone barriers in the ocean which were used to break the waves and prevent beach erosion. (Refer to minutes for full discussion.)

74. BALANCED BUDGET – COMMISSIONER GUNZBURGER

ACTION: (T-4:41 PM) Commissioner Gunzburger wished everyone a healthy, happy, prosperous, and peaceful New Year, with a desire to be able to balance the budget without affecting people’s lives. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

**PUBLIC WORKSHOP ON INTERMODAL CENTER AND
PEOPLE MOVER SYSTEM**

Thursday, January 10th, at 6:00 PM
African-American Research Library and Cultural Center Auditorium
2650 Sistrunk Blvd., Ft. Lauderdale

