

## **MEETING OF FEBRUARY 7, 2006**

(The meeting convened at 10:00 a.m. and adjourned at 12:52 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Sue Gunzburger, District 6.

### **MOMENT OF SILENCE**

In memory of Coretta Scott King, widow of slain civil rights leader the Reverend Dr. Martin Luther King, Jr.

In memory of Dr. Robert 'Jack' Kassman, founder of the MediVan Project, a mobile medical van that provides services to low-income elderly residents.

In memory of Joe Gerwens, former Fort Lauderdale Police Chief and BSO director of various services.

In memory of Gary Hendry from the County's Office of Information Technology, husband of Sharon Blodgett, who works in Employee Benefits.

In memory of Dr. Gil Berkin, a well-known psychiatrist from Hollywood, Florida.

In memory of Betty Friedan, author of "The Feminine Mystique" which laid the ground work for the modern feminist movement.

In memory of Former Pembroke Pines Commissioner Margaret Bosarge.

In memory of Timothy Kellerman, county employee from the Facilities and Maintenance Division.

### **CALL TO ORDER**

## **CONSENT AGENDA**

### **BOARD APPOINTMENTS**

1. MOTION TO REAPPOINT Mr. E. Birch Willey to the Homeless Initiative Partnership Advisory Board. (Commissioner Lieberman)

***ACTION: (T-10:18 AM) Approved.***

- A. MOTION TO APPOINT Ms. Carolyn W. Jones to serve on the Commission on the Status of Women. (Commissioner Rodstrom)

***ACTION: (T-10:18 AM) Approved.***



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

- B. MOTION TO APPOINT Ms. Alexis M. Yarbrough to serve on the Library Advisory Board. (Commissioner Rodstrom)

***ACTION: (T-10:18 AM) Approved.***

### **AVIATION DEPARTMENT**

2. MOTION TO APPROVE Shuttle Utilization Agreement between Broward County and the Hertz Corporation for the transportation of rental car passengers between the passenger terminals at Port Everglades and the Rental Car Center at the Fort Lauderdale-Hollywood International Airport, to be effective upon Board approval for a period not to exceed 24 months, with anticipated monthly reimbursement costs of approximately \$6,000; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:18 AM) Approved.***

3. 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 twelve month period, terminating on February 28, 2007, and adjusting the annual rent from \$202,591.68, to \$209,479.80; and authorize the Mayor and Clerk to execute same. (Deferred from January 24, 2006 – Item No. 2)

***ACTION: (T-10:18 AM) Approved.***

4. 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 twelve month period, terminating on January 26, 2007, and adjusting the annual rent from \$28,949.52, to \$29,962.08; and authorize the Mayor and Clerk to execute same. (Deferred from January 24, 2006 – Item No. 3)

***ACTION: (T-10:18 AM) Approved.***

## PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

### HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

5. MOTION TO APPROVE Emergency Joint Participation Agreement between Broward County and Florida Department of Transportation for reimbursement of Federal Highway Administration eligible costs for repair of classified roads damaged by Hurricane Katrina; for a total agreement amount of \$826,543. The County will receive a total not to exceed amount of \$568,000 for County jurisdiction roadways, and will act as reimbursement agency to municipalities for a not to exceed amount of \$258,543; effective upon execution by Florida Department of Transportation, and shall continue in effect and be binding to both parties until June 30, 2007; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:18 AM) Approved.***

6. MOTION TO APPROVE Required Improvements Agreement among HA-LEN Martinique, LLC; Flamingo Cove, LLC; Red Road Holdings, LLC; Westbrooke Homes and Broward County relating to the Miramar Residential Plat (053-MP-04), at no cost to the County and effective upon execution by the Board; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

***ACTION: (T-10:18 AM) Approved.***

### REAL PROPERTY SECTION

7. MOTION TO APPROVE conveyance of an underground utility easement to Florida Power & Light (FP&L), at no cost to the County, for the installation, construction, operation, and maintenance of underground electric utility facilities (including wires, conduits, and appurtenant equipment) to provide electric service to the newly constructed West Regional Library, located at 8601 West Broward Boulevard, Plantation, Florida, Library Bond Project 6048A99. The Construction Management Division has requested Real Property Section to prepare the easement for Board approval; authorize the Mayor and Clerk to execute easement, and authorize recordation of same. **(Commission District 1)**

***ACTION: (T-10:18 AM) Approved.***

### SEAPORT CONSTRUCTION AND PLANNING DIVISION

8. 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 Clerk to approve same. (Project No. 683201)

***ACTION: (T-10:18 AM) Approved.***

## WATER AND WASTEWATER SERVICES

### FISCAL OPERATIONS DIVISION

9. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Oakland Park, Florida, providing for Broward County to bill and collect stormwater fees for the City in the newly annexed area of North Andrews Gardens, effective upon execution in an estimated amount of \$21,000 annually; and authorize the Mayor and Clerk to execute same. **(Commission Districts 2, 4)**

***ACTION: (T-10:18 AM) Approved.***

### FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

#### COUNTY RECORDS DIVISION

10. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meeting of December 13, 2005; and the minutes of the 2:00 P.M. Public Hearing of December 13, 2005.

***ACTION: (T-10:18 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-10:18 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-10:18 AM) Approved.***


## **PURCHASING DIVISION**

For Aviation Department

11. MOTION TO AWARD fixed contract to low responsive and responsible bidder, N. Sinha Corporation, for Terminal 3, Concourse E and Terminal 4, Concourse H, Security Checkpoint Renovations at Fort Lauderdale/Hollywood International Airport, Bid No. N-7-05-239-CF, in the amount of \$557,662 for the Aviation Department, subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same.


***ACTION: (T-10:18 AM) Approved.***

For Community Services Department

-  12. MOTION TO AWARD fixed contract to single bidder, New Flyer of America, Inc., for six Articulated Buses (bus with flexible mid-section), Bid No.C904185FF, in the total amount of \$3,312,924 for the Mass Transit Division.

***ACTION: (T-10:18 AM) Approved.***

For Emergency Management Agency

-  13. MOTION TO NOTE FOR THE RECORD emergency fixed contract to sole source vendor, North American Catastrophe Services, Inc. (NACS), for a mobile emergency operations center, 40' custom van, at prices based upon competitive State of Florida RFP No. DMA-65; but with terms and conditions agreeable to the Broward County Purchasing Director, Quotation No. C06EM0001S in the total amount of \$389,750; for the Emergency Management Agency.

***ACTION: (T-10:18 AM) Approved.***

For Finance and Administrative Services Department

14. A. MOTION TO NOTE FOR THE RECORD emergency 90-day interim agreement with sole source vendor, the Standard Insurance Company for Group Life Insurance and Group Long Term Disability Insurance, Interim Agreement No. 112994-RB-1, in the estimated three-month amount of \$714,000; for the Human Resources Division. The interim agreement started on January 1, 2006 and will terminate three months from that date.


***ACTION: (T-10:21 AM) Approved, as amended. The Board directed staff to convene a meeting of the Insurance Committee prior to issuing the RLI's for dental insurance, legal insurance and consulting services. (Refer to minutes for full discussion.)***

- B. MOTION TO APPROVE sole source designation and award agreement between Broward County and the Standard Insurance Company, Agreement No. 112994-RB-2, for a nine-month agreement for Group Life Insurance and Group Long Term Disability Insurance, in the estimated nine-month amount of \$2,142,000; for the Human Resources Division, and authorize the Mayor and Clerk to execute same. The agreement shall begin on April 1, 2006 and will terminate nine months from that date on December 31, 2006.

***ACTION: (T-10:18 AM) Withdrawn for further staff review.***

## **HUMAN SERVICES DEPARTMENT**

### **CHILDRENS' SERVICES ADMINISTRATION DIVISION**

-  15. MOTION TO APPROVE Amendment No. 2 to Contract No. TEMXB/Renewal No. 33 between the State of Florida Department of Health (DOH), Children's Medical Services and Broward County upon execution through June 30, 2006, for the purpose of revising the performance outcome measures and reporting methods for revenue and expenses; and authorize the Mayor to execute same. All other terms and conditions of the original agreement remain the same.

***ACTION: (T-10:18 AM) Approved.***

## **ENVIRONMENTAL PROTECTION DEPARTMENT**

16. MOTION TO APPROVE settlement agreement in the amount of \$38,000 between Broward County and David W. & Pamela E. Ehret, to resolve violations of Chapter 27 of the Broward County Code of Ordinances, for not constructing a seawall in accordance with the license issued by the Environmental Protection Department (EPD), resulting in the unauthorized filling of a regulated water body; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (T-10:18 AM) Approved.***

## **BIOLOGICAL RESOURCES DIVISION**

17. MOTION TO ACCEPT deeds of conservation easement and agreement from Cleghorn Shoe Corporation and Sunbeam Development Corp. for the preservation of mitigation areas comprising 22.90 acres of real property located north of Miramar Parkway, between SW 124<sup>th</sup> Ave and Hiatus Road, City of Miramar. **(Commission District 8)**

***ACTION: (T-10:18 AM) Approved.***

## PORT EVERGLADES DEPARTMENT

18. MOTION TO FILE Quarterly Reports for Business Permits issued at Port Everglades for the periods July 1, 2005 through September 30, 2005, and October 1, 2005 through December 31, 2005.

***ACTION: (T-10:31 AM) Approved. (Refer to minutes for full discussion.)***

## OFFICE OF MANAGEMENT AND BUDGET

19. MOTION TO ADOPT unanticipated revenue Resolution 2006-32 within the Fire Rescue Fund for the Broward Sheriff's Office (BSO) in the amount of \$86,638 for the payment for fire rescue services provided by the City of Oakland Park.

***ACTION: (T-10:18 AM) Approved.***

20. MOTION TO ADOPT unanticipated revenue Resolution 2006-33 within the Law Enforcement Trust Fund in the amount of \$35,000 to provide assistance to Women in Distress of Broward County, Inc.

***ACTION: (T-10:18 AM) Approved.***

21. MOTION TO ADOPT unanticipated revenue Resolution 2006-34 within the Clerk of Courts Data Processing Fund (0150) in the amount of \$438,000 to recognize the carry over funds from the prior fiscal year.

***ACTION: (T-10:18 AM) Approved.***

## COUNTY AUDITOR

22. A. MOTION TO APPROVE County Administrator Recruitment Advertisement.

***ACTION: (T-10:32 AM) Deferred to Tuesday, February 14, 2006. (Refer to minutes for full discussion.)***

- B. MOTION TO APPROVE County Administrator Recruitment Project Schedule.

***ACTION: (T-10:32 AM) Deferred to Tuesday, February 14, 2006. (Refer to minutes for full discussion.)***

- C. MOTION TO APPROVE County Administrator Recruitment Advertising Venues.

***ACTION: (T-10:32 AM) Deferred to Tuesday, February 14, 2006. (Refer to minutes for full discussion.)***

23. A. MOTION TO FILE County Auditor's Status of the Advantage 3.x Financial System Implementation Project Report.

**ACTION: (T-) Approved.**

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

**ACTION: (T-10:18 AM) Approved.**

**COUNTY ATTORNEY**

24. A. MOTION TO DIRECT County Attorney's Office to draft an Ordinance amending Chapter 5 of the Broward County Code of Ordinances, "Building Regulations and Land Use," to repeal Article III, "Building Code," Division 1, "Generally," Sections 5-36 through 5-40, and Division 3, "Irrigation Systems," Sections 5-47 through 5-51, and amend Division 2, "Nonresidential Farm Buildings and Structures in the Unincorporated Area," to reflect application of the Florida Building Code.

**ACTION: (T-10:18 AM) Approved.**

- B. MOTION TO ADOPT Resolution 2006-35 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 28, 2006, at 2:00 P.M., 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 CHAPTER 5 THE BROWARD COUNTY CODE OF ORDINANCES, "BUILDING REGULATIONS AND LAND USE," ARTICLE III, "BUILDING CODE," DIVISION 1, "GENERALLY"; REPEALING SECTION 5-36, "SOUTH FLORIDA BUILDING CODE ADOPTED; APPLICATION"; REPEALING SECTION 5-37, "INSPECTION AND ENFORCEMENT OF BUILDING CODE BY LOCAL AUTHORITIES"; REPEALING SECTION 5-38, "EMPLOYMENT OF BUILDING INSPECTORS; VIOLATIONS BY LOCAL OFFICIALS"; REPEALING SECTION 5-39, "ENACTMENT OF PROVISIONS IN CONFLICT WITH ARTICLE PROHIBITED"; REPEALING SECTION 5-40, "AMENDMENTS TO BUILDING CODE"; AMENDING DIVISION 2, "NONRESIDENTIAL FARM BUILDINGS AND STRUCTURES IN THE UNINCORPORATED AREA," SECTION 5-41, "GENERAL," PROVIDING FOR BUILDING CODE EXEMPTION FOR NONRESIDENTIAL FARM BUILDINGS; AMENDING SECTION 5-44, "TERMINATION OF FARM USE," PROVIDING FOR TERMINATION OF USE OF NONRESIDENTIAL FARM BUILDINGS; AMENDING SECTION 5-45, "ADMINISTRATIVE DETERMINATIONS," ESTABLISHING ADMINISTRATIVE PROCEDURE FOR CLAIMS OF FARM USE; AMENDING DIVISION 3, "IRRIGATION SYSTEMS"; REPEALING SECTION 5-47, "IRRIGATION SYSTEMS; GENERAL PROVISIONS"; REPEALING SECTION 5-48, "DEFINITIONS"; REPEALING SECTION 5-49, "PERMITTING; DESIGN CRITERIA

AND STANDARDS"; REPEALING SECTION 5-50, "INSTALLATION"; REPEALING SECTION 5-51, "TESTING AND INSPECTIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (T-10:18 AM) Approved.**

25. MOTION TO APPROVE Satisfaction of Mortgage and note executed by Eddie Davis and Emma Davis, his wife, to Broward County, securing the sum of \$25,000; and certain promises and obligations, and authorizing the Mayor or Vice Mayor, and the Clerk of the Board to execute and record same in the Official Records Book of Broward County, Florida.

**ACTION: (T-10:18 AM) Approved.**


26. MOTION TO APPROVE settlement agreement in the amount of \$80,000; including costs and attorney's fees, of a lawsuit filed in the Seventeenth Judicial Circuit of Florida, Miranda Finklin v. Broward County, Case No. 00-21345 (02), and authorize the Mayor and the Clerk to execute the settlement agreement.

**ACTION: (T-10:18 AM) Approved.**

### COUNTY COMMISSION

27. MOTION TO FILE City of Margate Resolution No. 10-539 endorsing the Special Act relating to the Sunshine Water Control District and the City of Coral Springs, amending Chapter 63-609 of the Laws of Florida, providing for a public purpose, providing for an effective date. (Mayor Graber)

**ACTION: (T-10:18 AM) Approved.**

-  28. MOTION TO AUTHORIZE establishment of a Commission Select Committee on Ethics and Lobbying rules. (Mayor Graber)

**ACTION: (T-10:57 AM) Approved, as amended. Commissioner Lieberman requested that she be added to the Select Committee. With the addition of Commissioner Lieberman, the makeup of the Board increased from three members to four members. In the event of a tie vote, the Mayor has the option to vote to break the tie. Further, the County Auditor or his designee and County Attorney or his designee shall provide staff support to the Select Committee. (Refer to minutes for full discussion.)**

## REQUEST TO SET FOR PUBLIC HEARING

29. MOTION TO ADOPT Resolution 2006-36 directing the County Administrator to publish a Notice of Public Hearing to be held February 28, 2006 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of ISS Marine Services, Inc., to provide steamship agent services for a five-year term at Port Everglades.

***ACTION: (T-10:18 AM) Approved.***

30. MOTION TO ADOPT Resolution 2006-37 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 28, 2006, at 2:00 p.m., 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 CHAPTER 4 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO ANIMAL CARE AND REGULATION; AMENDING SECTION 4-10 CLARIFYING THE FREQUENCY AND METHOD OF RABIES VACCINATION; AMENDING SECTION 4-11 RELATING TO LICENSING OF DOGS AND CATS, REPLACING "TAG" WITH "LICENSE"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:18 AM) Approved.***

31. MOTION TO ADOPT Resolution 2006-38 directing County Administrator to publish Notice of Public Hearing to be held Tuesday, March 14, 2006 at 2:00 P.M. in Room 422 of the Governmental Center, to vacate and abandon road easements; one extending southeasterly from the southerly terminus of SW 135<sup>th</sup> Lane, as shown on The Homeland Plat, and the second adjoining easement extending southerly from the southerly terminus of SW 134<sup>th</sup> Avenue, as shown on the West Broward Christian Center Plat, both lying and being in the Town of Southwest Ranches, Broward County, Florida; and at no cost to the County. Petitioners: Jesse Oliva, John and Karen Lupo, and Sebastian and Judith Lupo (Karen Lupo – Agent) (2005-V-31) **(Commission District 5)**

***ACTION: (T-10:18 AM) Approved.***

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**BUILDING CODES SERVICES DIVISION**

- 32. MOTION TO TERMINATE Interlocal Agreement between Broward County and City of Lauderdale for guaranteed partial service building code services, to be performed by the Broward County Building Code Services Division, Department of Urban Planning and Redevelopment.

***ACTION: (T-10:18 AM) Approved.***

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**QUASI-JUDICIAL CONSENT HEARING**

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**DEVELOPMENT MANAGEMENT DIVISION**

- 33. DISCUSSION: of plat entitled "Forest View Estates" - **Commission District 7, (005-MP-05).**

***ACTION: (T-10:18 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

- 34. DISCUSSION: of plat entitled "Pembroke Harbor Plat" - **Commission District 6, (046-MP-05).**

***ACTION: (T-10:18 AM) Deferred to February 21, 2006 at the applicant's request.***

- 35. DISCUSSION: of plat entitled "Miramar Shoppes" - **Commission District 8, (031-MP-02).**

***ACTION: (T-10:18 AM) Deferred to March 7, 2006 at the applicant's request.***

- 36. DISCUSSION: of plat entitled "Village Walk" - **Commission District 8, (054-MP-05).** (Deferred from January 10, 2006).

***ACTION: (T-10:18 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

37. DISCUSSION: of New Findings of Adequacy for plat entitled "III T Plat" - **Commission District 4**, (024-MP-98).

***ACTION: (T-10:18 AM) Approved the New Findings of Adequacy for the plat subject to staff's recommendations as outlined in the Development Review Report.***

38. DELEGATION: C. William Laystrom, Jr., regarding request to amend the note on the Jacaranda Parcel 640 Plat - **Commission District 1**, (016-MP-88). (Deferred from June 21, 2005).

***ACTION: (T-10:18 AM) Withdrawn at the applicant's request.***

39. DELEGATION: Stephen V. Hoffman, regarding request to amend the note on the Diamond 5 Plat - **Commission District 7**, (091-MP-94). (Deferred from June 21, 2005).

***ACTION: (T-10:18 AM) Denied per staff's recommendations.***

40. DELEGATION: Nicholas Saponara, regarding request to modify conditions of plat approval on the Praxis of Deerfield Beach Plat – **Commission District 2**, (061-MP-87). (Deferred from October 11, 2005).

***ACTION: (T-10:18 AM) Approved subject to staff's recommendations.***

41. DELEGATION: Jason Perry, regarding request to amend the non-vehicular access line on the Perry & Perry Properties Plat – **Commission District 9**, (095-MP-01).

***ACTION: (T-10:18 AM) Approved subject to staff's recommendations.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

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**AVIATION DEPARTMENT**


- 42. MOTION TO DISCUSS status of negotiations to date between Broward County staff and representatives of the Village Marina Plat.

***ACTION: (T-11:02 AM) No Board action was necessary. (Refer to minutes for full discussion.)***

**FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

**PURCHASING DIVISION**

For Department of Urban Planning and Redevelopment

-  43. A. MOTION TO APPROVE Redevelopment Agreement between Broward County and the single responsive, responsible proposer, Lennar Homes, Inc., for the construction of 19 single-family homes as part of the Affordable Housing Home Construction Program, Request for Proposal No. N805527CF, for the Department of Urban Planning and Redevelopment subject to receipt and acceptance of insurance/performance guaranty and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

***ACTION: (T-11:14 AM) Approved. (Refer to minutes for full discussion.)***

- B. MOTION TO ADOPT Resolution 2006-39 transferring 19 County-owned lots in the Roosevelt Gardens area to Lennar Homes, Inc., for the construction of single-family homes. **(Commission District 9)**

***ACTION: (T-11:14 AM) Approved. (Refer to minutes for full discussion.)***

## COUNTY AUDITOR

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

***ACTION: (T-11:15 AM) Deferred discussion of the item following the Shade meeting on Mass Transit. The County Auditor was directed to continue negotiations. (Refer to minutes for full discussion.)***

***ACTION: (T-11:18 AM) Reconsidered. The Board directed the County Auditor to continue negotiations and reaffirmed their previous directive from the January 24, 2006 Commission meeting for a two-year term of the agreement and the right to terminate for convenience with six months notice after the first year. (Refer to minutes for full discussion.)***

## COUNTY ATTORNEY

45. MOTION TO DISCUSS: County Attorney's advice and request for a shade meeting pursuant to Section 286.011 (8), Florida Statutes, regarding settlement negotiations and litigation strategy related to litigation expenditures in Advocating Disability Rights, Inc. and Carlisle Wilson v. Broward County and Water Taxi, Inc., United States District Court Case No. 03-61239-CIV-MARRA/SELTZER, and Carlisle Wilson v. Broward County, United States District Court Case No. 05-60209-CIV-MARRA/SELTZER.

***ACTION: (T-11:19 AM) The County Attorney read into the record the Notice of Meeting to be held Tuesday, February 14, 2006, in Rooms 422 and 430 at the Governmental Center, at approximately 3:00 p.m. (Refer to minutes for full discussion.)***

46. MOTION TO APPROVE scheduling of an Executive Session (Shade Meeting) for February 21, 2006, beginning at 12:30 p.m., relative to collective bargaining, pursuant to Section 447.605, Florida Statutes; and authorize the County Administrator to post the appropriate notice.

***ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)***

## COUNTY ADMINISTRATION

47. MOTION TO APPROVE Interim County Administrator's nominee, Phillip C. Allen, for the position of Director of Port Everglades, effective upon approval.

***ACTION: (T-11:22 AM) Approved. (Refer to minutes for full discussion.)***

## COUNTY COMMISSION

48. MOTION TO NOMINATE Mr. Andreas A. Ioannou to the Tourist Development Council. (Commissioner Lieberman)

***ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)***

49. MOTION TO NOMINATE for reappointment, Alan S. Routman, M.D. to the Health Facilities Authority. (Mayor Graber)

***ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)***

50. MOTION TO DIRECT staff to add an Attainable Housing Policy Statement to the State Legislative Program which states: (Commissioner Jacobs) (Deferred from January 24, 2006 – Item No. 69)

Broward County, as well as the State of Florida, is experiencing a decline in inventory of rental and ownership affordable housing stock. In order to adequately meet the needs of our increasing population, the Broward County Board of County Commissioners supports legislation that would provide funding solutions that could be implemented locally in order to fund affordable housing projects and programs. Additionally, the Board of County Commissioners urges the state legislature to remove the cap that was placed on the Sadowski Trust Fund and allocate all available funds to offer relief for our existing and future residents.

***ACTION: (T-10:59 AM) Approved, as amended. The Board directed staff to amend the statement as follows: “. . . the Sadowski Trust Fund, and allocate all available funds to offer relief for our existing and future residents and oppose any diversion of funds to any other programs.” (Refer to minutes for full discussion.) (Transferred to the Consent Agenda.)***

51. COUNTY COMMISSION SELECT COMMITTEE REPORTS

***ACTION: (T-11:25 AM) Various Board members gave brief overviews of what took place at their respective Select Committees. A copy of the agendas and minutes are available at: [www.broward.org/commissioncommittees](http://www.broward.org/commissioncommittees). (Refer to minutes for full discussion.)***

52. COUNTY ADMINISTRATOR'S REPORT

***ACTION: (T-11:46 AM) Interim County Administrator Bertha Henry informed the Board there was nothing to report. (Refer to minutes for full discussion.)***

53.

**MAYOR'S REPORT**

A. **DEADLINE TO REGISTER TO VOTE**

***ACTION: (T-11:46 AM) Mayor Graber announced that the deadline to register to vote in the March 14<sup>th</sup> municipal elections and annexation referenda is February 13<sup>th</sup>. There will be no early voting. (Refer to minutes for full discussion.)***

B. **BLACK HISTORY MONTH**

***ACTION: (T-11:46 AM) Black History Month is being celebrated at county libraries. For more information, visit [www.broward.org/library](http://www.broward.org/library). (Refer to minutes for full discussion.)***

**NON AGENDA**

54. **ATTENDED FORUM ON SUBSTANCE ABUSE – COMMISSIONER WASSERMAN-RUBIN**

***ACTION: (T-11:47 AM) Commissioner Wasserman-Rubin informed the Board that she attended a forum on February 1<sup>st</sup> hosted by Nova Southeastern University and the United Way, relating to prescription drug abuse. Commissioner Wasserman-Rubin commented that in 2005 prescription drug abuse doubled in Florida. She read the statistics into the record. (Refer to minutes for full discussion.)***

55. **COMMENDED AVIATION DEPARTMENT STAFF – NEWSPAPER INSERTS – COMMISSIONER WASSERMAN-RUBIN**

***ACTION: (T-11:48 AM) Commissioner Wasserman-Rubin commended Aviation staff for the great job they did on the newspaper inserts highlighting airport activities. The inserts were written in Spanish and English. (Refer to minutes for full discussion.)***

56. **ADD TO SELECTION COMMITTEES – COMMISSIONER WASSERMAN-RUBIN**

***ACTION: (T-11:49 AM) Commissioner Wasserman-Rubin asked to be added to the following Selection Committees: RLI #20051018-0-AV01, relating to Airfield Modifications at the Fort Lauderdale-Hollywood International Airport, and RLI #20051013-0-AV01, relating to Airfield Ramp Repairs and Rehab. There was no objection from the Board. (Refer to minutes for full discussion.)***

57. GROWTH MANAGEMENT BILL – COMMISSIONER GUNZBURGER

**ACTION: (T-11:50 AM) Commissioner Gunzburger commented that the County lobbyists must vigorously oppose this bill; it would negatively affect the County. Commissioner Scott advised that he is meeting with Senator Bennett who co-sponsored the legislation. (Refer to minutes for full discussion.)**

58. WATER CONSERVATION – COMMISSIONER GUNZBURGER

**ACTION: (T-11:52 AM) Commissioner Gunzburger referred to a recent article regarding a conservation study that Broward County is conserving only five percent of its water. The South Florida Water Management District (SFWMD) wants all cities to conserve 40 percent of their water. Interim County Administrator Bertha Henry advised that she was not aware of the study and would research the issue and return before the Board. Discussion followed. (Refer to minutes for full discussion.)**

59. NEW LIBRARIES PROGRAM – ENGAGE IN READING – LIFELONG LEARNERS - COMMISSIONER WEXLER

**ACTION: (T-12:01 PM) Commissioner Wexler explained a new program being initiated by the Libraries Division that would hang photos of each County Commissioner reading their favorite book to children, which would be posted at their respective district libraries. In the spirit of regionalism, Commissioner Wexler suggested expanding the approach and creating one poster with all nine commissioners reading their favorite books with the message “Engage in Learning-Lifelong Learners” and placing the posters at all the libraries. (Refer to minutes for full discussion.)**

60. ADVISORY BOARD FOR INDIVIDUALS WITH DISABILITIES – COMMISSIONER WEXLER

**ACTION: (T-12:01 PM) At the request of her appointee, Commissioner Wexler asked the Office of Equal Opportunity staff to review the purpose and composition of the Advisory Board for Individuals with Disabilities and return before the Board in 60 days with recommendations. (Refer to minutes for full discussion.)**

61. SCRIPPS RELOCATION TO SOUTH FLORIDA – COMMISSIONER SCOTT

**ACTION: (T-12:10 pm) Commissioner Scott commented on the importance of the Scripps relocation and its affect on Broward County with respect to the job opportunities the relocation will create. Following discussion, the Mayor advised that he would resend the County’s Resolution supporting the Scripps relocation to the City of Boca Raton, along with the Broward School Board’s Resolution, and a letter strongly supporting the relocation of the Scripps facility to the City of Boca. (Refer to minutes for full discussion.)**

62. TREE GIVEAWAY – COMMISSIONER LIEBERMAN

**ACTION: (T-12:26 PM) Commissioner Lieberman reported that she assisted with the tree giveaway at Plantation Heritage Park. She thanked Bob Harbin, Director of Parks and Recreation Division and his staff for running a very orderly event. Many people at the event asked County staff when they could begin planting fruit trees. Commissioner Lieberman asked staff to look into what it would take to lift the canker contamination ban in Broward County. (Refer to minutes for full discussion.)**

63. CHARTER REQUIREMENTS FOR NOMINATIONS OF DEPARTMENT HEADS - COMMISSIONER LIEBERMAN

**ACTION: (T-12:28 PM) Commissioner Lieberman advised that the County’s Charter requires that whenever County Administration puts a nomination forth, the County Commissioners must receive a copy of the job description and an analysis by the County Administrator showing how that person meets the job description. Commissioner Lieberman commented that none of the documents were included in the agenda backup for the new Port Director. (Refer to minutes for full discussion.)**

64. CRISIS IN SUNRISE LAKES PHASE III – BUILDINGS UNINHABITABLE – COMMISSIONER LIEBERMAN

**ACTION: (T-12:29 PM) Commissioner Lieberman stated that there is a crisis at Sunrise Lakes Phase III in her district. Twenty-three condominium buildings have been declared uninhabitable, with many senior citizens having no place to live. Commissioner Lieberman asked staff to look into using SHIP funds, HOME funds or various programs for individuals who qualify under the income category, to make the necessary repairs to get them back into their homes. Staff will return before the Board with recommendations. (Refer to minutes for full discussion.)**

65. AFRICAN AMERICAN ELECTED OFFICIALS EVENT – COMMISSION EGGELLETON

**ACTION: (T-12:41 PM) Vice Mayor Eggelletion thanked everyone for attending the event; it was a great success. (Refer to minutes for full discussion.)**

66. SELECT COMMITTEES – MAYOR GRABER

**ACTION: (T-12:42 PM) Mayor Graber informed the Board members that he is receiving positive feedback from the community with respect to the Select Committees; everyone is doing a great job. (Refer to minutes for full discussion.)**

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**MEETING/WORKSHOP NOTICES**

**WORKSHOP: EVALUATION OF THE  
COUNTY ATTORNEY AND COUNTY AUDITOR  
Tuesday, February 7<sup>th</sup> in Room 430 at 12:00 noon  
or immediately following the Commission Meeting**

**MANAGEMENT AND EFFICIENCY STUDY  
SUBCOMMITTEE MEETING  
Tuesday, February 7<sup>th</sup> in Room 501 at 2:00 PM**

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