

MEETING OF FEBRUARY 5, 2008

(Meeting convened at 10:21 a.m., and recessed at 1:48 p.m.; reconvened at 3:38 p.m.; and adjourned at 5:10 p.m.)

PLEDGE OF ALLEGIANCE was led by Dave Baber, Administrator, Broward County Historical Commission.

MOMENT OF SILENCE

In memory of our brave troops serving in Iraq, Afghanistan and throughout the world.

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 47. At the request of the Mayor, Regular Agenda Items 49, & 57, were transferred to the Consent Agenda. The following items were pulled by Board members and considered separately: 9, 14, 22, 23, 24, 31, 54 & 56.

The following items were withdrawn/deferred: 2, 46, 50 & 55.

The following item was pulled by a member of the public and considered separately: 28.



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

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Rosario Priolo to the Alcohol and Drug Abuse Advisory Board. (Vice Mayor Ritter)
ACTION: (T-10:28 AM) Approved.

- B. MOTION TO APPOINT Commissioner Cindi Hutchinson to the Human Rights Board. (Commissioner Keechl)
ACTION: (T-10: 28) Approved.

- C. MOTION TO APPOINT Gordon Connell to the Marine Advisory Board. (Commissioner Wasserman-Rubin)
ACTION: (T-10:28 AM) Approved.

- D. MOTION TO APPOINT Ms. Rose Bechard-Butman to serve on the Broward Cultural Council. (Commissioner Rodstrom)
ACTION: (T-10:28 AM) Approved.

- E. MOTION TO REAPPOINT Ms. Maureen Dinnen to serve on the Children's Services Board. (Commissioner Rodstrom)
ACTION: (T-10:28 AM) Approved.

- F. MOTION TO APPOINT Stephen P. Lawson to the Parks and Recreation Board. (Mayor Wexler)
ACTION: (T-10:28 AM) Approved.

AVIATION DEPARTMENT

2. A. MOTION TO APPROVE Amendment No. 3 to the Agreement of Lease between Broward County and Airport Recycling Specialists, Inc. (ARS), setting forth compensation to ARS from the County for hauling, disposing, and recycling services; at an estimated annual cost of \$300,000; commencing upon Board approval; and authorizing Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Withdrawn at the request of the County Auditor.

- B. MOTION TO ADOPT budget Resolution transferring within the Aviation Fund the amount of \$300,000 from the Operating Reserve for payment of trash disposal and hauling service fees for Fiscal Year 2008.

ACTION: (T-10:28 AM) Withdrawn at the request of the County Auditor.)

3. MOTION TO APPROVE Terminal Building Lease Agreement (TBLA) between Broward County, Florida and Skytanking USA, Inc. (Skytanking); for the lease and use of 122 square feet of operations space in Terminal 4 at the Fort Lauderdale-Hollywood International Airport (FLL); with anticipated annual revenues of \$7,490; effective upon approval, for a five year term, with a 30-day written notice of termination by either party, with or without cause; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved.

4. MOTION TO APPROVE Airport Access Permit (Permit) between Broward County, Florida and UPS Supply Chain Solutions, Inc. (UPS Supply) at the Fort Lauderdale-Hollywood International Airport (FLL); effective upon approval; for a five year term; with a 30-day written notice of termination with or without cause by either party; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved.

5. MOTION TO APPROVE Airport Access Permit (Permit) between Broward County, Florida and UPS Ground Freight, Inc. (UPS Ground) at the Fort Lauderdale-Hollywood International Airport (FLL); effective upon approval; for a five year term; with a 30-day written notice of termination with or without cause by either party; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved.

6. MOTION TO APPROVE First Amendment to News and Gift Concession Agreement between Broward County and Paradies-Broward, LLC, RLI

No. 20060620-0-AV-02 providing for an extension of the Transition Period for Terminal 4, Concourse H, on a month-to-month basis, not to exceed the earlier of 12 months or the opening of Terminal 4, Concourse H store; reducing the minimum annual guarantee from \$2,710,000 to \$2,623,280 (\$86,720 reduction) during the extended Transition Period; and authorize the Mayor and Clerk to execute the same.

ACTION: (T-10:28 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

7. **MOTION TO ADOPT** Resolution 2008-024 accepting a Warranty Deed, at a nominal cost of \$10 to the County, executed by PHD Development, LLC, a Florida limited liability company, conveying to Broward County a 10-foot wide strip of land for right-of-way along the west side of SW 4th Avenue, between SW 9th Street and SW 8th Street in the City of Fort Lauderdale. **(Commission District 7)**

ACTION: (T-10:28 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Finance and Administrative Services Department

8. **MOTION TO ESTABLISH** Qualified Vendors List for Fencing and Bollards Services, for various County facilities, Solicitation No. T-X-07-317-B2 with: Webb's Fencing & Repairs, Inc., JS-1 Construction Co., Tommie B. Butts, Jr. Enterprises, Inc., and Andes Fence, Inc. (all Broward County certified Small Business Enterprises); authorize the Director of Purchasing to renew the Qualified Vendors List for two, one-year periods, and authorize the Director of Purchasing to add or delete vendors. The initial period will start on the date of approval and terminate two years from that date.

ACTION: (T-10:28 AM) Approved.

For Office of Transportation

9. **MOTION TO AWARD** open-end, multiple-award contracts to all responsive, responsible bidders, for Bus Parts – New, Rebuilt, Original Equipment Manufacturer (OEM), and Aftermarket, for Transit Buses, Bid No. C207044B1, in the estimated annual amount of \$3,000,000; authorize the Director of Purchasing to renew the contracts for two one-year periods for a total potential estimated amount of \$9,000,000; and authorize the Director of Purchasing to add vendors upon receipt and acceptance of required documentation for the Office of

Transportation. The initial contracts shall begin on the date of the award and shall terminate one year from that date.

Bidders:	Contract Items:
Applied Graphics, LTD	7
Cummins Power	13
Florida Detroit Diesel-Allison, Inc.	1, 2, 4, 6, 10, 11, 12, 14
Janek Corporation	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
MCI Service Parts, Inc.	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
Midwest Bus Corp.	1, 2, 3, 5, 8, 10, 14
Mohawk Mfg. & Supply Co.	1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16
Muncie Reclamation and Supply, Co.	1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16
School Bus Parts Co.	1, 2, 5, 6
Southern Coach Parts Co.	1, 2, 10

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-10:29 AM) Approved, as amended. Defer only Contract Item 7, Applied Graphics LTD, until Tuesday, February 12, 2008. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Eggelletion was out of the room during the vote.

For Public Works and Transportation Department

10. **MOTION TO APPROVE** release of retainage and final payment in the amount of \$36,024.02, to Lanzo Construction Co., FL, for the Water and Wastewater Services Division for the North Central County Neighborhood Improvement Project, West Ken Lark, Bid Package 2, Bid Number Q404085CF (WWS 1153/8823). **(Commission District 9)**

ACTION: (T-10:28 AM) Approved.

11. A. MOTION TO ADOPT budget Resolution 2008-025 transferring funds within the General Capital Outlay Fund (3010), in the amount of \$47,621 for the North Pompano Health Department Parking Lot Expansion.

ACTION: (T-10:28 AM) Approved.

- B. MOTION TO AWARD fixed contract to low bidder, Florida Blacktop, Inc., for the North Pompano Health Department Parking Lot Expansion, Bid No. H507166CAF, in the amount of \$323,674.50, for the Construction Management Division, subject to the receipt and acceptance of insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same. **(Commission Districts 2 and 9)**

ACTION: (T-10:28 AM) Approved.

12. MOTION TO AWARD fixed contract to low bidder, Padula and Wadsworth Construction, Inc., for construction of the North Regional Courthouse, Interior Renovations, Courtroom 4, Bid No. Q507172CAF, in the base bid amount of \$421,700 for the Construction Management Division, subject to the receipt and acceptance of performance and payment guarantee, and authorize the Mayor and Clerk to execute the same. **(Commission District 2)**

ACTION: (T-10:28 AM) Approved.


RISK MANAGEMENT DIVISION

13. MOTION TO APPROVE full and final settlement of Claim 041301 in the total amount of \$150,000.

ACTION: (T-10:28 AM) Approved.

HUMAN SERVICES DEPARTMENT

HOMELESS INITIATIVE PARTNERSHIP DIVISION

-  14. MOTION TO RETROACTIVELY APPROVE agreement between Broward County and Volunteers of America of Florida, Inc. (VOA) in the amount of \$375,418; from December 1, 2007 through November 30, 2008 for the purpose of providing permanent supportive housing to homeless individuals who are recovering substance abusers; authorizing the County Administrator to execute said agreement and any amendments to said agreement relating to time extensions, administrative and budgetary actions, project changes that do not increase the total award amount; authorizing the County Administrator to terminate said agreement for cause or convenience; and providing for an effective date. This agreement is funded with previously approved HUD funds in the amount of \$345,095 and County cash match in the amount of \$30,323.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:33 AM) *Approved. The Board directed staff to pull documentation on a regular basis to ensure double billing does not occur. (Refer to minutes for full discussion.)*

VOTE: 8-0.



15. MOTION TO ADOPT Resolution 2008-026 of the Board of County Commissioners of Broward County, Florida, authorizing allocations and disbursements for grantees for Fiscal Year 2008; prescribing requirements and conditions for disbursement of allocated funds; approving funding for not-for-profit organizations for capital funding projects for vehicle purchases in the amount of \$73,445; authorizing the County Administrator to execute for Fiscal Year 2008 the previously approved standard form contracts previously approved by Resolution 2007-688; providing for review by the county attorney's office; providing for severability; and providing for an effective date.

ACTION: (T-10:28 AM) *Approved.*



COMMUNITY SERVICES DEPARTMENT

CULTURAL DIVISION

16. A. MOTION TO APPROVE South Florida Cultural Consortium (SFCC) Fiscal Year 2008 Budget in accordance with Section 7 of the SFCC's Interlocal Agreement (ILA); in the amount of \$348,848 (Broward County's cash contribution is \$78,000).

ACTION: (T-10:28 AM) Approved.

- B. MOTION TO FILE SFCC annual financial report for Fiscal Year Ending September 30, 2007, in accordance with Section 8 of the SFCC's ILA.

ACTION: (T-10:28 AM) Approved.

- C. MOTION TO FILE SFCC Report of Activities in accordance with Section 19 of the SFCC's ILA.

ACTION: (T-10:22 AM) Approved.

17. MOTION TO FILE semi-annual grant report for the second half of Fiscal Year 2007 in accordance with Section 29.17h (Reports) of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

ACTION: (T-10:22 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

18. MOTION TO APPROVE Settlement Agreement in the estimated amount of \$114,847 between Broward County and Gables Construction Inc. and LG Wilton Park, LLC to resolve tree removal violations of Chapter 27 of the Broward County Code of Ordinances in the City of Wilton Manors; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:28 AM) Approved.

PORT EVERGLADES DEPARTMENT

19. A. MOTION TO APPROVE reclassification of outstanding accounts receivable less than four years old to inactive (uncollectible) status.

ACTION: (T-10:28 AM) Approved.

- B. MOTION TO APPROVE removal from the accounting system, inactive (uncollectible) accounts receivable greater than four years old.

ACTION: (T-10:28 AM) Approved.

20. MOTION TO APPROVE ten-year License Agreement between Broward County and South Florida Materials Corp. for Bulk Petroleum Product Pipelines at Port Everglades, effective upon approval; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

21. A. MOTION TO ADOPT budget Resolution 2008-027 transferring funds within the General Capital Outlay Fund in the amount of \$656,471 for the purchase of software and software installation in accordance with BSO's Regional Public Safety Communications Capital Plan.

ACTION: (T-10:28 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-028 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$656,471 for the purchase of software and software installation in accordance with BSO's Regional Public Safety Communications Capital Plan.

ACTION: (T-10:28 AM) Approved.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

22. MOTION TO APPROVE Broward County Board of County Commissioner's 2008 Federal Legislative Package for the Second Session of the 110th Congress.

(This item was pulled by Commissioner Keechl.)

ACTION: (T-10:33 AM) Approved. The Board directed staff to make an addition to the Federal Legislative Package showing support for early treatment for the HIV ACT, and increased funding for housing opportunities for persons with AIDS. (Refer to minutes for full discussion.)

VOTE: 8-0.

COUNTY AUDITOR

23. MOTION TO FILE County Auditor's Report – *Impact of the Living Wage on Paratransit Services.*

(This item was pulled by Commissioners Jacobs, Lieberman and Rodstrom.)

ACTION: (T-11:11 AM) *Approved. The Board directed that staff terminate the contracts for convenience (subject to review by the County Attorney) and issue a new RLI including a requirement for providers to submit bids subsequent to being qualified by the Board. The Board requested that the County Auditor examine compression rates in Paratransit contracts. The Board then directed staff make recommendations simultaneously as to how to save money. Additionally, the Board directed staff to compare various Paratransit models to help assist with efficiency and reduction of costs. (Refer to minutes for full discussion.)*

VOTE: 8-0.

24. A. MOTION TO FILE County Auditor's Report – *Review of Broward County Aviation Department's Procurement Practices.*

(This item was pulled by Commissioners Eggelletion, Keechl, Lieberman and Rodstrom.)

ACTION: (T-12:38 PM) *Approved. The Board requested that the County Auditor, on a going-forward basis, obtain the appropriate financial documentation as to the cost of subcontractors and a list that provides reflection of the variety of the subcontractors. The Board then requested that the County Administrator resubmit her response to the County Auditor's recommendations, as well as all future responses to the County Auditor's recommendations, outlining a timeline for implementation of the various changes needed to address the issues. (Refer to minutes for full discussion.)*

VOTE: 8-0.

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

ACTION: (T-12:38 PM) *Approved. (Refer to minutes for full discussion.)*

VOTE: 8-0.

25. A. MOTION TO APPROVE Engagement Letter between Broward County and Rachlin Cohen & Holtz LLP for the comprehensive audit of County Agencies for the year ended September 30, 2007.

ACTION: (T-10: 28 AM) Approved.

- B. MOTION TO APPROVE Engagement Letter between Broward County and S. Davis & Associates PA for the audit of the Health Facilities Authority of Broward County, Florida for the year ended September 30, 2007.

ACTION: (T-10:28 AM) Approved.

COUNTY ADMINISTRATION

26. MOTION TO APPROVE extension of the appointment of Mr. Tony Hui as Interim Director of Public Works and Transportation, effective February 7, 2008, for a period of up to six months.

ACTION: (T-10:28 AM) Approved.

27. MOTION TO AMEND 2008 Broward County Board of Commissioners' meeting schedule to reflect changes to the February schedule.

ACTION: (T-10:28 AM) Approved.

COUNTY COMMISSION

28. MOTION TO DIRECT staff to amend the 2008 State Legislative Program item relating to the South Florida Transportation Authority (SFRTA). (Commissioner Eggelletion)

(This item was pulled by a member of the public.)

ACTION: (T-4:40 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

29. MOTION TO FILE Resolution No. 08R-01-06 of the City of Lauderhill, 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 herein; supporting a Constitutional Amendment prohibiting unfunded state mandates in order to reduce property taxes; and urging the Florida Taxation and Budget Reform Commission to develop measures consistent with this Resolution. (Mayor Wexler)

ACTION: (T-10:28 AM) Approved.

30. MOTION TO FILE Resolution No. 08-09 of the City Commission of the City of Lauderdale Lakes, Florida, opposing the proposed Constitutional Amendment relating to Property Taxes to be considered by Florida Electors at the January 29, 2008 Election; urging all municipalities located in Broward County and throughout the State of Florida to oppose the proposed Constitutional Amendment; directing that this Resolution be forwarded to the Governor, the Members of the Broward County Legislative Delegation, the members of the Florida Legislature, the Broward League of Cities, all municipalities located in Broward County, and the Broward County Board of County Commissioners; providing for conflicts; providing for directions to the City Clerk; providing for adoption of representation; and providing for an effective date. (Mayor Wexler)

ACTION: (T-10:28 AM) Approved.

31. MOTION TO FILE Resolution No. 07-12-5288 adopted by the City Commission of the City of North Lauderdale, Florida, opposing a proposed local bill calling for the creation of a taxing district called the Broward Urban Independent Fire District; providing instructions for distribution; providing for conflicts; providing for severability; and providing for an effective date. (Mayor Wexler)

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-4:41 PM) Approved. The Board directed staff to perform an evaluation of the proposed bill calling for the creation of a taxing district, and bring back to the Board an agenda item for discussion. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

32. MOTION TO FILE Resolution No. 2008-029 adopted by the Town Council of the Town of Southwest Ranches, Florida; opposing Florida Hometown Democracy's proposed amendment to the Florida Constitution that would force voters to decide all changes to a municipal or county comprehensive plan; urging municipalities throughout Broward County and the State of Florida , as well as Florida electors, to oppose Florida Hometown Democracy's proposed amendment to the Florida Constitution; providing an effective date. (Mayor Wexler)

ACTION: (T-10:28 AM) Approved.

33. MOTION TO FILE Resolution No. 2008-025 adopted by the Town Council of the Town of Southwest Ranches, Florida, encouraging members of the Florida Legislature to adopt legislation which would regulate the parasailing industry; providing for instructions to the Town Clerk; providing an effective date. (Mayor Wexler)

ACTION: (T-10:28 AM) Approved.

34. MOTION TO FILE Resolution of the City Commission of the City of Lauderhill establishing the dates for the inaugural Florida-Caribbean Games: providing that the initial Florida-Caribbean Games will occur from May 16, 2010 through May 22, 2010; providing that the Florida-Caribbean Games will be an annual event that will occur during the third week of May each calendar year; requesting Broward County to place the dates for the inaugural games on the official planning calendar for the Central Broward Regional Park; and providing for an effective date. (Mayor Wexler)

ACTION: (T-10:28 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

35. MOTION TO ADOPT Resolution 2008-029 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 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, ARTICLE I, "CERTIFICATES OF COMPETENCY," SECTION 9-5, "ISSUANCE OF CERTIFICATES AND RENEWAL"; SECTION 9-14, "COMPLAINTS AND DISCIPLINARY ACTIONS"; SECTION 9-15, "INACTIVE CERTIFICATES"; SECTION 9-28, "PENALTIES AND DISCIPLINARY ACTIONS"; SECTION 9-29, "CITATION PROCEDURES; PERSONS AND ENTITIES LICENSED BY THE CENTRAL EXAMINING BOARDS"; ARTICLE III, "ELECTRICAL AND SPECIALTY ELECTRICAL CONTRACTORS", SECTION 9-63, "QUALIFICATIONS FOR JOURNEYMAN ELECTRICIAN"; SECTION 9-64, "QUALIFICATIONS FOR SPECIALTY ELECTRICIANS"; SECTION 9-65, "SPECIALTY ELECTRICAL CATEGORIES"; SECTION 9-66, "ELECTRICAL TRAINEES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:28 AM) Approved. (Scrivener's error – See County Administrator's Report: Exhibit 4, 2nd paragraph – Delete "Maite is questioning what this means as this issue has been clarified."

36. MOTION TO ADOPT Resolution 2008-030 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 consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows: **(Commission District 8)**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 27, BY AMENDING APPENDIX 27.A, "STATUS AS OF APRIL 11, 2006 OF ROAD SEGMENTS OPERATING AT LEVEL OF SERVICE STANDARD 'D'"; BY AMENDING APPENDIX 27.E, "TRIPS COST SUMMARY"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:28 AM) Approved.

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

37. MOTION TO APPROVE Amendment to Declaration of Restrictive Covenants recorded in Official Records Book 36944, Page 1260 for Land Use Plan Amendment PC 03-10 in the City of Sunrise. **(Commission District 5)**

ACTION: (T-10:28 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

38. **DISCUSSION:** of plat entitled "Oak Landings" (115-MP-05) - **Commission District 7.**

ACTION: (T-10:28 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

39. **DISCUSSION:** of plat entitled "Saddle Bridge" (116-MP-05) - **Commission District 7.**

ACTION: (T-10:28 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

40. **DISCUSSION:** of plat entitled "Pines East" (044-MP-07) - **Commission District 8.**

ACTION: (T-10:28 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

41. **DELEGATION:** Cynthia Pasch regarding request to amend the note on the Wal-Mart at Coconut Creek Plat (073-MP-04) - **Commission District 2.**

ACTION: (T-10:28 AM) Approved subject to staff's recommendations.

42. **DELEGATION:** Troy Townsend regarding request to amend the note on the Davie 64th Plat (220-MP-85) - **Commission District 5.**

ACTION: (T-10:28 AM) Approved subject to staff's recommendations.

43. **DELEGATION:** Edward P. Ploski regarding request to amend the note on the Beta Plat (056-MP-00) - **Commission District 7.**

ACTION: (T-10:28 AM) Approved subject to staff's recommendations.

44. **DELEGATION:** Jill Cohen regarding request to amend the note on the Summit Questa Plat (049-MP-02) - **Commission District 7.**

ACTION: (T-10:28 AM) Approved subject to staff's recommendations.

45. **DELEGATION:** Jose Saye regarding request to amend the note on the Lorson Plat (044-MP-06) - **Commission District 7.**

ACTION: (T-10:28 AM) Approved subject to staff's recommendations.

- 46. DELEGATION: Linda Strut regarding request to revise the note on the Trotters Chase Plat (005-MP-06) - **Commission District 7.**

ACTION: (T:10:28 AM) Deferred for up to 35 days pursuant to Section 5-181 (j) (1) of the Broward County Land Development Code..

- 47. DELEGATION: Daniel Fee regarding request to amend the note on the Najada Senior Housing Plat (056-MP-03) - **Commission District 9.**

ACTION: (T-10:28 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

DELEGATION

- 48. **DELEGATION:** Dr. Hankerson requests to speak to the Board regarding the African American Research Library and Cultural Center (AARLCC).

ACTION: (T-11:52 AM) The Board heard comments from Dr. Gwen Hankerson. (Refer to minutes for full discussion.)

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

CONSTRUCTION MANAGEMENT DIVISION



- 49. **MOTION TO APPROVE** Agreement for Preconstruction Services between Broward County and James B. Pirtle Construction Company, Inc., for Managing General Contractor Preconstruction Services for the construction of the Children’s Reading Center and Museum, located on State Road 84, adjacent to SW 121 Avenue in Davie, Florida; at a maximum initial cost of \$200,000; with 50% of that cost to be reimbursed by Young at Art Broward, and a contract time of 365 calendar days; and authorize the Contract Administrator to renew for two, one-year terms, effective upon execution, and authorize the Mayor and Clerk to execute same. (RLI 20070507-5-CM-01) (Project No. 7571) **(Commission District 5)**

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.)

REAL PROPERTY SECTION

- 50. A. **MOTION TO APPROVE** Business Lease between Broward County, Tenant, and Museum Plaza Holdings, LLC, a Florida Limited Partnership, Landlord, for the County’s lease of 16,046 square feet of office space on the 4th floor of the Museum Plaza Building, located at 200 South Andrews Avenue, Fort Lauderdale; for a commitment of two years within the lease term of three years, with the County having the unilateral right to terminate at any time after the second lease year; also providing for three successive one-year renewal options; providing temporary space for the Broward County Property Appraiser staff while their Governmental Center offices are renovated; term of lease commencing within one of the three windows of opportunity that the Property Appraiser is able to move, and upon completion of tenant improvements and receipt of a Certificate of Occupancy; base rental rate of \$16.50, per square foot for the first year, increasing 3% annually, total base rent for the three years is \$818,344.00, averaging \$17.00, per square foot per year over the 3-year term; plus the operating costs of \$752,380.00 (\$243,418.00 or \$15.17, per square foot in year one, projected to increase at 3% per year); resulting in total lease and operating

cost of \$1,570,724.00 for three years; and authorize the Mayor and Clerk to execute same. **(Commission District 7)** (Deferred from January 15, 2008 – Item No. 43)

ACTION: (T-10:28 AM) Withdrawn for further staff review up to 60 days.

- B. MOTION TO APPROVE budgetary amount of \$840,214 to cover the tenant improvement, furniture, and relocation costs to be funded by the County and performed by Museum Plaza Holdings, LLC, as indicated in the Capital Project Budget Allocation form (Exhibit 9). Museum Plaza Holdings, LLC, has agreed to fund \$60,000 to apply to tenant improvements or rent. **(Commission District 7)**

ACTION: (T-10:28 AM) Withdrawn for further staff review up to 60 days.

- C. MOTION TO ADOPT budget Resolution within the General Fund transferring \$907,259 from the Commission Reserve for rent payment through Fiscal Year 2008, plus the one-time costs for tenant improvements, systems furniture and relocation associated with the move of the Broward County Property Appraiser to the leased facilities, and less \$60,000 rent credit. **(Commission District 7)**

ACTION: (T-10:28 AM) Withdrawn for further staff review up to 60 days.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT



51. MOTION TO APPROVE Inducement Resolution 2008-031 of the Board of County Commissioners of Broward County, Florida related to the Florida Department of Transportation's I-595 Project.

ACTION: (T-4:54 PM) Approved, as amended. Michael Geoghegan Director of Finance and Administrative Services will bring an answer back to the board as to whether or not monies raised from toll revenue will stay in Broward County for road improvements and transit. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.



52. MOTION TO ADOPT Letter of Agreement between Broward County and Sunrise Sports and Entertainment (SS&E) related to an entertainment-based mixed use development adjacent to the BankAtlantic Center.

ACTION: (T-4:56 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

PURCHASING DIVISION

For Aviation Department

53. **MOTION TO APPOINT** Selection Committee (SC) to recommend the most qualified firm to provide a Managing General Contractor to provide Construction Manager at Risk services for Concourse A and Connector Bridge Project at the Fort Lauderdale/Hollywood International Airport (FLL), and approve Request for Letters of Interest (RLI), No. 20071113-0-AV-01.

ACTION: (T-4:56 PM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Commissioners Eggelletion, Keechl, and Lieberman, as well as Mayor Wexler; Director, Operations Division, Aviation Department (Chair); Director, Maintenance Division, Aviation Department; County Architect; plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management Division, Purchasing Division and the requesting agency.

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

For Finance and Administrative Services Department

54. A. **MOTION TO APPROVE** discontinuation of litigation requirements and financial requirements in Requests for Letters of Interest (RLI) and Requests for Proposals (RFP) as matters of responsiveness and make them matters of responsibility.

(This item was pulled by Commissioners Gunzburger and Lieberman.)

ACTION: (T-1:10 PM) Approved, as amended. Change the litigation disclosure requirement in Request for Letters of Interest from responsiveness to responsibility; to change the number of years of litigation disclosure from 5 years to 3 years to keep the broader definition of "business related litigation" which requires firms to disclose all of their business related litigation, not just those litigations related to firms' performance or failure to perform their contractual obligations; and to continue the requirement that firms affirmatively disclose their litigation to the County for the required number of years with the County Attorney's research of firms' litigation continuing to be supplemental to the litigation disclosures. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

ACTION: (T-1:18 PM) Approved, as amended. Change the financial disclosure requirement in Requests for Letters of Interest from responsiveness to responsibility; to change the required number of years of financial disclosure from 3 years to 2 years, or if a firm has been in business less than two years, that the firm indicate that it has not been in business for that period of time; and to require firms to make their financial information available to County staff in a confidential manner if the firms' claims that the financial information is proprietary. (Refer to minutes for full discussion.)

VOTE: 5-2. Commissioners Gunzburger and Lieberman voted no. Commissioner Rodstrom was out of the room during the vote.

- B. MOTION TO WAIVE requirement that bidders and proposers disclose financial information and litigation information as responsiveness criteria in current, ongoing County competitive procurement activities, and to apply this waiver retroactively to such solicitations.

ACTION: (T-1:45 PM) Approved, as amended. Authorizing staff to issue an addendum to all Requests for Letters of Interest that are still on the street and those to which the County has not yet received a response advising of the change for the disclosure of financial and litigation information from responsiveness to responsibility. (Refer to minutes for full discussion.)

VOTE: 7-0.

- C. MOTION TO NOTE FOR THE RECORD that Motions A and B shall not prohibit the County from requesting financial information and litigation history from bidders or proposers for consideration in the selection or evaluation process.

ACTION: (No Board action taken.)

OFFICE OF TRANSPORTATION

55. A. MOTION TO APPROVE agreement between Broward County and Handi-Van, Inc. for Paratransit Transportation Services, (RLI No. 20060329-0-MT-1); at an estimated annual cost of \$4,150,000; effective upon execution through June 30, 2012; including a per trip rate adjustment retroactive to July 1, 2007, at an estimated cost of \$140,000; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Withdrawn for further staff review.

- B. MOTION TO APPROVE agreement between Broward County and Village Car Service, Inc. for Paratransit Transportation Services, (RLI No. 20060329-0-MT-1); at an estimated annual cost of \$5,700,000;

effective upon execution through June 30, 2012; including a per trip rate adjustment retroactive to July 1, 2007, at an estimated cost of \$350,000; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Withdrawn for further staff review.

- C. MOTION TO APPROVE first amendment to agreements between Broward County and AAA Wheelchair Wagon Service, Inc.; Allied Medical Transportation, Inc.; Areawide Council on Aging of Broward County, Inc.; Lucanus Developmental Center; M & T Transportation, Inc.; Medex Transport, Inc.; and Support Management, Inc. removing contractual language and exhibits pertaining to federal Disadvantaged Business Enterprise programs and goals, and removing contractual language and exhibits pertaining to the federal Supplement to Purchase Order; and authorize the Purchasing Director to execute same.

ACTION: (T-10:28 AM) Withdrawn for further staff review.

COUNTY ATTORNEY

56. MOTION TO ADOPT Resolution 2008-032 relating to a special referendum election for determining whether the area known as the "Prospect Field Road/N.W. 31st Avenue Annexation Boundary" Area shall be annexed into the City of Tamarac or remain unincorporated; setting the 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.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-5:01 PM) Approved, as amended. If "Prospect Field Road/N.W. 31st Avenue Annexation Boundary" does not become incorporated, the Board will ask legislature for more consistency as to elections. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioners Rodstrom and Wasserman-Rubin were out of the room during the vote.

COUNTY COMMISSION

57. MOTION TO APPROVE nomination of Dr. E. Carol Webster to the Broward Regional Health Planning Council. (Mayor Wexler)

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.)

58. MOTION TO DIRECT Parks and Recreation Division to continue to operate McTyre Park, a neighborhood park located at 3501 SW 56 Avenue, Pembroke Park, Florida, for a period of 20 calendar days, beginning April 1, 2008 through April 20, 2008, for the sole purpose of providing venue services for the American Cancer Society Relay for Life event scheduled for Friday, April 18, 2008 through Saturday, April 19, 2008, hosted by the Town of Pembroke Park and the City of West Park. (Commissioner Wasserman-Rubin)

ACTION: (T-1:47 PM) Approved.

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

59. DISCUSSION: Broward League of Cities' proposal to the Charter Review Commission Land Use Subcommittee regarding proposed charter amendments for municipal appointments to the Broward county Planning Council. (Mayor Wexler)


ACTION: (T-4:31 PM) Approved. The Board had discussion and did not support making a charter amendment for municipal appointments to the Broward County Planning Council. (Refer to minutes for full discussion.)

VOTE: 6-1. Commissioner Lieberman voted no. Commissioner Rodstrom was out of the room during the vote.

60. MOTION TO DIRECT Staff to negotiate an interlocal agreement between Broward County and the City of Dania Beach in an amount up to \$3,016,000 for the construction of a new 10,000 square foot library as part of the City's municipal complex to replace an existing leased library. (**Commission District 4 and 7**) (Commissioner Keechl and Commissioner Rodstrom)

ACTION: (T-11:52 AM) Approved. (Scrivener's error – See County Administrator's Report: Back up reads, 225 East Dania Boulevard and should read 225 East Dania Beach Boulevard.) (Refer to minutes for full discussion.)

VOTE: 8-0.

-  61. A. MOTION TO APPROVE creation of a blue ribbon panel of community stakeholders to produce a coordinated plan including recommendations and strategies to address the high rate of foreclosures within Broward County. (Mayor Wexler)

ACTION: (T-11:41 AM) Approved, as amended. The Board added the Housing Finance Authority as a part of the blue ribbon panel of community stakeholders. Without the naming of cities, language should read, "representing cities with the greatest impact, as well as the most housing units, the highest numbers of foreclosures, and providing for geographic distribution." (Refer to minutes for full discussion.)

VOTE: 8-0.

- B. MOTION TO ADOPT budget Resolution 2008-033 transferring \$10,000 within the Affordable Housing Trust Fund from the Affordable Housing Trust Fund Reserve to provide funding for administrative costs associated with the creation of the Foreclosure Prevention Blue Ribbon Panel (Panel).

ACTION: (T-11:41 AM) Approved. The Board directed Ralph Stone, Director, Broward County Housing and Development, to examine opportunities to house people, and identify costs. Mr. Stone will bring information back to the Board within six weeks as to possible partnerships with financial institutions.

VOTE: 8-0.

62. **COUNTY ADMINISTRATOR'S REPORT**

A. RECORDING OF QUIT CLAIM DEEDS

ACTION: (T-5:02 PM) Interim County Administrator Bertha Henry commented on a new procedure that is being implemented in County Records as to the recording of Quit Claim Deeds, whereby property owners are notified when a deed has been recorded. (Refer to minutes for full discussion.)

B. CHARTER REVIEW COMMISSION PUBLIC HEARINGS

ACTION: (T-5:03 PM) Interim County Administrator Bertha Henry announced that the Charter Review Commission will be holding public hearings on Wednesday, March 12, 2008, at 5:00 p.m. and on Wednesday, April 9, 2008, at 1:00 p.m. in Room 422 of the Governmental Center.

C. BLACK HISTORY MONTH

ACTION: (T-5:03 PM) Interim County Administrator Bertha Henry acknowledged Black History Month. Black History Month has been observed since 1926, and special events are to be held at the African American Research Library through the month.

63. **MAYOR'S REPORT**

A. SECRETS TO SUCCESSFUL STRATEGIC PLANNING

ACTION: (T-5:04 PM) Mayor Wexler referenced an attachment entitled, Secrets to Successful Strategic Planning, and encouraged the Board to move forward in a productive, progressive manner.

B. TALLAHASSEE LIAISONS

ACTION: (T-5:05 PM) Mayor Wexler announced that Commissioners Lieberman and Jacobs will be the Tallahassee liaisons this year.

ACTION: (T-5:06 PM) Mayor Wexler asked for the Board's support in seeking grant dollars for drowning prevention.

NON-AGENDA

64. BROWARD COUNTY SOUTH REGIONAL LIBRARY-COMMISSIONER JACOBS

ACTION: (T-5:07 PM) Commissioner Jacobs stated that Broward County South Regional Library has been lead certified, and congratulated staff.

65. EMPLOYEE RECOMMENDATIONS – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-5:08 PM) Commissioner Wasserman-Rubin encouraged and suggested employee recommendations as it relates to the budget.

MEETING/WORKSHOP NOTICES

PRE-BUDGET WORKSHOP

Tuesday, February 5th, in Room 430 at 12:00 PM

SELECTION COMMITTEE

EXECUTIVE SEARCH FIRM SERVICES FOR COUNTY ADMINISTRATOR

RLI No. 20071102-0-HRB-01

Tuesday, February 5th, in Room 430 at 2:00 PM
or immediately following the Budget Workshop

