

## **MEETING OF FEBRUARY 10, 2004**

(The meeting convened at 10:00 a.m. and adjourned at 12:03 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Diana Wasserman-Rubin, District 8.

MOMENT OF SILENCE in memory of County Administrator Roger J. Desjarlais' father-in-law, Conrad Ryan from Fort Myers, Florida. Moment of Silence in memory of Joseph Bellanca, a member of the Hillsboro Inlet District.

### **CALL TO ORDER**

### **CONSENT AGENDA**

#### 1. **BOARD APPOINTMENTS**

***ACTION: (T-10:19 AM) There were no Board appointments.***

### **PUBLIC WORKS DEPARTMENT**

### **OFFICE OF ENVIRONMENTAL SERVICES**

#### **ENVIRONMENTAL ENGINEERING DIVISION**

2. MOTION TO APPROVE second amendment to the agreement between Broward County and Camp Dresser & McKee, Inc., RLI 060601-RB for consultant services for nanofiltration for Water Treatment Plant (WTP) 1A, an increase in the time period of 150 days, from 340 to 490; and authorize the Mayor and Clerk to execute same. (Project 8965Cons) **(Commission District 9)**

***ACTION: (T-10:19 AM) Approved.***

3. A. MOTION TO APPROVE System and Services Agreement between Broward County and LABLynx, Inc. (RLI 20020522-0-EVEE-01) for installation of customized Laboratory Information Management System (LIMS) and Pretreatment Administration and Compliance System (PACS) software for the Office of Environmental Services (OES) and the Department of Planning and Environmental Protection (DPEP) for a total amount of \$287,750 and a time period of 203 days; and authorize the Mayor and Clerk to execute same. (BCOES 8997)

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO APPROVE Software License Agreement between Broward County and LABLynx, Inc., for a perpetual Enterprise License for an unlimited number of employees in the total amount of \$300,000 for OES and DPEP; beginning on the date the County accepts the software in accordance with the System and Services Agreement; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:19 AM) See Page \*\*\*\*\****

- C. MOTION TO APPROVE Support Agreement between Broward County and LABLynx, Inc. for maintenance of the software contained in the Software License Agreement for the total amount of \$60,000 for the first year commencing upon termination of the warranty period as set forth in the license agreement; and authorize four, one-year renewal periods at a fee increase of 3% each year; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:19 AM) Approved.***

### **OFFICE OF GENERAL SERVICES**

#### **REAL PROPERTY SECTION**

4. MOTION TO APPROVE revocable license agreement between Broward County and the City of Coral Springs for the temporary use (from 5:00 P.M. on February 27, 2004, through February 29, 2004) of the parking lot at the old Coral Springs Branch Library facility, owned by Broward County, and located at 10077 NW 29<sup>th</sup> Street in Coral Springs; and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

***ACTION: (T-10:19 AM) Approved.***

5. A. MOTION TO APPROVE third amendment to business lease agreement between Broward County and Arline Sterling Norman, Trustee for property located at 218 SW First Avenue, Fort Lauderdale, Florida and currently utilized as office and laboratory facility for the Department of Planning and Environmental Protection; extending the termination date an additional three months, from March 30, 2004 through June 30, 2004. The extended rent effective April 1, 2004, remains at its current level of \$13.37, per square foot, \$46,795 monthly; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (T-10:19 AM) Withdrawn for further staff review.***

- B. MOTION TO ADOPT budget Resolution transferring from the General Fund Reserves (Fund 0010) the amount of \$112,000 for the purpose of extending the business lease agreement between Broward County and Arline Sterling Norman, Trustee for property located at 218 SW First Avenue, Fort Lauderdale, Florida.

***ACTION: (T-10:19 AM) Withdrawn for further staff action.***

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

6. A. MOTION TO APPROVE agreement between Broward County and the City of Lauderhill for utility removal along Pine Island Road between Oakland Park Boulevard and Commercial Boulevard as part of Engineering Project No. 5121; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1 and 3)**

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO APPROVE agreement between Broward County and the City of Tamarac for utility removal along Pine Island Road from Commercial Boulevard North approximately 1600 feet as part of Engineering Division Project No. 5121; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1 and 3)**

***ACTION: (T-10:19 AM) Approved.***

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **ACCOUNTING DIVISION**

7. MOTION TO APPROVE travel for County employees on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 – County Employee Travel.

***ACTION: (T-10:19 AM) Approved.***

## PURCHASING DIVISION

For Public Works Department

8. A. MOTION TO ADOPT budget Resolution 2004-59 transferring within the Library Bond Capital Outlay Fund (3180), the amount of \$758,457 from the Library Bond Fund Reserve for the Northwest Branch Library

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO APPROVE agreement between Broward County and James B. Pirtle Construction Co., Inc., for Managing General Contractor (Phase II) Construction Services for the Northwest Branch Library (RLI 041700-RB) for a guaranteed maximum price (GMP) of \$1,668,421; with a contract time of 310 calendar days subject to receipt and approval of performance and payment guaranty; and authorize the Mayor and Clerk to execute same. (Project No. 80039-99-01) **(Commission District 2)**

***ACTION: (T-10:19 AM) Approved.***

9. A. MOTION TO ADOPT budget Resolution 2004-60 transferring within the Engineering Capital Outlay Fund (3150) the amount of \$600,000 to transfer funding to the Library Bond Fund

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-61 within the Library Bond Capital Outlay Fund (3180) in the amount of \$600,000; transferring funding from the Engineering Capital Outlay Fund (3150) for the West Regional Greenway Terminus/Public Plaza.

***ACTION: (T-10:19 AM) Approved.***

- C. MOTION TO ADOPT budget Resolution 2004-62 transferring within the Library Bond Capital Outlay Fund (3180,) the amount of \$1,323,322 from the Library Bond Fund Reserve for the West Regional Library.

***ACTION: (T-10:19 AM) Approved.***

- D. MOTION TO APPROVE agreement between Broward County and James A. Cummings, Inc., for Managing General Contractor (Phase II) Construction Services for the West Regional Library (RLI 041700-RB) for a guaranteed maximum price (GMP) of \$12,815,773; with a contract time of 516 calendar days subject to receipt and approval of performance and payment guaranty; and authorize the Mayor and Clerk to execute same. (Project No. 6048A-99-01 **(Commission District 1)**)

***ACTION: (T-10:19 AM) Approved.***

## **HUMAN SERVICES DEPARTMENT**

### **CHILDREN'S SERVICES ADMINISTRATION DIVISION**

10. A. MOTION TO APPROVE Amendment No. 01 to Agreement No. JC100 between the State of Florida, Department of Children and Families and Broward County increasing the value of the Agreement by \$81,164; from \$356,458 to \$437,622; from date of execution through June 30, 2004; for the purpose of conducting criminal history fingerprint background checks utilizing local law enforcement, Florida Department of Law Enforcement and the National Crime Information Center databases for all child care facilities, family child care home employees and owner/operators; and authorize the Mayor and Clerk to execute same. The funding for this amendment is provided through the State and requires no County Funds.

***ACTION: (T-10:22 AM) Approved, as amended. The Board directed staff to include language in the Agreement that criminal background checks must be done prior to employment in child care facilities, family child care home employees and owner/operators.***

***See Page \*\*\*\*\****

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-63 within the State Grant Fund for the Children's Services Administration Division/Child Care Licensing and Enforcement Section, in the amount of \$81,164 for the purpose of conducting criminal history fingerprint background checks utilizing local law enforcement, Florida Department of Law Enforcement and the National Crime Information Center databases for all child care facilities, family child care home employees and owner/operators.

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

- C. MOTION TO INCREASE number of positions within the State Grant Funds for the Children's Services Administration Division/Child Care Licensing and Enforcement Section by one position. This position will assist in the Section's development and coordination of procedures for conducting fingerprint background checks for child care facilities, family child care home employees and owner/operators.

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

#### **COMMUNITY DEVELOPMENT DIVISION**

11. MOTION TO FILE quarterly reports for foreclosures, satisfactions of mortgages, releases of restrictive covenants and subordination agreements for the Housing Rehabilitation programs administered by the Community Development Division. **(Commission Districts 2, 4, 6, 8 and 9)**

***ACTION: (T-10:19 AM) Approved.***

#### **OFFICE OF HOUSING FINANCE**

12. MOTION TO FILE one quarterly report for foreclosure, satisfaction of mortgage, release of restrictive covenant and subordination agreements for the period of October 1, 2003 through December 31, 2003, for the Purchase Assistance and Housing Rehabilitation programs administered by the Office of Housing Finance.

***ACTION: (T-10:23 AM) Approved. See Page \*\*\*\*\****

13. A. MOTION TO APPROVE agreement between the State of Florida Department of Community Affairs and Broward County, which shall begin from the execution by both parties and shall end June 30, 2004, in the amount of \$50,000 for the purpose of retrofitting a minimum of five homes in the Dorsey-Riverbend Neighborhood Front Porch Community, to strengthen the homes and lessen damages from high wind storms; and authorize the Mayor to execute same. The funding for this agreement is provided through the State of Florida, Department of Community Affairs (DCA) and requires no County funds. **(Commission District 7).**

***ACTION: (T-10:24 AM) Deferred to Tuesday, February 17, 2004 for further staff review. See Page \*\*\*\*\****

- B. MOTION TO ADOPT unanticipated revenue Resolution within Residential Construction Mitigation Program "RCMP" Fund in the amount of \$50,000 to be used for retrofitting of Homes in the Dorsey Riverbend Neighborhood Front Porch Community; and authorize the County Administrator to take the necessary action to implement the same. **(Commission District 7)**

***ACTION: (T-10:24 AM) Deferred to Tuesday, February 17, 2004 for further staff review. See Page \*\*\*\*\****

## **COMMUNITY SERVICES DEPARTMENT**

### **CULTURAL DIVISION**

14. A. MOTION TO FILE report for the first quarter of Fiscal Year 2004 in accordance with Section 29.17h (Reports) of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO FILE final report for the Fiscal Year 2003 grants in accordance with Section 29.17h (Reports) of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

***ACTION: (T-10:19 AM) Approved.***

### **PARKS AND RECREATION DIVISION**

15. MOTION TO ADOPT Resolution 2004-64 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation of \$13,000 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-10:19 AM) Approved.***

### **EMERGENCY MANAGEMENT AGENCY**

16. MOTION TO APPROVE memorandum of agreement between Broward County and the City of Miami, effective from date of execution through December 31, 2005, to participate in and support the implementation of the Urban Area Security Initiative from the U.S. Department of Homeland Security, through the Office of Domestic Preparedness and the State of Florida Division of Emergency Management; authorize the Mayor and Clerk to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

***ACTION: (T-10:19 AM) Withdrawn to assess Sheriff's Office support. (NOTE: Pages 2 and 4 were replaced in the Agreement.)***

### **PORT EVERGLADES DEPARTMENT**

17. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Gunilla Lundstrom North, Vice Consul, Consulate of Sweden, for Suite No. 310 in Building 611 (Amman Building) at Port Everglades; consisting of 272 square feet of office space, effective March 1, 2004 through February 28, 2005, with rent in the amount of \$4,760 over the lease term; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:19 AM) Approved.***

18. MOTION TO FILE Quarterly Report for Business Permits issued at Port Everglades for the period October 1, 2003 through December 31, 2003.

***ACTION: (T-10:19 AM) Approved.***

19. MOTION TO ADOPT Resolution 2004-65 waiving dockage charges in an amount not to exceed \$37,500 for the vessel "Miss Dania Beach" during a lay-in period prior to the vessel being sunk as an artificial reef.

***ACTION: (T-10:19 AM) Approved.***

### **OFFICE OF BUDGET SERVICES**

20. A. MOTION TO ADOPT unanticipated revenue Resolution 2004-66 within the General Fund for the Broward Sheriff's Office in the amount of \$325,842 for the purpose of increasing the contract for police services for the City of Weston.

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-67 within the Fire Protection Fund for the Broward Sheriff's Office in the amount of \$852,276 for the purpose of increasing the contract for fire/EMS services for the City of Weston.

***ACTION: (T-10:19 AM) Approved.***

21. A. MOTION TO ADOPT budget Resolution 2004-68 transferring funds within the General Capital Outlay Fund in the amount of \$242,500 for one-time capital law enforcement and detention projects

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-69 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$242,500 for one-time capital law enforcement and detention projects.

***ACTION: (T-10:19 AM) Approved.***

#### **SUPERVISOR OF ELECTIONS**

22. 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 thirty four (34) precincts for voting in the Presidential Preference Primary Election on March 9, 2004 as submitted in Exhibit A.

***ACTION: (T-10:19 AM) Approved.***

#### **COUNTY ATTORNEY**

23. MOTION TO AUTHORIZE the Mayor and Clerk to execute and deliver one Satisfaction of Mortgage for a certain mortgage executed by David V. Schroder and Colleen Schroder, for the purpose of posting an appearance bond in the case of State of Florida v. Dunitze (Dee) Venter, Case No. 01-007457CF10A.

***ACTION: (T-10:19 AM) Approved.***

24. A. MOTION TO RATIFY appointment of firms of: (i) Adorno & Yoss, P.A., in joint venture with the Law Offices of Johnny L. McCray, Jr., P.A.; (ii) Nabors, Giblin & Nickerson, P.A., in joint venture with Lindor-Brutus, P.A.; (iii) Squire, Sanders & Dempsey, L.L.P., in joint venture with Perry E. Thurston, Jr., P.A.; and (iv) Bryant, Miller & Olive, P.A., in joint venture with the Law Offices of Steve E. Bullock, a Professional Association, as Bond Counsel to Broward County on its bond/note transactions, and on its conduit issues involving the Housing Finance Authority, the Health Facilities Authority and the Industrial Development Revenue Bonds. (Deferred from February 10, 2004 – Item No. 9)

***ACTION: (T-10:19 AM) Approved.***

- B. MOTION TO APPROVE form of the proposed Bond Counsel Agreement for legal services and fee schedules as attached.

***ACTION: (T-10:19 AM) Approved.***

#### **COUNTY COMMISSION**

25. MOTION TO FILE City of Weston Resolution 2004-01, dated January 20, 2004, supporting revisions to Broward County's evaluation and appraisal report and subsequent changes to the Broward County countywide land use plan, as outlined in the EAR Coalition Policy Statements, attached as exhibit "A," to protect the ability to redevelop and the home rule authority of municipalities in Broward County. (Mayor Lieberman)

***ACTION: (T-10:19 AM) Approved.***

26. MOTION TO FILE City of Hollywood Resolution R-2004-18, dated January 21, 2004, requiring that building permits for the construction, expansion, and/or conversion of a building within a plat not be issued until such time as the applicant provides the City of Hollywood with written confirmation from Broward County that the applicable impact fees have been paid or are not due. (Mayor Lieberman)

***ACTION: (T-10:19 AM) Approved.***

27. MOTION TO FILE City of Hollywood Resolution R-2004-23, dated January 21, 2004, encouraging the Broward County School Board and the Broward County Board of County Commissioners to include representatives of the general public in their appointments to the Oversight Committee established by the public Schools Facility Planning Interlocal Agreement. (Mayor Lieberman)

***ACTION: (T-10:19 AM) Approved.***

28. MOTION TO FILE City of Wilton Manors Resolution 2686, dated June 24, 2003, requesting support for the renaming of "NE 26<sup>th</sup> Street Bridge" to be changed to "James Dean Bridge" (Mayor Lieberman)

***ACTION: (T-10:19 AM) Approved.***

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**QUASI-JUDICIAL CONSENT HEARING**

**DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

**DEVELOPMENT MANAGEMENT DIVISION**

29. DISCUSSION of plat entitled "Edgewood Landings" - **Commission District 7**, (028-MP-03).

***ACTION: (T-10:19 AM) Revised staff's recommendation of deferral to approval of the plat subject to staff's recommendations as outlined in the Development Review Report.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REQUEST TO SET FOR PUBLIC HEARING**

30. MOTION TO ADOPT Resolution 2004-70 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 24, 2004, at 2:00 PM, in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 27, OPERATIONAL POLICY, DEVELOPMENT MANAGEMENT DIVISION, BY AMENDING CHAPTER 27.44, DEFINITIONS; CHAPTER 27.45, ROAD IMPACT FEE POLICY; CHAPTER 27.53, TRIPS MODEL; CHAPTER 27.62, METHODOLOGY FOR DETERMINATION OF AVAILABLE CAPACITY; BY ADDING A NEW EXHIBIT FOR ROAD IMPACT FEE ASSESSMENT ZONES; BY ADDING A NEW EXHIBIT FOR ROAD IMPACT FEES BY LAND USE BY ASSESSMENT ZONE; AMENDING APPENDIX A OF THE TRAFFIC REVIEW AND IMPACT PLANNING SYSTEM (TRIPS) SUMMARY DESCRIPTION; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY

ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**ACTION: (T-10:27 AM) Approved. See Page \*\*\*\*\***

31. MOTION TO ADOPT Resolution 2004-71 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 24, 2004, 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 CHAPTER 39, ARTICLE V, VARIANCES, ADMINISTRATIVE DETERMINATIONS AND APPEALS OF THE BROWARD COUNTY ZONING CODE OF ORDINANCES; AMENDING SECTION 39-35(d), "ESTABLISHMENT AND DUTIES OF BOARD OF ADJUSTMENT"; AMENDING SECTION 39-38, "NOTICES," CLARIFYING NOTICES TO PROPERTY OWNERS, MAYORS, CITY MANAGERS AND CIVIC/HOMEOWNERS ASSOCIATIONS; AMENDING SECTION 39-40(b), "CONSIDERATIONS FOR VARIANCES," CLARIFYING RELEVANT MATTERS BEFORE THE BOARD OF ADJUSTMENT; AMENDING SECTION 39-43(e), "TIME LIMITS"; AMENDING SECTION 39-44, "APPEALS TO DECISIONS OF THE BOARD OF ADJUSTMENT," CLARIFYING NOTICE PROVISIONS OF APPEAL PROCEEDING BEFORE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

**ACTION: (T-10:30 AM) Approved, as amended. The Board directed staff to amend the language in Section 39-35, subsection (3): “Render a written finding of fact on all matters at the final finding and determination at the conclusion of the hearing.” The amendment submitted will travel with the proposed Ordinance and shall be considered at the Public Hearing. See Page \*\*\*\*\***

**REGULAR AGENDA**

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- 32. **DELEGATION:** David M. Scott, Commander of the Broward County American Legion, explaining the American Legion’s programs.

**ACTION: (T-10:33 AM) No Board action was taken. See Page \*\*\*\*\***

**HUMAN SERVICES DEPARTMENT**

- 33. A. **MOTION TO APPROVE** Agreement No. 04-HSD-0010-01 between Broward County and Gay & Lesbian Community Center of Greater Fort Lauderdale, Inc. in the amount of \$185,500; from date of execution through February 28, 2005, for the purpose of providing funding for education/outreach and information, and referral services, and authorize the Mayor and Clerk to execute same. **(Commission District 7)** (Deferred from February 3, 2004 – Item No. 30)

**ACTION: (T-10:37 AM) Approved.**

- B. **MOTION TO ADOPT** budget Resolution 2004-72 transferring within the General Fund (0010) the amount of \$185,500 from the Commission Reserve for the purpose of providing emergency funding to the Gay & Lesbian Community Center of Greater Fort Lauderdale, Inc.

**ACTION: (T-10:37 AM) Approved.**

**PORT EVERGLADES DEPARTMENT**

- 34. **MOTION TO APPROVE** lease termination agreement between Broward County and PE Land Holdings, LLC, FDC PE Building I, Inc., FDC Building II, Inc., and FDC PE Building III, relating to 97 acres or land at Port Everglades; and authorize the Mayor and County Administrator to execute same. (Deferred from February 3, 2004 – Item No. 31)

**ACTION: (T-10:19 AM) Deferred to complete review by the Mayor.**

**OFFICE OF URBAN PLANNING AND REDEVELOPMENT**

**PLANNING SERVICES DIVISION**

- 35. **MOTION TO FIND** application 03-RF-07 for the allocation of 129 residential reserve units in the City of North Lauderdale compatible with adjacent uses, and that impacts upon public school facilities have been adequately considered. **(Commission District 9)**

**ACTION: (T-10:38 AM) Approved.**

36. MOTION TO FIND application 03-RF-08 for the allocation of 158 residential flexibility units in the City of Margate compatible with adjacent uses, and that impacts upon public school facilities have been adequately considered. **(Commission District 2)**

***ACTION: (T-10:38 AM) Approved.***

37. A. MOTION TO DISCUSS 2004 Evaluation and Appraisal Report (EAR) for the Broward County Comprehensive Plan.

***ACTION: (T-10:38 AM) The Board members offered comments to the 2004 Evaluation and Appraisal Report (EAR) for the Broward County Comprehensive Plan. See Page \*\*\*\*\****

- B. MOTION TO ADOPT Resolution 2004-73 directing the County Administrator to publish Notice of a Public Hearing to be held on Tuesday, February 24, 2004, at 2:00 PM in Room 422 of the Broward County Governmental Center, to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING THE COUNTY'S COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT; PROVIDING AN EFFECTIVE DATE.

***ACTION: (T-10:38 AM) Approved.***

#### **OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

38. MOTION TO APPROVE County's 2004 Federal Legislative Package for the Second Session of the 108<sup>th</sup> Congress

***ACTION: (T-10:53 AM) Approved, as amended. The approval of the amendment relating to removing SFRTA Dolphin Extension from the County's Federal Legislative Agenda is contingent upon staff confirming that it is Tri-Rail Authority's position to remove the Dolphin Extension from its Federal Legislative Package. See Page \*\*\*\*\****

39. MOTION TO ADD Broward Sheriff's Office 2004 Legislative Agenda to the Broward County Commission's 2004 State Legislative Program.

***ACTION: (T-10:57 AM) Approved. The Board will monitor and assist where the Sheriff's priorities are identical to the priorities already set in the County's platform. See Page \*\*\*\*\****

## COUNTY COMMISSION

40. MOTION TO WAIVE Broward County Property Appraiser's notice and land owner's certification requirements for land that received an agricultural classification from the Broward County Value Adjustment Board or a court of competent jurisdiction, and direct the Property Appraiser to provide the same notification to such owners as is currently provided by the Property Appraiser to property owners granted an agricultural classification by the Property Appraiser. (Commissioner Parrish)

***ACTION: (T-10:59 AM) Approved. The Mayor, on behalf of the Board, will send a letter to the Property Appraiser advising him of the County's action and requesting his continued cooperation in this matter. See Page \*\*\*\*\****

41. MOTION TO APPROVE purchase of additional noise monitors in the town of Davie to determine the existence of noise levels exceeding the 65 dnl. Staff to make recommendation as to the most appropriate location for new equipment as well as consider the relocation of existing noise monitors. (Commissioner Rodstrom)

***ACTION: (T-11:00 AM) Approved, as amended. Aviation staff will return before the Board with the most appropriate locations for the Board's consideration. See Page \*\*\*\*\****

42. MAYOR'S REPORT

- A. AFRICAN-AMERICAN HISTORY MONTH KICKOFF

***ACTION: (T-11:42 AM) Mayor Lieberman encouraged everyone to view the exhibit of various photographs and artwork in the Governmental Center lobby commemorating African-American History Month in Broward County. See Page \*\*\*\*\****

- B. VACANCY ON HILLSBORO INLET DISTRICT

***ACTION: (T-11:43 AM) The Mayor advised that there is a vacancy on the Hillsboro Inlet District. She stated that the Hillsboro Inlet District falls within Vice Mayor Jacobs and Commissioner Scott's districts and that they share the respective appointment. The Mayor suggested that they decide which commissioner would appoint someone to fill the vacancy. See Page \*\*\*\*\****

- C. NEWS ARTICLE - VISION BROWARD

***ACTION: (T-11:44 AM) Mayor Lieberman clarified untrue, negative comments that were made in a recent news article relating to Vision Broward. The Mayor encouraged anyone interested in participating in Vision Broward to do so at: [www.visionbroward.org](http://www.visionbroward.org). See Page \*\*\*\*\****

43. COUNTY COMMISSION LIAISON REPORT

**ACTION: (T-11:44 AM) No reports were filed.**

44. COUNTY ADMINISTRATOR'S REPORT

**ACTION: (T-12:03 PM) Deputy County Administrator Bertha Henry informed the Board there was nothing to report.**

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

45. DISCUSSION: Sub-consultants participation in Construction Manager at Risk. Reinstitute evaluations of construction projects by County Project Manager. (Commissioner Parrish)

**ACTION: (T-11:02 AM) The Board directed staff to continue as they had in the past prior to implementing SDBE certifications at the time of bid response for the Construction Manager at Risk process and Design Build process, and reinstitute the evaluations of construction projects by a County Project Manager at the completion of the project to include actual SDBE performance. See Page \*\*\*\*\***

46. A. MOTION FOR RENEWAL of Agenda Item No. 15, from the Board of County Commissioners Meeting of January 27, 2004, regarding the Sandalgrove Apartments Project. (Commissioner Eggelletion)

**ACTION: (T-11:12 AM) Approved. See Page \*\*\*\*\***

- B. MOTION TO RESCIND Resolution of the Board of County Commissioners, adopted on January 27, 2004, regarding the Sandalgrove Apartments Project.

**ACTION: (T-11:14 AM) Deferred to the 2:00 p.m. Public Hearing meeting. See Page \*\*\*\*\***

**ACTION: (T-2:46 PM) Deferred to Tuesday, February 17, 2004. See Page \*\*\*\*\***

**NON AGENDA**

47. BROWARD CULTURAL COUNCIL FUNDING – COMMISSIONER GUNZBURGER

**ACTION: (T-11:49 AM) Commissioner Gunzburger expressed concern regarding funding for the Broward Cultural Council and hoped that the County could identify additional funding sources. See Page \*\*\*\*\***

48. VISION BROWARD – COMMISSIONER PARRISH

**ACTION: (T-11:53 AM) Commissioner Parrish commented that she would seek the assistance of the original Charter Review Board members to actively participate in Vision Broward. See Page \*\*\*\*\***

49. PORT ITEM – COMMISSIONER SCOTT

**ACTION: (T-11:54) Commissioner Scott requested that the Board finalize some action regarding Item 34, lease termination agreement between Broward County and PE Land Holdings, LLC. The Mayor explained that board members had questions that needed to be answered by staff. An item will be placed on the Tuesday, February 24, 2004 Commission agenda. See Page \*\*\*\*\***

50. COMMENTS - NEWS ARTICLE – VISION BROWARD – COMMISSIONER SCOTT

**ACTION: (T-11:54 AM) No Board action was necessary. See Page \*\*\*\*\***

51. ADDITIONAL COMMENTS - PORT ITEM – COMMISSIONER SCOTT

**ACTION: (T-11:57 AM) No Board action was necessary. See Page \*\*\*\*\***

52. APOLOGIES TO COUNTY COMMISSION – MISSED AFRICAN-AMERICAN HISTORY MONTH KICKOFF – COMMISSIONER WASSERMAN-RUBIN

**ACTION: (T-11:57 AM) Commissioner Wasserman-Rubin apologized to the board for missing the African-American History month kickoff in the Governmental Center lobby this morning. She was delayed due to traffic congestion. See Page \*\*\*\*\***

53. REVISIT ITEM 29 – COMMISSIONER RODSTROM

**ACTION: (T-11:58 AM) The Mayor clarified that item 29 was a plat approval. Staff revised its recommendation of deferral of the plat to approval. See Page \*\*\*\*\***

54. MEMORANDUM FROM CONGRESSMAN ROBERT WEXLER – HAVA FUNDING FOR FLORIDA - VICE MAYOR JACOBS

**ACTION: (T-12:00 PM) Vice Mayor Jacobs reported that the Help America Vote Act (HAVA) funding share for Florida will be approximately \$85 million. Also, including the left over HAVA funds from last year brings the funding to \$120 million available to Florida. The Vice Mayor asked staff to investigate exactly what funds will be shared with Broward County; when the funds will be available; can the funds offset the cost of printers if the Legislature certifies printers, and when the state disseminates the funds will they use voting age or registered voters as the criteria to set the funding allocation. See Page \*\*\*\*\***

55. AIRPORT EXPANSION – MAYOR LIEBERMAN

**ACTION: (T-12:00 PM) The Mayor requested that staff send a memorandum to commissioners explaining what actions Aviation staff is taking to reach out to the homeowners south of the airport whose homes are for sale. Residents are concerned regarding the acquisition of impacted properties, relocation expenses, etc. In addition, the Mayor directed staff to include in the memorandum staff's understanding of the Commission's actions and steps staff will be taking to implement each of the actions. See Page \*\*\*\*\***

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**MEETING/WORKSHOP NOTICES**

**APPROVAL OF AGREEMENT  
RESTRICTED MULTI-DAY OR DAILY CRUISE OPERATOR  
RLI No. 20030312-0-PORT-SPEC**

Tuesday, February 10, 2004 in Room 430 at 9:30 AM

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