

MEETING OF FEBRUARY 11, 2003

(The meeting convened at 10:00 a.m.; recessed at 11:20 a.m.; reconvened at 11:25 a.m. and adjourned at 11:51 a.m.)

PLEDGE OF ALLEGIANCE was led by Mayor Diana Wasserman-Rubin, Broward County Board of County Commissioners.

CALL TO ORDER

CONSENT AGENDA

1. BOARD APPOINTMENTS

- A. MOTION TO APPOINT Abraham Stubbins to the Brownsfield Redevelopment Task Force. (Vice-Mayor Lieberman)

ACTION: (Time-10:13 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Amendment No. 3 to the agreement for management of Airport public parking facilities at Fort Lauderdale-Hollywood International Airport ("FLL") between Broward County, Florida and USA Parking Associates III ("Operator"), a joint venture, to modify the agreement to provide for the transfer of the management responsibility of the Employee Parking Facility at FLL to the Operator at an annual cost of \$48,000 to extend the expiration of the term of the agreement from December 14, 2004 to December 14, 2006, and to allow a one time reimbursement for legal fees incurred by Operator in defending a lawsuit regarding the County's courtesy parking policy for disabled parking, to be effective upon Board approval; and authorize the Mayor and Clerk to execute same.

ACTION: (Time-10:13 AM) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

3. MOTION TO APPROVE settlement agreement between Broward County and Lanzo Construction Company for \$47,343.76, for settlement of claim connected with South County Neighborhood Improvement Project, Bid Package 9; and authorize the Mayor and Clerk to execute same. (BCOES Project No. 1148/8600) **(Commission District 8)**

ACTION: (Time-10:13 AM) Approved.

OFFICE OF GENERAL SERVICES

REAL PROPERTY SECTION

4. MOTION TO ADOPT Resolution exercising the first of two, two-year lease renewal options for 14,930 square feet of office space for the State Attorney's Office located at 110 SE 6th Street in the City of Fort Lauderdale. Renewal rent is approximately 2.75% above the existing rent of \$25.50, per square foot. Term of first lease renewal: two years commencing August 21, 2003 and terminating August 20, 2005 at \$26.20, per square foot; \$32,597.17, monthly during first year of renewal and \$26.92, per square foot; \$33,492.97, monthly during second year of renewal; authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (Time-10:13 AM) Deferred at the request of the Commission Auditor as reflected in his memorandum dated February 11, 2003.

5. MOTION TO ADOPT Resolution 2003-72 authorizing the conveyance by quit claim deed, of various tax deed properties that have escheated to Broward County for delinquent real estate taxes, to the municipalities in which land is located pursuant to Florida Statute 197.592. These particular properties are all within the City of Deerfield Beach and the City of North Lauderdale; authorize the Mayor and Clerk to execute deeds; and authorize acceptance and recordation of same. **(Commission Districts 2, 1)**

ACTION: (Time-10:14 AM) The board took the following actions: 1) Severed the City of North Lauderdale deed properties from the City of Deerfield Beach. 2) Deferred the deed properties going to the City of North Lauderdale. 3) Approved the transmittal of the deed properties to the City of Deerfield Beach. See Page *****

FACILITIES MANAGEMENT DIVISION

6. **MOTION TO APPROVE** first amendment to the agreement between Broward County and the City of Fort Lauderdale, Florida, for lease to the City, of parking lot at the Broward County Governmental Center. (This motion was deferred from the April 23, 2002 (Item No. 4), and the September 24, 2002 (Item No. 96) Commission Meetings). **(Commission District 7)**

ACTION: (Time-10:13 AM) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

7. A. **MOTION TO ADOPT** budget Resolution 2003-73 transferring within the Capital Project Fund (3150) the amount of \$2,000,000 from the Engineering Capital Outlay Reserve (3150-028-3000.9418) in order to fund Amendment No. Four to the Joint Participation Agreement with the Florida Department of Transportation for the Andrews Avenue Extension Project (No. 5091) (3150-127-7396.8101). **(Commission Districts 2 and 9)**

ACTION: (Time-10:13 AM) Approved.

- B. **MOTION TO APPROVE** Amendment No. Four to Joint Participation Agreement between Broward County and Florida Department of Transportation for Segments 1, 2 and 3 of the Andrews Avenue Extension Improvement Project, from NW 18th Street to Atlantic Boulevard, Project No. 5091, at a cost to the County of \$2,659,860.58; and authorize the Mayor and Clerk to execute same. **(Commission Districts 2 and 9)**

ACTION: (Time-10:13 AM) Approved.

8. A. **MOTION TO ADOPT** Resolution 2003-74 accepting a warranty deed, at a nominal cost of \$10 to the County, executed by Mango Place Townhomes, Inc. for right-of-way for SW 4th Avenue at the southeast corner of the intersection with SW 7th Street. **(Commission District 7)**

ACTION: (Time-10:13 AM) Approved.

- B. MOTION TO ADOPT Resolution 2003-75 accepting a road easement, at a nominal cost of \$1 to the County, executed by Mango Place Townhomes, Inc. for right-of-way for SW 4th Avenue at the southeast corner of the intersection with SW 7th Street. **(Commission District 7)**

ACTION: (Time-10:13 AM) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

9. MOTION TO APPROVE and execute the agreement between Broward County and First Southwest Company to provide financial advisory services for the issuance of Health Facilities Revenue Bonds, notes, certificates, etc. (RLI No. 20020501-0-FM-01).

ACTION: (Time-10:13 AM) Approved.

ACCOUNTING DIVISION

10. MOTION TO APPROVE travel for County employees on the attached list, in accordance with Administrative Code Chapter 3, Part II - County Employee Travel.

ACTION: (Time-10:13 AM) Approved.

PURCHASING DIVISION

For Community Services Department

11. MOTION TO AWARD fixed contract to low bidder Custom Built Marine Construction, Inc. for Boat Docks - West Lake Park (Bid No. T902237CF) in the estimated amount of \$293,038 for the Parks and Recreation Division subject to receipt and approval by the County of insurance and performance/payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

ACTION: (Time-10:13 AM) Approved.

12. MOTION TO APPROVE first amendment to agreement between Broward County and Museum of Art, Inc. for arts management, preparator, conservation, handler and curatorial services, increasing the maximum annual amount from \$180,000 to \$230,000; including \$5,000 for reimbursables for the Community Services Department/Cultural Affairs Division; and authorize the Mayor and Clerk to execute same.

ACTION: (Time-10:13 AM) Approved.

For Public Works Department

13. MOTION TO APPROVE Phase I Agreement between Broward County and James B. Pirtle Construction Co., Inc. for managing general contractor preconstruction services for the South Regional Library, (RLI 041700-RB) in the amount of \$118,000 with a contract time of 365 calendar days; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

ACTION: (Time-10:13 AM) Approved.

14. A. MOTION TO ADOPT budget Resolution 2003-76 transferring within the Library Bond Capital Outlay Fund (3180) the amount of \$41,671 from the Library Bond Fund Reserve for the Davie/Cooper City Branch Library.

ACTION: (Time-10:13 AM) Approved.

- B. MOTION TO APPROVE agreement between Broward County and D. Stephenson Construction, Inc. (RLI 041700-RB) for managing general Contractor (Phase II) Construction Services for Davie/Cooper City Branch library for a guaranteed maximum price (GMP) of \$248,896 with a contract time of 90 calendar days to retool the Davie Cooper City Branch Library; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (Time-10:13 AM) Approved.

15. MOTION TO AWARD open-end contract to low bidder for items 1 and 2, Monarch Dodge, for automobiles, 4 door sedans, Bid No. CX02259B1, in the estimated amount of \$487,818 for the Fleet Services Division. The contract will start on date of award and end when 2003 models are no longer available.

ACTION: (Time-10:13 AM) Withdrawn for further staff review.

REVENUE COLLECTION DIVISION

16. MOTION TO APPROVE AND EXECUTE Satisfactions of Claims of Lien.

ACTION: (Time-10:13 AM) Approved.

17. MOTION TO ADOPT three Resolutions 2003-77 thru 2003-79 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Payroll No. 2079940003798, Self-Insurance No. 2090002760518 and Tax and License No. 2090002760916.

ACTION: (Time-10:13 AM) Approved.

RISK MANAGEMENT DIVISION

18. MOTION TO AUTHORIZE full and final settlement of attorney's fees and costs for claim 90WC0065RS in the amount of \$20,500.

ACTION: (Time-10:13 AM) Approved.

HUMAN SERVICES DEPARTMENT

19. MOTION TO APPROVE second amendment to agreement between Broward County and the Town of Pembroke Park, for increasing the amount of funding by \$94,077 from \$85,739 to a total of \$179,816 for the purpose of completing the Hallandale Beach Blvd. Force Main Improvement Project, and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

ACTION: (Time-10:13 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

20. MOTION TO ADOPT Resolution 2003-80 of the Board of County Commissioners of Broward County, Florida, waiving license tag fees for an amount not to exceed 500 license tags, for vaccinated dogs and cats for Broward County pet owners at the Fort Lauderdale and Pompano Beach animal shelters; providing for severability; and providing for an effective date and an automatic repeal date.

ACTION: (Time-10:16 AM) Approved as presented by staff with the proviso that anyone bringing an unsterilized animal is given information on spaying and/or neutering pets to control pet overpopulation. See Page *****

CULTURAL AFFAIRS DIVISION

21. A. MOTION TO FILE report for the first quarter of Fiscal Year 2003 in accordance with Section 29.17h of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

ACTION: (Time-10:13 AM) Approved.

- B. MOTION TO FILE final report for the Fiscal Year 2002 grants in accordance with Section 29.17h of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

ACTION: (Time-10:13 AM) Approved.

PARKS AND RECREATION DIVISION

22. A. MOTION TO ADOPT Resolution 2003-81 of the Board of County Commissioners of Broward County, Florida, providing for the naming of a new County neighborhood park located at 7001 SW 17th Street in the Broadview Estates subdivision in unincorporated Broward County, to be named "Broadview Community Park"; and providing for an effective date. **(Commission District 1)**

ACTION: (Time-10:13 AM) Approved.

- B. MOTION TO ADOPT Resolution 2003-82 of the Board of Broward County, Florida, providing for the renaming of Pompano Park, a County community park, located at 4001 Bailey Road in unincorporated Broward County, to "Pompano Park Community Park"; and providing for an effective date. **(Commission District 1)**

ACTION: (Time-10:13 AM) Approved.

PORT EVERGLADES DEPARTMENT

23. MOTION TO APPROVE renewal of a lease agreement between Broward County and Fillette, Green & Co., Inc., for Suite No. 314 in Building 611 at Port Everglades, consisting of 160 square feet of office space, for the period of March 1, 2003 through February 29, 2004, with rent in the amount of \$2,800 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (Time-10:13 AM) Approved.

24. MOTION TO APPROVE renewal of a lease agreement between Broward County and Gunilla Lundstrom North, Vice Consul, Consulate of Sweden, for Suite No. 310 in Building 611 at Port Everglades, consisting of 272 square feet of office space, for the period of March 1, 2003 through February 29, 2004, with rent in the amount of \$4,760 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (Time-10:13 AM) Approved.

25. MOTION TO APPROVE renewal of a lease agreement between Broward County and Optimum Care Services, Inc., for Suites No. 322-326 in Building 611 at Port Everglades, consisting of 1,000 square feet of office space, for the period of March 1, 2003 through February 29, 2004, with rent in the amount of \$17,500 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (Time-10:13 AM) Approved.

OFFICE OF BUDGET SERVICES

26. MOTION TO ADOPT unanticipated revenue Resolution 2003-83 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$2,162,538 for the purpose of funding overtime police staffing at passenger screening locations in the Fort Lauderdale/Hollywood International Airport for Fiscal Year 2003. All direct costs are funded by the U.S. Transportation Security Administration.

ACTION: (Time-10:13 AM) Approved.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

27. MOTION TO APPROVE third amendment to the agreement with Anthony P. Carvalho as Legislative Budget Analyst for the 2003 Legislative Session.

ACTION: (Time-10:13 AM) Approved.

COUNTY ATTORNEY

28. MOTION TO APPROVE first amendment to agreement between Conrad & Scherer, L.L.C. and Broward County, in connection with ongoing eminent domain litigation, Broward County v. Show Management, Inc., Case No. 01-13477.18.

ACTION: (Time-10:13 AM) Approved. See Page *****

COUNTY ADMINISTRATOR

29. MOTION TO APPROVE first amendment to an agreement between BSO, Wackenhut Corrections Corporation, and Broward County for the provision of 82 beds in the Wackenhut owned and operated work release center for a period of one year with the option to renew annually, as necessary, at a cost of \$1,338,000 in the first year.

ACTION: (Time-10:13 AM) Approved.

30. MOTION TO FILE list of representatives participating on the County Auditor Nominating Board.

ACTION: (Time-10:13 AM) Approved.

COUNTY COMMISSION

31. MOTION TO FILE City of Cooper City Resolution No. 03-01-01 requesting the Broward County Board of County Commissioners to authorize the Broward County Engineering Division to move forward with design plans and construction for the widening of Palm Avenue (SW 100th Avenue) between Griffin Road and Stirling Road. (Mayor)

ACTION: (Time-10:13 AM) Approved.

32. MOTION TO FILE Resolution of the Council of Fort Lauderdale Civic Associations, Inc., supporting the extension of the south runway to 9,000 feet. (Mayor)

ACTION: (Time-10:13 AM) Approved.

33. MOTION TO FILE City of Tamarac Resolution R2003-24 encouraging the Broward County Commission to support and assist Broward County municipalities in the March 11, 2003 general municipal election. (Mayor)

ACTION: (Time-10:13 AM) Approved.

34. MOTION TO FILE City of Weston Resolution No. 2003-03 requesting the Board of County Commissioners to urge Governor Bush to suspend the Broward County Supervisor of Elections, Miriam M. Oliphant, and to provide assistance to the City of Weston to ensure an effective election on March 11th, 2003; and to file City of Weston Resolution No. 2003-04 urging Governor Bush to suspend the Broward County Supervisor of Elections. (Mayor)

ACTION: (Time-10:13 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

35. MOTION TO ADOPT Resolution 2003-84 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 25, 2003 at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

“A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 37.61, BROWARD COUNTY ADMINISTRATIVE CODE, RELATING TO THE FEE

SCHEDULE FOR ANIMAL CARE AND REGULATION;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN ADMINISTRATIVE CODE; AND PROVIDING
FOR AN EFFECTIVE DATE.”

ACTION: (Time-10:37 AM) Approved. See Page *****

REGULAR AGENDA

- 36. **COUNTY ADMINISTRATOR’S REPORT** County Administrator Roger J. Desjarlais reminded the Board that a joint meeting between the County Commission and the South Florida Water Management District will be held following this day’s Commission meeting in Room 430.

ACTION: (Time-10:42 AM) No Board action was taken. See Page *****

PUBLIC HEARING

The following item has been scheduled for Public Hearing at 10:00 AM meeting.

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

- 37. **MOTION TO WITHDRAW** contract for sale and purchase between Genevieve Niemic and Broward County, in the amount of \$1,200,000 for the purchase of 7.25 acres (315,810 square feet) of Conservation Land known as Site 137 in the Broward County Land Preservation Inventory, located at 510 SW 49th Street, fronting along the west side of SW 25th Avenue, approximately 600 feet south of Griffin Road, City of Dania Beach, Florida . **(Commission District 7)**

ACTION: (Time-10:43 AM) Approved. See Page *****

END OF PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

38. MOTION TO APPROVE consent for assignment of contract for sale and purchase for Conservation Land Site 403A (0.96 acres; 41,847 square feet), located on the north side of the 9800 block of SW 23rd Street, west of SW 98th Terrace, Unincorporated Broward County, Florida, from Oak Knoll at Pine Island Ridge, LTD. to North American Company, LLLP, on December 30, 2002. **(Commission District 7)**

ACTION: (Time-10:43 AM) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

PLANNING SERVICES DIVISION

39. MOTION TO FIND application 02-CF-05 for the allocation of 5.9 acres of commercial flexibility, in the Town of Davie, compatible with adjacent land uses subject to the recordation of a Declaration of Covenants and Restrictions and, that impacts upon public school facilities have been adequately considered. (Continued from 12/10/02 and 1/07/03) (Deferred from February 4, 2003 - Item No. 46) **(Commission District 5)**

ACTION: (Time-10:43 AM) Approved with the applicant entering into a Declaration of Covenants and Restrictions as reflected in the letter from James C. Brady & Associates to Deputy County Attorney Sharon Cruz and Monroe D. Kiar, Town Attorney, Town of Davie, dated February 5, 2003. See Page *****

COUNTY COMMISSION

40. MOTION TO DIRECT County Attorney to prepare an Ordinance prohibiting the County from publishing social security numbers as a public record. (Deferred from February 4, 2003 - Item No. 50) (Vice-Mayor Lieberman)

ACTION: (Time-10:47 AM) Approved. See Page *****

41. **MAYOR'S REPORT**

The Mayor informed the Board of the following:

- A. HUD officials presented the County with a ceremonial check in the amount of \$4.3 million for Homeless Continuum of Care.

- B. The Broward Chapter of the Florida Engineering Society is celebrating Engineer's Week this month. In accordance with this year's theme "Tribute to Government," the society will honor Commission Lori Nance Parrish for her "Outstanding Service to the Profession" and Dick Brossard, director, Public Works Department as " Engineer of the Year." The Mayor congratulated both Commissioner Parrish and Mr. Brossard for the honors they received.
- C. Port Everglades is celebrating its 75th anniversary this month. On Friday, February 28, 2003, the Port will commemorate the "Wedding of the Waters" when the last rocks and barriers were removed to open Lake Mabel Harbor to the Atlantic Ocean.

**ACTION: (Time-10:51 AM) No Board action was taken.
See Page *******

42. **COUNTY COMMISSION LIAISON REPORTS**

- A. **Vice Mayor Lieberman** - Informed the Board that there was tentative approval for the March 14, 2003 meeting between the County Commission and the Federal Congressional Legislative Delegation.

**ACTION: (Time-10:53 AM) No Board action was taken.
See Page *******

- B. **Commissioner Parrish** - Informed the Board that Chief Judge Dale Ross was reelected as Chief Judge of the 17th Judicial Circuit Court.

**ACTION: (Time-10:53 AM) No Board action was taken.
See Page *******

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

- 43. **MOTION TO REAFFIRM** and direct our lobbying team, that creation of a South Florida Regional Transportation Authority (RTA) as outlined in Broward County's 2003 State Legislative Program is a legislative priority for the upcoming Legislative Session. (Commissioner Parrish)

ACTION: (Time-10:13 AM) Approved. Transferred to the Consent Agenda.

44. MOTION TO NOMINATE Lisa Baumbach-Reardon for appointment to the Land Preservation and Acquisition Advisory Board in the environmental category. (Commissioner Parrish)

ACTION: (Time-10:13 AM) Approved. Transferred to the Consent Agenda.

NON AGENDA

45. STATE BUDGET CUTS - COMMISSIONER GRABER

ACTION: (Time-10:54 AM) No Board action was taken. See Page *****

46. PLANNING COUNCIL LITIGATION - SAVE OUR SHORE LINE - COMMISSIONER JACOBS

ACTION: (Time-10:56 AM) No Board action was taken. See Page *****

47. DISCUSSION - MEETING SCHEDULE CHANGES - COMMISSIONER GUNZBURGER

ACTION: (Time-11:03 AM) The Board rescheduled the Airport Expansion public hearing meeting from Tuesday, March 4, 2003 to Wednesday, March 5, 2003 at 5:00 p.m. at the Broward County Convention Center. The Airport Expansion Workshop will remain on Thursday, February 27, 2003 at 2:00 p.m. See Page *****

48. ADOPT-A-SWEETHEART - PET ADOPTION EVENT - VICE MAYOR LIEBERMAN

ACTION: (Time-11:33 AM) Adopt-A-Sweetheart pet adoption event will be held on Friday, February 14, 2003 from 12:00 p.m. to 5:00 p.m in the lobby of the Governmental Center. The fee is \$60 which includes a health exam, sterilization, license tag, tattoo, vaccinations and a 14-day return policy. See Page *****

49. CHANGES TO PROCUREMENT CODE - COMMISSIONER GRABER

ACTION: (Time-11:34 AM) Vice Mayor Lieberman, chair of the committee, will place an item on a forthcoming commission agenda. See Page *****

50. DISCUSSION - OLYMPICS COMMITTEE REQUEST TO MAKE A PRESENTATION - THE MAYOR

ACTION: (Time-11:36 AM) The Mayor will schedule a brief presentation by the Olympics Committee on a non-site specific location and provide general information only with respect to events that could be hosted throughout Broward County. See Page *****

51. INAUGURAL EVENT - DRAGON BOATS AND BUSKERS FESTIVAL - CHINESE NEW YEAR CELEBRATION - THE MAYOR

ACTION: (Time-11:48 AM) The Mayor wished the Chinese community a Happy New Year. This is the Chinese New Year 4071, the Year of the Ram. The Mayor announced that she attended The Fort Lauderdale Inaugural Sun-Sentinel Dragon Boats and Buskers Festival (February 7-9, 2003) on the New River and along Downtown Riverwalk in conjunction with an authentic Chinese New Year celebration. See Page *****

52. CELEBRATE AFRICAN AMERICAN HISTORY MONTH - COMMISSIONER EGGELLETON

ACTION: (Time-11:47 AM) Commissioner Eggleton invited the Board and the community to visit the African American Library and Research Center and participate in upcoming events celebrating African American History month, which will include distinguished artists and authors visiting Broward County to celebrate the occasion. See Page *****

MEETING/WORKSHOP REMINDER

SELECTION/NEGOTIATION COMMITTEE

**ARCHITECTURAL & ENGINEERING SERVICES FOR LIBRARY BOND
AMENDMENT TO AGREEMENT RLI No. 051799-RB**

Tuesday, February 11th at 9:30 AM, in Room 430

**JOINT MEETING - BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS
AND**

SOUTH FLORIDA WATER MANAGEMENT DISTRICT GOVERNING BOARD

Tuesday, February 11th in Room 430, at 12:00 PM
or immediately following the morning Commission meeting.
