

MEETING OF MARCH 23, 2004

(The meeting convened at 10:00 a.m.; recessed at 12:47 p.m.; reconvened at 4:10 p.m. and adjourned at 5:46 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Diana Wasserman-Rubin, District 8.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Mrs. Anne Yagoda to the Commission on the Status of Women. (Commissioner Graber)

ACTION: (T-10:04 AM) Approved.

- B. MOTION TO APPOINT Ms. Mary Capobianco to the Commission on the Status of Women. (Commissioner Graber)

ACTION: (T-10:04 AM) Approved.

- C. MOTION TO APPOINT Alain Jean to the Broward Beautiful Committee. (Commissioner Eggelation)

ACTION: (T-10:04 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE release, consent, subordination, attornment and nondisturbance agreement between Broward County, Florida; North Perry Aviation, Inc., and Spence Kershaw for T-Hangar Unit 34 located at North Perry Aviation, Inc., and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:04 AM) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF GENERAL SERVICES

REAL PROPERTY SECTION

3. MOTION TO APPROVE contract for sale and purchase from Stephen P. Armstrong, a single man and Susan J. Miller, a married woman joined by her husband Reed Miller, as tenants in common for the purchase of Parcels 121-123 of West Lake Outparcel acquisition in the amount of \$15,700. The Parks and Recreation Division authorizes Real Property Section to acquire this property using Park funds from the 1989 Bond Program; authorize the Mayor and Clerk to execute contract, and authorize acceptance and recordation of deed. **(Commission District 6)**

ACTION: (T-10:04 AM) Approved subject to receipt of documentation as to the review and assessment of the environmental conditions at the site. (See County Auditor's memorandum dated March 23, 2004.)

4. MOTION TO APPROVE contract for sale and purchase executed by Samuel S. Smith, Jr. in the amount of \$22,000 for the purchase of vacant property located on NW 27th Avenue, Fort Lauderdale, Florida, as a part of the Roosevelt Gardens Neighborhood Enhancement Plan; authorize the Mayor and Clerk to execute contract for sale and purchase and authorize recordation of deed. **(Commission District 9)**

ACTION: (T-10:04 AM) Approved subject to receipt of documentation as to the review and assessment of the environmental conditions at the site. (See County Auditor's memorandum dated March 23, 2004.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

5. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commission meetings of January 27, 2004; February 3, 2004; February 10, 2004 and February 17, 2004; and the minutes of the 2:00 PM Public Hearings of January 27, 2004 and February 10, 2004.

ACTION: (T-10:04 AM) Approved.

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

ACTION: (T-10:04 AM) Approved. See Page *****

PURCHASING DIVISION

For Aviation Department

6. MOTION TO ADOPT Resolution 2004-254 of the Board of County Commissioners of Broward County, Florida declaring certain County equipment to be surplus, to wit: three aircraft rescue and firefighting vehicles in the possession of the County's Aviation Department; authorizing the sale of same pursuant to Section 125.35, Florida Statutes; declaring said fire trucks to be surplus pursuant to Section 713(a) of the Airport System Revenue Bonds; providing for severability; and providing for an effective date.

ACTION: (T-10:04 AM) Approved.

HUMAN SERVICES DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

7. MOTION TO APPROVE second amendment to the 28th year Community Development Block Grant (CDBG) Agreement between Broward County and the City of Lauderdale Lakes (City), to increase the amount of funding by \$15,000; from \$35,000 to a total of \$50,000; for the purpose of completing the objectives of the Senior Transportation Program; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:04 AM) Approved.

ELDERLY AND VETERANS SERVICES DIVISION

8. MOTION TO APPROVE Master Agreement No. JM004-15-2004 between Areawide Council on Aging of Broward County, Inc. and Broward County from March 1, 2004 to December 31, 2006, and authorize the Mayor to execute same. This is a non-financial agreement. All subsequent contracts executed between Broward County and the Areawide Council on Aging of Broward County, Inc. will be subject to the conditions set forth in this Master Agreement.

ACTION: (T-10:04 AM) Approved.

9. A. MOTION TO APPROVE agreement between Florida Council on Compulsive Gambling, Inc. and Broward County in the amount of \$25,500 for the purpose of providing prevention and supportive services to older adults in Broward County at risk of problems resulting from compulsive gambling behavior. Contract is effective the date on which the final party signs the agreement and terminates on June 30, 2004.

ACTION: (T-10:04 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-255 in the Florida Council on Compulsive Gambling, Inc. Grant Fund in the amount of \$25,500 for the provision of preventive and supportive services to at-risk older adults.

ACTION: (T-10:04 AM) Approved.

OFFICE OF HOUSING FINANCE

10. MOTION TO ADOPT Resolution 2004-256 of the Board of County Commissioners of Broward County, Florida, authorizing the reissuance by the Housing Finance Authority of Broward County, Florida of certain of its Multifamily Housing Revenue Bonds (St. Croix Apartments Project), Series 2002A; authorizing the execution of a request for bond allocation on behalf of the Housing Finance Authority of Broward County, Florida in an amount not to exceed \$2,000,000 in connection with the reissuance of such multifamily housing revenue bonds; approving the Public Hearing held in respect of such reissuance; and providing an effective date. **(Commission District 9)**

ACTION: (T-10:08 AM) Approved. See Page *****

11. MOTION TO ADOPT Resolution 2004-257 of the Board of County Commissioners of Broward County, Florida, approving a third amendment to an agreement between the Housing Finance Authority of Broward County, Florida, and Fortson Eisenach Associates, Inc.; and providing for an effective date.

ACTION: (T-10:04 AM) Approved.

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

12. MOTION TO ADOPT Resolution 2004-258 of the Board of County Commissioners of Broward County, Florida approving the allocation of \$6,300,050 in appropriated Fiscal Year 2004 Ryan White Title I Comprehensive AIDS Resources Emergency (C.A.R.E.) Act Grant funding; authorizing the County Administrator to execute contracts and any amendments or revisions to the approved contracts; providing for severability; and providing for an effective date. The funding for this Resolution is from a federal grant in the amount of \$14,749,550; and no County funds are required.

ACTION: (T-10:04 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

13. A. MOTION TO ADOPT Resolution 2004-259 of the Board of County Commissioners of Broward County, Florida, authorizing the Mayor and Clerk to execute and file a joint participation agreement (JPA) with the Florida Department of Transportation (FDOT), District 4, in the amount of \$95,000; to implement a College Bus Pass Pilot Program that will provide discounted bus fares to students currently enrolled in a college or university participating in the pilot program, in order to encourage transit ridership among college students; and providing for an effective date. (Requires 50 % cash or in-kind match from the County in the amount of \$47,500.)

ACTION: (T-10:04 AM) Approved.

- B. MOTION TO ADOPT Resolution 2004-260 of the Board of County Commissioners of Broward County, Florida, authorizing a College Bus Pass Pilot Program; authorizing the Mass Transit Division Director to issue, on a pilot basis through December 31, 2005, bus passes at a 50 % reduced fare to students who are currently enrolled in a college or university participating in the pilot program; providing for severability; and providing for an effective date.

ACTION: (T-10:04 AM) Approved.

- C. MOTION TO ADOPT unanticipated revenue Resolution 2004-261 within the Capital Grant Fund (4510) for the Mass Transit Division, in the amount of \$47,500 from FDOT, to implement the College Bus Pass Pilot Program.

ACTION: (T-10:04 AM) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

BIOLOGICAL RESOURCES DIVISION

14. MOTION TO DIRECT County Attorney to draft an Ordinance amending Chapter 27 of the Broward County Code of Ordinances relating to application of state regulations, licensing provisions for Comprehensive Everglades Restoration Plan projects, licensing of Biological Resources Division's sponsored projects, and to correct previous scrivener errors.

ACTION: (T-10:04 AM) Approved.

EMERGENCY MANAGEMENT AGENCY

15. MOTION TO APPROVE memorandum of agreement between Broward County and the City of Miami, effective from date of execution through December 31, 2005, to participate in and support the implementation of the Urban Area Security Initiative from the U.S. Department of Homeland Security, through the Office of Domestic Preparedness and the State of Florida Division of Emergency Management; authorize the Mayor and Clerk to execute same, and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

ACTION: (T-10:08 AM) Withdrawn. See Page *****

16. MOTION TO ADOPT unanticipated revenue Resolution 2004-262 within the Grant Fund for the Broward Emergency Management Agency in the amount of \$139,812 for the purpose of enhancing Broward County's Emergency Management and Preparedness Program.

ACTION: (T-10:04 AM) Approved.

PORT EVERGLADES DEPARTMENT

17. MOTION TO APPROVE third amendment to the agreement (RLI No. 011701-RB) between Broward County and Craven Thompson & Associates, Inc. (CTA) for general professional engineering consulting services for the Port Everglades Department (Port), describing specific projects identified in the Port's Fiscal Year 2003/2004 Budget for not to exceed \$550,000; and expand Task 2m Toe wall improvements and bulkhead analysis from \$600,000 to \$1,811,748; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:04 AM) Approved.

18. MOTION TO APPROVE agreement between Broward County and USA Parking Associates to provide management and operation of parking facilities at Port Everglades for an initial five year term with a management fee of \$128,000 for the first year; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:04 AM) Approved.

OFFICE OF BUDGET SERVICES

19. A. MOTION TO ADOPT budget Resolution 2004-263 transferring funds within the General Capital Outlay Fund in the amount of \$241,000 for one-time capital maintenance projects in the Broward Sheriff's Office (BSO) Department of Law Enforcement.

ACTION: (T-10:04 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-264 within the General Fund for the BSO in the amount of \$241,000 for one-time capital maintenance in the Department of Law Enforcement.

ACTION: (T-10:04 AM) Approved.

COUNTY ATTORNEY

20. A. MOTION TO ADOPT settlement agreement between Broward County and National Beverage Corporation, Case No. 02-10896 (12); and

ACTION: (T-10:19 AM) Tabled to the conclusion to the 2:00 p.m. Public Hearing. See Page *****

ACTION: (T-5:01 PM) No Board action was taken. See Page *****

- B. MOTION TO ADOPT budget Resolution transferring \$1,600,000 within the General Capital Outlay Fund from reserve to fund the settlement agreement with National Beverage Corporation.

ACTION: (T-10:19 AM) Tabled to the conclusion to the 2:00 p.m. Public Hearing. See Page *****

ACTION: (T-5:01 PM) No Board action was taken. See Page *****

COUNTY ADMINISTRATION

21. MOTION TO APPROVE mutual termination of the interlocal agreement between the City of Weston and Broward County relating to the delivery of emergency medical and fire protection services.

ACTION: (T-10:04 AM) Approved.

22. MOTION TO CONCEPTUALLY APPROVE Sheriff's recommendation to construct a public safety dispatch and communications center on a site offered by the City of Deerfield Beach and direct staff to perform the necessary due diligence on the site, and prepare an agreement with the City of Deerfield Beach for review and approval by the Board.

ACTION: (T-10:04 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

23. MOTION TO ADOPT Resolution 2004-266 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, April 13, 2004 at 2:00 PM in Room 422 of the Governmental Center, to vacate and abandon a road right-of-way, lying and being in Broward County, Florida and located at 1551 South 30th Avenue, in the City of Hollywood. Petitioner: Yves Desmarais (Calvin, Giordano & Associates. - Agent) (2003 -V-15) **(Commission District 6)**

ACTION: (T-10:04 AM) Approved.

24. MOTION TO ADOPT Resolution 2004-267 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, April 13, 2004 at 2:00 PM in Room 422 of the Governmental Center, to vacate and abandon a drainage easement and road rights-of-ways, lying and being in Broward County, Florida and located at the Northwest corner of NW 57th Street and NW 88th Avenue, and at the Northwest corner of NW 57th Drive, NW 57th Lane and NW 89th Terrace in the City of Tamarac. Petitioner: Catalina Isles, Inc. (Carnahan, Proctor & Cross, Inc. – Agent) (2003-V-21) **(Commission District 3)**

ACTION: (T-10:04 AM) Approved.

REGULAR AGENDA

- 25. **DELEGATION:** Barry Barak, GerylN Cadet, Auguste Saint-Vil, Robert Bonner, and Marie Holloway-Harrison representing United Taxicab Companies of Broward County regarding insurance coverage requirements for taxicabs.

ACTION: (T-10:24 AM) No Board action was taken. See Page *****

QUASI-JUDICIAL HEARING

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

Please be advised that the following items on the Commission’s agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

- 26. **DISCUSSION:** of plat entitled “Sheridan House No. 3” - **Commission District 5**, (021-MP-03). (Deferred from March 16, 2004 – Item No. 38)

ACTION: (T-10:41 AM) Approved the plat, as amended, and subject to staff’s recommendations as outlined in the Development Review Report. See Page *****

END OF QUASI-JUDICIAL HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

27. **MOTION TO ADOPT** supplemental Resolution 2004-268 of the Board of County Commissioners of Broward County, Florida supplementing Resolution 2003-874; providing for certain terms with respect to the issuance of its General Obligation Bonds (Parks and Land Preservation Project), Series 2004, in an amount not to exceed \$200,000,000; for the purpose of financing the cost of preserving, constructing, improving and equipping neighborhood and regional park facilities, natural lands, and open spaces within the County to make parks safer and protect clean water, air and wildlife; authorizing the distribution of a Preliminary Official Statement and Official Statement; establishing criteria for determining the date, interest rates, provisions for redemption and maturity schedule of the Series 2004 Bonds; authorizing the County Administrator to award the sale of the Series 2004 Bonds to one or more of the original purchasers described herein on a negotiated basis; authorizing a Continuing Disclosure Commitment; approving the form, execution and delivery of a Bond Purchase Agreement and the conditions and criteria of such sale; delegating the appointment of certain providers; authorizing all proper officials to do all things necessary in connection with the issuance, sale and delivery of the Series 2004 Bonds; and providing an effective date.

ACTION: (T-10:49 AM) Approved.

28. A. **MOTION TO DIRECT** County Administrator to publish Notice of Public Hearing to be held at 10:00 AM, Tuesday, May 4, 2004, in Room 422 of the Governmental Center, to consider the purchase of GOB Safe Parks and Land Preservation Bond Issue Conservation Land Site 141A (2.0 acres, 87,120 square feet), vacant land located on the east side of NW 18th Avenue, north of Broward Boulevard and east of I-95, City of Fort Lauderdale, Florida, pursuant to Florida Statute 125.355.

ACTION: (T-10:50 AM) Approved.

- B. **MOTION TO ACKNOWLEDGE** to the Broward County Board of County Commissioners that the Office of General Services, Real Property Section intends to present for consideration on or after May 4, 2004, a contract for sale and purchase for acquisition of Conservation Land 141A, for purchase price of \$192,130. **(Commission District 7)**

ACTION: (T-10:50 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

29. A. MOTION TO APPROVE recommendation of the Selection/Negotiation Committee for the selection of a Financial Advisor to assist in the issuance of the Airport System Revenue Bonds.

ACTION: (T-10:50 AM) Approved.

- B. MOTION TO DIRECT Selection/Negotiation Committee to commence negotiations of a contract for approval by the County Commission with the first ranked firm in the following order: 1.) First Albany Capital, 2.) RBC Dain Rauscher 3.) Fullerton & Friar, Inc.

ACTION: (T-10:50 AM) Approved.

30. A. MOTION TO DIRECT County Attorney to prepare amendment to Section 31½-16(3) of the Broward County Code to allow for the arena refinancing to occur and allow the use of any savings for the purposes directed by the Board. (Deferred from March 2, 3004 – Item No. 43)

ACTION: (T-10:50 AM) Approved.

- B. MOTION TO DIRECT staff to prepare necessary appropriation to allocate the County proceeds from the proposed refinancing of the Broward County Civic Arena bonds to the Beach Renourishment Program (50%) and to the advertising/promotional account for the Greater Fort Lauderdale Convention Center and Visitors Bureau (50%).

ACTION: (T-10:50 AM) Approved.

PURCHASING DIVISION

For Community Services Department

31. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firms to provide bids for the construction of site improvements to the Highlands Scrub Natural Area using the Construction Manager at Risk-Modified process, and approve Request for Letters of Interest (RLI) No. 20040113-2-PA-01. **(Commission District 2)**

ACTION: (T-10:51 AM) Approved the following to serve on the Selection Committee: Vice Mayor Jacobs; Director, Parks and Recreation Division, Community Services Department (Chair); Director, Biological Resources Division, Department of Planning and Environmental Protection; Director, Office of Environmental Services, and Director, Extension Education Division, Community Services Department. Plus, administrative support from the offices of the County Attorney, County Auditor, Small Business Development, Risk Management, Purchasing and the requesting agency.

For Finance and Administrative Services Department

32. MOTION TO DIRECT staff to include, exclude or modify those recommendations which did not receive consensus at the workshop or Board meeting of March 16, 2004. (Deferred from March 16, 2004 – Item No. 52)

ACTION: (T-10:51 AM) Approved, as amended. See Page *****

For Human Services Department

33. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide medical record consultant services to Substance Abuse and Health Care Services Division (SAHCS), and approve Request for Letters of Interest (RLI) No. 20040202-0-HS-01.

ACTION: (T-11:42 AM) Approved the following to serve on the Selection Negotiation Committee: Commissioners Graber, Eggelation and Wasserman-Rubin; Acting Director, Substance Abuse and Health Care Services Division, Human Services Department; Director, Elderly and Veterans Services Division, Human Services Department, and Director, County Records Division, Finance and Administrative Services Department. Plus, administrative support from the offices of the County Attorney, County Auditor, Small Business Development, Risk Management, Purchasing and the requesting agency.

For Port Everglades Department

34. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide an operating agreement for a floating bulk storage and distribution facility moored in the Southport Turning Notch of Port Everglades, and approve Request for Letters of Interest (RLI) No. 20031001-0-PORT-01.

ACTION: (T-11:43 AM) Approved the following to serve on the Selection Negotiation Committee: Commissioner Eggelation; Director, Operations Division, Port Everglades Department (Chair); Director, Trade Development, Port Everglades Department, and Deputy Director, Public Works Department. Plus, administrative support from the offices of the County Attorney, County Auditor, Small Business Development, Risk Management, Purchasing and the requesting agency.

35. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide a Petroleum Sector Strategy Study for the Port Everglades Department and approve RLI No. 20031031-0-PORT-01.

ACTION: (T-11:43 AM) Approved the following to serve on the Selection Negotiation Committee: Commissioners Eggelation, Parrish and Vice Mayor Jacobs; Director, Port Everglades Department (Chair); Assistant to the Director for Petroleum, Port Everglades Department; Director, Public Works Department; Representative nominated by the Florida Petroleum Council (Ex Officio), and Representative nominated by the Port Everglades Association (Ex Officio). Plus, administrative support from the office of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. See Page *****

COUNTY ATTORNEY

36. MOTION TO ADOPT Resolution 2004-269 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 13, 2004, at 2:00 PM in Room 422 of the Governmental Center, to consider enactment of a proposed Ordinance, the title of which is as follows. (Deferred March 16, 2004 – Item No. 54)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY FLORIDA, RELATING TO BUSINESS ENTERPRISES; REPEALING EXISTING SECTION OF THE BROWARD COUNTY CODE RELATING TO BROWARD COUNTY'S SMALL DISADVANTAGED BUSINESS ENTERPRISE PROGRAM; CREATING SECTION 20-275, BROWARD COUNTY CODE; CREATING THE BROWARD COUNTY BUSINESS OPPORTUNITY ACT OF 2004; CREATING SECTION 20-276, BROWARD COUNTY CODE; PROVIDING FOR A STATEMENT OF POLICY AND LEGISLATIVE FINDINGS; CREATING SECTION 20-277, BROWARD COUNTY CODE; PROVIDING FOR DEFINITIONS; CREATING SECTION 20-278, BROWARD COUNTY CODE; PROVIDING FOR RESPONSIBILITIES OF THE SMALL BUSINESS DEVELOPMENT DIVISION AND ITS DIRECTOR; CREATING SECTION 20-279, BROWARD COUNTY CODE; PROVIDING FOR ANNUAL GOALS FOR DBE, SBE, MBE, AND WBE UTILIZATION; PROVIDING FOR CONTRACT GOALS UNDER CERTAIN CIRCUMSTANCES; AUTHORIZING SBE, MBE, AND WBE PROGRAMS; ESTABLISHING THRESHOLD AMOUNTS; PROVIDING A SMALL BUSINESS ENTERPRISE SHELTERED MARKET PROGRAM; AND PROVIDING A BUSINESS DEVELOPMENT PROGRAM; CREATING SECTION 20-280, BROWARD COUNTY CODE;

AUTHORIZING STANDARDS WHICH MAY BE IMPLEMENTED TO SATISFY ESTABLISHED GOALS FOR CONSTRUCTION, ARCHITECTURAL, ENGINEERING, PROFESSIONAL, AND BUSINESS SERVICES, COMMODITIES, AND CONCESSION CONTRACTS; CREATING SECTION 20-281, BROWARD COUNTY CODE; MANDATING THE INCLUSION OF CERTAIN CONTRACTUAL PROVISIONS IN COUNTY CONTRACTS; PROVIDING REMEDIES FOR FAILURE TO SATISFY CONTRACT GOALS; AUTHORIZING THE CERTIFICATION AND RECERTIFICATION BUSINESS ENTERPRISES; AUTHORIZING REGULATIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-11:44 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (T-4:46 PM) Approved, as amended. Amendments submitted will travel with the proposed Ordinance and shall be considered at the Public Hearing. See Page *****

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

37. DISCUSSION: Legislative Issues – 2004 Legislative Session.

A. UPDATE – CONVERSATIONS WITH SENATOR GELLER – COMMISSIONER PARRISH

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

B. UPDATE – VISIT TO TALLAHASSEE – COMMISSIONER GUNZBURGER

ACTION: (T-11:58 AM) No Board action was taken. See Page *****

C. PROPOSED BILL – STATE TO ALLOW LOCAL OPTION SALES TAX INCREASES – COMMISSIONER GRABER

ACTION: (T-11:58 AM) Commissioner Graber asked staff to research the proposed bill whereby the state would allow local option sales tax increases, and provide an analysis of the bill. Also, if deemed appropriate, to schedule a workshop for the Board's discussion. See Page *****

D. BROWARD METROPOLITAN PLANNING ORGANIZATION - 2004 STATE LEGISLATIVE PROGRAM – MAYOR LIEBERMAN

ACTION: (T-12:01 PM) Without objection, the Board gave its support for the MPO's 2004 Legislative Program and also support for the additional state appropriation request for Traffic Congestion-related Noise Abatement and Landscape. The Board directed staff to advise the County's lobbyists on the issues. See Page *****

E. PROPOSED BILL BY SENATOR GELLER – SCHOOL BOARD MEMBER “MAY” SERVE ON THE PLANNING COUNCIL – VICE MAYOR JACOBS

ACTION: (T-12:01 PM) Vice Mayor Jacobs asked the County Attorney to investigate whether the proposed bill by Senator Geller applies specifically to Broward or statewide. See Page *****

F. FURTHER CLARIFICATION ON THE LANGUAGE FOR RECLAIM WATER FEASIBILITY STUDY – VICE MAYOR JACOBS

ACTION: (T-12:01 PM) Vice Mayor Jacobs commented that it did not appear that this is the language that Broward County promulgated for the Reclaim Water Feasibility Study, but is the language from the Women League of Voters, South Florida Water Management District's Department of Environmental Protection and LEAF. She would like to see the language Broward County staff proposed. See Page *****

G. HAVA FUNDS – VICE MAYOR JACOBS

ACTION: (T-12:02 PM) Vice Mayor Jacobs commented that there appears to be conflicting information regarding HAVA funds that will be allocated to the state of Florida. The Vice Mayor asked staff to clarify the disparity in dollars. See Page *****

H. COMMENTS BY BUSH ADMINISTRATION – SECURITY AT PORTS SHOULD BE FUNDED BY INDIVIDUAL PORTS NOT FEDERAL GOVERNMENT – VICE MAYOR JACOBS

ACTION: (T-12:03 PM) Vice Mayor Jacobs asked staff to research the issue and provide additional information. See Page *****

I. 2003 BILL - SOVEREIGN IMMUNITY – COMMISSIONER RODSTROM

ACTION: (T-12:04 PM) Commissioner Rodstrom commented that the County needs to be vigilant that the 2003 proposed bill relating to the removal of Sovereign Immunity on the Burt Harris Act cases does not return. See Page *****

38. MOTION TO APPOINT five members to the fifteen member School Oversight Committee responsible for monitoring the implementation of the interlocal agreement for Public School Facility Planning. (Deferred March 16, 2004 – Item No. 57)

ACTION: (T-12:37 PM) Tabled to the conclusion to the 2:00 p.m. Public Hearing.

ACTION: (T-4:20 PM) Deferred to April 13, 2004. See Page *****

39. MOTION TO ADOPT Resolution 2004-270 of the Board of County Commissioners of Broward County, Florida, urging Congress to reject efforts to end or limit the Federal Government's role in the nourishment of U.S. beaches; authorizing the County Administrator to provide copies of this Resolution to appropriate members of the U.S. House and Senate; and providing for an effective date.

ACTION: (T-12:37 PM) Tabled to the conclusion to the 2:00 p.m. Public Hearing.

ACTION: (T-4:24 PM) Approved. See Page *****

COUNTY COMMISSION

40. A. MOTION TO APPROVE creation of the Future Government Leaders Program housed in the office of the County Administrator providing high school seniors with hands-on experience and exposure to potential government careers during a semester-long program at an estimated cost to the County of \$35,000. (Deferred March 16, 2004 – Item No. 58) (Mayor Lieberman)

ACTION: (T-12:37 PM) Tabled to the conclusion to the 2:00 p.m. Public Hearing.

ACTION: (T-4:24 PM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Section 201.6A of the Administrative Code should be: Section 20.16A.)

- B. MOTION TO ADOPT budget Resolution 2004-271 transferring funds within the General Fund from the Commission Reserve in the amount of \$35,000 for the implementation of the Future Government Leaders Program.

ACTION: (T-12:37 PM) Tabled to the conclusion to the 2:00 p.m. Public Hearing.

ACTION: (T-4:24 PM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Section 201.6A of the Administrative Code should be: Section 20.16A.)

41. MOTION TO DIRECT staff to take necessary action to place on the Open Space inventory, the 61.5 acre parcel of property (FolioNo. 494123010120) of the Safe Parks and Land Preservation Bond. (Deferred March 16, 2004 – Item No. 66) (Mayor Lieberman)

ACTION: (T-4:31 PM) Approved. See Page *****

42. MOTION TO ADOPT Resolution 2004-272 supporting the repeal of the provision in the Constitution of the State of Florida requiring the development of a Statewide High Speed Rail System. (Deferred March 16, 2004 – Item No. 67) (Commissioner Parrish)

ACTION: (T-12:37 PM) Tabled to the conclusion to the 2:00 p.m. Public Hearing.

ACTION: (T-4:11 PM) Approved. See Page *****

43. MOTION TO APPROVE naming of the Lauderhill City Hall Branch replacement library as the "Lauderhill Town Centre Library". (**Commission District 1**) (Mayor Lieberman)

ACTION: (T-10:04 AM) Approved. (Transferred to the Consent Agenda.)

44. **MAYOR'S REPORT**

PRINCESS DIANA OF WHALES EXHIBIT COMING TO FORT LAUDERDALE MUSEUM OF ART

ACTION: (T-5:35 PM) On behalf of the Mayor, Vice Mayor Jacobs advised the Board that an exhibit "Diana, A Celebration" highlighting the life of Princess Diana of Whales will be on display beginning October 2004 at the Fort Lauderdale Museum of Art. Broward County is the first stop for the exhibit in the United States. A gala event is planned for Saturday, October 9, 2004. See Page *****

45. **COUNTY COMMISSION LIAISON REPORT**

ACTION: (T-12:37 PM) No reports were filed.

46. **COUNTY ADMINISTRATOR'S REPORT**

ACTION: (T-5:45 PM) County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

47. **DELEGATION:** Leigh R. Kerr regarding request to amend the note on the Brandon-Farris Developments Plat No. 2 Plat - **Commission District 2**, (190-MP-80). (Deferred from October 21, 2003.) (Vice-Mayor Jacobs)

ACTION: (T-10:04 AM) Approved per staff's recommendations. (Transferred to the Consent Agenda.)

48. **MOTION TO APPROVE** agreement among Broward County, the City of Pembroke Pines, and the State of Florida relating to the issuance of building permits while platting is in progress for the Pembroke Pines Health Park Plat. Charles Dodge, Pembroke Pines, City Manager, will represent the City – **Commission District 6** (044-MP-03) (Commissioner Gunzburger)

ACTION: (T-10:04 AM) Approved. (Transferred to the Consent Agenda.)

ACTION: (T-10:17 AM) Reconsidered and approved. See Page *****

49. **MOTION TO ADOPT** Resolution 2004-273 supporting the City of Lauderhill's efforts pertaining to the Florida Expedited Permitting Review Process for significant economic development projects along the Sate Road 7 corridor. (Mayor Lieberman)

ACTION: (T-10:04 AM) Approved. (Transferred to the Consent Agenda.)

COMMUNITY SERVICES DEPARTMENT

50. MOTION TO APPROVE first amendment to interlocal agreement between Broward County and The South Florida Regional Transportation Authority (SFRTA) relating to the operating funding of the SFRTA Project; amending the Interlocal Agreement to provide for reimbursement by the County to the SFRTA for feeder service expenses, in an amount not to exceed \$223,050 for a five-month period, or \$44,610; per month, effective May 1, 2004 through September 30, 2004; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved. (Transferred to the Consent Agenda.)
See Page *****

PORT EVERGLADES DEPARTMENT

51. MOTION TO ADOPT Resolution 2004-274 waiving certain dockage charges on the three non-revenue days in port during the period of March 31-April 3, 2004, in an amount not to exceed \$50,000; and reducing by 50% the parking fees during that period in an amount not to exceed \$10,000 for the inaugural activities associated with the maiden voyage call of Princess Cruises newest ship, "Caribbean Princess."

ACTION: (T-10:04 AM) Approved. (Transferred to the Consent Agenda.)

NON AGENDA

52. CITY OF LAUDERHILL RESOLUTION NO. 04R-03-48 – REQUESTING COUNTY COMMISSION TO CONSIDER RECOMMENDATIONS – CONCEPTUAL MASTER PLAN FOR CENTRAL BROWARD REGIONAL PARK – COMMISSIONER EGGELLETON

ACTION: (T-12:05 PM) Tabled to the conclusion to the 2:00 p.m. Public Hearing. See Page *****

ACTION: (T-5:09 PM) No Board action was taken. See Page *****

53. REQUEST DEDICATION OF LIBRARY – HALLANDALE BEACH - COMMISSIONER GUNZBURGER

ACTION: (T-5:35 PM) Commissioner Gunzburger received a request from Mayor Joy Cooper, City of Hallandale Beach, to dedicate the Hallandale Beach Library in memory of Arnold and Joanne Lanner; there was no objection. See Page *****

54. REQUEST STAFF TO INVESTIGATE – SELLING OF FIRMS TO WIVES –
COMMISSIONER EGGELLETON

ACTION: (T-5:36 PM) Commissioner Eggleton asked staff to investigate recent practices taking place where large majority firms have started to sell their firms to their wives and are now being certified as Women-Owned Businesses. See Page *****

55. HOUSE AND SENATE SUBCOMMITTEE RECOMMENDATIONS FOR
SUBSTANCE ABUSE SERVICES – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-5:38 PM) Commissioner Wasserman-Rubin asked staff to provide additional information regarding the House and Senate Subcommittee's recommendations for Substance Abuse Services to lower the recommendations made by the Governor. Upon receipt of the information, the Board will add the County's position to its Legislative Package. See Page *****

56. INTERNATIONAL BUSINESS COUNCIL – COMMISSIONER WASSERMAN-
RUBIN

ACTION: (T-5:38 PM) Commissioner Wasserman-Rubin advised the Board that as the liaison to the International Business Council, it is her intention to put together a coalition/partnership between the County, International Business Council and the Broward Alliance. She will report to the Board with an update. See Page *****

57. COMMENDED STAFF – COUNTY LAND USE PLANNING DOCUMENT - VICE
MAYOR JACOBS

ACTION: (T-5:40 PM) Vice Mayor Jacobs commended the County Administrator and staff for the fine job they did on the document they prepared for County Land Use Planning. The Vice Mayor stated she intended to send the document to all her constituents and will be sending a blast e-mail attaching same document. She encouraged the other commissioners to do so. See Page *****

58. PUBLIC OUTREACH PROGRAM – COUNTY LAND USE PLANNING -
COUNTY ADMINISTRATOR

ACTION: (T-5:42 PM) Without objection, the Board gave its permission to the County Administrator to proceed with the Public Outreach Program for Land Use Planning. The Board asked the County Administrator to forward updates to the commissioners regarding the implementation of the program. See Page *****

59. URBAN LAND INSTITUTE (ULI) SOUTHEAST FLORIDA/CARIBBEAN CONFERENCE – APRIL 20, 2004 - VICE MAYOR JACOBS

ACTION: (T-5:44 PM) The Vice Mayor commented that the conference speakers include local cities and developers, but there is no speaker representing the County. She asked staff to contact the ULI and ask if there is an opening at one of the conference sessions for a county representative to speak. See Page *****

60. SEND WISHES FOR SPEEDY RECOVERY TO CITY OF PEMBROKE PINES MAYOR SUE KATZ – COMMISSIONER GUNZBURGER

ACTION: (T-5:45 PM) The Board directed staff to generate a get well card for all commissioners to sign. See Page *****

61. SEND WISHES FOR SPEEDY RECOVERY TO FORMER CITY COMMISSIONER OF LAUDERDALE LAKES SAM GOLDSTEIN – COMMISSIONER EGGELLTION

ACTION: (T-5:46 PM) The Board directed staff to generate a get well card for all commissioners to sign and send flowers on behalf of the Board of County Commissioners. See Page *****