

MEETING OF APRIL 29, 2008

(Meeting at 10:10 a.m., and recessed at 12:37 p.m.; reconvened at 3:47p.m.; and adjourned at 6:28 p.m.)

PLEDGE OF ALLEGIANCE was led by Justin Flippen, Aide to Vice Mayor Ritter.

MOMENT OF SILENCE

In memory of Sylvia Sultanof, wife of Vice Mayor Marc Sultanof, City of Tamarac.

In memory of Stuart McIver, member of the Broward County Historical Commission.

In memory of Scott Graham, and his family, personal friend of Commissioner Keechl.

In memory of our fallen troops who have given their lives in Iraq and Afghanistan and throughout the world, on behalf of peace and freedom, as well as their families.

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

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

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Lieberman and unanimously carried to approve the Consent Agenda consisting of items 1 through 90. At the request of the Mayor, Regular Agenda items, 93, 94, 101, 105, 106, 107, 108 & 110 were transferred to the Consent Agenda.

The following item was withdrawn: 96.

The following items were pulled by the Board and considered separately: 10, 34, 39, 54, 77, & 78.

The following items were pulled by a member of the public and considered separately: 8, 12, & 56.



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

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Mary Anne Robertson to the Human Rights Board.
(Vice Mayor Ritter)

ACTION: (T- 10:19 AM) Approved.
- B. MOTION TO RE-APPOINT Don T. Winsett to Consumer Protection Board.
(Commissioner Keechl)

ACTION: (T- 10:19 AM) Approved.
- C. MOTION TO APPOINT Theresa L. Roberts to the Alcohol and Drug Abuse Advisory Board.
(Vice Mayor Ritter)

ACTION: (T- 10:19 AM) Approved.

AVIATION DEPARTMENT

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

ACTION: (T- 10:19 AM) Approved. (Scrivener's error – See County Administrator's Report: Exhibit 5, under heading reads 2007-v-22 should read 2007-v-23.

PUBLIC WORKS DEPARTMENT

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 2008-256 accepting a Bus Shelter Easement, at a nominal cost of \$1 to the County, executed by Commercial Boulevard Petroleum, LLC, a corporation existing under the laws of Florida. The bus shelter is located on the east side of NW 31st Avenue, just north of Commercial Boulevard, in the City of Fort Lauderdale. **(Commission District 9)**

ACTION: (T- 10:19 AM) Approved.

4. MOTION TO ADOPT Resolution 2008-257 accepting a Quit Claim Deed, at a nominal cost of \$1 to the County, executed by the City of Hollywood, a municipal corporation of the State of Florida, for right-of-way on North 21st Avenue between Wilson Street and Harding Street in the City of Hollywood. **(Commission District 6)**

ACTION: (T- 10:19 AM) Approved.

REAL PROPERTY SECTION

5. MOTION TO ADOPT Resolution 2008-258 authorizing the conveyance by Quit Claim Deed of two unbuildable tax deed parcels to the Town of Southwest Ranches that escheated to Broward County for delinquent real estate taxes, pursuant to Florida Statutes Chapter 197.592.3, at no cost to the County; authorize the Mayor and Clerk to execute deeds and authorize recordation of same. **(Commission Districts 5, 8)**

ACTION: (T- 10:19 AM) Approved.

6. MOTION TO ADOPT Resolution 2008-259 authorizing the conveyance by Quit Claim Deed of an unbuildable tax deed parcel to the City of West Park that escheated to Broward County for delinquent real estate taxes, pursuant to Florida Statutes Chapter 197.592.3, at no cost to the County; authorize the Mayor and Clerk to execute the deed and authorize the recordation of same. **(Commission District 8)**

ACTION: (T- 10:19 AM) Approved.

WATER AND WASTEWATER SERVICES

WATER AND WASTEWATER ENGINEERING DIVISION

7. MOTION TO ADOPT budget Resolution 2008-260 transferring within the Water and Wastewater Fund for the Water and Wastewater Engineering Division, the amount of \$182,000; to fund construction of approximately 1,200 feet of 8-inch water main, and install four fire hydrants along Pembroke Road, in order to provide fire protection to the area. (BCWWS 9139) **(Commission Districts 6 and 8)**

ACTION: (T- 10:19 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

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

(This item was pulled by a member of the public.)

ACTION: (T- 10:21 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

ACTION: (T-10:26 AM) The Board reconsidered the Consent Agenda to allow Mayor Wexler to read additional information from the Monday Night Memo into the record. (Refer to minutes for full discussion.)

VOTE: 9-0.

ACCOUNTING DIVISION

9. **MOTION TO FILE** Comprehensive Annual Financial Report for the Board of County Commissioners for the Fiscal Year ended September 30, 2007, in accordance with Florida Statute 11.45.

ACTION: (T- 10:19 AM) Approved.

10. **MOTION TO FILE** Broward County, Florida, Single Audit Report Federal, State, and Other Awards for the years ended September 30, 2007 and 2005.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T- 10:26 AM) Approved, as amended. The Board directed Bertha Henry to send a response to the County Auditor as to the management letter and make inquiry of current practices. The Board requested that the County Auditor provide an in depth audit of the Community Action Agency LIHEAP Grant. (Refer to minutes for full discussion.)

VOTE: 9-0.

11. **MOTION TO FILE** Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending March 31, 2008.

ACTION: (T- 10:19 AM) Approved.

12. MOTION TO FILE following audit reports:

A. Schedule of Activity of the Landfill Management Escrow Account for the year ended September 30, 2007.

(This item was pulled by a member of the public.)

ACTION: (T-11:16 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was out of the room during the vote.

ACTION: (T-11:39 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

B. Broward County, Florida, North Regional Transmission, Treatment and Disposal System, Schedule of Large User Reserve Capacity and Debt Service Allocation and Schedule of Large User Annual Adjustments, year ended September 30, 2007.

ACTION: (T-11:16 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was out of the room during the vote.

ACTION: (T-11:39 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

C. Broward County, Florida, Raw Water Regional System, Schedule of Large User Annual Adjustments, year ended September 30, 2007.

ACTION: (T-11:16 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was out of the room during the vote.

ACTION: (T-11:39 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

D. Broward County, Florida, Reports on Passenger Facility Charge Program, in accordance with Passenger Facility Audit Guide for Public Agencies, Fiscal Year ended September 30, 2007.

ACTION: (T-11:16 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was out of the room during the vote.

ACTION: (T-11:39 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

E. Broward County, Florida, Report of Independent Certified Public Accountants, pursuant to Section 707 of Bond Resolution 82-A-3, Fiscal Year ended September 30, 2007.

ACTION: (T-11:16 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was out of the room during the vote.

ACTION: (T-11:39 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

COUNTY RECORDS DIVISION

13. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commissioners meetings of February 5, 2008, February 12, 2008, February 26, 2008 and March 11, 2008; and the minutes of the 2:00 P.M. Public Hearings of February 12, 2008, February 26, 2008 and March 11, 2008.

ACTION: (T- 10:19 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- 10:19 AM) Approved.

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

ACTION: (T- 10:19 AM) Approved.

PURCHASING DIVISION

For Aviation Department

14. MOTION TO APPROVE release of retainage and final payment in the amount of \$48,872.03, to PB Builders, Inc., for Flight Information Display Systems (FIDS), Terminal 3 at the Fort Lauderdale/Hollywood International Airport, Bid No. QX06335CAF for the Aviation Department.

ACTION: (T- 10:19 AM) Approved.

For Court Administration

15. A. MOTION TO APPROVE second amendment to agreement between Broward County and BOCACOM.NET, LLC, d/b/a 1VAULT NETWORKS, for lease of an additional 128 square feet of (raised floor) space to support the 17th Judicial Circuit of Florida Court Administration (Court Administration) Data Center, for the remaining term of the lease through May 30, 2010; including two, one-year renewals for a total annual amount of \$49,920; plus a one-time non-recurring charge for security cage, power and data communication setup fees in the amount of \$3,534 for the Enterprise Technology Services Division, and authorize the Mayor and Clerk to execute the same.

ACTION: (T- 10:19 AM) Approved. (Scrivener's error – See County Administrator's Report: Remove reference to "A" as there is no Motion B.)

For Public Works Department

16. A. MOTION TO APPROVE Final Reconciliation Change Order No. 1 in the amount of (\$335,890), which reduces the contract amount with Subaqueous Services, Inc. for the dredging of Berth 29 at Port Everglades, from \$940,025 to \$604,135; Contract No. H-7-06-287-CAF, (Project No. 678801), and authorize the Mayor and Clerk to execute same.

ACTION: (T- 10:19 AM) Approved.

- B. MOTION TO APPROVE release of retainage and final payment in the amount of \$3,000 to Subaqueous Services, Inc., for the dredging of Berth 29 at Port Everglades. (Project No. 678801)

ACTION: (T- 10:19 AM) Approved.

17. MOTION TO APPROVE release of retainage and final payment in the amount of \$19,949.50, to Akerblom Contracting, Inc., for the replacement of filter valves/actuators at Water Plants 1A and 2A, Contract No. H106023CF. (WWS 8856 -1). **(Commission Districts 2 and 9)**

ACTION: (T- 10:19 AM) Approved.

18. MOTION TO ESTABLISH Qualified Vendors List for demolition, board-up, and pool fill-ins of various abandoned buildings, structures, and pools in Broward County, Solicitation No. M-Y-07-350-B2, with: Everglades General Contracting Services, Inc., JW Jones Construction Corporation, and Richard Hamann & Son Demolition, Inc. (all certified Small Business Enterprises (SBE); and non-SBE firms: ABC Construction, Inc., The BG Group, LLC, BMA Construction, Inc., Cross Construction Services, Inc., and Cross Environmental Services, Inc.; authorize the Director of Purchasing to renew the Qualified Vendor List for two one-year periods, and add or delete vendors to the Qualified Vendor List. The initial Qualified Vendor List will start on the date of establishment and will terminate two years from that date.

ACTION: (T- 10:19 AM) Approved.

19. MOTION TO AWARD open-end, multiple award contracts to two certified Broward County Small Business Enterprises (SBE): World Scientific Industrial and Medical, Inc. for Items 1-6, 8-24, 27 and 28, and PQ Termite Services, Inc. for Items 1-7, 9-16, 18-23, 25, and 28 for herbicides, Bid No. TX07331B1 in the estimated potential one-year amount of \$220,752.18. Award of these contracts is for the Public Works Department/Water and Wastewater Services Division and authorizes the Director of Purchasing to renew the contract for two, one-year periods for an estimated potential contract amount of \$662,256.54. The initial contracts shall begin on the date of the award and shall terminate one year from that date.

ACTION: (T- 10:19 AM) Approved.

20. MOTION TO AWARD open-end contract to low bidder, Allied Universal Corporation, for Chlorine, Southeast Florida Governmental Purchasing Cooperative (Co-op), Bid No. H-15-08, Broward County Contract C208054B1, in the estimated annual amount of \$441,447.45, for the Public Works Department/Water and Wastewater Services Division, and authorize the Director of Purchasing to renew the contract for two, one-year periods as may be renewed by the Co-op, for a potential total estimated amount of \$1,324,342.35. The initial contract shall begin on May 30, 2008 and shall terminate on February 28, 2009.

ACTION: (T- 10:19 AM) Approved.

REVENUE COLLECTION DIVISION

21. MOTION TO ADOPT two Resolutions 2008-261 and 2008-262 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, Payroll Account No. 2079940003798, Tax and License Account No. 2090002760916, and Self Insurance Account No. 2090002760518.

ACTION: (T- 10:19 AM) Approved.

RISK MANAGEMENT DIVISION

22. MOTION TO APPROVE full and final settlement of Liability Claim 1120072421 involving a Broward County vehicle.

ACTION: (T- 10:19 AM) Approved.

23. MOTION TO APPROVE full and final settlement of Liability Claim 0308064999 involving a Broward County bus.


ACTION: (T- 10:19 AM) Approved.

HUMAN SERVICES DEPARTMENT

BROWARD ADDICTION RECOVERY DIVISION

24. MOTION TO APPROVE First Amendment to Agreement No. SAHCS-SAMHSA-BPHI-01 between Broward County and Broward Partnership for the Homeless, Inc. from the date of execution to September 30, 2008, increasing the value of the agreement by \$50,750; from \$40,980 to \$91,730; for the provision of grant funded outreach and treatment services for homeless adults experiencing co-occurring mental health and substance use disorders.

ACTION: (T- 10:19 AM) Approved.

-  25. MOTION TO APPROVE First Amendment to Agreement No. SAHCS-SAMHSA-HIV-01 between Broward County and Broward County Health Department, from the date of execution through September 30, 2008, increasing the value of the agreement by \$24,362; from \$94,576 to \$118,938; for the provision of grant funded substance abuse, HIV and hepatitis prevention services to minority populations and minority re-entry populations.

ACTION: (T- 10:19 AM) Approved.

26. MOTION TO ADOPT Resolution 2008-263 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of \$1,000 from Mr. Mario Jorge-Coelho Dos Santos, for the benefit of the Broward County Addiction Recovery Center Division; authorizing the County Administrator to take all administrative actions to implement same.

ACTION: (T- 10:19 AM) Approved.


COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

27. MOTION TO ADOPT Resolution 2008-264 of the Board of County Commissioners (Board) of Broward County, Florida re-establishing a pilot “two cats for the price of one” program for the Animal Care and Regulation Division (Division), at a cost of \$74.95, per adoption, providing for an effective date May 1, 2008 through September 30, 2008.


ACTION: (T- 10:19 AM) Approved.

CULTURAL DIVISION


-  28. MOTION TO APPROVE agreement between Broward County and the School Board of Broward County (School Board) to provide seed funding for design of the Dr. Kathleen C. Wright Commemorative Sculpture, in an amount not to exceed \$15,000; commencing upon execution by all parties and to expire September 30, 2009; and authorize the Mayor and Clerk to execute the same. **(Commission District 7)**

ACTION: (T- 10:19 AM) Approved.

PARKS AND RECREATION DIVISION

-  29. **MOTION TO APPROVE** master plan for the Herman and Dorothy Shooster Preserve County-owned property, which is located in the City of Margate. **(Commission District 2)**

ACTION: (T- 10:19 AM) Approved.

-  30. A. **MOTION TO APPROVE** naming of the County-owned property now commonly referred to as Site 33A to the West Creek Pineland Natural Area.

ACTION: (T- 10:19 AM) Approved.

- B. **MOTION TO APPROVE** master plan for the County-owned property commonly referred to as Site 33A, which is located in the City of Coconut Creek. **(Commission District 2)**

ACTION: (T- 10:19 AM) Approved.

31. **MOTION TO ADOPT** Resolution 2008-265 of the Board of County Commissioners of Broward County, Florida, ratifying the conveyance of real property to the Urban League of Broward County, Inc., for its use in promoting community interest and welfare, pursuant to Section 125.38, Florida Statutes, in accordance with the terms and conditions of the agreement dated December 11, 2007; providing for certain other details with respect thereto; and providing for an effective date. **(Commission District 7)**

ACTION: (T- 10: 19 AM) Approved.

32. **MOTION TO ADOPT** Resolution 2008-266 of the Board of County Commissioners of Broward County, Florida, amending the non-vehicular access line adjacent to county owned property; providing for release of the installation of required improvements agreement related to the Coconut Point Plat; providing for severability; providing for recording; and providing for an effective date. **(Commission District 2)**

ACTION: (T- 10:19 AM) Approved.

PORT EVERGLADES DEPARTMENT

33. MOTION TO APPROVE one time payment in the amount of \$20,646.37, to G.F.C. Crane Consultants, Inc. for reimbursement of additional general liability insurance premium costs.

ACTION: (T- 10:19 AM) Approved.

34. MOTION TO AUTHORIZE Port Director to negotiate and execute a phased termination agreement with Universal Maritime Service Corp. and Maersk, Inc. to provide for the phased termination of the Restated Lease and Operating Agreement between Broward County and Universal Maritime Service Corp. and Maersk, Inc.

(This item was pulled by Vice Mayor Ritter.)

ACTION: (T- 11:23 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was out of the room during the vote. (Refer to minutes for full discussion.)

35. A. MOTION TO APPROVE third amendment to the agreement between Broward County and Florida East Coast Railway, LLC (FEC) for the operation and maintenance of the Port Everglades railroad track, revising the in-service portions of trackage available to FEC to conduct railroad operations, recognizing the Eller Drive Overpass Project, and reducing the agreement term by six-months from October 29, 2020 to April 29, 2020; and authorize the Mayor and Clerk to execute same.

ACTION: (T- 10:19 AM) Approved.

- B. MOTION TO AUTHORIZE Port Director to execute, on behalf of Broward County, Third Party User Agreements between Broward County, FEC and various rail users utilizing the Port Everglades railroad track and the services of FEC.

ACTION: (T- 10:19 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

36. MOTION TO ADOPT unanticipated revenue Resolution 2008-267 within the Law Enforcement Trust Fund in the amount of \$114,755 to provide funding for the purchase of forensic equipment for the Broward Sheriff's Office (BSO)'s Crime Lab.

ACTION: (T- 10:19 AM) Approved.

37. MOTION TO ADOPT unanticipated revenue Resolution 2008-268 within the Law Enforcement Trust Fund in the amount of \$91,579 to provide funding for the overtime reimbursement of three outside agency Police Detectives. The detectives are assigned to the Organized Criminal Activities Section and to the Auto Theft Task Force, and are supervised and directed by the Broward Sheriff's Office.

ACTION: (T- 10:19 AM) Approved.

38. MOTION TO ADOPT unanticipated revenue Resolution 2008-269 within the Law Enforcement Trust Fund in the amount of \$201,440 to provide funding for the Domestic Interdiction Unit.

ACTION: (T- 10:19 AM) Approved.

HISTORICAL COMMISSION

39. MOTION TO AUTHORIZE the Chair of the Broward County Historical Commission to send a letter to the Hollywood City Commission encouraging them to uphold the decision of the Hollywood Historic Preservation Board to deny the Certificate of Appropriateness for the demolition of 1252 Tyler Street, Hollywood.

(This item was pulled by Commissioner Keechl.)

ACTION: (T- 11:24 AM) Approved. The Board directed administrative staff to notify the specific department that oversees the Historical Commission as to "signing-off" on letters. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelletion was out of the room during the vote.

COUNTY ATTORNEY

40. MOTION TO AUTHORIZE Mayor and Clerk to execute and deliver a Satisfaction of Mortgage for a certain mortgage executed by Bernardo Ragone and Janet Ragone, husband and wife, for the purpose of posting an appearance bond in the case of *State of Florida v. Kathy Ragone*, Seventeenth Judicial Circuit Case No. 03-016419CF10A.

ACTION: (T- 10:19 AM) Approved.

41. MOTION TO APPROVE amendment to the agreement between Kerry A. Greenwald, Esq., and Broward County for additional hearing officer services; and authorize the County Attorney to execute the amendment on behalf of the Board of County Commissioners.

ACTION: (T- 10:19 AM) Approved.

42. MOTION TO APPROVE amendment to the agreement between Lisa Marie Macci, Esq., and Broward County for additional hearing officer services; and authorize the County Attorney to execute the amendment on behalf of the Board of County Commissioners.

ACTION: (T-10:19 AM) Approved.

43. MOTION TO AUTHORIZE County Attorney's Office to serve a proposal for settlement in the amount of \$500,000.00 in the case of *National Beverage Corporation v. Broward County*, Case No. 02-010896.12.

ACTION: (T-10:19 AM) Approved.

44. MOTION TO AUTHORIZE County Attorney's Office to commence an eviction action against National Beverage Corporation and to take all other necessary actions to ensure the compliance with the terms of the lease in the case of *National Beverage Corporation v. Broward County*, Case No. 02-010896.12.

ACTION: (T-10:19 AM) Approved.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

45. MOTION TO APPROVE Settlement Agreement in the estimated amount of \$164,550 between Broward County and The Aragon Group, to resolve mangrove removal violations of Chapter 27 of the Broward County Code of Ordinances in the City of Dania Beach; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T- 10:19 AM) Approved.

46. MOTION TO APPROVE Settlement Agreement in the amount of \$44,900 between Broward County and Decon Environmental & Engineering, Inc. and Essex Tower Condominium Association, Inc., to resolve asbestos removal violations of Chapter 27 of the Broward County Code of Ordinances in the City of Fort Lauderdale; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T- 10:19 AM) Approved.

47. MOTION TO APPROVE Settlement Agreement in the estimated amount of \$20,387 between Broward County and Marina Holding, Inc. to resolve hazardous material violations of Chapter 27 of the Broward County Code of Ordinances in the City of Fort Lauderdale; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T- 10:19 AM) Approved.

48. MOTION TO APPROVE Settlement Agreement in the estimated amount of \$23,650 between Broward County and Conco Horticultural, Inc. and GSD Contracting LLC to resolve tree abuse violations of Chapter 27 of the Broward County Code of Ordinances in the City of Tamarac; and authorize the Mayor and Clerk to execute same. **(Commission District 1)**

ACTION: (T- 10:19 AM) Approved.

AIR QUALITY DIVISION

49. MOTION TO APPROVE Florida Department of Environmental Protection (FDEP) Agreement S0365 between FDEP and the Broward County Board of County Commissioners, to provide funding for the Title V Air Quality Permitting Program, in the amount of \$324,770; from July 1, 2007 to June 30, 2008; and authorize the Mayor and Clerk to execute the same.

ACTION: (T- 10:19 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

50. MOTION TO ACKNOWLEDGE use of the Loxahatchee Mitigation Bank by Chauvet Realty Investments, LLC as a site for compensatory mitigation for wetland impacts for the construction of a commercial/industrial facility in the City of Sunrise. **(Commission District 3)**

ACTION: (T- 10:19 AM) Approved.

51. MOTION TO ACKNOWLEDGE use of the Loxahatchee Mitigation Bank by Centerline Enterprises One, LLC as a site for compensatory mitigation for wetland impacts for the construction of a residential facility in the Town of Davie. **(Commission District 7)**

ACTION: (T- 10:19 AM) Approved.

52. MOTION TO ACCEPT Deed of Conservation Easement and Agreement from the City of Sunrise for preservation of a wetland mitigation area comprising 1.06 acres of real property located west of NW 136th Avenue and north of Sunrise Boulevard in the City of Sunrise. **(Commission District 5)**

ACTION: (T- 10:19 AM) Approved.

HOUSING FINANCE AND COMMUNITY DEVELOPMENT DIVISION

53. MOTION TO ADOPT unanticipated revenue Resolution 2008-270 within the Housing Finance Authority of Broward County (the "HFA") Fund in the amount of \$95,000 to fund various improvements and repairs to the HFA buildings located at 110 and 120 Northeast 3rd Street. **(Commission District 7)**

ACTION: (T- 10:19 AM) Approved.


54. MOTION TO DIRECT County Attorney to draft an Ordinance of the Board of County Commissioners of Broward County, Florida, creating an Affordable Housing Advisory Committee; providing for purpose; providing for membership and appointment of committee members; providing for meetings; establishing committee responsibilities, requiring approval of the local housing incentive strategies at a public hearing; providing for review, approval, and transmittal of the local housing incentive strategies; providing for severability; providing for inclusion in the code; and providing an effective date.

(This item was pulled by Mayor Wexler.)

ACTION: (T- 11:33 AM) *Approved. The Board requested that the County Attorney include language in the draft Ordinance encouraging cities and the County to work together towards finding affordable housing in Broward County. The Board directed staff to examine additional “bed tax” for affordable housing. (Refer to minutes for full discussion.)*

VOTE: 8-0. *Commissioner Eggelletion was out of the room during the vote.*

PLANNING SERVICES DIVISION

-  55. A. MOTION TO APPROVE agreement between Broward County and the Alston Group, Inc., for the construction of 10 single-family homes as part of the Affordable Housing Home Construction Program, Request for Proposal No. N20070621-PT, and authorize the Mayor and Clerk to execute same. **(Commission Districts 7 and 9)**

ACTION: (T-11:38 AM) *Approved. (Refer to minutes for full discussion.)*

VOTE: 8-0. *Commissioner Eggelletion abstained from voting to avoid the appearance of a conflict and was out of the room during the vote.*

- B. MOTION TO APPROVE Resolution 2008-271 transferring 10 County-owned lots in Roosevelt Gardens and Washington Park to the Alston Group, Inc., for the construction of single-family homes. **(Commission Districts 7 and 9)**

ACTION: (T-11:38 AM) *Approved. (Refer to minutes for full discussion.)*

VOTE: 8-0. Commissioner Eggelletion abstained from voting to avoid the appearance of a conflict and was out of the room during the vote.

COUNTY COMMISSION



56. **MOTION TO APPROVE** international business travel to the United Kingdom, Switzerland, France and Italy for the Mayor of Broward County Board of County Commissioners on July 13-22, 2008. This mission is to promote the growth of bioscience, biotechnology, and pharmaceutical clusters; recruit international businesses, attract foreign direct investment, and increase trade activity through coordination and partnerships with public and private organizations in Broward County. (Mayor Wexler)

(This item was pulled by a member of the audience.)

ACTION: (T- 11:39 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman-Rubin were out of the room during the vote.

57. **MOTION TO FILE** Resolution No. 2008-014 adopted by the City Commission of the City of Coral Springs, Florida, opposing House Bill 1113; urging the Florida Legislature to reject House Bill 1113; directing the City Clerk to transmit a copy of this Resolution to the Governor, the Broward Legislative Delegation and other members of the Florida Legislature, as well as all municipalities located within Broward County and the Board of County Commissioners for Broward County. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

58. **MOTION TO FILE** certified copy of Resolution 2008-07 adopted by the Town Commission of the Town of Lauderdale By The Sea, Florida, opposing a proposed Local Bill calling for the creation of a Taxing District called the Broward Urban Independent Fire District; directing that this Resolution be forwarded to the Governor, the members of the Broward County Legislative Delegation, the members of the Florida Legislature, the Broward League of Cities, all municipalities located in Broward County, and the Broward County Board of County Commissioners. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

59. **MOTION TO FILE** Resolution No. 08-21 adopted by the City Commission of the City of Lauderdale Lakes, Broward County, opposing the enactment of House Bill 325 or similar legislation which would have the effect of providing business tax

credits for the installation of digital video security camera systems; providing for instructions to the City Clerk, providing an effective date. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

60. MOTION TO FILE Resolution No. 08-03-5316 adopted by the City Commission of the City of North Lauderdale, Florida, opposing House Bill 991, known as the “Vox Populi – Voice of the People Act”; finding that House Bill 991 is unnecessary and its adoption will be an encroachment on the municipal home rule authority granted by the Florida Constitution and State Statutes; urging the Florida Legislature to reject House Bill 991 and providing for an effective date. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

61. MOTION TO FILE Resolution No. 08-03-5317 adopted by the City Commission of the City of North Lauderdale, Florida, opposing House Bill 1113; urging the Florida Legislature to reject House Bill 1113; directing the City Clerk to transmit a copy of this Resolution to the Governor, the Broward Legislative Delegation and other members of the Florida Legislature, as well as all municipalities located within Broward County and the Board of County Commissioners for Broward County. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

62. MOTION TO FILE Resolution No. 2008-22 adopted by the City Commission of the City of Parkland, Florida, supporting the Broward County Extension Education Division; and urging the Broward County Board of Commissioners to continue its partnership with the University of Florida necessary to fund the efforts of the Extension Education Division. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

63. MOTION TO FILE Resolution No. 3181 adopted by the City Commission of the City of Pembroke Pines, Florida, supporting House Bill 1291; supporting increased awareness, education and healthcare coverage for Autism Spectrum Disorder; urging municipalities in Broward County to join in this support; urging the Florida Legislature to adopt House Bill 1291; directing the City Clerk to transmit a copy of this Resolution to the Governor, the Broward Legislative Delegation and other members of the Florida Legislature, as well as all municipalities located within Broward County and the Board of County Commissioners for Broward County. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

64. MOTION TO FILE Resolution No. 3182 adopted by the City Commission of the City of Pembroke Pines, Florida, supporting Senate Bill 2654; supporting increased awareness, and healthcare coverage for Autism Spectrum Disorder; urging municipalities in Broward County to join in this support; urging the Florida Legislature to adopt Senate Bill 2654; directing the City Clerk to transmit a copy of the Resolution to the Governor, the Broward Legislative Delegation and other members of the Florida Legislature, as well as all municipalities located within Broward County and the Board of County Commissioners for Broward County. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

65. MOTION TO FILE Resolution No. 3183 adopted by the City Commission of the City of Pembroke Pines, Florida, opposing House Bill 991; known as the “Vox Populi – Voice of the People Act”; finding that House Bill 991 is unnecessary and its adoption will be an encroachment on the municipal home rule authority granted by the Florida Constitution and State Statutes; urging the Florida Legislature to reject House Bill 991; directing the City Clerk to transmit a copy of this Resolution to the Governor, the Broward Legislative Delegation and other members of the Florida Legislature, as well as all municipalities located within Broward County and the Board of County Commissioners for Broward County. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

66. MOTION TO FILE Resolution R2008-38 adopted by the City Commission of the City of Tamarac, Florida, opposing the Taxation and Budget Reform Commission’s Constitutional Proposals 21 and 45 to amend Sections 1, 3, 4 and 6 of Article VII of the State Constitution; opposing the creation of Section 19 of Article VII of the State Constitution; opposing the creation of Section 27 of Article XII of the State Constitution; and providing for an effective date. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

67. MOTION TO FILE Resolution No. R2008-36 adopted by the City Commission of the City of Tamarac, Florida, opposing House Bill 991, known as the “Vox Populi – Voice of the People Act”; finding that House Bill 991 is unnecessary and its adoption will be an encroachment on the municipal home rule authority granted by the Florida Constitution and State Statutes; urging the Florida Legislature to reject House Bill 991; directing the City Clerk to transmit a copy of this Resolution to the Governor, the Broward Legislative Delegation and other members of the Florida Legislature, as well as all municipalities located within Broward County and the Board of County Commissioners for Broward County. (Mayor Wexler)

ACTION: (T- 10:19 AM) Approved.

68. MOTION TO APPOINT Commissioner Sue Gunzburger as a Selection Committee Member for RLI No. 20071113-0-AV-01, to recommend the most qualified firm to provide a Managing General Contractor to provide Construction Manager at Risk Services for Concourse A and Connector Bridge at FLL. (Commissioner Gunzburger)

ACTION: (T- 10:19 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

69. MOTION TO ADOPT Resolution 2008-272 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 10, 2008 at 2:00 P.M., in Room 422 of the Governmental Center, to vacate a platted 12-foot wide utility and drainage easement lying within, over and across, Tract B, Alexander–Young Plat, located on the east side of State Road 7, north of Wiles Road, in the City of Coconut Creek; at no cost to the County. Petitioner: Chianti Associates, LLC (Ruden McCloskey Smith Schuster & Russell, PA, Agent) (2008-V-04) **(Commission District 2)**

ACTION: (T- 10:19 AM) Approved.

70. MOTION TO ADOPT Resolution 2008-273 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 10, 2008 at 2:00 P.M., in Room 422 of the Governmental Center, to vacate a platted 12-foot wide utility easement lying within, over, and across Tract A-1, Spear Plat, located on the east side of State Road 7, north of Wiles Road, in the City of Coconut Creek; at no cost to the County. Petitioner: Chianti Associates, LLC (Ruden McCloskey Smith Schuster & Russell, PA, Agent) (2008-V-05) **(Commission District 2)**

ACTION: (T- 10:19 AM) Approved.

71. MOTION TO ADOPT Resolution 2008-274 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 10, 2008 at 2:00 P.M., in Room 422 of the Governmental Center, to vacate a platted 15-foot wide landscape buffer lying within, over, and across Tracts A-1 and B-1, Spear Plat, located on the east side of State Road 7, north of Wiles Road, in the City of Coconut Creek; at no cost to the County. Petitioner: Chianti Associates, LLC (Ruden McCloskey Smith Schuster & Russell, PA, Agent) (2008-V-06) **(Commission District 2)**

ACTION: (T- 10:19 AM) Approved.

72. MOTION TO ADOPT Resolution 2008-275 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 13, 2008, at 2:00 P.M., in Room 422 of the Governmental Center, to vacate a portion of a 15-foot wide platted alley lying within, over, and across Block 18, Corrected Plat of Everglade Land Sales Company's First Addition to Lauderdale, Florida Plat located south of SE 17th Street and east of Federal Highway, in the City of Fort Lauderdale; at no cost to the County. Petitioners: Robert Williamson (Corporate Property Services Inc.) (2007-V-11) **(Commission District 4)**

ACTION: (T- 10:19 AM) Approved.

73. MOTION TO ADOPT Resolution 2008-276 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 13, 2008, at 2:00 P.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 4 OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO ANIMAL CARE AND REGULATION; AMENDING SECTION 4-2 TO INCLUDE IN THE DEFINITION OF "DANGEROUS DOG" A DOG THAT HAS KILLED A DOMESTIC ANIMAL ON ONE OCCASION; AMENDING SECTION 4-12 TO IMPOSE THE SAME PENALTIES UPON DANGEROUS DOGS AND THEIR OWNERS FOR THE DEATH OF DOMESTIC ANIMALS AS CURRENTLY PROVIDED FOR INJURIES CAUSED TO HUMANS; AMENDING SECTION 4-14.5 TO CLARIFY WHICH ANIMALS ARE SUBJECT TO MUZZLE AND LEASH REQUIREMENTS; AMENDING SECTION 4-14 TO REQUIRE REPORTING OF ANIMALS THAT BITE HUMANS AND DOMESTIC ANIMALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Ken Keechl)

ACTION: (T- 10:19 AM) Approved.

74. MOTION TO ADOPT Resolution 2008-277 directing the Interim County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 13, 2008, at 2:00 PM in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, VOLUME II, CHAPTER 42, SECTIONS FIVE AND NINE OF THE PORT EVERGLADES TARIFF NO. 12, CODIFIED AS EXHIBIT 42.A AND INCORPORATED IN SECTION 42.25 OF THE BROWARD COUNTY ADMINISTRATIVE CODE; AMENDING ITEM NO. 520, "NON-WATERBORNE LIQUID BULK TRANSFER;" AMENDING ITEM NO. 900, "PAYMENT OF BILLS AND CREDIT TERMS;" AMENDING ITEM NO. 910, "COLLECTION AND ENFORCEMENT;" AMENDING ITEM NO. 960, "POSTING OF

FINANCIAL SECURITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T- 10:19 AM) Approved.

75. MOTION TO ADOPT Resolution 2008-278 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 13, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO ESTABLISHING A CONFLICTS OF INTEREST POLICY FOR OUTSIDE LEGAL COUNSEL; AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE RELATING TO THE OPERATIONAL POLICY OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING PART IV UNDER CHAPTER 18 TO BE ENTITLED "CONFLICTS OF INTEREST POLICY FOR OUTSIDE LEGAL COUNSEL"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T- 10:19 AM) Approved.

76. MOTION TO ADOPT Resolution 2008-279 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 13, 2008 at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 12, PART X.; RELATING TO THE BROWARD COUNTY HIV HEALTH SERVICES PLANNING COUNCIL; AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 23, EXHIBIT 23.A, RELATING TO THE GRIEVANCE/APPEAL PROCEDURES FOR GRANT APPLICATIONS FOR RYAN WHITE C.A.R.E. ACT PART A FUNDING; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T- 10:19 AM) Approved.

77. MOTION TO ADOPT Resolution 2008-280 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 13, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE PERTAINING TO PROCUREMENT; AMENDING SUBSECTION 21.31.d TO ADD AN ADDITIONAL CRITERION TO THE PROCEDURE FOR BREAKING TIE VOTES AND FOR CLARIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(This item was pulled by Commissioners Keechl and Lieberman.)

ACTION: (T- 11:42 AM) Approved. The Board requested that the County Attorney ensure that amendments travel with the items for hearing pursuant to Commissioners Keechl and Lieberman's direction in terms of the order. Additionally the Board requested that an amendment be prepared in time for the Public Hearing on Tuesday, May 13, 2008, as to ranking firms who may tie on Selection Committees. The Board then directed the County Attorney's Office to seek further clarification from Commissioner Rodstrom at a later time but before Tuesday, May 13, 2008. (Refer to minutes for full discussion.)

VOTE: 9-0.

COUNTY AUDITOR

- 78. A. MOTION TO FILE the County Auditor's Report – *Program Performance Review of the Children's Services Administration Division of the Human Services Department.*

(This item was pulled by Commissioner Lieberman.)

ACTION: (T- 12:09 AM) *Approved. The Board encouraged staff to examine all options as to increasing fees. (Refer to minutes for full discussion.)*

VOTE: 9-0.

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

(This item was pulled by Commissioner Lieberman.)

ACTION: (T- 12:09 AM) *Approved. The Board encouraged staff to examine all options as to increasing fees. (Refer to minutes for full discussion.)*

VOTE: 9-0.

- 79. A. MOTION TO FILE County Auditor's Report – *Review of Controls over Farebox and Bus Pass Revenues - Office of Transportation.*

ACTION: (T- 10:19 AM) *Approved.*

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

ACTION: (T- 10:19 AM) *Approved.*

COUNTY ADMINISTRATION

- 80. MOTION TO AMEND 2008 Broward County Board of Commissioners' meeting schedule to reflect changes to the April, May and June schedules.

ACTION: (T- 10:19 AM) *Approved.*

QUASI-JUDICIAL CONSENT HEARING

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

81. DISCUSSION: of plat entitled "Appaloosa Trail" (040-MP-07). **(Commission District 5)**

ACTION: (T- 10:19 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

82. DISCUSSION: of plat entitled "Secure Storage at 84 Plat" (061-MP-07). **(Commission District 7)**

ACTION: (T- 10:19 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

83. DISCUSSION: of New Findings of Adequacy for a plat entitled "Covenant Parcel Plat" (071-MP-00). **(Commission District 3)**

ACTION: (T-10:19 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

84. DELEGATION: Thomas F. Mullin regarding request to amend the note on the Northwest Park of Commerce Plat (031-MP-89). **(Commission District 2)**

ACTION: (T-10:19 AM) Approved subject to staff's recommendations.

85. DELEGATION: Craig Bencz regarding request to amend the note on the Googe Plat No. 1 (116-MP-84). **(Commission District 4)** (Deferred from March 11, 2008.)

ACTION: (T-10:19 AM) Approved subject to staff's recommendations.

86. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding MOTION TO ADOPT a resolution 2008-281 of the Board of County Commissioners of Broward County, Florida, amending the note on the Hillsboro Office Park Plat (083-MP-89); providing for waiver of road impact fees; providing for recording; providing for severability; and providing for an effective date. **(Commission District 2).**

ACTION: (T-10:19 AM) Approved subject to staff's recommendations.

87. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Hillsboro Office Park Plat (083-MP-89). **(Commission District 2)**

ACTION: (T-10:19 AM) Approved subject to staff's recommendations.

88. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding MOTION TO ADOPT a resolution 2008-282 of the Board of County Commissioners of Broward County, Florida, amending the note on the Pujara Commercial Center Replat I (094-MP-93); providing for waiver of road impact fees; providing for recording; providing for severability; and providing for an effective date. **(Commission District 2)**

ACTION: (T-10:19 AM) Approved subject to staff's recommendations.

89. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Pujara Commercial Center Replat I (094-MP-93). **(Commission District 2)**

ACTION: (T-10:19 AM) Approved subject to staff's recommendations.

90. DELEGATION: Melisa Moore regarding request to waive trafficway right-of-way dedication requirement for the Affordable Child Care School, Inc. Site Plan (002-SP-07). **(Commission District 7)**

ACTION: (T-10:19 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

The following Public Hearing item has been cancelled.

PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

91. MOTION TO APPROVE Contract for Sale and Purchase between Broward County, Purchaser, and The School Board of Broward County, Seller, for the County's acquisition of 2000 Safe Parks and Land Preservation Bond Program designated Open Space Site OS-18, comprised of 5.90-acres of land, together with the former Hortt School, located at 1700 SW 14th Court, Fort Lauderdale, Florida, including a lease-back to the School Board of the northerly 3.39 acres of the site, including the former school buildings, for a period not to exceed 12 months; authorize Real Property Section to acquire this property using Safe Parks and Land Preservation Bond funds; authorize the Mayor and Clerk to execute Contract for Sale and Purchase and the attached Business Lease, and authorize acceptance and recordation of Warranty Deed. **(Commission District 7)** (Continued from March 11, 2008 – Item No. 66)

ACTION: (T- 10:19 AM) No Board Action taken.

END PUBLIC HEARING

The following item is "Time Certain" at 11:00 A.M.


COUNTY ADMINISTRATION

92. MOTION TO ADOPT Resolution 2008-283 naming the Sheriff's North Jail located at 2421 NW 16th Street, Pompano Beach, as the "Paul Rein Detention Facility" pursuant to Section 18.43 of the Broward County Administrative Code, "Naming Broward County-owned Property, Buildings, Structures, and Facilities."

ACTION: (T- 11:13 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.


SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  93. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Lauderdale for the acquisition, improvement, enhancement, operation and management of Green Space Site GS-463, also known as West Ken Lark South; and authorizing the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T- 10:19 AM) (Transferred to the Consent Agenda.)

- B. MOTION TO ADOPT Resolution 2008-284 for the conveyance of real property referred to as Site GS-463, West Ken Lark South, in the Broward County Green Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 9)**

ACTION: (T- 10:19 AM) (Transferred to the Consent Agenda.)

-  94. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Tamarac for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-159, Tamarac Reclamation Park; and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

ACTION: (T- 10:19AM) (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE transfer of funds to the City of Tamarac in the amount of \$2,000,000 as reimbursement for the acquisition of real property referred to as Tamarac Reclamation Park (Site OS-159) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 3)**

ACTION: (T-10:19 AM) (Transferred to the Consent Agenda.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

95. **MOTION TO EXTEND** May 1, 2008, date for the completion of all required contractual documents for the proposed Hilton Convention Center Headquarters Hotel.

ACTION: (T- 12:10 PM) Approved. (Scrivener's error – See County Administrator's Report: Motion should read "MOTION TO EXTEND the May 1, 2008 date for the completion of all required contractual documents for the proposed Hilton Convention Center Headquarters Hotel to June 5, 2008.")

VOTE: 7-2. Commissioners Eggelletion and Rodstrom voted no.

PURCHASING DIVISION

For Human Services Department

96. A. **MOTION TO NOTE FOR THE RECORD** Emergency Execution of the Second Amendment to Agreement for Consultation Services for Medical Records System with Millennium Medical Records Consultants, Inc., Request for Letters of Interest (RLI) No. 20040202-0-HS-01, extending the term of the agreement for nine months, in the not-to-exceed amount of \$256,124.97, for the Broward Addiction Recovery Division (BARC). The extended term commenced on January 1, 2008 and will terminate on September 30, 2008.

ACTION: (T-10:19 AM) Withdrawn at the request of the County Auditor.

- B. **MOTION TO APPOINT** Selection Committee (SC) to recommend the most qualified firm to provide Medical Record Consultant Services for the Broward Addiction Recovery Division, and approve Request for Letters of Interest (RLI) No. 20080328-0-HS-01.

ACTION: (T-10:19 AM) Withdrawn at the request of the County Auditor.

For Public Works Department

97. MOTION TO NOTE FOR THE RECORD Request for Proposals (RFP) 20070725-0-FM-01, Chilled Water Systems maintenance, repair, upgrades, and replacement services for various locations, which has not been presented to the Board and has not been evaluated, for which Commissioners may choose to join the Evaluation Committee (EC).

ACTION: (T- 12:11 PM) Approved. Commissioner Eggelletion will join the Evaluation Committee. (Refer to minutes for full discussion.)

VOTE: 9-0.

For Transportation Department

98. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to manage, sell, install and maintain advertising on transit vehicles, as well as at transit facilities, including bus shelters, and related transit advertising opportunities, as appropriate, for the Transportation Department; and approve Request for Letters of Interest (RLI) No. 20080401-0-MT-01.

ACTION: (T-12:12 PM) The Board approved the following to serve on the Selection Committee (S/C): Commissioners Eggelletion Gunzburger, Keechl, Lieberman, Jacobs, Vice Mayor Ritter, Mayor Wexler, Director, Transportation Department (Chair); CFO/Director Finance and Administrative Services Department, Assistant to County Administrator, plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Transportation Department, Purchasing Division, and Risk Management Division. The Board made suggestion to staff that price becomes a factor in the RLI process except those prohibited by state law. (Refer to minutes for full discussion.)

VOTE: 9-0.



99. A. MOTION TO DIRECT staff to pursue a managed competition process for operation of Broward County Transit Fixed-Route Bus Service Routes 15, 17, 23 and 57, using County-owned mini-buses.

ACTION: (T- 12:14 PM) Approved, as amended. The Board directed staff to pursue a managed competition process and begin negotiations with the union providing a “14 day window” as a part of Motion A prior to beginning competitive procurement to finalize issues with the union as to the driving of mini buses. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelletion was out of the room during the vote.

- B. MOTION TO AUTHORIZE Director of Purchasing to initiate an accelerated competitive bid process and execute a contract agreement with the low responsive, responsible bidder to provide transportation services, on an interim basis, for a period of up to six months. (Commission Districts 1, 3, 5, 6, 7, 8)

ACTION: (T- 12:14 PM) Approved, as amended. The Board directed staff to pursue a managed competition process and begin negotiations with the union providing a “14 day window” as a part of Motion A prior to beginning competitive procurement to finalize issues with the union as to the driving of mini buses. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelletion was out of the room during the vote.

PORT EVERGLADES DEPARTMENT

100. **MOTION TO ADOPT** Resolution 2008-285 authorizing the Mayor and Clerk to execute a Supplemental Joint Participation Agreement (SJPA) between Broward County and the State of Florida Department of Transportation (FDOT), for the purpose of amending Section 1.00 (Project Description) of the Joint Participation Agreement (JPA) to reallocate previously approved Fiscal Year 2006/2007 Chapter 311 grant funds in the amount of \$1,050,000 from the Cruise Terminal 27 and Berth 27 Extension Project to provide for partial funding of the preliminary engineering studies, design and construction for the upgrade of Midport crane P2, and the purchase of a mobile harbor crane to replace Midport crane P1 (requiring \$1,050,000 in matching funds for the County), effective upon execution by FDOT through June 30, 2010.

ACTION: (T-5:49 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Keechl was not in the room during the vote.

OFFICE OF ECONOMIC DEVELOPMENT

101. **MOTION TO APPROVE** nominations of the following for appointment to the Enterprise Zone Development Agency:

City of Lauderhill - Commissioner Dale V.C. Holness, 4 year term

City of Dania Beach - Colin Donnelly, 4 year term

City of Fort Lauderdale:

Bruce Roberts, "Local law enforcement agency" category, 1 year term

Purvin Pujara, "Business operating within the nominated area" category, 1 year term

Alfred Battle, Jr., category not required, 3 year term

Mike Maloney, "Local code enforcement agency" category, 3 year term

Clare Vickery, "Business operating within the nominated area" category, 4 year term.

ACTION: (T- 10:19 AM) Approved. (Transferred to the Consent Agenda.)

AVIATION DEPARTMENT

102. A. MOTION TO APPROVE Settlement Agreement, including an escrow agreement, among Broward County, Spillis Candela & Partners, Inc. and Rental Car Center tenants; in the amount of \$1,706,804; of which \$207,053 is to be paid by Broward County (\$20,000 is to be contributed by Singer Architects, Inc.) with the remainder to be paid by Spillis Candela & Partners, Inc. and the Rental Car Center tenants for all claims and issues relating to mold, mildew, and water intrusion at the Quick Turn-around Area and office spaces in the Rental Car Center; effective upon execution; authorize the Director of Aviation to execute the escrow agreement and the Mayor to execute the Settlement Agreement subject to receipt of all signed original documents. (Deferred from April 8, 2008 – Item No. 78)

ACTION: (T-3:47 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

- B. MOTION TO APPROVE Settlement Agreement, between Broward County and Singer Architects, Inc., pertaining to the Rental Car Center, in the amount of \$20,000; effective upon execution; authorize the Mayor to execute the Settlement Agreement subject to receipt the signed original document.

ACTION: (T-3:47 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

103. MOTION TO ADOPT Resolution 2008-286 directing the County Administrator to publish a Notice of Public Hearing to be held on May 13, 2008, at 2:00 P.M. to consider adoption of a Resolution amending Chapter 39 of the Broward County Administrative Code, "Fees and Other Charges, Aviation" amending Section 39.2, "Rates, Fees and Charges, Fort Lauderdale-Hollywood International," to amend Airline Passenger Service Incentive Programs; providing severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (T-4:07 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

104. A. MOTION TO WAIVE Chapter 26, Operational Policy, "Aviation", Section 26.16 "Taxicabs," Paragraph e "Term" of the Broward County Administrative Code, to provide for a taxicab service concession agreement term longer than five years.

ACTION: (T-4:11 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

- B. MOTION TO APPROVE Second Amendment to Agreement between Broward County and B & L Service, Inc. for Metered Taxicab Management Concession at the Fort Lauderdale-Hollywood International Airport, extending the term for two years effective May 1, 2008 through April 30, 2010; providing for the dispatching of taxicabs from the taxi hold area on a first in first out basis; providing for B & L Service, Inc. to invoice the Independent taxicab participants monthly based on proportionate dispatching usage; providing for the installation of an Aviation Department approved electronic monitoring system in the taxi hold area; and authorize the Mayor and Clerk to execute same.

ACTION: (T-4:11 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

COUNTY COMMISSION

105. MOTION TO APPROVE nomination of Cathy Lerman for appointment to the Central Examining Board of General and Building Contractors (consumer category). (Vice Mayor Ritter)

ACTION: (T-10:19 AM) Approved. (Transferred to the Consent Agenda.)

106. MOTION TO NOMINATE for re-appointment Mr. Cary Bauer to the Central Examining Board of Plumbing Contractors. Mr. Bauer will serve a four-year term expiring on April 29, 2012. (Commissioner Gunzburger)

ACTION: (T-10:19 AM) Approved. (Transferred to the Consent Agenda.)

107. MOTION TO NOMINATE Coleman Prewitt to the Education, Research & Training Authority. (Commissioner Keechl)


ACTION: (T-10:19 AM) Approved. (Transferred to the Consent Agenda.)

108. MOTION TO APPROVE IN CONCEPT exchange of real property between Broward County (County) and School Board of Broward County (SBBC), said lands being in and adjacent to County's Brian Piccolo Park, to provide SBBC a second required ingress/egress for a new school desired to be built adjacent to the Park, known as Elementary School "D", located in Cooper City, Florida, and direct staff to perform due diligence to effectuate the exchange of real property. **(Commission District 5)** (Mayor Wexler)

ACTION: (T-10:19 AM) Approved. (Transferred to the Consent Agenda.)

109. MOTION TO DISCUSS City of West Park's request for an extension to provide all parties with additional time to develop a long term funding solution for the operation of McTyre Park. (Commissioner Wasserman-Rubin)

ACTION: (T- 10:35 AM) Board discussion took place. (Refer to minutes for full discussion.)

-  110. A. MOTION TO APPROVE allocation of \$375,000 in District 2 Commissioner Discretionary Funds to the City of Deerfield Beach to provide matching funds for a grant application the city is pursuing to assist with their efforts to acquire Tam O'Shanter Golf Course. **(Commission District 2)** (Commissioner Jacobs)

ACTION: (T-10:19 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE initiation of the due diligence process by County staff. **(Commission District 2)**

ACTION: (T-10:19 AM) Approved. (Transferred to the Consent Agenda.)

111.

COUNTY ADMINISTRATOR'S REPORT

A. **HOW TO DO BUSINESS WITH BROWARD COUNTY**

ACTION: (T- 6:06 PM) Interim County Administrator, Bertha Henry, informed the Board about an upcoming meeting at the Convention Center on Friday, May 2, 2008, entitled How to Do Business with Broward County. (Refer to minutes for full discussion.)

ACTION: (T-6:06 PM)

112.

MAYOR'S REPORT

A. **SOUTH FLORIDA WATER MANAGEMENT DISTRICT JOINT WORKSHOP**

ACTION: (T- 6:07 PM) Mayor Wexler informed the Board of a joint workshop taking place at the Convention Center on Monday, May 12, 2008, with the South Florida Water Management District along with Mayors from various municipalities. (Refer to minutes for full discussion.)

B. **CONGRATULATIONS TO COMMISSIONER WASSERMAN-RUBIN**

ACTION: (T-6:08 PM) Mayor Wexler congratulated Commissioner Wasserman-Rubin. On May 15, 2008, Commissioner Wasserman-Rubin will be honored at the Healthy Mother/Healthy Babies event. (Refer to minutes for full discussion.)

C. **YOUNG AT ART AWARD**

ACTION: (T-6:09 PM) Mayor Wexler presented the Board with an award from Young at Art, acknowledging the Board of County Commissioners for their inspiring vision for culture, arts, and education in our community. (Refer to minutes for full discussion.)

NON-AGENDA

113. **LIMITING RECYCLED WATER - COMMISSIONER JACOBS**

ACTION (T-6:09 PM) Commissioner Jacobs referenced a newspaper article about limiting recycled water to two days per week. Following some conversations Commissioner Jacobs recently had with the Governing Board, this rule looks like it will be re-addressed. (Refer to minutes for full discussion.)

114. TURNING NOTCH PROPOSAL – COMMISSIONER JACOBS

ACTION (T-6:10 PM) Commissioner Jacobs mentioned there is an alternative proposal made by Port Everglades Director Phil Allen to DEP regarding the Turning Notch. Commissioner Jacobs was concerned that members of the public would not have an opportunity to discuss it at the May 13, 2008 Public Hearing. (Refer to minutes for full discussion)

Mayor Wexler responded that if there is a new proposal, public input would be permitted. (Refer to minutes for full discussion.)

Commissioner Lieberman added that it's more than just allowing the public to speak. Information needs to be posted on the county's website. (Refer to minutes for full discussion.)

115. SOUTH FLORIDA WATER MANAGEMENT DISTRICT – COMMISSIONER WASSERMAN-RUBIN

ACTION (T-6:15 PM) Commissioner Wasserman-Rubin commented that she is the liaison for the South Florida Water Management District, and was concerned that her report might not be available before the next meeting.

Mayor Wexler responded that even though Commissioner Wasserman-Rubin is the liaison, her actions are not necessarily binding. No definitive decisions will be made at a workshop. (Refer to minutes for full discussion.)

116. BROWARD DAYS - COMMISSIONER LIEBERMAN

ACTION (T-6:18 PM) Commissioner Lieberman discussed successes that recently took place in Tallahassee for Broward Days. It appears their input was able to stop issues from passing, that otherwise might have passed. (Refer to minutes for full discussion.)

117. MITIGATION NEWS - COMMISSIONER KEECHL

ACTION (T-6:18 PM) Based upon a recent Commission meeting, several Commissioners felt that a promise would not be broken with regard to the Conservation Easement. Commissioner Keechl felt that a promise is a promise, and this Board should not reverse any prior Board decisions. (Refer to minutes for full discussion.)

Vice Mayor Ritter added that because Phil Allen knew there were not five votes for the Turning Notch expansion, he was trying to find a creative

solution and should be commended for thinking outside the box. (Refer to minutes for full discussion.)

118. CONGRATULATIONS TO DAVID BURGUENO – COMMISSIONER KEECHL

ACTION (T-6:20 PM) Commissioner Keechl informed the Board about an e-mail he received from one of his constituents praising David Burgueno, Chief Investigator for Building Code Services. (Refer to minutes for full discussion.)

119. CANCELLED MEETINGS - COMMISSIONER GUNZBURGER

ACTION (T-6:20 PM) Commissioner Gunzburger informed the Board about meetings she has tried to set up regarding jails and cities, which have been cancelled by the other parties on several occasions. (Refer to minutes for full discussion.)

Commissioner Rodstrom added that bed limits have been increased during certain emergency periods, and maybe those bed numbers could stay higher at all times.

Mayor Wexler commented that she hopes that the cancelled meetings are being documented and Commissioner Gunzburger should stop trying to arrange meetings after three have been cancelled. (Refer to minutes for full discussion.)

120. FOOD DRIVE – COMMISSIONER GUNZBURGER

ACTION (T-6:21 PM) Commissioner Gunzburger reminded everyone that the Food Drive ends on Friday, May 2, 2008, and people should donate what they can for the hungry. (Refer to minutes for full discussion.)

Commissioner Wasserman-Rubin added that she noticed some people were contributing goods that were already expired. (Refer to minutes for full discussion.)

121. MOVIES BEING FILMED IN BROWARD COUNTY – COMMISSIONER GUNZBURGER

ACTION (T-6:21 PM) Commissioner Gunzburger mentioned that there are several films being shot in Broward County. There are two films being shot in Hollywood, Florida. . (Refer to minutes for full discussion.)

122. ANN KOLB NATURE CENTER – COMMISSIONER GUNZBURGER

ACTION (T-6:23 PM) Commissioner Gunzburger commented how helpful staff was when she took her grandchildren to Ann Kolb Nature Center. (Refer to minutes for full discussion.)

123. CONGRATULATIONS TO MICHAEL OWENS - COMMISSIONER JACOBS

ACTION (T-6:27 PM) Commissioner Jacobs congratulated Michael Owens from the County Attorney’s office for his legal help and knowledge on her recent trip to Washington D.C., where Commissioner Jacobs testified before Congress on the Clean Water Restoration Act. (Refer to minutes for full discussion.)

124. CONGRATULATIONS TO BERTHA HENRY AND STAFF – COMMISSIONER JACOBS

ACTION (T-6:29PM) Commissioner Jacobs congratulated Interim County Administrator Bertha Henry and staff on the Nature Scape Project. There are over 3000 sites in Broward County today, compared to approximately 200 sites less than four years ago. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE
ARBITRAGE SERVICES
RLI No. 20070802-0-FA-1

Tuesday, April 29th, in Room 430 at 9:00 AM

SELECTION COMMITTEE
STORMWATER MASTER PLAN
RLI No. 20071012-0-AV-1

Tuesday, April 29th, in Room 302 at 9:00 AM

BOARD OF COUNTY COMMISSIONERS WORKSHOP
COMMISSION OBJECTIVES

Tuesday, April 29th, in Room 430, at 12:00 PM

