

MEETING OF MARCH 15, 2005

(The meeting convened at 10:00 a.m.; recessed at 12:34 p.m. reconvened at 2:04 p.m., and adjourned at 4:30 p.m.)

PLEDGE OF ALLEGIANCE was led by Elexia Lieberman, granddaughter of Commissioner Ilene Lieberman, District 1.

MOMENT OF SILENCE

In memory of Michael Zietchik, North Lauderdale City Commissioner who passed away on March 8, 2005.

In memory of Annie Albert, wife of former Broward County employee Ron Albert who passed away on March 14, 2005.

In memory of Gary Swartzbaugh, husband of former Broward County employee Karen Swartzbaugh who passed away on March 13, 2005.

CALL TO ORDER

CONSENT AGENDA

1.

BOARD APPOINTMENTS

- A. MOTION TO APPROVE the appointment of Harold E. Jackson to the Urban Wilderness Advisory Board. (Commissioner Wexler)

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO APPOINT Tasnim Uddin to the Diversity Advisory Council. (Commissioner Wasserman-Rubin)

ACTION: (T-10:09 AM) Approved.



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

AVIATION DEPARTMENT

2. MOTION TO APPROVE Landlord's Waiver and Consent Agreement between Broward County, Florida, Van Wagner Aerial Media, LLC at the North Perry Airport, and General Electric Corporation as the agent for the lender to provide for General Electric Corporation to secure an interest in and lien upon certain assets (excluding building fixtures such as plumbing, lighting, and HVAC systems) of Van Wagner Aerial Media, LLC and its subsidiaries and affiliates to secure obligations arising under a Credit Agreement to be effective upon Board approval; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

3. MOTION TO ADOPT Resolution 2005-215 authorizing the Director of Aviation to submit a proposed Memorandum of Agreement (MOA) to the Transportation Security Administration (TSA) for up to 75% funding (or such greater amount as the TSA may authorize) for an in-line baggage screening system for Terminals 1,2,3, and 4 at the Fort Lauderdale-Hollywood International Airport (FLL); authorizing the Director to negotiate the terms of the MOA with the TSA; authorizing the Director to execute such agreement or documentation as may be required by the TSA in connection with obtaining funding from the TSA for the in-line baggage system; and providing for an effective date.

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

4. MOTION TO APPROVE Flex Utilization Agreement for certain areas in the Rental Car Center between Broward County, Florida, Avis Rent A Car Systems, Inc., and Budget Rent A Car Systems, Inc., to provide for the cross utilization of the ready return areas, storage and stacking areas or quick turnaround areas in the Rental Car Center, to be effective upon approval by the Board and terminate with a 60 calendar day notice by the County; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

5. MOTION TO APPROVE Optional Services Work Authorization in the amount of \$97,160 to Intercounty Laboratories-USL, Inc. (Intercounty) pursuant to their agreement, as part of the Optional Service Item 1: Undefined Tasks, to allow holes to be cored in the reinforced concrete upper terminal level for the installation of security bollards in front of the four terminals at the Fort Lauderdale-Hollywood International Airport.

ACTION: (T-10:09 AM) Approved.

6. MOTION TO AUTHORIZE Director of Aviation to issue a Notice to Proceed for Phase II of Deliberately-Phased Agreement No. 20020201-0-AV-04 for consultant services relating to an Automated People Mover System and Intermodal Center at the Fort Lauderdale-Hollywood International Airport and Port Everglades between Broward County and Lea+Elliott, Inc., in the amount of \$2,862,255.

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

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

7. A. MOTION TO APPROVE second amendment to Agreement No. JH214 between the State of Florida Department of Children and Families (DCF) and Broward County, for the purpose of decreasing Substance Abuse funding by \$3,332; to account for a State Substance Abuse Program Office deficit; readjusting dollars within Substance Abuse services in order to comply with a State mandate to increase assessment services with less dollars for prevention; and decreasing Mental Health Supportive Housing/Living funding by \$100,000; a temporary measure while the State of Florida redefines this cost center and returns the funding to the contract by way of a future amendment with a different service name; reducing the State of Florida dollars from \$1,454,339 to \$1,351,007; and authorize the Mayor to execute same. No additional County funds are required as a result of this amendment.

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-216 in the amount of \$(-103,332) within the State of Florida, Department of Children and Families (DCF) Grant Fund for the Elderly and Veterans Services Division to allow State of Florida's reduction in Substance Abuse Prevention funding, and a temporary reduction in Mental Health.

ACTION: (T-10:09 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

8. MOTION TO APPROVE event agreement between Broward County and the City of Fort Lauderdale for the use of Stranahan Park and closing various sections of SE First Avenue and SE First and Second streets on April 16, 2005 and April 17, 2005, for the purpose of conducting the annual Children's Reading Festival, and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:09 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

9. MOTION TO APPROVE settlement agreement, which includes corrective actions and an in-kind penalty, in the total estimated amount of \$131,400 between Broward County and Dania Distribution Centre, Ltd., for wetland violations involving Section 27-333(a) (1) of the Broward County Code of Ordinances for the Environmental Protection Department (EPD); and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:09 AM) Approved.

BIOLOGICAL RESOURCES DIVISION



10. MOTION TO APPROVE cooperation agreement (CA) between the United States of America and Broward County for hurricane rehabilitation of Segment III of the Broward County, Florida Shore Protection Project, enabling the placement by the US Army Corps of Engineers (the Corps) of 196,000 cubic yards of sand on Segment III beaches at 100% federal cost; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

ACTION: (T-10:38 AM) Approved. (Refer to minutes for full discussion.)

OFFICE OF MANAGEMENT AND BUDGET

11. A. MOTION TO ADOPT budget Resolution 2005-217 transferring funds within the General Capital Outlay Fund in the amount of \$725,500 for one-time capital law enforcement and detention projects.

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-218 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$725,500 for one-time capital law enforcement and detention projects.

ACTION: (T-10:09 AM) Approved.

12. MOTION TO ADOPT budget Resolution 2005-219 transferring within the General Fund the amount of \$475,000 from the Broward County Sheriff's Office reserve for the purpose of funding unanticipated operating expenditures in the Department of Law Enforcement, relating to fuel expenses and repair, and maintenance of aviation equipment.

ACTION: (T-10:09 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

13. MOTION TO APPROVE first amendment to the agreement between Broward County and Public Resources Advisory Group, Inc. to provide financial advisory services for the issuance of the proposed Water and Sewer Utility Revenue Bonds and potential refundings (RLI No. 120301-ML), extending the agreement for a one year period, from April 30, 2005 to April 30, 2006, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

14. MOTION TO ADOPT Resolution 2005-220 of the Board of County Commissioners of Broward County, Florida, authorizing the issuance of Water and Sewer Utility Revenue Bonds, Series 2005A, to be issued in an aggregate principal amount not exceeding \$100,000,000 (the "Series 2005A Bonds") for the purposes of (1) paying the cost of additional improvements to the County's Water and Sewer Utility and refinancing interim indebtedness related thereto, (2) providing for the payment of the costs of any Credit Facilities, if in the best interests of the County, (3) providing for funding of the Reserve Account Requirement or a Reserve Account Credit Facility, if in the best interest of the County, and (4) providing for the costs of issuance of the Series 2005A Bonds; authorizing the issuance of Water and Sewer Utility Revenue Refunding Bonds, Series 2005B, to be issued in an aggregate principal amount not exceeding \$161,000,000 (the "Series 2005B Bonds") for the purposes of (1) refunding a portion of the County's Water and Sewer Utility Revenue and Revenue Refunding Bonds, Series 2003 and the County's Water and Sewer Utility Revenue Refunding Bonds, Series 2003B, (2) providing for the payment of the costs of any Credit Facilities, if in the best interests of the County, and (3) providing for the costs of issuance of the Series 2005B Bonds; providing for the use of proceeds of both such Series 2005 Bonds; delegating to the County Administrator, within the parameters set forth herein, the authority to provide certain terms, provisions and providers of services for both of the Series 2005 Bonds; designating a Paying Agent for both of the Series 2005 Bonds; authorizing the execution and directing the authentication and delivery of both of the Series 2005 Bonds; providing for a Book Entry System; finding the necessity for a negotiated sale of both of the Series 2005 Bonds; approving and authorizing the execution and delivery of a Bond Purchase Agreement providing for the sale of both said Series 2005 Bonds to the Underwriters named therein and delegating to the County Administrator the

authority to consummate such sale and to award both of the Series 2005 Bonds pursuant to the Bond Purchase Agreement; approving the form and authorizing the distribution and use of a Preliminary Official Statement and authorizing the execution, distribution and use of a Final Official Statement relating to both of the Series 2005 Bonds; authorizing the County Administrator to negotiate and obtain a Municipal Bond Insurance Policy as a Credit Facility and any agreements related thereto, if necessary and providing that such Agreements shall supersede any inconsistent provisions in the Resolution relating to both of or either the Series 2005 bonds; authorizing the execution and delivery of a Continuing Disclosure Certificate; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale, execution and delivery of both of the Series 2005 Bonds; providing for conflicts, severability and an effective date.

ACTION: (T-10:41 AM) Approved. (Refer to minutes for full discussion.)

ACCOUNTING DIVISION

15. MOTION TO APPROVE travel for County employees (for Florida Library Association Conference) on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 – County Employee Travel.

ACTION: (T-10:09 AM) Approved.

16. MOTION TO APPROVE travel for County employees (for CGI-AMS Spring Training) on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 – County Employee Travel.

ACTION: (T-10:09 AM) Approved.

OFFICE OF INFORMATION TECHNOLOGY



17. MOTION TO APPROVE master agreement between Broward County and Computronix (U.S.A.), Inc. for licensed application software products, associated professional services and maintenance support, including new releases or upgrades and integrated third party application software products, relating to Computronix POSSE system for various County agencies participating in licensing, permitting, inspection and enforcement activities; for a five-year term effective upon approval; in an annual amount of up to \$1,000,000; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

PURCHASING DIVISION

For Community Services Department

18. **MOTION TO AWARD** open-end contract to low responsive, responsible bidder, BV Oil Company, Group 1, Bid No. DZ04263B1, for petroleum products – oils, lubes and greases, in the estimated annual amount of \$381,426.48, for the Mass Transit Division and various County agencies; and authorize the Purchasing Director to renew the contract for a one-year period, for a total potential contract amount of \$762,852.96. The initial contract period shall begin on March 29, 2005 and shall terminate one year from that date.

ACTION: (T-10:09 AM) Approved.

19. **MOTION TO AWARD** agreement to best-evaluated firm H. J. Russell-Seawood Builders, LLC for design and construction of Broward Central Regional Park, Design/Build No. T-7-04-154-C-F, in the amount of \$ 35,538,605.56, with a project completion time of 491 calendar days, for the Parks and Recreation Division, subject to receipt and acceptance of insurance/performance and payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

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

For Public Works and Transportation Department

20. **MOTION TO AWARD** open-end contract to low bidder High Tech Engineering, Inc. for locate/mark underground facilities, Bid No. N804167B1, in the estimated two-year amount of \$564,707.60, and authorize the Purchasing Director to renew the contract for one, one-year period for a total potential contract of \$847,061.40, for the Water and Wastewater Operations Division. The initial contract period shall begin upon receipt and acceptance of insurance/performance and payment guaranty and shall terminate two years from that date.

ACTION: (T-10:09 AM) Approved.

21. MOTION TO AWARD open-end contract to low bidder All Power Generator Corporation for diesel/propane generator service (Re-bid), Groups 1-8, Bid No. E704156M1-1 in the estimated annual amount of \$281,290; which includes \$205,800 for parts on a pass-thru, and authorize the Purchasing Director to renew the contract for two, one-year periods for a potential contract amount of \$843,870; which includes a potential amount of \$617,400 for parts on a pass-thru, for the Water and Wastewater Operations Division, and various other Broward County agencies. The initial contract period for Groups 1-3 shall start on date of award and shall terminate March 27, 2006. The initial contract period for Groups 4-8 shall start on date of award or March 28, 2005, whichever is later and shall terminate March 27, 2006, so that all groups terminate on the same date.

ACTION: (T-10:09 AM) Approved.

22. MOTION TO AWARD open-end contract to low bidder MasTec North America, Inc. for Traffic Signal Poles, Street Lights, Installation and Related Work, Groups 1 and 2, Bid No. N503136B1 in the estimated annual amount of \$1,534,213.10; and authorize the Purchasing Director to renew the contract for one, one-year period for a total potential contract of \$3,068,426.20, for the Traffic Engineering Division. The initial contract period shall begin upon receipt and acceptance of insurance/performance and payment guaranty and shall terminate one year from that date.

ACTION: (T-10:09 AM) Approved.



23. A. MOTION TO ADOPT budget Resolution 2005-221 transferring within the Library Bond Capital Outlay Fund (3180) the amount of \$967,817 from the Library Bond Fund Reserve for the South Regional Library.

ACTION: (T-10:56 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE agreement between Broward County and James B. Pirtle Construction Co., Inc., for Managing General Contractor (Phase II) construction services for the South Regional Library (RLI 041700-RB) for a guaranteed maximum price (GMP) of \$11,213,051; with a contract time of 515 calendar days subject to receipt and approval of insurance/performance and payment guaranty; and authorize the Mayor and Clerk to execute same. (Project No. 8008299) **(Commission District 6)**

ACTION: (T-10:56 AM) Approved. (Refer to minutes for full discussion.)

24. MOTION TO APPROVE increase in Change Order Contingency allowance by 2.61% (\$347,699.25), (RLI No. 020901RB) from 13.22% (\$1,761,143.35) to 15.83% (\$2,108,842.60) of the contract amount of \$13,321,810.49, for the Government Center West Renovation project due to technology enhancements, unforeseen conditions and regulatory agency requirements. No additional appropriation is required. (Project No. 5210) **(Commission District 1)**

ACTION: (T-10:09 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

25. MOTION TO ADOPT Resolution 2005-222 of the Board of County Commissioners of Broward County, Florida, authorizing the acquisition by condemnation of certain leasehold interests, which are necessary for the completion and operation of the Broward County Permitting and Licensing Integration Project; finding a public purpose for the acquisition of certain interests; providing for severability; and providing for an effective date. **(Commission District 1)**

ACTION: (T-10:09 AM) Approved.

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

26. MOTION TO APPROVE agreement between Broward County and the City of Sunrise, reimbursing the County for the cost of preparing plans and technical specifications for relocating Sunrise's water utilities along Pine Island Road from Oakland Park Boulevard to NW 44th Street in the City of Sunrise; In an amount up to \$20,128.83, and authorize the Mayor and Clerk to execute same. (Project No. 5121) **(Commission Districts 1 and 3)**

ACTION: (T-10:09 AM) Approved.

REAL PROPERTY SECTION

27. **MOTION TO ADOPT** Resolution 2005-223 authorizing the conveyance by quit claim deed of various tax deed properties that are unbuildable and have escheated to Broward County for delinquent real estate taxes to the municipalities in which land is located pursuant to Florida Statutes Chapter 197.592. These particular properties are within the City of Coral Springs, the City of Dania Beach, the City of Deerfield Beach, the City of Fort Lauderdale and the City of North Lauderdale; authorize the Mayor and Clerk to execute deeds, and authorize recordation of same. **(Commission Districts 1, 2, 3, 7 and 9)**

ACTION: (T-10:09 AM) Approved.

28. **MOTION TO APPROVE** lease agreement between Broward County (Landlord) and the City of Fort Lauderdale (Tenant) for the continued use of improved land for a vehicular parking lot containing 45 parking spaces located at the southeast corner of South New River Drive East and SE 1st Avenue, adjacent to the Broward Sheriff's Office main jail located at 555 SE 1st Avenue, in the City of Fort Lauderdale, Florida, for a five-year term, with five additional five-year renewal periods, subject to approval by the County. The County will receive an amount equal to 50% of the monthly gross parking meter revenues; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:09 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Last sentence of the Summary Explanation/Background: To conform to the lease with Fort Lauderdale, the County has the right to terminate upon 90 days written notice, not 60 days.)

WATER AND WASTEWATER SERVICES

WATER AND WASTEWATER ENGINEERING DIVISION

29. **MOTION TO APPROVE** settlement agreement between Broward County and Lanzo Construction Company to finalize claim for Central County Neighborhood Improvement Project Bid Package No. 7; Contract No. T302049CF in the amount of \$63,241.75; and authorize the Mayor and Clerk to execute same. (WWS 1149/8559) **(Commission District 9)**

ACTION: (T-10:09 AM) Approved.

30. MOTION TO APPROVE developer's agreement between Broward County and Villas at Oak Hammock, L.L.C., ("developer") providing for design, construction and installation of water and wastewater facilities by the developer, on the west side of SW 40th Avenue between SW 54th Street and SW 53rd Court in Unincorporated Broward County, with an estimated cost to the County of \$165,139.30 (68% of the project cost), to allow the County to furnish water and wastewater service to the site and surrounding neighborhoods, and authorize the Mayor and Clerk to execute same. (BCWWS Project No. 2124) **(Commission District 3)**

ACTION: (T-10:09 AM) Approved.

COUNTY AUDITOR

31. MOTION TO APPROVE County Auditor's travel to Washington D. C. to attend the Performance Measurement for Government Conference March 22, 2005 and March 23, 2005.

ACTION: (T-10:09 AM) Approved.

32. MOTION TO FILE County Auditor's Report on the Assessment of the County's Performance Measurement and Reporting System.

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

33. A. MOTION TO FILE County Auditor's Review of the Broward County Transit (BCT): Automated Vehicle Locator (AVL) System from Orbital Sciences Corporation.

ACTION: (T-11:04 AM) Approved. (Refer to minutes for full discussion.)

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

ACTION: (T-11:04 AM) Approved. (Refer to minutes for full discussion.)

COUNTY COMMISSION

34. MOTION TO FILE City of Coral Springs Resolution No. 2005-004 dated February 15, 2005, supporting the adoption of Florida House Bill 0195 to require a School Board to schedule teacher planning days to coincide with election dates and to provide for public schools to be made available as polling places and providing for certain other findings in support of the bill, providing for conflicts, severability and an effective date. (Mayor Jacobs)

ACTION: (T-10:09 AM) Approved.

35. MOTION TO FILE City of Fort Lauderdale Resolution No. 05-14 dated February 1, 2005, expressing the City's concern with the draft Broward County Boat Facility Siting Plan's potential negative impact on its public marine facilities and the overall marine industry and urging the Broward County Commission to seek further public comment. (Mayor Jacobs)

ACTION: (T-10:09 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

36. MOTION TO ADOPT Resolution 2005-224 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 12, 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 RENEWAL OF THE NON-EXCLUSIVE CABLE FRANCHISE OF THE FRANCHISEE, COMCAST OF MARGATE, INC., A FLORIDA CORPORATION, FOR THOSE UNINCORPORATED AREAS OF BROWARD COUNTY BOUNDED ON THE NORTH BY THE BROWARD COUNTY LINE, ON THE EAST BY THE FLORIDA TURNPIKE, ON THE SOUTH BY SAMPLE ROAD, AND ON THE WEST BY THE EASTERN BOUNDARY OF CONSERVATION AREA 2A, EXCLUDING INCORPORATED MUNICIPALITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:09 AM) Approved.

37. MOTION TO ADOPT Resolution 2005-225 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 26, 2005, at 2:00 p.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA,

AMENDING CHAPTERS 5 AND 27 OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR CHANGES TO AGENCY NAMES; AMENDING SECTION 5-182(a), ADEQUACY OF REGIONAL TRANSPORTATION NETWORK, TO PROVIDE FOR A TRANSIT ORIENTED CONCURRENCY SYSTEM; DELETING SECTION 5-182(u), ADEQUACY OF TRANSIT SERVICE; AMENDING SECTION 5-184(b), LIMITATION ON REQUIRED DEDICATIONS AND IMPROVEMENTS; MONEY IN LIEU OF DEDICATIONS AND IMPROVEMENTS, TO CLARIFY THE ALLOWABLE USE OF FUNDS COLLECTED, TO CLARIFY THE TIME OF COLLECTION OF ADMINISTRATIVE FEES, AND TO MODIFY WAIVER PROVISIONS FOR AFFORDABLE HOUSING PROJECTS; AMENDING SECTION 5-184(c), IMPACT AGREEMENT, TO ADDRESS OUTSTANDING IMPACT FEE OBLIGATIONS; AMENDING SECTION 5-201, LAND DEVELOPMENT CODE DEFINITIONS, TO PROVIDE DEFINITIONS FOR TYPES OF CONCURRENCY DISTRICTS, AND TO MODIFY THE DEFINITION OF A DEVELOPMENT PERMIT; AMENDING SECTION 27-4, DEFINITIONS, TO DEFINE ENVIRONMENTAL REVIEW APPROVAL; AMENDING SECTION 27-14, ADMINISTRATIVE REVIEW OF DPEP DETERMINATIONS, SECTION 27-21, AUTHORITY OF THE HEARING EXAMINER, AND SECTION 27-27, GENERAL VIOLATIONS, TO SPECIFY CERTAIN APPROVALS AS ENVIRONMENTAL REVIEW APPROVALS; AMENDING SECTION 27-38, CITATIONS, TO ENABLE THE DESIGNATION OF NON-EPD EMPLOYEES AS NATURAL RESOURCE ENFORCEMENT OFFICERS; AMENDING SECTION 27-66, APPROVALS, TO MODIFY THE PROCESS FOR OBTAINING ENVIRONMENTAL REVIEW APPROVALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:09 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION

- 38. DISCUSSION: of plat entitled "BBS Plat" - **Commission District 2**, (060-MP-03). (Deferred from September 14, 2004).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

39. DISCUSSION: of plat entitled "Cypress Estates Plat" - **Commission District 2**, (006-MP-04). (Deferred from February 15, 2005).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

40. DISCUSSION: of plat entitled "Santa Monica" - **Commission District 3**, (071-MP-04).

ACTION: (T-10:09 AM) Approved the plat subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances, including approval of the Traffic Concurrency Agreement.

41. DISCUSSION: of plat entitled "Riverbend Corporate Park" - **Commission District 7**, (077-MP-03).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

42. DELEGATION: Leigh R. Kerr regarding request to amend the note on the Hillsboro Associates Plat - **Commission District 2**, (138-MP-89). (Deferred from January 11, 2005.)

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

43. DELEGATION: Edward P. Ploski regarding request to amend the note on the Tanglewood Shopping Plaza No. 2 Plat - **Commission District 6**, (026-MP-84).

ACTION: (T-10:09 AM) Deferred to October 25, 2005 or sooner under Section 5-181(j) of the Land Development Code to study traffic concurrency.

44. DELEGATION: Edward P. Ploski regarding request to amend the note on the McFatter Vocational Site Plat - **Commission District 7**, (027-MP-95). (Deferred from October 19, 2004.)

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

45. DELEGATION: Rod A. Feiner regarding request to amend the note on the French Oaks Plat - **Commission District 8**, (004-UP-90).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

46. DELEGATION: Hope Calhoun regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Young World Plat- **Commission District 7**, (104-MP-83). (Deferred from August 10, 2004.)

ACTION: (T-10:15 AM) Approved subject to staff's recommendations. (Refer to minutes for full discussion.)

47. DELEGATION: Deanna Toro regarding request to amend the non-vehicular access line on the William A. Trueman Plat (086-MP-86) and the F.B.C. No. 1 Plat (016-MP-85) - **Commission District 9**.

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

48. DELEGATION: Robert Harbin, representing the Broward County Parks and Recreation Division, regarding request to waive transit impact fees for the Highlands Scrub Natural Area Park - **Commission District 2**, (007-SP-04).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

DELEGATION

49. **DELEGATION:** David J. Bernstein, Executive Artistic Director of the Public Theatre of South Florida, Inc., regarding request for a waiver of deadline for submission of the Fiscal Year 2004 certified audited financial statements, and request for a waiver of deadline for submission of a General Operating Program grant application for Fiscal Year 2006. **(Commission District 9)**

ACTION: (T-11:04 AM) The Board granted a two (2) week waiver for the deadline for the Public Theatre of South Florida, Inc.'s submission of a General Operating Program grant application for Fiscal Year 2006. The submission of the Fiscal Year 2004 certified audited financial statements are due on or before Friday, March 18, 2005, in light of the fact that the financial statements are completed as cited by Mr. Bernstein. (Refer to minutes for full discussion.)

COUNTY COMMISSION



50. A. **MOTION TO ADOPT** budget Resolution transferring \$95,340 within the General Fund from the Cultural Division to the Historical Commission to fund Fiscal Year 2005 historical preservation capital challenge grants. (Mayor Jacobs)

ACTION: (T-10:09 AM) Withdrawn for further review.

- B. **MOTION TO DIRECT** staff to reallocate \$500,000 in the Fiscal Year 2006 Budget process from the Cultural Division to the Historical Commission for historical preservation capital challenge grants.

ACTION: (T-10:09 AM) Withdrawn for further review.

- C. **MOTION TO DIRECT** staff, in subsequent budget years, to divide whatever amount the Commission allocates for capital challenge grants equally between cultural and historical preservation grants.

ACTION: (T-10:09 AM) Withdrawn for further review

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



51. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held at 10:00 a.m. Tuesday, April 19, 2005, in Room 422 of the Governmental Center, to consider the purchase of Safe Parks and Land Preservation Bond Program Open Space Site OS-70.11 (26,132 square feet; 0.60 acre), vacant land located at the northwest corner of NW 11th Street and NW 28th Avenue, unincorporated Broward County, Florida, pursuant to Florida Statutes 125.355. **(Commission District 9)**
- ACTION: (T-11:16 AM) Approved.***
- B. MOTION TO ACKNOWLEDGE to the Broward County Board of County Commissioners that the Public Works and Transportation Department, Real Property Section, intends to present for consideration on or after April 19, 2005, a Contract for Sale and Purchase for acquisition of Site OS-70.11 for a purchase price of \$120,000. **(Commission District 9)**
- ACTION: (T-11:16 AM) Approved.***

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works Department

52. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firm to provide Construction Manager at Risk (CM@Risk) services for construction of the Cruise Terminal No. 4 expansion at Port Everglades for the Seaport Construction and Planning Division; and approve Request for Letters of Interest (RLI) No. 20041101-0-PORTCM-04.
- ACTION: (T-11:16 AM) Approved the following to serve on the Selection Committee: Commissioners Eggelletion, Gunzburger and Rodstrom. Director, General Services, Public Works and Transportation Department (Chair); Deputy Port Director, Port Everglades Department; Director, Operations Division, Aviation Department and Director of Planning and Development Division, Aviation Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity Division, Risk Management Division, Purchasing Division and the requesting agency.***

53. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firm to provide Construction Manager at Risk (CM@Risk) services for construction of Cruise Terminal No. 27 and Berth No. 27 Pier Extension at Port Everglades for the Seaport Construction and Planning Division; and approve Request for Letters of Interest (RLI) No. 20041101-0-PORTCM-02.

ACTION: (T-11:17 AM) Approved the following to serve on the Selection Committee: Commissioners Eggelletion, Gunzburger and Wexler. Director, General Services, Public Works and Transportation Department (Chair); County Architect, Public Works and Transportation Department; Director, Operations, Port Everglades Department and Director of Operations, Aviation Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity Division, Risk Management Division, Purchasing Division and the requesting agency.

54. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firm to provide Construction Manager at Risk (CM@Risk) services for the relocation of a facility and a new bridge at Port Everglades for the Seaport Construction and Planning Division; and approve Request for Letters of Interest (RLI) No.20041123-0-PORTCM-01.

ACTION: (T-11:17 AM) Approved the following to serve on the Selection Committee: Commissioner Eggelletion. Director, General Services, Public Works and Transportation Department (Chair); Deputy Port Director, Port Everglades Department, County Architect, Public Works and Transportation Department and Director, Highway and Bridge Maintenance Division, Public Works and Transportation Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing Division and the requesting agency.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

55. DISCUSSION: Legislative Issues – 2005 Legislative Session.

ACTION: (T-11:18 AM) Tabled to later in the meeting.

A. UPDATE – TRI-COUNTY HEALTH CARE TASK FORCE

ACTION: (T-3:38 PM) Pamela Madison, Director, Office of Public and Governmental Relations, advised the Board that the next Tri-County Health Care Task Force is being held Thursday, March 24, 2005 and will be chaired by Vice Mayor Graber. The Secretary of the Agency for Health Care Administration will be attending the meeting. (Refer to minutes for full discussion.)

B. UPDATE – TRI-COUNTY SAVE OUR HOMES COMMITTEE

ACTION: (T-3:38 PM) Ms. Madison informed the Board that the first meeting of the Tri-County Save Our Homes Committee was held on Friday, March 11, 2005. The Committee included representatives from the Property Appraisers from all three counties. They met to discuss the issue of portability of Save Our Homes. There were some concerns raised with regard to legislation that has been filed to date. The consensus was to support an interim study so that the fiscal impacts could be thoroughly examined, as the Florida Association of Counties and the Florida League of Cities have been consistent in opposing this legislation absent a complete fiscal impact. (Refer to minutes for full discussion.)

C. AMEND LANGUAGE - LEGISLATIVE PLATFORM – SLOT MACHINES STATEMENT - COMMISSIONER LIEBERMAN

ACTION: (T-3:40 PM) Commissioner Lieberman asked that the statement in the County's Legislative Platform for the slot machines be amended to reflect that Broward County supports slot machines at existing pari-mutuel facilities in Broward County, not Broward County and Miami-Dade Counties.

D. OPPOSE HB 971 AND HB 1493 - COMMISSIONER LIEBERMAN

ACTION: (T-3:40M) Commissioner Lieberman asked that the County go on record as opposing House Bill 971 sponsored by Representative Johnson, which would place a constitutional amendment to remove the authority for having slot machines, and also oppose HB 1493, sponsored by Representative Johnson.

Commissioner Lieberman asked that the Board strengthen the language in the slot machines statement in the County's Legislative Package to be consistent with what was negotiated in the Broward County agreement; namely, that the Broward County Commission opposes any legislation that places implementation of the Slot Machine Amendment in jeopardy. It would create a non-competitive business environment to the pari-mutuel facilities in Broward County. There was no objection. (Refer to minutes for full discussion.)

56. MOTION TO APPOINT Commissioner to serve on the School Oversight Committee.

ACTION: (T-11:18 AM) The Board approved the appointment of Commissioner Wexler to serve on the School Oversight Committee.

PUBLIC HEARING

57. MOTION TO ADOPT Resolution 2005-226 to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 05-3), relating to the “Downtown Fort Lauderdale Regional Activity Center” in the city of Fort Lauderdale, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 7)**

ACTION: (T-11:27 AM/2:04 PM) The Board approved the transmittal of 3,000 dwelling units, subject to the applicant addressing, prior to the second public hearing, the status of the City’s Waterworks 2011 Plan, water tower and electrical switching station in regards to the subject area. Additionally, the applicant is requested to further clarify potential funding for downtown transit projects, as well as demonstrate that regional transportation network capacity will be sufficient to serve the proposed additional dwelling units, including consideration of traffic generated from outside the Regional Activity Center area. (Refer to minutes for full discussion.)

58. MOTION TO ENACT Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 05-10, in the city of Pompano Beach **(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-11:21 AM) Approved, per Planning Council’s recommendation.

59. A. MOTION TO ADOPT Resolution 2005-227 to transmit a proposed amendment to the Broward County Land Use Plan text (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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 6)**

ACTION: (T-3:29 PM) Approved, per Planning Council’s recommendation, with a further request to staff and the Planning Council to examine potential impacts to Hollywood Central Elementary and to confirm the number of affordable housing units existing within the proposed Regional Activity Center, including the “Crystal Lakes” development. (Refer to minutes for full discussion.)

- B. MOTION TO ADOPT Resolution 2005-228 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 6)**

ACTION: (T-3:29 PM) Approved, per Planning Council’s recommendation, with a further request to staff and the Planning Council to examine potential impacts to Hollywood Central Elementary and to confirm the number of affordable housing units existing within the proposed Regional Activity Center, including the “Crystal Lakes” development. (Refer to minutes for full discussion.)

60. MOTION TO ADOPT Resolution 2005-229 to transmit 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, to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15).**(Commission District 8)**

ACTION: (T-11:21 AM) Approved, per Planning Council’s recommendation.

61. A. MOTION TO ADOPT Resolution 2005-230 to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 05-2), establishing 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 4)**

ACTION: (T-11:22 AM) Approved, per Planning Council’s recommendation.

- B. MOTION TO ADOPT Resolution 2005-231 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 4)**

ACTION: (T-11:22 AM) Approved, per Planning Council’s recommendation.

62. MOTION TO ADOPT Resolution 2005-232 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 2)**

ACTION: (T-11:23 AM) Approved, per Planning Council’s recommendation. The applicant voluntarily agreed to follow the guidelines of NatureScape Broward in the development of the site. (Refer to minutes for full discussion.)

63. MOTION TO ADOPT Resolution 2005-233 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 9)**

ACTION: (T-11:24 AM) Approved, per Planning Council’s recommendation. (Refer to minutes for full discussion.)

64. MOTION TO ADOPT Resolution 2005-234 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 1)**

ACTION: (T-11:24 AM) Approved, per Planning Council's recommendation. (Refer to minutes for full discussion.)

65. MOTION TO ADOPT Resolution 2005-235 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 9)**

ACTION: (T-11:24 AM) Approved, per Planning Council's recommendation.

66. MOTION TO ADOPT Resolution 2005-236 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15). **(Commission District 3)**

ACTION: (T-11:25 AM) Approved, per Planning Council's recommendation.

67. MOTION TO ADOPT Resolution 2005-237 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15).

ACTION: (T-11:25 AM) Approved, per Planning Council's recommendation.

68. MOTION TO ADOPT Resolution 2005-238 to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 05-6), 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15).

ACTION: (T-11:25 AM) Approved, per Planning Council's recommendation.

69. MOTION TO ADOPT Resolution 2005-239 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15).

ACTION: (T-11:26 AM) Approved, per Planning Council’s recommendation.

70. MOTION TO ADOPT Resolution 2005-240 to transmit 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 to the State of Florida Department of Community Affairs pursuant to Section 163.3184(15).

ACTION: (T-11:26 AM) Approved, per Planning Council’s recommendation.

END PUBLIC HEARING

OFFICE OF EQUAL OPPORTUNITY

CIVIL RIGHTS DIVISION

71. MOTION TO APPROVE Award/Contract No. 5FPSLP0111 between Broward County and the U.S. Equal Employment Opportunity Commission (EEOC), authorizing Broward County to investigate employment discrimination complaints on behalf of the EEOC, retroactive from October 1, 2004 through September 30, 2005, in the amount of \$158,150; and authorize the Mayor and Clerk to execute same.

**ACTION: (T-10:09 AM) Approved, as amended, revising the Contractor name (Block 7 on first page of the Agreement) to read: “Broward County” and not “Broward County Equal Opportunity.” Further, the Board directed the County Attorney to draft an Addendum to the Worksharing Agreement to clarify that the Worksharing Agreement is between Broward County, not the Broward County Civil Rights Division, and the Equal Employment Opportunity Commission. The Addendum to the Worksharing Agreement will include a place for the Mayor’s signature. (See memorandum dated March 14, 2005 from Interim County Attorney Sharon L. Cruz.)
(Transferred to the Consent Agenda.)**

NOTE: (Scrivener's error - See County Administrator's memorandum: Under the Summary Section, the Civil Rights Division did not receive the agreement from the EEOC until March 9, 2005, instead of 2004.)

72.

MAYOR'S REPORT

A. **UPDATE – NEGOTIATIONS WITH COUNTY ATTORNEY – COUNTY AUDITOR EVAN LUKIC**

ACTION: (T-3:49 PM) County Auditor Evan Lukic informed the Board that staff communicated the Board's offer to Mr. Jeffrey Newton. Mr. Newton's representatives have proposed a counter-proposal as outlined in Mr. Lukic's memorandum dated March 14, 2005. Mr. Lukic advised that he did not believe the addition of language in Section 2.3 was a major issue. In Section 3.1, Mr. Newton would like to amend the agreement as proposed to provide that should he be terminated by the Board for other than cause that he shall be entitled to receive a severance package equivalent to the compensation he would have earned from the date of termination through June 1, 2008. In Section 4.1, Mr. Newton is proposing a starting salary of \$199,500, as opposed to the Board's offer of \$190,000.

Following discussion, the Board made the following offer:

Section 2.3 – No objection to the revision.

Sections 3.1 and 4.1 – The Board agreed to offer a starting salary of \$190,000 and a one year severance package OR a starting salary of \$195,000 and a 6 months severance package. (Refer to minutes for full discussion.)

B. **MAYOR'S TRIP TO WASHINGTON, D.C.**

ACTION: (T-4:09 PM) Mayor Jacobs reported on her trip to Washington, D. C.; it was productive and informative. She was able to visit personally with six of the eight Broward Congressional Delegation members to present the Board's Legislative Program and discuss the County's appropriations requests. The Mayor praised Pamela Landi from the Office of Public and Governmental Relations for the outstanding job she did in Washington and commented that she is a great asset to Broward County. (Refer to minutes for full discussion.)

C. ADDITIONAL CLASSES ADDED - NATURESCAPE

ACTION: (T-4:11 PM) The Mayor announced that due to popular demand for the NatureScape Broward County employee seminar, an additional class has been added on March 31, from 8:30 a.m. to 12:30 p.m., at the Main Library, 8th Floor, Room A & B. County employees still have time to register on the BC-NET for the class. (Refer to minutes for full discussion.)

D. BROWARD COUNTY WATERMATTERS DAYS

ACTION: (T-4:11 PM) Mayor Jacobs invited everyone to attend Broward County Water Matters Day on Saturday, March 19, at Tree Tops Park beginning at 9:00 a.m. (Refer to minutes for full discussion.)

E. BROWARD COUNTY AUDUBON SOCIETY

ACTION: (T-4:12 PM) The Broward County Audubon Society is kicking off WaterMatters Day with a nature walk and special screening of the movie "Water's Journey" at Fern Forest Nature Center on Thursday, March 17. The event is free and will begin at 6:00 p.m.

F. CONGRATULATIONS ON NAMING – COMMISSIONER SCOTT

ACTION: (T-4:12 PM) The Mayor congratulated Commissioner Scott on the naming of the Janice Scott Senate Family Center, named after his late wife, and is located in Tallahassee. (Refer to minutes for full discussion.)

G. CONGRATULATIONS TO COMMISSIONER GUNZBURGER

ACTION: (T-4:12 PM) Mayor Jacobs congratulated Commissioner Gunzburger who was named one of four leading ladies of Hollywood by the Jewish Federation. (Refer to minutes for full discussion.)

H. CONGRATULATIONS TO THE MAYOR

ACTION: (T-4:12 PM) Commissioner Rodstrom congratulated Mayor Jacobs for recently being inducted into the Broward County Woman's Hall of Fame. On the day of her induction, Commissioner Gunzburger, on behalf of the County Commission, presented Mayor Jacobs with a proclamation proclaiming Sunday, March 13, as Mayor Jacobs Appreciation Day in Broward County. (Refer to minutes for full discussion.)

73. COUNTY COMMISSION LIAISON REPORT

ACTION: (T-4:12 PM) No reports were filed.

74. COUNTY ADMINISTRATOR’S REPORT

ACTION: (T-4:29 PM) In Accordance with Section 1.10 of the County’s Administrative Code, please be advised that Mr. Zachary L. Williams, Assistant County Administrator, is authorized to carry out duties of the County Administrator or Deputy County Administrator during circumstances when they are unavailable. (See memorandum dated March 14, 2005, from County Administrator Roger J. Desjarlais.)

SUPPLEMENTAL AGENDA

PUBLIC HEARING

PUBLIC WORKS AND TRANSPORTATION REQUESTS THAT THIS ITEM BE CONTINUED TO THE 10:00 AM PUBLIC HEARING ON APRIL 12TH, 2005, AND DIRECT STAFF TO READVERTISE SAME

75. MOTION TO APPROVE Contract for Sale and Purchase of approximately 15.71+/- acres and related agreements of the Oakridge Farm at 3801 South Flamingo Road, Davie, Florida, identified as Purchase of Development Rights Site 01 (PDR-01) in the Safe Parks and Land Preservation Bond Program, pursuant to Florida Statutes Chapter 125.355. **(Commission District 5)**

ACTION: (T-10:11 AM) Tabled to later in the meeting. (Refer to minutes for full discussion.)

ACTION: (T-3:38 PM) Approved. (Refer to minutes for full discussion.)

END PUBLIC HEARING

NON AGENDA

76. FLORIDA ASSOCIATION OF COUNTIES MEMORANDUM – COMMISSIONER GUNZBURGER

ACTION: (T-4:14 PM) Commissioner Gunzburger referred to a memorandum she received from the Florida Association of Counties advising the counties that there is a plan to cut Community Development Block Grant (CDBG) funding and urged the counties to contact Senators

Martinez and Nelson and ask them to restore the CDGB funding. (Refer to minutes for full discussion.)

77. BROWARD CULTURAL COUNCIL MEETING – COMMISSIONER GUNZBURGER

ACTION: (T-4:13 PM) Commissioner Gunzburger advised the Board that at the March 13, Broward Cultural Council meeting an issue was discussed to allow excused absences and allow for telephonic attendance when a Board member is unable to attend a meeting so long as a quorum is established. Commissioner Lieberman informed Commissioner Gunzburger that Deputy County Attorney Sharon Cruz is already researching the issue for the County Commission. (Refer to minutes for full discussion.)

78. NATIONAL ASSOCIATION OF COUNTIES (NACo) – CDBG FUNDS - COMMISSIONER LIEBERMAN

ACTION: (T-4:14 PM) Commissioner Lieberman expressed concern regarding what is being proposed for the CDGB funds. Commissioner Lieberman advised that the proposed plan will take CDBG and 17 other grant programs and merge them into a new program called “Strengthening Americas Act,” funding the 18 programs cumulatively at approximately 75 percent less than when there were 18 individual programs. Commissioner Lieberman commented that she does not necessarily oppose the consolidation if it deals with eliminating some administrative overhead, but she is strongly opposed to the plan under the guise of reorganization reducing funding by 75 percent. (Refer to minutes for full discussion.)

79. HOMELAND SECURITY – COMMISSIONER LIEBERMAN

ACTION: (T-4:14 PM) Commissioner Lieberman informed the Board of a recent workshop on Homeland Security that has caught the attention of the national press as it relates to the problems Broward County has had with the City of Miami and the distribution of funds. The federal government is now looking to go to a need-based grant. Commissioner Lieberman commented that she believed that Broward would benefit better from a need-based grant rather than the current scenario. (Refer to minutes for full discussion.)

80. CONCERN WITH NEW PROCUREMENT PROCESS – COMMISSIONER LIEBERMAN

ACTION: (T-4:16 PM) Commissioner Lieberman expressed concern with the new procurement process as it relates to the verification of references for vendors responding to an RFQ or an RLI prior to Short Listing. Commissioner Lieberman cited a recent occurrence while participating in a conference call regarding a Selection Committee for a Customer Relations Management Pilot. One of the proposers was Unisys. One of the questions

asked was: Have you ever been held in default of a contract, to which Unisys answered: "Nothing that would be relevant to this procurement." Unisys was declared in default of a contract approximately 4 years ago where the County won a \$2 million judgment against them. Commissioner Lieberman stated that no one from Purchasing staff included that information in the matrix or the backup for the Selection Committee to review. Commissioner Lieberman relayed that Purchasing staff must verify the information given to the County prior to Short Listing. She asked the Deputy County Administrator to look into the matter and report back to the Board. (Refer to minutes for full discussion.)

81. AUDIT AT PORT EVERGLADES FOR CRANES – COMMISSIONER EGELLETTION

ACTION: (T-4:24 PM) Commissioner Eggelletion asked for a status report on the audit that is taking place for the cranes at the Port Everglades. (Refer to minutes for full discussion.)

82. ASIAN AMERICAN HOTEL OWNERS ASSOCIATION (AAHOA) TO VISIT BROWARD – COMMISSIONER EGELLETTION

ACTION: (T-4:25 PM) Commissioner Eggelletion announced that the Asian American Hotelier Association will be holding their convention at the Broward Convention Center from March 22 thru March 26, 2005. He commented on the diversity that exists in Broward County and that that is one of the reasons they chose Broward. (Refer to minutes for full discussion.)

83. WORLD NET BALL CHAMPIONSHIP COMING TO BROWARD – LOOKING FOR SPONSORS – COMMISSIONER EGELLETTION

ACTION: (T-4:27 PM) Commissioner Eggelletion informed the Board that the World Net Ball Championship is coming to Broward and asked the Board for their assistance in recruiting sponsors for the event. (Refer to minutes for full discussion.)

84. AFFORDABLE HOUSING BILL – SB 2578/HB 1221 COMMISSIONER EGELLETTION

ACTION: (T-4:28 PM) Commissioner Eggelletion advised the Board that the Affordable Housing bill, Senate Bill 2578 and House Bill, has been referred to the House. Commissioner Eggelletion received a call from representatives from the AFL-CIO who want to support the bill. He asked any Board member going to Tallahassee to please lobby in support of the legislation. (Refer to minutes for full discussion.)

85. PRESENTING PROCLAMATION – VICE MAYOR GRABER

ACTION: (T-4:29 PM) Vice Mayor Graber informed the Board that he will be presenting a proclamation on behalf of the Mayor and the County Commission to the Asian American Hotel Owners Association. (Refer to minutes for full discussion.)

86. TRI-COUNTY HEALTH CARE COMMITTEE – VICE MAYOR GRABER

ACTION: (T-4:29 PM) Vice Mayor Graber commented that he was looking forward to the Tri-County Health Care Committee meeting on March 24. As previously mentioned, the Secretary of the Agency for Health Care Administration will be attending. There is interest in the Health Care Concept utilizing a provider service network for mental health through Medicaid. It appears if there will be a model, it will be Broward and if there is additional legislation needed, Broward will be involved in the drafting. The Vice Mayor invited the Board members to attend. (Refer to minutes for full discussion.)