

## **MEETING OF MAY 6, 2003**

(The meeting convened at 10:00 a.m. and adjourned at 12:45 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Mayor Diana Wasserman-Rubin.

### **CALL TO ORDER**

### **CONSENT AGENDA**

#### **BOARD APPOINTMENTS**

1. MOTION TO APPROVE appointment of Eric T. Schwartzreich to the Human Rights Board. (Commissioner Parrish)

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

#### **AVIATION DEPARTMENT**

2. MOTION TO APPROVE Amendment No. 13 ("Amendment") to the Terminal Building Lease Agreement ("TBLA") between Broward County, Florida and AirTran Airways, Inc., ("AirTran") providing for the reimbursement of one half of the costs related to relocating from Terminal 4 to Terminal 3, at Fort Lauderdale-Hollywood International Airport, in an amount not to exceed \$37,500; and authorize the Mayor and Clerk to execute same.

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

3. MOTION TO APPROVE Amendment No. 3 ("Amendment") to the Terminal Building Lease Agreement ("TBLA") between Broward County, Florida and America West Airlines, Inc., ("America West") which provides for the reimbursement of one half of the costs related to relocating operations space from Concourse C to Concourse B, in Terminal 1, in an amount not to exceed \$10,000; and authorize the Mayor and Clerk to execute same.

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

4. MOTION TO POST APPROVE sixth amendment to agreement between Broward County, Florida and the Sheriff of Broward County to provide additional overtime law enforcement staffing at the Fort Lauderdale-Hollywood International Airport ("Airport") to respond to the Transportation Security Administration ("TSA") Federal Alert Status changes and for other security purposes, effective February 8, 2003, at a cost not to exceed \$2,000,000 for the remaining current Fiscal Year; and authorize the Mayor and the Clerk to execute same.

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

5. MOTION TO APPROVE commuter terminal building lease agreement between Broward County, Florida and Lynx Air International, Inc., for the lease and use of premises in Terminal 4 at the Fort Lauderdale-Hollywood International Airport, with anticipated annual revenues of \$13,222; and also providing for the reimbursement of the costs to construct an additional ticket counter and office space in Terminal 4, in an amount not to exceed \$15,000; effective upon Board approval for a five-year term with a 30 day written notice of termination by either party; and authorize the Mayor and Clerk to execute same.

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

## PUBLIC WORKS DEPARTMENT

### OFFICE OF GENERAL SERVICES

#### REAL PROPERTY SECTION

6. MOTION TO ADOPT Resolution 2003-340 authorizing the conveyance by quit claim deed, of various tax deed properties that have escheated to Broward County for delinquent real estate taxes, to the municipalities in which land is located pursuant to Florida Statute 197.592. This particular property is within the City of Plantation. Authorize the Mayor and Clerk to execute deeds; and authorize recordation of same.  
**(Commission District 1)**

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

7. MOTION TO ADOPT Resolution authorizing the conveyance by quit claim deed, of various taxdeed properties that have escheated to Broward County for delinquent real estate taxes, to the municipalities in which land is located pursuant to Florida Statute 197.592. These particular properties are all within the City of North Lauderdale. Authorize the Mayor and Clerk to execute deeds; and authorize recordation of same. **(Commission District 1)**

***ACTION: (Time-10:13 AM) Deferred for thirty (30) days at the request of the City of North Lauderdale.***

8. MOTION TO ADOPT budget Resolution 2003-341 transferring funds within the Streets and Highways' Capital Outlay Fund as part of the Capital Improvement Fund for Fiscal Year 2003 for Streets and Highways Division in the amount of \$195,000 for Phase II of drainage improvements on SW 24<sup>th</sup> Street from SW 46<sup>th</sup> Avenue to SW 42<sup>nd</sup> Terrace and side streets, Broadview Park in unincorporated Fort Lauderdale. **(Commission District 7)**

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

9. A. MOTION TO ADOPT budget Resolution 2003-342 transferring \$75,000 within the Streets and Highways Capital Outlay Fund (3110) for the purpose of resurfacing of the 11 feet paved alleys in the Lynn Park neighborhood.

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

- B. MOTION TO ADOPT Resolution 2003-343 of the Board of County Commissioners of Broward County, Florida declaring a public purpose for resurfacing, one time only, the alleys in the Lynn Park neighborhood. **(Commission District 8)**

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

10. A. MOTION TO ADOPT unanticipated budget Resolution 2003-344 in the Engineering Capital Outlay Fund (3150) for Traffic Engineering Division, Office of Transportation, Public Works Department in an amount not to exceed \$75,000 for the design and construction of a communications duct bank at the existing Broward County Traffic Engineering Facility.

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

- B. MOTION TO APPROVE joint project agreement (JPA) between Broward County Board of County Commissioners and State of Florida Department of Transportation for the design and construction of a communications duct bank at the existing Broward County Traffic Engineering Facility, and to authorize the Mayor and Clerk to execute same.

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

## **OFFICE OF TRANSPORTATION**

### **ENGINEERING DIVISION**

11. A. MOTION TO ADOPT unanticipated revenue Resolution 2003-345 within the Engineering Capital Outlay Fund (3150) in the amount of \$139,145 for the purpose of providing the Florida Department of Transportation (FDOT) contribution to the NW 49<sup>th</sup> Avenue project between NW 26<sup>th</sup> Street and Oakland Park Boulevard.

***ACTION: (Time-10:24 AM) Approved. See Page \*\*\*\*\****

- B. MOTION TO APPROVE agreement between Broward County and City of Lauderdale Lakes for the joint funding of improvements to NW 49<sup>th</sup> Avenue from NW 26<sup>th</sup> Street to Oakland Park Boulevard at a cost to the County not to exceed \$764,272.50; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

***ACTION: (Time-10:24 AM) Approved. See Page \*\*\*\*\****

### **FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT**

12. A. MOTION TO NOTE AND FILE FOR RECORD minutes of a Public Hearing conducted pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986 relating to the proposed issuance by the Capital Trust Agency of its Senior Air Cargo Revenue Bonds, Series 2003 (Lauderdale Project) (Cargo Acquisition Company Obligated Group) (the "Bonds") for the purpose of financing certain air cargo facilities at the Fort Lauderdale-Hollywood International Airport (the "Airport").

***ACTION: (Time-10:25 AM) Approved. See Page \*\*\*\*\****

- B. MOTION TO APPROVE consent to Third Party Financing Agreement and Estoppel between Broward County, Florida, Aero Lauderdale, LLC, and Bank One, a National Association, a national bank association in connection with a proposed \$19,000,000 Capital Trust Agency Senior Air Cargo Revenue Bonds, Series 2003 (Fort Lauderdale Project) (Cargo Acquisition Companies Obligated Group); for a period not to exceed 20 years; and authorize the Mayor and Clerk to execute same, subject to satisfaction of the requirements of Section 2 of the interlocal agreement between Capital Trust Agency and Broward County.

***ACTION: (Time-10:25 AM) Approved. See Page \*\*\*\*\****

13. MOTION TO ADOPT Resolution 2003-346 of the Board of County Commissioners of Broward County, Florida, authorizing the amendment of the Project Descriptions for both the Florida Ports Financing Commission's Revenue Bonds (State Transportation Trust Fund), Series 1996, of which a portion of the proceeds thereof was loaned to the County to finance all or a portion of certain capital projects in Port Everglades and the Florida Ports Financing Commission's Revenue Bonds (State Transportation Fund - Intermodal Program), Series 1999, of which a portion thereof was loaned to the County to finance all or a portion of certain capital projects in Port Everglades; authorizing the holding of a Public Hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, in connection with the issuance of the Series 1996 and Series 1999 Bonds; delegating to the Director of the Finance and Administrative Services Department the responsibility of holding such Public Hearing; and providing an effective date.

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

#### **ACCOUNTING DIVISION**

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

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

15. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending March 31, 2003.

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

16. MOTION TO APPROVE list of computer checks issued from January 1, 2003 through January 31, 2003, and February 1, 2003 through February 28, 2003.

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

17. MOTION TO FILE State mandated reports as follows:

- A. Schedule of Activity of the Landfill Management Escrow Account for the period ended September 30, 2002, pursuant to Florida Administrative Code Section 62-701.630(c)(1).
- B. Broward County, Florida, Mass Transit Division, Federal Funding Allocation Statistics Form (901), as required by 49 CFR Part 630, Federal Register, 1/15/93.
- C. State of Florida Annual Local Government Financial Report, Fiscal Year 2001-2002, pursuant to Section 218.503(2), Florida Statutes.

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

#### **COUNTY RECORDS DIVISION**

18. MOTION TO APPROVE minutes of the 10:00 AM Board of Broward County Commission meetings of March 18, 2003 and March 25, 2003; and the minutes of the 2:00 PM Public Hearing of March 25, 2003.

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

#### **PURCHASING DIVISION**

For Aviation Department

19. MOTION TO AWARD fixed contract to low bidder, Hill York Corporation, for air handler units (AHU) replacement at Fort Lauderdale - Hollywood International Airport, Bid No. L802181CF, in the amount of \$5,949,000 for the Aviation Department, subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same.

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

For Finance and Administrative Services Department

20. MOTION TO APPROVE AND AWARD fixed contract to sole source, sole brand vendor Xerox Corporation for a used Docutech 6135 High Speed Digital Printer in the amount of \$42,000 and open-end contract to sole source vendor Xerox Corporation for maintenance and supplies in the estimated amount of \$180,864; for a total estimated amount of \$222,864; Quotation No. D3PR1005, for the Purchasing Division (Print Shop), and authorize the Purchasing Director to renew the open-end contract for a one year period. The initial open-end contract period shall commence upon date of award and shall terminate three years from that date.

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

For Greater Ft. Lauderdale Convention & Visitors Bureau

21. MOTION TO APPROVE application for Service Mark (trademark) "Rolling out the Rainbow Carpet" prepared by Morgan, Lewis, Bockius, LLP for the Greater Fort Lauderdale Convention & Visitors Bureau; and authorize the Mayor and Clerk to execute same.

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

For Public Works Department

22. MOTION TO AWARD fixed contract to low responsive, responsible bidder, Florida Municipal Equipment, Inc. for truck, sewer storm cleaner, Bid No. C103020FF, in the amount of \$244,980 for the Streets and Highways Division.

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

For Department of Safety and Emergency Services

23. MOTION TO APPROVE sole source agreements between Broward County and Deccan International for the acquisition of application software and services to evaluate ongoing overall effectiveness, performance and response times of fire/rescue operations located in Broward County in the amount of \$149,000.00, for stage one CAD Analyst Software and in the amount of \$50,000.00, for stage two ADAM Software, for a total amount not to exceed \$199,000.00; for the Medical Examiner and Trauma Services Division. There shall be no cost to the County for technical support during the one year warranty period. Technical support for years two through five will cost a maximum \$154,794.20, for CAD Analyst Software and \$52,295.34, for ADAM Software; for a maximum total technical support of \$207,089.54, and a total maximum cost of \$406,089.50, over five years; and authorize the Mayor and Clerk to execute same. The initial contract period shall commence on date of execution and shall terminate five years after final acceptance of the system or stage, in the event both stages are not accepted by the County.

***ACTION: (Time-10:25 AM) Approved. See Page \*\*\*\*\****

## **HUMAN SERVICES DEPARTMENT**

### **FAMILY SUCCESS ADMINISTRATION DIVISION**

24. MOTION TO ADOPT Resolution 2003-347 approving the use of Refugee grant funds for Fiscal Years 2003, 2004, and 2005 for funding and administration of Refugee Individual Development Account (IDA) Savings Plan Agreements, contingent upon the availability of grant funds; approving the standard agreement shell form; authorizing the Director of the Family Success Administration Division to execute appropriate approved standard agreements with clients eligible under the Refugee IDA program; providing for severability; and providing for an effective date. (Deferred from April 29, 2003 - Item No. 28)

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

## **OFFICE OF HOUSING FINANCE**

25. **MOTION TO ADOPT** Resolution 2003-348 of the Board of County Commissioners of Broward County, Florida, approving the issuance of not to exceed \$19,400,000 of the Housing Finance Authority of Broward County, Florida (The "Authority") Multifamily Housing Revenue Bonds (Sanctuary Cove Apartments Project) Series 2003 (The "Bonds"), of which up to \$19,400,000 of the bonds may be tax-exempt and up to \$1,000,000 of the bonds may be taxable bonds, for the purpose of financing the acquisition and construction of a multi-family residential development in Broward County, Florida to provide housing for persons and families of low and moderate income; approving the issuance of the bonds; approving and authorizing the execution of a Trust Indenture by and between the Authority and the Bank of New York Trust Company of Florida, N.A. (The "Trustee"); approving and authorizing the execution of a Land Use Restriction Agreement by and between the Authority, the Trustee and Sanctuary Cove Associates, Ltd. (The "Borrower") for the bonds; approving and authorizing the execution of a Financing Agreement between the Authority and the Borrower for the bonds; approving and authorizing the execution and delivery of an Assignment of Mortgage and Intercreditor Agreement by and among the Authority, the Trustee and Fannie Mae, agreed to by the Borrower; approving and authorizing the execution and delivery of an LIHTC Agreement by and among the Authority, the Borrower and Fannie Mae; designating a Trustee, Paying Agent and Registrar for the bonds and the subordinate bonds and approving and authorizing the execution of a Trustee Fee Agreement between the Authority and the Trustee for the bonds and the subordinate bonds; determining the need for a negotiated sale of the bonds; approving and authorizing the execution of a Bond Purchase Agreement for the bonds among the Authority, the Borrower and William, R. Hough & Co. As Underwriters' Representative (The "Underwriter"); approving and authorizing the execution and distribution of a preliminary official statement and/or final official statement for the bonds; authorizing the utilization of credit enhancement for the bonds provided by Fannie Mae and the execution of such agreements as may be required in connection with such credit enhancement; authorizing the issuance of the Housing Finance Authority of Broward County, Florida Subordinate Multifamily Housing Revenue Bonds (Sanctuary Cove Apartments Project) (The "Subordinate Bonds") in an amount not to exceed \$2,000,000 to refund, if necessary, a portion of the bonds on the conversion date, and to enter into a Subordinate Indenture with the Trustee, a Subordinate Loan Agreement with the Borrower and a Forward Purchase Contract with GMAC Commercial Holding Capital Corp. in connection therewith; and authorizing other actions required to issue and deliver the bonds and, if necessary, the subordinate bonds. **(Commission District 9)**

***ACTION: (Time-10:22 AM) Approved. See Page \*\*\*\*\****

26. MOTION TO ADOPT Resolution 2003-349 of the Board of County Commissioners of Broward County, Florida, approving the issuance of not to exceed \$15,150,000 of the Housing Finance Authority of Broward County, Florida (The "Authority") Multifamily Housing Revenue Bonds (Harbour Cove Apartments Project), Series 2003 (The "Bonds"), of which up to \$14,825,000 of the bonds may be tax-exempt and up to \$1,000,000 of the bonds may be taxable bonds, for the purpose of financing the acquisition and construction of a multi-family residential development in Broward County, Florida to provide housing for persons and families of low and moderate income; approving the issuance of the bonds; approving and authorizing the execution of a Trust Indenture by and between the Authority and the Bank of New York Trust Company of Florida, N.A. (The "Trustee"); approving and authorizing the execution of a Land Use Restriction Agreement by and among the Authority, the Trustee, Harbour Cove Associates, Ltd. (The "Borrower") and the Florida Housing Finance Corporation, as Lender (The "Lender") for the bonds; approving and authorizing the execution of a loan agreement by and among the Authority, the Borrower and the Lender for the bonds; approving and authorizing the execution and delivery of a Construction Loan and Mortgage Servicing Agreement by and among the Authority, the Lender, the Borrower, the Trustee and Amerinational Community Services, Inc. (The "Servicer"); approving and authorizing the execution and delivery of an Assignment of Joint Funding Agreement from the Authority to the Trustee; approving and authorizing the execution and delivery of an Assignment of First Mortgage and Security Agreement, UCC Financing Statement, Promissory/Mortgage Note, and Assignment of Leases and Rents from the Authority to the Trustee; approving and authorizing the execution and delivery of an Intercreditor Agreement by and among the Authority, the Trustee, Florida Housing Finance Corporation, as Credit Enhancer (The "Credit Enhancer") and the Lender; approving and authorizing the execution and delivery of an Omnibus Assignment of Agreements from the Authority to the Trustee; designating a Trustee, Paying Agent and Registrar for the bonds and approving and authorizing the execution of a Trustee Fee Agreement between the Authority and the Trustee for the bonds; designating a servicer; determining the need for a negotiated sale of the bonds; approving and authorizing the execution of a Composite Bond Purchase Agreement for the bonds by and among the Authority, the Borrower and William R. Hough & Co. as Underwriters' Representative and Fannie Mae; approving and authorizing the execution and distribution of a Preliminary Official Statement and Final Official Statement for the bonds; authorizing the selection of a Bond Insurer and the execution of such agreements as may be required in connection with the bond insurance provided by such bond insurer; and authorizing other actions required to issue and deliver the bonds. (**Commission District 8**)

***ACTION: (Time-10:22 AM) Approved. See Page \*\*\*\*\****

## COMMUNITY SERVICES DEPARTMENT

### LIBRARIES DIVISION

27. MOTION TO APPROVE agreement between Broward County and Florida Atlantic University (FAU) for the purpose of defining terms and conditions under which Broward County Library System will utilize \$486,184 for library resources to be included in the FAU inventory, for the University's Fiscal Year 2003-2004; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

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

### MASS TRANSIT DIVISION

28. MOTION TO APPROVE second amendment to agreement between Broward County and the City of Margate for public transportation services; providing for the lease of one additional 25-passenger, wheelchair-accessible Blue Bird bus at a cost of \$10 per vehicle annually; and authorize the Mayor and Clerk to execute same. The term of this amendment is effective from date of execution through May 25, 2004. **(Commission Districts 1 and 2)**

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

## DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

### FIRE RESCUE DIVISION

29. MOTION TO ADOPT budget Resolution 2003-350 transferring \$3,999,000 from the Reserve for Regional Specialized Services Capital Projects within the General Capital Outlay Fund for the Fire Rescue Division; for capital expenses associated with implementing regional specialized fire rescue services according to the Fire Rescue Task Force recommendations and the Fire Rescue Division's Strategic Service Delivery Plan.

***ACTION: (Time-10:28 AM) Approved. See Page \*\*\*\*\****

30. A. MOTION TO APPROVE standard form agreement providing for the use of Broward County Fire Rescue Division equipment and/or vehicles by municipal fire departments for a period not to exceed six months to meet an emergency, unforeseen or temporary need.

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

- B. MOTION TO AUTHORIZE Director of the Safety and Emergency Services Department to execute the standard form agreement, in substantially the same form, on behalf of Broward County for the purposes stated therein.

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

**EMERGENCY MANAGEMENT AGENCY**

31. MOTION TO ADOPT unanticipated revenue Resolution 2003-351 within the Grant Fund for the Broward Emergency Management Agency in the amount of \$139,934 for the purpose of enhancing Broward County's Emergency Management and Preparedness Program.

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

**PORT EVERGLADES DEPARTMENT**

32. MOTION TO APPROVE renewal of a lease agreement between Broward County and Resolve Marine Services, Inc., for Suites No. 201-205 in Building 611 at Port Everglades, consisting of 2,079 square feet of office space, for the period of June 1, 2003 through May 31, 2004, with rent in the amount of \$36,382.50, over the lease term; and authorize the Mayor and Clerk to execute same.

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

33. MOTION TO APPROVE fourth amendment to Feasibility Cost Sharing Agreement between the Department of the Army Corps of Engineers and Broward County for the Port Everglades Harbor Feasibility Study in an amount not to exceed \$3,140,000; and authorize the Mayor and the Clerk to authorize same.

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

34. A. MOTION TO APPROVE execution of a Joint Participation Agreement (JPA) between the Broward County Board of County Commissioners and the Florida Department of Transportation (FDOT), Financial Project No. 403984-48-01, for the purpose of applying Transportation Outreach Program (TOP) funding in the amount of \$3,000,000 for the Broward County Port Everglades Department to cover expenses associated with activities related to the purchase of property for the Eller Drive Overpass Project; and authorize the Mayor and Clerk to execute same; together with a Resolution authorizing the Mayor to execute and file said JPA; and providing an effective date.

***ACTION: (Time-10:13 AM) Approved and adopted Resolution 2003-352.***

- B. MOTION TO ADOPT: unanticipated revenue Resolution 2003-353 within the Port Everglades Capital Fund 4710 for the Broward County Port Everglades Department in the amount of \$3,000,000 to cover expenses associated with activities related to the purchase of property for the Eller Drive Overpass Project.

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

#### **OFFICE OF BUDGET SERVICES**

35. MOTION TO ADOPT unanticipated revenue Resolution 2003-354 within the Law Enforcement Trust Fund in the amount of \$292,787 to fund a data management software upgrade, security cameras, self contained breathing apparatus and gas monitors.

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

#### **COUNTY COMMISSION**

36. MOTION TO ADOPT Resolution 2003-355 affirming the civil rights of all residents of Broward County. (Commissioner Parrish)

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

37. MOTION TO FILE Resolution No. R-2003-110 of the City Commission of Hollywood supporting SCR1166, a concurrent Resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women. (Mayor)

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

38. MOTION FILE Resolution No. R-2003-066 of the City Commission of Hollywood urging each governmental entity that operates a public park in a municipality to maintain signage in the park containing the name of the municipality. (Mayor)

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

39. MOTION TO FILE Resolution No. R-2003-083 of the City Commission of Hollywood opposing Senate Bill 1164 and House Bill 113 which set forth amendments to the Bert J. Harris, Jr. Act, and any and all other proposed amendments that would subject local and state governments to further liability for the constitutional exercise of their legislative and quasi judicial responsibilities and powers; transmitting the Resolution to the President of the Senate, Speaker of the House and Governor, setting an effective date. (Mayor)

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

40. MOTION FILE Resolution No. 8692 of the Plantation City Council expressing support for its residents' rights to peaceful existence in their homes that are in the proximity of the proposed Florida Turnpike Expansion, and requesting that the Florida Department of Transportation take necessary action to effectively minimize and buffer the noise level associated with current and future traffic from the Florida Turnpike in the City of Plantation, including the erection of a concrete noise barrier wall and installation of ample landscaping. (Mayor)

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

41. MOTION TO FILE Resolution No. R2003-80 of the City of Tamarac Commission supporting the City of Pembroke Pines and the City of Weston's opposition to the establishment of a permanent location for the Broward County Fair in Southwest Ranches. (Mayor)

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

## **DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

### **BIOLOGICAL RESOURCES DIVISION**

42. MOTION TO ACCEPT conservation easement from Alfredo and Anna Aletto for preservation of a natural forest of approximately 2.44 acres of real property in the City of Coconut Creek. **(Commission District 2)**

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

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**QUASI-JUDICIAL CONSENT HEARING**

**DEVELOPMENT MANAGEMENT DIVISION**

43. DISCUSSION: of plat entitled "Shotgun East" - **Commission District 5**, (016-MP-00).

***ACTION: (Time-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

44. DISCUSSION: of plat entitled "Troia Plat" - **Commission District 1**, (043-MP-02).

***ACTION: (Time-10:13 AM) Deferred to May 20, 2003 at the applicant's request.***

45. DISCUSSION: of plat entitled "Pompano Springs" - **Commission District 9**, (085-MP-02).

***ACTION: (Time-10:13 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

46. DELEGATION: C. William Laystrom, Jr. regarding request to amend the note on the ICW North Plat - **Commission District 8**, (008-MP-96).

***ACTION: (Time-10:13 AM) Deferred to January 6, 2004 or sooner, under Section 5-181(j) of the Land Development Code, to study transportation concurrency.***

47. DELEGATION: Michael D. Rose regarding request to amend the note on the Community Worship Center Plat - **Commission District 5**, (015-UP-95).

***ACTION: (Time-10:13 AM) Approved subject to staff's recommendations.***

48. DELEGATION: Diane Barry regarding request to amend the note on the Trio Plat - **Commission District 7**, (129-MP-90).

***ACTION: (Time-10:13 AM) Approved subject to staff's recommendations.***

49. DELEGATION: Edward P. Ploski regarding request to amend the note on the Nova Plat No. 2 - **Commission District 7**, (021-MP-01). (Deferred from April 1, 2003).

***ACTION: (Time-10:13 AM) Deferred to May 20, 2003, under Section 5-181(j) of the Land Development Code, to study transportation concurrency.***

50. DELEGATION: Sean M. Leder regarding request to amend the note on the Leder Hillsboro Company Limited - Part 2 Plat - **Commission District 2**, (094-MP-96).

***ACTION: (Time-10:13 AM) Approved subject to staff's recommendations.***

51. DELEGATION: Valerie A. Fernandez regarding request to amend the note on the Halvorsen Real Estate Corp Plat - **Commission District 8**, (077-MP-96).

***ACTION: (Time-10:13 AM) Approved subject to staff's recommendations.***

52. DELEGATION: Austin L. Watts regarding request to amend the note on the Walmart at Miramar Plat - **Commission District 8**, (059-MP-89). (Deferred from October 1, 2002).

***ACTION: (Time-10:13 AM) Denied per staff's recommendations.***

53. DELEGATION: Dan Ayers, representing Broward County Construction Management Division, regarding request to amend the note on the Kimberley Village - Section Three Plat - **Commission District 9**. (Deferred from December 3, 2002).

***ACTION: (Time-10:13 AM) Approved subject to staff's recommendations.***

54. DELEGATION: Daniel A. Fee regarding request to change the name of the Ness Plat to Ergon-Whiddon Two Plat and revise the note on the plat - **Commission District 7**, (020-MP-02).

***ACTION: (Time-10:13 AM) Approved subject to staff's recommendations.***

55. DELEGATION: Daniel A. Fee regarding request to modify conditions of plat approval on the Ness Plat (Ergon-Whiddon Two Plat) - **Commission District 7**, (020-MP-02).

***ACTION: (Time-10:13 AM) Deferred to May 20, 2003, for the purpose of discussion, based on the applicant's failure to submit an affidavit agreeing with the staff report.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

- 56. **COUNTY ADMINISTRATOR’S REPORT** County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

***ACTION: (Time-10:30 AM) No Board action was taken.***

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- 57. **DELEGATION:** Mr. Bruce Tumin regarding request for the Board to review issue of proposed County sidewalk on North side of McNab Road.

***ACTION: (Time-10:31 AM) No Board action was taken. See Page \*\*\*\*\****

**PUBLIC WORKS DEPARTMENT**

**OFFICE OF ENVIRONMENTAL SERVICES**

**ENVIRONMENTAL ENGINEERING DIVISION**

- 58. **MOTION TO APPROVE** developer’s agreement between Broward County and CJM Development, Inc., a Florida Corporation, providing for utilities installation by the developer, located in the area about 550 feet south of NW 29<sup>th</sup> Street and about 350 feet west of NW 33<sup>rd</sup> Avenue, in the City of Lauderdale Lakes, Broward County, Florida; with an estimated cost to the developer of \$84,440; at no cost to Broward County, and will furnish water and wastewater services; and authorize the Mayor and Clerk to execute same. BCOES Project No. 2065. (Deferred from April 29, 2003 - Item No. 2) **(Commission District 9)**

***ACTION: (Time-10:24 AM) Deferred to Tuesday, May 20, 2003, at the request of Commissioner Eggelletion. See Page \*\*\*\*\****

**PORT EVERGLADES DEPARTMENT**

- 59. A. **MOTION TO APPROVE IN CONCEPT** termination of a lease and the settlement of all outstanding issues between Broward County and Flagler Development Company, for approximately 97 acres of land located at Port Everglades.

***ACTION: (Time-10:35 AM) Approved. See Page \*\*\*\*\****

- B. MOTION TO WAIVE Section 32.4h of the Broward County Administrative Code (pursuant to Section 32.10 of said Code), and enter into a terminal lease agreement (this lease agreement is subject to the successful resolution of Motion "A" above) with Chiquita Fresh North America, Inc., ("Chiquita") for approximately 14 acres of land and certain buildings at Port Everglades.

***ACTION: (Time-10:35 AM) Approved. See Page \*\*\*\*\****

**OFFICE OF URBAN PLANNING AND REDEVELOPMENT**

60. MOTION TO FIND application 03-RF-03 for the allocation of 100 residential reserve units in the Town of Davie compatible with adjacent land uses and, that impacts upon public school facilities have been adequately considered (**Commission District 7**).

***ACTION: (Time-11:41 AM) Approved.***

61. A. MOTION TO INITIATE amendment to the Broward County Land Use Plan Policy 13.01.10 to remove the barrier island (the land area east of the Intracoastal Waterway) from the exemption for compatibility reviews and transmit the amendment to the Broward County Planning Council.

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

- B. MOTION TO DIRECT County Attorney's Office to prepare an Ordinance to establish procedures and requirements for applications for compatibility reviews providing for a more comprehensive review of such applications.

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

- C. MOTION TO DIRECT County staff to prepare revisions to the Regional Activity Center (RAC) land use category (or develop a substitute category or categories as appropriate) with supporting data and analysis, in coordination with the Broward County Planning Council.

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

## OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

62. DISCUSSION: Legislative Issues-2003 State Legislative Session.

1. Letter to the Governor - Veto Everglades Bill

***ACTION: (Time-11:42 AM) The Board directed staff to draft a letter from the Mayor, on behalf of the County Commission and signed by all nine (9) commissioners, requesting the Governor veto the Everglades Bill. See Page \*\*\*\*\****

2. Letter to Senators Debbie Wasserman Schultz and Jeffrey Atwater

***ACTION: (Time-11:42 AM) The Board directed staff to draft a letter from the Mayor, on behalf of the County Commission and signed by all nine (9) commissioners, thanking both senators for their help in defeating the Land Use Authority Amendment. See Page \*\*\*\*\****

## SUPERVISOR OF ELECTIONS

63. MOTION TO APPROVE recommendation of the Supervisor of Elections amending the voting precincts which were approved on July 9, 2002, amended on August 13, 2002 and January 14, 2003; combining five precincts for voting in the Pompano Beach Special Election on June 10, 2003. as submitted in Exhibit A.

***ACTION: (Time-12:15 PM) Approved, as amended. The Board requested that the Supervisor of Elections makes sure that the cities provide appropriate notification to the voters of the change in precincts, in addition to signage at the old voting precincts directing the voters to the new precincts, as previously required in the past. See Page \*\*\*\*\****

## COUNTY COMMISSION

64. MOTION TO DISCUSS Supervisor of Election's request for a Fiscal Year 2002-2003 budget supplement in the amount of \$1,318,691. (Mayor Wasserman-Rubin)

***ACTION: (Time-10:22 AM) Deferred to May 13, 2003 at the request of the Mayor, due to the Supervisor's inability to attend this day's meeting. The Board directed staff to research similar urban counties in Florida and the United States and perform a comparative analysis on what type voting equipment they use, quantities purchased, operating budgets, etc. Further, the County Attorney was directed to advise the Commission, in writing, of its' legal position, should the Supervisor of Elections' budget be delayed. See Page \*\*\*\*\****

65. MOTION TO DISCUSS findings of the Special Subcommittee of the Board of County Commissioners for review of the RLI process, approving the professional negotiator process for negotiating all contracts and changes thereto. (Vice-Mayor Lieberman)

***ACTION: (Time-12:21 PM) The Board directed staff to schedule a workshop to discuss the findings of the Special Subcommittee for review of the County's RLI process and to provide the minutes of the Special Subcommittee meeting of September 24, 2002 prior to said workshop. (Scrivener's error - See County Administrator's report: On page 1, the last line has a typo in the word "hingest" which should be "highest.") See Page \*\*\*\*\****

66. MAYOR'S REPORT

***ACTION: (Time-12:23 PM) No report was filed.***

67. COUNTY COMMISSION LIAISON REPORT

***ACTION: (Time-12:23 PM) No report was filed.***

## SUPPLEMENTAL AGENDA

### COUNTY COMMISSION

68. MOTION TO APPOINT Fort Lauderdale City Commissioner Cindi Hutchinson as a voting member of the Selection/Negotiation Committee for the Downtown Campus Study (RLI No. 20021218-7-EQ-01). (Mayor Wasserman-Rubin)

***ACTION: (Time-12:25 PM) Amended. The Board appointed City of Fort Lauderdale Mayor Jim Naugle and Mr. John T. Loos, Chair of the Downtown Development Authority (DDA), as voting members of the Selection/Negotiation Committee for the Downtown Campus Study (RLI No. 20021218-7-EQ-01). See Page \*\*\*\*\****

69. MOTION TO ACCEPT addition of a 40-acre parcel, commonly known as part of the U-Pick Property in the City of North Lauderdale, into the Park Land Inventory for regional park purposes, and authorizing the Real Property Section to initiate due diligence on the property. (Commission District 1) (Vice-Mayor Lieberman)

***ACTION: (Time-12:29 PM) Approved.***

### NON AGENDA

70. SEND LETTER TO CONGRESSIONAL DELEGATION - COMMISSIONER RODSTROM

***ACTION: (Time-12:30 PM) The Board directed staff to draft a letter to the County's Congressional Delegation relating to the cutback of screeners by the Transportation Security Administration (TSA), signed by all nine (9) commissioners. Further, the Board directed staff to notify the Ferguson Group to lobby the issue. See Page \*\*\*\*\****

71. PARATRANSIT CONTRACTS - COMMISSIONER PARRISH

***ACTION: (Time-12:31 PM) The Board directed staff to place an item on the Tuesday, May 13, 2003 Commission agenda clarifying that Village Car Service qualifies for the 3% cost of living adjustment. See Page \*\*\*\*\****

72. RLI PROCESS - AUDITED REPORTS - OVERHEAD EXPENSES - COMMISSIONER GUNZBURGER

***ACTION: (Time-12:35 PM) No Board action was taken. See Page \*\*\*\*\****

73. TRANSIT MASTER PLAN - COMMISSIONER JACOBS

**ACTION: (Time-12:38 PM/12:45 PM) The Board voted to include within the Transit Master Plan Scope of Services, the ability for staff to research the methodologies and funding mechanisms for grooming the next generation of mass transit riders, i.e. the children, to the Scope of Services for the Transit Master Plan, RLI No. 20020627-O-MT-01, if the Scope of Services is so narrow that it excludes children. See Page \*\*\*\*\***

74. REMOVE FROM SELECTION/NEGOTIATION COMMITTEE - VICE MAYOR LIEBERMAN ON BEHALF OF COMMISSIONER GRABER

**ACTION: (Time-12:45 PM) At the request of Commissioner Graber, and without objection, the Board removed Commissioner Graber from the following Selection/Negotiation Committees: Medical Records Selection/Negotiation Committee and Improvements to Tradedwinds Park. See Page \*\*\*\*\***

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**MEETING/WORKSHOP NOTICES**

**SELECTION/NEGOTIATION COMMITTEE**

**ADA Transition Plan Update**

**RLI No. 20021113-0-EE-01**

Tuesday, May 6<sup>th</sup> in Room 430 at 9:00 AM

**SELECTION/NEGOTIATION COMMITTEE**

**General Engineering Consultant Services**

**RLI No. 20030123-0-AV-01**

Tuesday, May 6<sup>th</sup> in Room 302A at 9:00 AM

**SELECTION/NEGOTIATION COMMITTEE**

**MGC Northport Cruise Garage and Access Ramps**

**RLI No. 012601-RB**

Tuesday, May 6<sup>th</sup> in Room 430 at 9:30 AM

**TRANSIT MASTER PLAN**

**RLI No. 20020627-0-MT-01**

Tuesday, May 6<sup>th</sup> in Room 302 at 9:30 AM

**SELECTION/NEGOTIATION COMMITTEE**

**Neighborhood Improvement Project**

**RLI No. 20030212-4-EVEE-01**

Tuesday, May 6<sup>th</sup> in Room A513 at 9:30 AM

**SELECTION/NEGOTIATION COMMITTEE**

**Security Services**

**RLI No. 20030228-0-FC-01**

Tuesday, May 6<sup>th</sup> in Room 430 at 2:00 PM

**SELECTION/NEGOTIATION COMMITTEE**

**Downtown Campus Study**

**RLI No. 2002 1218-7-EQ-01**

Tuesday, May 6<sup>th</sup> in Room 430 at 2:30 PM

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