

## **MEETING OF FEBRUARY 14, 2006**

(The meeting convened at 10:00 a.m.; recessed at 11:58 a.m.; reconvened at 4:32 p.m. and adjourned at 6:37 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner John E. Rodstrom, Jr., District 7.

### **MOMENT OF SILENCE**

In memory of Shay Lerner Schwartz, Woman of the Year in 2002 for South Florida, and active member in many community organizations.

In memory of Robert Clark, Jr., former director of Broward County Streets and Highways Division.

### **CALL TO ORDER**

## **CONSENT AGENDA**

### **BOARD APPOINTMENTS**


1. A. MOTION TO APPROVE appointment of Rabbi Robert E. Frazin to the Diversity Advisory Council. (Commissioner Wexler)  
***ACTION: (T-10:10 AM) Approved.***
- B. MOTION TO APPROVE appointment of Karen Dickerhoof to the Advisory Board for Individuals with Disabilities. (Commissioner Wexler)  
***ACTION: (T-10:10 AM) Approved.***
- C. MOTION TO APPOINT Thomas P. Ryan, Jr. to the Advisory Board for Individuals with Disabilities. (Mayor Graber)  
***ACTION: (T-10:10 AM) Approved.***
- D. MOTION TO APPOINT Kevin Leonard to serve on the Homeless Initiative Partnership Advisory Board. (Commissioner Rodstrom)  
***ACTION: (T-10:10 AM) Approved.***



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

## PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

### REAL PROPERTY SECTION

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2. MOTION TO ADOPT Resolution 2006-40 authorizing the conveyance by quit claim deed of a tax deed property that is independently unbuildable and has escheated to Broward County for delinquent real estate taxes, pursuant to Florida Statutes Chapter 197.592; to the City of Hollywood, Florida the city within which it is located, subject to Declaration of Covenants and Restrictions that require the property to be developed and used for Affordable Housing in conjunction with the adjoining parcel that is owned by the City, at no cost to the County; authorize the Mayor and Clerk to execute deed, and authorize recordation of same. **(Commission District 6 )**

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

### SEAPORT CONSTRUCTION AND PLANNING DIVISION

3. MOTION TO APPROVE third amendment to the agreement between Broward County and Craven Thompson & Associates, Inc., for expanded cargo handling facilities at Port Everglades Southport, to provide for a five-year extension to the total contract time, effective September 1, 2006, with no increase in contract amount, and authorize the Mayor and Clerk to authorize same. (Project No. 810510)

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

## ENVIRONMENTAL PROTECTION DEPARTMENT

### BIOLOGICAL RESOURCES DIVISION

4. MOTION TO ADOPT Resolution 2006-41 of the Board of County Commissioners of Broward County, Florida, authorizing the County Administrator to execute a contract on behalf of the County with the Marine Industries Association of South Florida, Inc. in the amount of \$10,000; for funding of the 29<sup>th</sup> Annual Waterway Cleanup as a Broward Beautiful Special Project; and providing for an effective date.

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

## PORT EVERGLADES DEPARTMENT

5. MOTION TO APPROVE lease agreement between Broward County and J.P. Reynolds Co., Inc., for Suite 401 in the Port Administration Building at Port Everglades, consisting of 2,880 square feet of office space, effective March 1, 2006 through February 28, 2007, with rent in the amount of \$67,271.64, over the lease term; and authorize the Mayor and Clerk to execute same.

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

6. MOTION TO APPROVE lease agreement between Broward County and ISS Marine Services, Inc., for Suite No. 208 in Building 611 (Amman Building) at Port Everglades, consisting of 400 square feet of office space, effective May 1, 2006 through April 30, 2007, with rent in the amount of \$7,000 over the lease term; and authorize the Mayor and Clerk to execute same.

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

7. MOTION TO APPROVE award of structural repairs to Southport container cranes SP1-SP7 to G.F.C. Crane Consultants, Inc. under the terms of the existing maintenance and repair agreement between Broward County and G.F.C. Crane Consultants, Inc. in an amount not to exceed \$660,500.

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

## OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

8. A. MOTION TO DIRECT staff to renew contract between Broward County and Steinberg & Associates for Washington lobbying services relating to obtaining federal reimbursement for the Broward County, Segment III Shore Protection Project, and authorize Mayor and Clerk to execute same.

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

- B. MOTION TO DIRECT staff to negotiate a contract between Broward County and Steinberg and Associates for Washington lobbying services related to Port Everglades dredging projects, and authorize the Mayor and Clerk to execute same.

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

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

9. **MOTION TO ADOPT** Resolution 2006-42 of the Board of County Commissioners of Broward County, Florida approving the issuance by the Broward County Educational Facilities Authority of Educational Facilities Revenue Bonds, Series 2006 (Nova Southeastern University Project) in one or more series at one or more times in the aggregate principal amount not to exceed \$110,000,000; to finance the cost of certain projects to be acquired constructed and equipped by Nova Southeastern University, Inc. for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended; approving the minutes of the public hearing held pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended; and providing for an effective date.

***ACTION: (T-10:15 AM) Approved. (Refer to minutes for full discussion.)***

### **PURCHASING DIVISION**

For Community Services Department

10. **MOTION TO AWARD** fixed contract to single proposer, Recreational Design & Construction, Inc. (Recreational), for design/build services for parks improvements to Brian Piccolo Park, C.B. Smith Park, and Markham Park, Design/Build No. Q302048CF, in the amount of \$5,174,288; with a project completion time of 245 calendar days, subject to receipt and acceptance of performance and payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

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

For Public Works and Transportation Department

11. **MOTION TO APPROVE** sole source agreement between Broward County and Waste Management, Inc. of Florida (WMI) for trash transfer station and disposal services, effective on Board approval and terminating on December 31, 2006, with automatic annual extensions through December 31, 2010; subject to 120 days written notice; and authorize the Mayor and Clerk to execute same.

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

### **COUNTY AUDITOR**

12. A. **MOTION TO FILE** County Auditor's Performance Review of Purchasing Division's Practices Report.

***ACTION: (T-10:16 AM) Approved. The County Auditor's Performance Review of Purchasing Division's Practice Report was referred to the Select Committee for Government Procurement Process. (Refer to minutes for full discussion.)***

B. MOTION TO ADOPT County Auditor's recommendations.

***ACTION: (T-10:16 AM) Approved. The County Auditor's Performance Review of Purchasing Division's Practice Report was referred to the Select Committee for Government Procurement Process. (Refer to minutes for full discussion.)***

13. MOTION TO ADOPT County Auditor's recommendations as stated in the Review of Cliff Berry Inc.'s (CBI) Revenue Reporting to Port Everglades (Port).

***ACTION: (T-10:10 AM) Deferred to the 2:00 p.m. Public Hearing to be discussed in combination with item 2 of the Public Hearing relating to Cliff Berry Inc.'s franchise. (Refer to minutes for full discussion.)***

***ACTION: (T-2:46 PM) No Board action was taken. (Refer to minutes for full discussion.)***

#### **COUNTY ATTORNEY**

14. MOTION TO APPROVE settlement in the amount of \$19,000; including costs and attorney's fees, in the case of Bertrum Lenton vs. Broward County, Case No. 01-14981.18.

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

#### **COUNTY COMMISSION**

15. MOTION TO ADOPT Resolution 2006-46 supporting a dedicated funding source for the South Florida Regional Transportation Authority (SFRTA). (Commissioner Scott)

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

#### **REQUEST TO SET FOR PUBLIC HEARING**

16. MOTION TO ADOPT Resolution 2006-43 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 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 CHAPTER 38, SECTIONS 38.1 AND 38.2,

BROWARD COUNTY ADMINISTRATIVE CODE, RELATING TO THE FEE SCHEDULE ESTABLISHED FOR PARKING IN OR AROUND BROWARD COUNTY OWNED AND OPERATED PARKING FACILITIES; SETTING A SEPARATE FEE SCHEDULE FOR THE BROWARD COUNTY JUDICIAL CENTER EAST GARAGE; REMOVING OUTDATED LANGUAGE THAT IS NO LONGER APPLICABLE TO THE CURRENT STRUCTURE OF PUBLIC PARKING ON COUNTY OWNED AND OPERATED FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND, PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (T-10:17 AM) Approved. Without objection, the Board directed staff to follow up with a memorandum on the feasibility of recovering some or all of the additional parking spaces held by the developer of the project. Further, the County Attorney was asked to review the lease. (Refer to minutes for full discussion.)***

**REGULAR AGENDA**

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**PUBLIC HEARING**

**The Public Works and Transportation Department requests approval for this item to be continued to the February 28<sup>th</sup>, 2006 10:00 AM Meeting.**



- 17. **MOTION TO CONSIDER** contract for sale and purchase of Safe Parks and Land Preservation Bond Program Green Space Site GS-139 (1.246 acres, 54,297 square feet), unimproved vacant land located along the north shore of the North Fork of the New River, at NW 7<sup>th</sup> Street and Harris Terrace, unincorporated Broward County, Florida, pursuant to Florida Statutes Chapter 125.355. **(Commission District 7)** (Continued from January 10, 2006 – Item No. 77)

***ACTION: (T-10:22 AM) Continued to Tuesday, February 28, 2006, at 10:00 a.m. (Refer to minutes for full discussion.)***

**END PUBLIC HEARING**

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**SAFE PARKS AND LAND PRESERVATION BOND PROGRAM**

- 18. **MOTION TO APPROVE** Land Preservation and Acquisition Advisory Board's (LPAAB) recommendation to withdraw Safe Parks and Land Preservation Bond Program funds from the Conservation Land, Green Space, and Open Space sites presently considered active if a price agreement or a purchase contract has not been reached within six months of the date of Commission approval of this motion and to allow the LPAAB to recommend to the County Commission an extension of the six month time if it is shown that there are active negotiations regarding the property.

***ACTION: (T-10:25 AM) Deferred for up to three weeks.***

***The Board directed staff to draft a supplemental agenda item to be placed on this day's 2:00 p.m. Public Hearing (Item #9) to take the necessary actions to place an approximate 3.5 acre portion of the Archdiocese Property (Folio No's. 514002010010, 514002010020, 514002010030, and 514002010040) into the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. (Commission District 5) (Commissioner Wexler) (Refer to minutes for full discussion.)***

**PUBLIC WORKS AND TRANSPORTATION DEPARTMENT**

**REAL PROPERTY SECTION**

19. MOTION TO DISCUSS potential uses/disposal of the real property at 1801 NW 64<sup>th</sup> Street, Fort Lauderdale, Florida, and located on lease land legally described as Lots 16 and 17, Fort Lauderdale Industrial Airpark Section 2 in Plat Book 63, Page 8, Broward County Records. **(Commission District 9)**

***ACTION: (T-10:52 AM) Deferred to Tuesday, February 28, 2006. The Board directed staff to redraft the matrix provided to the Commission in a more readable form and to include the following information: the amount of rent the County is paying, the term remaining on the lease and if there are any provisions for opting out of the lease. (Refer to minutes for full discussion.)***

**OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

20. MOTION TO DISCUSS federal lobbying services for the 110<sup>th</sup> Congress.

***ACTION: (T-10:57 AM) Deferred to Tuesday, February 28, 2006. (Refer to minutes for full discussion.)***

***(Scrivener's error - See County Administrator's memorandum: under Summary Explanation/Background – the contractual provision allows for two additional two-year extensions.)***

21. MOTION TO APPROVE Broward County Board of County Commissioner's 2006 Federal Legislative Package for the Second Session of the 109<sup>th</sup> Congress.

***ACTION: (T-11:16 AM) Approved, as amended: 1) Add additional language that no co-pays are required under Medicaid coverage. 2) Eliminate the language relating to the South Florida Regional Transportation Authority/Tri-Rail (SFRTA) East-West Corridor. (Refer to minutes for full discussion.)***

## FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

### PURCHASING DIVISION

For Department of Urban Planning and Redevelopment



22. MOTION TO APPROVE first amendment to the agreement between Broward County and Lennar Homes dated February 7, 2006, RFP No. N805527CF, and authorize the Mayor to execute same. **(Commission District 9).**

***ACTION: (T-4:32 PM/6:33 PM) Approved, as amended, per Vice Mayor Eggelletion's substitute amendment. This issue will be discussed at a future Attainable Housing Select Committee meeting. (Refer to minutes for full discussion.)***

***ACTION: (T-6:33 PM) Reconsidered. (Refer to minutes for full discussion.)***

***ACTION: (T-6:34 PM) Approved, as amended. The Board gave staff the authority to include language in the Declaration of Covenants, page 3, as follows: "The purchase price shall include the County contribution sum of \$55,000 and any authorized capital improvements." (Refer to minutes for full discussion.)***

### COUNTY AUDITOR

23. A. MOTION TO APPROVE County Administrator recruitment revised advertisement. (Deferred from February 7, 2006 – Item No. 22)

***ACTION: (T-5:19 PM) Approved, as corrected. (Refer to minutes for full discussion.)***

- B. MOTION TO APPROVE County Administrator recruitment project schedule.

***ACTION: (T-5:19 PM) Approved. (Refer to minutes for full discussion.)***

- C. MOTION TO APPROVE County Administrator recruitment advertising venues.

***ACTION: (T-5:19 PM) Approved. The Board approved an additional \$3,400 to cover the cost of the smaller advertisement in the Wall Street Journal and Sunday New York Times. (Refer to minutes for full discussion.)***

24. A. MOTION TO FILE County Auditor's Construction Contract Review of the Consolidated Rental Car Facility (RAC) at Fort Lauderdale-Hollywood International Airport.

***ACTION: (T-5:17 PM) Deferred to Tuesday, February 21, 2006. (Refer to minutes for full discussion.)***

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

***ACTION: (T-5:17 PM) Deferred to Tuesday, February 21, 1006. (Refer to minutes for full discussion.)***

### COUNTY COMMISSION

25. MOTION TO EVALUATE County Auditor and establish salary for Fiscal Year 2006, effective October 1, 2005. (Mayor Graber)

***ACTION: (T-5:25 PM) The Board increased the County Auditor's salary by 4%, with a \$5,000 performance bonus for Fiscal Year 2006, effective October 1, 2005. Further, Human Resources Division shall research the salary ranges of other County Auditors around the country for consideration during next year's evaluation. (Refer to minutes for full discussion.)***

26. MOTION TO EVALUATE County Attorney for the six-month period ending November 30, 2005, and establish salary effective November 30, 2005, for the remainder of Fiscal Year 2006. (Mayor Graber)

***ACTION: (T-5:30 PM) The Board established the County Attorney's salary at \$218,000, effective February 14, 2006. (Refer to minutes for full discussion.)***

27. COUNTY COMMISSION SELECT COMMITTEE REPORTS

***ACTION: (T-6:34 PM) No reports were filed.***

28. COUNTY ADMINISTRATOR'S REPORT

***ACTION: (T-6:34 PM) Interim County Administrator Bertha Henry informed the Board there was nothing to report.***

29. MAYOR'S REPORT

***ACTION: (T-6:34 PM) The Mayor gave no report. (Refer to minutes for full discussion.)***

## SUPPLEMENTAL AGENDA

### COUNTY ADMINISTRATION

30. MOTION TO DISCUSS amending the 2006 meeting in the month of April to accommodate Board participation at Broward Days in Tallahassee.

***ACTION: (T-10:10 AM) The motion was changed to: MOTION TO APPROVE amending the 2006 meeting in the month of April to accommodate Board participation at Broward Days in Tallahassee. (Refer to minutes for full discussion.)***

***ACTION: (T-10:10 AM) Approved. (The Commission meeting of April 4 was Canceled, and the meeting of April 18, 2006 was Reinstated. (Refer to minutes for full discussion.) (Transferred to the Consent Agenda)***

### COUNTY COMMISSION

31. MOTION FOR COUNTY COMMISSION TO direct staff as recommended by the Judicial Court Complex Select Committee to 1) Convene the Selection Committee to consider contract Amendment 1 for project programming services and 2) proceed with the acquisition of the project site at SE 3<sup>rd</sup> Avenue and SE 6<sup>th</sup> Street (approved in April 05). (Vice Mayor Eggelletion)

***ACTION: (T-6:17 PM) Approved. (Refer to minutes for full discussion.)***

### NON AGENDA

32. NOISE BARRIERS ALONG TURNPIKE – COMMISSIONER JACOBS

***ACTION: (T-6:35 PM) Commissioner Jacobs advised that the Florida Turnpike Enterprise has recently stated that they would not construct a noise barrier in the Wynmoore area. Commissioner Jacobs said she would be bringing a Resolution before the Board at the Tuesday, February 21<sup>st</sup> commission meeting withdrawing the Commission's endorsement of the Florida Turnpike Mainline widening project, until they agree to erect a noise barrier in the Wynmoore area. (Refer to minutes for full discussion.)***

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**MEETING/WORKSHOP NOTICES**

**NORTH PERRY AIRPORT MASTER PLAN UPDATE**

**RLI No. 20050919-0-AV-01**

Tuesday, February 14<sup>th</sup> in Room 430 at 9:00 AM

**BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS  
AND BROWARD LEAGUE OF CITIES**

**JOINT LEGISLATIVE WORKSHOP**

Tuesday, February 14<sup>th</sup> in Room 430 at 12:00 Noon

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