

MEETING OF JANUARY 24, 2006

(The meeting convened at 10:00 a.m.; recessed at 12:12 p.m.; reconvened at 3:07 p.m. and adjourned at adjourned at 6:40 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Kristin D. Jacobs, District 2.

MOMENT OF SILENCE

Frank Ortis, Sr., father of Mayor Frank Ortis from the City of Pembroke Pines.

Former Broward County Employee Laura Cheek Ward. Ms. Ward was a community activist and a former Lauderdale-by-the-Sea assistant town manager. She was married to retired Judge Lavon Ward.

The mother-in law of Tom Jargiello, Director of the Aviation Department.

For the men and women defending our country around the world and for those who have lost their lives.

Prayers for Kathy Gooden, Commission Aide for Vice Mayor Eggelletion, who remains in a coma since December 6, 2006.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO REAPPOINT Edward Portner to the Broward County Parks and Recreation Advisory Board. (Commissioner Lieberman)
ACTION: (T-10:09 AM) Approved.
- B. MOTION TO REAPPOINT Mr. Ira Cor as a non-governmental health care consumer to the Broward Regional Health Planning Council. (Commissioner Jacobs)
ACTION: (T-10:09 AM) Approved.
- C. MOTION TO APPROVE appointment of Ms. Jodie Berman to the Alcohol and Drug Abuse Advisory Board. (Commissioner Gunzburger)
ACTION: (T-10:09 AM) Approved.



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

- D. MOTION TO APPOINT Dr. Gay Ferguson Outler to the Broward County Planning Council. (Commissioner Wasserman-Rubin)

ACTION: (T-10:09 AM) Approved.

- E. MOTION TO RE-APPOINT Marlene Patrice Bordeau to the Commission on the Status of Women. (Commissioner Wasserman-Rubin)

ACTION: (T-10:09 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Amendment No. 1 to the short term building lease agreement between Broward County, Florida and Avis Rent A Car System, Inc., extending the short term building lease agreement for a 6.658 acre parcel located at Fort Lauderdale-Hollywood International Airport for a 12 month period, terminating on February 28, 2007, and adjusting the annual rent from \$202,591.68, to \$208,669.32; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Deferred to Tuesday, February 7, 2006. (Refer to minutes for full discussion.)

3. MOTION TO APPROVE Amendment No. 1 to the short term building lease agreement between Broward County, Florida and Budget Rent A Car System, Inc., extending the Short Term Building Lease Agreement for a 1.349 acre parcel located at Fort Lauderdale-Hollywood International Airport for a 12 month period, terminating on January 27, 2007, and adjusting the annual rent from \$28,949.52, to \$29,817.96; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Deferred to Tuesday, February 7, 2006. (Refer to minutes for full discussion.)

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

SEAPORT CONSTRUCTION AND PLANNING DIVISION

4. A. MOTION TO APPROVE Change Order No. 3 with FMT Aircraft Gate Support Systems, AB, Sweden (FMT), Contract No. H-Z-01-268-CF, Passenger Loading Bridges, at an increase of \$1,210,400; from \$7,774,475 to \$8,984,875; and an increase in contract time of 540 days; from 720 days to 1,260 days; and authorize the Mayor and the Clerk to approve same. (Project No. 683201)

ACTION: (T-10:09 AM) Withdrawn for further staff review.

- B. MOTION TO APPROVE FMT as the sole brand/sole source standard for future procurement of replacement passenger loading bridges, parts, and repair of equipment for cruise ship terminals located at Port Everglades.

ACTION: (T-10:09 AM) Withdrawn for further staff review.

WATER AND WASTEWATER SERVICES

5. A. MOTION TO ADOPT Resolution 2006-20 of the Board of County Commissioners of Broward County, Florida authorizing the exchange of real property with the City of North Lauderdale.

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO APPROVE agreement between Broward County and the City of North Lauderdale for exchange of a 1.249-acre County-owned parcel located on Bailey Road, west of State Road 7, North Lauderdale, Florida for the perpetual exclusive license to use a 0.53-acre City-owned property located on State Road 7, just south of Bailey Road, North Lauderdale, Florida; and authorize the Mayor and Clerk to execute agreement. **(Commission District 1)**

ACTION: (T-10:09 AM) Approved subject to bond counsel concurrence on the transaction.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

6. MOTION TO APPROVE execution of a letter authorizing Notice of Full Redemption of Bonds regarding the Broward County Industrial Development Revenue Bonds (Rex Three, Inc. Project), Series 1996A.

ACTION: (T-10:09 AM) Approved.

7. MOTION TO NOTE AND FILE FOR RECORD Declaration of Official Intent for reimbursement from tax-exempt bond/notes for expenditures associated with various capital projects within the Aviation Department.

ACTION: (T-10:09 AM) Approved.

ACCOUNTING DIVISION

8. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending December 31, 2005.

ACTION: (T-10:09 AM) Approved.

COUNTY RECORDS DIVISION

9. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meeting of December 6, 2005; and the minutes of the 10:00 A.M. Special Public Hearing of November 10, 2005.

ACTION: (T-10:09 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-10:09 AM) Approved.

OFFICE OF INFORMATION TECHNOLOGY

10. MOTION TO APPROVE Assignment Agreement among Broward County and City of Lauderhill and Comcast of Florida f/k/a Community Cable Television for assignment of Cable Television Franchise for an area annexed to Lauderhill, and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:09 AM) Approved.

-  11. MOTION TO ADOPT budget Resolution 2006-21 transferring funds within the General Capital Outlay Fund (3010) in the amount of \$92,600 for the purpose of funding Computronix's Permit Partner Application to be used in conjunction with the County's Permit Center.

ACTION: (T-10:09 AM) Approved.

PURCHASING DIVISION

For Community Services Department

12. MOTION TO APPROVE sole brand standardization of White Flyer brand skeet and trap clay targets for the Parks and Recreation Division.

ACTION: (T-10:09 AM) Approved.

For Public Works and Transportation Department

13. MOTION TO APPROVE sole source determination and award open-end contract to Polydyne, Inc., for Polymer for Belt Presses, Quotation No. C06FOD0061M, in the estimated annual amount of \$542,095 for Water and Wastewater Services, and authorize the Purchasing Director to renew the contract for two, one-year periods for a total potential estimated contract amount of \$1,626,285. The initial contract shall begin on date of award and shall terminate one year from that date.

ACTION: (T-10:09 AM) Approved.

14. MOTION TO AWARD open-end contract to single bidder, Mueller Service Co., for Valve Program, Bid No. H-9-05-315-B1 (Re-bid), awarding all bid items 1 through 246 but anticipate spending only the estimated amount of \$180,000; the annual budgeted amount, including a \$5,000 pass-thru for Water and Wastewater Services and authorize the Purchasing Director to renew the contract for two, one-year periods, for a total potential estimated contract amount of \$540,000. The initial contract period shall start on February 1, 2006 pending receipt and acceptance of insurance/performance and payment guaranty and shall terminate one year from that date.

ACTION: (T-10:09 AM) Approved.

15. A. MOTION TO APPROVE sole brand determination and open-end contract to Proctor & Proctor, Inc., for Compressed Natural Gas Honda Civic, Item No. 13, from State of Florida Contract No. 070-001-05-1 in the total estimated annual amount of \$92,665.48, for the Fleet Services Division. The initial term shall begin on date of approval and shall terminate on September 30, 2006.

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO APPROVE sole brand determination and AWARD open-end contracts, to the single bidder, Maroone Chevrolet, LLC, for item numbers 1, 3, 4, 6, 7, 9, 10 and 12, in the estimated annual amount of \$448,272; and the low bidder, Maroone Honda – Miami for Item No. 14 in the estimated annual amount of \$242,340; for a total estimated annual amount of \$690,612 for 2006 alternative fuel and advanced technology vehicles, Bid No. CX05333BV for the Fleet Services Division. The contracts shall begin on date of award and shall terminate when there are no new 2006 vehicles available.

ACTION: (T-10:09 AM) Approved.

REVENUE COLLECTION DIVISION

16. MOTION TO ADOPT two Resolutions 2006-22 and 2006-23 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Payroll No. 2079940003798, and Self Insurance No. 2090002760518.

ACTION: (T-10:09 AM) Approved.

RISK MANAGEMENT DIVISION

17. MOTION TO APPROVE full and final settlement of claims SD031101 in the amount of \$150,000.

ACTION: (T-10:09 AM) Approved.

18. MOTION TO APPROVE full and final settlement of claim NT102201 in the amount of \$500,000. (Deferred from January 10, 2006 – Item 27)

ACTION: (T-10:18 AM) Approved. (Refer to minutes for full discussion.)

HUMAN SERVICES DEPARTMENT

19. MOTION TO APPROVE proposed “Broward County Baker Act Transportation Exception Plan” which provides for the transportation of inmates in custody of BSO, in need of immediate psychiatric stabilization to one of two designated facilities, and the exclusion of the Broward County Corrections Institute (BCI) as a receiving facility by the community.

ACTION: (T-10:09 AM) Approved.

20. A. MOTION TO APPROVE sublease agreement between Broward County and the Department of Children and Families from date of execution and for 18 months thereafter, for the purpose of providing temporary housing for residents displaced by Hurricane Wilma at the Florida State Hospital Apartments; and authorize the Mayor to execute same; providing for severability; and providing for an effective date.

ACTION: (T-10:20 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE letter agreement between Broward County, GEO Care, Inc. and the Department State Department of Environmental Protection from date of execution for the purpose of delineating responsibilities at the Florida State Hospital Apartments; and authorize the Mayor to execute same; providing for severability; and providing for an effective date.


ACTION: (T-10:20 AM) Approved. (Refer to minutes for full discussion.)

FAMILY SUCCESS ADMINISTRATION DIVISION

21. MOTION TO APPROVE Amendment No. 4 to Agreement No. 03-FSAD-8250-1 between Broward County and Hispanic Unity of Florida, Inc., increasing the annual maximum dollar amount by \$75,000; from \$332,016 to \$407,016 for the purpose of providing additional case management, and information, referral and self sufficiency services to residents in the targeted areas of northwest and southwest Broward County, from date of execution to September 30, 2006; and authorize the Mayor and Clerk to execute same. The source of funding is from Human Services General Funds for non-profit organizations set aside for this purpose.

ACTION: (T-10:17 AM) Approved. (Refer to minutes for full discussion.)

OFFICE OF HOUSING FINANCE

-  22. MOTION TO ADOPT Resolution 2006-24 of the Board of County Commissioners of Broward County, Florida, amending the First Amended 2002-2004 Broward County State Housing Initiatives Partnership Local Housing Assistance Plan by deleting the requirement that the amount of administration fee be recorded against SHIP program recipients of the home repair strategy; authorizing necessary certifications by the County Administrator and submission of the amended plan for review and approval by the Florida Housing Finance Corporation; providing for severability; and providing for an effective date.

ACTION: (T-10:24 AM) Approved. (Refer to minutes for full discussion.)

COMMUNITY SERVICES DEPARTMENT

CULTURAL DIVISION

23. MOTION TO FILE semi-annual grant report for the second half of Fiscal Year 2005 in accordance with Section 29.17h (Reports) of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

ACTION: (T-10:25 AM) Approved. The Board directed staff to provide a list with the following information: how many organizations have applied for grants; what categories they fall under versus how many were funded by category; the percentage of projects funded; what is their designated market, and number of minority organizations who have applied for cultural grants. Further, the Board directed staff to: 1) Review the rules for the evaluation criteria. 2) Look into creating a mentoring program. 3) Meet with Vice Mayor Eggelletion to obtain the names of the agencies that have been rejected for grant funding. Staff will report back to the Board. (Refer to minutes for full discussion.)

24. MOTION TO ADOPT Resolution 2006-25 of the Board of County Commissioners of Broward County, Florida ("Board"), approving a special grant application process and approving special one-time Challenge Grant guidelines solely for Fiscal Year 2006 grant awards as shown to assist current grantees with property damage and recovery expenses caused by Hurricane Wilma; waive Section 29.16(h) of the Broward County Administrative Code, Challenge Grant Program guidelines; restrict submittal of special grant applications for grant award funding solely to current grantees already approved by the Broward County Cultural Council (Council) for one of the Fiscal Year 2006 Cultural Grants; approve the use of allocated funds for Fiscal Year 2006 in the amount of \$250,000; approve a special grant application deadline of February 28, 2006, under the one-time special Challenge Grant guidelines; approve the use of pre-approved contract forms with any modifications determined necessary by the County Administrator and the County Attorney's office; providing for severability; and providing for an effective date.

ACTION: (T-10:45 AM) Approved, as amended. Not-for-profit organizations shall be given greater consideration than public entities under the special Challenge Grant guidelines for the special one-time grant funds. (Refer to minutes for full discussion.)

PARKS AND RECREATION DIVISION

25. MOTION TO APPROVE first amendment and Assignment of Agreement between Broward County and Stone Harbor, Inc., for 14.34 acres of mitigation at Pond Apple Slough, assigning all rights, duties, and obligations of Stone Harbor, Inc., to Roscioli Yachting Center, Inc. (Roscioli), amending the insurance requirements to include Roscioli, and extending the time for completion of the original agreement from September 16, 2006, to July 30, 2008; and authorize the Mayor and the Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:09 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

26. MOTION TO APPROVE amendment to settlement agreement between Broward County and Addison Construction Corporation, to allow the partial mitigation of abused Seagrape trees from two adjacent residential properties in the Town of Hillsboro Beach to be performed at Hugh Taylor Birch State Park; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:09 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

27. A. MOTION TO APPROVE agreement among Broward County, City of Fort Lauderdale and Rockefeller Center Management Corporation to allow for completion of wetland mitigation on Conservation Land Site 121 within Mills Pond Park; and authorize Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO APPROVE agreement among Broward County, City of Fort Lauderdale and Lowell at Provence, Inc. to allow for completion of wetland mitigation on Conservation Land Site 121 within Mills Pond Park; and authorize Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:09 AM) Approved.

- C. MOTION TO APPROVE agreement among Broward County, City of Fort Lauderdale and Oaks at Oakland Park, LLC to allow for completion of wetland mitigation on Conservation Land Site 121 within Mills Pond Park; and authorize Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:09 AM) Approved.

PORT EVERGLADES DEPARTMENT

28. MOTION TO WAIVE December 11, 2005 through January 31, 2006, rent in the amount of \$1,219.42; plus applicable sales tax for 478 square feet of office space in Suite No. 304 at the Port Administration Building leased by Florida International Terminal, LLC, due to the delay of permit issuance for office construction caused by Hurricanes Rita and Wilma; and authorize the Port Director to take the appropriate accounting action.

ACTION: (T-10:09 AM) Approved.

29. MOTION TO APPROVE lease agreement between Broward County and Gunilla Lundstrom North, Vice Consul, Consulate of Sweden, for Suite No. 310 in Building 611 (Amman Building) at Port Everglades, consisting of 272 square feet of office space, effective March 1, 2006 through February 28, 2007, with rent in the amount of \$4,760 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

30. MOTION TO ADOPT budget Resolution 2006-26 transferring within the General Fund the amount of \$600,000 from the Broward County Sheriff's Office reserve for the purpose of funding unanticipated operating expenditures in the Department of Law Enforcement.

ACTION: (T-10:09 AM) Approved.

COUNTY AUDITOR

31. A. MOTION TO FILE County Auditor's report Compliance Review of the Tourist Development Tax Procedures - Revenue Collection Division.

ACTION: (T-10:09 AM) Approved.

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

ACTION: (T-10:09 AM) Approved.

COUNTY ATTORNEY

32. A. MOTION TO APPROVE settlement agreement in the amount of \$400,000; including all costs and attorney's fees, and a reimbursement in the amount of \$25,000 by Water Taxi, Inc. to Broward County, in the case of Advocating Disability Rights, Inc. and Carlisle Wilson v. Broward County and Water Taxi, Inc., United States District Court Case 03-61239-CIVIL.


ACTION: (T-10:52 AM) Deferred to a Shade meeting scheduled for February 14, 2006. (Refer to minutes for full discussion.)

- B. MOTION TO ADOPT budget Resolution within the general fund transferring \$375,000 from the Commission Reserve for the settlement referenced in Motion A.


ACTION: (T-10:52 AM) Deferred to a Shade meeting scheduled for February 14, 2006. (Refer to minutes for full discussion.)

- C. MOTION TO ADOPT unanticipated revenue Resolution within the Mass Transit Fund in the amount of \$400,000 to provide funds required for the settlement referenced in Motion A.

ACTION: (T-10:52 AM) Deferred to a Shade meeting scheduled for February 14, 2006. (Refer to minutes for full discussion.)

-  33. MOTION TO ADOPT Resolution 2006-27 relating to a special referendum election for determining whether the area known as "Pine Island Ridge Area" shall be annexed into the Town of Davie or remain unincorporated; setting date, time, and place of election; providing substance of measure to appear on ballot; authorizing publication of notices of said special referendum election; and notifying the Supervisor of Elections office.

ACTION: (T-10:09 AM) Approved.

-  34. MOTION TO ADOPT Resolution 2006-28 relating to a special referendum election for determining whether the area known as "Country Acres Area" shall be annexed into the City of Coral Springs or the City of Parkland; setting date, time, and place of election; providing substance of measure to appear on ballot; authorizing publication of notices of said special referendum election; and notifying the Supervisor of Elections office.


ACTION: (T-10:09 AM) Approved.

SUPERVISOR OF ELECTIONS

35. MOTION TO APPROVE recommendation of the Supervisor of Elections, amending the voting precincts which were approved on July 9, 2002 and amended on August 13, 2002, January 14, 2003, September 13, 2003, December 7, 2004, and December 13, 2005; combining four Fort Lauderdale precincts for voting in the Municipal Primary Election on February 14, 2006.

ACTION: (T-10:09 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

-  36. MOTION TO ADOPT Resolution 2006-29 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 14, 2006, at 2:00 P.M., 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, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 27, OPERATIONAL POLICY, PLANNING AND ENVIRONMENTAL PROTECTION, BY AMENDING APPENDIX B ENTITLED "CONCURRENCY FEES BY DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:09 AM) Approved.


37. MOTION TO ADOPT Resolution 2006-30 directing County Administrator to publish Notice of Public Hearing to be held Tuesday, February 28, 2006 at 2:00 P.M. in Room 422 of the Governmental Center, to vacate and abandon a 30-foot road right-of-way, lying and being in Broward County, Florida, and being a portion of SW 12th Avenue, between Dania Beach Boulevard and SW 1st Street in the City of Dania Beach, Florida, at no cost to the County. Petitioner: Albert and Madeline Marco (2005-V-01) Craven Thompson & Associates, Inc. - Agent. **(Commission District 7)**

ACTION: (T-10:09 AM) Approved.

COUNTY COMMISSION

38. MOTION TO SUPPORT petition that is funded by the American Cancer Society, American Lung Association and American Heart Association to place an amendment on the ballot to compel the State Legislature to use 15% of the annual funding that comes from tobacco settlement for the education of the youth as to the harm of using tobacco. (Commissioner Lieberman)

ACTION: (T-10:09 AM) Approved.

-  39. MOTION TO APPROVE allocation of \$50,000 in County District Commissioner's Discretionary Bond funds to the City of Hallandale Beach for the renovation of the first Hallandale Beach school house at Peter Bluesten Park. (**Commission District 6**) (Commissioner Gunzburger)

ACTION: (T-10:09 AM) Approved.

40. MOTION TO DIRECT boards, agencies and County Administration Budget Committee to review a funding request from the Enterprise Development Corporation in the amount of \$55,000; and provide a recommendation to the Board of County Commissioners for a decision on this issue. (Mayor Graber)

ACTION: (T-10:54 PM) Withdrawn by Mayor Graber. (Refer to minutes for full discussion.)

41. MOTION TO ADOPT Resolution 2006-31 supporting the location of the Scripps Research Institute in Boca Raton, Florida. (Mayor Graber)

ACTION: (T-10:09 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: In the MOTION, remove the extra words "MOTION TO." In the third Revised Resolution, third paragraph, third line, after the word Institute, add the word "locate.") (Refer to minutes for full discussion.)

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION

42. DISCUSSION: of plat entitled "Ledds Addition" - **Commission District 2**, (045-MP-05).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

43. DISCUSSION: of plat entitled "Parkland Village" - **Commission District 3**, (027-MP-05).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

44. DISCUSSION: of plat entitled "Pine Ridge Alternative School Plat" - **Commission District 7**, (001-UP-05).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

45. DISCUSSION: of plat entitled "Lightspeed Broward Center Plat" - **Commission District 9**, (069-MP-02).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

46. DELEGATION: Allan Milledge, regarding request to amend the note on the Miramar Park of Commerce Phase III Plat – **Commission District 8**, (088-MP-95).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

47. DELEGATION: Cary D. Winningham, regarding request to amend the non-vehicular access line on the Oakland-Sawgrass Expressway Plat – **Commission District 5**, (106-MP-86).

ACTION: (T-10:09 AM) Deferred to September 12, 2006, or sooner, under Section 5-181(j) of the Land Development Code to study consistency with the plat note.

48. DELEGATION: Cary D. Winningham, regarding request to amend the non-vehicular access line on the Greaton Plat No. 2 – **Commission District 5**, (053-MP-94).

ACTION: (T-10:09 AM) Deferred to September 12, 2006, or sooner, under Section 5-181(j) of the Land Development Code to study consistency with the plat note.

49. DELEGATION: J. Gary Brown Jr., regarding request to amend the non-vehicular access line on the Pointe West Center North Plat – **Commission District 8**, (100-MP-99).

ACTION: (T-10:09 AM) Deferred to September 12, 2006, or sooner, under Section 5-181(j) of the Land Development Code to study encroachment within the right-of-way.

50. DELEGATION: Christopher Akagbosu, representing the School Board of Broward County, regarding MOTION TO APPROVE educational mitigation agreement among Broward County, the City of Plantation and the School Board of Broward County relating to a voluntary contribution to the School Board of Broward County in lieu of the payment of educational impact fees for proposed residential development within the Plantation Local Activity Center – **Commission Districts 7 and 9**.

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

DELEGATION

- 51. **DELEGATION:** Ken Basilio representing the United Way of Broward County regarding "United Way Week," February 6, 2006 through February 11, 2006.

ACTION: (T-12:11 PM) No Board action was taken. (Refer to minutes for full discussion.)

QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

- 52. **DISCUSSION:** of plat entitled "Pembroke Oaks (fka Pinnacle Oaks)" - **Commission District 8**, (050-MP-03). (Deferred from January 10, 2006, Item 65)

ACTION: (T-3:07 PM) Approved the plat, as amended, subject to staff's recommendations as outlined in the Development Review Report. The applicant agreed to work with the pre-qualified purchasers from the County's first-time homebuyers program, and to accept letters of commitment from that program. (Refer to minutes for full discussion.)

END OF QUASI-JUDICIAL HEARING

AVIATION DEPARTMENT

53. A. MOTION TO WAIVE Chapter 26, Operational Policy, Aviation, Section 26.14 a, b, d and f of the Broward County Administrative Code to provide for a revision to the general description, allow the Selection Negotiation Committee to short list qualified firms, allow for the award of the concession through a Request for Letters of Interest, and the concession term for the News-General Merchandise-Specialty Retail Shops concession at the Fort Lauderdale-Hollywood International Airport.

ACTION: (T-12:06 PM) Deferred until the Select Committee on Airport/Seaport has review the issues raised in item 68 of this day's meeting and made recommendations back to the Board.

- B. MOTION TO APPROVE Request for Letters of Interests ("RLI") No. 20060124-0-AV-01 for News-General Merchandise Specialty Retail Shops Concession at the Fort Lauderdale-Hollywood International Airport ("FLL").

ACTION: (T-12:06 PM) Deferred until the Select Committee on Airport/Seaport has review the issues raised in item 68 of this day's meeting and made recommendations back to the Board.

- C. MOTION TO APPOINT Selection Negotiation Committee ("SNC") to recommend the most qualified firm to provide News-General Merchandise-Specialty Retail Shops concession services at FLL for RLI No. 20060124-0-AV-01.

ACTION: (T-12:06 PM) Deferred until the Select Committee on Airport/Seaport has review the issues raised in item 68 of this day's meeting and made recommendations back to the Board.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

SEAPORT CONSTRUCTION AND PLANNING DIVISION

54. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firms to provide professional general architectural and engineering services at Port Everglades on an as-needed basis; and approve Request for Letters of Interest (RLI) No. 20050927-6-CPD-1.

ACTION: (T-3:17 PM) Approved with the following serving on the Selection Committee: Vice Mayor Eggelton, Commissioners Gunzburger, Rodstrom, Wasserman-Rubin and Wexler; Director, General Services, Public Works and Transportation Department (Chair); Deputy Port Director, Port Everglades Department, and Director, Highway and Bridge Maintenance 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.

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

PLANNING SERVICES DIVISION

55. MOTION TO FIND application 05-RF-08 for the allocation of 41 reserve units in the City of Miramar compatible with adjacent uses, and that impacts upon public school facilities have been adequately considered. **(Commission District 8)**

ACTION: (T-3:18 PM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

56. MOTION TO ACCEPT Broward Alliance Fiscal Year 2005 annual performance and financial reports pursuant to the agreement between Broward County and the Broward Alliance. (Deferred from December 13, 2005 – Item No. 35)

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

57. MOTION TO DISCUSS: status of negotiations with Water Taxi Inc. for provision of water bus services.

ACTION: (T-3:19 PM) The Board approved a two-year term of the agreement and the right to terminate for convenience with six months notice after the first year. Staff will continue to negotiate the remaining open issues and return before the Board with a final agreement Tuesday, February 7, 2006. Further, the Board took no action with respect to Water Taxi Inc.'s request of \$30,581.49 for additional provisional funding. (Refer to minutes for full discussion.)

COUNTY AUDITOR

58. MOTION TO DISCUSS status of the County Administrator recruitment efforts.

ACTION: (T-5:02 PM/6:33 PM) The Board directed the recruitment consultant to: 1) Reopen the process and re-advertise for the position of County Administrator. The consultant will forward a list of places where his firm will advertise to the Board members for their review and input. The Board members will review the advertisement before it is sent. 2) Rewrite the advertisement broadening the job description to allow for a combination of city, county or other progressive management or military management experience that equals four years. 3) Involve the ICMA Range Riders in the process to assist the consultant to identify nationally qualified candidates to submit resumes to the County. 4) All resumes that meet the job description shall come to the Board for ranking and short listing to determine who they would like to interview. 5) Advertise the salary as negotiable with a range from \$225,000 to \$275,000. 6) The consultant shall provide comments as the resumes are submitted. 7) The consultant shall give regular updates every two weeks at commission meetings on the progress of the recruitment efforts. (Refer to minutes for full discussion.)


59. A. MOTION TO FILE County Auditor's Review of Cliff Berry Inc.'s (CBI) Revenue Reporting to Port Everglades (Port).

ACTION: (T-6:00 PM) Approved. (Refer to minutes for full discussion.)


B. MOTION TO ADOPT County Auditor's Recommendations.

ACTION: (T-10:09 AM) Deferred at the request of County Administration until the County Auditor finishes his report. (Refer to minutes for full discussion.)

COUNTY COMMISSION

-  60. MOTION TO AUTHORIZE establishment of summit joint individual committees between the Broward County Mayor's Office and leadership of the Broward Legislative Delegation, Broward League of Cities, Sheriff's Office, Clerk of the Court, Supervisor of Election's Office, Property Appraiser's Office, Broward County School Board, and the City of Fort Lauderdale; to address items of mutual interest and establish an ongoing dialogue with the Delegation. (Mayor Graber)

ACTION: (T-6:00 PM) Approved. (Refer to minutes for full discussion.)

-  61. MOTION TO AUTHORIZE establishment of a Medicaid Reform Joint Committee with representatives of the North Broward Hospital District and South Broward Hospital District to address items of mutual interest and develop an ongoing dialogue. (Mayor Graber)

ACTION: (T-6:02 PM) Approved. (Refer to minutes for full discussion.)

-  62. A. MOTION TO APPROVE sponsorship of the 7th Annual Rebuilding Together Day to be held on April 29, 2006, by Rebuilding Together Broward County, Inc. (Commissioner Rodstrom)

ACTION: (T-6:03 PM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO AUTHORIZE County Administrator to execute an agreement with Rebuilding Together Broward County, Inc. in the amount of \$25,000 plus in-kind services for the purpose of providing home repairs and neighborhood beautification in the Boulevard Gardens Neighborhood, including provisions for payment to Rebuilding Together following completion of the qualified home repairs, County Assistance with obtaining permits for the home repairs, waiver of permit fees, County verification of the completion of the repairs, homeowner eligibility criteria; and Rebuilding Together providing the list of homeowners to County with sufficient time allowed for verification of eligibility prior to the event; providing for severability; and providing for an effective date.

ACTION: (T-6:03 PM) Approved. (Refer to minutes for full discussion.)

C. MOTION TO WAIVE Broward County Administrative Code (Section 1.11.bb.) requirement that nonprofit organizations which receive \$5,000 or more from the Board of County Commissioners provide an annual audited financial statement.

ACTION: (T-6:03 PM) Approved. (Refer to minutes for full discussion.)

D. MOTION TO DESIGNATE Director of the Urban Planning and Redevelopment Department or designee as the Contract Administrator.

ACTION: (T-6:03 PM) Approved. (Refer to minutes for full discussion.)

63. MOTION TO EVALUATE County Attorney for the six-month period ending November 30, 2005, and establish salary effective November 30, 2005, for the remainder of Fiscal Year 2006.

ACTION: (T-6:04 PM) The Board directed staff to schedule a workshop for Tuesday, February 7, 2006, to evaluate the County Attorney for the six-month period ending November 30, 2005, and establish salary effective November 30, 2005, for the remainder of Fiscal Year 2006. (Refer to minutes for full discussion.)

64. MOTION TO EVALUATE County Auditor and establish salary for Fiscal Year 2006, effective October 1, 2005. (Mayor Graber)

ACTION: (T-6:04 PM) The Board directed staff to schedule a workshop for Tuesday, February 7, 2006, to evaluate the County Auditor and establish salary for Fiscal Year 2006, effective October 1, 2005. (Refer to minutes for full discussion.)

65. COUNTY COMMISSION SELECT COMMITTEE REPORTS

A. HURRICANE PREPAREDNESS SELECT COMMITTEE – COMMISSIONER LIEBERMAN

ACTION: (T-6:09 PM) Commissioner Lieberman reported that the Hurricane Preparedness Select Committee met. The Committee's work will be divided into three meetings: Meeting one, what steps the County should take before a hurricane. Meeting two, what the County should be doing during the hurricane. Meeting three, post- hurricane recovery and disaster issues. A letter was sent to all stakeholders in the community; there was great participation. (Refer to minutes for full discussion.)

B. ATTAINABLE HOUSING – COMMISSIONER JACOBS

ACTION: (T-6:10 PM) Commissioner Jacobs advised that the Attainable Housing Select Committee had its first meeting. The meeting was organizational. There was a great turnout in stakeholders. The Committee is looking forward to bringing stakeholders to the table for valuable discussions.

C. CONVENTION CENTER HOTEL – COMMISSIONER GUNZBURGER

ACTION: (T-6:10 PM) Commissioner Gunzburger informed the Board that the Committee met and passed a motion that the meetings will be held in abeyance until called by the Chair or on an as-needed basis for the purposes of interfacing with the consultant that they will be choosing. (Refer to minutes for full discussion.)

D. AIRPORT AND SEAPORT DEVELOPMENT – COMMISSIONER SCOTT

ACTION: (T-6:12 PM) Commissioner Scott reported that the Committee was given a status report for the airport and seaport. The interim port director has a port security plan. Significant parts of the plan are confidential and may require a Shade meeting. Commissioner Scott is conferring with the County Attorney regarding the issue. Commissioner Scott advised that the Committee members will have a site visit of the airport and seaport in the near future. (Refer to minutes for full discussion.)

66.

COUNTY ADMINISTRATOR'S REPORT

ACTION: (T-6:15 PM) Interim County Administrator Bertha Henry reported that County Tree Program will begin this weekend. County staff will be distributing trees to the community at regional parks throughout the County. The program will continue until all trees have been given away. (Refer to minutes for full discussion.)

67.

MAYOR'S REPORT

ACTION: (T-6:39 PM) Mayor Graber advised the Board there was nothing to report.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

68. MOTION TO DIRECT Select Committee for the Airport/Seaport to discuss and review the concession agreements at Fort Lauderdale Airport including future plans, time table, the impact on existing leases, and any policy implications thereto. (Mayor Graber)

ACTION: (T-11:13 AM) Approved. (Transferred to the Consent Agenda.) (Refer to minutes for full discussion.)

69. MOTION TO SUPPORT Florida State Legislation providing solutions to fund affordable housing projects and programs, and to remove the cap placed on the William E. Sadowski Act Trust Fund and allocate all available funds to offer housing cost relief for existing and future residents. (Commissioner Jacobs)

ACTION: (T-10:09 AM) Deferred to Tuesday, February 7, 2006. (Transferred to the Consent Agenda.)

NON AGENDA

70. WIRELESS CONNECTION – COMMISSIONER WEXLER

ACTION: (T-6:15 PM) Commissioner Wexler announced that she used the County's new wireless fidelity (WIFI) internet connection system this day. She was pleased that everything worked smoothly. (Refer to minutes for full discussion.)

71. FLORIDA HEALTHCARE COALITION – COMMISSIONER WEXLER

ACTION: (T-6:15 PM) Commissioner Wexler advised that on Monday, January 23rd, she had the opportunity to attend the Florida Healthcare Coalition, of which Broward County is a member, along with all large governmental entities and businesses in the tri-county area. Commissioner Wexler commented that there are many ways the County can be proactive with healthcare. She briefly described a current program in the school districts in Central Florida, Get To Know Your Numbers. The Coalition is seeking to lower healthcare costs by being proactive in the hospital arena and medical community by rewarding best practices. (Refer to minutes for full discussion.)

72. ADD TO SELECTION COMMITTEES – COMMISSIONER SCOTT

ACTION: (T-6:18 PM) Commissioner Scott requested that he be added to the following Selection Committees: 1) RLI No. 20051014-0-AV-01, professional design services for In-Line Baggage Screening Facilities at Fort Lauderdale-Hollywood International Airport. 2) RLI No. 20051018-0-AV-01, professional design services for Airfield Modifications at Fort Lauderdale-Hollywood International Airport. There was no objection from the Board. (Refer to minutes for full discussion.)

73. MANDATORY REQUEST FOR INFORMATION FROM VENDORS – COMMISSIONER LIEBERMAN

ACTION: (T-6:18 PM) Commissioner Lieberman requested that in the future any information requested from a vendor that the Selection Committee must use to make a decision on must be mandatory. The language must be changed to “shall” not “may.” (Refer to minutes for full discussion.)

74. REQUEST FOR SHADE MEETING – LABOR NEGOTIATIONS – COMMISSIONER LIEBERMAN

ACTION: (T-6:19 PM) Commissioner Lieberman commented that the Board had asked staff to schedule a Shade meeting regarding labor negotiations. The meeting has not been scheduled yet and requested that staff do so. (Refer to minutes for full discussion.)

75. ROUTE OF SERVICE ON MASS TRANSIT – COMMISSIONER LIEBERMAN

ACTION: (T-6:18 PM) Commissioner Lieberman referred to a letter she received from a constituent regarding a concern with a particular route of service on mass transit. She received a response from staff that gave no indication that other routes had better ridership. Commissioner Lieberman commented that there should be clear guidelines with respect to routes of service. She would like to know why the subject route was not chosen if it was in a higher ridership area. The Mayor recommended that staff look into the issue first and then if it is a policy issue, to advise the Mayor and an item will be placed on the agenda to send it to the Community Service Budget Committee. (Refer to minutes for full discussion.)

76. PAYMENT TO TLMC – COMMISSIONER RODSTROM

ACTION: (T-6:22 PM) Commissioner Rodstrom asked staff to expedite the payment to TLMC. Interim County Administrator Bertha Henry advised Commissioner Rodstrom that she is working very closely with staff and the County Attorney’s office. There are some contractual language issues that must be resolved. (Refer to minutes for full discussion.)

77. BRAZILIAN GOVERNMENT – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-6:27 PM) Commissioner Wasserman-Rubin stated on Friday, January 20th, she was asked to attend a function with the Minister of Culture from Brazil. The reason for the Minister's visit was to inform Broward County representatives that Broward has been selected as a Point of Culture County in the United States and the world. Commissioner Wasserman-Rubin expressed concern that Broward's Office of Economic Development was not invited. She will address this issue at a meeting she will be attending. (Refer to minutes for full discussion.)

78. ACTIVITY REPORT - PROCUREMENT OF SOLE GRANT SOLE SOURCE SINGLE BID AND EMERGENCIES – COMMISSIONER JACOBS

ACTION: (T-6:30 PM) Commissioner Jacobs stated that an emergency contract was put out for approximately \$213,000. The explanation was that 80% of the Library delivery staff was on Worker's Compensation due to injuries and in order to continue timely availability of publications to the public without interruption, it was necessary to establish an emergency contract until a new contract is in effect. Current injured drivers will be reclassified and reassigned to areas not involving lifting. Commissioner Jacobs wanted to know how many staff members are injured, over what course of time did the injuries occur, and when will staff be back on the job. Ms. Henry advised that staff is researching the issue and will report back to the Board. Commissioner Wexler relayed that she is aware of this issue and it will be addressed at the Government Procurement Process Select Committee. (Refer to minutes for full discussion.)

79. SET DEFINITE TIME FOR PLAN - COUNTY ADMINISTRATOR SEARCH – COMMISSIONER SCOTT

ACTION: (T-6:33 PM) Commissioner Scott commented that the Board should have a specific time for a plan to be in place with respect to recruitment of the County Administrator. County Auditor Evan Lukic advised that he will contact the consultant and ask him to return before the Board on Tuesday, February 7th.

80. INLAND NAVIGATION WATERWAY AUTHORITY – VICE MAYOR EGGELLETON

ACTION: (T-6:38 PM) Vice Mayor Eggelletion informed the Board that he recently attended an Inland Navigation Waterway Authority meeting. After a tour of the Intracoastal Waterway, he discovered that a part of the Intracoastal Waterway, particularly near the 17th Street Bridge from Sunrise/Pier 66, is extremely shallow. The County should do anything it can to secure funds to dredge the Intracoastal Waterway so that it is navigable. Interim County Administrator Bertha Henry advised that part of the problem occurred during Hurricane Wilma. The hurricane created pockets of sand

buildup; over time, the sand dissipates. She will explore the issue further with staff and if necessary, will seek funds for dredging. (Refer to minutes for full discussion.)

81. REQUEST FOR BREAKDOWN - COUNTY EMPLOYEES CURRENTLY ON WORKER'S COMPENSATION – VICE MAYOR EGGELLETON

ACTION: (T-6:39 PM) Vice Mayor Eggelletion asked the Interim County Administrator to provide a breakdown of how many county employees are currently on Worker's Compensation and what divisions they are in. Also, how the County handles Worker's Compensation employees when they return to work. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

FULL BUDGET COMMITTEE

Tuesday, **January 24th**, Room 430 at 12:00 PM

CONVENTION CENTER HOTEL MASTER PLAN

Tuesday, **January 31st**, Room 430 at 10:00 AM

