

MEETING OF JANUARY 9, 2007

(The meeting convened at 10:00 a.m. and adjourned at 12:18 p.m.)

PLEDGE OF ALLEGIANCE was led by County Attorney Jeffrey Newton.

MOMENT OF SILENCE

In memory of Carole Andrews, former School Board member.

In memory of Sergeant Tim Weiner, who lost his life while serving in Iraq.

CALL TO ORDER: Mayor Josephus Eggelletion, Jr. 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 | Present |
| 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 32, and at the request of the Mayor, Supplemental Agenda Items 42 through 45, which were transferred to Consent.

The following items were pulled by Board members and considered separately: 2, 8, 9, 20, 30, and 43.

1.

BOARD APPOINTMENTS

- A. MOTION TO APPOINT Richard A. Rogers to the Elderly and Veteran's Services Advisory Board. (Commissioner Keechl.)

ACTION: (T-10:11 AM) Approved.



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

- B. MOTION TO APPOINT David J. Raines to the Board of Rules and Appeals. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- C. MOTION TO REAPPOINT Joan Lossen to the Broward Beautiful Advisory Board. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- D. MOTION TO REAPPOINT Marsha Levy to the Broward Beautiful Advisory Board. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- E. MOTION TO REAPPOINT David L. Hughes to the Broward Regional Health Planning Council. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- F. MOTION TO APPOINT S. Edith Hambright, Th.M. to the Alcohol & Drug Abuse Board. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- G. MOTION TO APPOINT Ronald J. Goff to the Parks & Recreation Board. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- H. MOTION TO APPOINT Julia Anne Davis, R.N., C.C.D.N. to the Broward Regional Emergency Medical Services Council. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- I. MOTION TO APPOINT Arthur Crispino to the Broward Cultural Council. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- J. MOTION TO REAPPOINT Sherry Bassett to the Commission on the Status of Women. (Commissioner Keechl.)
- ACTION: (T-10:11 AM) Approved.***
- K. MOTION TO APPOINT Joseph Michael Angelo to the Human Rights Board. (Commissioner Keechl.)

ACTION: (T-10:11 AM) Approved.

- L. MOTION TO APPOINT Paul J. Schlegel to the Hillsboro Inlet District. (Commissioner Keechl.)

ACTION: (T-10:11 AM) Approved.

- M. MOTION TO APPOINT Theodoros Vougiouklakis to the Broward County Marine Advisory Board. (Commissioner Lieberman.)

ACTION: (T-10:11 AM) Approved.


- N. MOTION TO APPOINT Dr. John Halpern to the Broward Regional Emergency Medical Services Council. (Commissioner Ritter.)

ACTION: (T-10:11 AM) Approved.

- O. MOTION TO APPOINT Ryan Gebauer to the Consumer Protection Board. (Commissioner Ritter.)

ACTION: (T-10:11 AM) Approved.

AVIATION DEPARTMENT

-  2. MOTION TO APPROVE agreement between Broward County and J.D. Power and Associates for customer service surveys and other related services for the Fort Lauderdale-Hollywood International Airport, and/or other County agencies (RLI No. 20041116-0-AV-01). The term of this agreement shall commence upon Board approval for a period of five years in the maximum not-to-exceed amount of \$3,392,460; and authorize the Mayor and Clerk to execute same.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:11 AM) Approved, with a request for staff to be fully trained in all issues of procurement. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

3. MOTION TO APPROVE Airport Access Permit (“Permit”) between Broward County, Florida and DHL Express (USA), Inc. (“DHL”) at the Fort Lauderdale-Hollywood International Airport (“FLL”), effective upon Board approval, for a five year term, with a 30-day written notice of termination by either party; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:11 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

4. **MOTION TO APPROVE** Emergency Joint Participation Agreement between Broward County and the Florida Department of Transportation, for reimbursement of eligible costs for the repair of Federal Highway Administration functionally classified roads damaged by Hurricane Wilma, for a total not-to-exceed amount of \$1,832,744.29; effective upon execution by the Florida Department of Transportation, and shall continue in effect and be binding to both parties; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:11 AM) Approved.

WATER AND WASTEWATER SERVICES

WATER MANAGEMENT DIVISION

5. **MOTION TO APPROVE** second amendment to Project Agreement No. 69-4209-6-1622 between Broward County and the United States Department of Agriculture, Natural Resources Conservation Service, for the removal of debris from County-responsible waterways to prevent flooding, and to repair and restore banks to prevent erosion as a result of Hurricane Wilma. Amendment increases the total not-to-exceed project amount by \$710,000; from \$2,890,000 to \$3,600,000; and provides for reimbursement to the County for 75% of the eligible costs, in the not-to-exceed amount of \$2,700,000; and extends the project completion date until March 31, 2007; and authorize the Mayor and Clerk to execute same. **(Commission Districts 2, 4, 5, and 9)**

ACTION: (T-10:11 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

6. **MOTION TO NOTE AND FILE FOR RECORD** Declaration of Official Intent for reimbursement from tax-exempt bonds/notes for expenditures associated with various capital projects within the Water and Wastewater Services Department.

ACTION: (T-10:11 AM) Approved.

COUNTY RECORDS DIVISION

7. A. **MOTION TO APPROVE** minutes of the 10:00 A.M. Broward County Board of County Commissioners meetings of October 24, 2006, November 14, 2006, November 21, 2006, December 5, 2006, December 12, 2006; and the minutes of the 2:00 P.M. Public Hearings of November 14, 2006 and December 12, 2006.

ACTION: (T-10:11 AM) Approved.

- B. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (T-10:11 AM) Approved.

- C. MOTION TO APPROVE destruction of Board of County Commission minutes and supporting documents which have all been imaged and have met retention requirements per General Records Schedule GS1-L, established by the Division of Library and Information Services of the State of Florida for local government agencies.

ACTION: (T-10:11 AM) Approved.

OFFICE OF INFORMATION TECHNOLOGY

8. MOTION TO APPROVE fifth amendment to agreement between Broward County and SunGard Availability Services, LP, f/k/a SunGard Recovery Services, LP, to extend the existing agreement for one year, with a one year renewal option in the total annual amount of \$385,080 for the period of March 1, 2007 through March 1, 2008 for the Office of Information Technology, and authorize the Mayor and Clerk to execute same.

(This item was pulled by Vice-Mayor Wexler.)

ACTION: (T-10:13 AM) Approved, with staff directed to bring back information for recommendations in March 2007, for a safe place to locate OIT. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

PURCHASING DIVISION

For Community Services Department

9. MOTION TO AWARD open end contract to low, responsive, responsible bidder, Innovative Environmental Services, Inc., Bid No. Q606245FF, items one through four for vegetative debris removal for various County parks, in the amount of \$296,200 for the Parks and Recreation Division. Deerfield Island Park (**Commission District 4**), Long Key Park (**Commission District 5**), Tall Cypress Park (**Commission District 1**) and Woodmont Park. (**Commission District 3**)

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:21 AM) Deferred until January 23, 2007, for the County Auditor to review. (Refer to minutes for full discussion.)

Public Works and Transportation Department

10. MOTION TO NOTE FOR THE RECORD emergency, third interim contract for miscellaneous auto parts awarded to multiple responsive, responsible bidders: American Battery Company, Bennett Auto Supply, M & H Automotive, Inc., Total Truck Parts, Inc., and Vehicle Maintenance Program. The estimated expenditures by Fleet Services Division and various County agencies on this interim contract are a monthly amount of \$40,000; and a potential total amount of \$600,000. Since this interim contract, No. C805266B112, expires upon award of a replacement contract or February 26, 2007, whichever is later. The motion further seeks to authorize the Purchasing Director to extend the interim contract until the replacement contract is awarded.

ACTION: (T-10:11 AM) Approved, as amended at the request of the County Auditor to modify the motion to authorize the Purchasing Director to extend the interim contract on a month to month basis, not to exceed April 30, 2007, or until the replacement contract is awarded, whichever is sooner.

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

11. MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending Chapter 22½, of the Broward County Code of Ordinances (Motor Carriers Ordinance), relating to passenger vehicle-for-hire ground transportation in Broward County.


ACTION: (T-10:11 AM) Approved.

LIBRARIES DIVISION

12. MOTION TO INCREASE Personnel Cap within the Grant Fund 9367-025-7660 for the Libraries Division by one Account Clerk III (W3000) position, for administrative support of the Afterschool @ Your Library program funded through an Interlocal Agreement with the Children's Services Council of Broward County.

ACTION: (T-10:07 AM) Withdrawn for further staff review.

MASS TRANSIT DIVISION

-  13. A. MOTION TO ADOPT Resolution 2007-001 of the Board of County Commissioners of Broward County, Florida, authorizing the Mayor to execute and file a Federally-funded Subgrant Agreement with the State of Florida Division of Emergency Management, in the amount of \$600,000 for a transit security grant for fixed transit security project improvements; providing for an effective date; and authorizing the County Administrator to take the necessary administrative and budgetary actions to implement the grant agreement, and to sign necessary time extensions. This grant agreement is effective from October 1, 2006, through January 31, 2009. (This is a one-time grant award; no matching funds are required by the County.)

ACTION: (T-10:11 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-002 to increase the Capital Grant Fund (3450) for the Mass Transit Division, in the amount of \$600,000 for the purpose of providing funding assistance for fixed transit security project improvements.

ACTION: (T-10:11 AM) Approved.

EMERGENCY MANAGEMENT AGENCY

14. A. MOTION TO APPROVE agreement between the State of Florida, Department of Community Affairs and Broward County through January 31, 2008, in the amount of \$34,505 for enhancements to the Broward County Emergency Operation Center (EOC); authorize the Mayor to execute same, and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

ACTION: (T-10:11 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-003 within the Grant Fund of the Broward Emergency Management Agency in the amount of \$34,505 for the purpose of enhancing Broward County EOC, as part of the Department of Homeland Security State Homeland Security Strategy funding.

ACTION: (T-10:11 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

15. MOTION TO APPROVE Settlement Agreement in the total estimated amount of \$32,850 between Broward County and Admital, Inc., d/b/a Town Center Cleaners, to resolve dry cleaning regulation violations of Chapter 27 of the Broward County Code of Ordinances for the Environmental Protection Department; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-10:11 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

16. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by A.D. Pembroke Lands LLC, as a site for compensatory mitigation for wetland impacts for the extension of 145th Avenue in the City of Pembroke Pines. **(Commission District 5)**

ACTION: (T-10:11 AM) Approved.

17. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by Mr. Manuel Alvarez and Mrs. Azalea Alvarez, as a site for a portion of compensatory mitigation for wetland impacts for a single family home in the Town of Southwest Ranches. **(Commission District 8)**

ACTION: (T-10:11 AM) Approved.

18. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by Mr. Frank Leyte-Vidal, as a site for a portion of compensatory mitigation for wetland impacts for a single family home in the Town of Davie. **(Commission District 7)**

ACTION: (T-10:11 AM) Approved.

19. MOTION TO ADOPT Resolution 2007-004 of the Board of County Commissioners of Broward County, Florida, authorizing the County Administrator to execute a contract on behalf of the County with the Marine Industries Association of South Florida, Inc., in the amount of \$10,000 for funding of the 30th Annual Waterway Cleanup as a Broward Beautiful special project; and providing for an effective date.

ACTION: (T-10:11 AM) Approved.

COUNTY AUDITOR

20. A. MOTION TO FILE County Auditor's Report – Compliance Review of the Human Services Department's Gift Card Inventory Process.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:27 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

(This item was pulled by Commissioner Lieberman.)

- B. MOTION TO ADOPT County Auditor's recommendations.

ACTION: (T-10:27 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY ATTORNEY

21. MOTION TO APPROVE settlement in the amount of \$32,500; including costs and attorney's fees, in the case of Edward Knecht v. Broward County and Roepnack Corporation, Case No. 06-01381.12.

ACTION: (T-10:11 AM) Approved.

22. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Lauderdale Lakes for the monitoring of development activity and enforcement of permitted land uses in the Local Activity Center land use designation.

ACTION: (T-10:11 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

23. MOTION TO ADOPT Resolution 2007-005 directing the County Administrator to publish a Notice of Public Hearing to be held January 23, 2007 at 2:00 PM in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of St. Johns Shipping Co., Inc., to provide steamship agent services for a five-year term at Port Everglades.

ACTION: (T-10:11 AM) Approved as corrected. (Scrivener's error – See County Administrator's report: Should read: "Applicant is required to pay an annual fee or \$1,750.00 totaling \$8,750.00 for the term; Applicant has paid the first year's fee.")

24. MOTION TO ADOPT Resolution 2007-006 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 23, 2007, at 2:00 PM, in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE SMALL BUSINESS DEVELOPMENT ADVISORY BOARD; AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 12, "ORGANIZATION, COUNCILS, BOARDS, AND COMMITTEES," PART XXIII, "SMALL BUSINESS DEVELOPMENT ADVISORY BOARD," SECTION 12.226, "TERM," TO MAKE THE TERM OF OFFICE FOR THE ADVISORY BOARD MEMBERS TO BE AS SET FORTH IN SECTION 1-233, BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:11 AM) Approved.

25. MOTION TO ADOPT Resolution 2007-007 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 23, 2007, 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, AMENDING THE BROWARD COUNTY CODE OF ORDINANCES, CHAPTER 9, "CONTRACTORS," ARTICLE II, "PLUMBING AND SPECIALTY PLUMBING CONTRACTORS," SECTION 9-52, "QUALIFICATIONS FOR MASTER PLUMBER," PROVIDING SCOPE OF WORK OF MASTER PLUMBER; AMENDING ARTICLE IV, "GENERAL AND SPECIALTY BUILDING CONTRACTORS," SECTION 9-75, "LIMITED SPECIALTY BUILDING CONTRACTOR CATEGORIES," CLARIFYING THE SCOPE OF ALUMINUM CATEGORY CONTRACTOR CERTIFICATE OF COMPETENCY; AMENDING ARTICLE VI, "MECHANICAL AND SPECIALTY MECHANICAL CONTRACTORS," SECTION 9-102, "QUALIFICATIONS FOR CONTRACTORS," PROVIDING SCOPE OF WORK FOR CLASS A AND CLASS B AIR CONDITIONING CONTRACTORS AND MECHANICAL CONTRACTORS; AMENDING ARTICLE IX, "BROWARD COUNTY CENTRAL EXAMINING BOARDS RESTITUTION TRUST FUND," SECTION 9-142, "CONDITIONS FOR RECOVERY; ELIGIBILITY," PROVIDING REQUIREMENTS FOR RECOVERY FROM THE FUND; AMENDING SECTION 9-143, "PAYMENT FROM THE FUND," PROVIDING FOR PAYMENT FROM THE FUND IN ACTIONS BROUGHT AGAINST CONTRACTORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:11 AM) Approved.

26. MOTION TO ADOPT Resolution 2007-008 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 23, 2007, 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 A CODE OF CONDUCT FOR BROWARD COUNTY EMPLOYEES AND OFFICIALS, AMENDING ARTICLE V, SECTION 26-67, LEGISLATIVE INTENT AND DECLARATION OF POLICY, OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING

FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:11 AM) Approved.

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

PLANNING SERVICES DIVISION

27. MOTION TO APPROVE Termination of Declaration of Restrictions on property annexed into the City of Dania Beach to remove zoning restrictions approved by the Board in 1981 prior to annexation; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:11 AM) Approved.

HOUSING AND COMMUNITY DEVELOPMENT DIVISION

28. MOTION TO ADOPT Resolution 2007-009 of the Board of County Commissioners of Broward County, Florida, amending Broward County's Fiscal Year 1995-2000, Fiscal Year 2000-2004 and Fiscal Year 2005-2010 Strategic Consolidated Plans and the accompanying Annual Action Plans for Fiscal Years 1995-2006; reprogramming \$3,463,045 IN U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CBDG) Program funds, and \$873,467 in HUD HOME Investment Partnerships (HOME) Program funds; providing for severability; and providing for an effective date.

ACTION: (T-10:11 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION

29. DISCUSSION: of New Findings of Adequacy for a portion of a plat entitled "CT Industrial Plat" - **Commission District 8**, (020-MP-98).

ACTION: (T-10:11 AM) Approved.

30. DELEGATION: Leigh R. Kerr, regarding request to amend the note on the Plaza Plat - **Commission District 5**, (150-MP-83). (Deferred from May 23, 2006).

(This item was pulled by Vice-Mayor Wexler.)

ACTION: (T-10:39 AM) Denied per staff recommendation. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

31. DELEGATION: Sarah Sinatra regarding request to amend the note on the Minnaugh Plat - **Commission District 8**, (079-MP-95).

ACTION: (T-10:08 AM) Deferred at the applicant's request to August 14, 2007, or sooner, under Section 5-181(j) of the Land Development Code to study traffic concurrency.

32. DELEGATION: Jeff S. Hodapp, regarding request to amend the note on the West Broward Industrial Park North Plat - **Commission District 8**, (115-MP-94).

ACTION: (T-10:11 AM) Approved.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

AVIATION DEPARTMENT

33. A. MOTION TO ADOPT Resolution 2007-010 directing the County Administrator to publish a Notice of Public Hearing to be held on January 23, 2007, at 2:00 PM, in Room 422 of the Governmental Center, to consider adoption of a Resolution amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation", Section 39.2., Rates, Fees and Charges-Fort Lauderdale Hollywood International Airport, modifying Subsection 39.2.c., Landing Fee; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (T-10:50 AM) Approved as corrected. (Scrivener's error – See County Administrator's report: Add to the end of Section c.2. (a) of the agenda: "and non-revenue arrival by a plane." Also, first line of exhibit 2 should read: Code of Ordinances, not Administrative Code.) (Refer to minutes for full discussion.)

VOTE: 9 – 0.

- B. MOTION TO AUTHORIZE Interim Aviation Director to execute the Addendum to Agreement between Broward County and each of the Fixed Base Operators ("FBOs") doing business at Fort Lauderdale-Hollywood International Airport, providing for the FBOs to collect and submit landing fees to the County in accordance with County established procedures, including completion and submittal of any County required forms.

ACTION: (T-10:50 AM) Approved as corrected. (Scrivener's error – See County Administrator's report: Add to the end of Section c.2. (a) of the agenda: "and non-revenue arrival by a plane." Also, first line of exhibit 2 should read: Code of Ordinances, not Administrative Code.) (Refer to minutes for full discussion.)

VOTE: 9 – 0.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Office of Management Budget

34. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide a Performance Management Reporting System, and approve the Request for Letters of Interest (RLI) No. 20061205-0-OMB-1.

ACTION: (T-10:50 AM) Approved as corrected. (Scrivener's error – See County Administrator's report: Page 2, "Presentations (demonstrations)" (was April 5, 2007) revised to April 12, 2006.) Approved the following to serve on the Selection Committee (SC): Vice-Mayor Wexler; Commissioners Lieberman and Keechl; Assistant to the County Administrator, County Administration (Chair); Director, Office of Management and Budget; Deputy Chief Information Officer (CIO), Office of Information Technology; Special Assistant to the County Administrator, County Administration; Director, Accounting Division, plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, OIT, Purchasing and the Office of Management and Budget. The Board directed staff to research market availability with a two-week delay allowed to search for local firms before searching nationally. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

For Public Works Department

35. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide general consultant engineering services to Water and Wastewater Services, and approve Request for Letters of Interest (RLI) No. 20060911-0-EED-1.

ACTION: (T-10:57 AM/2:14 PM) Approved the following to serve on the Selection Committee (SC): Mayor Eggelton; Commissioners Ritter, Rodstrom, and Keechl; Director, Water and Wastewater Environmental Engineering (Chair); Director Water and Wastewater Operations Division; Director, Engineering Division, Public Works and Transportation Department, plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. (Refer to minutes for full discussion.) (See Non-Agenda Item 2 of the Public Hearing.)

VOTE: 9 – 0.

PORT EVERGLADES DEPARTMENT

36. MOTION TO APPROVE non-binding letter of intent to authorize negotiations between Broward County, Port Everglades Department, and The Society for the Prevention of Cruelty to Animals of Broward County, Inc. to extend their current land lease for 4.11 acres, from the date which it is scheduled to expire, September 29, 2020, to a new date, September 29, 2040.

ACTION: (T-10:59 AM) Approved as corrected. (Scrivener's error – See County Administrator's report: Page 2, "Ranking" (was April 19, 2007) revised to April 26, 2007.)

VOTE: 9 – 0.

COUNTY ATTORNEY

37. MOTION TO AUTHORIZE County Administrator to waive conflict of interest to permit the County Attorney's Office to represent individual Commissioners in certain matters before the Ethics Commission.

ACTION: (T-10:59 AM) Approved, as amended to include County boards and appointees. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY COMMISSION

38. MOTION TO DIRECT County Attorney to prepare the necessary item to implement the approved second Senior Homestead Exemption to take effect in Fiscal Year 2008. (Deferred from December 12, 2006 - Item No. 84) (Commissioner Lieberman)

ACTION: (T11:05 AM) No Board action taken with the proviso **that staff bring the item back as a motion for discussion after the Legislative Session has concluded.** (Refer to minutes for full discussion.)

VOTE: 6 – 3, with Commissioners Lieberman, Wasserman-Rubin, and Jacobs voting "no."

39. COUNTY COMMISSION SELECT COMMITTEE REPORTS

ACTION: (T-11:40 AM) No reports presented. **The Board directed staff to remove "County Commission Select Committee Reports" from the Agenda.** (Refer to minutes for full discussion.)

40.

COUNTY ADMINISTRATOR'S REPORT

A. **PUBLIC HEARING**

ACTION: (T-11:40 AM) Ms. Brangaccio announced the Public Hearing will commence at 2 p.m. with a Good and Welfare presentation. (Refer to minutes for full discussion.)

B. **ANNUAL REPORT**

ACTION: (T-11:41 AM) Ms. Brangaccio informed the Board that an annual report will be provided later in the day outlining the Team Broward concept, the calendar format, review of the budget, and review of the goals and objectives, noting that this is also available on the website. (Refer to minutes for full discussion.)

C. **MARTIN LUTHER KING, JR. HOLIDAY**

ACTION: (T-11:41 AM) Ms. Brangaccio reminded the Board that the Governmental Center will be closed on Monday in honor of the Martin Luther King, Jr. holiday, and pointed out that there will be celebrations throughout the County, suggesting additional information can be found on the website. (Refer to minutes for full discussion.)

D. **HOLIDAY BREAK**

ACTION: (T-11:41 AM) Ms. Brangaccio invited the Board to contact staff if they require additional information or copies regarding the reports that came in over the holiday. (Refer to minutes for full discussion.)

E. **LAUDERHILL REGIONAL PARK**

ACTION: (T-11:41 AM) Ms. Brangaccio reported that there will be a follow-up meeting on the Lauderhill Regional Park regarding issues such as naming rights and liquor permits for regional parks. (Refer to minutes for full discussion.)

F. **UPDATES**

ACTION: (T-11:41 AM) Ms. Brangaccio stated that updates have been provided on the Transit issues, the budget process, the evaluation format for the executive team, and for the next stage of reorganization among the departments with meetings to occur relating to those updates. (Refer to minutes for full discussion.)

41.

MAYOR'S REPORT

A. **CHILDREN'S SERVICES COUNCIL**

ACTION: (T-11:42 AM) Mayor Eggelletion requested Board approval, per the County Attorney's suggestion, to forward the Board's list of the 15 highest ranked applicants in order of their ranking to the Governor for selection to fill the five Children's Services Member Council vacancies.

ACTION: (T-11:45 AM) Approved.

VOTE: 8 – 1, with Commissioner Rodstrom voting "no."

B. **PORT EVERGLADES**

ACTION: (T-11:46 AM) Mayor Eggelletion commented on the record set regarding the 46,500 passengers coming in and out of Port Everglades over the holidays and briefly discussed the Master Plan. He then invited Mr. Allen to talk about the visit of the Queen Mary 2 and the Queen Elizabeth 2 simultaneously departing from the Port for their world cruises. Mr. Allen then extended an invitation to the Board to visit the two Queens as well as attend the press conference scheduled for the following day.

SUPPLEMENTAL AGENDA

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION



42. **MOTION TO APPROVE** Amendment No. 5 to Florida Department of Environmental Protection (FDEP) Agreement No. 97BO2 for cost-sharing of the Broward County Shore Protection Project, providing for the addition of \$360,213 in State of Florida Fiscal Year 2005-2006 Legislative appropriations; adjusting the estimated federal and local shares accordingly; reallocating amounts among tasks and subtasks to reflect actual engineering, construction, and monitoring costs for Segment III of the project; and authorizing the Mayor and Clerk to execute same. **(Commission Districts 4 and 6)**

ACTION: (T- 10:11 AM) Approved. (Transferred to the Consent Agenda.)

COUNTY ADMINISTRATION

43. MOTION TO APPROVE amendment to the Broward County Board of Commissioners' meeting schedule for January 2007 to February 6, 2007.

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T- 10:41 AM) Approved. (Transferred to the Consent Agenda.) (Refer to the minutes for the full discussion.)

VOTE: 9 – 0.

COUNTY COMMISSION

44. MOTION TO NOMINATE Suzanne Boisvenue to the Broward County Planning Council. (Commissioner Keechl)

ACTION: (T- 10:11 AM) Approved as corrected. (Scrivener's error – See County Administrator's report: Please add "Oakland Park City Commissioner" as title for Susanne Boisvenue.) (Transferred to the Consent Agenda.)

45. MOTION TO RECOGNIZE Broward County Aviation Department on being named by the Natural Resources Defense Council, one of the Country's best airports when it comes to recycling efforts. (Commissioner Lieberman)

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

NON-AGENDA

46. PLANNED PARENTHOOD HONOREES - COMMISSIONER JACOBS

ACTION: (T-11:50 AM) Commissioner Jacobs extended congratulations to Commissioner Ritter and Commissioner Wasserman-Rubin on being honored at the Planned Parenthood of South Palm Beach and Broward Counties "Exceptional Women and Men of 2006" event. (The other Commissioners joined Commissioner Jacobs in conveying their congratulations to their colleagues for being honored by Planned Parenthood.) (Refer to minutes for full discussion.)

47. COUNTY ADMINISTRATOR'S WEEKLY AGENDA REPORT - COMMISSIONER JACOBS

ACTION: (T-11:51 AM) Commissioner Jacobs thanked Ms. Brangaccio for her efforts put forth over the holiday break and for the changes in reporting being made, however **requested that the Commissioner's questions be grouped by agenda items and that the type-font be changed for easier readability. Commissioner Lieberman also requested that the report be arranged by question rather than district and that the font be enlarged to 12-point. Commissioner Gunzburger agreed with Commissioners Jacobs and Lieberman and also expressed her desire for the County Administrator to group by agenda items. (Refer to minutes for full discussion.)**

48. MARTIN LUTHER KING, JR. PARADE - COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-11:52 AM) Commissioner Wasserman-Rubin expressed pride to be from Broward County and for the services provided. She opined whether there could be a countywide parade for Martin Luther King, Jr. day, with all the cities parading down one main thoroughfare together. Mayor Eggelton suggested that although it was too late to do it for this year, it could be discussed with the cities. (Refer to minutes for full discussion.)

49. ITEM 45 - COMMISSIONER LIEBERMAN

ACTION: (T-11:54 AM) Commissioner Lieberman noted the national recognition awarded to the Broward County Aviation Department as one of the Country's best airports for its recycling efforts and acknowledged staff for its contribution. (Refer to minutes for full discussion.)

50. CITY OF FORT LAUDERDALE - COMMISSIONER LIEBERMAN

ACTION: (T-11:56 AM) Commissioner Lieberman discussed the article on the City of Fort Lauderdale's change in their position regarding the Orioles and **requested that in the future, items not be put on the agenda until after a city votes outlining what the circumstances are so that the Board is the last stop, eliminating last-minute issues. (Refer to minutes for full discussion.)**

Commissioner Rodstrom responded to Commissioner Lieberman's comments by mentioning that it was of benefit to both governmental entities and didn't see the controversy other than the City found a better deal. Commissioner Lieberman stated that it was for that reason she wants the Board to be last in the approval process and that she will be voting "no" on everything that comes before the Board unless she knows the Board is the last in the process; reiterating that she wants it to come before the Board only after the City has taken its position.

51. COUNTY WEB SITE - COMMISSIONER LIEBERMAN

ACTION: (T-11:57 AM) Commissioner Lieberman discussed requests received for information regarding synchronization of traffic lights and road construction on the website and requested that staff post this information on the website so that it can be accessed by the public. (Refer to minutes for full discussion.)

52. AIRPORT COMPLAINTS - COMMISSIONER LIEBERMAN

ACTION: (T-11:58 AM) Commissioner Lieberman discussed the airport security during the holidays and the complaints received during the holiday rush and requested a discussion occur with the Sheriff in order to work through these issues and ensure that SunSational service continues while maintaining security. Vice-Mayor Wexler pointed out the increase in complaints and noted that whenever the airport is heavily impacted, complaints are received and requested that staff look into the matter to see if protocol could be friendlier during times of increased travelers. (Refer to minutes for full discussion.)

53. FEMA STATUS REPORT - COMMISSIONER LIEBERMAN

ACTION: (T-11:58 AM) Commissioner Lieberman requested a status report on how to accommodate the people still living in the FEMA trailers. (Refer to minutes for full discussion.)

55. COUNTY ATTORNEY'S OFFICE – COMMISSIONER KEECHL

ACTION: (T-12:01 PM) Commissioner Keechl took the opportunity to congratulate staff in the County Attorney's office who recently won a major lawsuit for Broward County and expressed his appreciation and desire for more of the same results going forward. Mayor Eggelletion gave kudos to Mr. Newton on staff's success within the County Attorney's office. (Refer to minutes for full discussion.)

56. MOBILE HOME DISPLACEMENT – VICE-MAYOR WEXLER

ACTION: (T-12:04 PM) Vice-Mayor Wexler discussed the mobile home situation in Davie and requested that the County Attorney take another look for ways to help in providing assistance to residents who are being displaced from their mobile homes. Commissioner Jacobs agreed, commenting on the assistance provided in her district by Ms. Shaw in meeting with mobile home residents to explain all of their options and encouraged that this occur with others undergoing the same situation. (Refer to minutes for full discussion.)

57. WALL ERECTED IN COMMISSION OFFICE - BOARD OF COUNTY COMMISSIONERS

ACTION: (T-12:08 PM) Vice-Mayor Wexler initiated discussion regarding the wall recently erected in the County Commission office and how it could be perceived as a barrier between the public and the Commissioners. Discussion then ensued between the Board members with a final consensus for some type of partition, but Mayor Eggelletion requested that staff modify what has been erected and begin to follow protocol in having visitors being escorted to and from the offices. (Refer to minutes for full discussion.)

58. JEWISH HISTORY MONTH - COMMISSIONER GUNZBURGER

ACTION: (T-12:18 PM) Commissioner Gunzburger noted that the Legislature has designated January as Jewish History month and suggested a display in the Governmental Center lobby. Mayor Eggelletion noted that something would be done and thanked Commissioner Gunzburger for brining it up. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE

WATER AND SEWER IMPROVEMENTS UAZ 303, 314, 316, 318

RLI No. 20060808-7-EED-1

Tuesday, January 9th, in Room 302 at 9:00 AM

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