

MEETING OF MARCH 28, 2006

(The meeting convened at 10:00 a.m.; recessed at 12:42 p.m.; reconvened at 2:53 p.m. and adjourned at 2:57 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Kristin D. Jacobs, District 2.

CALL TO ORDER

MOMENT OF SILENCE

In memory of two Broward County pioneers, Charles "Doc" Forman and Frances M. McAllister.

For the men and women defending our country around the world and for those who have lost their lives.

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPROVE appointment of Mark Ercolin, Esq. to the Marine Advisory Committee. (Commissioner Wexler)

ACTION: (T-10:10 AM) Approved.
- B. MOTION RE-APPOINT Al Fernandez to the Board of Rules and Appeals in the category of Alternate General Contractor, effective May 1, 2006. (Commissioner Wasserman-Rubin)

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

AVIATION DEPARTMENT

2. MOTION TO APPROVE agreement between Broward County and Landrum & Brown (L&B) for airport planning and programming services related to Broward County owned airports (RLI No. 20050422-0-AV-01EB) effective on the day of execution and ending on September 30, 2008. The initial period of this agreement shall commence upon approval for a maximum amount not to exceed \$436,000 in Fiscal Year 2006; amounts to be negotiated for Fiscal Year 2007 and 2008, with two additional one year renewal options; and authorize the Mayor and Clerk to execute same.

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



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

3. MOTION TO APPROVE agreement between Broward County and Leigh Fisher Associates (LFA) for airport planning and programming services related to Broward County owned airports (RLI No. 20050422-0-AV-01EB) effective on the day of execution and ending on September 30, 2008. The initial period of this agreement shall commence upon approval for a maximum amount not to exceed \$391,858 in Fiscal Year 2006; amounts to be negotiated for Fiscal Year 2007 and 2008, with two additional one year renewal options; and authorize the Mayor and Clerk to execute same.

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

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

4. MOTION TO APPROVE “Landlord’s Agreement and Waiver” and “Landlord’s Waiver and Consent” to allow for the Arena Operating Company to finance the purchase of lighting and electronic equipment for the Sinatra Theatre at the Bank Atlantic Center Arena, with Quail Financial Corporation and CIT Group; and authorize the Mayor and Clerk to execute same.

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

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

5. MOTION TO APPROVE Required Improvements Agreement among Tousa/Kolter, LLC; Monterra Community Development District; and Broward County relating to the “Monterra” Plat (005-UP-03); at no cost to the County and effective upon execution by the Board; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

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

REAL PROPERTY SECTION

6. MOTION TO APPROVE first amendment to Revocable License Agreement between Broward County, Licensee, and Dunmore Properties Limited, Licensor, extending the term of the agreement one year, allowing the County the continued restrictive use of 15 paved vehicle parking spaces located on the north side of SE 11th Street, between Federal Highway and SE 4th Avenue, in proximity to the County owned Tarpon River Building located at 955 South Federal Highway, Fort Lauderdale, Florida, Monday through Friday during business hours; effective April 19, 2006 through April 18, 2007, in the amount of \$9,540; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

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

WATER AND WASTEWATER SERVICES

WATER AND WASTEWATER ENGINEERING DIVISION

7. MOTION TO APPROVE second amendment to Work Authorization GS0114 between Broward County and Hazen and Sawyer, P.C. for a lump sum cost of \$274,920; from \$277,120 to \$552,040; and an increase in contract time of 946 days, from 729 to 1675 days, to provide construction management services for Water Treatment Plant 3A modifications; and authorize the Mayor and Clerk to execute same. (Project No. 8089) **(Commission District 7)**

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

8. MOTION TO APPROVE Work Authorization GS0182 between Broward County and Hazen and Sawyer, P.C. for a maximum not-to-exceed salary cost of \$261,790 and a maximum not-to-exceed reimbursable cost of \$22,098; for a total cost of \$283,888 and a time period of 540 calendar days, to provide design, permitting, bidding and award services for the Water Treatment Plant 2A Hypochlorite System, and authorize the Mayor and Clerk to execute same. (Project No. 89731) **(Commission District 2)**

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

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

9. MOTION TO FILE report of Broward County Division of Mass Transit Agreed-Upon Procedures Year Ended September 30, 2005.

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

10. MOTION TO APPROVE travel for County employees on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 – County Employee Travel.

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

11. MOTION TO FILE Comprehensive Annual Financial Report for the Board of County Commissioners for the fiscal year ended September 30, 2005 in accordance with Florida Statute 11.45.

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

COUNTY RECORDS DIVISION

12. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meeting of February 14, 2006; and the minutes of the 2:00 P.M. Public Hearing of February 14, 2006.

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

PURCHASING DIVISION

For Emergency Management Agency



13. MOTION TO NOTE FOR THE RECORD increase to the emergency fixed contract for purchase of a Mobile Emergency Operations Center, 40' custom van, Quotation No. C06EP0011S in excess of 10%, to sole source vendor, North American Catastrophe Services, Inc. (NACS), for the purchase and installation of communication equipment in the amount of \$103,507.50; for a total amount of \$493,257.50; for the Emergency Management Agency.

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

For Public works and Transportation Department

14. MOTION TO APPROVE sole source standardization of passenger-loading bridges, installation, replacement parts and repair of existing equipment for cruise terminals at Port Everglades from FMT Aircraft Gate Support Systems, AB, Sweden (FMT) for the Seaport Construction and Planning Division.

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

RISK MANAGEMENT DIVISION

15. MOTION TO APPROVE full and final settlement of Claim 0603044376 in the amount of \$50,000.


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

HUMAN SERVICES DEPARTMENT

16. MOTION TO ADOPT Resolution 2006-119 of the Board of County Commissioners of Broward County, Florida; approving the form rental agreement at the Florida State Hospital Apartments for the purpose of providing temporary housing for residents displaced by Hurricane Wilma; authorizing the County Administrator or a management company in the event County enters into a management agreement, to execute same; providing for severability and providing for an effective date.


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

CHILDRENS' SERVICES ADMINISTRATION DIVISION

-  17. MOTION TO ADOPT Resolution 2006-120 of the Board of County Commissioners of Broward County, Florida; making a finding and determination that the work and services of certain organizations and individual providers serve a public purpose; authorizing appropriations and disbursements for organizations in the amount of \$342,066; approving funding for non-profit organizations, for-profit and governmental entities; authorizing the County Administrator to execute previously approved form contracts on behalf of the Board by the County Administrator; providing for severability; and providing for an effective date. Funding for these agreements are available from the Children's Services Administration Division Fiscal Year 2006 budget.

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

FAMILY SUCCESS ADMINISTRATION DIVISION

-  18. **MOTION TO ADOPT** unanticipated revenue Resolution 2006-121 in the amount of \$811,404 within the Assets For Independence Fund (7226) for the purpose of funding a matched Individual Development Account program for low income residents, pursuant to a grant award from the U.S. Department of Health and Human Services Office of Community Services. The revenue includes \$505,702 from the grant award, \$255,702 in local match contributed by non-profit organizations and banks, and \$50,000 in cash match for Fiscal Year 2006 from Broward County. Broward County will also contribute \$118,505 in in-kind match over the five-year period of the grant.

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


19. A. **MOTION TO POST APPROVE** Agreement No. 06EA-3M-11-16-01-004 between the State of Florida, Department of Community Affairs and Broward County from March 1, 2006, to March 31, 2007, in the amount of \$1,879,193; for the purpose of providing home energy assistance to low income households in Broward County that are at or below 150% of the Federal Poverty Guidelines; and authorize the Mayor to execute same. This agreement requires no County match.

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

- B. **MOTION TO ADOPT** unanticipated revenue Resolution 2006-122 in the Low Income Home Energy Assistance grant fund (7480) in the amount of \$1,879,193 for the purpose of providing home energy assistance to low income households in Broward County. This agreement requires no County match.

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

HOMELESS INITIATIVE PARTNERSHIP

-  20. A. **MOTION TO APPROVE** Challenge Grant Agreement No. JFZ08, between the State of Florida, Department of Children and Families, and Broward County, in the amount of \$100,000 from the date of execution until June 30, 2006, or upon completion of the Project, whichever is earlier; providing homeless prevention, move-in and utility down payment and temporary emergency shelter for homeless individuals and families; authorizing the County Administrator and Clerk to execute same. No County match is required.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-123 in the amount of \$100,000 within the Homeless Challenge Grant Fund (9765) for the purpose of providing homeless prevention, move-in and utility down payment and temporary emergency shelter for homeless individuals and families. No County match is required.

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

- C. MOTION TO ADOPT Resolution 2006-124 of the Board of County Commissioners of Broward County, Florida, approving Challenge Grant funding in the amount of \$100,000 from the State Department of Children and Families (DCF), Office on Homelessness for Fiscal Year 2006 utilizing the Standard Form Agreement for Challenge Grant funding (approved through Resolution No. 2005-444); authorizing the County Administrator to execute same and any time extensions and amendments as authorized in the agreement; authorizing the County Auditor and Risk Manager to recommend any necessary additional changes to the Standard Form Agreement provisions related to financial responsibility/audit and insurance and advise the County Attorney of same for appropriate revisions to be made to the Standard Form Agreement; providing for severability; and providing for an effective date. No County Match is required.

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

MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION

21. A. MOTION TO ACCEPT report from the Emergency Medical Services (EMS) Grants Committee which includes the projects recommended for funding by distribution of the County Grant portion of State EMS Trust Fund Monies for Fiscal Year 2005/2006.

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

- B. MOTION TO APPROVE grant application to the State of Florida, Department of Health, Bureau of Emergency Medical Services in the amount of \$354,441 (\$311,129 from Fiscal Year 2005/2006 EMS Trust Fund award monies and \$43,312 from earned interest and completed project balances) for improving and expanding prehospital emergency medical services in Broward County from date of execution through September 30, 2006; and authorize the County Administrator to take the necessary administrative and budgetary actions for implementation. No county match is required.

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

- C. MOTION TO ADOPT Resolution 2006-125 of the Board of County Commissioners of Broward County, Florida, authorizing an Emergency Medical Services (EMS) Grant Application to the State of Florida, Department of Health; providing certification relating to use of EMS grant monies; and providing for an effective date.

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

- D. MOTION TO APPROVE Florida Department of Health EMS Grant Program Request for Grant Fund distribution.

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

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

22. MOTION TO ADOPT Resolution 2006-126 of the Board of County Commissioners of Broward County, Florida approving the allocation of \$4,951,225 in appropriated Fiscal Year 2006 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 and addenda; providing for severability; and providing for an effective date. The funding for this Resolution is from a federal grant in the amount of \$14,963,638; and no County funds are required.

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

23. MOTION TO ADOPT Resolution 2006-127 of the Board of County Commissioners of Broward County Florida, providing for transitional housing services for the homeless, and substance abuse clients in the amount of \$1,072,548; approving the contract shell form; authorizing the County Administrator to execute the appropriate shell contract for each qualified vendor; providing for severability; and providing for an effective date.

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

COMMUNITY SERVICES DEPARTMENT

CULTURAL DIVISION

24. A. MOTION TO APPROVE special one-time Challenge Grant Program award funding to eligible cultural organizations for a total amount of \$160,900; to be disbursed as recommended by the Broward Cultural Council (Council), to assist with property damage and recovery expenses associated with Hurricane Wilma. \$250,000 for the Challenge Grant Program was appropriated in the Fiscal Year 2006 budget with a remaining balance of \$89,100 currently available after the disbursement of funds for this program.

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

- B. MOTION TO ADOPT Resolution 2006-128 of the Board of County Commissioners of Broward County, Florida ("Board"), approving the Council's recommendation that the Board approve a second grant application cycle for the use of the remaining grant funds in the amount of \$89,100 from the special one-time Challenge Grant program disbursed to eligible cultural organizations to assist with property damage and recovery expenses associated with Hurricane Wilma for the Fiscal Year 2006; approving any reserve for use by the Cultural Council for any future hurricane damage; approving the execution of the appropriate contract forms by the County Administrator as previously approved under Resolution 2006-025 after approval by the Council of the awards of the approved grantees for the second application cycle without further approval or action of the Board; approving a special grant application deadline for the second application cycle of May 1, 2006, at 4:30 P.M.; providing for severability; and providing for an effective date.


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

LIBRARIES DIVISION

25. MOTION TO APPROVE agreement between Broward County and Florida Atlantic University (FAU) in the amount of \$486,184 for the purpose of defining terms and conditions under which the Broward County Libraries Division (Division) will utilize funding provided through legislative appropriation for library resources and services to be housed and provided at the Main Library and included in the FAU inventory, for FAU's Fiscal Year July 1, 2006 to June 30, 2007; and authorize the County Administrator to implement all necessary administrative and budgetary actions, and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

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

MASS TRANSIT DIVISION


-  26. MOTION TO APPROVE first amendment to agreement between Broward County and Transportation Suppliers, Inc. (TSI) for the operation of Community and Commuter Transportation Services (RLI No. 20021002-0-MTA-01) to provide fixed route community bus service in central Broward by redistributing the existing hours of the Broward Urban Shuttle to a new fixed route, effective from the date of execution through June 20, 2008, with no change in compensation, and authorize the Mayor and Clerk to execute same. The term of this amendment may be extended for up to two additional one-year periods upon written approval of the Contract Administrator. **(Commission Districts 1, 4, 5, 6, 7, 8, 9).**

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

PARKS AND RECREATION DIVISION

27. MOTION TO ADOPT Resolution 2006-129 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation of \$15,000 generated from the annual "Toys in the Sun Run" to be deposited in The Friends of the Parks and Recreation Division Trust Fund from the South Florida Presidents Council of Motorcycle Clubs and Organizations/James Jr., Fund, Inc.; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

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

-  28. MOTION TO APPROVE Interlocal Agreement between Broward County (County) and Town of Davie (Town) for construction and maintenance of a multipurpose trail by the Town of Davie at Vista View Park at no cost to the County, providing for a term of construction of two years, with an optional one year extension, and providing for perpetual maintenance of the trail by the Town of Davie, effective upon execution by the County; and authorizing the Mayor and Clerk to execute same. **(Commission District 5)**

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

ENVIRONMENTAL PROTECTION DEPARTMENT

AIR QUALITY DIVISION

29. A. MOTION TO ACCEPT U.S. Environmental Protection Agency (U.S. EPA) Cooperative Agreement A-00402606-0, representing the first installment of the Fiscal Year 2006 Section 105 grant award, in the amount of \$555,917; consisting of \$254,772 in cash from U.S. EPA, \$7,845 in EPA in-kind services, and \$293,300 of Broward County in-kind match; and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the amendment for the Environmental Protection Department (EPD). The project and budget period is from October 1, 2005 to September 30, 2006.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-130 within the Air Pollution Control Fund (8300) for the EPD in the amount of \$555,917; for the purpose of recognizing the Section 105 grant funds received from U.S. EPA.

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

EMERGENCY MANAGEMENT AGENCY

30. A. MOTION TO APPROVE agreement between Broward County and the City of Miami for the purpose of participating in the 2005 Miami Urban Area Security Initiative (UASI) from the U.S. Department of Homeland Security (DHS) for Office of Domestic Preparedness (ODP) and the State of Florida Division of Emergency Management (DEM) effective from the date of execution through February 28, 2007, or until all Fiscal Year 2005 grant funding requirements have been satisfied, whichever occurs later in time; authorize the Mayor to execute same, and authorize the County Administrator to take all necessary administrative actions to implement agreement.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-131 within the Grant Fund for Broward Emergency Management Agency in the amount of \$169,000 for the purpose of implementation of homeland security projects funded through the Miami UASI Grant Program.

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

- C. MOTION TO ADOPT unanticipated revenue Resolution 2006-132 within the General Fund for the Broward Sheriff's Office in the amount of \$1,710,503; for the purpose of implementation of homeland security projects funded through the Miami UASI Grant Program.

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

31. MOTION TO ADOPT unanticipated revenue Resolution 2006-133 within the Grant Fund for the Broward Emergency Management Agency in the amount of \$139,347; for the purpose of enhancing Broward County's emergency management and preparedness program.

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

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

PLANNING SERVICES DIVISION

32. MOTION TO APPROVE election of the Boulevard Gardens Neighborhood Council, consisting of five members, duly elected at a noticed public meeting held February 20, 2006. **(Commission District 7)**

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

33. MOTION TO APPROVE election of one Council Member to the Washington Park Neighborhood Council, duly elected at a noticed public meeting held February 9, 2006. **(Commission District 7)**

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

34. MOTION TO DIRECT County Attorney to draft an Ordinance amending the Broward Estates Neighborhood Enhancement Plan to provide for noise violations and mobile food dispensing vehicle violations to be prosecuted in the same manner as misdemeanors. **(Commission District 9)**

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

OFFICE OF MANAGEMENT AND BUDGET

35. MOTION TO ADOPT unanticipated revenue Resolution 2006-134 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$2,125,628; to increase the Fiscal Year 2006 BSO budget for operating costs associated with additional overtime staffing for law enforcement at Ft. Lauderdale-Hollywood International Airport in accordance with the Sixth Amendment to the agreement between BSO and Broward County. This increase is in response to the Transportation Security Administration security directives.

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

OFFICE OF ECONOMIC DEVELOPMENT


36. MOTION TO ADOPT Board Resolution 2006-135 transferring \$20,000 within the General Fund from Commission Reserve for funding the matching funds grant supporting the 2005 Brazil/Florida State-to-State Business and Culture Mission.

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

37. MOTION TO APPROVE amendment to the payment terms of the current agreement for economic development services between Broward County and The Broward Alliance.

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

COUNTY ATTORNEY

-  38. MOTION TO ADOPT Resolution 2006-136 relating to a special referendum election for determining whether the area known as “United Ranches Area” shall be annexed into the City of Cooper City or the Town of Davie; setting date and manner of election; providing substance of measure to appear on ballot; authorizing publication of notices of said special referendum election; and notifying the Supervisor of Elections office.

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

COUNTY ADMINISTRATION

39. MOTION TO APPROVE second amendment to the Letter of Intent (LOI) among Broward County, Artspace Projects, Inc. (Artspace) and Lennar Homes, Inc. (Lennar), extending the date for Artspace to perform the conditions precedent from March 31, 2006, to April 30, 2006, which includes entering into a 39-year lease agreement for the relocation of the Broward County Historical Commission (BCHC), with no change to the contract amount; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

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

COUNTY COMMISSION

40. MOTION TO FILE Resolution No. 2006-10 from Coconut Creek, Resolution No. 2006-02-15 from Cooper City, and Resolution No. 10-568 from Margate, all expressing support for “A Way Home”, Broward County’s Ten-Year Plan To End Homelessness. (Mayor Graber)

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

41. MOTION TO FILE Resolution R-225-06 of the Miami-Dade Board of County Commissioners, urging the U.S. Congress and the Florida Legislature to add homelessness to existing hate crime statutes. (Mayor Graber)

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

42. MOTION TO FILE City of Sunrise Resolution No. 06-22 opposing Senate Bill 566 and House Bill 273, which impair the authority of local governments to regulate billboards and undertake highway beautification projects within their jurisdictions and that create a new statutory cause of action against local governments for highway beautification projects. (Mayor Graber)

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

43. MOTION TO FILE City of Margate Resolution No. 10-562 expressing its opposition to proposed House Bill 431 and proposed Senate Bill 980, which limit local government authority over electrical substations and urging other local governments in the State to adopt similar resolutions opposing the enactment of the legislation. (Mayor Graber)

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

44. MOTION TO FILE Pembroke Pines Resolution No. 3077 supporting the South Florida Regional Transportation Authority's initiative to encourage the State Legislature to legislate a dedicated local funding source for transit in South Florida, and regional transit projects. (Mayor Graber)

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

REQUEST TO SET FOR PUBLIC HEARING

45. MOTION TO ADOPT Resolution 2006-137 directing the County Administrator to publish Notice of Public Hearing to be held on June 13, 2006, at 2:00 P.M., in Room 422 of the Broward County Governmental Center, to determine whether population increases in Broward County justify the issuance of new taxicab and luxury sedan certificates of public convenience and necessity (certificates) and accompanying permits.

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

46. MOTION TO ADOPT Resolution 2006-138 directing the County Administrator to publish a Notice of Public Hearing to be held April 25, 2006 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application from Raider Environmental Services, LLC for a non-exclusive franchise to provide vessel sanitary waste water removal services for a one-year term at Port Everglades.

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

47. MOTION TO DIRECT County Administrator to publish notice of public hearing to be held Tuesday, April 25, 2006, at 2:00 P.M. in Room 422 of the Governmental Center to consider new Nonemergency Medical Transportation Service (NEMTS) licenses to South Florida's Global Transportation and Ponder & Associates, Inc. d/b/a Tender Loving Care Adult Day Health Center.

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

REGULAR AGENDA

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



- 48. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Fort Lauderdale for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-26.2, Dolphin Isles Park; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:10 AM/12:48 PM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE Declaration of Restrictive Covenants for Open Space Site OS-26.2, and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:10 AM/12:48 PM) Approved. (Transferred to the Consent Agenda.)

- C. MOTION TO ADOPT Resolution 2006-139 for the transfer of title of real property referred to as Site OS-26.2 in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond Program. **(Commission District 4)**

ACTION: (T-10:10 AM/12:48 PM) Approved. (Transferred to the Consent Agenda.)

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT



49. A. MOTION TO APPROVE Interlocal Agreement (ILA), by and between Broward County, the City of Lauderhill, and the Lauderhill Community Redevelopment Agency (CRA), to establish the terms and conditions for Redevelopment Capital Program (RCP) funding within the SR 7 Corridor Community Redevelopment Area and provide a land acquisition loan not to exceed \$3 million, subject to appropriate due diligence by the City/CRA, and modify the prior Joint Funding Agreement, as amended, entered into with the City, to eliminate the previous funding commitment not to exceed \$1.5 million through the Safe Parks and Land Preservation Bond Program, while all other provisions of the Joint Funding Agreement remain; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1 and 9)**

ACTION: (T-10:16 AM) Approved.

- B. MOTION TO AUTHORIZE the Mayor and Clerk to execute one or more loan agreements for a total amount not to exceed \$3 million with the City of Lauderhill and the CRA, in accordance with the approved Interlocal Agreement between the County, the City and the CRA. **(Commission Districts 1 and 9)**

ACTION: (T-10:16 AM) Approved.

- C. MOTION TO ADOPT budget Resolution 2006-140 transferring \$3 million from the Redevelopment Projects Reserve account to a disbursement account to fund a loan(s) for land acquisition costs and demolition/clearing costs, in accordance with the approved the Interlocal Agreement (ILA) between Broward County, the City, and the CRA. **(Commission Districts 1 and 9)**

ACTION: (T-10:16 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

REAL PROPERTY SECTION

50. MOTION TO DISCUSS potential use or sale of property located at 1801 NW 64th Street, Fort Lauderdale, which was originally acquired for use as a Supervisor of Elections Office/Warehouse, and the findings of a space study for the Libraries Book Distribution Center. **(Commission District 9)**

ACTION: (T-10:17 AM) No Board action was taken. (Refer to minutes for full discussion.)

WASTE AND RECYCLING SERVICES DIVISION

51. MOTION TO APPOINT County Commissioner to serve a one-year term on the Resource Recovery Board of the Broward Solid Waste Disposal District commencing April 2006.

ACTION: (T-10:26 AM) Approved the appointment of Commissioner Scott. (Refer to minutes for full discussion.)

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

52. MOTION TO DISCUSS proposed capital funding model to construct a combined Children's Reading Center and Museum and provide direction to staff on how to proceed with this project. **(Commission District 5)**

ACTION: (T- 10:20 AM) The Board amended the motion to read: "MOTION TO APPROVE." Item 52 was transferred to the Consent Agenda and was approved. (Refer to minutes for full discussion.)

AVIATION DEPARTMENT

53. MOTION TO APPROVE settlement agreement between Broward County and TLMC for claims relating to the Airport Miscellaneous Construction Items Contract for work on various Airport expansion projects at the Fort Lauderdale-Hollywood International Airport, in an amount of \$315,000 as full and final settlement of County and TLMC claims; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:25 AM) Approved.

COUNTY AUDITOR

54. MOTION TO FILE County Auditor's Report – Status of Implementation of Community Redevelopment Activities in Broward County.

ACTION: (T-10:27 AM) Approved. (Refer to minutes for full discussion.)

FINANCE AND ADMINISTRATION SERVICES DEPARTMENT

PURCHASING DIVISION

For Port Everglades Department

55. MOTION TO NOTE FOR THE RECORD the following Request for Proposal (RFP No. 20060313-0-PTOPS-1RE, Rail Mounted Container Gantry Crane Maintenance and Repair Service) that has not been presented to the Board and has not been advertised, or evaluated, for which Commissioners may choose to join the evaluation Committee.

ACTION: (T-10:36 AM) Approved, as amended. The Board directed staff to amend the language for scoring under Part 3, Evaluation Factors, Criteria and Basis of Award to: 1) Evaluation Factor #2 Experience, Minimum Eligibility Requirement: Clarify that if a firm does not have the minimum requirement for at least five (5) years for experience, they shall not be considered any further. 2) Within the evaluation scores between 5 and 1, to add language that states "relative to the other proposers meeting the minimum experience, the Evaluator shall consider the award of points based on that scale."


The following Commissioners will serve on the Evaluation Committee: Vice Mayor Eggelton, Commissioners Gunzburger, Lieberman, Rodstrom, Wasserman- Rubin and Wexler. (Refer to minutes for full discussion.)

For Public Communications Office

56. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide media broker services for all County agencies wishing to access same and approve Request for Letters of Interest (RLI) No. 20060111-0-PC-01.

ACTION: (T-11:10 AM) Approved, as amended, with the inclusion of Kimberly Maroe, Public Information Manager, as a voting member. The following to serve on the Selection Committee: Commissioner: Jacobs, Lieberman, and Wexler; Director, Parks and Recreation Division (Chair); Director, Public Communications Office; Director, Recycling and Contract Administration Division, and Director, Water Resources Division. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. (Refer to minutes for full discussion.)

COUNTY ADMINISTRATION

-  57. A. MOTION TO ADOPT Resolution 2006-141 of the Board of County Commissioners of Broward County, Florida, amending the 2005-2007 Broward County State Housing Initiatives Partnership Local Housing Assistance Plan by adding a new strategy for disaster relief; authorizing necessary certifications by the County Administrator and submission of the amended plan for review and approval by the Florida Housing Finance Corporation; providing for severability; and providing for an effective date.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-142 within the Broward County Affordable Housing Assistance Trust Fund in the amount of \$1,631,132 to recognize State Housing Initiatives Partnership (SHIP) recaptured funds, and to recognize an additional SHIP allocation from the Florida Housing Finance Corporation (FHFC) for disaster relief assistance to Broward County residents affected by Hurricane Wilma.

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

58. A. MOTION TO APPROVE sublease agreement between the School Board of Miami-Dade County and Broward County for property located at the corner of SW 54th Avenue and SW 33rd Street in the Town of Pembroke Park for use as a public safety communications site, including a tower and equipment shelter from the date of execution through September 10, 2050 at a cost of \$300 per year.

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

- B. MOTION TO APPROVE agreement between the School Board of Miami-Dade County, Miami-Dade County, and Broward County conveying a Miami-Dade School Board communications tower located at the corner of SW 54th Avenue and SW 33rd Street in the Town of Pembroke Park to the County from May 1, 2006 through September 1, 2006.

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

59. MOTION TO APPROVE updated Commission calendar from March 28, 2006, through May 30, 2006, in order to reschedule the April 25, 2006, 2:00 P.M. Public Hearing (where there were only two items to be scheduled) to 10:00AM on April 25, 2006, thus allowing time for a Workshop facilitated by HDR Inc., the County's consultant for the Downtown Campus project beginning at noon or immediately following the morning meeting.

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

ACTION: (T-11:27 AM) Reconsidered. (Refer to minutes for full discussion.)

ACTION: (T-11:28 AM) Approved, as amended. The Board directed staff to keep the Public Hearing for the Land Use amendment for the Village of Gulfstream Park at 2:00 p.m., on April 25, 2006. (Refer to minutes for full discussion.)

COUNTY COMMISSION

60. MOTION TO NOMINATE William Sestito to the boards of Legal Aid Service of Broward County, Inc. and Coast to Coast Legal Aid of South Florida, Inc. (Mayor Graber)

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

61. MOTION TO NOMINATE Dania Beach Commissioner Anne Castro to the Broward County Planning Council. (Commissioner Rodstrom)

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

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

62. DISCUSSION: Legislative Issues – 2006 Legislative Session.

- A. SUPPORT HR 869 AND SB 1776 - 30/30 HOUSING COALITION

ACTION: (T-11:30 AM) Pamela Madison, Director, Office of Public and Governmental Relations, advised that the 30/30 Housing Coalition is requesting the Board's continued support for HB 869 and SB 1776 and to add the bills to the County's Legislative program. Staff is sending the appropriate letters from the Mayor to the sponsors of the bills. (Refer to minutes for full discussion.)

- B. TRANSIT SURTAX

ACTION: (T-11:30 AM) Ms. Madison referred to the Transportation Surtax requiring the County to share the transit penny under a formula that would have given the County less than 7% of the tax. The sponsors have agreed to separate the counties that had the authority previously and add any new county coming in when determining the formulary. Broward County should be fine. (Refer to minutes for full discussion.)

C. EMINENT DOMAIN BILLS

ACTION: (T-11:30 AM) Ms. Madison gave the Board an update on both eminent domain bills. Staff will continue to monitor the bills. (Refer to minutes for full discussion.)

D. LAND USE BILL

ACTION: (T-11:30 AM) Ms. Madison advised that the bill that removes countywide land use authority will be heard at the Local Government Council on Wednesday, March 29th. (Refer to minutes for full discussion.)

E. DISCUSSION - AFFORDABLE HOUSING - COMMISSIONER LIEBERMAN

ACTION: (T-11:36 AM) Commissioner Lieberman commented that the City of Coral Springs in January of 2005 presented an idea to the County as to how to generate funds for affordable housing. Coral Springs envisioned a county-wide program where a percentage was paid into a fund and that fund could be accessed to purchase land or offset costs for workforce/attainable housing. To this date, she has not seen any action taken. Commissioner Jacobs, Chair of the Select Committee for Attainable Housing, advised that when the Board returns from Spring Break, there will be three items coming before the Board for consideration that relate to attainable housing. One item will deal with a linkage fee. Ms. Madison stated that staff will continue to monitor the legislation in Tallahassee. (Refer to minutes for full discussion.)

63. COUNTY COMMISSION SELECT COMMITTEE REPORTS

A. REPORTS

ACTION: (T-12:14 PM) Various Board members gave brief overviews of what took place at their respective Select Committees. A copy of the agendas and minutes are available at: www.broward.org/commissioncommittees. (Refer to minutes for full discussion.)

- B. MOTION TO REFER to the Commission's International Business Committee, the issue of future proposals for development of boat slips for Broward County and their impact on marine business. (Mayor Graber)

ACTION: (T-12:39 PM) There was no objection from the Board. (Refer to minutes for full discussion.)

64.

COUNTY ADMINISTRATOR'S REPORT

- A. TREES AND HURRICANE IMPACT SUMMIT

ACTION: (T- 2:54 PM) Interim County Administrator Bertha Henry informed the Board that on Monday, April 8, 2006, at Volunteer Park, Plantation, the County will be conducting a Trees and Hurricane Impact Summit. Municipal representatives, building officials and other interested parties will participate in a round table discussion regarding strategies to replace the County's tree canopy after a hurricane event. (Refer to minutes for full discussion.)

- B. FREE INCOME TAX ASSISTANCE

ACTION: (T- 2:54 PM) The County is providing free income tax assistance to anyone interested in the service. For further information call 2-1-1. (Refer to minutes for full discussion.)

- C. HYBRID DIESEL BUSES ADDED TO AIRPORT

ACTION: (T- 2:54 PM) The County has started with the first of five hybrid diesel buses operating at the Fort Lauderdale-Hollywood International Airport. (Refer to minutes for full discussion.)

65.

MAYOR'S REPORT

- A. APPROVED RE-DESIGNATION FOR AN ENTERPRISE ZONE

ACTION: (T-2:53 PM) The Governor's Office of Tourism, Trade and Economic Development has notified the County Commission that the Commission's application for an Enterprise Zone Re-designation has been approved. The re-designation expanded the area in the Fort Lauderdale zone and added Lauderhill and Dania Beach. (Refer to minutes for full discussion.)

B. STATE EXTENDS RABIES ALERT AREA

ACTION: (T-2:53 PM) The state's Broward County Health Department has extended the Rabies Alert Area in Broward from U.S. 1 on the east, to U.S. 27 on the west, and from SW/SE-17th Street on the north, to Sheridan Street on the south. (Refer to minutes for full discussion.)

C. COUNTY RECEIVED REFUND APPROPRIATION

ACTION: (T-2:53 PM) The Mayor informed the County Commission that he received a call from Congressman E. Clay Shaw that the County has received a refund appropriation of \$4.8 million. He asked Interim County Administrator Bertha Henry to follow up on the matter of picking up the check. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

SELECT COMMITTEE ON HURRICANE PREPAREDNESS

66. A. MOTION TO DIRECT staff to work with major retailers such as Publix Corporation to expedite permitting for the installation of generators pursuant to the Florida Building Code and the Broward County Natural Resource Protection Code. (Commissioner Lieberman and Mayor Graber)

ACTION: (T-11:48 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO DIRECT staff to work in partnership with cities to evaluate the feasibility of developing similar procedures for permitting other storm-related renovations and improvements.

ACTION: (T-11:48 AM) Approved. (Refer to minutes for full discussion.)

67. A. MOTION TO DIRECT County Administrator to design signage that would easily identify retail establishments having emergency generator capacity, and to print and provide these signs as an incentive for retail businesses to secure emergency generators. (Commissioner Lieberman and Mayor Graber)

ACTION: (T-11:48 AM) Approved, as amended. Following the development of the design signage and printing, and having identified the costs for the waiving of permit requirements for posting the signs, this item will return to the Hurricane Preparedness Select Committee for further vetting. (Refer to minutes for full discussion.)

- B. MOTION TO DIRECT Department of Urban Planning and Redevelopment to waive permit requirements for posting signs that have been provided by Broward County, and to work with the League of Cities to help promote this program throughout the County.

ACTION: (T-11:48 AM) Approved, as amended. Following the development of the design signage and printing, and having identified the costs for the waiving of permit requirements for posting the signs, this item will return to the Hurricane Preparedness Select Committee for further vetting. (Refer to minutes for full discussion.)

68. A. MOTION TO APPROVE recommendations for a hurricane preparedness educational campaign including a “kick off” event on May 20, 2006. (Commissioner Lieberman and Mayor Graber)

ACTION: (T-12:06 PM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE FUNDING in the amount of \$143,000 for a direct mail tabloid to provide official hurricane preparedness information to every household in Broward County; and to authorize the Purchasing Director to enact emergency procurement provisions that may be necessary to ensure delivery of the tabloid during National Hurricane Preparedness Week (May 21 - 27).

ACTION: (T-12:06 PM) Approved and adopted Resolution 2006-143.

69. MOTION TO APPROVE partnership between the Broward County Public Communications Office and 2-1-1 First Call for Help, Inc., and to direct the County Administrator to execute the Memorandum of Understanding. (Commissioner Lieberman and Mayor Graber)

ACTION: (T-12:08 PM) Approved. (Refer to minutes for full discussion.)

NON AGENDA

70. SEARCH FOR COUNTY ADMINISTRATOR - COMMISSIONER WEXLER

ACTION: (T-12:27 PM) Commissioner Wexler asked for an update regarding the search for the new County Administrator. Commissioner Lieberman advised the Commissioner that a recruitment package, including a new schedule arrived this morning. (Refer to minutes for full discussion.)

71. CONE OF SILENCE AND PROCUREMENT PROCESS – COMMISSIONER WEXLER

ACTION: (T-12:27 PM) Commissioner Wexler asked for clarification regarding the Procurement Select Committee’s responsibility as it relates to the Cone of Silence. As Chair of the Select Committee for Government Procurement Process, Commissioner Wexler stated that she believed the Ethics Committee would be looking into the issue and felt it may not be necessary to have both committees review Cone of Silence issues. Mayor Graber agreed that Cone of Silence should be reviewed by the Ethics Committee. (Refer to minutes for full discussion.)

72. UPDATE – SCHEDULE ATTORNEY-CLIENT MEETING – ONE UNIVERSITY DRIVE LITIGATION – COMMISSIONER WEXLER

ACTION: (T-12:27 PM) Commissioner Wexler asked the County Attorney for an update regarding her request to schedule an Attorney-Client meeting relating to the status of the One University Drive litigation. County Attorney Jeffrey Newton advised that the Commissioner’s request has been forwarded to the Interim County Administrator to be integrated into the Commission’s meeting schedule.(Refer to minutes for full discussion.)

73. ADVERTISING FOR ANNEXATION – COMMISSIONER LIEBERMAN

ACTION: (T-12:29 PM) Commissioner Lieberman wanted to know if the County notifies residents when the date is set for their annexation vote. Interim County Administrator Bertha Henry answered in the affirmative. Commissioner Wexler informed Commissioner Lieberman that her district (District 5) is having a mail-in ballot July 5, 2006. She advised the Commissioner that she will be personally sending a process letter to all the voters in her district. (Refer to minutes for full discussion.)

74. LETTER FROM BROWARD COUNTY PROPERTY APPRAISER – COMMISSIONER LIEBERMAN

ACTION: (T-12:29 PM) Commissioner Lieberman informed the board that she received a copy of a House amendment for Council Committee purposes from Property Appraiser Lori Parrish relating to when her budget goes up for review. Commissioner Lieberman asked if the Mayor or County Administrator could send a permanent request for findings every year. There was no objection. (Refer to minutes for full discussion.)

75. WATER BUS – COMMISSIONER LIEBERMAN

ACTION: (T-12:29 PM) Commissioner Lieberman asked staff when the separation process will occur between Broward County and Water Taxi, Inc. Interim County Administrator Bertha Henry advised that staff will have recommendations for the Board when they return from Spring Break. (Refer to minutes for full discussion.)

76. UPDATE – ONE YEAR ANNIVERSARY – CITY OF WEST PARK – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-12:33 PM) Commissioner Wasserman-Rubin announced that the City of West Park recently celebrated its one-year anniversary. She described the events taking place to commemorate the occasion and new city business. Commissioner Wasserman-Rubin thanked Interim County Administrator Bertha Henry, County Attorney Jeffrey Newton and staff for recently attending a community informational meeting (Refer to minutes for full discussion.)

77. CONGRATULATIONS TO STAFF – MOBILE HOME COMMUNITY IN MARGATE – COMMISSIONER JACOBS

ACTION: (T-12:36 PM) Commissioner Jacobs congratulated the Interim County Administrator; Marlene Wilson, Director, Human Services Department, and staff for being extremely helpful to the Margate residents in assisting the mobile home community affected by Hurricane Wilma. (Refer to minutes for full discussion.)

78. VOTE – COMMISSIONER RODSTROM

ACTION: (T-12:38 PM) Commissioner Rodstrom asked to be shown voting in the affirmative on items 66, 67, 68 and 69 from this day's meeting. (Refer to minutes for full discussion.)

79. FOLLOW UP – ITEM 48 - DOLPHIN ISLES PARK – COMMISSIONER RODSTROM

ACTION: (T-12:38 PM) Commissioner Rodstrom stated that he wanted to preserve the Dolphin Isles Park item and have it return to the Board; there are funds remaining for reallocation. The Mayor advised that an item could be placed on the April 18th agenda for the Board's consideration. (Refer to minutes for full discussion.)

80. PACKAGE FROM COUNTY ADMINISTRATOR RECRUITER – COUNTY AUDITOR

ACTION: (T-2:55 PM) County Auditor Evan Lukic informed the Board that each of the Commissioners should have received a package from the recruiter during this morning's meeting. Included in the package is a ballot for short listing. Mr. Lukic requested that the Board members complete the ballot and return it to his office by April 14th. (Refer to minutes for full discussion.)

81. ADD TO SELECTION COMMITTEE – COMMISSIONER JACOBS

ACTION: (T- 2:56 PM) Commissioner Jacobs requested that she be added to the Selection Committee for RFP #2006-0313-OPT-OPS-1RE, relating to gantry cranes. (Refer to minutes for full discussion.)

82. REQUEST TO INCLUDE GOOD AND WELFARE TO COUNTY ADMINISTRATOR'S MONDAY NIGHT MEMORANDUM – COMMISSIONER LIEBERMAN

ACTION: (T- 2:56 PM) Commissioner Lieberman requested that in the future, staff include the Good and Welfare information to the County Administrator's "Monday Night Memorandum." (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

WEST REGIONAL LIBRARY SELECTION COMMITTEE

RLI No. 041-700-RB

Tuesday, March 28th, in Room A550 at 9:00 AM

