

## **MEETING OF APRIL 18, 2006**

(The meeting convened at 10:00 a.m.; recessed at 1:42 p.m.; reconvened at 2:58 p.m. and adjourned at 4:50 p.m.)

PLEDGE OF ALLEGIANCE was led by Mayor Jim Naugle, City of Fort Lauderdale.

### **CALL TO ORDER**

### **MOMENT OF SILENCE**

In memory of Art St. Amand, the County's Emergency Management Director from 1976 to 1997.

In memory of Robert P. Franklin, a member of the Broward Democratic Executive Committee and various other organizations, including the County's Consumer Protection Board, as the Mayor's appointment.

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

In memory of Betty and Preston Henn's daughter, Bonnie Henn Ryan.

## **CONSENT AGENDA**

### **BOARD APPOINTMENTS**

1. A. MOTION TO APPOINT Ms. Wanda Greene Celestine to the Alcohol and Drug Abuse Advisory Board. (Commissioner Wasserman-Rubin)  
***ACTION: (T-10:13 AM) Approved.***
- B. MOTION TO APPOINT Mr. Dale Redlich to the Alcohol and Drug Abuse Advisory Board. (Commissioner Wasserman-Rubin)  
***ACTION: (T-10:13 AM) Approved.***
- C. MOTION TO APPOINT Beverly B. Kennedy to the Consumer Protection Board. (Mayor Ben Graber)  
***ACTION: (T-10:13 AM) Approved.***



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

## AVIATION DEPARTMENT

2. MOTION TO APPROVE Local Agency Certification Qualification Agreement between Broward County and the Florida Department of Transportation (FDOT), for the purpose of qualifying the County to administer transportation improvement projects under the FDOT Local Agency Program (LAP), at no cost to the County and effective upon execution by FDOT; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved.***

## PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

### ENERGY AND BUILDING AUTOMATION DIVISION

3. A. MOTION TO APPROVE agreement between Broward County and American Standard, Inc., d/b/a South Florida Trane Service/The Trane Co., providing for the installation of energy conservation and facility improvement measures at the locations selected for the Energy Performance Project at Port Everglades in the amount of \$4,436,520; RLI No. 20020410-0-FC-01, with a contract time of ten years, beginning with the Commencement Date and expiring at the end of each Guarantee Year, and automatically renewable each year if agreed upon by both parties; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-249 within the Port Everglades Capital Fund (4710) in the amount of \$4,436,520; to appropriate commercial paper proceeds for the installation of energy conservation and facility improvement measures at the locations selected for the Energy Performance Project at Port Everglades.

***ACTION: (T-10:13 AM) Approved.***

### FACILITIES MAINTENANCE DIVISION

4. MOTION TO APPROVE Work Authorization No. 13 in accordance with the agreement between Broward County and Johnson Controls, Inc., for replacement of the fire alarm panel and bringing the balance of the fire alarm system up to current ADA code compliance at the Broward County Judicial Complex, for a total cost not to exceed \$523,631.66, and a contract time of 365 calendar days; and authorize the Mayor and Clerk to execute same. (Project No. 1345) **(Commission District 7)**

***ACTION: (T-10:13 AM) Approved.***

## **HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION**

5. **MOTION TO APPROVE** Local Agency Certification Qualification Agreement between Broward County and the Florida Department of Transportation for the purpose of qualifying the County to administer transportation improvement projects under the Local Agency Program at no cost to the County, and effective upon execution by the Florida Department of Transportation; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved.***

6. **MOTION TO ADOPT** Resolution 2006-250 accepting a road easement, at a nominal cost of \$1 to the County, executed by 7951 Commercial Boulevard, L.L.C., a Florida limited liability company, for right-of-way for Commercial Boulevard, north side, located approximately 322 feet west of NW 79<sup>th</sup> Avenue in the City of Tamarac. **(Commission District 3)**

***ACTION: (T-10:13 AM) Approved.***

7. **MOTION TO ADOPT** Resolution 2006-251 accepting a road easement, at a nominal cost of \$1 to the County, executed by Barry Covin and Deliah Covin, for right-of-way for NW 2<sup>nd</sup> Street at the southwest corner of the intersection with NW 28<sup>th</sup> Avenue in unincorporated Broward County. **(Commission District 7)**

***ACTION: (T-10:13 AM) Approved.***

8. **MOTION TO APPROVE** Settlement Agreement between Broward County and State Contracting & Engineering Corporation for claims relating to delays experienced during the construction of Broward Boulevard from SW 7 Avenue to State Road 7, in the amount of \$148,135.80, effective upon execution by the Board; and authorize the Mayor and Clerk to execute same. (Project No. 5157) **(Commission Districts 7, 9)**

***ACTION: (T-3:25 PM/3:27 PM) Deferred to Tuesday, April 25, 2006. (Refer to minutes for full discussion.)***

9. A. **MOTION TO ADOPT** unanticipated revenue Resolution 2006-252 within Fund 3440 for the Highway Construction and Engineering Division in the amount of \$3,500,000; providing for financial assistance from the Florida Department of Transportation for improvements to Bailey Road in Broward County. **(Commission District 1)**

***ACTION: (T-10:13 AM) Approved.***

- B. MOTION TO APPROVE County Incentive Grant Program Agreement between Broward County and the Florida Department of Transportation, providing for financial assistance for improvements to Bailey Road from NW 64<sup>th</sup> Avenue/SW 81<sup>st</sup> Avenue to State Road 7, in the maximum not-to-exceed amount of \$3,500,000 to the County, effective upon execution by FDOT; and authorize the Mayor and Clerk to execute same. (County Project No. 5300 )  
**(Commission District 1)**

***ACTION: (T-10:13 AM) Approved.***

### **REAL PROPERTY SECTION**

10. MOTION TO ADOPT Resolution 2006-253 of the Board of County Commissioners of Broward County, Florida, declaring the acquisition of certain land adjacent to Franklin Park Drive, unincorporated Broward County, to be a public necessity; and authorizing the County Administrator and the County Attorney to acquire the subject property. **(Commission District 7)**

***ACTION: (T-10:13 AM) Approved.***

11. MOTION TO APPROVE Contract for Sale and Purchase for acquisition of road right-of-way, executed by Fletcher L. Sessoms, Manager, Sessoms Office Park, L.C., in the amount of \$475,000: Davie Road Extension, Project 5141, Drainage Retention Parcel; as authorized by Highway Construction and Engineering Division using 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 7)**

***ACTION: (T-10:13 AM) Approved.***

12. MOTION TO ADOPT Resolution 2006-254 authorizing the conveyance of Broward County's interest, if any, in certain real property to the City of Coral Springs pursuant to Florida Statutes Section 125.38. This property was intended to be a portion of NW 68<sup>th</sup> Avenue when the plat was recorded on February 7, 1911; however, the affected portion of NW 68<sup>th</sup> Avenue has never been improved. **(Commission District 1)**

***ACTION: (T-10:13 AM) Approved.***

13. MOTION TO APPROVE Business Lease Agreement between Broward County, Tenant, and DIASOG Corporation, Landlord, for 2,278 square feet of office space for Substance Abuse and Health Care Services; premises located at 4200 NW 16<sup>th</sup> Street, Suite 602, Lauderhill, for a period of five years with two, three-year options; commencing 15 days after lease is fully executed. The full service rent is \$16 per square foot for the first year, increasing 2.5 % annually thereafter; total five year aggregate rent is \$191,582.66, averaging \$16.82 per square foot per year; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

***ACTION: (T-10:13 AM) Approved.***

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **COUNTY RECORDS DIVISION**

14. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meetings of February 21, 2006 and February 28, 2006; and the minutes of the 2:00 P.M. Public Hearing of February 28, 2006.

***ACTION: (T-10:13 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-10:13 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-L, established by the Division of Library and Information Services of the State of Florida for local government agencies.

***ACTION: (T-10:13 AM) Approved.***

## **PURCHASING DIVISION**

For Aviation Department

15. **MOTION TO AWARD** fixed contract to low bidder, N. Sinha Corporation, for Aircraft Rescue Fire Fighting (ARFF) Midfield Station No. 10 Water Intrusion Repairs, Bid No. H-Y-05-356-CF, in the base bid amount of \$597,298.58, for the Aviation Department subject to receipt and acceptance of insurance and performance/payment guaranty; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved.***

For Finance and Administrative Services Department

16. **MOTION TO ESTABLISH** Qualified Vendors List for Housing Rehabilitation and Construction, Solicitation No. T-Z-05-364-B-2, in accordance with Broward County Purchasing Division's Internal Control Handbook Chapter 17 with: Crawford Paving and Demolition, East Coast Contractors, Inc., Flooker Home Improvement, Inc., James Joyce Construction Corp., and Murphy Construction Services, Inc. (all certified small business enterprises (SBE) for the Community Development Division; authorize the Purchasing Director to renew the List for two, one-year periods; re-advertise the solicitation every three months in order to add vendors to the list as may be determined to be in the best interest of the County, delete vendors as may be appropriate, and add the vendors who have made submittals with incomplete documents when their documentation is completed. The initial list will start on the date of establishment and terminate two years later.

***ACTION: (T-10:13 AM) Withdrawn for further staff review.***

For Public Works and Transportation Department

17. **MOTION TO NOTE FOR THE RECORD** emergency services to supply and install traffic signs, Quote No. N-Z-05-381-B1, from Florida Safety Equipment Co. Inc. for Items 2, 3 and 7 in the amount of \$487,000; and Transmark Inc. for Items 1, 4, 5 and 6 in the amount of \$466,400; for a total amount of \$953,400 for the Traffic Engineering Division.

***ACTION: (T-10:13 AM) Approved.***

18. **MOTION TO APPROVE** release of retainage and final payment in the amount of \$57,010.46, to James B. Pirtle Construction Co. for Northwest Branch Library, Project No. 80039-99-01. **(Commission District 2)**

***ACTION: (T-10:13 AM) Approved.***

19. MOTION TO AWARD open-end contract to low responsive, responsible bidder, Green Haven, Inc. dba Terra Bella Landscaping (Terra Bella) (Certified Small Business Enterprise), for maintenance of highway medians and roadside shoulders, Bid No. H-7-05-252-B1, in the estimated annual amount of \$136,819.80, for the Highway and Bridge Maintenance Division; and authorize the Purchasing Director to renew the contract for two, one-year periods for a total potential contract amount of \$410,459.40. The initial contract period shall start on date of award and shall terminate one year from that date.

***ACTION: (T-10:13 AM) Approved.***

20. MOTION TO AWARD open-end contract to low bidder, American Water Services Underground Infrastructure, Inc., for cured-in-place piping – sewer system rehabilitation, Bid No. N605200B1, in the estimated annual amount of \$861,296.50, including a pass-thru amount of \$30,000.00, for related rehabilitation repair services; and authorize the Purchasing Director to renew the contract for two, one-year periods for a total potential contract of \$2,583,889.50, for Water and Wastewater Services. The initial contract period shall begin upon receipt and acceptance of insurance/performance and payment guaranty and shall terminate one year from that date.

***ACTION: (T-10:13 AM) Approved.***

21. MOTION TO APPROVE release of retainage and final payment in the amount of \$1,191.50, to Dvirka & Bartilucci Consulting Engineers for independent engineering services for the Resource Recovery Project, RLI No. 020199-RB. **(Commission Districts 2 and 7)**

***ACTION: (T-10:13 AM) Approved.***

#### **REVENUE COLLECTION DIVISION**

22. MOTION TO ADOPT two Resolutions 2006-255 and 2006-256 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Tax and License No. 2090002760916 and Payroll No. 2079940003798.

***ACTION: (T-10:13 AM) Approved.***

23. MOTION TO DIRECT County Attorney to draft an Ordinance amending portions of Section 31½-16 (10) and (15), Tourist Development Tax Collection Frequencies, to provide consistency with Florida Statutes, Section 212.11, Tax Returns and Regulations.

***ACTION: (T-10:13 AM) Approved.***

## **RISK MANAGEMENT DIVISION**

24. MOTION TO APPROVE full and final settlement of claim 0330050022 in the amount of \$35,000.

***ACTION: (T-10:13 AM) Approved.***

25. MOTION TO APPROVE full and final settlement of claim WC1165NT in the amount of \$80,000.

***ACTION: (T-10:13 AM) Approved.***

## **HUMAN SERVICES DEPARTMENT**

### **ELDERLY AND VETERANS SERVICES DIVISION**

26. A. MOTION TO APPROVE first amendment to Agreement No. JH248 between the State of Florida Department of Children and Families (DCF) and Broward County, for the purpose of increasing Behavioral Health funding by \$39,000 over a three year period, from July 1, 2005 to June 30, 2008 to support an increase in case management related services. This action will support an expansion of Behavioral Health Program services; increasing the State of Florida dollars from \$4,937,127 to \$4,976,127; and authorize the Mayor to execute same.

***ACTION: (T-10:13 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-257 within the State of Florida, Department of Children and Families Grant Fund (9836), for the Elderly and Veterans Services Division in the amount of \$13,000 to increase funding in case management related services in the Behavioral Health Program.

***ACTION: (T-10:13 AM) Approved.***

## **SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION**

27. A. MOTION TO ACCEPT grant award for Community Initiative No. U79 SP13378-1 between Broward County and the U. S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration for funding in the amount of \$254,230; from the date of acceptance through September 29, 2006 for the first year of a five year project for the purpose of developing systems of care that deliver effective substance abuse, HIV and hepatitis prevention services to minority populations and minority re-entry populations in communities of color for persons living in Broward County; and authorize the Mayor, Clerk and the County Administrator to take the necessary administrative actions to execute the grant. This is a federal grant and no County funds are required.

***ACTION: (T-10:13 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-258 within the Substance Abuse and Health Care Services Division's Myers Act Fund in the amount of \$254,320; for the purpose of providing substance abuse, HIV and hepatitis prevention services to minority populations and minority re-entry populations.


***ACTION: (T-10:13 AM) Approved.***

- C. MOTION TO ADOPT Resolution 2006-259 of the Board of County Commissioners of Broward County, Florida; approving allocation of U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration grant funding to community based organizations and governmental agencies, for developing systems of care for effective substance abuse, HIV/AIDS, and hepatitis prevention services in the amount of \$254,320; approving the contract shell form; authorizing the County Administrator to execute the appropriate agreements and the necessary administrative and budgetary actions; providing for severability; and providing for an effective date.

***ACTION: (T-10:13 AM) Approved.***

## COMMUNITY SERVICES DEPARTMENT

### LIBRARIES DIVISION

-  28. A. MOTION TO APPROVE Grant Agreement between the Bill and Melinda Gates Foundation and Broward County (Libraries Division) for a Public Access Computer Hardware Upgrade Grant (PACHUG) No. 41228 program in the amount of \$172,500 for the purpose of providing sustainable public access computer and software replacements upgrading, from March 31, 2006 through December 31, 2007; and authorize the Mayor and Clerk to execute same. **(Commission Districts 2, 4, 6, 7, 8, and 9)**

***ACTION: (T-10:13 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-260 within the grant fund for Libraries Division in the amount of \$172,500 to provide sustainable public access computer and software to designated libraries that were previous grantees of the Gates Foundation.

***ACTION: (T-10:13 AM) Approved.***

## ENVIRONMENTAL PROTECTION DEPARTMENT

### AIR QUALITY DIVISION

29. A. MOTION TO ACCEPT U.S. Environmental Protection Agency (U.S. EPA) Cooperative Agreement PM-96436605-0, representing the first installment of the Fiscal Year 2006 Section 103 grant award, for continuing the on-going collection of data on ambient air concentrations of fine particulate matter, in the amount of \$88,560; and authorize the County Administrator to take the necessary administrative and budgetary actions to execute same. The project and budget period is from October 1, 2005 to September 30, 2006.

***ACTION: (T-10:13 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-261 within the Air Pollution Control Fund (8300) in the amount of \$88,560 for the purpose of recognizing Section 103 grant funds received from U.S. EPA.

***ACTION: (T-10:13 AM) Approved.***

## **BIOLOGICAL RESOURCES DIVISION**

30. MOTION TO ACKNOWLEDGE use of the Everglades Mitigation Bank by Florida Power & Light Company as a site for compensatory mitigation for wetland impacts for an access road for the Silverlakes Substation in the City of Miramar. **(Commission District 8)**

***ACTION: (T-10:13 AM) Approved.***

31. MOTION TO ACKNOWLEDGE use of the Everglades Mitigation Bank by the City of Pembroke Pines, the Pine Lake Water Management Association, Inc., and SunTrust Bank as Trustee of the Pembroke Pines Lands Trust, as the site for a portion of compensatory mitigation for a project known as Pembroke Pines City Center, a mixed use development with wetland impacts occurring in the City of Pembroke Pines. **(Commission District 5)**

***ACTION: (T-10:13 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Second line reads District 5, should read: District 6.)***

## **POLLUTION PREVENTION AND REMEDIATION DIVISION**

32. MOTION TO APPROVE Amendment Number 2 of Agreement No. G0023 between Broward County Board of County Commissioners and the Florida Department of Environmental Protection for wellfield studies, extending the completion date from December 31, 2006 to December 31, 2007, adding revised standard State contract language for special audit requirements, at no additional cost to the County; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved.***

## **PORT EVERGLADES DEPARTMENT**

33. MOTION TO ADOPT Resolution 2006-262 providing for a waiver of dockage charges for participating military ships during Fleet Week 2006 (May 1-7,2006) in an amount not to exceed \$85,000; providing for severability; and providing for an effective date.

***ACTION: (T-10:13 AM) Approved.***


34. MOTION TO APPROVE lease agreement between Broward County and Hamburg Sud North America, Inc., for Suite No. 5 in Building 611 (Amman Building) at Port Everglades, consisting of 520 square feet of office space, for a period of one-year, effective upon Board approval, with rent in the amount of \$9,100 over the lease term; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved.***


35. MOTION TO APPROVE first amendment to the agreement between Broward County and Kenneth C. Jenne, II, Sheriff of Broward County, for seaport security and law enforcement services at Port Everglades, increasing funds for cruise related traffic control from \$98,124 to \$300,000; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved.***


### **OFFICE OF MANAGEMENT AND BUDGET**

-  36. MOTION TO ADOPT unanticipated revenue Resolution 2006-263 within the General Fund for the Broward Sheriff's Office in the amount of \$262,511 for the purpose of increasing the contract for Police Services for the City of Lauderdale Lakes.

***ACTION: (T-10:13 AM) Approved.***

-  37. MOTION TO ADOPT unanticipated revenue Resolution 2006-264 within the General Fund for the Broward Sheriff's Office in the amount of \$234,772 for the purpose of increasing the contract for Police Services for the City of Weston.

***ACTION: (T-10:13 AM) Approved.***

-  38. MOTION TO ADOPT unanticipated revenue Resolution 2006-265 within the General Fund for the Broward Sheriff's Office in the amount of \$100,000 for the purpose of increasing the contract for Police Services for the City of South West Ranches.

***ACTION: (T-10:13 AM) Approved.***

39. MOTION TO APPROVE an interagency agreement between Broward County and the State of Florida Department of Juvenile Justice, regarding confidentiality of information pertaining to juveniles in pre-disposition detention.

***ACTION: (T-10:13 AM) Approved.***

40. A. MOTION TO APPROVE 2006 Amendment to the Interlocal Agreement between Broward County and its municipalities, providing for revised division and distribution of the proceeds of the six cent original local option gas tax; authorize the Mayor and Clerk to execute same after execution by the municipalities and approval of the County Attorney's Office.

***ACTION: (T-10:13 AM) Approved.***

- B. MOTION TO APPROVE 2006 Amendment to the Interlocal Agreement between Broward County and its municipalities, providing for revised division and distribution of the proceeds from the 1994 three cent additional local option gas tax on motor fuel; authorize the Mayor and Clerk to execute same after execution by the municipalities and approval of the County Attorney's Office.

***ACTION: (T-10:13 AM) Approved.***

- C. MOTION TO APPROVE 2006 Amendment to the Interlocal Agreement between Broward County and the municipalities, providing for revised division and distribution of the proceeds of the one cent "Transit" gas tax; authorize the Mayor and Clerk to execute same after execution by the municipalities and approval of the County Attorney's Office.

***ACTION: (T-10:13 AM) Approved.***

- D. MOTION TO DIRECT County Attorney to prepare an amendment to the Additional Local Option Gas Tax Ordinance, to reallocate gas taxes from the County to the cities to reflect the incremental shift of population due to annexation.

***ACTION: (T-10:13 AM) Approved.***

#### **OFFICE OF ECONOMIC DEVELOPMENT**

41. MOTION TO ACCEPT management letters related to the 2005 financial audit of The Broward Alliance from the audit firm, McGladrey & Pullen. The letters were not included in the 2005 audit report which was submitted to the County through the Office of Economic Development for Board acceptance on December 13, 2005.

***ACTION: (T-10:13 AM) Approved.***

#### **COUNTY ATTORNEY**

42. MOTION TO APPROVE second amendment to the agreement between Ira Scot Silverstein, P.A. and Broward County for legal services.

***ACTION: (T-10:13 AM) Approved.***

## **COUNTY ADMINISTRATION**

43. **MOTION TO FILE** quarterly reports for foreclosures, satisfactions of mortgages, releases of restrictive covenants and subordination agreements for the Community Development Block Grant, HOME Investment Partnerships Program and the State Housing Initiatives Partnership Program.

***ACTION: (T-10:13 AM) Approved.***

## **COUNTY COMMISSION**

44. **MOTION TO FILE** following resolutions/communication from the City of Pembroke Pines: (Mayor Graber)
- Resolution No. 3079 urging the members of the Florida Legislature to support amending Senate Bill 1608 and House Bill 949, to provide for an exemption for Broward County.
  - Resolution No. 3080 urging the members of the Florida Legislature to support certain legislation which enhances a municipality's ability to control their self-government as part of a comprehensive legislative reform package.
  - Resolution No. 3082 opposing House Bill 1199 which seeks to eliminate local franchising of cable services; urging the Governor and the Florida Legislature to oppose this bill and others having the same effect; and supporting existing law under which local governments are franchising authorities for the provision of cable services.
  - Resolution No. 3075a, expressing the City's support for the Town of Southwest Ranches' request to Broward County for reimbursement of \$3.2 million expended by the town to acquire property known as Calusa Corners;
  - Resolution No. 3076 expressing the City's non-objection to the Town's planned development of a Town Hall at the corner of Griffin Road and SW 160<sup>th</sup> Avenue.
  - Letter from Mayor advising that the City at its March 1, 2006 meeting unanimously endorsed "A Way Home," Broward County's Ten Year Plan to End Homelessness.

***ACTION: (T-10:13 AM) Approved.***

## REQUEST TO SET FOR PUBLIC HEARING

45. MOTION TO ADOPT Resolution 2006-266 directing County Administrator to publish Notice of Public Hearing to be held Tuesday, May 23, 2006 at 10:00 A.M. in Room 422 of the Governmental Center, to vacate and abandon a portion of a 15-foot wide Utility Easement, lying in Parcels F and H of the Harbour Lake Estates Plat; located south of Pembroke Road between SW 196<sup>th</sup> Avenue and SW 208<sup>th</sup> Avenue, in the City of Miramar, Broward County, Florida; and at no cost to the County. Petitioner: Harbour Lake Estates Community Development District (Carnahan-Proctor-Cross, Inc. - Agent) (2006-V-01) **(Commission District 8)**

***ACTION: (T-10:13 AM) Approved.***

46. MOTION TO ADOPT Resolution 2006-267 directing the County Administrator to publish notice of Public Hearing to be held on Tuesday, June 13, 2006, at 2:00 P.M. in Room 422 of the Governmental Center, to consider the adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AMENDING SECTIONS 24.49, 24.50, AND DELETING SECTIONS 24.51, 24.52, 24.53, 24.54, 24.55 OF THE BROWARD COUNTY ADMINISTRATIVE CODE IN ORDER TO CONFORM THE PROVISIONS RELATING TO RECOVERY, TOWING, REMOVING, STORING OR IMMOBILIZATION OF VEHICLES TO THE REQUIREMENTS OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

***ACTION: (T-10:13 AM) Approved.***

47. A. MOTION TO ADOPT Resolution 2006-268 directing the County Administrator to publish notice of a Public Hearing to be held on Tuesday, September 12, 2006, at 5:01 P.M. at the Broward County Governmental Center, Room 422, to adopt tentative budget and millage rates, and final special assessments and fees for Fiscal Year 2007.

***ACTION: (T-10:13 AM) Approved.***


- B. MOTION TO ADOPT Resolution 2006-269 directing the County Administrator to publish notice of a Public Hearing to be held on Tuesday, September 26, 2006, at 5:01 p.m. at the Broward County Governmental Center, Room 422, to adopt final budgets and millage rates for Fiscal Year 2007 and to adopt the Fiscal Year 2007-2011 capital program.

***ACTION: (T-10:13 AM) Approved.***

48. MOTION TO ADOPT Resolution 2006-270 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 9, 2006, at 10:00 A.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, AUTHORIZING THE COUNTY ADMINISTRATOR AND THE CFO AND DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO ENDORSE INSURANCE SETTLEMENT CHECKS MADE PAYABLE TO BORROWERS OF BROWARD COUNTY LOAN PROGRAMS AND VARIOUS LENDERS, ONE OF WHOM IS BROWARD COUNTY; ADOPTING A POLICY WHICH SETS FORTH THE CIRCUMSTANCES UNDER WHICH SUCH ENDORSEMENT SHALL BE AUTHORIZED; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (T-10:13 AM) Approved.***

-  49. MOTION TO ADOPT Resolution 2006-271 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 9, 2006, at 10:00 A.M., in Room 422 of the Governmental Center to consider adoption of a Resolution approving Broward County's Annual Action Plan for Fiscal Year 2007, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, DIRECTING THE COUNTY ADMINISTRATOR TO PUBLISH NOTICE OF A PUBLIC HEARING ON MAY 9, 2006 AT 10:00 A.M. IN ROOM 420 OF THE GOVERNMENTAL CENTER TO CONSIDER ADDITIONAL PUBLIC INPUT REGARDING BROWARD COUNTY'S CONSOLIDATED STRATEGIC PLAN FOR FY 2005-2010 AND ANNUAL ACTION PLAN FOR FY 2007 COVERING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") 32<sup>ND</sup> YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, THE EMERGENCY SHELTER GRANTS PROGRAM, AND THE HOME INVESTMENT

PARTNERSHIPS PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (T-10:13 AM) Approved.***

50. MOTION TO ADOPT Resolution 2006-272 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 9, 2006, at 10:00 A.M. in Room 422 of the Governmental Center, to consider enactment of a proposed Ordinance, the title of which is as follows:


AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 2, "AIRPORTS AND AIRCRAFT," OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AND NORTH PERRY AIRPORTS; AMENDING ARTICLE III, FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, DIVISION I, "GENERAL PROVISIONS," TO ADD ADDITIONAL SECURITY REQUIREMENTS; AMENDING ARTICLE IV, "CONSOLIDATED RENTAL CAR FACILITY AT THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT," TO PROVIDE FOR POLICIES AND PROCEDURES FOR OPERATIONS AND ACTIVITIES WITHIN THE CONSOLIDATED RENTAL CAR FACILITY; AMENDING ARTICLE VI, "AIRPORT TRAFFIC AND PARKING AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT," TO REQUIRE OPERATORS OF VEHICLES TO YIELD TO PEDESTRIANS IN THE CROSSWALKS; AMENDING CHAPTER 8½, BROWARD COUNTY CODE OF ORDINANCES, "CODE ENFORCEMENT," SECTION 8½-16, SCHEDULE OF CIVIL PENALTIES, TO ADD PENALTIES FOR VIOLATION OF THE FOREGOING MODIFICATIONS, INCLUDING A PENALTY FOR VIOLATION OF AERONAUTICAL USE RESTRICTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:13 AM) Approved.***

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**TRANSPORTATION PLANNING DIVISION**

- 51.  MOTION TO APPROVE second amendment to agreement between Broward County and Tetra-Tech Inc. for consultant services for Greenways Corridors design and permitting, RLI No. 111301 RB, increasing the contract amount by \$206,540; from \$ 2,665.000 to \$2,871,540; recognizing Tetra Tech, Inc. as successor by merger to Williams, Hatfield & Stoner, Inc; and authorizing the Mayor and Clerk to execute same. **(Commission Districts 2, 4,6 and 7)** (Deferred from February 21, 2006 – Item No. 30)

***ACTION: (T-10:13 AM) Approved.***

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**QUASI-JUDICIAL CONSENT HEARING**

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**DEVELOPMENT MANAGEMENT DIVISION**

- 52. DISCUSSION: of plat entitled “Cayden’s Corner” - **Commission District 4,** (048-MP-05).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

- 53. DISCUSSION: of plat entitled “Marquis” - **Commission District 4,** (073-MP-05).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

- 54. DISCUSSION: of plat entitled “Captiva Club” - **Commission District 4,** (079-MP-05).

***ACTION: (T-2:59 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. The Board directed the County Attorney to research placing a moratorium for the conversion of mobile home parks to developments, and report back to the Board. (Refer to minutes for full discussion.)***

55. DISCUSSION: of plat entitled "Hillsborough East Plat" - **Commission District 4,** (112-MP-05).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

56. DISCUSSION: of plat entitled "Flamingo Village" - **Commission District 5,** (012-MP-05).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

57. DISCUSSION: of plat entitled "Stirling 132" - **Commission District 5,** (029-MP-05).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

58. DISCUSSION: of plat entitled "Darlington Park" - **Commission District 5,** (033-MP-04).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

59. DISCUSSION: of plat entitled "Siena" - **Commission District 6,** (091-MP-05).

***ACTION: (T-2:59 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)***

60. DISCUSSION: of plat entitled "Aqua Isles Plat" - **Commission District 7,** (036-MP-05).

***ACTION: (T-10:17 AM) Deferred to May 9, 2006 to confirm whether a compatibility determination will be required. (Refer to minutes for full discussion.)***

61. DISCUSSION: of plat entitled "Dixie Townhome Villas" - **Commission District 9,** (018-MP-05).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

62. DISCUSSION: of plat entitled "Bronwyn Batiste Plat" - **Commission District 9,** (058-MP-04).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

63. DISCUSSION: of New Findings of Adequacy for plat entitled "A. R. I. Plat" - **Commission District 5**, (052-MP-96).

***ACTION: (T-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

***(Scrivener's error - See County Administrator's memorandum: Second line reads District 5, should read: District 2.)***

64. DELEGATION: Susan P. Motley, regarding request to amend the note on the Star of David Broward Memorial Gardens II Plat - **Commission District 1**, (049-MP-98).

***ACTION: (T-10:13 AM) Deferred to November 28, 2006, or sooner, under Section 5-181(j) to study consistency with the Land Use Plan.***

65. DELEGATION: Susan P. Motley, regarding request to amend the non-vehicular access line on the Star of David Broward Memorial Gardens II Plat - **Commission District 1**, (049-MP-98). (Deferred from February 21, 2006).

***ACTION: (T-10:13 AM) Deferred to October 3, 2006, or sooner, under Section 5-181(j) to study consistency with the plat note.***

66. DELEGATION: Cynthia Bertschinger, regarding request to amend the note on the Spear Plat - **Commission District 2**, (037-MP-99). (Deferred from February 21, 2006).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

67. DELEGATION: Lorri Hall, regarding request to amend the note on the Glasel-Waler Industrial Park Plat - **Commission District 2**, (171-MP-86).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

68. DELEGATION: Chad Zinda, regarding request to amend the note on the Highland Centre Plat - **Commission District 2**, (014-UP-85).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

69. DELEGATION: Cary D. Winningham, regarding request to amend the note on the Oakland-Sawgrass Expressway Plat - **Commission District 5**, (106-MP-86).

***ACTION: (T-10:13 AM) Deferred to November 28, 2006, or sooner, under Section 5-181(j) to study consistency with the Land Use Plan.***

70. DELEGATION: Cary D. Winningham regarding request to amend the note on the Greaton Plat No. 2 Plat - **Commission District 5**, (053-MP-94).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

71. DELEGATION: Cary D. Winningham, regarding request to amend the non-vehicular access line on the Greaton Plat No. 2 – **Commission District 5**, (053-MP-94). (Deferred from January 24, 2006).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

72. DELEGATION: Susan P. Motley, regarding request to place a note on the Sunrise Industrial Park Phase I Plat – **Commission District 5**, (035-MP-81).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

73. DELEGATION: Hoyt Holden, regarding request to amend the note on the Pembroke Lakes South Plat - **Commission District 6**, (146-MP-81).

***ACTION: (T-10:18 AM) Deferred to May 9, 2006, to confirm whether a compatibility determination will be required. (Refer to minutes for full discussion.)***

74. DELEGATION: Edmond Maurice, Director, Broward County Construction Management Division, regarding MOTION TO ADOPT a Resolution of the Board of County Commissioners of Broward County, Florida, amending the note on the Ravenswood FLL Airport Redevelopment (Plat 2); providing for recording; providing for severability; and providing for an effective date - **Commission District 7**, (011-UP-93).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

75. DELEGATION: Stephen V. Hoffman, regarding request to amend the note on the Diamond 5 Plat - **Commission District 7**, (091-MP-94).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

76. DELEGATION: Donna C. West, regarding request to amend the note on the Alexander Hamilton National Bank Plat No. 1 - **Commission District 9**, (016-MP-80).

***ACTION: (T-10:13 AM) Deferred to November 28, 2006, under Section 5-181(j) to study consistency with the Land Use Plan.***

77. DELEGATION: Donna West, regarding request to amend the non-vehicular access line Alexander Hamilton National Bank Plat No.1 - **Commission District 9**, (016-MP-80).

***ACTION: (T-10:13 AM) Deferred to November 28, 2006, or sooner, under Section 5-181(j) to study consistency with the plat note.***

78. DELEGATION: Chris Barton, regarding request to amend the note on the Manors Plat - **Commission District 9**, (008-MP-03).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

79. DELEGATION: Chris Barton, regarding request to amend the non-vehicular access line on the Manors Plat - **Commission District 9**, (008-MP-03).

***ACTION: (T-10:13 AM) Approved subject to staff's recommendations.***

80. DELEGATION: Karen Chaperon regarding request to revise conditions of approval for a New Findings of Adequacy for the Meeks Farms Plat - **Commission District 7**, (047-MP-93).

***ACTION: (T-10:13 AM) Withdrawn.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

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**SAFE PARKS AND LAND PRESERVATION BOND PROGRAM**

- 81. A. MOTION TO DIRECT staff to take the necessary actions to place a single family lot at 2401 NE 27 Terrace (Folio Number No. 494225032100) into the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 4)** (Commissioner Scott)


***ACTION: (T-10:13 AM) Approved. (Refer to minutes for full discussion.) (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE reallocation of \$1,000,000 of bond funds to this site that were previously allocated to an unsuccessful Open Space site in Commission District 4, thereby supporting district equity. **(Commission District 4)**

***ACTION: (T-10:13 AM) Approved. (Refer to minutes for full discussion.) (Transferred to the Consent Agenda.)***

**FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

**COUNTY RECORDS DIVISION**

-  82. MOTION TO APPROVE Agreement between Broward County and Aptitude Solutions, Inc. for the purchase and installation of redaction software and maintenance services for company software (RLI 20050121-0-CR-01) for the County Records Division, in the amount of \$170,000 for redaction software and perpetual license, to include the first 15 months of maintenance. After which and at the County's option, it may continue maintenance services annually in the amount of \$14,815 for up to five years, to be renewed annually on the anniversary date.

***ACTION: (T-10:13 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Page 2, Selection Committee Members should read: Commissioner Lieberman; Sue Baldwin, Chair, Director, County Records; Nicole Fontayne, CIO, Office of Information Technology; Judy Sarver, Director, Office of Public Communications.) (Transferred to the Consent Agenda.)***

## **HUMAN RESOURCES DIVISION**

83. MOTION TO APPROVE three year Collective Bargaining Agreement between Broward County and the Government Supervisors' Association (GSA), representing the County's Professional employees, for Fiscal Years 2005/2006, 2006/2007, and 2007/2008; and authorize the Mayor to execute same.

***ACTION: (T-10:13 AM) Approved. (Transferred to the Consent Agenda.)***

84. MOTION TO APPROVE three year Collective Bargaining Agreement between Broward County and the Government Supervisors' Association (GSA), representing the County's Supervisory employees, for Fiscal Years 2005/2006, 2006/2007, and 2007/2008; and to authorize the Mayor to execute same.

***ACTION: (T-10:13 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: For FY 2005/2006, dates should reflect October 2005, not 2006; For FY 2006/2007, dates should reflect October 2006, not 2007; For FY 2007/2008, dates should reflect October 2007, not 2008.) (Transferred to the Consent Agenda.)***

## **PURCHASING DIVISION**

For Aviation Department

85. MOTION TO APPOINT Evaluation Committee (EC) for a Design-Build Step 1 Request for Letters of Interest/Qualifications for replacement of sliding doors and vestibule tile replacement at Terminals 2, 3 and 4 at Fort Lauderdale/Hollywood International Airport (Design-Build No. T-1-06-003-C-F), and approve the attached Step 1 Request for Letters of Interest/Qualifications for the Aviation Department.

***ACTION: (T-3:25 PM) Approved the following to serve on the Evaluation Committee: Director, Aviation Planning and Development Division (Chair); Director, Aviation Facilities Maintenance Division, and Director, Cultural Affairs Division. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency.***

For Finance and Administrative Services Department

86. MOTION TO APPROVE new language governing “Responsiveness Criteria” for financial information and Litigation/Default/Termination/Debarments on RLI submittals.

***ACTION: (T-3:44 PM) Approved, as amended, per the County Attorney’s and County Auditor’s recommendations. The County Attorney’s recommendation of alternative language allows the Selection Committees to consider any failure to submit this information in the evaluation process. (See County Attorney’s memorandum dated April 17, 2006). The County Auditor recommends that the evaluation criteria for RLI submittals include a requirement for each responding firm to identify specific exceptions, if any, the firm has with the County’s standard agreement terms and conditions; the County Attorney will further develop the language. (See County Auditor’s memorandum dated April 27, 2006.) Further, the Board directed staff to remove “Broward Alliance, Inc.” from participating in the inspection and examination of financial information from the various vendors. (Under Section 1, Financial Information: “. . . available in Broward County, Florida, for inspection and examination by County staff, ~~or, at the option of Broward County, by representatives of the Broward Alliance, Inc.~~” (Refer to minutes for full discussion.)***

***(Scrivener's error - See County Administrator's memorandum: Page 2, Paragraph 1, Line 4, should read: “. . . any portion of its financial statements is . . .”)***

## **HUMAN SERVICES DEPARTMENT**

### **MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION**

87. MOTION TO ACCEPT nomination of Dr. Wayne Lee for reappointment in the category of Physician: Emergency Medicine; reappointment of Walter Dix in the category of Police and Fire: County Fire; and reappointment of George Minnich in the category of Police and Fire: Municipal Fire to the Broward Regional Emergency Medical Services (EMS) Council.


***ACTION: (T-10:13 AM) Approved. (Transferred to the Consent Agenda.)***

## OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

88. DISCUSSION: Legislative Issues – 2006 Legislative Session.

***ACTION: (T-10:13 AM) Approved. (Transferred to the Consent Agenda.)***

## COUNTY ADMINISTRATION

-  89. A. MOTION TO WAIVE Human Services Department Request for Proposals (RFP) process to allow Sailboat Bend Limited Partnership to be added as an additional party to the Funding Agreement between Sailboat Bend Limited Partnership, Artspace of Fort Lauderdale, LLC, Artspace Projects, Incorporated, and Broward County in the amount of \$1,051,566, although it was not originally included in the Artspace Fort Lauderdale, LLC and Artspace Project, Incorporated, Response to County's "Request for Proposals for Housing Funds Fiscal Year 2005/2006."

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.) (Refer to minutes for full discussion.)***

- B. MOTION TO APPROVE subject to receipt of insurance certificates approved by Broward County Risk Management, Funding Agreement between Sailboat Bend Limited Partnership, Artspace of Fort Lauderdale, LLC, Artspace Projects, Incorporated, and Broward County in the amount of \$1,051,566 in HOME Investment Partnerships Program (HOME) funds and \$93,434 from State Housing Initiatives Partnership (SHIP) funds from the State of Florida, respectively, for a total amount of \$1,145,000, from the date of execution to December 28, 2007, for the purpose of constructing 37 rental housing units for low income artists and their families, to be located at SW 12<sup>th</sup> Avenue and SW 2<sup>nd</sup> Court in the City of Fort Lauderdale, Florida; and authorizing the Mayor and Clerk to execute same. No County funds are required. **(Commission District 7)**

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.) (Refer to minutes for full discussion.)***

90. MOTION TO APPROVE Ground Lease Agreement (Lease) between Historic West Side School, LLC, a Minnesota limited liability company (Landlord) and Broward County, in the amount of \$3,750,000 for a term of 39 years from the date Landlord completes the restoration work; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:13 AM) Approved. (Transferred to the Consent Agenda.)***

91. MOTION TO ADOPT Resolution 2006-274 of the Board of County Commissioners of Broward County, Florida, approving the issuance of not to exceed \$5,500,000 of the Housing Finance Authority of Broward County, Florida (the "HFA") Multifamily Housing Revenue Bonds (Sailboat Bend Artist Lofts Project) Series 2006 (the "Bonds"), all of shall be tax-exempt bonds, for the purpose of financing the acquisition and construction of a multi-family residential development in Broward County, Florida to provide housing for persons and families of low and moderate income; approving the issuance of the bonds; approving and authorizing the execution of a Trust Indenture by and between the HFA and the Bank of New York Trust Company, N.A. (the "Trustee"); approving and authorizing the execution of a Land Use Restriction Agreement by and between the HFA, the Trustee and Sailboat Bend Limited Partnership (the "Borrower"); approving and authorizing the execution of a Loan Agreement by and among the HFA, the Trustee and the Borrower; approving and authorizing the execution and delivery of an Assignment of Note, mortgage and related loan documents to the Trustee; approving and authorizing the execution and delivery of an Intercreditor Agreement by and among the HFA, the Trustee and Citicorp USA, Inc. (the "Bank"), joined and consented to by the Borrower; approving and authorizing the execution of a Joint Funding Agreement by and among the HFA, the Borrower, the Trustee the Bank, Broward County, Artspace Fort Lauderdale, LLC, Artspace Projects, Inc., and the Limited Partner of the Borrower; designating a Trustee, Paying Agent, Registrar and Tender Agent for the Bonds and approving and authorizing the execution of a Trustee Fee Agreement between the HFA and the Trustee for the Bonds; determining the need for a negotiated sale of the Bonds; approving and authorizing the execution of a Bond Purchase Agreement for the Bonds among the HFA, the Borrower and Raymond James & Associates, Inc. as Underwriters' Representative (the "Underwriter"); approving and authorizing the execution and distribution of a Final Official Statement for the Bonds; authorizing the utilization of credit enhancement for the Bonds provided by Citibank, N.A. and the execution of such agreements as may be required in connection with such credit enhancement; authorizing the HFA to consent to the borrower placing subordinate financing on the project and approving the execution of such agreements as may be necessary in connection with such consent; waiving the requirement for audited financial statements of

the project; approving and authorizing the execution of a Right of First Refusal Agreement by and between the County and the Borrower; and providing an effective date. **(Commission District 7)**

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.) (Refer to minutes for full discussion.)***

#### **COUNTY AUDITOR**

92. A. MOTION TO SHORTLIST County Administrator recruitment candidate semifinalists.

***ACTION: (T-4:18 PM) The Board short listed the top eight (8) candidates. (Refer to minutes for full discussion.)***

- B. MOTION TO APPROVE County Administrator recruitment Board Interview Schedule.

***ACTION: (T-4:18 PM) The Board directed the Interim County Administrator to adjust the Board Interview Schedule and report back Tuesday, April 25, 2006 with recommendations. (Refer to minutes for full discussion.)***

#### **COUNTY COMMISSION**

93. MOTION TO NOMINATE Irving Rosenbaum to the Broward County Charter Review Commission. (Commissioner Lieberman)

***ACTION: (T-10:13 AM) Approved. (Transferred to the Consent Agenda.)***

94. MOTION TO TAKE PUBLIC INPUT on the revitalization of Sistrunk Boulevard. (Commissioner Rodstrom)

***ACTION: (T-10:21 AM) No Board action was taken. (Refer to minutes for full discussion.)***

95. MOTION TO DISCUSS alternative design concept for Sistrunk Boulevard, a County road, lying and being in the City of Fort Lauderdale, Florida. (Commission District 7) (Mayor Graber/Commissioner Rodstrom)

***ACTION: (T-10:21 AM) The Board sent the three plans discussed at this day's meeting back to the City of Fort Lauderdale for the City to evaluate the plans and take action. Following the City's action, an item will be placed on the May 9<sup>th</sup> agenda for the Broward County Commission to consider. Further, the Board directed the Interim County Administrator to have the appropriate staff available to answer questions of the residents and at the City Commission meeting when the issue is considered. All meetings must be noticed. The Mayor requested that staff contact Congressman Alcee Hastings' office regarding the disposition of the Federal Transit Administration dollars and whether the three-lane plan presented by Commissioner Rodstrom would meet the criteria. (Refer to minutes for full discussion.)***

96. COUNTY COMMISSION SELECT COMMITTEE REPORTS

***ACTION: (T- 4:26 PM) No reports were filed.***

97. COUNTY ADMINISTRATOR'S REPORT

***ACTION: (T-4:49 PM) Interim County Administrator Bertha Henry reminded the Board that this week is Community Development Week. The County is hosting an open house Wednesday, April 18th, in Room 430, from 11:00 a.m. to 2:00 p.m. This year's theme is "Moving Communities Forward." Ms. Henry urged the commissioners to visit. (Refer to minutes for full discussion.)***

98. MAYOR'S REPORT

➤ BROWARD BEAUTIFUL GRANTS

***ACTION: (T-4:48 PM) Due to the overwhelming interest in the Broward Beautiful Grants, a second pre-application meeting will be held Wednesday, April 26<sup>th</sup>, at 1:00 p.m., at the Anne Kolb Nature Center, West Lake Park. For additional information, call 954-519-0326. (Refer to minutes for full discussion.)***

## SUPPLEMENTAL AGENDA

### COUNTY COMMISSION

99. A. MOTION TO APPROVE Tenant Estoppel Certificate pursuant to Lease between Broward County (Tenant) and Scherer Realty, LLLP (Landlord) for premises located at 408 SE 6<sup>th</sup> Street, Fort Lauderdale, Florida; and authorize the Mayor and Clerk to execute same. (Mayor Graber)

***ACTION: (T-10:13 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE Tenant Estoppel Certificate pursuant to Lease between Broward County (Tenant) and Scherer Realty, LLLP (Landlord) for premises located at 500 SE 6<sup>th</sup> Street, Fort Lauderdale, Florida; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (T-10:13 AM) Approved. (Transferred to the Consent Agenda.)***

100. MOTION TO DISCUSS impact of the increased parking rates in the Main Courthouse East Garage, and options to provide more affordable public parking. (Mayor Graber)

***ACTION: (T-3:29 PM) The Board directed staff to work on short-term solutions to provide more affordable public parking in the Main Courthouse area; staff will report back to the Board. Without objection, the Mayor sent the issue to the Judicial Court Complex Select Committee to vet the long-term solutions. (Refer to minutes for full discussion.)***

### NON AGENDA

101. LAND USE BILL – COMMISSIONER SCOTT

***ACTION: (T-4:31 PM) Commissioner Scott advised the Board that the Land Use Bill will be heard Wednesday, April 19<sup>th</sup> in the Senate Judiciary Committee. There is proposed language to the bill that would remove Broward and some other counties. (Refer to minutes for full discussion.)***

102. ADD TO EVALUATION COMMITTEE – COMMISSIONER SCOTT

**ACTION: (T-4:31 PM) Commissioner Scott requested to be added to the Evaluation Committee, RLI #A08961360. There was no objection. (Refer to minutes for full discussion.)**

103. WETLANDS MITIGATION – COMMISSIONER GUNZBURGER

**ACTION: (T-4:32 PM) Commissioner Gunzburger asked County Attorney Jeffrey Newton to research if there is anything the County can do to compel developers to place wetlands mitigation areas as close to the property that is being mitigated. (Refer to minutes for full discussion.)**

104. MEDICAID RULE CHANGE – COMMISSIONER GUNZBURGER

**ACTION: (T-4:32 PM) Commissioner Gunzburger informed the Board of a new Medicaid rule change effective July 1, 2006. If a person cannot prove their U.S. citizenship, that person will no longer receive Medicaid, even though they are income eligible. She expressed concern that the change will severely impact the County's Emergency Rooms. Commissioner Gunzburger requested that the Ferguson Group lobby the County's opposition to the change. Interim County Administrator Bertha Henry advised that she has relayed the information to Pamela Madison, Director, Office of Public and Governmental Relations; she is working on the issue with the Ferguson Group.(Refer to minutes for full discussion.)**

105. AFFORDABLE HOUSING – COMMISSIONER RODSTROM

**ACTION: (T-4:37 PM) Commissioner Rodstrom commented that interest rates for 30-year mortgages have increased. This increase will have an adverse affect for those seeking affordable/attainable housing. (Refer to minutes for full discussion.)**

106. POWER PLANT SITING ACT – COMMISSIONER JACOBS

**ACTION: (T-4:39 PM) Commissioner Jacobs gave a brief overview of the Power Plant Siting Act. This bill creates an Energy Council/Commission that does not include local representation. (Refer to minutes for full discussion.)**

107. POLLING CONSTITUENTS – PROPERTY INSURANCE - COMMISSIONER JACOBS

**ACTION: (T-4:39 PM) Commissioner Jacobs relayed that she receives legislative e-mail updates from Legislators during session. Some of the legislators have polled their constituent base asking them for their opinion with respect to allowing the market to decide the insurance rates. All restrictions from state government would be lifted for property insurance, which in the long run, may increase competition and lower rates. She asked if Pamela Madison, Director, Office of Public and Governmental Relations, could research the issue. (Refer to minutes for full discussion.)**

108. STEM CELL RESEARCH – COMMISSIONER WASSERMAN-RUBIN

**ACTION: (T-4:41 PM) Commissioner Wasserman-Rubin advised the Board that House Representative Franklin Sands put forth a bill relating to stem cell research. The effort failed. She stated that two Broward legislators voted against the bill, Representative Ellyn Bogdanoff and Representative Susan Goldstein. The bill is being revived and tacked onto another bill. Commissioner Wasserman-Rubin asked Pamela Madison, Director, Office of Public and Governmental Relations, to follow up on the issue. (Refer to minutes for full discussion.)**

109. INCREASE IN INTEREST RATES – VICE MAYOR EGGELLETON

**ACTION: (T-4:43 PM) Vice Mayor Eggelletion commented that with respect to the increase in interest rates, there must be a mechanism for adding additional funds to Broward County for affordable/attainable housing. (Refer to minutes for full discussion.)**

110. POWER PLANT SITING ACT – VICE MAYOR EGGELLETON

**ACTION: (T-4:43 PM) Vice Mayor Eggelletion encouraged the Commissioners to urge every municipality in their respective districts to include language in their local ordinances to deal with the issue of power plant siting. (Refer to minutes for full discussion.)**

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**MEETING/WORKSHOP NOTICES**

**SELECTION/NEGOTIATION COMMITTEE**

**FAMILY COURT FACILITY**

**RLI No. 20030904-0-CM-01**

Tuesday, April 18<sup>th</sup> in Room 430 at 2:00 PM or  
Immediately following the morning Commission meeting

**INSURANCE SELECTION COMMITTEE**

Tuesday, April 18<sup>th</sup> in Room 430 at 3:00 PM or  
Immediately following the 2:00 PM Family Court Committee meeting

Filename: 0418ca.doc  
Directory: C:\Documents and Settings\adietz\Local  
Settings\Temporary Internet Files\OLKDC  
Template: C:\Documents and Settings\adietz\Application  
Data\Microsoft\Templates\Normal.dot  
Title: MEETING OF APRIL 18, 2006  
Subject:  
Author: PowerUser  
Keywords:  
Comments:  
Creation Date: 4/13/2006 5:24:00 PM  
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