

## **MEETING OF MARCH 5, 2002**

(The meeting convened at 10:00 a.m. and adjourned at 12:26 p.m.)

PLEDGE OF ALLEGIANCE was led by Shirley Clary and Stephanie M. Constantinetis, County Attorney's Office.

MOMENT OF SILENCE In memory of Barbara Holt, Child Therapist and County employee, Dania Beach resident, and James Aucamp, former commissioner and manager at the Central Broward Water Control District, Town of Davie resident.

### **CALL TO ORDER**

### **CONSENT AGENDA**

#### **BOARD APPOINTMENTS**

1. A. MOTION TO REAPPOINT Ms. Katherine Cramer to the Bicycle Advisory Board. (Commissioner Scott)

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO REAPPOINT Ms. Barbara J. Till to the Library Advisory Board. (Commissioner Scott)

***ACTION: (Time-10:09 AM) Approved.***

C. MOTION TO APPOINT Ms. Cindy Sherr to serve on the Unsafe/Minimum Housing Code Appeals Board, in the Attorney at Law category. Ms. Sherr will fill a vacant position. (Commissioner Rodstrom)

***ACTION: (Time-10:09 AM) Approved.***

#### **AVIATION DEPARTMENT**

2. A. MOTION TO ADOPT Resolution 2002-125 determining that: (1) certain real property located at North Perry Airport is unnecessary for airport purposes, and (2) the conveyance of the property will not impair the revenue producing capability or operating efficiency of the Airport System; and directing the Aviation Director to give written notice to the trustee under the Airport System Revenue Bonds of the conveyance of such property to the state of Florida Department of Transportation ("FDOT"); and authorize the County Administrator to take the necessary administrative and budgetary actions to execute same.

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO ADOPT Resolution 2002-126 authorizing conveyance of certain real property located at North Perry Airport to FDOT for construction, maintenance and operation of a right-of-way at the intersection of Pembroke Road and University Drive, and authorizing the Chair or Vice Chair and Clerk to execute and deliver the deed of conveyance and such other documents as may be required in connection therewith, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute same; and authorize execution by the Chair and Clerk of a license allowing

access to North Perry to perform cure on leasehold property, including, but not limited to paving, striping, etc., associated with the construction of the right-of-way.

***ACTION: (Time-10:09 AM) Approved.***

C. MOTION TO APPROVE Letter of Release and Deed of Release from the Federal Aviation Administration (“FAA”) Orlando Airports District Office, which releases the County from the terms and conditions of any FAA grant agreements as they may relate to the parcel to be conveyed to FDOT and from the covenants contained in the deed from the United States of America, and authorizing the Chair or Vice Chair and Clerk to execute and deliver such documents; and authorize the County Administrator to take the necessary administrative and budgetary actions as may be required.

***ACTION: (Time-10:09 AM) Approved.***

### **PUBLIC WORKS DEPARTMENT**

3. MOTION TO ADOPT Resolution 2002-127 of the Board of County Commissioners of Broward County, Florida, amending Section 38.34 of the Broward County Administrative Code; and providing for an effective date.

***ACTION: (Time-10:09 AM) Approved.***

### **OFFICE OF TRANSPORTATION**

#### **ENGINEERING DIVISION**

4. MOTION TO ADOPT Resolution 2002-128 accepting a warranty deed, at a nominal cost of \$10 to the County, executed by Allen Messer and Donna Messer, for right-of-way for Griffin Road at SW 202<sup>nd</sup> Avenue. (Commission District 8)

***ACTION: (Time-10:09 AM) Approved.***

### **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

5. MOTION TO ADOPT Resolution 2002-129 of the Board of County Commissioners of Broward County, Florida, authorizing the negotiation of a loan in an aggregate amount not to exceed \$42,000,000 from the First Florida Governmental Financing Commission; approving the refinancing of a prior loan made by the Commission to the County and the financing of the acquisition, construction, reconstruction, improvement and equipping of certain capital projects; approving the execution and delivery of a loan agreement with the First Florida Governmental Financing Commission; approving the execution and delivery of an Escrow Deposit Agreement; approving the execution and delivery of a Continuing Disclosure Certificate; providing certain other matters in connection with the making of such loan; providing for reading of this Resolution by title only; and providing an effective date.

***ACTION: (Time-10:09 AM) Approved.***

#### **COUNTY RECORDS DIVISION**

6. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commission meeting of February 5, 2002.

***ACTION: (Time-10:09 AM) Approved.***

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

***ACTION: (Time-10:09 AM) Approved. See Page \*\*\*\*\****

**PURCHASING DIVISION**

For Finance and Administrative Services Department

7. A. MOTION TO WAIVE Paragraph 3, Sub-paragraph 2 of Solicitation Request No. M-6-01-137-A3, which requires the vendors to submit certain documents within five days of request as a non-substantive technicality.

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO ESTABLISH Qualified Vendors List consisting of vendors listed in Exhibit 1 for architecture, energy management, engineering, landscape architecture, and/or surveying, consultant services, Solicitation No. M-6-01- 137-A3 for a three year period, and authorize the Purchasing Director to renew the Qualified Vendors List for two one-year periods; add vendors who originally provided submittals but failed to provide requisite documentation upon submission of the required documentation; and authorize the Purchasing Director to re-solicit new vendors every three months and add qualified vendors to the Qualified List. The initial period will be March 24, 2002 through March 23, 2005.

***ACTION: (Time-10:09 AM) Approved.***

C. MOTION TO APPROVE procurement procedure requirements as outlined in Exhibit 2.

***ACTION: (Time-10:09 AM) Approved.***

8. A. MOTION TO APPROVE Software & System Development Services Agreement between Broward County and Marsh USA, Inc., RLI No. 011001-RB, providing for the procurement of licenses for a comprehensive Risk Management Information/Claims Administration System (RMIS) entitled STARS and STARS Web, in the amount of \$197,000 and the professional services required to customize and implement STARS and STARS Web, in the amount of \$530,200 for a total first year cost of \$727,200; and authorize the Purchasing Director the authority to approve up to an additional \$70,000 for any additional services or products that may be required that are not currently provided for in the Statement of Work during the initial implementation, and authorize the Chair and Clerk to execute same.

***ACTION: (Time-10:15 AM) Deferred to Tuesday, March 12, 2002.***

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

B. MOTION TO APPROVE Software License and Maintenance Agreements between Broward County and Marsh USA, Inc., which provides for an initial five year software license for the STARS & STARS Web applications, to be procured in Motion A, to include annual software maintenance, and professional services in the total amount of \$611,000 during the initial five year term, and authorize the Purchasing Director the authority to approve either a two year extension of the software license and maintenance

services agreement with fees escalated in accordance with CPI, All Urban Consumers, Miami/Fort Lauderdale Region; or to approve a second five year renewal of the license and maintenance agreements with terms and fees to be re-negotiated and approved by the Selection/Negotiation Committee, and authorize the Chair and Clerk to execute same.

***ACTION: (Time-10:15 AM) Deferred to Tuesday, March 12, 2002.***

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

C. MOTION TO APPROVE budget Resolution transferring funds within the Risk Management Fund (5020) in the amount of \$1,000,000 from Reserve for the purpose of purchasing the RMIS and services from Marsh USA for the first year in the amount of \$797,200 and for the required computer hardware and software, which will be purchased separately under County and/or State of Florida contracts with various other vendors in the estimated amount of \$202,800.

***ACTION: (Time-10:15 AM) Deferred to Tuesday, March 12, 2002.***

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

For Public Works Department

9. A. MOTION TO AWARD fixed contract to low bidder Icon Constructors, Inc., for the construction of the Emergency 911 Back-up Center, (Bid No. Q-6-01- 131-CF), in the amount of \$312,192 for the Construction Management Division, subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Chair and Clerk to execute same. **(Commission District 4)**

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO ADOPT increase in the change order allowance from 5% to 10% for contract No. Q-6-01-131-CF.

***ACTION: (Time-10:09 AM) Approved.***

10. MOTION TO APPROVE increase in the change order allowance from \$561,308.50, (5.0%) to \$1,122,617.00, (10%) of the original contract amount of \$11,226,170.00, for the Central County Neighborhood Improvement Project, Bid Package No. 4, Contract No. N600138CF, with Foster Marine Contractors, Inc., for the Environmental Engineering Division. **(Commission District 9)**

***ACTION: (Time-10:09 AM) Approved.***

## **REVENUE COLLECTION DIVISION**

11. MOTION TO FILE Quarterly Investment Report as required by Ordinance 95.40 approved by the Board of County Commissioners on October 10, 1995.

***ACTION: (Time-10:09 AM) Approved.***

12. MOTION TO ADOPT Resolution 2002-130 of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, at Volume 3, Chapter 35, Part I, "Revenue Collection"; by deleting Section 35.1 "Boat Registration Magnetic Tape Fee" in its entirety;

providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

***ACTION: (Time-10:09 AM) Approved.***

## **HUMAN SERVICES DEPARTMENT**

13. A. MOTION TO ADOPT Resolution 2002-131 of the Board of County Commissioners of Broward County, Florida approving funding for not-for-profit organizations through the Health Facilities Authority Funds; approving the contract shell form, authorizing the County Administrator to execute the appropriate contract for the approved organization; providing for severability; and providing for an effective date.

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-132 within the General Fund for the Human Services Department in the amount of \$188,940 for the recognition of revenue received from the Health Facilities Authority for one time funding of Human Service providers.

***ACTION: (Time-10:09 AM) Approved.***

## **COMMUNITY SERVICES DEPARTMENT**

### **CULTURAL AFFAIRS DIVISION**

14. MOTION TO APPROVE Revocable License Agreement between Broward County and ArtServe, Inc., for cultural organizations cooperative office, rehearsal, performance, and exhibition space, and meeting rooms located at the Fort Lauderdale Branch Library, 1300 East Sunrise Boulevard; term of this agreement is for one year upon execution and renewable each year; and authorize the Chair and Clerk to execute the same. (**Commission District 7**)

***ACTION: (Time-10:09 AM) Withdrawn for staff revisions.***

### **LIBRARIES DIVISION**

15. A. MOTION TO APPROVE grant agreement between Broward County and Florida Department of State, Division of Library and Information Services, for a Florida Library Literacy Grant in the amount of \$43,810 (\$24,720 grant, \$19,090 County in-kind match) to fund the "We Need You" Project No. 02-FLL-01, to improve adult literacy from the date of agreement execution through September 30, 2002, and authorize the Chair to execute same. (County in-kind match of \$19,090 is included in above amount.) (**Commission District 9**)

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-133 within the Grant Fund for the Libraries Division in the amount of \$43,810 (\$24,720 grant, \$19,090 County in-kind match) in support of the "We Need You" Project.

***ACTION: (Time-10:09 AM) Approved.***

16. A. MOTION TO APPROVE Cooperative Agreement between the Institute of Museum and Library Services (IMLS) and Broward County (for Broward County Library System) for a National Leadership Grant (ND-10010-01) in the amount of \$181,197 (\$70,551 grant, \$40,875 County cash match, \$69,771 County in-kind match) for the digitization and preservation of the Works Progress Administration (WPA) Museum Extension Project Artifacts from December 15, 2001 through June 15, 2003, and authorize the Chair and Clerk to execute same. (County cash and in-kind match are included in the total amount.) **(Commission Districts 7 and 9)**

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-134 within the grant fund for Libraries Division in the amount of \$181,197 to assist in digitizing and preserving the Works Progress Administration (WPA) Museum Extension Project Artifacts.

***ACTION: (Time-10:09 AM) Approved.***

### **MASS TRANSIT DIVISION**

17. A. MOTION TO ADOPT Resolution 2002-135 of the Board of County Commissioners of Broward County, Florida, authorizing the Commission Chair to execute and file an application for federal assistance for Fiscal Year 2002 with the Federal Transit Administration (FTA), pursuant to 49 U.S.C., Section 5307 funding, in the amount of \$18,124,883 under the Federal Transit Act, as amended; and providing for an effective date. (No County match is required.)

***ACTION: (Time-10:09 AM) Approved.***

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-136 to increase the Capital Grant Fund (4510) for the Mass Transit Division, in the amount of \$1,534,913 for purposes of Copans building construction, Copans administration facility rehabilitation, and Ravenswood facility underground fuel tank replacement.

***ACTION: (Time-10:09 AM) Approved.***

### **PORT EVERGLADES DEPARTMENT**

18. MOTION TO APPROVE Pipeline License Agreement between Broward County and Everglades Pipe Line Company, L.P., granting four separate right-of-way segments totaling 345.6 linear feet for the operation and maintenance of existing underground fuel pipelines located at Port Everglades, for the period of April 1, 2002 through March 31, 2012, with a license fee in the approximate amount of \$137,567 over the agreement term, and authorize the Chair and Clerk to execute same.

***ACTION: (Time-10:16 AM) Deferred to enable staff to research the condition of the pipeline (maintenance and inspections). The Board directed the County Attorney's Office to amend the License Agreement to include language that the Licensee is required to file with the Board of County Commissioners or appropriate Department, by a date specific, a copy of all pipeline inspection reports. See Page \*\*\*\*\****

19. A. MOTION TO APPROVE renewal of a U. S. Government Lease For Real Property between Broward County and The Government of the United States of America for Suites No. 1 and 318, consisting of a total of 722 square feet of office space in Building 611 at Port Everglades, for an initial

period of one year effective upon Board approval, with yearly renewal options for up to five years, not to extend beyond September 30, 2006, and authorize the Chair and Clerk to execute same.

**ACTION: (Time-10:09 AM) Approved.**

B. MOTION TO APPROVE renewal of a U. S. Government Lease For Real Property between Broward County and the Government of the United States of America for 8,917 square feet of warehouse space in Foreign Trade Zone No. 25 at Port Everglades, for an initial period of one year effective upon Board approval, with yearly renewal options for up to five years, not to extend beyond September 30, 2006, and authorize the Chair and Clerk to execute same.

**ACTION: (Time-10:09 AM) Approved.**

20. MOTION TO APPROVE renewal of a lease agreement between Broward County and Port Everglades Environmental Corporation, for Suite No. 320 in Building 611 at Port Everglades, consisting of 400 square feet of office space, for the period of April 1, 2002 through March 31, 2003, with rent in the amount of \$7,000 over the lease term, and authorize the Chair and Clerk to execute same.

**ACTION: (Time-10:09 AM) Approved.**

**OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

21. MOTION TO APPROVE 2002 Joint Legislative Program of the Broward County Board of County Commissioners and the Broward League of Cities.

**ACTION: (Time-10:09 AM) Approved.**

**COUNTY COMMISSION**

22. MOTION TO ADOPT Resolution 2002-137 of the Board of County Commissioners of Broward County, Florida designating March 2002 as National Nutrition Month. (Chair)

**ACTION: (Time-10:09 AM) Approved.**

**DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

23. MOTION TO APPROVE settlement agreements in the total amount of \$9,900 which includes in-kind services, between Broward County and the listed respondents for violation of Broward County Code of Ordinances for Department of Planning and Environmental Protection (DPEP), and authorize the Chair and Clerk to execute same. **(Commission District 3, 9)**

**ACTION: (Time-10:20 AM) Approved. The Board directed staff that when future settlement agreements of this nature come before the Board, that a history of the respondent's violations are reflected. Further, the Board directed staff to research and determine whether there is a pattern developing with various companies who continue to violate the terms of the County's Tree-Trimming Ordinance. See Page \*\*\*\*\***

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**QUASI-JUDICIAL CONSENT HEARING**

**DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

**DEVELOPMENT MANAGEMENT DIVISION**

24. DISCUSSION: of Application of Findings of Adequacy for plat entitled “Mount Calvary Plat “ - **Commission District 9**, 012-UP-95.

***ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.***

25. DISCUSSION: of plat entitled “D & M Pompano Plat “ - **Commission District 9**, 008-MP-01.

***ACTION: (Time-10:09 AM) Deferred to October 15, 2002 or sooner, under Section 5-181(i) of the Land Development Code, to study transportation concurrency.***

26. DISCUSSION: of plat entitled “Green Farm Replat “ - **Commission District 3**, 012 -MP-01.

***ACTION: (Time-10:09 AM) Deferred to October 15, 2002 or sooner, under Section 5-181(i) of the Land Development Code, to study access.***

27. DISCUSSION: of plat entitled “Lamont Plat “ - **Commission District 9**, 046-MP-01. (Deferred from February 19, 2002.)

***ACTION: (Time-10:09 AM) Deferred to October 1, 2002 or sooner, under Section 5-181(i) of the Land Development Code, to study transportation concurrency.***

28. DISCUSSION: of plat entitled “Newth Plat “ - **Commission District 1**, 033-MP-99.

***ACTION: (Time-10:09 AM) Deferred to October 15, 2002 or sooner, under Section 5-181(i) of the Land Development Code, to study transportation concurrency.***

29. DELEGATION: C. William Laystrom, Jr. regarding request to amend the note on the ICW North Plat - **Commission District 5**, 008-MP-96.

***ACTION: (Time-10:09 AM) Approved subject to staff’s recommendations.***

30. DELEGATION: James R. Evans regarding request to modify conditions of plat approval on the Lakeview Square Plat - **Commission District 3**, 087-MP-88.

***ACTION: (Time-10:09 AM) Approved subject to staff’s recommendations.***

31. DELEGATION: Michael Gai regarding request to modify conditions of plat approval on the Stirling Meadows Plat - **Commission District 4**, 072-MP-96.

***ACTION: (Time-10:09 AM) Approved subject to staff’s recommendations.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

32. **COUNTY ADMINISTRATOR’S REPORT** County Administrator Roger J. Desjarlais informed the Board of the following:

A. The Hotel consultant report will be available for the commissioners’ review on Monday, March 11, 2002. The consultant will be available on Tuesday, March 12 and Wednesday, March 13, 2002. Staff will be contacting each commission office to schedule an appointment to meet with the consultant, if a commissioner wishes to do so in advance of the March 25, 2002 Hotel Workshop.

***ACTION: (Time-10:28 AM) No Board action was taken.***

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

B. The County Administrator requested the Board’s permission for nine (9) Fire Rescue employees to travel to Tallahassee to participate in a State memorial service to honor New York City, on Monday, March 11, 2002.

***ACTION: (Time-10:28 AM) Without objection, the Board approved the travel of nine (9) Fire Rescue Division employees to Tallahassee to participate in the State’s memorial service to honor New York City.***

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

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**DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

**DEVELOPMENT MANAGEMENT DIVISION**

33. **DELEGATION:** Dennis Mele regarding **MOTION TO APPROVE** agreement among Broward County, City of Miramar and Arthur D. Weiss, individually and as Trustee for construction of improvements relating to the I-75 Commerce Park Plat - **Commission District 8**, 058-MP-99.

***ACTION: (Time-10:31 AM) Approved staff’s recommendation of denial of the agreement as presented, with the recommendation that a \$300,000 road impact fee credit be awarded. See Page \*\*\*\*\****

34. MOTION TO APPROVE agreement among Broward County and the City of Miramar and Arthur D. Weiss for installation of required improvements related to I- 75 Commerce Park Plat - **Commission District 8**, 058-MP-99.

***ACTION: (Time-10:45 AM) Deferred to Tuesday, March 19, 2002.***

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

#### **AVIATION DEPARTMENT**

35. MOTION TO APPROVE Metered Taxicab Management Concession Agreement between Broward County, Florida and B&L Service, Inc., to provide taxicab management at the Fort Lauderdale-Hollywood International Airport (“Airport”), for a five year term from April 1, 2002 to March 31, 2007, with an annual privilege fee equal to the greater of \$300,000 or \$0.051 per deplaned passenger, and authorize the Chair and Clerk to execute same. (Deferred from February 26, 2002 - Item 2)

***ACTION: (Time-10:45 AM) Deferred to Tuesday, March 12, 2002, to enable the County Attorney’s Office to include an amendment to the agreement to incorporate a financial penalties section with respect to the performance standards relating to cab drivers maintaining cabs in good/clean condition, failure to staff the concession adequately, a fleet maintenance program, air conditioning in cabs, not operating a vehicle without a certificate, not operating a vehicle without a valid driver’s/chauffeur’s license, etc. If the amendment is not prepared, the County Attorney was directed to explain to the Board, in writing, dated no later than Friday, March 8, 2002, why it was not incorporated into the agreement. See Page \*\*\*\*\****

#### **PUBLIC WORKS DEPARTMENT**

##### **OFFICE OF INTEGRATED WASTE MANAGEMENT**

36. MOTION TO APPOINT County Commissioner to serve a one-year term ending on March 31, 2003 on the Resource Recovery Board of the Broward Solid Waste Disposal District.

***ACTION: (Time-10:53 AM) Deferred to Tuesday, March 12, 2002.***

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

#### **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

##### **PURCHASING DIVISION**

For Convention and Visitors Bureau

37. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide public relations assistance in generating leisure and convention business, and approve RLI No. 20020211-0-CVB-01.

***ACTION: (Time-10:57 AM) Approved the following to serve on the Selection/Negotiation Committee: Commissioner Wasserman-Rubin; VP, Communications, Greater Fort Lauderdale Convention and Visitors Bureau, Director, Marketing, Aviation; Director, Marketing, Port Everglades, and Chair, Marketing Advisory Council (TDC member). Plus, administrative support staff from the offices of***

*County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.*

38. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide destination advertising services for the Convention and Visitors Bureau and approve RLI No. 20020211-0-CVB-02.

***ACTION: (Time-10:57 AM) Approved the following to serve on the Selection/Negotiation Committee: Commissioner Wasserman-Rubin; Director, Marketing, Port Everglades (Chair); Director, Marketing, Aviation, Vice President, Communications, Convention & Visitors Bureau, and Chair, Marketing Advisory Council (TDC member). Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.***

For Port Everglades

39. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firm to provide, install and maintain a new Revenue Control System for the Northport and Midport Parking Garages in Port Everglades (Port), and approve RLI No. 2002131-0-PORT-01.

***ACTION: (Time-10:58 AM) Approved the following to serve on the Selection/Negotiation Committee: Deputy Director, Port Everglades Department (Chair); Director, Business Administrative Division, Port Everglades Department, and Director, Office of General Services, Public Works Department. Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.***

#### **HUMAN SERVICES DEPARTMENT**

40. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, relating to the Broward County Human Services Department; amending chapters 12, 19, 22, 23, 29, and 36 of the Broward County Administrative Code to revise processes within the Human Services Department and resolve scrivener's errors related to previously approved agency name changes; providing for severability; providing for inclusion in code; and providing for an effective date.

***ACTION: (Time-10:09 AM) Withdrawn for staff revisions.***

#### **PORT EVERGLADES DEPARTMENT**

41. A. MOTION TO AUTHORIZE Interim Port Director of the Broward County Port Everglades Department and the County Attorney's Office to take any action necessary to enforce payment by Robin Ship Agency Services, Inc., including, but not limited to, cashing its Letter of Credit in the amount of \$75,000.

***ACTION: (Time-10:58 AM) Approved. See Page \*\*\*\*\****

B. MOTION TO ADOPT Resolution 2002-138 directing the County Administrator to publish a Notice of Public Hearing to be held April 9, 2002 at 2:00 p.m. in Room 422 of the Governmental Center to consider further suspension of the non-exclusive steamship agent franchise of Robin Ship Agency Services, Inc., (formerly known as S.N. Ship Agency Services, Inc.) for failure to adhere to the terms and conditions of its franchise, and authorize the Chair and Clerk to execute same.

***ACTION: (Time-10:58 AM) Approved. See Page \*\*\*\*\****

**OFFICE OF ECONOMIC DEVELOPMENT**

42. MOTION TO ADOPT Resolution 2002-139 of the Broward County Board of County Commissioners: (1) approving the Finding of Necessity Report, adopted by the City of Fort Lauderdale, Florida (the "City") on July 10, 2001 to expand the western boundary of the area known as the Fort Lauderdale Northwest-Progresso-Flagler Heights Community Redevelopment Area (the "CRA"); (2) amending the delegation of Broward County to, and conferring upon the City certain powers to expand the CRA and amend its Community Redevelopment Plan to include the expansion.

***ACTION: (Time-10:59 AM) Approved, as amended, with the proviso that the City of Fort Lauderdale within a five-year period, shall pull a building permit and commence the process to redevelop the site. If the City fails to do so, the CRA will revert back to the County. The County would exercise whatever jurisdictional powers it chooses to exercise at that time. See Page \*\*\*\*\****

**OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

43. DISCUSSION: Legislative issues - 2002 Legislative Session.

A. MOTION TO DIRECT staff to add support for the reinstatement of the motorcycle helmet requirement to the State Legislative Program.

***ACTION: (Time-11:07 AM) Approved. See Page \*\*\*\*\****

B. MOTION TO ADOPT Resolution 2002-140 opposing HB819 and SB 270 which would limit citizens' rights to challenge actions of state agencies detrimental to environmental protection; and add to the State Legislative package.

***ACTION: (Time-11:10 AM) Approved. See Page \*\*\*\*\****

**COMMISSION AUDITOR**

44. MOTION TO FILE Commission Auditor's report on the Director of Purchasing Increased Award Authority.

***ACTION: (Time-11:12 AM) Approved, as amended, to include the Commission Auditor's recommendations. See Page \*\*\*\*\****

**COUNTY ADMINISTRATOR**

45. A. MOTION TO APPROVE adoption of a new official Broward County logo.

***ACTION: (Time-11:19 AM) Approved. Staff will work on a Broward County tag line/motto for future Board consideration.***

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

B. MOTION TO AUTHORIZE County Administrator to take action necessary to copyright registration of new County logo.

***ACTION: (Time-11:19 AM) Approved. See Page \*\*\*\*\****

**SUPPLEMENTAL AGENDA**

**PUBLIC WORKS DEPARTMENT**

**OFFICE OF GENERAL SERVICES**

**REAL PROPERTY SECTION**

46. A. MOTION TO RESCIND an easement to Florida Power and Light Company (FPL), approved under Item 8 on February 19, 2002 Agenda, for utility services to the African American Research Library and Conference Center (AARLCC) currently under construction at 2650 NW Sistrunk Boulevard in unincorporated Broward County.

***ACTION: (Time-11:36 AM) Approved. See Page \*\*\*\*\****

B. MOTION TO APPROVE granting an underground utility easement, to obtain underground electric service for County property located at 2650 NW 6<sup>th</sup> Sistrunk Boulevard, to FPL; authorize the Chair and Clerk to execute same, and authorize recordation of easement. (**Commission District 9**)

***ACTION: (Time-11:36 AM) Approved. See Page \*\*\*\*\****

**COUNTY ATTORNEY**

47. MOTION TO APPROVE legal services agreement retaining Melvin Wilson, Esq. of the firm of Williams, Wilson & Sexton to represent Broward County in the DOAH administrative proceeding, Arthur Weiss, Trustee and South Florida Water Management District, 01-03373, AH, and authorize the County Attorney to execute same on behalf of the County.

***ACTION: (Time-10:14 AM) Approved. (Moved to the Consent Agenda.)***

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

**COUNTY COMMISSION**

48. MOTION TO FILE Resolution No. 11-19.01 of the Martin County Metropolitan Planning Organization, supporting the Jupiter Extension Alternative One of the Tri-County Commuter Rail Authority Master Plan. (Chair)

***ACTION: (Time-10:09 AM) Approved. (Moved to the Consent Agenda.)***

49. MOTION TO FILE Resolution No. 2002-018 of the City of Dania Beach, Florida, supporting the Group City Emergency Medical Service Coalition of Broward County, Florida, Inc.'s efforts to support the establishment of a Broward County Task Force, based upon representative population, to study the development of an interlocal agreement for fire rescue, provided that the agreement be fair and representative of Broward County and includes the parameters of the four priority areas articulated by the group cities coalition in their report of December 2001. (Chair)

***ACTION: (Time-10:09 AM) Approved. (Moved to the Consent Agenda.)***

## NON AGENDA

### 50. PRESENTATION OF FLORIDA SENATE RESOLUTION RECOGNIZING SUICIDE AS A STATE PROBLEM - SHIRLEY CLARY - COUNTY ATTORNEY'S OFFICE - THE CHAIR

***ACTION: (Time-10:07 AM) The Chair, on behalf of the Board, commended Ms. Shirley Clary, County Attorney's Office, for all her time and efforts in her initiatives of state recognition that suicide is a problem and encouraging initiatives aimed at preventing suicide. See Page \*\*\*\*\****

### 51. COMPARING INVESTIGATIVE REPORTS WITH CONTRACTS FOR SERVICE - COMMISSIONER LIEBERMAN

***ACTION: (Time-11:37 AM) Staff was directed to perform an analysis comparing investigative costs with contracts for service. See Page \*\*\*\*\****

### 52. HISTORICAL COMMISSION REQUEST - PRESERVATION OF SOUTH SIDE SCHOOL - POSSIBLE COUNTY ACQUISITION - COMMISSIONER LIEBERMAN

***ACTION: (Time-11:39 AM) The Board directed staff to research the Historical Commission's request that the County acquire South Side School as a possible location for the Broward County Historical Museum and Library. Following staff's research, an item will be placed on the agenda for discussion. See Page \*\*\*\*\****

### 53. RE-APPROPRIATION OF RYAN WHITE FUNDS - COMMISSIONER LIEBERMAN

***ACTION: (Time-11:41 AM) Washington allocated an additional \$1 million. No Board action was taken. See Page \*\*\*\*\****

### 54. BROWARD COUNTY AIRPORT TASK FORCE - COMMISSIONER GUNZBURGER/COMMISSIONER RODSTROM

***ACTION: (Time-11:41 AM/11:45 AM) An item will be placed on an upcoming agenda for the Board's consideration. The Board directed staff to research the legal ramifications and other issues relating to a possible violation of the Interlocal Agreement (ILA) among the Cities of Fort Lauderdale, Hollywood and Dania Beach and the County due to their recent opposition of the south runway at the Fort Lauderdale-Hollywood International Airport. In addition, staff was requested to provide the amount of funds spent, to date, and the total funds to be expended by the County as a part of the mitigation agreed upon in the ILA. Staff will provide a report to the Board. See Page \*\*\*\*\****

### 55. INCORPORATING SUNDIALS AS A PART OF THE ART IN PUBLIC PLACES - COMMISSIONER JACOBS

***ACTION: (Time-11:42 AM) Staff was asked to research the idea of having artists incorporate sundials in sculpture and art in public places. (Art in Public Places in tandem with the Parks Bond referendum).***

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

### 56. LETTER FROM CITY OF CORAL SPRINGS - NEW HIGH SCHOOL - COMMISSIONER

GUNZBURGER

***ACTION: (Time-11:49 AM) Commissioner Graber informed the Board that he would be in Tallahassee during the week of March 15, 2002 and would be absent from the Tuesday, March 12, 2002 commission meeting. He asked for the Board's full consideration of the City of Coral Springs' request to initiate the process to amend the City's existing contract with the County, which will enable the City to apply to the Broward County Planning Council for a Land Use Amendment to build a new high school. See Page \*\*\*\*\****

57. UPDATE STATE BUDGET - COMMISSIONER SCOTT

***ACTION: (Time-11:51 AM) The State Revenue Estimating Conference is scheduled for March 8, 2002. No Board action was taken. See Page \*\*\*\*\****

58. INFORMATIONAL - CITY COMMISSION MEETINGS - THE CHAIR

***ACTION: (Time-11:53 AM) No Board action was taken. See Page \*\*\*\*\****

59. CONCERNS - DELAY IN COMMISSION GOAL SETTING WORKSHOP - THE CHAIR

***ACTION: (Time-11:55 AM) No Board action was taken. See Page \*\*\*\*\****

60. DISCUSSION - COMMISSION ATTENDANCE AT SELECTION/NEGOTIATION COMMITTEE MEETINGS - THE CHAIR

***ACTION: (Time-11:55 AM) The Chair stressed the importance of commissioner attendance at Selection/Negotiation Committee meetings. The County Attorney was asked to send a memorandum to the Board, with copies to his attorneys, explaining the commissioners' voting criteria relating to a commissioner's arrival during the middle/after the first presentation by short-listed vendors at Selection/Negotiation Committee meetings.***

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

61. SCHEDULE WORKSHOP BETWEEN BOARD OF COUNTY COMMISSIONERS AND THE HOUSING AND FINANCE AUTHORITY - THE CHAIR

***ACTION: (Time-12:03 PM) The Chair will schedule a workshop between the County Commission and the Housing and Finance Authority.***

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

62. BILLBOARD LEGISLATION - THE CHAIR

***ACTION: (Time-12:04 PM) The Chair urged the public to call or write their state officials, including the Governor, expressing their opinions on placing billboards in residential neighborhoods. See Page \*\*\*\*\****

63. SWIM CENTRAL AWARENESS - THE CHAIR

***ACTION: (Time-12:04 PM) The Chair thanked all the Commissioners, particularly Commissioners***

*Lieberman, Gunzburger and Jacobs, in addition to Kimberly Maroe and Todd LeDuc, Office of Public Information, for all their efforts in promoting the SWIM Central program and public awareness. Commissioner Lieberman encouraged everyone to purchase tickets/tables for the Annual SWIM Central Luau fund raiser. Commissioner Jacobs, Tony Segreto, and Broward School Board member Carole L. Andrews will be recognized for their involvement in the organization. See Page \*\*\*\*\**

64. KICK-OFF - MC DONALD'S AIR AND SEA SHOW - FIRST WEEKEND IN MAY - THE CHAIR

*ACTION: (Time-12:05 PM) The Board directed staff to send a "Thank You" letter, from the Chair, signed by each Commissioner, to Mr. Dan Ashland, community activist, for being instrumental in bringing McDonald's as the national corporate sponsor for Broward's Air and Sea Show.*

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

65. LETTER - FLORIDA ASSOCIATION OF COUNTIES/FLORIDA CITY AND COUNTY MANAGEMENT ASSOCIATION - LEGISLATIVE PRIORITIES - THE CHAIR

*ACTION: (Time-12:09 PM) The County Commission will support FACo and FCCMA legislative priorities, with a caveat that as long as it is not an issue the Board of County Commissioners is in opposition to. See Page \*\*\*\*\**

66. LETTER - COLEE HAMMOCK HOMEOWNERS ASSOCIATION, INC. - THE CHAIR

*ACTION: (Time-12:11 PM) 1) The Chair asked staff to determine whether the County Commission received a letter similar to the letter received by Colee Hammock Homeowners Association from FP & L Senior Vice President Armando Olivera; if not, to obtain a copy. The letter is to be placed in the County's official records. 2) The Board directed staff to review the County's tree-trimming Ordinance and draft stricter tree-trimming language. Staff will return before the Board expeditiously with proposed amendments.*

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

67. CARE PACKAGE INITIATIVE - OPERATION ENDURING FREEDOM TROOPS - THE CHAIR

*ACTION: (Time-12:16 PM) The Chair thanked Denise Cot?e, Assistant to the County Administrator, and staff for their efforts in the "Show ?em We Care" initiative that is providing care packages to the Enduring Freedom troops. Anyone wishing a serviceman or servicewoman to receive a care package/or would like a name to send a package, contact staff. See Page \*\*\*\*\**

68. LETTER TO REPRESENTATIVE KEN SORENSEN - THE CHAIR

*ACTION: (Time-12:17 PM) By a consensus of the Board, the Chair's letter will be signed by all nine (9) commissioners and sent to Representative Ken Sorensen. The Board members requested that the last paragraph be rewritten.*

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

69. BROWARD COUNTY HIV HEALTH SERVICES PLANNING COUNCIL - COMPLAINTS -

THE CHAIR

***ACTION: (Time-12:21 PM) No Board action was taken. See Page \*\*\*\*\****

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