

MEETING OF MAY 2, 2006

(Meeting convened at 10:15 a.m. and adjourned at 1:07 p.m.)

PLEDGE OF ALLEGIANCE was led by Lt. Col. Leo Roger Gray, one of the original Tuskegee Airmen.

MOMENT OF SILENCE in memory of prominent attorney and Democratic State Legislator, A.J. "Red" Ryan, of Dania Beach.

In memory of Herman Goldfarb, City of Lauderhill activist.

CALL TO ORDER

CONSENT AGENDA

1. **BOARD APPOINTMENTS**

A. MOTION TO APPOINT Ms. Adrienne Kaitman to serve on the Commission on the Status of Women. (Commissioner Rodstrom)

ACTION: (Time-10:29 AM) Approved.

B. MOTION TO APPOINT Ms. Patricia Gertenbach to the Bicycling Advisory Board. (Commissioner Wasserman-Rubin)

ACTION: (Time-10:29 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Amendment No. 4 ("Amendment") to the Airline-Airport Lease and Use Agreement ("Signatory Agreement") between Broward County, Florida and American Airlines, Inc. ("American"), incorporating approximately 10,659 square feet of leased space previously leased by Trans World Airlines, Inc. ("TWA") into American's current Signatory Agreement, with an annual rent of \$305,724; effective upon Board approval, and authorize the Mayor and Clerk to execute same.

ACTION: (Time-10:29 AM) Approved.



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

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

FACILITIES MAINTENANCE DIVISION

3. MOTION TO APPROVE agreement between Broward County and the City of Sunrise, Florida, providing for the City to maintain the grounds, irrigation system and vegetation at the County-owned Dan Pearl Library located at 10500 West Oakland Park Blvd., for a period of five years, retroactive from September 12, 2005 through September 30, 2010, and a total estimated cost to the County of \$112,000; and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

ACTION: (Time-10:29 AM) Approved.

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

4. MOTION TO APPROVE required improvements agreement among Touse/Kolter, LLC; Monterra Community Development District; and Broward County relating to the "Monterra" Plat (005-UP-03); at no cost to the County and effective upon execution by the Board; and to authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (Time-10:29 AM) Approved.

REAL PROPERTY SECTION

5. MOTION TO APPROVE second amendment to License Agreement between Broward County and Deerfield Auto Tag Agency, Inc., located in the North Broward Regional Courthouse at 1600 W. Hillsboro Boulevard, Room 181, Deerfield Beach, Florida, amending the term of the License Agreement to conform to the term of the amended Operating Agreement, by extending the second renewal period by six months. This amendment will be effective upon execution, terminate on September 30, 2006, and provide for an increase in monthly rent of \$100; from \$3,300 to \$3,400; retroactive to April 1, 2006; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (Time-10:29 AM) Approved.

TRAFFIC ENGINEERING DIVISION

6. MOTION TO APPROVE first amendment to the Joint Participation Agreement between Broward County and the Florida Department of Transportation, which provides the Florida Department of Transportation with 99-year rent-free access to space at the Broward County Transportation Management Center. Broward County agreed to operate, maintain, and provide security for the Center, in exchange for reimbursement to the County for costs associated with these services. The "Estimated Cash Flow" Paragraph and Table set forth in Exhibit B of the original agreement shall be removed in its entirety and replaced with a revised Exhibit B, which shows an annual increase in the security costs. In addition, the operations and maintenance costs have been adjusted to reflect current expenditures, including an expected annual increase. The amendment shall be effective upon execution by the Florida Department of Transportation, and at no cost to the County; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (Time-10:29 AM) Approved.

HUMAN SERVICES DEPARTMENT

SUBSTANCE ABUSE AND HEALTHCARE SERVICES DIVISION

7. MOTION TO ACCEPT invitation to serve as the coordinating unit of local government for the State of Florida, Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Grant Program, to designate Broward County Commission on Substance Abuse to coordinate the preparation of Broward County's application(s) for grant funds and to approve the proposed list of applicants; and authorize the Mayor and Clerk to execute same.

ACTION: (Time-10:29 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL DIVISION

8. A. MOTION TO ACCEPT grant from the National Endowment for the Arts (NEA) (Grant No. 06-6200-7006), in the amount of \$30,000 for the purpose of supporting the Broward Cultural Council's (Council) e-marketing program, including a workshop and the production and placement of television and radio advertising in conjunction with the existing Cooperative Marketing Program for the period January 1, 2006, through September 30, 2007. (Requires a County cash match of \$30,000.)

ACTION: (Time-10:29 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-303 within the Council's Special Purpose Fund (0160) in the amount of \$30,000 for the purpose of supporting the Broward Cultural Council's e-marketing program.

ACTION: (Time-10:29 AM) Approved.

- C. MOTION TO AUTHORIZE County Administrator, or the Director of the Cultural Division, to sign subsequent invoices, Progress Reports, Financial Status Reports, and the Final Descriptive Report, and other documentation required by the NEA related to the grant.

ACTION: (Time-10:29 AM) Approved.

PARKS AND RECREATION DIVISION



9. MOTION TO APPROVE Master Plan for Roosevelt Gardens Park located in central unincorporated Broward County. **(Commission District 9)**

ACTION: (Time-10:29 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

10. MOTION TO APPROVE settlement agreement in the total estimated amount of \$95,550 between Broward County and Sound Connection Distributors, Inc., to resolve a violation of Section 27-333 of the Broward County Code of Ordinances regarding the unlicensed removal of mangroves; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

ACTION: (Time-10:29 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

11. MOTION TO ADOPT budget Resolution 2006-304 transferring within the General Fund the amount of \$1,134,867 from the Commission reserve for the purpose of funding unanticipated operating and capital expenditures in the Broward Sheriff's Office.

ACTION: (Time-10:29 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

12. MOTION TO ADOPT Resolution 2006-305 of the Board of County Commissioners of Broward County, Florida, authorizing the negotiation of a loan, in an aggregate amount not to exceed \$6,000,000 from the First Florida Governmental Financing Commission; approving the financing or refinancing of various capital improvements; approving the execution and delivery of a loan agreement and a tax regulatory agreement with the First Florida Governmental Financing Commission; approving the execution of and delivery of a Continuing Disclosure Certificate; providing certain other matters in connection with the making of such loan; and providing an effective date.

ACTION: (Time-10:31 AM) Approved. (Refer to minutes for full discussion.)

13. A. MOTION TO CONSENT to the distribution of Fiscal Year 2005 excess reserves of \$10,696,000 from the Resource Recovery Fund to Partner Cities as determined by the Resource Recovery Board.

ACTION: (Time-10:29 AM) Approved.

- B. MOTION TO ADOPT budget Resolution 2006-306 within the Resource Recovery Fund (Fund 4880) in the amount of \$10,696,000; to facilitate the distribution of excess reserves to the Partner Cities of the Resource Recovery System.

ACTION: (Time-10:29 AM) Approved.

ACCOUNTING DIVISION

14. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending March 31, 2006.

ACTION: (Time-10:29 AM) Approved.

COUNTY RECORDS DIVISION

15. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meetings of March 7, 2006, March 14, 2006; and March 21, 2006; and the minutes of the 2:00 P.M. Public Hearing of March 14, 2006.

ACTION: (Time-10:29 AM) Approved.

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

ACTION: (Time-10:29 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: (Time-10:29 AM) Approved.


PURCHASING DIVISION

For Finance and Administrative Services Department

16. MOTION TO AWARD open-end contract to low responsive, responsible bidder, Door Systems, Inc., for overhead rolling doors, repair/replace, Bid No. T-3-05-087-B-1 (Rebid), in the estimated amount of \$88,912.50; plus a parts pass-thru in the estimated amount of \$100,000; for a total estimated annual amount of \$188,912.50, for various Broward County agencies, and authorize the Purchasing Director to renew the contract for one year for a total potential amount of \$566,737.50. The initial contract period shall start on date of award and shall terminate two years from that date.

ACTION: (Time-10:29 AM) Approved.

For Community Services Department

-  17. MOTION TO NOTE FOR THE RECORD emergency open-end contracts to multiple responsive, responsible quoters, Abet Medical Transportation, Inc., Allied Medical Transport, Celebrity Wheelchair Transportation, M & T Transportation, Inc., Medex Transportation, Inc., Support Management, Inc., and We Care of South Florida, Inc., for Paratransit Supplemental Transportation Service, Quotation G06MT15M, at current Paratransit reimbursement rates not to exceed \$60,000 per contract, in the total potential amount not to exceed \$420,000; contingent upon receipt and approval of Certificate of Insurance and appropriate licenses, for the Mass Transit Division. The contracts will expire upon implementation of replacement Paratransit Transportation Services contracts or no later than December 31, 2006.

ACTION: (Time-10:37 AM) Approved. (Refer to minutes for full discussion.)

For Public Works and Transportation Department

18. MOTION TO APPROVE release of retainage and final payment in the amount of \$18,436.51, to Triple R Paving, Inc. for Improvements to Hiatus Road from Broward Boulevard to Sunrise Boulevard, Contract No. L-3-02-081-CF (Project No. 5168). **(Commission Districts 1 and 5)**

ACTION: (Time-10:29 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

19. MOTION TO ADOPT Resolution 2006-307 directing the County Administrator to publish a Notice of Public Hearing to be held May 23, 2006 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of ISS Marine Services, Inc. to provide steamship agent services for a five-year term at Port Everglades.

ACTION: (Time-10:44 AM) Approved. (Refer to minutes for full discussion.)

20. MOTION TO ADOPT Resolution 2006-308 directing 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 release and abandon a private landscape buffer located at approximately 8100 Royal Palm Blvd., in the City of Coral Springs, Broward County, Florida, and at no cost to the County. Petitioner: First Presbyterian Continuing Church of Coral Springs, Inc. (2006-V-03) (Keith and Associates, Inc. - Agent) **(Commission District 3)**

ACTION: (Time-10:29 AM) Approved.

REGULAR AGENDA

MANAGEMENT AND EFFICIENCY STUDY COMMITTEE

- 21. MOTION TO DISCUSS results of the 2006 Broward County Employee Survey conducted for the Management and Efficiency Study Committee (MESC), Service Delivery Subcommittee by ETC Institute, Inc., Olathe, Kansas, including a PowerPoint presentation by Chris Tatham, Vice President, ETC, Inc.

ACTION: (Time-10:50 AM) No Board action was taken. (Refer to minutes for full discussion.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Finance and Administrative Services Department

- 22. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide County-wide mail fulfillment services and approve Request for Letters of Interest (RLI) No. 20060303-0-OIT-02.

ACTION: (Time-11:38 AM) Deferred. (Refer to minutes for full discussion.)

- 23. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm(s) to provide auto tag related services by establishing and operating private auto tag agencies in accordance with Broward County Code of Ordinances Chapter 20, XII "Private Auto Tag Agency Ordinance" in specified locations throughout Broward County, and approve Request for Letters of Interest (RLI) No. 20051018-0-RC-01.

ACTION: (Time-10:29 AM) Withdrawn for further staff review.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

24. DISCUSSION: Legislative Issues – 2006 Legislative Session.

A. LAND USE ISSUES

ACTION: (Time-11:54 AM) Commissioner Scott gave a brief update on land use issues, including eminent domain issues. (Refer to minutes for full discussion.)

B. SECURITY ISSUES AT THE SEAPORT

ACTION: (Time-11:58 PM) Vice Mayor Eggleston briefly discussed security issues at the seaport, and how a pending bill may help reduce security costs. (Refer to minutes for full discussion.)

C. MASS TRANSIT

ACTION: (Time-11:59 AM) Commissioner Scott briefly discussed Tri-Rail and plans for mass transit in South Florida. (Refer to minutes for full discussion.)

D. BILL TO ASSIST FISCALLY CONSTRAINED SMALL COUNTIES

ACTION: (Time-12:01 PM) Commissioner Jacobs discussed a pending bill to assist fiscally constrained small counties and was concerned about its effect on Broward County.

Commissioner Lieberman added that the state needs to help fiscally constrained counties and if the state doesn't want to give general revenue, it ought to float a constitutional amendment giving them the ability to do some renovations to their tax structure. (Refer to minutes for full discussion.)

COUNTY ADMINISTRATION

25. MOTION TO DISCUSS: amending the 2006 Commission Meeting Calendar in the month of May and June to reflect events shown on the attached exhibit.

ACTION: (Time-12:08 PM) Interim County Administrator Bertha Henry informed the Board of an upcoming shade meeting with National Beverage Corporation and also of discussions taking place with the South Florida Water Management District, who are available to meet only on Wednesdays. (Refer to minutes for full discussion.)

COUNTY COMMISSION

26. MOTION TO NOMINATE Preston Henn to the Tourist Development Council. (Commissioner Scott)

ACTION: (Time-10:29 AM) Approved. (Transferred to the Consent Agenda.)

27. MOTION TO DISCUSS nominations for the at-large appointment to the Charter Review Commission. (Mayor Graber)

ACTION: (Time-12:12 PM) The Board agreed to submit their nominations for the at-large appointment by May 23, 2006. (Refer to minutes for full discussion.)

28. MOTION TO NOMINATE Richard J. Weiss to the Charter Review Commission as a District 8 appointment. (Commissioner Wasserman-Rubin)

ACTION: (Time-10:29 AM) Approved. (Transferred to the Consent Agenda.)

29. A. MOTION TO RECONSIDER adoption of a budget Resolution transferring \$200,000 within the General Fund from the Commission Reserve in order to fund a Linkage Fee Nexus Study to determine if there exists a rational nexus between job formation and affordable housing needs, authorizing the Director of the Purchasing Division to approve and execute an agreement with Florida International University on behalf of the Broward County Board of County Commissioners. (Commissioner Lieberman)

ACTION: (Time-12:14 PM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO ADOPT budget Resolution 2006-309 transferring up to \$200,000 within the General Fund from the Commission Reserve in order to fund a Linkage Fee Nexus Study to determine if there exists a rational nexus between any and all linkages and affordable housing needs, authorizing the Director of the Purchasing Division to approve and execute an agreement with Florida International University on behalf of the Broward County Board of County Commissioners.

ACTION: (Time-12:14 PM) Approved. (Refer to minutes for full discussion.)

HURRICANE PREPAREDNESS SELECT COMMITTEE

30. **MOTION TO APPROVE** Memorandum of Understanding between Broward County and News Radio 610 WIOD to designate 610 WIOD as Broward County's official emergency information radio station and to document the working partnership that has been agreed to during activations of the Emergency Operations Center.

ACTION: (Time-10:29 AM) Approved. (Transferred to the Consent Agenda.)

31. **COUNTY COMMISSION SELECT COMMITTEE REPORTS**

ACTION: (Time-12:29 PM) Various Board members gave brief overviews of what took place at their respective Select Committees. A copy of the agendas and minutes are available at: www.broward.org/commissioncommittees. (Refer to minutes for full discussion.)

32. **COUNTY ADMINISTRATOR'S REPORT**

ACTION: (Time-12:36 PM) Interim County Administrator Bertha Henry briefly discussed the upcoming Hurricane Preparedness Expo on May 20, 2006, and the tax amnesty period from May 21 through June 1, 2006. (Refer to minutes for full discussion.)

33. **MAYOR'S REPORT**

- A. **BROWARD COUNTY STUDENT SCIENCE FAIR**

ACTION: (Time-12:34 PM) Mayor Graber mentioned that the lobby of the Government Center will be the home of the 2006 Broward County Mayor's Science Fair, with a reception taking place this afternoon, from 5:30 to 7:00 p.m., honoring the county's award winning students.

Commissioner Jacobs added that her son, Mitchell, was the second place winner for his school and his project will be displayed. (Refer to minutes for full discussion.)

B. BROWARD COUNTY'S ONLINE TRANSIT TRIP PLANNING SYSTEM

ACTION: (Time-12:35 PM) Additionally, Broward County now has the first regional online transit trip planning system in the country. The automated system allows passengers to log in and get information on their transit trip. For more information log onto www.broward.org/bct. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

34. MOTION TO ADD Commissioner Ilene Lieberman to the Managed Care for Workers Compensation Selection Committee (RLI No. 20060203-0-RM-1), and to the Community Outreach Services Selection Committee at Fort Lauderdale/Hollywood International Airport. (Mayor Graber)

ACTION: (Time-10:29 AM) Approved. (Transferred to the Consent Agenda.)

NON AGENGA

35. FLORIDA HEALTHCARE COALITION - COMMISSIONER WEXLER

ACTION: (Time-12:37 PM) Commissioner Wexler handed out notepads and information on the Paul O'Neill Pledge "POP" Campaign, which encourages patients to give back illegible prescriptions. (Refer to minutes for full discussion.)

36. HURRICANE KICKOFF – COMMISSIONER LIEBERMAN

ACTION: (Time-12:42 PM) Commissioner Lieberman briefly mentioned a hurricane kickoff taking place at the Emergency Operations Center on May 20, 2006, from 10:00 until 3:00 p.m., which will allow the community to be prepared for the upcoming hurricane season. Commissioner Lieberman also thanked School Board Member Marty Rubinstein and the School Board for agreeing to sponsor a poster and essay contest dealing with hurricanes, with Bank of America supplying US Savings Bonds for the first, second and third place winners. (Refer to minutes for full discussion.)

37. APPROPRIATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS –COMMISSIONER LIEBERMAN

ACTION: (Time-12:46 PM) Commissioner Lieberman discussed initiatives to create teacher villages on campuses and some teacher's responses to living elsewhere within Broward County. Commissioner Lieberman requested staff look at the "First Time Homebuyers Program" to see if larger down payments could be given to first time homebuyers. (Refer to minutes for full discussion.)

38. HURRICANE ASSESSMENTS FROM CONDOMINIUM ASSOCIATIONS – COMMISSIONER LIEBERMAN

ACTION: (Time-12:47 PM) Commissioner Lieberman informed the Board that she had been assured by the General Council for the Florida Housing Authority that SHIP dollars can be used to offset assessments that condominium associations are placing on residents from hurricane damage. (Refer to minutes for full discussion.)

39. BROWARD HOUSING PARTNERSHIP – COMMISSIONER LIEBERMAN

ACTION: (Time-12:47 PM) Commissioner Lieberman questioned whether there is an opportunity to use a private sector partner to bring in other grants and private dollars for affordable housing. (Refer to minutes for full discussion.)

40. IMMIGRATION ISSUES – COMMISSIONER WASSERMAN-RUBIN

ACTION: (Time-12:52 PM) Commissioner Wasserman-Rubin informed the Board that she will be speaking and taking a position on the current immigration issues, not as a member of the Board of County Commissioners, but as an individual. (Refer to minutes for full discussion.)

41. REPLACEMENT OF STREET SIGNS FROM HURRICANE DAMAGE – COMMISSIONER WASSERMAN-RUBIN

ACTION: (Time-12:54 PM) Commissioner Wasserman-Rubin questioned who is responsible for replacing missing street signs from hurricane damage.

After being informed it is the county's responsibility, Interim County Administrator Bertha Henry stated she was at the Transportation Management Center last week and the issue of replacing street signs was discussed. Ms. Henry stated she would get the Board a report on where the county stands in terms of replacement. (Refer to minutes for full discussion.)

42. REBUILD BROWARD – COMMISSIONER RODSTROM

ACTION: (Time-12:57 PM) Commissioner Rodstrom discussed how people in the community are helping rebuild houses that had been damaged from the hurricane, but only making a small amount of progress due to the severe damage caused and the poor condition of some of these homes.

Vice Mayor Eggelletion added that there are many volunteers who have come out to help residents in poor areas in unincorporated Broward. (Refer to minutes for full discussion.)

43. SUSTRUNK MEETING – COMMISSIONER RODSTROM

ACTION: (Time-12:57 PM) Commissioner Rodstrom commented on a meeting being held tonight in Fort Lauderdale concerning the Sistrunk issue. Commissioner Rodstrom also mentioned that he had recently been informed by Ms. Henry that Congressman Hastings and/or his staff have refused to acknowledge that Broward County has a two-lane plan. The Congressman's position is they will take away the \$2.5 million grant, unless they approve the plan exactly as it's been presented by the city.

Mayor Graber added that it should be told to Congressman Hastings that the \$2.5 million is in jeopardy because of the way it was requested and should not be a reason for the Congressman not supporting this compromise. (Refer to minutes for full discussion.)

44. BREAKFAST AND PRESS CONFERENCE FOR THE TUSKEGEE AIRMEN – VICE MAYOR EGELLETTION

ACTION: (Time-1:01 PM) Vice Mayor Eggelletion invited everyone to a breakfast and press conference tomorrow at the African American Research Library in honor of the Tuskegee Airmen. (Refer to minutes for full discussion.)

45. KEEPING BROWARD BEAUTIFUL – VICE MAYOR EGELLETTION

ACTION: (Time-1:03 PM) Vice Mayor Eggelletion informed the Board that he walked the streets picking up trash in Roosevelt Gardens with quite a few volunteers, and found that the county owned lots were some of the worst in the community. (Refer to minutes for full discussion.)

46. PROPERTY ACROSS FROM THE WINGATE LANDFILL FACILITY – VICE MAYOR EGELLETON

(ACTION: (Time-1:05 PM) Vice Mayor Eggleton referenced some property across from the Wingate landfill facility on 31st Avenue that he would like to see designated for open space and preserved that way. (Refer to minutes for full discussion.

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE
AIRPLANE HANGAR FOR MOSQUITO CONTROL
RLI No. 20050426-0-CM-01RE
Tuesday, May 2nd in Room 302 at 9:30 AM

(Meeting Notices continued on next page)

RAIL MOUNTED CONTAINER GANTRY CRANE
RFP No. 20060313-0-PTOPS-IRE
Tuesday, May 2nd in Room 430 at 9:30 AM

SUMMIT JOINT COMMITTEE MEETING
BETWEEN BROWARD COUNTY MAYOR'S OFFICE &
BROWARD COUNTY SUPERVISOR OF ELECTIONS
Thursday, May 2nd in Room 409-G at 4:00 PM

RAIL MOUNTED CONTAINER GANTRY CRANE
RFP No. 20060313-0-PTOPS-IRE
Thursday, May 4th in Room 430 at 2:00 PM

