

MEETING OF FEBRUARY 21, 2006

(The meeting convened at 10:00 a.m.; recessed at 1:20 p.m.; reconvened at 5:07 p.m. and adjourned at 6:27 p.m.)

PLEDGE OF ALLEGIANCE was led by Alan Davis, Director, Animal Care and Regulation Division.

MOMENT OF SILENCE

In memory of BSO Deputy Ryan Sequin, killed during a routine traffic stop.

In memory of Rochelle Nierman, a long-time activist for the disabled community.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPROVE appointment of Chief David J. Raines to the Board of Rules and Appeals in the Fire Service Professional slot. (Commissioner Gunzburger)

ACTION: (T-10:17 AM) Approved.

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- B. MOTION TO APPOINT Russ Klenet to the Marine Advisory Board. (Commissioner Lieberman)

ACTION: (T-10:17 AM) Approved.

AVIATION DEPARTMENT

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2. MOTION TO APPROVE Shuttle Utilization Agreement between Broward County and Avis Rent A Car System, Inc. for the transportation of rental car passengers between the passenger terminals at Port Everglades and the Rental Car Center at the Fort Lauderdale-Hollywood International Airport, to be effective upon Board approval for a period not to exceed 24 months, with anticipated monthly reimbursement costs of approximately \$5,000; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.



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

3. MOTION TO APPROVE Memorandum of Agreement (MOA) between Broward County and the Department of Homeland Security Transportation Security Administration (TSA) for installation costs of one Explosive Detection System (EDS) L3 Examiner 6000 unit to be installed in Terminal 1 at the Fort Lauderdale-Hollywood International Airport and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

REAL PROPERTY SECTION

4. MOTION TO APPROVE First Amendment to Revocable License Agreement between Broward County and Bluewater Landscapes, Inc., f/k/a Tree Factory Inc. (Licensee), at no cost to the County, extending the term of the License for six months, effective March 9, 2006 and terminating September 8, 2006, for the use of the southerly five acres of land, the former "Dynergy" site, located 150 feet north of Eller Drive on the east side of Federal Highway, within the Port Everglades Development District, in the City of Dania Beach, Florida; authorize the Mayor and Clerk to execute same, and authorize acceptance and recordation of document. **(Commission District 4)**

ACTION: (T-10:22 AM) Approved. (Refer to minutes for full discussion.)

WATER AND WASTEWATER SERVICES

WATER AND WASTEWATER ENGINEERING DIVISION

5. MOTION TO APPROVE second amendment to Work Authorization No. GS0124 between Broward County and Hazen and Sawyer, P.C., RLI No. 110800RB, Outfall Pump Station Rehabilitation, consisting of engineering services for the removal and replacement of liquid rheostat controllers and improvements to the existing motor control center at the North Regional Wastewater Treatment Plant, for an additional not-to-exceed fee of \$182,430 and reimbursables of \$5,000; increasing the total cost from \$89,250 to \$276,680; and increasing contract time by 485 days, from 990 to 1475 calendar days. (Project No. 8850) **(Commission District 2)**

ACTION: (T-10:17 AM) Deferred for further staff review at the request of the County Auditor.

6. MOTION TO APPROVE second amendment to Work Authorization GS0114 between Broward County and Hazen and Sawyer, P.C. for a lump sum cost of \$274,920; from \$277,120 to \$552,040; and an increase in contract time of 946 days, from 729 to 1675 days, to provide construction management services for Water Treatment Plant 3A Modifications; and authorize the Mayor and Clerk to execute same. (Project No. 8089) **(Commission District 7)**

ACTION: (T-10:17 AM) Deferred for further staff review at the request of the County Auditor.

7. MOTION TO APPROVE Work Authorization GS0182 between Broward County and Hazen and Sawyer, P.C. for a maximum not-to-exceed salary cost of \$261,790 and a maximum not-to-exceed reimbursable cost of \$22,098 for a total cost of \$283,888; and a time period of 540 calendar days, to provide design, permitting, bidding and award services for the Water Treatment Plant 2A Hypochlorite System; and authorize the Mayor and Clerk to execute same. (Project No. 89731) **(Commission District 2)**

ACTION: (T-10:17 AM) Deferred for further staff review at the request of the County Auditor.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

8. MOTION TO NOTE FOR THE RECORD following Request for Proposal (RFP) that has not been presented to the Board, and has not been advertised or evaluated, for which Commissioners may choose to join the Evaluation Committee.

ACTION: (T-10:26 AM) Deferred to Tuesday, February 28, 2006. (Refer to minutes for full discussion.)

ACCOUNTING DIVISION

9. MOTION TO FILE following audit reports:
- A. Broward County, Florida, Report of Independent Certified Public Accountants pursuant to Section 707 of Bond Resolution 82-A-3, Fiscal Year Ended September 30, 2005.
 - B. Property Appraiser, Broward County, Special-Purpose Financial Statements Fiscal Year Ended September 30, 2005.
 - C. Broward County, Florida, Reports on Passenger Facility Charge Program in Accordance with Passenger Facility Audit Guide for Public Agencies, Fiscal Year Ended September 30, 2005.

ACTION: (T-10:17 AM) Approved.

COUNTY RECORDS DIVISION

10. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meeting of January 10, 2006; and the minutes of the 2:00 P.M. Public Hearing of January 10, 2006.

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (T-10:17 AM) Approved.

- C. MOTION TO APPROVE destruction of Board of County Commission minutes, supporting documents, audio cassette tapes and CD's which have all been imaged and have met retention requirements per General Records Schedule GS1-L, established by the Division of Library and Information Services of the State of Florida for local government agencies.

ACTION: (T-10:17 AM) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

11. MOTION TO APPROVE agreement with Grant Street Group, Inc., the best evaluated vendor, for Internet Tax Certificate Auction Application and Hosting Services, RFP A5RC081805-JF, in the estimated annual amount of \$300,000 out of fees from tax certificate sales as authorized by Florida Statute 197.432, for the Revenue Collection Division; and authorize the Purchasing Director to renew the agreement for four, one-year periods, for a potential total amount of \$1,500,000; and authorize the Mayor and Clerk to execute same. The initial period shall start on the date of execution and continue for one year from that date.

ACTION: (T-10:43 AM) Withdrawn. (Refer to minutes for full discussion.)

The Board directed staff to include in the information about each RFP, the scoring matrix and the points for each category for each RFP that goes before the Board for consideration, including the rationale behind the scoring. (Refer to minutes for full discussion.)

For Public Works and Transportation Department

12. MOTION TO AWARD open-end contracts to low responsive, responsible bidders, Don Reid Ford for Item Numbers 9, 10, 16, 19, 20 and 21, in the estimated annual amount of \$571,949.00; Maroone Chevrolet, LLC for Item No.'s 1, 5, 15, 17, 18 and 22, in the estimated annual amount of \$1,065,405.00; and Plantation Ford for Item No.'s 2, 3, 4, 7, Group 8 and 8A, 11, 12, 14 and 23, in the estimated annual amount of \$620,051.70, for a total estimated annual amount of \$2,257,405.70, for 2006 Fleet Vehicles, Bid No. CX05329BV, for the Fleet Services Division. The contracts shall begin on date of award and shall terminate when there are no new 2006 vehicles available.

ACTION: (T-10:21 AM) Approved. (Refer to minutes for full discussion.)

13. A. MOTION TO ADOPT unanticipated revenue Resolution 2006-47 within the Water and Wastewater Fund (4610) Water and Wastewater Services in the amount of \$1,406,500; to fund the Pump Station 462 Coral Springs East Improvements. (BCWWS 8963)

ACTION: (T-11:05 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO AWARD fixed contract to low bidder, Intrastate Construction Corp., for Pump Station 462 Coral Springs East Improvements, Bid No. P-6-05-177-CF, in the base bid amount of \$2,619,778; for Water and Wastewater Services subject to receipt and acceptance of insurance and performance/payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-11:05 AM) Approved. (Refer to minutes for full discussion.)

- C. MOTION TO APPROVE increase in the change order contingency from the standard 5% to 10%.

ACTION: (T-11:05 AM) Approved. (Refer to minutes for full discussion.)

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

14. MOTION TO ADOPT Resolution 2006-48 of the Board of County Commissioners of Broward County, Florida providing for Community Care for the Elderly and Home Care for the Elderly services for Fiscal Year 2005-2006; approving the contract shell form; authorizing the County Administrator to execute the appropriate shell contract for each qualified vendor; providing for severability; and providing for an effective date. Contracts JC005-15-2006 and JH005-15-2006 between Areawide Council on Aging of Broward County, Inc. and Broward County will fund these services in the amount of \$2,600,000.

ACTION: (T-10:17 AM) Approved.

MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION

15. MOTION TO APPROVE agreement between Broward County and City of Fort Lauderdale from date of execution through December 31, 2006 in the amount of \$59,452 for the purpose of purchasing two custom-designed all-terrain utility vehicles for use as emergency medical carts (\$38,452); and ten automatic external defibrillators (\$21,000); and authorize the Mayor and Clerk to execute same. **(Commission Districts 4, 7, 9)**

ACTION: (T-11:10 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Exhibit #2 for Item 15 and 16 were inadvertently switched. Exhibit #2 for Item 15 should go into Item 16, and Exhibit #2 for Item 16 should go with Item 15.) (Refer to minutes for full discussion.)

16. MOTION TO APPROVE agreement between Broward County and City of Oakland Park from date of execution through June 30, 2006 in the amount of \$19,226 for the purpose of purchasing a custom-designed all-terrain utility vehicle for use as an emergency medical cart; and authorize the Mayor and Clerk to execute same. **(Commission Districts 4, 9)**

ACTION: (T-10:17 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Exhibit #2 for Item 15 and 16 were inadvertently switched. Exhibit #2 for Item 15 should go into Item 16, and Exhibit #2 for Item 16 should go with Item 15.)

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

17. MOTION TO APPROVE Amendment No. 2 to Agreement No. 05-SAHCS-8312-01 between Broward County and the South Broward Hospital District (SBHD) for the purpose of allowing the SBHD to allocate the full \$40,000 to be subcontracted with NOVA Southeastern University (NOVA) to specialty dentistry services and authorize the Mayor and Clerk to execute same. Funding is available in the Fiscal Year 2006 budget of the Substance Abuse and Health Care Services Division.

ACTION: (T-10:17 AM) Approved. (Refer to minutes for full discussion.)

ENVIRONMENTAL PROTECTION DEPARTMENT

WATER RESOURCES DIVISION



18. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Fort Lauderdale (City) authorizing the Broward County Environmental Protection Department to conduct water quality monitoring activities on behalf of the City as required by the City's National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Systems (NPDES-MS4) Permit requirements, effective upon execution through February 8, 2008, in the amount of \$95,066; and authorize the Mayor and Clerk to execute same. **(Commission Districts 4, 7, and 9)**

ACTION: (T-10:17 AM) Approved.


- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-49 in the General Fund (0010) in the amount of \$30,156 for the purpose of supporting the NPDES-MS4 Permit requirements.

ACTION: (T-10:17 AM) Approved.



19. MOTION TO APPROVE agreement between Broward County and the Environmental PR Group, Inc. for water management public outreach in Broward County providing for support of Water Matters Day 2006, 2007, 2008; a water workshop for elected officials; a water workshop for business executives; a water conservation demonstration project; minority outreach; a NatureScape pond demonstration site; and media buys for Water Matters program promotions at a cost of \$300,000; effective upon execution through June 30, 2008; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.

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20. MOTION TO APPROVE Joint Funding Agreement between Broward County and the United States Geological Survey (USGS) to support the development of a variable density hydrologic model for assessing the affects of various climatologic and water management operations on saltwater intrusion in northeastern Broward County, including the City of Pompano Beach wellfield and the surrounding area, in the amount of \$500,000; retroactive to October 1, 2005 through September 30, 2008; and authorize the Mayor and Clerk to execute same. (This requires a Broward County cost share of 50% or \$250,000.) **(Commission Districts 2, 4, and 9)**

ACTION: (T-10:17 AM) Approved.

21. MOTION TO DIRECT County Attorney to draft an Ordinance amending portions of Chapter 27, Article V, Water Resource Management, of the Broward County Code to provide consistency with state water resource management regulations.

ACTION: (T-10:17 AM) Approved.

PORT EVERGLADES DEPARTMENT

22. MOTION TO APPROVE lease agreement between Broward County and South Florida Petroleum Services, LLC, for Suite No. 3 in Building 611 (Amman Building) at Port Everglades, consisting of 520 square feet of office space, for a period of one-year effective upon Board approval, with rent in the amount of \$9,100 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

23. MOTION TO ACCEPT Broward Alliance Fiscal Year 2006 quarterly performance report for the period October 1, 2005 through December 31, 2005, pursuant to the agreement between Broward County and the Broward Alliance.

ACTION: (T-10:17 AM) Approved.

SUPERVISOR OF ELECTIONS

24. MOTION TO APPROVE recommendation of the Supervisor of Elections amending the voting precincts which were approved on July 9, 2002, and amended on August 13, 2002, January 14, 2003, September 13, 2003, December 7, 2004, and December 13, 2005; combining nine precincts for voting in the Municipal General Elections on March 14, 2006.

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

COUNTY ADMINISTRATION

25. MOTION TO APPROVE extension of the appointment of Mr. Matthew Lalla as Interim Chief Financial Officer, effective March 7, 2006, for a period of up to six months.

ACTION: (T-10:17 AM) Approved.

COUNTY COMMISSION

26. MOTION TO FILE City of Coral Springs Resolution 2006-004, requesting the Florida Legislature adopt legislation in the 2006 Legislative Session which would authorize the installation and utilization of traffic infraction detection devices at intersections throughout the State of Florida. (Mayor Graber)

ACTION: (T-10:17 AM) Approved.

27. MOTION TO FILE Deerfield Beach Resolution No. 2006-032, expressing its opposition to proposed House Bill 431 and proposed Senate Bill 980 which limit local government authority over electric substations. (Mayor Graber)

ACTION: (T-10:17 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

28. MOTION TO DIRECT County Administrator to publish notice of a Public Hearing to be held Tuesday, March 28, 2006, at 2:00 P.M., in Room 422 of the Governmental Center to consider the issuance of a renewal Class 2 - ALS Transfer Certificate of Public Convenience and Necessity (COPCN) to the cities of Deerfield Beach Fire Rescue and Pembroke Pines Fire Rescue.


ACTION: (T-10:17 AM) Approved.

29. MOTION TO DIRECT County Administrator to publish notice of a Public Hearing to be held Tuesday, March 28, 2006, at 2:00 P.M., in Room 422 of the Governmental Center to consider the renewal of Nonemergency Medical Transportation Service (NEMTS) licenses to Medical Transportation Management Corp. d/b/a AMC Medical Transportation and the City of Pembroke Pines Fire Rescue.

ACTION: (T-10:17 AM) Approved.

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

TRANSPORTATION PLANNING DIVISION

- 30.  MOTION TO APPROVE second amendment to agreement between Broward County and Tetra Tech Inc. for consultant services for Greenways Corridors Design and Permitting, RLI No. 111301 RB, increasing the contract amount by \$161,840; from \$ 2,665,000 to \$2,826,840; recognizing Tetra tech, Inc. as successor by merger to Williams, Hatfield & Stoner, Inc; and authorize the Mayor and Clerk to execute same. **(Commission Districts 4, 6, and 7)**

ACTION: (T-11:14 AM) Deferred for 30 days. (Refer to minutes for full discussion.)

(Scrivener's error - See County Administrator's memorandum: "Two copies of the first page of Exhibit 2 "Second Amendment to the Agreement" were inadvertently included with the backup materials. The second copy is incorrect and should be discarded. The first copy is the correct copy included with the agreement signed by the contractor.")

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION

- 31. DISCUSSION: of plat entitled "First Baptist Church at Hillsboro" - **Commission District 2**, (013-MP-05).

ACTION: (T-11:18 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)

- 32. DISCUSSION: of plat entitled "Croatian American Social Club" - **Commission District 4**, (078-MP-05).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

33. DISCUSSION: of plat entitled "Pembroke Harbor Plat" - **Commission District 6**, (046-MP-05). (Deferred from February 7, 2006).

ACTION: (T-10:17 AM) Approved the plat, as corrected, subject to staff's recommendations as outlined in the Development Review Report.

(Scrivener's error - See County Administrator's memorandum: A sentence was inadvertently omitted from Staff Recommendation 35, on Page 15 of the Development Review Report: ". . . and water management area on Parcel B. The Wetlands Mitigation Area included in Parcels A and B shall be at least 31.2 acres, not including appropriate buffer areas.")

34. DISCUSSION: of plat entitled "Stirling Road Triangle Plat II" - **Commission District 7**, (052-MP-05).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

35. DISCUSSION: of plat entitled "Central Broward Regional Park" - **Commission District 9**, (040-MP-05).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

36. DELEGATION: Cynthia Bertschinger, regarding request to amend the note on the Spear Plat - **Commission District 2**, (037-MP-99).

ACTION: (T-10:17 AM) Deferred to April 18, 2006, to study conformity with the Land Use Plan.

37. DELEGATION: Daniel A. Fee, regarding request to amend the note on the Administrative Facility Plat - **Commission District 7**, (078-MP-87).

ACTION: (T-10:22 AM) Approved per staff's recommendations. (Refer to minutes for full discussion.)

ACTION: (T-11:20 AM) Reconsidered.

ACTION: (T-11:20) Approved per staff's recommendations. (Refer to minutes for full discussion.)

38. DELEGATION: Susan P. Motley, regarding request to amend the non-vehicular access line on the Star of David Broward Memorial Gardens II Plat - **Commission District 1**, (049-MP-98).

ACTION: (T-10:17 AM) Deferred to April 18, 2006, to study conformity with plat note.

39. DELEGATION: Hope Calhoun, regarding MOTION TO APPROVE Amendment to Traffic Concurrency Agreement among Broward County, Nova Southeastern University and the Town of Davie relating to the Nova University Plat No. 1 - **Commission District 7**, (241-MP-89)


ACTION: (T-10:17 AM) Approved per staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

PUBLIC HEARING


SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  40. MOTION TO APPROVE Contract For Sale and Purchase between Douglas Hlad and Deborah Johnson, husband and wife, and Broward County in the amount of \$595,000; for the purchase of 0.211 acres (9,200 square feet) known as Open Space Site OS-26.2 in the Broward County Land Preservation Bond Program Inventory; a residential duplex located at 2125 NE 33rd Avenue, Fort Lauderdale, Broward County, Florida; authorize Real Property Section to acquire this property using Safe Parks and Land Preservation Bond Issue funds; authorize the Mayor and Clerk to execute Contract For Sale And Purchase, and authorize acceptance and recordation of deed. **(Commission District 4)**

ACTION: (T-5:07 PM) Approved. (Refer to minutes for full discussion.)

END PUBLIC HEARING


SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  41. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the Town of Southwest Ranches for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-115, also known as Calusa Corners; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE transfer of funds to the Town of Southwest Ranches in the amount of \$3,227,683.02, as reimbursement for the acquisition of real property referred to as Calusa Corners (Site OS-115) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 8)**

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

-  42. MOTION TO APPROVE allocation of \$300,000 in County District Commissioner's Discretionary Bond funds to the City of Tamarac for capital improvements at the Tamarac Sports Complex. **(Commission District 3)**
(Mayor Graber)

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

43. MOTION TO APPROVE designation of Open Space Site OS-133 as a Green Space pursuant to the Bond Counsel opinion dated October 21, 2004 and to allocate a total of \$3,500,000 of Safe Parks and Land Preservation Bond funds toward its acquisition. **(Commission District 5)** (Commissioner Wexler)


ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

44. MOTION TO APPROVE allocation of up to \$400,000 in County District 6 Commissioner's Discretionary Bond Funds for the construction of a barrier wall adjacent to the Lakes of Emerald Hills in the City of Hollywood. (Commissioner Gunzburger)

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

PLANNING SERVICES DIVISION

-  45. A. MOTION TO APPROVE first amendment to the Interlocal Agreement (ILA) by and between Broward County, the City of Dania Beach, and the Dania Beach Community Redevelopment Agency (CRA); and authorize the Mayor and Clerk to execute same. **(Commission Districts 4 and 7)**

ACTION: (T-12:33 PM/5:09 PM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO AUTHORIZE staff to prepare one or more loan agreements with the City of Dania Beach and the CRA in accordance with the approved first amendment to the Interlocal Agreement between the County, the City and the CRA; and authorize the Mayor and Clerk to execute same. **(Commission Districts 4 and 7)**

ACTION: (T-12:33 PM/5:09 PM) Approved. (Refer to minutes for full discussion.)

- C. MOTION TO ADOPT budget Resolution 2006-50 transferring \$6,345,866 from the Redevelopment Projects Reserve account to a disbursement account to fund a loan(s) for infrastructure improvement projects, in accordance with the approved first amendment to the Interlocal Agreement (ILA) between Broward County, the City, and the CRA. **(Commission Districts 4 and 7)**

ACTION: (T-12:33 PM/5:09 PM) Approved. (Refer to minutes for full discussion.)

COUNTY AUDITOR

46. A. MOTION TO FILE County Auditor's Construction Contract Review of the Consolidated Rental Car Facility (RAC) at Fort Lauderdale-Hollywood International Airport. (Deferred from February 14, 2006 – Item No. 24)

ACTION: (T-11:35 AM) Approved, as amended. (Refer to minutes for full discussion.)

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

ACTION: (T-11:35 AM) Approved, as amended. The Board amended the County Auditor's recommendations as follows: Observation #1 – Rejected based on the documentation behind Exhibit 12 in the log report. The managing general contractor did properly earn the incentive payment and that such payment was appropriately granted by the program manager as is evidenced by all the supportive documentation behind staff's response. Observation #2 – Accepted. Observation #3 – Referred to the Government Procurement Process Select Committee. Observation #4 – Accepted. Observation #5 – Accepted. Observation #6 – Accepted and amended the language for clarification purposes to change "non" certified SDBE vendor to certified SDBE vendor: Page 15, Observation #6, first paragraph: "... agreement for TLMC requires that the work be performed by Lotspeich Company of South Florida (Lotspeich), a non certified SDBE vendor . . ." Observation #7 – Accepted. (Refer to minutes for full discussion.

HUMAN SERVICES DEPARTMENT

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

47. MOTION TO DISCUSS continuation of Ryan White Title I funding to Community Health Center One, Inc. for Fiscal Year 2006-2007.

ACTION: (T-5:09 PM) The Board accepted staff's recommendation to provide Community Health Center One, Inc. with a 90-day notice of termination for Fiscal Year 2006-2007 contract. The Board directed staff to develop a transition plan for transitioning the Center One clients to other health care agencies. Further, that staff contact the clients expeditiously to ensure that the transition occurs as seamlessly as possible and that the funding shall follow the clients. (Refer to minutes for full discussion.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works and Transportation Department

48. A. MOTION TO APPROVE release of retainage and final payment in the amount of \$220,862.67, to Developers Surety and Indemnity Company, for the Port Everglades Administration Building office renovation and reroofing, Bid No. H-2-02-023-CF. (Project No. 654940)

ACTION: (T-5:56 PM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE Settlement Agreement between Broward County and Developers Surety and Indemnity Company, the surety for BRC Construction Co., Inc., authorizing the payment of the balance of funds due for the project; and authorize the Mayor and Clerk to execute same.

ACTION: (T-5:56 PM) Approved. (Refer to minutes for full discussion.)

- C. MOTION TO AUTHORIZE Contract Administrator and County Attorney's Office to take all necessary administrative and legal action against BRC Construction Co., Inc., to collect the outstanding proceeds in the sum of \$207,279.15, due to the County.

ACTION: (T-5:56 PM) Approved. (Refer to minutes for full discussion.)

COUNTY COMMISSION

49. MOTION TO ADOPT Resolution 2006-51 withdrawing the County Commission's endorsement of the Florida Turnpike Mainline widening project, until the Florida Turnpike Enterprise agrees to keep its promise to erect noise barriers along all the residential areas abutting the Florida Turnpike north of Atlantic Boulevard to the Sawgrass Expressway. (Commissioner Jacobs)

ACTION: (T-11:22 AM) Approved, as amended. The Board shall also advise the Florida Turnpike Enterprise that they need to put in landscaping in appropriate density. (Refer to minutes for full discussion.)

50. COUNTY COMMISSION SELECT COMMITTEE REPORTS

ACTION: (T-6:08 PM) Various Board members gave brief overviews of what took place at their respective Select Committees. A copy of the agendas and minutes are available at: www.broward.org/commissioncommittees. (Refer to minutes for full discussion.)

51. COUNTY ADMINISTRATOR'S REPORT

ACTION: (T-6:06 PM) Interim County Administrator Bertha Henry informed the Board that staff has been advertising the County's "Ride and Save" Program on a number of radio stations and other media. The program allows employers to offer 31-day bus passes to their employees; it is a pre-tax benefit. (Refer to minutes for full discussion.)

52. MAYOR'S REPORT

- A. MANAGEMENT AND EFFICIENCY STUDY COMMITTEE SURVEY

ACTION: (T-6:14 PM) The Management and Efficiency Study Committee will begin a mail survey to 3,200 randomly selected residents this month on their level of satisfaction with county services. (Refer to minutes for full discussion.)

- B. RABIES ERADICATION PROGRAM

ACTION: (T-6:15 PM) Broward County, in cooperation with local, state and federal agencies will begin the second year of the Rabies Eradication Program. (Refer to minutes for full discussion.)

- C. BROWARD COUNTY TRANSIT - RIDE AND SAVE PROGRAM

ACTION: (T-6:15 PM) Broward County Transit has initiated a "Ride and Save" Program which allows employers to offer 31-day bus passes to their employees; it is a pre-tax benefit program. (Refer to minutes for full discussion.)

D. “GET OUT THE VOTE” KICK OFF

ACTION: (T-6:15 PM) The statewide “Get Out the Vote” kickoff begins this day at the African American Research Library. The voter registration program will go on for several months at various locations. For more information, visit www.broward.org.soe.org. (Refer to minutes for full discussion.)

E. ANNOUNCEMENT FROM THE PROPERTY APPRAISER - HOMESTEAD EXEMPTION FILING

ACTION: (T-6:15 PM) The Property Appraiser is urging anyone who purchased a new home, which is their primary residence in 2005, to file their Homestead Exemption by March 1, 2006 to receive the \$25,000 Homestead Exemption and lock in the “Save Our Homes” 3% tax assessment cap that automatically comes with the Homestead Exemption. (Refer to minutes for full discussion.)

12:30 P.M. EXECUTIVE SESSION (Room 430)

(CLOSED TO THE PUBLIC)

53. EXECUTIVE SESSION: An Executive Session (“Shade meeting”) will commence at approximately 12:30 P.M. pursuant to Section 447.605, Florida Statutes, relative to collective bargaining between Broward County and bargaining units represented by the Amalgamated Transit Union, the Government Supervisors Association of Florida, and the Federation of Public and Private Employees.

ACTION: (T-1:20 PM) No Board action was necessary. (Refer to minutes for full discussion.)

1:30 PM EXECUTIVE SESSION (Room 430)

(CLOSED TO THE PUBLIC)

**The Following Two Items Were Continued
From The February 14, 2006 2:00 P.M. Meeting**

ATTORNEY – CLIENT MEETING

54. ATTORNEY – CLIENT MEETING: Commencement of attorney-client session pursuant to Section 286.011 (8), Florida Statutes, to discuss settlement negotiations and litigation strategy related to litigation expenditures in Advocating Disability Rights, Inc. and Carlisle Wilson v. Broward County and Water Taxi, Inc., United States District Court Case No. 03-61239-CIV-MARRA/SELTZER, and Carlisle Wilson v. Broward County, United States District Court Case No. 05-60209-CIV-MARRA/SELTZER. (Continued from the February 14, 2006 2:00 PM Public Hearing – Item No. 7)

ACTION: (T-1:20 PM) No Board action was necessary. (Refer to minutes for full discussion.)

55. A. MOTION TO APPROVE settlement agreement in the amount of \$400,000; including all costs and attorney’s fees, and a reimbursement in the amount of \$25,000 by Water Taxi, Inc. to Broward County, in the case of Advocating Disability Rights, Inc. and Carlisle Wilson v. Broward County and Water Taxi, Inc., United States District Court Case 03-61239-CIVIL. **[These items will be considered by the Board after the closed executive session related to the litigation.]** (Continued from the February 14, 2006 2:00 PM Public Hearing – Item No. 8)

ACTION: (T-5:56 PM) Deferred to Tuesday, February 28, 2006, to allow the County Attorney to put the settlement in final form. (Refer to minutes for full discussion.)

- B. MOTION TO ADOPT budget Resolution within the general fund transferring \$375,000 from the Commission Reserve for the settlement referenced in Motion A.

ACTION: (T-5:56 PM) Deferred to Tuesday, February 28, 2006, to allow the County Attorney to put the settlement in final form. (Refer to minutes for full discussion.)

- C. MOTION TO ADOPT unanticipated revenue Resolution within the Mass Transit Fund in the amount of \$400,000 to provide funds required for the settlement referenced in Motion A.

ACTION: (T-5:56 PM) Deferred to Tuesday, February 28, 2006, to allow the County Attorney to put the settlement in final form. (Refer to minutes for full discussion.)

NON AGENDA

- 56. AMENDMENT TO COUNTY ATTORNEY'S SALARY INCREASE – COMMISSIONER LIEBERMAN

ACTION: (T-6:16 PM) The Board took a vote and amended the prior motion (item 26 from the February 14th meeting) that the Board establish the County Attorney's salary at \$218,000, effective February 14, 2006 retroactive to his six-month anniversary pursuant to the terms of his contract. (Refer to minutes for full discussion.)

- 57. VACANCIES AT AIRPORT – COMMISSIONER LIEBERMAN

ACTION: (T-6:17 PM) Commissioner Lieberman asked staff for an update on the vacant positions at the airport. Several positions were to be filled by October or November. (Refer to minutes for full discussion.)

- 58. DISCUSSION – CLOSELY MONITOR LAND USE LEGISLATION – COMMISSIONER SCOTT

ACTION: (T-6:17 PM) Commissioner Scott advised the Board members that Broward County must continue to maintain its position on this matter. This legislation would adversely affect Charter counties' land use authority. Commissioner Scott mentioned that the Florida Association of Counties (FAC) is negotiating with two lobbyists to lobby the issue in Tallahassee. Board members asked staff to reach out to the School Boards and the School Board statewide association for their support. (Refer to minutes for full discussion.)

- 59. NEGOTIATIONS WITH WATER TAXI, INC. – COUNTY AUDITOR

ACTION: (T-6:24 PM) County Auditor Evan Lukic advised the Board that he would continue to negotiate with Water Taxi, Inc. unless further directed by the board to do otherwise. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

EDGAR P. MILLS MULTI-PURPOSE CENTER, DESIGN BUILD SERVICES

RLI No. H-Z-05-368-CF

Tuesday, February 21st in Room 430 at 9:15 AM

MANAGEMENT AND EFFICIENCY STUDY COMMITTEE

GOVERNANCE SUBCOMMITTEE

Tuesday, February 21st in Room 501 at 3:30 PM