

## MEETING OF FEBRUARY 22, 2005

(The meeting convened at 10:00 a.m. and adjourned at 12:24 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner James A. Scott, District 4.

### CALL TO ORDER

### CONSENT AGENDA

#### 1. BOARD APPOINTMENTS

***ACTION: (T-10:03 AM) No Board appointments were filed.***


### PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

#### HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

2. MOTION TO APPROVE increase in Change Order Contingency Allowance by 4.35% (\$263,501.02), from 6.65% (\$402,917.51) to 11% (\$666,418.53) of the original contract amount of \$6,058,350.25, for improvements to Hiatus Road from Broward Boulevard to Sunrise Boulevard, Contract No. L302081CF, with Triple R Paving, Inc. (Project No. 5168). **(Commission Districts 1 and 5)**

***ACTION: (T-10:03 AM) Approved.***

### REAL PROPERTY SECTION

-  3. A. MOTION TO RESCIND sublease agreement (Form SAS1) between Broward County and the Florida Department of Transportation (FDOT) approved by the Board on June 15, 2004, Item 12; and replace same with Sublease Form OAS1.

***ACTION: (T-10:03 AM) Approved.***

- B. MOTION TO APPROVE sublease agreement (Form OAS1) between Broward County and FDOT for 1.28 +/- acres at the "rest area" located on I-75 (Alligator Alley) at approximately Mile Marker 34, for placement of a Fire Rescue Facility for a term of 42 years, effective upon approval by the Board of Trustees of the Internal Improvement Trust Fund, at an annual cost of \$300; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

***ACTION: (T-10:03 AM) Approved.***



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

4. MOTION TO APPROVE second amendment to office space lease agreement between Broward County (Tenant), for and on behalf of the State Attorney's Office, and AUTONATION Corporate Management, LLC (Landlord), for premises located at 110 SE 6<sup>th</sup> Street, Fort Lauderdale, Florida, for a period of four years, commencing September 1, 2005 and expiring August 31, 2009, at a base rent of \$25 per square foot for the first year, increasing 1.5% annually thereafter; for a total rent amount of \$1,415,395; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (T-10:06 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: The annual increase for this lease is 1%, not 1.5%.) (Refer to minutes for full discussion.)***

5. MOTION TO APPROVE second amendment to the Mass Transit Transfer Facility Lease between Broward County ("Tenant"), and High Glen Development Ltd. Inc., and Rossland Real Estate Ltd. Inc. ("Landlord"), joint owners of the Lauderhill Mall in the City of Lauderhill, to extend the term of the Additional Premises Lease ("Service Building") for a one-year period, beginning March 1, 2005, and terminating February 28, 2006, for an annual rent of \$3,000; with three, one-year renewal options upon the same terms and conditions; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

***ACTION: (T-10:03 AM) Approved.***

#### **TRAFFIC ENGINEERING DIVISION**

6. MOTION TO APPROVE Change Order No. 2 to Contract Q-2-01-026-CF, with Miller Electric Company for Design/Build of 138 sets of school flashers, for a total decrease of \$69,299; from \$2,123,262.50 to \$2,053,963.50, with no change in contract time, for installation of project specific type poles and mast arms; and authorize the Mayor and Clerk to execute same. (Project No. 3332)

***ACTION: (T-10:03 AM) Deferred at the request of the County Auditor.***

#### **WATER AND WASTEWATER SERVICES**

#### **WATER AND WASTEWATER ENGINEERING DIVISION**

7. MOTION TO APPROVE Work Authorization GS0165 between Broward County and Hazen and Sawyer, Inc. for a maximum not-to-exceed salary cost of \$162,233; a maximum-not-to-exceed reimbursable cost of \$4,700 for a total maximum not-to-exceed cost of \$166,933; and a time period of 365 days to provide engineering services for fuel storage tank system improvements; and authorize the Mayor and Clerk to execute same. (BCWWS 8847 and 8971) **(Commission Districts 2, 3, 7, 9)**

***ACTION: (T-10:03 AM) Approved.***

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **ACCOUNTING DIVISION**

8. MOTION TO APPROVE second amendment to an agreement between Broward County and its Constitutional Officers and Ernst & Young, LLP, for a comprehensive audit of County agencies, for the five fiscal years from 1999 to 2000, through 2003-2004; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:03 AM) Approved.***

### **COUNTY RECORDS DIVISION**

9. A. MOTION TO APPROVE minutes of the 10:00 AM Broward County Board of County Commissioners meetings of January 11, 2005 and January 18, 2005; and the minutes of the 2:00 p.m. Public Hearing of January 11, 2005.

***ACTION: (T-10:03 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-10:03 AM) Approved.***

### **PURCHASING DIVISION**

For Finance and Administrative Services Department

10. A. MOTION TO REDUCE requirement for liquidated damages in Paragraph 3, Specifications and Requirements, Special Instructions to Bidders, Solicitation No. T-5-04-095-B2, from \$200 per day to \$50 per day.

***ACTION: (T-10:07 AM) Approved. (Refer to minutes for full discussion.)***

- B. MOTION TO ESTABLISH Qualified Vendor List for electrical services, Solicitation No. T-5-04-095-B2 with Certified Small Business Enterprises Advanced Modular Structures, Inc., American Locksmith, Inc., d/b/a American Integrated Technologies, Ampco Electric, Inc., Arm Electrical Services, Inc., Imperial Electrical of Fort Lauderdale, Inc., and Ohms Electrical Corporation for various County agencies; authorize the Purchasing Director to renew the Qualified Vendor List for two, one-year periods, and authorize the Purchasing Director to add or delete vendors. The initial Qualified Vendor List shall start on date of establishment and terminate two years from that date.

***ACTION: (T-10:07 AM) Approved. (Refer to minutes for full discussion.)***

For Public Works and Transportation Department

11. MOTION TO AWARD open-end contract to low bidder Foster Marine Contractors, Inc. for installation and repair services for Short Water and Sewer Mains, Bid No. LZ03320M1 in the estimated annual amount of \$2,246,250 for the Water and Wastewater Operations Division; and authorize the Purchasing Director to renew the contract for one, one-year period for a total potential contract amount of \$4,492,500. The initial contract period shall start upon receipt and acceptance of insurance/performance and payment guarantee and shall terminate one year from that date.

***ACTION: (T-10:03 AM) Approved.***

12. MOTION TO AWARD open-end contract to single bidder CEM Enterprises, Inc. for bridge repairs, Bid No. N704152B2 (rebid), in the estimated two-year amount of \$3,048,030; which includes a pass thru amount of \$60,000 for the Highway and Bridge Maintenance Division; and authorize the Purchasing Director to renew the contract for two, one-year periods for a total potential contract amount of \$6,096,060. The initial contract period shall begin upon receipt and acceptance by the County of insurance/ performance and payment guaranty and shall terminate two years from that date.

***ACTION: (T-10:03 AM) Approved.***

13. MOTION TO APPROVE release of retainage and final payment in the amount of \$51,664.74, to Royce Parking Control Systems for the Port Everglades Parking Revenue Control System, RLI No. 2002131-0-PORT-01. **(Commission District 4)**

***ACTION: (T-10:03 AM) Approved.***

## HUMAN SERVICES DEPARTMENT

### COMMUNITY DEVELOPMENT DIVISION

14. MOTION TO APPROVE agreement between Broward County and Broward House, Inc. for the reimbursement for the advance of acquisition costs of the North Andrews Avenue Service Center located at 2800 North Andrews Avenue, Wilton Manors, from the date of execution to September 30, 2005, in the amount of \$245,000; utilizing Community Development Block Grant (CDBG) funds, authorizing the Mayor and Clerk to execute the agreement, and authorizing the County Administrator to execute all necessary budgetary actions. No additional County funds are required.

***ACTION: (T-10:03 AM) Approved.***

15. MOTION TO APPROVE first amendment to agreement between Broward County and Broward House, Inc. for improvements to the Wilton Manors Service Center located at 2800 North Andrews Avenue, Wilton Manors, Florida, 33311; from December 7, 2004 to November 30, 2005, in the amount of \$79,449.25, in Community Development Block Grant (CDBG) funds revising Exhibit "A", Property Description and Exhibit "F" Mortgage and Promissory Note; authorizing the Mayor and Clerk to execute same. No additional County funds are required. **(Commission District 4)**

***ACTION: (T-10:03 AM) Approved.***

### FAMILY SUCCESS ADMINISTRATION DIVISION



16. A. MOTION TO APPROVE Agreement No. 05EA-5K-11-16-01-004 between the State of Florida, Department of Community Affairs and Broward County from the date of execution to March 31, 2006, in the amount of \$1,748,689; for the purpose of providing home energy assistance to low income households in Broward County that are at or below 150% of the Federal Poverty Guidelines; and authorize the Mayor to execute same. This Agreement requires no County match.

***ACTION: (T-10:03 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-68 in the Community Action Agency grant fund (Low Income Home Energy Assistance Program grant fund 7480-024-1960 and 1961) in the amount of \$1,748,689 for the purpose of providing home energy assistance to low income households in Broward County. This agreement requires no County match.

***ACTION: (T-10:03 AM) Approved.***

### **OFFICE OF HOUSING FINANCE**



17. MOTION TO ADOPT Resolution 2005-69 of the Board of County Commissioners of Broward County, Florida approving and authorizing the execution of a first amendment to construction loan and permanent mortgage servicing agreement by and among the Housing Finance Authority, Florida Housing Finance Corporation, AmeriNational Community Services, Inc., the Bank of New York Trust Company, N.A., and Harbour Cove Associates, Ltd.; amending that certain construction loan and permanent mortgage servicing agreement dated as of July 1, 2003, relating to the Housing Finance Authority's Multi Family Housing Revenue Bonds (Harbour Cove Apartments Project), Series 2003 (the "Bonds"); and authorizing other actions required in connection therewith. **(Commission District 8)**

***ACTION: (T-10:06 AM) Approved. (Refer to minutes for full discussion.)***

### **COMMUNITY SERVICES DEPARTMENT**

#### **MASS TRANSIT DIVISION**

18. MOTION TO APPROVE first amendment to agreement between Broward County and Pines Master Management, Inc. (PINES) for bus transportation services to and from Century Village at Pembroke Pines; providing for reduction in transportation by the County resulting in a reduction in total compensation from \$664,454 to \$496,462 paid to County by PINES, with no change in the term of agreement which is January 1, 2004, to December 31, 2008; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

***ACTION: (T-10:03 AM) Approved.***

## **ENVIRONMENTAL PROTECTION DEPARTMENT**

### **AIR QUALITY DIVISION**

19. MOTION TO APPROVE assistance amendment between Broward County and the United States Environmental Protection Agency (EPA), extending the project period of the Biowatch Monitoring Demonstration Study grant, Assistance Amendment No. BW 97483603-2, from October 1, 2004 to March 31, 2005. There is no funding increase to the grant.

***ACTION: (T-10:03 AM) Approved.***

### **BIOLOGICAL RESOURCES DIVISION**

20. MOTION TO ACCEPT Deed of Conservation Easement and agreement from Shoma Development Corporation for preservation of a mitigation area of 46.67 acres of real property located south of Miramar Parkway between Dykes Road and SW 172<sup>nd</sup> Avenue in the City of Miramar. **(Commission District 8)**

***ACTION: (T-10:03 AM) Approved.***

## **PORT EVERGLADES DEPARTMENT**

21. MOTION TO FILE Quarterly Report for Business Permits issued at Port Everglades for the period October 1, 2004 through December 31, 2004.

***ACTION: (T-10:03 AM) Approved.***

22. MOTION TO APPROVE one-year lease agreement between Broward County and Christian Bay Shipping Co., for Suite No. 314 in Building 611 (Amman Building) at Port Everglades, consisting of 160 square feet of office space, effective April 1, 2005 through March 31, 2006; with rent in the amount of \$2,800 over the lease term; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:03 AM) Approved.***

23. 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 April 13, 2005 through April 30, 2006, with rent in the amount of \$7,345.21, over the lease term; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:03 AM) Approved.***

24. MOTION TO APPROVE Lease Agreement between Broward County and Port Everglades Environmental Corporation for 400 square feet of office space in Suite 320 of Building 611 (Amman Building) at Port Everglades, for the period of April 1, 2005 through March 31, 2006, with rent in the amount of \$7,000 over the lease term; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:03 AM) Approved.***

### **OFFICE OF MANAGEMENT AND BUDGET**

25. MOTION TO ADOPT unanticipated revenue Resolution 2005-70 within the Law Enforcement Trust Fund in the amount of \$2,119,000. Of this amount \$2,100,000 will be used to purchase an Integrated Criminal History System, \$4,000 for a cash match to reallocate a pre-existing Byrne Grant to the existing Pharmaceutical Drug Diversion Grant Project, and \$15,000 will be used to provide funds to SUPERB, a non-profit group whose mission is to prevent and resolve bullying in schools.

***ACTION: (T-10:03 AM) Approved.***

26. A. MOTION TO ADOPT Resolution 2005-71 declaring a limited local state of emergency in and for the City of West Park to enable the County to continue to provide municipal services until the City Commission executes the interlocal agreement authorizing the County to continue services.

***ACTION: (T-10:03 AM) Approved.***

- B. MOTION TO APPROVE form interlocal agreement to be executed by the Sheriff, the County and the City of West Park to continue County-provided and Sheriff-provided municipal services within the City for a transition period to enable sufficient time for the City, County and Sheriff to develop a transition plan; and authorize the County Administrator to execute the agreement.

***ACTION: (T-10:03 AM) Approved.***

### **COUNTY COMMISSION**

27. MOTION TO FILE Town of Davie, Florida Resolution No. R-2005-32, dated January 19, 2005 requesting an impact study and reimbursement to the Town of Davie for costs relating to the implementation of slot machines in Broward County, Florida. (Mayor Jacobs)

***ACTION: (T-10:03 AM) Approved.***

28. MOTION TO FILE Town of Davie, Florida Resolution No. R-2005-41, dated February 2, 2005 requesting the Broward County Commission add 53.72 acres of multiple contiguous parcels under two ownerships in west Davie to the Land Preservation Open Space Inventory for consideration by the Land Preservation Advisory Board and the Broward County Commission. (Mayor Jacobs)

***ACTION: (T-10:03 AM) Approved.***

29. MOTION TO FILE City of Pembroke Pines Resolution No. 3013, dated November 15<sup>th</sup>, 2004, confirming the City's support for the inclusion of an affordable housing component in the City Center project; confirming the City's commitment to the development of the City Center project in conformance with NatureScape, Broward's standards and certification requirements; providing for conflicts; providing for severability; and providing for an effective date. (Mayor Jacobs)

***ACTION: (T-10:03 AM) Approved.***

30. MOTION TO FILE City of Oakland Park Ordinance No. O-2005-004, dated January 19, 2005, regarding the annexation of a portion of unincorporated Broward County known as the "Twin Lakes South Annexation Area", legally providing notice of advertisement of referendum election to be published in accordance with the laws of the State of Florida, the Code of Ordinances and the Charter of the City of Oakland Park shall be submitted on the March 2005 ballot and shall become effective as provided by the law, proving for the place and places where election is to be held, providing for the filing the adopted Ordinance with the Clerk of Circuit Court, the Chief Administrative Officer of Broward County and the Florida Department of State providing for conflicts, providing for severability and providing for an effective date. (Mayor Jacobs)

***ACTION: (T-10:03 AM) Approved.***

31. MOTION TO FILE City of Oakland Park Ordinance No. O-2005-011, dated January 19, 2005, regarding the annexation of a portion of unincorporated Broward County known as the "Sartori Commercial Lake Platt and the Sartori Lake Platt", providing notice of advertisement of referendum election to be published in accordance with the laws of the State of Florida, the Code of Ordinances and the Charter of the City of Oakland Park shall be submitted on the March 2005 ballot and shall become effective as provided by the law, providing for the place and places where election is to be held, providing for the filing the adopted Ordinance with the Clerk of Circuit Court, the Chief Administrative Officer of Broward County and the Florida Department of State providing for conflicts, providing for severability and providing for an effective date. (Mayor Jacobs)

***ACTION: (T-10:03 AM) Approved.***

32. MOTION TO FILE City of Margate, Florida Resolution No. 10-145 dated September 20, 2004 approving renewal of the interlocal agreement for inspection, plan review, building official and related services by Broward County Building Code Services Division for one year terminating September 30, 2005. (Mayor Jacobs)

***ACTION: (T-10:03 AM) Approved.***

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

33. MOTION TO ADOPT Resolution 2005-72 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, March 8, 2005, at 2:00 p.m. in Room 422 of the Governmental Center, to consider the adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, GRANTING A SIX MONTH EXTENSION OF THE NON-EXCLUSIVE CABLE FRANCHISE OF THE FRANCHISEE, COMCAST OF FLORIDA, A WYOMING GENERAL PARTNERSHIP, FOR CERTAIN UNINCORPORATED AREAS OF BROWARD COUNTY BETWEEN THE CYPRESS CREEK CANAL AND CYPRESS CREEK ROAD, PLUS AN AREA EAST OF THE TOWN OF SEA RANCH LAKES, AND AN AREA COMMONLY KNOWN AS PALM AIRE VILLAGE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (T-10:03 AM) Approved.***

34. A. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan (PCT 05-1), amending the permitted uses and boundaries of the "Regional Activity Center" in the City of Hollywood, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 6)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 PM) Deferred to Tuesday, March 1, 2005. (Refer to minutes for full discussion.)***

- B. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-1), amending the boundaries of the "Regional Activity Center" in the City of Hollywood, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 6)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 PM) Deferred to Tuesday, March 1, 2005. (Refer to minutes for full discussion.)***

35. A. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a public hearing to be held on March 15, 2005 at 10:00 a.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan (PCT 02-8), designating a "Local Activity Center" in the City of Pompano Beach (East Pompano Beach Community Redevelopment Area), as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission Districts 2 and 4)**

***ACTION: (T-10:07 AM) Deferred to Tuesday, March 1, 2005. (Refer to minutes for full discussion.)***

- B. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a public hearing to be held on March 15, 2005 at 10:00 a.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 02-8), designating a "Local Activity Center" in the City of Pompano Beach (East Pompano Beach Community Redevelopment Area), as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission Districts 2 and 4)**

***ACTION: (T-10:07 AM) Deferred to Tuesday, March 1, 2005. (Refer to minutes for full discussion.)***

36. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 15, 2005 at 10:00 a.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 05-3), "Downtown Fort Lauderdale" Regional Activity Center, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 7)**

***ACTION: (T-10:18 AM) Deferred to Tuesday, March 1, 2005. (Refer to minutes for full discussion.)***

37. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 05-4), "Miramar" Regional Activity Center, relating to the East Miramar Areawide Development of Regional Impact, pursuant to Chapter 163, Section 163.3184(15), Florida Statutes. **(Commission District 8)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

38. A. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a public hearing to be held on March 15, 2005 at 10:00 a.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan (PCT 05-2), designating a "Local Activity Center" in the City of Pompano Beach (John Knox Village), as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 4)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

- B. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a public hearing to be held on March 15, 2005 at 10:00 a.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-2), designating a "Local Activity Center" in the City of Pompano Beach (John Knox Village), as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 4)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

39. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-3), located in the City of Coconut Creek, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 2)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

40. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-5), located in the City of North Lauderdale, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 9)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

41. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-6), located in the City of North Lauderdale, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 1)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

42. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-7), located in the City of Oakland Park, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 9)**.

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

43. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 05-8), located in the City of Parkland, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission District 3)**

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.  
(Refer to minutes for full discussion.)***

44. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting Small Scale land use plan amendment, PC 05-10, in the City of Pompano Beach to the Broward County Comprehensive Plan, **(Commission District 2)** the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF POMPANO BEACH PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:03 AM) Approved.***

***ACTION: (T-10:16 AM) Reconsidered and removed from the Consent Agenda.***

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.***

45. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 05-5), to revise the "Local Activity Center" future land use category and associated policies and criteria, as a part of the first

annual proposed 2005 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.***

46. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 05-6), to Amendment to create a new land use category, "Mixed Use - Residential" and associated objectives, policies and criteria, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.***

47. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 05-7), to revise the "Residential" future land use category to address state law regarding redevelopment within the "Coastal High Hazard" area, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.***

48. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on March 8, 2005 at 2:00 p.m. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 05-8), to revise the "Regional Activity Center" future land use category and associated policies and criteria, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:56 AM) Deferred to Tuesday, March 1, 2005.***

**REGULAR AGENDA**

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**PORT EVERGLADES DEPARTMENT**

- 49. **MOTION TO APPROVE** Resolution 2005-73 directing County Administrator to publish Notices of Public Hearings to be held on March 8 and April 12, 2005 at 2:00 p.m. in Room 422 of the Governmental Center to consider a Settlement and Assignment Agreement between Broward County and Soneet Kapila, Chapter 7 Trustee for South Stevedoring, Inc. ("Chapter 7 Trustee") (United States Bankruptcy Court, Southern District of Florida, Case Number 03-25110-BKC-RBR) settling all outstanding monetary cure obligations of the Chapter 7 Trustee to Broward County under the provisions of the U.S. Bankruptcy Code and assigning the Chapter 7 Trustee's rights and interests in the Marine Terminal Management Agreement between Broward County and South Stevedoring, Inc. as amended, to Florida International Terminal, LLC ("FIT") and Compania Sud Americana de Vapores S.A. as Guarantor, and authorize the Mayor and Clerk to execute all required agreements and documents to effectuate same.

***ACTION: (T-10:57 AM) Approved. (Refer to minutes for full discussion.)***

**SAFE PARKS AND LAND PRESERVATION BOND PROGRAM**



- 50. A. **MOTION TO APPROVE** re-assignment of four Open Space Inventory sites, and associated funding, to the Green Space Inventory; allocate up to \$2 million for the Tescher Stirling Parcel in Cooper City; allocate \$5,732,000 towards the acquisition of eight sites in the Open Space Inventory to address district equity; and allocate \$400,000 for the acquisition of the Old City Hall site in Lauderhill; further directing staff to initiate acquisition steps for these sites.

***ACTION: (T-12:06 PM) Approved.***

- B. **MOTION TO DIRECT** staff to request the prioritization by the Land Preservation Advisory Board for the remaining Open Space Inventory Sites through established criteria.

***ACTION: (T-12:06 PM) Approved.***

- C. MOTION TO AFFIRM no new additions to the Land Preservation Inventory with the exception of sites supported by District Commission Funds.

***ACTION: (T-12:06 PM) Approved, as amended. The Board affirmed no new additions to the Land Preservation Inventory with the exception of sites supported by the District Commission Funds and those designated for the Conservation Land Category. (Refer to minutes for full discussion.)***

## **COMMUNITY SERVICES DEPARTMENT**

### **PARKS AND RECREATION DIVISION**



51. MOTION TO APPROVE interlocal agreement between Broward County and the City of Lauderhill for joint funding relating to improvements for the Broward Central Regional Park, including entrance road improvements, professional consulting services for state and regional permitting and platting issues; joint acquisition of two parcels of land (approximately 1.0 acre) adjoining the park for park ingress/egress, waiver of all City development fees for the Park, and notification to residents of a planned development north of the Park that an active regional park is to be constructed adjacent to their property; effective upon execution and ending upon project completion; and authorizing the Mayor and Clerk to execute same. **(Commission District 9)**

***ACTION: (T-12:08 PM) Approved.***

### **COUNTY AUDITOR**

52. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified independent Certified Public Accounting firm to perform financial and compliance audits for the fiscal years ending September 30, 2005, 2006, 2007, 2008, and 2009; and approve Request for Letters of Interest (RLI) No.20041027-0-AU-01.


***ACTION: (T-12:08 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. (Refer to minutes for full discussion.)***

***ACTION: (T-2:45 PM) Deferred to Tuesday, March 1, 2005 for further staff review. (Refer to minutes for full discussion.)***


***The following will serve on the Selection Committee: Vice Mayor Graber, Commissioners Eggelletion, Lieberman, Rodstrom, Scott, and Wexler; Broward County Auditor (Chair); Broward County Property Appraiser, or designee; Broward County Sheriff, or designee; Broward County Supervisor of Elections, or designee; CFO & Director, Finance and***

**Administrative Services Department, and Director, Office of Management and Budget. Plus, administrative support staff from the offices of the County Attorney, Equal Opportunity, Risk Management, Purchasing and the requesting agency.**

### **COUNTY COMMISSION**

-  53. **MOTION TO AMEND** amount of District 5 Commissioner Discretionary Funds allocated to the expansion of Entranceway Park from \$685,000 to \$200,000 at the request of Town of Southwest Ranches. **(Commission District 5)** (Commissioner Wexler)

***ACTION: (T-10:03 AM) Approved. (Transferred to the Consent Agenda.)***

-  54. **MOTION TO DIRECT** staff to take the necessary actions to place a 54+/- acre parcel of property (Folio No. 504021010310, 0330, 0331, 0340, 0350, 0400, 0410, 0420, 0421, 0430, 0440) into the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 5)** (Commissioner Wexler)

***ACTION: (T-10:03 AM) Approved. (Transferred to the Consent Agenda.)***

55. **MAYOR'S REPORT**

A. **ATTORNEY INTERVIEWS**

***ACTION: (T-12:15 PM) The Mayor advised that the second round of interviews for the two leading candidates for the County Attorney position will be held Tuesday, March 1, 2005, following the 10:00 a.m. Commission meeting. (Refer to minutes for full discussion.)***

B. **COMMISSION MEETING - SCHEDULING CONFLICT**

***ACTION: (T-12:15 PM) Mayor Jacobs informed the Board that there will not be a quorum for the Tuesday, April 5 Commission meeting due to Broward Days 2005. If the April 5 meeting is cancelled, the Board can convene on Tuesday, March 29, which was previously cancelled due to the Spring Break. The Mayor asked the Board members to look at their respective calendars to determine whether to convene a meeting on March 29, instead of April 5. Following the 2:00 p.m. Public Hearing meeting, the Board discussed distributing the agenda over the next three-week period rather than convening March 29; the Mayor advised she would do so. (Refer to minutes for full discussion.)***

C. PRESS CONFERENCE – ANNOUNCED ORAL RABIES VACCINE PROGRAM

**ACTION: (T-12:17 PM) Mayor Jacobs informed the Board that she participated in a press conference to announce the Oral Rabies Vaccine program that is being carried out by Animal Care and Regulation. On March 2, workers will begin distributing 200,000 Oral rabies vaccine baits throughout Broward County. This program will continue over the next five years. County staff expects the program to substantially reduce the number of rabid animals that pose a threat to people and their pets. (Refer to minutes for full discussion.)**

56. COUNTY COMMISSION LIAISON REPORT

**ACTION: (T-12:24 PM) No reports were filed.**

57. COUNTY ADMINISTRATOR’S REPORT

**ACTION: (T-12:24 PM) County Administrator Roger J. Desjarlais informed the Board there was nothing to report.**

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SUPPLEMENTAL AGENDA

COUNTY COMMISSION

58. MOTION TO DIRECT staff to take the necessary actions to place a 1.75-acre parcel of property (Folio No. 504030000320) which contains a significant archaeological site, into the Conservation Land Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 8)** (Commissioner Wasserman-Rubin)

**ACTION: (T-11:19 AM) Approved contingent upon the determination of the Phase II Archaeological Survey, which will determine the size of the site and provide for ingress and egress to the site. (Refer to minutes for full discussion.)**

**NON AGENDA**

59. REQUEST TO SERVE ON SELECTION COMMITTEE – COMMISSIONER SCOTT

***ACTION: (T-12:18 PM) Commissioner Scott requested to be added to the Selection Committee for RLI #20050126-0-EQ-01 relating to the Downtown Campus Project. (Refer to minutes for full discussion.)***

60. APPOINTMENT CRITERIA FOR BROWARD COUNTY PLANNING COUNCIL – COMMISSIONER SCOTT

***ACTION: (T-12:18 PM) Commissioner Scott requested that staff provide recommendations for a population-based appointment criteria for the Broward County Planning Council. (Refer to minutes for full discussion.)***

61. SPECIAL THANKS TO LIL SAYRE – ORAL RABIES VACCINE PROGRAM

***ACTION: (T-12:22 PM) Commissioner Lieberman thanked Lil Sayre, Animal Care Advisory Committee, for bringing the issue before the Board and for all her hard work helping to bring the project to fruition. (Refer to minutes for full discussion.)***

62. ADOPT-A-SWEETHEART PET ADOPTION EVENT – COMMISSIONER LIEBERMAN

***ACTION: (T-12:23 PM) Commissioner Lieberman announced that the “Adopt-A-Sweetheart” pet adoption event took place Monday, February 14, 2005, Valentine’s Day. The Commissioner stated that the event was a great success. (Refer to minutes for full discussion.)***

63. REQUEST TO SERVE ON SELECTION COMMITTEE – VICE MAYOR GRABER

***ACTION: (T-12:24 PM) Vice Mayor Graber requested to be added to the Selection Committee for RLI #T-3-04-055-C-F, relating to the Supervisor of Elections Warehouse. (Refer to minutes for full discussion.)***

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**MEETING/WORKSHOP NOTICES**

**CENTRAL COUNTY SELECTION COMMITTEE**

**Broadview Park Bid Pkg. 1**

**Melrose Park NE-Pkg. 10**

**North Central County Rock Island Bid Pkg. 3**

RLI No. 20041202-0-EVEE-01

Tuesday, February 22<sup>nd</sup> in Room 430 at 9:00 AM

**BROADVIEW PARK NEIGHBORHOOD IMPROVEMENT PROJECT**

RLI No. 20020515-7-EVEE-01

Tuesday, February 22<sup>nd</sup> in Room 430 at 9:30 AM

**CENTRAL BROWARD REGIONAL PARK S/C PROJECT**

RFP No. T704154CF-DB9b-02

Tuesday, February 22<sup>nd</sup> in Room 302 at 1:00 PM

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