

MEETING OF FEBRUARY 8, 2005

(The meeting convened at 10:00 a.m. and adjourned at 11:31 a.m.)

PLEDGE OF ALLEGIANCE was led by Mr. Bob Amchir, Director, South Florida President's Council, "Toys in the Sun Run."

MOMENT OF SILENCE

In memory of Amadeo "Trinchi" Trinchitella, City Commissioner of the City of Deerfield Beach; president of the Century Village East Master Management and the community's Democratic Club and community activist.

In memory of Joseph Pozzuoli, brother of Ed Pozzuoli and owner of Mr. P's Dance Studios in Weston.

In memory of the six young people who lost their lives in a tragic car accident in Coral Springs.

In memory of Kim Ross, brother of Chief Judge Dale Ross, Seventeen Judicial Circuit.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPROVE appointment of Donna P. Korn to the Children's Services Board. (Commissioner Wexler)

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

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- B. MOTION TO APPOINT Anika Omphroy to the Human Rights Board. (Commissioner Eggelletion)

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

AVIATION DEPARTMENT

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2. MOTION TO APPROVE Amendment No. 1 to the Fuel System Lease Agreement between Broward County, Florida and AirTran Airways, Inc., at the Fort Lauderdale-Hollywood International Airport to be effective upon Board approval, to provide for the termination date to be coterminous with AirTran Airways, Inc.'s, Airline-Airport Lease and Use Agreement termination date of September 30, 2009, and authorize the Mayor and Clerk to execute same.

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



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

3. MOTION TO APPROVE first amendment to Agreement No. 20020201-0-AV-03 between Broward County and Reynolds, Smith and Hills, Inc. (RS&H) for consultant services for the design criteria services for Airport Roadway Exit System at Fort Lauderdale-Hollywood International Airport in an amount not-to-exceed \$532,529; for a revised contract total from \$4,304,445 to the maximum not-to-exceed amount of \$4,836,974; and 0 days, time remaining at 151 days, and authorize the Mayor and Clerk to execute same.

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

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

REAL PROPERTY SECTION

4. MOTION TO ADOPT Resolution 2005-54 authorizing the conveyance by quit claim deed of various tax deed properties that are unbuildable and have escheated to Broward County for delinquent real estate taxes, to the municipalities in which land is located pursuant to Florida Statutes Chapter 197.592. These particular properties are within the City of Fort Lauderdale, the City of Lauderdale Lakes and the City of Oakland Park; authorize the Mayor and Clerk to execute deeds, and authorize recordation of same. **(Commission Districts 7 and 9)**

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

5. MOTION TO DECLARE surplus to the County's need, real property commonly known as the former Tamarac Library, located at 8601 McNab Road, Tamarac, Florida, and legally described as a portion of Parcel "B" of Colony West Shopping Plaza, recorded in Plat Book 84, Page 25, Broward County Records; authorize Real Property Staff to advertise the subject property for sale at a minimum acceptable bid price of \$687,500; and to manage the sale of the property in accordance with Florida Statutes Chapter 125.35. **(Commission District 3)**

ACTION: (T-10:09 AM) Withdrawn at the request of the County Auditor.

REAL PROPERTY SECTION AND HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

6. MOTION TO APPROVE reconveyance by quit claim deed under Florida Statutes Chapter 255.22, of a portion of unimproved road right-of-way donated to Broward County and located in Section 28, Township 48 South, Range 42 East and consisting of the West 40 feet of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of said Section, in the City of Pompano Beach, to Struve Family Limited Partnership, a successor in title to the donor; and authorize the Mayor and Clerk to execute quit claim deed, and authorize recordation of deed. **(Commission District 9)**

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

WATER AND WASTEWATER SERVICES

WATER AND WASTEWATER ENGINEERING DIVISION

7. MOTION TO APPROVE increase in the change order allowance in the amount of \$227,555.51 (2.8%), from \$406,349.13 (5%) to \$633,904.64, which is 7.8% of the original contract amount of \$8,126,982.55, for North Andrews Gardens Neighborhood Improvement Project, Bid Package 4 for the Water and Wastewater Engineering Division, Contract No. N-7-03-203-CF, with Douglas N. Higgins, Inc. (WWED Project Number 1146/8409) **(Commission District 4)**

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

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

HUMAN RESOURCES DIVISION

8. MOTION TO APPROVE four non-exclusive two-year agreements each with three, one-year renewals between Broward County and Richard T. Bennett & Co, Inc., d/b/a Bennett Yarger Associates, Colin Baenziger & Associates, MGT of America, Inc., and The Oldani Group for the provision of executive search services for Broward County, RLI No. 20041206-0-HR-01, for the Human Resources Division, authorize the Purchasing Director to renew the agreements for three, one-year periods, and authorize the Mayor and Clerk to execute same. The initial contract period will be effective February 8, 2005, and will terminate on February 7, 2007.

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

PURCHASING DIVISION

For Aviation Department

9. MOTION TO APPROVE sole brand procurement of parking revenue control system upgrade and expansion at the Fort Lauderdale-Hollywood International Airport with standardized CTR Systems, Inc. (CTR) for the Aviation Department.

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

For Community Services Department

10. MOTION TO AWARD open-end contract to single bidder, Atlantic Bus Sales, Buses, 25' Mid Size, Bid No. CX04198B3, in the estimated first production year amount of \$575,840; and authorize the Purchasing Director to renew for two production year periods for a total potential estimated contract amount of \$1,727,520 for the Mass Transit Division.

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

For Environmental Protection Department

11. A. MOTION TO ADOPT unanticipated revenue Resolution 2005-55 within the Beach Erosion Capital Fund (3370-031-3336-6510) in the amount of \$7,818,732; to fund the Broward County, Florida Shore Protection Project, Segment III.

ACTION: (T-10:12 AM) Tabled to later in the meeting. (Refer to minutes for full discussion.)

ACTION: (T-10:50 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO AWARD fixed contract to low bidder, Great Lakes Dredge & Dock Company, Broward County, Florida Shore Protection Project, Segment III, Bid No. H-9-04-184-CF, in the amount of \$23,847,335; for the Environmental Protection Department subject to receipt and acceptance of insurance and performance/payment guaranty, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:12 AM) Tabled to later in the meeting. (Refer to minutes for full discussion.)

ACTION: (T-10:50 AM) Approved. (Refer to minutes for full discussion.)

For Public Works and Transportation Department

12. MOTION TO AUTHORIZE use of eBay, Inc. (eBay) to sell County surplus property utilizing on-line auctions, accept eBay's standard Terms and Conditions per eBay's on-line posted User Agreement taking exception to Broward County's standard Terms and Conditions, authorize Purchasing Director or designee to accept eBay's User Agreement on behalf of the County and to place items on the eBay web site as required on an as-needed basis.

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

HUMAN SERVICES DEPARTMENT

FAMILY SUCCESS ADMINISTRATION DIVISION



13. MOTION TO ADOPT unanticipated revenue Resolution 2005-56 in the amount of \$200,780; from date of execution to December 30, 2005 within the Family Success Administration Division for the purpose of providing payment of rent/mortgage and hotel/motel expenses for low-income eligible families in Broward County to prevent homelessness. This funding is from the Federal Emergency Management Assistance (F.E.M.A.) Fund. (There is no required County match.)

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

OFFICE OF HOUSING FINANCE

14. MOTION TO DIRECT County Attorney to pursue collection of \$25,000 from Douglas Fleishman and/or his successors due to failure to comply with a recorded restrictive covenant associated with a County-provided State Housing Initiatives Partnership (SHIP) loan for renovation of rental property or to secure compliance with the terms of the restrictive covenants. **(Commission District 9)**

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

COMMUNITY SERVICES DEPARTMENT

CONSUMER AFFAIRS DIVISION

15. MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending Chapter 22 1/2, of the Broward County Code of Ordinances (Motor Carriers Ordinance), relating to passenger vehicle-for-hire ground transportation in Broward County, and amending corresponding sections of Chapter 8 1/2 of the Broward County Code of Ordinances relating to code enforcement.

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

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION

16. A. MOTION TO ACCEPT Deed of Conservation Easement and agreement from Sunshine State Builders for mitigation of 1.24 acres of real property located north of Stirling Road, south of SW 59th Court and west of Aires Road in the Town of Davie. **(Commission District 7)**

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

- B. MOTION TO ACKNOWLEDGE use by Sunshine State Builders, Inc. for a project known as Sunshine Estates, of the South Dade/Everglades Mitigation Bank as the site for a portion of compensatory mitigation for a residential development with wetland impacts occurring in the Town of Davie, FL. **(Commission District 7)**

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

SUPERVISOR OF ELECTIONS

17. MOTION TO APPROVE recommendation of the Supervisor of Elections amending the voting precincts which were approved on July 9, 2002, amended on August 13, 2002, January 14, 2003, and September 16, 2003; combining 21 precincts for voting in the Special and Municipal General Election on March 8, 2005.

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

COUNTY COMMISSION

18. MOTION TO APPROVE Broward County Transit waiver of fares for the military personnel in uniform or with a military ID, participating in fleet week USA presented by McDonalds, and the McDonalds Air and Sea Show, from April 25, 2005 to May 1, 2005. (Mayor Jacobs)

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

REQUEST TO SET FOR PUBLIC HEARING

19. MOTION TO ADOPT Resolution 2005-57 authorizing the County Administrator to advertise a Public Hearing to be held March 8, 2005 at 2:00 p.m. in Room 422 Governmental Center for adopting supplemental budgets to recognize changes in revenues and appropriations.

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

20. MOTION TO ADOPT Resolution 2005-58 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to vacate and abandon a road right-of-way, lying and being in Broward County, Florida, located at 1491 NW 33 Way, Fort Lauderdale, Florida. Petitioner: Darryl F. Allen (2004-V-16) **(Commission District 9)**

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

21. MOTION TO ADOPT Resolution 2005-59 directing the County Administrator to publish notice of a Public Hearing to be held on February 22, 2005, at 2:00 pm. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-4), located in the City of Lauderdale, related to a "Brownfield" amendment to the Broward County Comprehensive Plan. **(Commission District 9)**

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

22. MOTION TO ADOPT Resolution 2005-60 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 22, 2005, at 2:00 p.m., in Room 422 of the Governmental Center to consider the adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 36 OF THE BROWARD COUNTY ADMINISTRATIVE CODE REGARDING FEES FOR SERVICES OF THE DEPARTMENT OF HEALTH; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

REGULAR AGENDA

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

- 23. MOTION TO ADOPT Resolution 2005-61 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation of \$15,000; generated from the annual “Toys in the Sun Run” to be deposited in the Friends of the Parks and Recreation Division Trust Fund from the South Florida Motorcyclist Council/James Jr., Fund, Inc.; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date. **(Commission District 5)**

ACTION: (T-11:02 AM) Approved.

DELEGATION REQUEST

- 24. DELEGATION: Ms. Pat Fowler, Florida Council on Compulsive Gambling, Inc.

***ACTION: (T-10:48 AM/11:02 AM) No Board action was taken.
(Refer to minutes for full discussion.)***

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works and Transportation Department

- 25. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firm to provide assistance in developing an Anion Exchange Treatment Process at Water Treatment Plant 1A for Water and Wastewater Engineering Division, and approve Request for Letters of Interest (RLI) No. 20041015-0-EVEE-01.

ACTION: (T-11:06 AM) Approved the following to serve on the Selection Committee (S/C): Director, Water and Wastewater Engineering Division, Public Works and Transportation Department (Chair); Director, Water and Wastewater Operations Division, Public Works and Transportation Department, and Director, Water Resources Division, Environmental Protection Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. (Refer to minutes for full discussion.)

NOTE: RLI#20041015-0-EVEE-01, Anion Exchange Treatment Facility: Short List meeting scheduled for March 29, 2005 has been changed to April 7, 2005.

26. **MOTION TO APPOINT** Selection Committee (S/C) to recommend the most qualified firm to assist in migrating from the existing Geographical Information System (GIS) version 7.X to version 9.X for Water and Wastewater Engineering Division (WWED), and approve Request for Letters of Interest (RLI) No. 20040827-0-EVEE-01.

ACTION: (T-) Approved the following to serve on the Selection Committee (S/C): Commissioner Rodstrom; Director, WWED, Public Works and Transportation Department (Chair); Director, Water Management Division, Public Works and Transportation Department; Director, Urban Planning and Redevelopment Department, and Chief Information Officer, or designee, Office of Information Technology, Finance and Administrative Services Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency.

NOTE: RLI #20040827-0-EVEE-01 GIS Migration: Presentations meeting scheduled for March 29, 2005 has been changed to April 7, 2005.

For Department of Urban Planning and Redevelopment



27. **MOTION TO APPOINT** Selection Committee (S/C) to recommend the most qualified firm to provide public-private partnership consultant advisor services for the Downtown Campus Project, and approve Request for Letters of Interest (RLI) No. 20050126-0-EQ-01.

ACTION: (T-10:26 AM) Approved. as amended: The Board waived the procurement code to appoint a member of the Downtown Development Authority and the Mayor of the City of Fort Lauderdale, or his designee, as ex officio members of the Selection Committee. Further, the Board directed staff to clarify language in the RLI relating to: 1) Page 1 of the RLI, 3^d paragraph: “The P3 consultant advisor . . . These redevelopment efforts include “but not be limited to” the County Courts Complex, a proposed Federal Courthouse, transit proposals, multifamily residential projects and the existing City of Fort Lauderdale Downtown Master Plan.” 2) Attachment 1, Evaluation Criteria for RLI: Clarify language that “Experience on a National or International level will be considered as part of the evaluation criteria.”

The following will serve on the Selection Committee (S/C): Vice Mayor Graber, Commissioners Gunzburger, Lieberman, Rodstrom, Wasserman-Rubin and Wexler; Director, Public Works and Transportation Department (Chair); CFO and Director, Finance and Administrative Services Department, and Director, Department of Urban Planning and Redevelopment. In addition to a member of the Downtown Development

Authority and the Mayor of the City of Fort Lauderdale, or his designee, as ex officio members of the Selection Committee. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency.

NOTE: RLI#20050126-0-EQ-01, Downtown Campus Study: Presentations meeting scheduled for March 22, 2005 has been changed to April 7, 2005.

28. **MAYOR'S REPORT**

ACTION: (T-11:08 AM) Due to the absence of the Mayor, no report was filed.

29. **COUNTY COMMISSION LIAISON REPORT**

ACTION: (T-11:08 AM) No reports were filed.

30. **COUNTY ADMINISTRATOR'S REPORT**

ACTION: (T-11:08 AM) Due to the absence of the County Administrator, no report was filed.

SUPPLEMENTAL AGENDA

HUMAN SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE



31. **MOTION TO ADOPT** Resolution 2005-62 of the Board of County Commissioners of Broward County, Florida, authorizing the issuance by the Housing Finance Authority of Broward County, Florida of not to exceed \$7,500,000 of its Multifamily Housing Revenue Bonds (Tallman Pines Apartments Project); authorizing the execution of a request for bond allocation on behalf of the Housing Finance Authority of Broward County, Florida in connection with such issuance for the purpose of providing funds to finance the acquisition and construction of a multifamily rental housing development to be located in the County, to provide rental housing for persons and families of low and moderate income to be owned by the party specified herein; approving the Public Hearing held in respect of such issuance; and providing an effective date. **(Commission District 2)**

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

COUNTY COMMISSION

32. MOTION TO DIRECT County Attorney to amend the Broward County Administrative Code to require the Broward County Building Code Services Division to provide the Broward County Property Appraiser with information on a bimonthly basis regarding permits issued by the Division for new construction, renovations, and additions; such information to be provided in ASCII, Comma Delimited format, including the legal description of the property, parcel ID number, address and a copy of the plans and permit number. (Commissioner Lieberman)

ACTION: (T-10:09 AM) Deferred at the request of Commissioner Lieberman.

33. MOTION TO CREATE a special panel comprised of Commissioner Ilene Lieberman, Chief Judge Dale Ross, or his designee, Representative Jack Seiler, a leader of the Broward Bar Association, and interested citizens, to determine the most appropriate manner in which to recognize Henry Latimer's contributions to Broward County. (Commissioner Lieberman)

ACTION: (T-10:10 AM) Rolled over to the Tuesday, February 15, 2005 Commission meeting.

NON AGENDA

34. VISIT TO GREATER FORT LAUDERDALE CONVENTION AND VISITORS BUREAU – COMMISSIONER WEXLER

ACTION: (T-11:09 AM) Commissioner Wexler informed the Board that she recently spent the day with Nicki Grossman, president, Greater Fort Lauderdale Convention and Visitors Bureau. Commissioner Wexler commented that the Convention and Visitors Bureau is an economic engine for Broward County and she looks forward to future conversations with Ms. Grossman. (Refer to minutes for full discussion.)

35. ATTENDED TECHNOLOGY MEETING – COMMISSIONER WEXLER

ACTION: (T-11:10 AM) Commissioner Wexler advised the Board that she, along with the County Administrator Roger J. Desjarlais and staff, attended One Broward Broadband Initiative meeting Friday, February 4, 2005, at the Broward Education Communications Network (BECON), to discuss putting together a countywide plan for broadband connectivity. Many of the community stakeholders attended the meeting. Commissioner Wexler thanked Mr. Desjarlais for sending county staff to participate. The Committee will present this initiative to the County Commission at a workshop setting. The Commissioner will continue to update the Board. (Refer to minutes for full discussion.)

36. ORGANIZATION OF AMERICAN STATES (OAS) – REQUESTING UPDATE – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-11:12 AM) Commissioner Wasserman-Rubin requested that staff provide an update relating to preparations and security for the OAS meeting to be held in Broward County. Deputy County Administrator Bertha Henry advised the Board that staff will prepare an update, including private briefings, if necessary. (Refer to minutes for full discussion.)

37. UPDATE – FOCUS BRAZIL 2005 - COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-11:15 AM) Commissioner Wasserman-Rubin stated that she has been working on the Sao Paulo project “State to State, Business to Culture, Focus Brazil 2005” that combines community, commerce and culture sponsored by the Broward Center for the Performing Arts. Commissioner Wasserman-Rubin announced that the Governor of Sao Paulo, Brazil will be coming with the largest Brazilian delegation ever to Broward County. The event takes place in March. (Refer to minutes for full discussion.)

38. RECOMMENDATION TO THE PLANNING COUNCIL – COMMISSIONER GUNZBURGER

ACTION: (T-11:16 AM/11:23 AM) The Board voted to recommend that the Planning Council consider initiating a plan amendment to include a (15-20%) affordable housing requirement in Local Activity Centers, as well as Regional Activity Centers. Vice Mayor Graber asked staff to send a letter to interested parties inviting them to attend a Planning Council meeting to address affordable and workforce housing when the subject is on their agenda. (Refer to minutes for full discussion.)

39. NICKI GROSSMAN - 100 MOST POWERFUL WOMEN IN TRAVEL – COMMISSIONER RODSTROM

ACTION: (T-11:22 AM) Commissioner Rodstrom announced that Nicki Grossman, president of the Greater Fort Lauderdale Convention Center and Visitors Bureau, was recognized as one of the “100 Most Powerful Women in Travel” by Travel Agent magazine. The Board congratulated Ms. Grossman on this prestigious award. Further, the Board directed staff to arrange an appropriate commendation to Ms. Grossman during an upcoming Good and Welfare. (Refer to minutes for full discussion.)

40. UPDATE - FLEX UNITS – VICE MAYOR GRABER

ACTION: (T-11:27 AM) At a recent Planning Council meeting, during discussion relating to flex units, Vice Mayor Graber relayed Commissioner Rodstrom’s concerns regarding the addition of 13,000 flex units to the Fort Lauderdale Downtown Regional Activity Center. During said meeting, Vice Mayor Graber suggested that the Planning Council create a system where there are “stop gap” measures. Vice Mayor Graber advised that the issue was tabled and that he will continue to update the Board. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

BOARD OF COUNTY COMMISSIONERS
INTERVIEWS WITH COUNTY ATTORNEY CANDIDATES

Tuesday, February 8th, in Room 430 at 10:30 AM
or immediately following the morning meeting

