

MEETING OF MARCH 25, 2008

(Meeting convened at 10:03 a.m. and recessed at 12:40 p.m.; reconvened at 4:58 p.m. and adjourned at 7:00 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Interim Administrator, Bertha Henry.

MOMENT OF SILENCE

In memory of Katherine Butterworth, mother of former State Attorney General, Bob Butterworth.

In memory of former City of Weston Commissioner, Ed Jacobson.

In memory of Fort Lauderdale attorney, Joseph Carter.

In memory of former City of Fort Lauderdale Commissioner, Richard Mills.

In memory of all men and women of the armed forces who are serving in the Middle East and have given their lives for freedom.

CALL TO ORDER: Mayor Wexler called the meeting to order and declared a quorum present.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present **
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

(**Commissioner Lieberman participated in various parts of this meeting via telephone.)



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

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Lieberman and unanimously carried to approve the Consent Agenda consisting of Items 1 through 54. At the request of the Mayor, Regular Agenda Items 60, 63, 64, 66, 67, 68, 69, 71, 72, 78 & 79 were transferred to the Consent Agenda.

The following Items were withdrawn: 12 & 13.

The following items were pulled by the Board and considered separately: 20, 34, 39, 45, 47 & 54.

1. **BOARD APPOINTMENTS**

ACTION: (T-10:11 AM) No Board action taken.

AVIATION DEPARTMENT

2. MOTION TO APPROVE interagency agreement with the Transportation Security Administration (TSA), as enumerated in confidential exhibits from the Director of Aviation to the Board of County Commissioners; and authorize the County Administrator to make the necessary administrative actions to execute same.

ACTION: (T-10:11 AM) Approved.

3. MOTION TO APPROVE Second Amendment to the Revocable License Agreement between Broward County, Florida and Fort Lauderdale Antique Car Museum, Inc., for the use of space in Terminal 1 of the Fort Lauderdale-Hollywood International Airport for the display of an antique automobile, extending the term by 18 months, from June 28, 2008 to December 28, 2009; with a 15-day written notice of termination by either party with or without cause; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:11 AM) Approved.

PUBLIC WORKS DEPARTMENT

CONSTRUCTION MANAGEMENT DIVISION

4. MOTION TO APPROVE agreement between Broward County and Catalfumo Construction, LLC d/b/a Seawood Builders, for design/build services for the Edgar P. Mills Multi-Purpose Center, effective upon issuance of the Notice to Proceed, with a contract term of 661 calendar days, for a total contract cost to the County of \$18,563,760; subject to receipt and approval of Performance and Payment Guarantee bonds; and authorize the Mayor and Clerk to execute same. (Project No. 5241) **(Commission District 9)**

ACTION: (T-10:11 AM) Approved.

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

5. MOTION TO ADOPT Resolution 2008-097 accepting and approving a Maintenance Map for the south side of Bailey Road, located approximately 1400 feet between Rock Island Road and SW 68th Avenue, in the City of Tamarac. **(Commission District 1)**

ACTION: (T-10:11 AM) Approved.

6. MOTION TO APPROVE First Amendment to Emergency Joint Participation Agreement between Broward County and the Florida Department of Transportation for reimbursement of eligible costs for debris removal and signal repair of Federal Highway Administration functionally classified roads damaged by Hurricane Wilma. The amendment provides for the redistribution and increase of funding in the amount of \$675,354.41, from the original Agreement amount of \$1,832,744.29 to \$2,508,098.70, based on actual costs incurred. The amendment will be effective upon execution by the Florida Department of Transportation; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:11 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

7. MOTION TO NOTE AND FILE FOR RECORD Declaration of Official Intent for reimbursement from tax-exempt bond/notes for expenditures associated with various capital projects within the Port Everglades Department.

ACTION: (T-10:11 AM) Approved.

COUNTY RECORDS DIVISION

8. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commissioners meetings of January 8, 2008 and January 15, 2008; and the minutes of the 2:00 P.M. Public Hearing of January 8, 2008.

ACTION: (T-10:11 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-10:11 AM) Approved.

- C. MOTION TO APPROVE destruction of Board of County Commission minutes and supporting documents which have all been imaged and have met retention requirements per General Records Schedule GS1-SL, established by the Division of Library and Information Services of the State of Florida for local government agencies.

ACTION: (T-10:11 AM) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

9. MOTION TO APPOINT Commissioner John E. Rodstrom, Jr. as a Selection Committee Member for Request for Letters of Interest (RLI) No. 20071017-0-AV-1, General Engineering and Architectural Services at the Fort Lauderdale/Hollywood International Airport.

ACTION: (T-10:11 AM) Approved.

For Public Works Department

10. MOTION TO APPROVE release of retainage and final payment in the amount of \$1,600.25 to Hazen and Sawyer, P.C., for Work Authorization GS0156 from the General Services Agreement (RLI110800-RB) for drainage surveys and improvements.

ACTION: (T-10:11 AM) Approved.

REVENUE COLLECTION DIVISION

11. MOTION TO ADOPT two Resolutions 2008-098 & 2008-099 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, Payroll Account No. 2079940003798, Tax and License Account No. 2090002760916, and Self Insurance Account No. 2090002760518.

ACTION: (T-10:11 AM) Approved.

HUMAN SERVICES DEPARTMENT

12. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida approving the allocation of \$12,620,897 in appropriated Fiscal Year 2008 Ryan White HIV/AIDS Treatment Modernization Act of 2006 for grant funding; approving the agreement shell forms and addenda; authorizing the County Administrator to execute contracts, addenda and any amendments or revisions to the approved contracts and addenda; providing for severability; and providing for an effective date.

ACTION: (T-10:11 AM) Withdrawn for further staff review.

13. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida approving the allocation of \$900,428 in appropriated Fiscal Year 2008 Ryan White HIV/AIDS Treatment Modernization Act of 2006 Minority AIDS Initiative (MAI) grant funding; authorizing the use of previously approved agreement shell forms and addenda; authorizing the County Administrator to execute contracts, addenda, any amendments or revisions to the approved contracts, addenda and to take the necessary administrative and budgetary actions for the implementation of the grant award; providing for severability; and providing for an effective date.

ACTION: (T-10:11 AM) Withdrawn for further staff review.

ELDERLY AND VETERANS SERVICES DIVISION

14. MOTION TO ADOPT Resolution 2008-100 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a \$500 Target Stores gift card for the benefit of the Broward County Elderly and Veterans Services Division; authorizing the County Administrator to take all administrative actions to implement same.

ACTION: (T-10:11 AM) Approved.

FAMILY SUCCESS ADMINISTRATION DIVISION



15. A. MOTION TO APPROVE Modification No. 1 to the Community Services Block Grant (CSBG) Agreement, No. 08SB-6I-11-16-01-003, between Broward County and the State of Florida, Department of Community Affairs, increasing the amount by \$172,074 (\$6,638 new monies and \$165,436 carryover funds,) from \$1,221,883 to \$1,393,957; from date of execution to September 30, 2008, for the purpose of providing child care, tuition payments, and emergency rental assistance for low-income households in Broward County; and authorize the Mayor to execute same. This agreement requires \$34,384 cash match which is available in the Family Success Administration Division budget for Fiscal Year 2008.

ACTION: (T-10:11 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-101 within the Community Action Agency Grant Fund (9210-024-2831, 2832, 2833 and 2834) in an amount not to exceed \$206,458 (\$172,074 grant and \$34,384 cash match) for the purpose of providing child care, tuition payments, and emergency rental assistance for low-income households in Broward County.

ACTION: (T-10:11 AM) Approved.



16. A. MOTION TO APPROVE Agreement No. 08EA-7B-11-16-01-004 between Broward County and the State of Florida, Department of Community Affairs, in the amount of \$1,854,758; from date of execution to March 31, 2009, for the purpose of providing home energy payment assistance for low-income households in Broward County that are at or below 150% of the Federal Poverty Guidelines; and authorize the Mayor to execute same. No County match is required.

ACTION: (T-10:11 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-102 within the Community Action Agency Grant Fund (LIHEAP Grant Fund 7480) in the amount of \$1,854,758 for the purpose of providing home energy payment assistance for low-income households in Broward County.

ACTION: (T-10:11 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

17. MOTION TO APPROVE fourth amendment to agreement, effective April 15, 2008, between Broward County (County) and The School Board of Broward County, Florida (School District), for use of school buses, increasing the cost to County for school bus use from \$47 to \$57 per hour, as well as establishing a minimum use of three hours per use; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:11 AM) Approved.

PORT EVERGLADES DEPARTMENT

18. MOTION TO APPROVE waiving of dockage, cargo wharfage, and container unit charges, potable water, security fees, and marine services charges in an amount not to exceed \$37,000; associated with the project to remove waste tires offshore of Fort Lauderdale during the period from April 4 – May 29, 2008.

ACTION: (T-10:11 AM) Approved.

19. MOTION TO APPROVE Settlement Agreement between Broward County and Jerk Machine, Inc., relating to the management and operation of snack bar concessions at Port Everglades; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:11 AM) Approved.

20. MOTION TO WAIVE competitive selection provisions of Section 32.4(h), Broward County Administrative Code for the renewal of Leases and Marine Terminal Leases and Operating Agreements; and authorize the Port Director to negotiate the renewal of a Marine Terminal Lease Agreement between Broward County and King Ocean Service De Venezuela, S.A. and King Ocean Central America, S.A. which will expire on June 14, 2009.

(This item was pulled by Commissioner Rodstrom.)

ACTION: (T-10:11 AM) Approved. (Scrivener's error – See County Administrator's Report: Under the Summary Explanation/Background section, page 2, the second paragraph, line 5, should read (weekly fixed-day sailings to Aruba, Curacao, Venezuela, Columbia, and Costa Rica)...) The Board requested a status report on the Port Director's negotiations with Florida Transportation. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelation was not present during the vote.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

21. MOTION TO APPROVE proposed Broward County Board of County Commissioners and Broward League of Cities 2008 Joint State Legislative Program.

ACTION: (T-10:11 AM) Approved.

COUNTY ATTORNEY

22. MOTION TO APPROVE agreements for the appointment of firms: (i) Adorno & Yoss, LLP in joint venture with the Law Offices of Johnny L. McCray, Jr., P.A.; (ii) Nabors, Giblin & Nickerson, P.A. in joint venture with Gerald J. Lindor, P.A.; (iii) Squire, Sanders & Dempsey, LLP in joint venture with the Law Offices of Perry E. Thurston, Jr., P.A.; (iv) Bryant, Miller & Olive, P.A., in joint venture with the Law Offices of Steve E. Bullock, P.A.; and (v) Edwards, Angell, Palmer, & Dodge, LLP, in joint venture with Rasco, Reininger, Perez, Esquinazi, & Vigil, P.L. as Bond Counsel to Broward County on its bond/note transactions, and on its conduit issues involving the Housing Finance Authority, the Health Facilities Authority and the Industrial Development Revenue Bonds.

ACTION: (T-10:11 AM) Approved.

COUNTY COMMISSION

23. MOTION TO FILE Resolution No. 2008/026 adopted by the City Commission of the City of Deerfield Beach opposing a proposed local bill calling for the creation of a taxing district called the Broward Urban Independent Fire District which would implement a system establishing one fee structure to deliver fire and emergency medical services to participating municipalities; urging all municipalities located in Broward County to oppose the proposal; directing that this Resolution be forwarded to appropriate parties. (Mayor Wexler)

ACTION: (T-10:11 AM) Approved.

24. MOTION TO FILE Resolution No. 2007-08 adopted by the City Commission of the City of West Park, supporting the Communities for a Lifetime Initiative. (Mayor Wexler)

ACTION: (T-10:11 AM) Approved.

25. MOTION TO FILE Resolution No. 10204 adopted by the City Council of the City of Plantation objecting to the proposals submitted by the City of Sunrise to the Broward County Planning Council for Harrison Park/Westerra and Amerifirst/Metropica Land Use Plan Amendments. (Mayor Wexler)

ACTION: (T-10:11 AM) Approved.

26. MOTION TO FILE Resolution No. R-2008-17 adopted by the City Commission of the City of Tamarac, supporting House Bill 101, pertaining to the regulation of specific breeds of dogs; urging municipalities throughout Broward County and the State of Florida to Support House Bill 101.and providing for an effective date. (Mayor Wexler)

ACTION: (T-10:11 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

27. MOTION TO ADOPT Resolution 2008-103 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 8, 2008, at 2:00 P.M. in Room 422 of the Governmental Center, to vacate a portion of a 12-foot wide platted utility easement that lies within, over, and across Tract A, Chapel Estates Plat, located on the north and south side of NW 12 Street, west of NW 196 Avenue, in the City of Pembroke Pines; and at no cost to the County. Petitioners: Symphony Builder's at Chapel Trail, LLC (A. J. Hydro Engineering, Inc., Agent) (2007-V-19) **(Commission District 8)**

ACTION: (T-10:11 AM) Approved.

28. MOTION TO DIRECT County Administrator to publish notice of Public Hearing to be held Tuesday, April 8, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider new Nonemergency Medical Transportation Service (NEMTS) licenses to Atlantic Express Medical Transportation/Car Service, LLC and A Home-Run Transport, Inc.

ACTION: (T-10:11 AM) Approved.

29. MOTION TO ADOPT Resolution 2008-104 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 8, 2008, at 2:00 P.M. 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 RESOLUTION NO. 2007-700 CREATING THE BROWARD COUNTY PUBLIC SAFETY COORDINATING COUNCIL ADVISORY BOARD ("COUNCIL"); PROVIDING FOR CORRECTION OF A SCRIVENER'S ERROR IN SECTION 5, TERM OF APPOINTEES, SUBSECTION B; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:11 AM) Approved.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

AIR QUALITY DIVISION

30. A. MOTION TO ACCEPT U.S. Environmental Protection Agency (U.S. EPA) Cooperative Agreement A-00402608-0, representing the first installment of a two-year (Fiscal Year 2008 and Fiscal Year 2009) Section 105 grant award, in the amount of \$726,684, consisting of \$140,084 in cash from U.S. EPA, \$293,300 of Broward County in-kind match for Fiscal Year 2008, and \$293,300 of Broward County in-kind match for Fiscal Year 2009, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant award for the Environmental Protection and Growth Management Department (EPGMD). This is a two-year grant, from October 1, 2007 to September 30, 2009.

ACTION: (T-10:11 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-105 within the Air Pollution Control Fund (8300) for the EPGMD in the amount of \$433,384 for the purpose of recognizing the Section 105 grant funds received from U.S. EPA.

ACTION: (T-10:11 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

31. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by Daniel Downey as a site for compensatory mitigation for wetland impacts for the construction of an equestrian ranch community in the Town of Southwest Ranches. **(Commission District 8)**

ACTION: (T-10:11 AM) Approved.

32. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from Daniel Downey for preservation of a mitigation area comprising 1.86 acres of real property located south of Griffin Road and west of SW 184th Avenue in Section 25, Township 50 South, Range 39 East, in the Town of Southwest Ranches. **(Commission District 8)**

ACTION: (T-10:11 AM) Approved.

HOUSING AND COMMUNITY DEVELOPMENT DIVISION

33. MOTION TO ADOPT Resolution 2008-106 authorizing Pinnacle at Flagler Pointe, LLC, to submit an application to the Florida Housing Finance Corporation for the 2008 Universal Tax Credit Cycle for property owned by Broward County located at 600 North Andrews Avenue (Flagler Pointe) subject to future approval of a Development Agreement and Ground Lease.

ACTION: (T-10:11 AM) Approved.

34. MOTION TO ADOPT unanticipated Revenue Resolution 2008-107 within the Housing and Community Development HOME Investment Partnerships (HOME) Program Income Account in the amount of \$226,806 to be utilized for the Purchase Assistance Program and the Housing Rehabilitation Program and authorize the County Administrator to take the necessary administrative actions to implement same.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:15 AM) Approved. The Board directed staff to make sure the criteria for Home, CDBG and SHIP dollars include being ready to use the money. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelation was not present during the vote.

35. MOTION TO APPROVE first amendment to Interlocal Agreement between Broward County and the City of Coral Springs for preparation, implementation and administration of the U. S. Department of Housing and Urban Development (HUD) funded Community Development Block Grant for Program Years 2006, 2007 and 2008, for the City of Coral Springs; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1 and 3)**

ACTION: (T-10:11 AM) Approved.

- 36. A. MOTION TO APPROVE modified Dr. Kennedy Homes affordable housing tax credit project, previously approved by the Board for a \$250,000 grant through the Affordable Housing Program, reducing the number of affordable housing units from 160 to 150. **(Commission District 7)**

ACTION: (T-10:11 AM) Approved. (Scrivener's error – See County Administrator's Report: Please change Exhibit 2 to read: Oakland Preserve (78 units) Oakland Park.)

- B. MOTION TO APPROVE modifications to the Board approved Affordable Housing Program Funding Agreement standard form, revising the income guidelines for affordable housing to be consistent with the mortgage underwriting guidelines of the Housing Finance Authority; clarifying that housing authorities participating in tax credit projects may receive grants; and, making other minor housekeeping changes.

ACTION: (T-10:11 AM) Approved. (Scrivener's error – See County Administrator's Report: Please change Exhibit 2 to read: Oakland Preserve (78 units) Oakland Park.)

- 37. MOTION TO ADOPT Resolution 2008-108 of the Board of County Commissioner of Broward County, Florida, approving and authorizing the modifications to the Official Statement, Trust Indenture and loan agreement for the Golden Villas issuance to allow for the bonds to be sold in a fixed rate mode instead of a variable rate mode; authorizing other actions required to issue and deliver the bonds; providing for severability; and providing for an effective date. **(Commission District 9)**

ACTION: (T-10:11 AM) Approved.

POLLUTION PREVENTION AND REMEDIATION DIVISION

- 38. MOTION TO APPROVE Amendment No. 3 to Contract No. GC622 between Broward County and the Florida Department of Environmental Protection, for the management of petroleum contamination cleanups to modify the contract scope of services to reflect the current practice of providing enforcement services using Broward County's Code of Ordinances, provide for minor administrative changes requested by FDEP, and authorizing the Mayor and Clerk to execute same.

ACTION: (T-10:11 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

39. **DISCUSSION:** of plat entitled "Aztec Estates" (022-MP-07) - **Commission District 2.**

(This item was pulled by Commissioner Wexler.)

ACTION: (T-10:21 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

40. **DISCUSSION:** of plat entitled "Achala" (064-MP-06) - **Commission District 4.**

ACTION: (T-10:11 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

41. **DISCUSSION:** of plat entitled "Permont Estates I" (049-MP-07) - **Commission District 5.**

ACTION: (T-10:11 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

42. **DISCUSSION:** of plat entitled "Bartley Plat" (120-MP-05) - **Commission District 7.**

ACTION: (T-10:11 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

43. **DISCUSSION:** of plat entitled "St. Katherine Drexel" (013-MP-07) - **Commission District 8.**

ACTION: (T-10:11 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

44. **DISCUSSION:** of plat entitled "Park Center Group Plat" (056-MP-07) - **Commission District 9.**

ACTION: (T-10:11 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

45. **DISCUSSION:** of plat entitled "Carishoca Plat" (023-MP-07) - **Commission District 9.**

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-4:59 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)

VOTE: 5 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were not present for the vote as they were in route to Tallahassee. Commissioner Wasserman-Rubin was out of the meeting room at the time of the vote.

46. **DELEGATION:** Cynthia Pasch regarding request to amend the note on the Alexander-Young Plat - **Commission District 2,** (023-MP-95) (Deferred from December 11, 2007).

ACTION: (T-10:11 AM) Approved subject to staff's recommendations.

47. **DELEGATION:** Janna P. Lhota regarding request to amend the note on the Kimberly Plat (098-MP-86) - **Commission District 4.** (Deferred from February 26, 2008.)

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-5:01 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)

VOTE: 5 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were not present for the vote as they were in route to Tallahassee. Commissioner Wasserman-Rubin was out of the meeting room at the time of the vote.

48. **DELEGATION:** Fallon Washington regarding request to amend the note on the Lionden Plat (058-MP-06) - **Commission District 8.**

ACTION: (T-10:11 AM) Approved subject to staff's recommendations.

49. **DELEGATION:** C. William Laystrom, Jr. regarding request to amend the note on the Pompano Center Exchange Plat (063-MP-03) - **Commission District 9.**

ACTION: (T-10:11 AM) Approved subject to staff's recommendations.

50. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding MOTION TO ADOPT a resolution 2008-109 of the Board of County Commissioners of Broward County, Florida, amending the note on the Vinkemulder Plat (030-MP-91); providing for waiver of road impact fees; providing for recording; providing for severability; and providing for an effective date - **Commission District 2.**

ACTION: (T-10:11 AM) Approved subject to staff's recommendations.

51. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Vinkemulder Plat (030-MP-91) - **Commission District 2.**

ACTION: (T-10:11 AM) Approved subject to staff's recommendations.

52. DELEGATION: Gregory Mire, representing the Tri-County Commuter Rail Authority, regarding request to amend the non-vehicular access line on the New Covenant Church Plat (020-PL-79) - **Commission District 2.**

ACTION: (T-10:11 AM) Approved subject to staff's recommendations.

53. DELEGATION: David Lindley regarding request to amend the non-vehicular access line on the Oriole Industrial Park Plat (062-UP-81) - **Commission District 2.** (Deferred from November 6, 2007.)

ACTION: (T-10:11 AM) Approved subject to staff's recommendations.

54. DELEGATION: Gerald Knight regarding request to waive the 18 month limitation for impact and concurrency fee credit for demolished structures within the Celebration Pointe Plat (063-MP-06) - **Commission District 2.**

(This item was pulled by Commissioner Jacobs.)

ACTION: (T-12:34 PM) The Board approved waiving the 18-month limitation for impact and concurrency fee credits for demolished structures due to extraordinary circumstances. (Refer to minutes for full discussion.)

VOTE: 7-0, with Commissioner Eggelton abstaining. Commissioner Lieberman was not present during the vote.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA


DELEGATION

- 55. **DELEGATION:** Brad Nolan requests to speak to the Board regarding the lack of response by a Commissioner’s office.

ACTION: (T-5:06 PM) No Board action taken. (Refer to minutes for full discussion.)

PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  56. A. **MOTION TO APPROVE** Contract for Sale and Purchase between Broward County and Bad Boy Produce, Inc., a Florida Corporation, for the County’s purchase of Safe Parks and Land Preservation Bond Program Open Space Site OS-137, in the amount of \$3,000,000 for 5.98 acres, or 260,505 square feet, of improved agricultural land located at 5500 SW 100th Avenue, Cooper City; the easterly 3.98 acres of which will be acquired using Park Bond funds, and the westerly two acres of the site will be acquired with highway improvement funds and utilized as a wetlands/drainage/storm water retention area to serve the planned widening of SW 100th Avenue; authorize Real Property Section to acquire this property using Safe Parks and Land Preservation Bond Issue and Highway Construction and Engineering Division funds; authorize the Mayor and Clerk to execute Contract for Sale and Purchase, and authorize acceptance and recordation of Deed. **(Commission District 5)**

ACTION: (T-5:06 PM) Approved, as amended for the County’s purchase of Safe Parks and Land Preservation Bond Program Open Space Site OS-137, in the amount of \$2,928.629. (Refer to minutes for full discussion.)

VOTE: 6 – 0. (Commissioners Lieberman, Eggelletion, and Jacobs not present for the vote as they were in route to Tallahassee.)

B. MOTION TO APPROVE Revocable License Agreement between Broward County, Licensor, and Bad Boy Produce, Inc., Licensee, for the privilege of remaining in possession of, and maintaining use of, a certain 5.98-acre parcel, subsequent to the County's purchase. The Revocable License Agreement for the 5.98-acre parcel of improved agricultural land located at 5500 SW 100th Avenue, Cooper City, known as Safe Parks and Land Preservation Bond Program Open Space Site OS-137, is for a period of six months; during which, Licensee shall remove personal property, nursery, livestock, and portable sheds from the premises. The Revocable License Agreement shall become effective upon the County's acquisition of title to the property, with the additional provision that, through action of the Board of County Commissioners or the County Administrator, the License may be terminated for cause. Licensee agrees to pay to the County a licensing fee of \$500.00 per month, payable in advance. Licensee is also required to provide the County, prior to the effective date, with a cash security deposit in the amount of \$6,000.00, to be retained by the County in the event Licensee fails to comply with all terms of the License; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-5:06 PM) ACTION: (T-5:06 PM) Approved, as amended for the County's purchase of Safe Parks and Land Preservation Bond Program Open Space Site OS-137, in the amount of \$2,928.629. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs not present for the vote as they were in route to Tallahassee.

END PUBLIC HEARING

AVIATION DEPARTMENT

57. MOTION TO APPROVE Eighth Amendment to Agreement No.102301-RB between Broward County and URS Corporation for Program Management Services for the Airport Expansion Program at the Fort Lauderdale-Hollywood International Airport; increasing the not-to-exceed amounts by \$3,972,087 for basic services, \$290,700 for reimbursable expenses and \$0 for optional services, for a total of \$4,262,787; increasing the not-to-exceed contract amount from \$62,701,195 to \$66,963,982; extending the term by nine months, from April 1, 2008 to December 31, 2008; and authorize the Mayor and Clerk to execute same.

ACTION: (T-5:31 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 5 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee, and Vice-Mayor Ritter abstained from voting.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

58. A. MOTION TO DISCUSS recommendations for refinancing the Airport System Revenue Bonds Series 2004M.

ACTION: (T-5:43 PM) Board discussion took place. (Refer to minutes for full discussion.)

- B. MOTION TO WAIVE County's standard contract language for the purposes of entering into an agreement with JPMorgan Chase to provide a Liquidity Facility for Airport System Revenue Bonds Series 2004M.

ACTION: (T-5:43 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

- C. MOTION TO APPOINT JPMorgan as remarketing agent or underwriter for the refinancing of the Airport System Revenue Bonds Series 2004M.

ACTION: (T-5:43 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

OR

- D. MOTION TO APPOINT firms utilized on the Airport System Revenue Bonds Series 2004 as Underwriters for the refinancing of the Airport System Revenue Bonds Series 2004M to long-term fixed rate bonds.

ACTION: (T-5:43 PM) Board discussion took place. (Refer to minutes for full discussion.)

HUMAN RESOURCES DIVISION

59. MOTION TO APPROVE First Renewal Agreement between Broward County and Continental Casualty Company (CNA) for Long Term Care Insurance with four remaining one-year renewals, RLI No. 20020502-0-PEB-01, for the Human Resources Division, and authorize the Mayor and Clerk to execute same. The first renewal contract period will be effective April 1, 2008 and will terminate on March 31, 2009.

ACTION: (T-5:58 PM) Approved. (Refer to minutes for full discussion.) for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

PURCHASING DIVISION

For Aviation Department

60. MOTION TO APPOINT Vice Mayor Stacy Ritter, District 3, and Commissioner John E. Rodstrom, Jr., District 7, to the Selection Committee for Acoustical Consulting Services at the Fort Lauderdale/Hollywood International Airport, Request for Letters of Interest (RLI) No. 20071101-0-AV-01.

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

61. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide for Professional Construction Project Management Services at the Fort Lauderdale/Hollywood International Airport, and approve Request for Letters of Interest (RLI) No. 20071014-0-AV-01A.

ACTION: (T-6:00 PM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Mayor Wexler, Vice-Mayor Ritter, Commissioners Keechl, Gunzburger, Rodstrom, Eggelletion, Lieberman, and Jacobs; Director, Port Everglades Department (Chair); Acting Director, Public Works and Transportation Department; Director, Construction Management Division, Public Works and Transportation Department; plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division and the requesting agency. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

For Greater Fort Lauderdale Convention and Visitors Bureau

62. A. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide Advertising Services to increase the number of year round visitors to Broward County, visitor expenditures in Broward County, and summer season business and group business, and approve Request for Letters of Interest (RLI), No. 20071017-0-CVB-01.

ACTION: (T-6:06/6:20 PM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Mayor Wexler; Vice-Mayor Ritter; Commissioners Keechl, Gunzburger, Lieberman, and Wasserman-Rubin; Vice-President, Communications, Greater Fort Lauderdale Convention and Visitors Bureau (Chair); Business Development Manager, Aviation Department; Public Relations Manager, Port Everglades Department; plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division, and the requesting agency.

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

- B. MOTION TO APPROVE first amendment to the Agreement with MARC USA/Miami, Inc., on a month-to-month basis, for a period not to exceed six months, for a total amount not to exceed \$2,500,000; to provide for continuous advertising services during the selection process. The current agreement ends on July 8, 2008.

ACTION: (T-6:06 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

For Public Works Department

63. MOTION TO NOTE FOR THE RECORD Emergency Construction Services for the remediation and restoration of damaged areas at the Broward County Main Courthouse from the low responsive, responsible proposer, Epic Resources, Proposal Nos. GAAT4B7B and FLFL4B8A, in the amount of \$181,828.01, for restoration, and an estimated not-to-exceed amount of \$300,000.00 for remediation, for a total estimated not-to-exceed contract amount of \$481,828.01.

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

For Department of Transportation



64. A. MOTION TO WAIVE Section 21.14.c.6 of the Broward County Procurement Code, which limits the Director of Purchasing's authority to execute all contracts and amendments to the indicated approval authority, presently \$400,000.

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO AUTHORIZE Director of Purchasing to execute amendments to the open-end contract (Bid No. C206055BV - Group 2), with North American Bus Industries, Inc. for 40-foot Low Floor Diesel Buses and Hybrid Electric Diesel Buses, in a not-to-exceed total amount of \$600,000; (\$10,000 cumulative per new bus ordered for a maximum of 60 buses) for unforeseen technological equipment upgrades to be installed in the buses during the manufacture process.

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

65. MOTION TO AWARD open-end contracts to low, responsive, responsible bidders, for 2008 Fleet Vehicles/Including Alternative Fuel Vehicles, Bid No. CX07322BV, in the potential annual amount of \$3,655,371 for the Fleet Services Division. The contracts shall begin on the date of award and shall terminate when there are no additional County needs or new 2008 vehicles available.

Bidders:	Contract Items:	Estimated Annual Amount:
Don Reid Ford	Items 4, 8	\$ 516,588
Maroone Dodge, LLC.	Items 2, 14, 15, 17	\$ 926,563
Phil Smith Chevrolet	Items 1, 3, 9, 10, 11, 13, 21, 24	\$ 864,404
Tropical Ford	Items 5, 7, 12, 16, 18, 19, 20, 22, 23, 26	\$1,347,816

ACTION: (T-6:14 PM) Approved. (Scrivener’s error – See County Administrator’s Report. Motion should read “MOTION TO AWARD open-end contracts to low, responsive bidders, for 2008 Fleet Vehicles/Including Alternative Fuel Vehicles, Bid No. CX07322BV, in an amount not to exceed \$1,000,000...”

The PBMI response references \$898,000.00 which reflects the vehicles we are scheduled to purchase through the general fund and enterprise funds. The award, not to exceed \$1 million, allows for unanticipated replacements, such as vehicles involved in accidents, not additional purchases.) (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

RISK MANAGEMENT DIVISION

66. MOTION TO APPROVE full and final settlement of Workers’ Compensation Claims 052600, 081001 and 101703 involving a Firefighter with the Broward Sheriff’s Office

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

67. MOTION TO APPROVE full and final settlement of Workers’ Compensation Claim 060803 involving a Deputy Sheriff with the Broward Sheriff’s Office.

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

68. A. MOTION TO APPROVE agreement between Broward County (County) and the South Broward Hospital District d/b/a Memorial Hospital West (MHW), providing for MHW to utilize a portion of the parking area at C.B. Smith Park, Monday through Friday, from 5:00 a.m. to 12:00 midnight, except on County holidays that fall on a weekday, and County special event set-up days as notified by the County, for the sole purpose of providing parking for up to 100 MHW employee vehicles at any one time each day for a term of two years, beginning upon contract approval by the Board of County Commissioners, providing for MHW to pay County a flat rate of \$150 per day for up to 100 vehicles, for each day the parking area is utilized, any additional vehicle parking will be at a rate of \$1.50, per day per vehicle. In the event a renewal term is agreed upon, an increased fee of \$200.00 per day for one hundred vehicles would be instituted with additional vehicle parking at a rate of \$2.00, per day per vehicle; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO ADOPT unanticipated Revenue Resolution 2008-110 within the General Capital Outlay Fund for the Parks and Recreation Division in an estimated amount of \$39,000 for the purpose of offsetting maintenance costs associated with the utilization of County-owned property for vehicular parking.

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

PORT EVERGLADES DEPARTMENT

69. MOTION TO ADOPT Resolution 2008-111 directing the County Administrator to publish a Notice of Public Hearing to be held April 8, 2008 at 5:00 P.M. in the County Commissioners' Meeting Room (Room 422), in order to further discuss the expansion of the existing Southport Turning Notch as it relates to the Master/Vision Plan and provide direction on a locally preferred alternative (LPA).

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

OFFICE OF ECONOMIC DEVELOPMENT

70. MOTION TO ACCEPT Broward Alliance Fiscal Year 2008 Quarterly Performance Report for the period October 1, 2007 through December 31, 2007, pursuant to the agreement between Broward County and the Broward Alliance.

ACTION: (T-6:14 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

71. MOTION TO NOMINATE Jeri Pryor and Ingrid Schneider for appointment to the Broward County HIV Health Services Planning Council.

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

72. MOTION TO ACCEPT NOMINATIONS for appointment or re-appointment of members to the following boards:

- 1) Central Examining Board of Engineering Contractors (consumer, professional)
- 2) Central Examining Board of General and Building Contractors (consumer)
- 3) Central Examining Board of Liquid Petroleum Gas Contractors (professional)
- 4) Central Examining Board of Mechanical and Specialty Mechanical Contractors (consumer)
- 5) Central Examining Board of Plumbers (1 consumer, 2 professional)
- 6) Health & Sanitary Control Board (construction trades alternate)
- 7) Historical Commission (experience or expertise in the area of archaeology)

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

73. MOTION TO DIRECT staff to renew contract between Broward County and Steinberg and Associates for Washington lobbying services related to resolving policy, funding and technical issues related to the Port Everglades Dredging Project and Reimbursement.

ACTION: (T-6:15 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 5 – 0. Commissioner Keechl voted no, and Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

COUNTY AUDITOR

74. A. MOTION TO FILE the County Auditor's Report – *Aviation Department Purchasing Card Review*.

ACTION: (T-6:20 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

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

ACTION: (T-6:20 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 0. Commissioners Lieberman, Eggelletion, and Jacobs were in route to Tallahassee.

COUNTY ADMINISTRATION

75. MOTION TO DISCUSS standard form interlocal agreement (ILA) with municipalities for the provision of jail housing for violators of Municipal Ordinances, and if approved determine an effective date; authorize the Mayor to execute agreements with participating municipalities, and request that the Sheriff cease accepting individuals charged solely with a municipal ordinance violation into County detention facilities unless the municipality has entered into an interlocal agreement with the County. (Deferred from February 12, 2008 – Item No. 48.)

(Commissioner Lieberman participated via teleconferencing.)

ACTION: (T-6:20 PM) The Board directed staff to assist Commissioner Gunzburger in facilitating a meeting with Housing Assistance Council (HAC) within the next 60 days. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioners Eggelletion and Jacobs were in route to Tallahassee.

76. DISCUSSION: Proposed Convention Center Hotel Financing – Direction Related to Acceptable Financing Incentives.

ACTION: (T-10:41 AM) No Board action was taken. (Refer to minutes for full discussion.)



77. A. MOTION TO APPROVE removal from funding consideration those Safe Parks and Land Preservation Bond Program “Sites in the Competitive Process” (“Phase 7A”) or “Unfunded Sites” (“Phase 7B”) that are no longer supported by municipalities, where contract negotiations were unsuccessful, or where there is no longer a willing seller. (Deferred from March 11, 2008 – Item No. 87)

(Commissioner Lieberman participated via teleconferencing.)

ACTION: (T-6:36 PM) Approved, with Water Tower Park to be added to the competitive list. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioners Eggelletion and Jacobs were in route to Tallahassee.

- B. MOTION TO APPROVE addition of Safe Parks and Land Preservation Bond Program Phase 7B sites into the competitive process, direct staff to initiate the appropriate actions needed for these sites to compete on a “first come-first served” basis until all Bond Program funds are depleted, and direct staff to provide a written report to the Board on the status of sites in the inventory by September 25, 2008.

(Commissioner Lieberman participated via teleconferencing.)

ACTION: (T-6:36 PM) Approved, with Water Tower Park to be added to the competitive list. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioners Eggelletion and Jacobs were in route to Tallahassee.

- C. MOTION TO DIRECT staff to require new or updated appraisals when appraisals are more than 180 days older than the date of the Board’s public hearing to approve the contract of purchase and sale, the date of purchase by the jurisdiction for reimbursement, or the date of Board approval of the interlocal agreement providing for a joint closing, including those sites where funds have already been encumbered.

(Commissioner Lieberman participated via teleconferencing.)

ACTION: (T-6:36 PM) Approved, with Water Tower Park to be added to the competitive list. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioners Eggelletion and Jacobs were in route to Tallahassee.

- D. MOTION TO DIRECT staff to provide written notice to municipalities with parcels remaining on the combined inventory informing them of the limited remaining Bond Program funds, reinforcing the Board's policy that sites could be removed from funding consideration if not encumbered within six months, and advising them that funds are encumbered on a first come-first served basis until funds are no longer available.

(Commissioner Lieberman participated via teleconferencing.)

ACTION: (T-6:36 PM) Approved, with Water Tower Park to be added to the competitive list. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioners Eggelton and Jacobs were in route to Tallahassee.

COUNTY COMMISSION

78. MOTION TO NOMINATE for reappointment, Dr. Cyril Blavo to serve on the Broward Regional Health Planning Council, under the Health Care purchaser category. (Commissioner Rodstrom)

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

79. MOTION TO APPROVE allocation of \$250,000 in County District 2 Commissioner's Discretionary Bond funds, to provide matching funds for a grant application to the Florida Department of Environmental Protection, Office of Greenways and Trails for a Greenways/Equestrian Trail installation partially within Broward County's Tradewinds Park and the City of Coconut Creek. **(Commission District 2)** (Commissioner Jacobs)

ACTION: (T-10:11 AM) Approved. (Transferred to the Consent Agenda.)

80. **COUNTY ADMINISTRATOR'S REPORT**

No report given.

81. **MAYOR'S REPORT**

No report given.

NON-AGENDA

82. **LETTER OF COMMENDATION – COMMISSIONER GUNZBURGER**

ACTION: (T-6:54 PM) Commissioner Gunzburger noted the letter of commendation received for Sonia Thompson, Karen Craig, and Lynda Phillips of the Value Adjustment Board (VAB). (Refer to minutes for full discussion.)

83. **FOOD DRIVE – COMMISSIONER GUNZBURGER**

ACTION: (T-6:54 PM) Commissioner Gunzburger reported that the second food drive of the year will begin in April at many of the libraries and other County facilities. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

EVALUATION COMMITTEE
DEBRIS MONITORING

RLI No. 20070712-0-WRS-01

Tuesday, March 25th, in Room 302 at 9:00 AM

SELECTION COMMITTEE

EXECUTIVE SEARCH FIRM SERVICES FOR COUNTY ADMINISTRATOR

RLI No. 20071102-0-HRB-02

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

