

## **MEETING OF MARCH 25, 2003**

(The meeting convened at 10:00 a.m.; recessed at 12:02 p.m.; reconvened at 3:03 p.m. and adjourned at 4:03 p.m.)

PLEDGE OF ALLEGIANCE was led by Adriana Fazano, Junior at Saint Andrew's School. Also present, Kal Trinkner, Junior, Saint Andrew's School, student participants in the Job Shadowing Program.

MOMENT OF SILENCE for the soldiers who lost their lives and those injured in Iraq, their families and America.

### **CALL TO ORDER**

### **CONSENT AGENDA**

1.

#### **BOARD APPOINTMENTS**

- A. MOTION TO APPOINT Dale Lally to serve as an alternate to the Bicycle Advisory Board while Larry Stuart fulfills his obligation as a United States Army Reserve officer. (Commissioner Jacobs)

***ACTION: (Time-10:12 AM) Approved.***

- B. MOTION TO APPROVE appointment of Bruce W. McNeilage to the Consumer Protection Board. (Commissioner Parrish)

***ACTION: (Time-10:12 AM) Approved.***

### **AVIATION DEPARTMENT**

2. MOTION TO APPROVE terminal building lease agreement between Broward County, Florida, and Cayman Airways Limited, with annual revenues of \$5,196 for the lease and use of leased premises in Terminal 4 at the Fort Lauderdale-Hollywood International Airport, effective upon Board approval for a five year term, with a 30 day written notice of termination by either party; and authorize the Mayor and Clerk to execute same.

***ACTION: (Time-10:12 AM) Approved.***

## PUBLIC WORKS DEPARTMENT

### PUBLIC WORKS DEPARTMENT ADMINISTRATION

3. MOTION TO ADOPT Resolution 2003-249 of the Board of County Commissioners of Broward County, Florida, providing the name of the building located at One North University Drive, Plantation, shall be named the "Broward County Government Center West", and authorize the County Administrator to take all administrative actions to implement the change; and providing for an effective date, and authorize the Mayor and Clerk to execute same.

***ACTION: (Time-10:12 AM) Approved.***

### REAL PROPERTY SECTION

4. MOTION TO ADOPT Resolution 2003-250 authorizing the conveyance by quit claim deed, of various tax deed properties that have escheated to Broward County for delinquent real estate taxes, to the municipalities in which land is located pursuant to Florida Statute 197.592. This particular property is within the City of Plantation; authorize the Mayor and Clerk to execute Deed; and authorize recordation of deed. **(Commission District 9)**

***ACTION: (Time-10:12 AM) Approved.***

## OFFICE OF TRANSPORTATION

### ENGINEERING DIVISION

5. MOTION TO ADOPT Resolution 2003-251 of the Board of County Commissioners of Broward County, Florida, providing notice of intent to terminate a revocable license agreement between Broward County and Publix Super Markets, Inc. for the installation of brick pavers from the back of curb to the right-of-way line within the west right-of-way of Andrews Avenue for approximately 300 feet south of SW 6<sup>th</sup> Street. **(Commission District 7)**

***ACTION: (Time-10:12 AM) Approved.***

6. MOTION TO APPROVE revocable license agreement between Broward County and Publix Super Markets, Inc. for the use of a portion of the west right-of-way of Andrews Avenue for approximately 300 feet south of SW 6<sup>th</sup> Street, including a corner chord at the intersection of Andrews Avenue and SW 6<sup>th</sup> Street for the installation of brick pavers from the back of curb to the right-of-wayline; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (Time-10:12 AM) Approved.***

7. MOTION TO ADOPT Resolution 2003-252 of the Board of County Commissioners of Broward County, Florida, providing notice of intent to terminate a revocable license agreement between Broward County and Toby Wiener and Rose Safer for the installation of overflow parking and additional landscaping and irrigation within the east half of the right-of-way of State Road 7 between Sutton Road and Barry Road adjacent to lots 11, 12 and 13, Block 26, Miami Gardens Estates Section 4 (28-20) and adjacent to lots 27 and 28, Block 26, Miami Gardens Estates Section 5 (30-5). **(Commission District 8)**

***ACTION: (Time-10:12 AM) Approved.***

8. MOTION TO APPROVE revocable license agreement between Broward County and Dawn Property Management, Inc. for the use of a portion of the east half of the right-of-way of State Road 7 between Sutton Road and Barry Road adjacent to lots 11, 12, and 13 block, 26 Miami Gardens Estates Section 4 (28-20) and adjacent to lots 27 and 28 block 26 Miami Gardens Estates Section 5 (30-5) for overflow parking and additional landscaping and irrigation; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

***ACTION: (Time-10:12 AM) Approved.***

9. MOTION TO APPROVE agreement to terminate revocable license agreement between Broward County and Vincent J. Falletta - Trustee for the installation of a fence and gate with vertical columns within the south half of the right-of-way of Luray Road (SW 66<sup>th</sup> Street) adjacent to a portion of Tract 40, Everglades Sugar and Land Co. Subdivision (2-39) Dade County Public Records. **(Commission District 8)**

***ACTION: (Time-10:12 AM) Approved.***

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

10. MOTION TO ADOPT Resolution 2003-253 of the Board of County Commissioners of Broward County, Florida, authorizing the execution and delivery of an interlocal agreement with St. Lucie County, Florida, to provide for the issuance by St. Lucie County, Florida, of certain refunding bonds in an aggregate principal amount of not to exceed \$78,785,000 to refinance the cost of certain solid waste disposal and sewage facilities owned and operated by Florida Power & Light Company; authorizing certain incidental actions; providing for severability; and providing an effective date.

***ACTION: (Time-10:15 AM) Approved. See Page \*\*\*\*\****

## **COUNTY RECORDS DIVISION**

11. A. MOTION TO APPROVE minutes of the 10:00 AM Board of Broward County Commission meetings of February 4, February 11, and February 18, 2003; and the minutes of the 2:00 PM Public Hearing of February 11, 2003.

***ACTION: (Time-10:12 AM) Approved.***

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

***ACTION: (Time-10:12 AM) Approved. See Page \*\*\*\*\****

## **PURCHASING DIVISION**

For Finance and Administrative Services Department

12. MOTION TO APPROVE agreement between Broward County and Mad 4 Marketing, Inc. d/b/a Intermedia, Request for Letter of Interest (RLI) No. 20020227-0-PORT-01 for advertising, promotional and publicity services for the Aviation and Port Everglades Departments and the Greater Fort Lauderdale Convention and Visitors Bureau, for a three year period, in an amount not to exceed authorized budget amounts with 2002/2003 fiscal year budget amount of \$828,000; and authorize the Mayor and Clerk to execute same.

***ACTION: (Time-10:12 AM) Approved.***

13. MOTION TO APPROVE agreements between Broward County and CTI-Construction Testing & Inspection, Inc.; Geosol, Inc.; LM d/b/a GFA International; HR Engineering Services, Inc.; MACTEC Engineering and Consulting of Georgia, Inc.; Nutting Engineers of Florida, Inc.; Professional Service Industries, Inc.; Qore, Inc.; Universal Engineering Sciences, Inc.; Williams Earth Sciences, Inc. for inclusion into a rotating list of firms to provide professional engineering testing services (Rotating List), RLINo. 2002130-0-PC-01, for a term beginning April 1, 2003 and ending March 31, 2008; and authorize the Purchasing Director to re-solicit new vendors when in the County's best interest and refer all responses to the Selection/Negotiation Committee (S/NC) for evaluation, then approval by the Board.

***ACTION: (Time-10:12 AM) Approved.***

14. MOTION TO APPROVE agreement between Broward County and Continental Casualty Company (CNA) for long term care insurance, RLINo. 20020502-0-PEB-01, for the Human Resources Division, and authorize the County Administrator to renew for five, one-year periods upon approval of the Selection/Negotiation Committee; and authorize the Mayor and Clerk to execute same. The initial term of this agreement shall begin on April 1, 2003 and end March 31, 2008.

***ACTION: (Time-10:12 AM) Approved.***

For Public Works Department

15. MOTION TO APPROVE agreement between Broward County and D. Stephenson Construction, Inc., Request for Letters of Interest (RLI) No.041700-RB for managing general contractor (Phase II) construction services for Deerfield Beach Branch Library, for a guaranteed maximum price (GMP) of \$209,260 with a contract time of 90 calendar days to retool the Deerfield Branch Library; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

***ACTION: (Time-10:12 AM) Approved, as corrected. (Scrivener's error - See County Administrator's report: In the motion, on the fifth line reads 90 calendar days, should read: 120 calendar days.)***

16. MOTION TO AWARD fixed contract to low bidder, the Poole and Kent Company for North Regional Waste Water Treatment Plant (NRWWTP) updating, Bid Package K - Preliminary Treatment and Miscellaneous Improvements, Bid No. H-X-02-240-CF, in the amount of \$6,374,083 for base bid and alternate A3 for the Environmental Engineering Division, subject to receipt and acceptance of insurance/performance and payment guarantee; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

***ACTION: (Time-10:12 AM) Approved.***

17. MOTION TO AWARD open-end contract for Items 1, 2 and 4 to single bidder, Allied Universal Corporation to furnish chlorine, Southeast Florida Governmental Purchasing Co-operative (Co-op) Bid No. H10-03 (Broward County Contract No. C203054G1), in the estimated annual amount of \$237,957 for the Environmental Operations Division; and authorize the Purchasing Director to renew the contract for two, one-year periods as renewed by the Co-op. The initial contract period shall start on March 30, 2003 and shall terminate February 28, 2004.

***ACTION: (Time-10:12 AM) Approved.***

18. MOTION TO APPROVE second amendment to the agreement between Broward County and Zelch and McMahon Architects for Professional Services to produce design drawings and specifications for the renovation of the existing Medical Examiner's Building for optional services at no additional cost or time, and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (Time-10:12 AM) Approved.***

#### **RISK MANAGEMENT DIVISION**

19. MOTION TO AUTHORIZE full and final settlement of claim NT/012999CART in the amount of \$150,000.

***ACTION: (Time-10:12 AM) Approved.***

## HUMAN SERVICES DEPARTMENT

### CHILDREN'S SERVICES ADMINISTRATION DIVISION

20. MOTION TO ADOPT unanticipated revenue Resolution 2003-254 in the amount of \$48,582 within the Children's Services Administration Division from Federal IV-E reimbursement funds through the Department of Children and Families. These funds are the result of Federal IV-E reimbursement through the Department of Children & Families.

***ACTION: (Time-10:12 AM) Approved.***

### COMMUNITY DEVELOPMENT DIVISION

21. MOTION TO ADOPT unanticipated revenue Resolution within the Community Development Program General Income Fund in the amount of \$600,000 for the purpose of recycling the funds back into the CDBG Housing Program. No County funds are required.

***ACTION: (Time-10:16 AM) Deferred to Tuesday, April 1, 2003.***

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

22. MOTION TO ADOPT unanticipated revenue Resolution within the Community Development HOME Investment Partnership Program Fund in the amount of \$300,000 for the purpose of recycling the funds back into the HOME Program. No County funds are required.

***ACTION: (Time-10:16 AM) Deferred to Tuesday, April 1, 2003. The Board directed staff to provide a list of unfunded balances for all current HOME projects in the queue. Also, staff was directed to provide information on the projects awarded: what percentage of funding has been drawn down, the status of the project, and whether the project will use its allotment within the year, and how funding for projects of this nature were handled in the past. See Page \*\*\*\*\****

## **ELDERLY AND VETERAN SERVICES**

23. MOTION TO APPROVE second amendment to Agreement No. JC002-15-2003 between Areawide Council on Aging of Broward County, Inc. and Broward County for the purpose of incorporating case aide services, revising the Budget Summary accordingly by reallocating funding without changing the amount of the original contract, and to correct the contract reference number of the first amendment to the contract, and authorize the Mayor to execute same. All other terms and conditions of the original agreement remain in full force.

***ACTION: (Time-10:12 AM) Approved.***

24. MOTION TO APPROVE first amendment to Agreement No. JM003-15-2003 between Areawide Council on Aging of Broward County, Inc. and Broward County for the purpose of updating the original contract due to language changes, 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: (Time-10:12 AM) Approved.***

25. MOTION TO APPROVE first amendment to Agreement No. JA003-15-2003 between Areawide Council on Aging of Broward County, Inc. and Broward County for the purpose of updating the original contract due to language changes, and authorize the Mayor to execute same. The amount of the Contract remains the same. No County cash match is required.

***ACTION: (Time-10:12 AM) Approved.***

## **COMMUNITY SERVICES DEPARTMENT**

### **ANIMAL CARE AND REGULATION DIVISION**

26. MOTION TO ADOPT Resolution 2003-255 of the Board of County Commissioners of Broward County, Florida, creating a temporary pilot program for the Animal Care and Regulation Division for low-cost rabies vaccination clinics; reducing fees for rabies vaccination and license tag fees for dogs and cats owned by individuals meeting federal low-income guidelines, in conjunction with the program; providing for severability; and providing for an effective date and an automatic repeal date of September 30, 2004.

***ACTION: (Time-10:12 AM) Approved.***

## **MASS TRANSIT DIVISION**

27. **MOTION TO APPROVE** second amendment to agreement between Broward County and the City of Miramar for public transportation services; providing for the lease of two 25-passenger, wheelchair-accessible Blue Bird buses to the City in exchange for two 16-passenger, wheelchair-accessible vehicles at a cost of \$10 per vehicle annually; and authorize the Mayor and Clerk to execute same. The term of this amendment is effective from date of execution through September 30, 2003. **(Commission District 8)**

***ACTION: (Time-10:12 AM) Approved.***

## **DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

### **BIOLOGICAL RESOURCES DIVISION**

28. **MOTION TO APPROVE** interlocal agreement between Broward County and the Town of Hillsboro Beach relative to the Broward County Shore Protection Project, providing for monitoring of the Town's beaches and mitigation of any adverse impacts by the County, and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

***ACTION: (Time-10:30 AM) Approved. See Page \*\*\*\*\****

29. **MOTION TO APPROVE** interlocal agreement between Broward County and the Town of Lauderdale-By-The-Sea to provide for the City's contribution of its share of costs for the Broward County Shore Protection Project; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

***ACTION: (Time-10:34 AM) Approved, as corrected. (Scrivener's error - See County Administrator's report: In the Agreement, Section 3.5, the address of the Accounting Division should read: Fort Lauderdale, not Lauderdale-By-The-Sea. In Section 6.2 for the County Administrator should read: Fort Lauderdale not Lauderdale-By-The-Sea.) See Page \*\*\*\*\****

30. **MOTION TO ACCEPT** conservation easement from Centex Homes for preservation of a mitigation area of approximately 64.55 acres of real property in the City of Weston. **(Commission District 8)**

***ACTION: (Time-10:12 AM) Approved.***

## DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

### MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION

31. MOTION TO ACCEPT nomination of Rose Mary Bossman for appointment to the Broward Regional Emergency Medical Services (EMS) Council.

***ACTION: (Time-10:12 AM) Approved.***

### PORT EVERGLADES DEPARTMENT

32. MOTION TO APPROVE consent to transfer a partial interest, including obligations, in an existing Bulk Product Line License Agreement from Chevron Products Company to Dynegy Midstream Services, L.P., an indirect wholly-owned subsidiary of Dynegy Holdings, Inc., and agreement to rescind consent to transfer from Chevron Products Company to Dynegy Operating Partners, L.P., effective upon Board approval; and authorize the Mayor and Clerk to execute same.

***ACTION: (Time-10:12 AM) Approved.***

33. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Harry P. Stampler, Inc., d/b/a Stampler Auctions, reducing its space from 5,959 square feet of warehouse space in Building "B", Bay 6, and Building "E", Bay 7 of Foreign Trade Zone No. 25 at Port Everglades to 2,989 square feet in Building "B", Bay 6, for a period of one year, effective May 1, 2003 through April 30, 2004, at a rental amount of \$24,509.80 over the lease term; and authorize the Mayor and Clerk to execute same.

***ACTION: (Time-10:12 AM) Approved.***

### OFFICE OF BUDGET SERVICES

34. MOTION TO ADOPT unanticipated revenue Resolution 2003-256 within the General Fund for the Broward Sheriff's Office in the amount of <\$300,618> for the purpose of decreasing the contract for police services for the City of Oakland Park due to the transition of fire rescue dispatching responsibilities to Broward County Fire Rescue and a contract adjustment due to the annual change in the CPI. **(Commission Districts 4 and 9).**

***ACTION: (Time-10:12 AM) Approved.***

## COUNTY ATTORNEY

35. MOTION TO APPROVE legal services agreement retaining Nabors, Giblin and Nickerson, P.A., to represent Broward County and the Broward County Planning Council in the Broward County Circuit Court proceedings, Save Our Shoreline, Inc. v. Broward County Planning Council and Broward County, 03-00679(25); Save Our Shoreline, Inc. v. Broward County Planning Council and Broward County, 03-00680(02); and authorize the County Attorney to execute same on behalf of the County.

***ACTION: (Time-10:38 AM) Approved. See Page \*\*\*\*\****

36. MOTION TO APPROVE legal services agreement retaining the firm of Foley & Lardner to represent Broward County's interests in bankruptcy matters filed by airport tenants in the United States Bankruptcy Court; and authorize the Mayor and Clerk to execute same.

***ACTION: (Time-10:12 AM) Approved.***

## COUNTY COMMISSION

37. MOTION TO FILE Resolution No. 2003/051 of the Deerfield Beach City Commission, opposing the closing of the pediatric ward/unit at North Broward Hospital. (Mayor)

***ACTION: (Time-10:12 AM) Approved.***

38. MOTION TO FILE Resolution R-2003-037 of the City of Hollywood, Florida, urging the Florida State Legislature to fully fund the Department of Environmental Protection's Beach Erosion Control Project priority list for Fiscal Years 2000-2004 for \$30 million and adamantly opposing legislation that amends existing law, which allocates \$30 million annually in certain documentary stamp tax revenues to the Ecosystem Management and Restoration Trust Fund for the purposes of beach preservation and repair. (Mayor)

***ACTION: (Time-10:40 AM) Approved. See Page \*\*\*\*\****

39. MOTION TO FILE Resolution R-2003-034 of the City of Hollywood, Florida, urging Broward County to expedite Segment III of its Shore Protection Project as soon as permits are issued. (Mayor)

***ACTION: (Time-10:42 AM) Approved. See Page \*\*\*\*\****

40. MOTION TO FILE Resolution R-2003-031 of the City of Hollywood, Florida, approving the City of Hollywood Legislative Agenda for the upcoming 2003 Legislative Session. (Mayor)

***ACTION: (Time-10:45 AM) Approved. See Page \*\*\*\*\****

**REQUEST TO SET FOR PUBLIC HEARING**

41. MOTION TO ADOPT Resolution 2003-257 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 8, 2003, at 2:00 PM in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution amending the Broward County Administrative Code, the title of which is as follows:

A Resolution of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Volume Two, Chapter 42, Section Five of Port Everglades Tariff No. 11, codified as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code providing for a percentage discount schedule applicable to cargo wharfage and container gantry crane rental rates for qualifying non-terminal operating container cargo ocean carriers; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

***ACTION: (Time-10:12 AM) Approved.***

42. MOTION TO ADOPT Resolution 2003-258 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 8, 2003 at 2:00 PM in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, VOLUME I, CHAPTER 19, "OPERATIONAL POLICY, COUNTY ADMINISTRATION, GENERAL": CREATING PART XVI "HEALTH INSURANCE PORTABILITY AND

ACCOUNTABILITY ACT OF 1996"; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (Time-10:12 AM) Approved.***

**REGULAR AGENDA**

43. **COUNTY ADMINISTRATOR’S REPORT** County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

***ACTION: (Time-10:46 AM) No Board action was taken.***

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**PUBLIC HEARING**

**The following item has been scheduled for Public Hearing at the 10:00 AM meeting.**

44. **MOTION TO CONSIDER** adoption of a Resolution 2003-259 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, AMENDING CHAPTER 13, CREATING A PART VI, OFFICE OF URBAN PLANNING AND REDEVELOPMENT INCLUDING A PLANNING SERVICES DIVISION AND A COMMUNITY CODE COMPLIANCE DIVISION; AMENDING SECTION 2.11 e. REMOVING THE PLANNING SERVICES DIVISION FROM THE DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION AND PLACING IT AS AN OFFICE UNDER THE COUNTY ADMINISTRATOR; AMENDING SECTION 2.11 f. DELETING THE NAME OF ZONING CODE SERVICES DIVISION; DELETING SECTIONS 8.12, 8.13 RELATING TO PLANNING SERVICES DIVISION IN ITS ENTIRETY; AMENDING CHAPTER 15, PART I, SECTIONS 15.1 AND 15.3 TO REFERENCE THE ZONING CODE SERVICES SECTION AND PROVIDING FOR DUTIES AND RESPONSIBILITIES OF THE ZONING CODE SERVICES SECTION; DELETING CHAPTER 15, PART III, SECTIONS 15.12 AND 15.13 IN ITS ENTIRETY; CHANGING REFERENCES TO DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION AND COMPREHENSIVE AND NEIGHBORHOOD PLANNING IN SECTIONS 27.13, 27.23, 40.9 TO THE OFFICE OF URBAN PLANNING AND REDEVELOPMENT; CREATING A NEW SECTION 43.11 COMMUNITY CODE COMPLIANCE FEE SCHEDULE;

AMENDING SECTION 41.28 ZONING CODE SERVICES FEE SCHEDULE TO REFLECT NEW NAME; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**ACTION: (Time-10:47AM) Approved. See Page \*\*\*\*\***

**END OF PUBLIC HEARING**

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**SAFE PARKS AND LAND PRESERVATION BOND PROGRAM**

- 45. A. MOTION TO APPROVE interlocal agreement between Broward County and the City of Pembroke Pines for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-48. **(Commission District 8)**

**ACTION: (Time-10:48 AM) Approved.**

- B. MOTION TO APPROVE transfer of funds to the City of Pembroke Pines in the amount of \$2,000,000 for the acquisition of real property referred to as Pines & 196 (OS-48) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 8)**

**ACTION: (Time-10:48 AM) Approved.**

- 46. A. MOTION TO APPROVE an Interlocal Agreement between Broward County and the City of Tamarac for the Acquisition, Improvement, Enhancement, Operation And Management of Open Space Site OS-64. **(Commission District 3)**

**ACTION: (Time-10:48 AM) Approved.**

- B. MOTION TO APPROVE the transfer of funds to the City of Tamarac in the amount of \$2,000,000 for the acquisition of real property referred to as Tamarac Preservation Park (OS-64) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 3)**

***ACTION: (Time-10:48 AM) Approved.***

## **PUBLIC WORKS DEPARTMENT**

### **OFFICE OF GENERAL SERVICES**

47. A. MOTION TO AUTHORIZE County Administrator to execute one development agreement document for the New River Village mixed use project on the east annex property according to the terms and conditions of the lease agreement between Broward County and New River Associates, Ltd for the purpose of initiating construction of Phase 2 on the property. The Document is a Consent to Assignment of Lease for the assignment and assumption of ground lease, for the Phase 2 parcel (Exhibit No. 1).

***ACTION: (Time-10:48 AM) Approved.***

- B. MOTION TO NOTE FOR THE RECORD the County Administrator's execution and/or intent to execute the following documents as provided for in the original lease: Leasehold Mortgage, Assignment of Rents and Security Agreement; Designation of Independent Parcel by Lessee, revising Phase 2 parcel designation; Designation of Independent Parcel by Lessee, designating Phase 3 as an independent parcel; Designation of Independent Parcel by Lessee, designating 196 spaces in the Broward County Judicial Center parking garage as an Independent Parcel; and Landlord's Estoppel Certificate. **(Commission District 7)**

***ACTION: (Time-10:48 AM) Approved.***

## **REAL PROPERTY DIVISION**

48. **MOTION TO AUTHORIZE** County Administrator to proceed to exercise option to purchase property, if deemed appropriate, pursuant to Section 23B of the lease dated September 8, 1992 between Broward County and Arline Sterling Norman, Trustee for property located at 218 SW First Avenue, Fort Lauderdale, Florida, and currently utilized as office and laboratory facility for the Department of Planning and Environmental Protection. (Deferred from March 11, 2003 - Item No. 27)  
**(Commission District 7)**

***ACTION: (Time-10:49 AM) Deferred to Tuesday, April 8, 2003.***

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

## **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

49. A. **MOTION TO WAIVE** Section 22.124 of the Administrative Code of Broward County, Florida regarding the guidelines for issuance of refunding bonds and the minimum net present value savings level for refunding bonds.

***ACTION: (Time-10:55 AM) Approved. See Page \*\*\*\*\****

- B. **MOTION TO ADOPT** a Resolution 2003-260 of the Board of County Commissioners of Broward County, Florida, authorizing the negotiation of a loan in an aggregate amount not to exceed \$3,000,000 from the First Florida Governmental Financing Commission; approving the refinancing of a prior loan made by the Commission to the County; approving the execution and delivery of a loan agreement with the First Florida Governmental Financing Commission; approving the execution and delivery of a Continuing Disclosure Certificate; approving the execution and delivery of an Escrow Deposit Agreement; providing certain other matters in connection with the making of such loan, providing for reading of this Resolution by title only, and providing an effective date.

***ACTION: (Time-10:55 AM) Approved. See Page \*\*\*\*\****

## PURCHASING DIVISION

For Aviation Department

50. A. MOTION TO APPROVE Ninth Amendment to the Agreement between Broward County and HNTB Corporation (HNTB), RLI No. 010395-RB, for the preparation of the Environmental Impact Statement (EIS) for the Extension of Runway 9R/27L at the Fort Lauderdale-Hollywood International Airport extending the agreement end date from March 31, 2003 on a month-to-month basis for a period not to exceed nine months, or until December 31, 2003, at no additional cost, and authorize the Mayor and Clerk to execute same.

***ACTION: (Time-10:55 AM) Approved. See Page \*\*\*\*\****

- B. MOTION TO APPOINT Selection Negotiation Committee to approve the scope and issuance of an RLI and recommend the most qualified firm to expand the evaluation while going forward with the EIS and to include in that evaluation looking at abandonment of the cross runway, expediting noise mitigation and developing a plan for appropriate use of (areas) surrounding the airport, continuing overflight restrictions in perpetuity, and conducting a runway length analysis at the same time incorporating the comments from the Clean Airport Partnership as directed at the March 5, 2003 Public Hearing.

***ACTION: (Time-10:55 AM) Approved, as amended, the following to serve on the Selection/Negotiation Committee: Commissioners Graber, Gunzburger, Lieberman, Parrish, Rodstrom and Scott; Deputy Director, Aviation Department (Chair); CFO/Director of Finance and Administrative Services Department, and Director of Public Works Department. Plus administrative support from the Office of Equal Opportunity, Risk Management Division, County Attorney's Office, and Commission Auditor's Office.***

***The Board directed staff to place an item on a forthcoming Commission agenda listing specific dates for the Selection/Negotiation Committee processes; namely, short listing, review of the presentations by the short-listed vendors, and when an item will be placed on the County Commission agenda for consideration of the Selection/Negotiation Committee's recommendation. Further, staff was directed to submit a proposal to the existing vendor, HNTB Corporation, to provide the County with a corrective plan of action as to how they will cure the problems with the existing Environmental Impact Statement (EIS) and to work with the Federal Aviation Administration (FAA).***

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

## **COMMUNITY SERVICES DEPARTMENT**

51. MOTION TO AUTHORIZE staff to develop an interlocal agreement between Broward County and the City of Fort Lauderdale that provides \$1 million to the City for the purpose of completing the final phase of Riverwalk.

***ACTION: (Time-11:35 AM) Approved. See Page \*\*\*\*\****

## **MASS TRANSIT DIVISION**

52. MOTION TO APPROVE new Free-Ride Student Summer Bus Pass Pilot Program, effective June 16, 2003, through August 24, 2003, to provide for the issuance of bus passes, with parental consent, to all Broward County public and private middle and high school students. The passes will be good for unlimited, free transportation onboard Broward County Transit's fixed-route buses.

***ACTION: (Time-11:36 AM) Due to a 4 to 4 tie vote, the item was removed from the agenda without prejudice. The item will be reintroduced on the Tuesday, April 1, 2003 Commission agenda. See Page \*\*\*\*\****

## **OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

53. DISCUSSION: Legislative Issues-2003 State Legislative Session.
- A. Lobbyist Issue

***ACTION: (Time-3:03 PM) The Board will retain the lobbyist resource list, with the addition of Mr. Ron Phillips, and utilize the list should staff and/or the lobbying team determine the need to add a lobbyist/s for a specific issue/s. See Page \*\*\*\*\****

B. Additional Legislative Items for Board Consideration

1) The Right to Farm Bill (HB 1075 by Representative Poppell/SB 1660 by Senator Argenziano) "Agricultural Lands and Practices

***ACTION: (Time-3:22 PM) The Board directed staff/lobbying team to include the Bill in the County's Legislative package, that the Broward County Board of County Commissioners supports the preservation of agriculture and recognizes that agriculture is an important contributor to the economy of the state, and opposes legislation which preempts County and local government's authority over land use, zoning, and environmental regulations on land classified as agriculture. Also, research the feasibility of amending the Bill. See Page \*\*\*\*\****

2) The Regional Transportation Authority Funding (SB 686 by Senator Geller/HB121 by Representative Gannon & Item 61

***ACTION: (Time-3:22 PM) The Board directed staff to draft a letter, from the Mayor, on behalf of the Broward County Commission, to Senator Steven Geller and copy all members of the Broward County Legislative Delegation, opposing the designation of the 9<sup>th</sup> cent gas tax, delineating the reasons why the County is opposed, and requesting that all members of the Broward County Legislative Delegation continue to support the \$2 per license tag fee. See Page \*\*\*\*\****

3) Remediation of Contaminated Sites (HB 651 by Representative Chris Smith)

***ACTION: (Time-3:22 PM) No Board action was taken. See Page \*\*\*\*\****

4) Resolution Opposing Reduction of SHIP Funding

***ACTION: (Time-3:22 PM) The Board adopted Resolution 2003-261. See Page \*\*\*\*\****

5) Fire Sprinkler Issue (HB 165 by Representative Mack)

***ACTION: (Time-3:22 PM) Informational. No Board action was taken. See Page \*\*\*\*\****

**COUNTY COMMISSION**

54. MOTION TO DIRECT County Attorney's office to amend appropriate sections of the Code of Ordinances and Administrative Code to address the issue of reappointment of non-County appointees as it relates to attendance requirements for advisory boards. (Commissioner Parrish)

***ACTION: (Time-3:50 PM) Approved.***

55. MOTION TO ENTER executive meeting, pursuant to the provisions of Chapter 447.605 (1), to discuss actual collective bargaining negotiations with ATU, Local 1267, immediately following the Commission Meeting on April 1, 2003. (Commissioner Rodstrom)

***ACTION: (Time-11:59 AM) Approved. See Page \*\*\*\*\****

56. MOTION TO DISCUSS: Termination of lease agreement with Dry Marinas, Inc. (Commissioner Scott)

***ACTION: (Time-11:58 AM) Withdrawn at the request of Commissioner Scott. See Page \*\*\*\*\****

#### **PORT EVERGLADES DEPARTMENT**

57. A. MOTION TO REJECT Letters of Interest (LOI's) received on October 23, 2000 in response to RLI # 060900A-RB for the Mega Yacht Service Facility at Southport.

***ACTION: (Time-10:12 AM) Withdrawn for further staff review.***

- B. MOTION TO APPOINT Selection/Negotiation Committee (SNC) to recommend the most qualified firm to develop and operate a state of the art Dry Dock Boat Storage Facility on five (5) acres in the Southport area, and to approve the attached Request For Letters of Interest.

***ACTION: (Time-10:12 AM) Withdrawn for further staff review.***

58.

**MAYOR'S REPORT**

County's Elderly and Veteran Services Division - Designated as the Lead Agency for the Community Care for the Elderly (CCE) Program

***ACTION: (Time-3:50 PM) The Mayor reported that the County's Elderly and Veteran Services Division was designated as the Lead Agency for the Community Care for the Elderly (CCE) Program. As Lead Agency, the County will continue to provide case management and other core services to eligible CCE consumers in the Broward County area. The Mayor congratulated staff for their fine work. See Page \*\*\*\*\****

59.

**COUNTY COMMISSION LIAISON REPORT**

Update - South Florida Water Management District - Relocation of Trees - Commissioner Jacobs

***ACTION: (Time-3:52 PM) No Board action was taken. See Page \*\*\*\*\****

**SUPPLEMENTAL AGENDA**

**COUNTY COMMISSION**

60. DISCUSSION: Re-institute "Adopt a Soldiers' Program". (Commissioner Parrish)

***ACTION: (Time-3:54 PM) The Board members directed their respective staffs to work in conjunction with the County Administrator's staff on how to best serve the soldiers deployed to Iraq through the "Adopt-A-Soldiers' Program." The program will first serve soldiers who are County employees; second, employees who have family members serving, and third, open the program to soldiers in the community. An item will be placed on the Tuesday, April 1, 2003 Commission agenda. See Page \*\*\*\*\****

61. DISCUSSION: RTA funding with regard to \$2 per license tag vs. 9<sup>th</sup> cent gas tax. (Commissioner Parrish)

***ACTION: (Time-3:22 PM) This item was discussed during discussion of Legislative issues, Item 53, number 2. See Page \*\*\*\*\****

62. MOTION TO NOMINATE Jim Naugle to the Tourist Development Council. (Vice-Mayor Lieberman)

***ACTION: (Time-11:34 AM) Approved. See Page \*\*\*\*\****

**NON AGENDA**

- 63. UPDATE - GRANT - FLORIDA COMMUNITIES TRUST - FOR REGIONAL PARK COMMISSIONER EGDELLETION

***ACTION: (Time-3:59 PM) Commissioner Eggetleton informed the Board that the County has been awarded a grant from the Florida Communities Trust in the amount of \$5,065,000 for the construction of a regional park in the City of Lauderhill. See Page \*\*\*\*\****

- 64. AIRPORT EXPANSION - STAFF REPORT - COMMISSIONER PARRISH

***ACTION: (Time-4:00 PM) The County Administrator assured the Board that staff will be placing an item on an upcoming Commission agenda outlining the competitive process for hiring the new consultant. See Page \*\*\*\*\****

- 65. BROWARD DAYS TALLAHASSEE - AWARD TO COUNTY COMMISSION - LEADERSHIP AND OUTSTANDING SERVICE - THE MAYOR

***ACTION: (Time-4:00 PM) No Board action was taken.***

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**MEETING/WORKSHOP REMINDER**

**BARRIER ISLAND/LAND USE ISSUES WORKSHOP**

Tuesday, March 25<sup>th</sup> in Room 430, at 12:00 PM  
or immediately following the morning Commission meeting.

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