

MEETING OF MAY 7, 2002

(The meeting convened at 10:00 a.m. and adjourned at 1:09 p.m.)

PLEDGE OF ALLEGIANCE was led by Mayor Suellen Fardelmann, City of Cooper City.

MOMENT OF SILENCE In memory of Dr. Steven E. Jordan, Plantation, Florida. Dr. Jordan was one of the first physicians appointed to the medical staff of Plantation General Hospital. Also, in memory of Mr. Robert Epstein, husband of Diane Cortez, publisher of the Western Express.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Mr. E. Pat Larkins to the Brownfields Redevelopment Task Force. (Commissioner Wasserman-Rubin)

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO APPOINT Ms. Mattie A. Benson to the Homeless Initiative Partnership Advisory Board. (Commissioner Lieberman)

ACTION: (Time-10:09 AM) Approved.

C. MOTION TO APPOINT the Honorable Judge Marcia Beach to the Alcohol and Drug Abuse Advisory Board. (Commissioner Graber)

ACTION: (Time-10:09 AM) Approved.

D. MOTION TO APPOINT Mrs. Myrna W. Shaw to the Commission on the Status of Women. (Commissioner Graber)

ACTION: (Time-10:09 AM) Approved.

E. MOTION TO APPOINT Mark J. McCarthy to the Consumer Protection Advisory Board.

ACTION: (Time-10:09 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE first amendment to the reimbursable agreement between the Federal Aviation Administration (FAA) and Broward County for relocating the remote receiver (RR) and remote transmitter (RT) at the Fort Lauderdale-Hollywood International Airport (FLL) in the amount of \$148,491; increasing the total reimbursable amount from \$553,412 to \$701,903; and authorize the Chair and Clerk to execute same prior to execution by the FAA.

ACTION: (Time-10:09 AM) Approved.

3. A. MOTION TO APPROVE agreement between the U.S. Department of Transportation, Transportation Security Administration (“TSA”), and the Broward County Aviation Department to reimburse the County in the sum of \$120,500 per year for a period of five years, for participation in the Explosives Detection Canine Team Program; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO AUTHORIZE Director of the Aviation Department, or designee, to sign the forms for award for supplies or services, or similar forms, with regard to this agreement, in order for the County to receive an amount of up to \$120,500 per year, for the period beginning December 18, 2001 and terminating December 18, 2006.

ACTION: (Time-10:09 AM) Approved.

4. A. MOTION TO APPROVE Airline-Airport Lease and Use Agreement between Broward County, Florida and JetBlue Airways Corporation; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO APPROVE addendum to the Airline-Airport Lease and Use Agreement between Broward County, Florida and JetBlue Airways Corporation, revising various provisions of the Airline-Airport Lease and Use Agreement, and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

5. MOTION TO APPROVE Amendment No. 3 to the agreement for limousine service concession between Broward County, Florida and Yellow Airport Limousine Service, a joint venture comprised of B & L Service, Inc., and All Broward Services, Inc., at Fort Lauderdale-Hollywood International Airport to amend the term to a month-to-month commencing June 1, 2002, with a 30 day notice of termination by the Director of Aviation, with anticipated revenue to the County of \$16,041.67, per month; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

6. MOTION TO APPROVE Amendment No. 4 to the amended and restated agreement for news and retail merchandise concession between Broward County, Florida and Paradies-Fort Lauderdale, Inc., providing for additional assigned areas for the construction and operation of a retail area in Terminal 1, Concourse B (“Concourse B”) with a minimum capital expenditure of \$700,000; establishing a privilege fee for Concourse B equal to the greater of: A) 12.5% of gross revenues or, B) a minimum annual guarantee (“MAG”) equal to the greater of: i) 80% of the previous year’s revenues to the County, or ii) \$200,000; provides for a seven year term for Concourse B to be effective upon the opening date of Concourse B, provides for the annual MAG for the concession areas in the existing terminals to be amended to equal the greater of 80% of the previous year’s revenues to the County or \$2.3 million; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:15 AM) Approved, as amended. The Board directed the County Attorney’s Office to insert language in the agreement whereby, “Prior to the security checkpoint at Terminal One, there will be enhanced kiosk and/or push cart concessions.” The enhanced concessions will be installed within four (4) weeks. See Page *****

PUBLIC WORKS DEPARTMENT

OFFICE OF GENERAL SERVICES

REAL PROPERTY SECTION

7. MOTION TO APPROVE Contract for Sale and Purchase executed by Patrice Morgan, a single woman, for the purchase of real property located at 2828 NW 8th Road in Fort Lauderdale, Florida, in the amount of \$75,500 for the expansion of Lafayette-Hart Park. The parcel contains 5,000 square feet (including 1,170 square feet of a residential dwelling). Parks and Recreation Division and Community Development Division authorizes the Real Property Section to acquire this property. Funding for this property will come from Community Development Divisions' funds; authorize the Chair and Clerk to execute Contract for Sale and Purchase; and authorize acceptance and recordation deed. **(Commission District 7)**

ACTION: (Time-10:09 AM) Approved.

8. MOTION TO APPROVE Contract for Sale and Purchase executed by Alton P. Raymond in the amount of \$10,500 (\$1.48 per square foot) for Westlake Outparcel No.196, located on the south side of unimproved Allen Street, 60 feet east of unimproved North 13th Avenue in Hollywood, Florida. This parcel is comprised of approximately 7,100 square feet. The Parks and Recreation Division authorizes Real Property Section to acquire this property using Parks funds from the 1989 Bond Program; authorize the Chair and Clerk to execute Contract for Sale and Purchase; and authorize acceptance and recordation of deed. **(Commission District 6)**

ACTION: (Time-10:09 AM) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

9. MOTION TO APPROVE revocable license agreement between Broward County and the City of Sunrise for the use of a portion of the median of Nob Hill Road between NW 44th Street and Commercial Boulevard for the installation of landscaping, brick pavers and irrigation; and authorize the Chair and Clerk to execute same. **(Commission District 5)**

ACTION: (Time-10:09 AM) Approved.

10. MOTION TO ADOPT Resolution 2002-348 accepting a warranty deed, at a nominal cost of \$10 to the County, executed by Andrews Corporate Center LLC. for right-of- way for Andrews Avenue (west side) located approximately 110 feet north of SW 32nd Court. **(Commission District 7)**

ACTION: (Time-10:09 AM) Approved.

11. MOTION TO APPROVE amendment to Roadway Improvement Phasing Agreement, between Atlantic Business Center, L.C. and Broward County, related to the "Atlantic Business Center Plat" (046-MP-99); and authorize the Chair and Clerk to execute same. **(Commission District 9)**

ACTION: (Time-10:09 AM) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

12. A. MOTION TO ADOPT unanticipated revenue Resolution 2002-349 within the Capital Outlay Fund (Fund 3060) in the amount of \$165,935 to recognize Broward County's portion of the proceeds of the First Florida Governmental Financing Commission Improvement and Refunding Revenue Bonds, Series 2002 for the Voting System Project and net the proceeds against the existing project budget.

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-350 within the Capital Outlay Fund (Fund 3140) in the amount of \$41,621 to recognize Broward County's portion of the proceeds of the First Florida Governmental Financing Commission Improvement and Refunding Revenue Bonds, Series 2002 for the Women's Detention Facility Project and net the proceeds against the existing project budget.

ACTION: (Time-10:09 AM) Approved.

C. MOTION TO ADOPT unanticipated revenue Resolution 2002-351 within the Debt Service Fund (Fund 2450) in the amount of \$22,076,573 to recognize Broward County's portion of the proceeds of the First Florida Governmental Financing Commission Improvement and Refunding Revenue Bonds, Series 2002 for the refunding of the Series 1992C First Florida Bonds.

ACTION: (Time-10:09 AM) Approved.

D. MOTION TO ADOPT budget Resolution 2002-352 within the Debt Service Fund (Fund 2270) in the amount of (\$173,600) to reflect the transfer of unexpended debt service funds to the Series 2002 First Florida Debt Service Fund and the transfer of the debt service reserve utilized in the refunding of the remaining portion of the Series 1992C First Florida Bonds.

ACTION: (Time-10:09 AM) Approved.

E. MOTION TO ADOPT budget Resolution 2002-353 within the General Fund (Fund 0010) in the amount of \$3,786,404 to reflect changes to budgeted transfers associated with the projects financed with the proceeds of the First Florida Governmental Financing Commission Improvement and Refunding Revenue Bonds, Series 2002.

ACTION: (Time-10:09 AM) Approved.

F. MOTION TO ADOPT unanticipated revenue Resolution 2002-354 within the Commercial Paper Fund (Fund 0240) in the amount of \$2,500,000 to reflect the retirement of Commercial Paper issued for the Women's Detention Facility Project.

ACTION: (Time-10:09 AM) Approved.

ACCOUNTING DIVISION

13. MOTION TO FILE Management Letter from independent auditors, Ernst & Young, for the year ended September 30, 2001, pursuant to Section 11.45 of the Florida Statutes.

ACTION: (Time-10:09 AM) Approved.

14. MOTION TO FILE Semi-Annual Financial Summary for the Park, Open Space and Recreational Trust Fund for the six-month period ending March 31, 2002.

ACTION: (Time-10:09 AM) Approved.

15. MOTION TO APPROVE travel for County employees on the attached list, in accordance with Administrative Code Chapter 3, Part II - County Employee Travel.

ACTION: (Time-10:09 AM) Approved.

COUNTY RECORDS DIVISION

16. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commission meetings of March 19, 2002; April 2, 2002; April 9, 2002; and the minutes of the 2:00 P.M. Public Hearing of April 9, 2002.

ACTION: (Time-10:09 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-10:09 AM) Approved. See Page *****

PURCHASING DIVISION

For Aviation Department

17. A. MOTION TO APPROVE first amendment to the agreement between Broward County and Camp Dresser & McKee, Inc. (Agreement) for consultant services for the preparation of a Stormwater Master Plan to add the 2020 Vision concept at the Fort Lauderdale-Hollywood International Airport (RLI No. 073098-RB), in the amount of \$65,422 increasing the total contract amount from \$650,000 to \$715,422; with no increase in time, and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO APPROVE Work Authorization No. 1 in accordance with the first amendment to the agreement to provide optional services to review the stormwater impacts that may be caused by the proposed intermodal improvements for the conceptual 2020 Vision Plan for a lump sum cost of \$65,422; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

18. MOTION TO AWARD fixed contract to low bidder, Weekley Asphalt Paving, Inc., for Taxiway "B" Extension at Ft. Lauderdale/Hollywood International Airport, Bid No. H-1- 02-004-CF, in the amount of \$2,276,010 for the Aviation Department, subject to receipt and acceptance of the Insurance/Performance and Payment Guarantee; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

For Public Works Department

19. MOTION TO AWARD fixed contract to low bidder, Ric-Man International, Inc., for construction of Central County Neighborhood Improvement Project, St. George West, Bid No. Q102022CF, in the amount of \$7,980,000 for the Environmental Engineering Division, subject to receipt and acceptance of performance and payment guarantee; and authorize the Chair and Clerk to execute same. (**Commission District 9**)

ACTION: (Time-10:09 AM) Approved.

20. A. MOTION TO APPROVE list of equipment and services recommended by the Environmental Engineering Division (EED) of the Office of Environmental Services (OES), to be included in the bid to increase the capacity of the North Regional Wastewater Treatment Plant (NRWWTP) for sole source, sole brand, or limited competition status (pre-selected qualified suppliers), Exhibit 1.

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO AUTHORIZE existing Selection/Negotiation Committee (S/NC) appointed August 9, 1994, Item No. 118, for the North Regional Wastewater Treatment Plant Updating, to negotiate prices with vendors for equipment, services, and other items identified in Motion A, Exhibit 1, which will be included in the bid as sole source or sole brand and to establish limited competition status for other equipment or services for an estimated total amount of \$6,000,000 for the NRWWTP. The prices negotiated or awarded from sole brand, sole source, or limited competition will become a formal part of the overall contract terms when it is bid. The total project is anticipated to cost approximately \$56,000,000. (**Commission District 2**)

ACTION: (Time-10:09 AM) Approved.

21. MOTION TO AWARD open-end Southeast Florida Co-Op contract for miscellaneous automotive parts, Bid No. C401058B1 to M & H Automotive, Inc., low bidder for Groups I, VII, XIV, XV, XVII, XVIII, XXIII, and low responsive, responsible bidder for Groups VIII, IX, X, XVI, XXV in the estimated amount of \$306,442.31; to Bennett Auto Supply, low responsive, responsible bidder for Groups II, V, VI, XIII in the estimated amount of \$309,882.45; to Vehicle Maintenance Program, Inc., low bidder for Groups III, XI, XX, and low responsive, responsible bidder for Group IV, XIX in the estimated amount of \$110,273.21; to Tropical International Corporation, low bidder for Group XII in the estimated amount of \$52,719.50; to Total Truck Parts, Inc., low responsive, responsible bidder for Group XXI in the estimated amount of \$60,155.90; to S & H Distributors, Inc., low bidder for Group XXII in the estimated amount of \$8,416.14; and to American Battery Company, low bidder for Group XXIV in the estimated amount of \$1,110.49; for a total estimated annual amount of \$849,000.00, for the Fleet Services Division, and authorize the Purchasing Director to renew the contract for two, one-year periods. The initial contract shall start on date of award and shall terminate one year from that date.

ACTION: (Time-10:09 AM) Approved.

RISK MANAGEMENT DIVISION

22. MOTION TO AUTHORIZE full and final settlement of claim No. SM/081699SKUD in the amount of \$83,500.

ACTION: (Time-10:09 AM) Approved.

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

23. A. MOTION TO APPROVE Agreement No. JA022-15-2002 between Broward County and Area-wide Council on Aging of Broward County, Inc. from date of execution to December 31, 2002 for the provision of in-home respite services through the National Family Caregivers Support Program in the amount of \$222,222; and authorize the Chair to execute same. Total revenue includes \$200,000 Federal dollars, and \$22,222 Sub-Contractor In-Kind. No County cash match is required.

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-355 within the State of Florida Grant Fund for the Elderly and Veterans Services Division in the amount of \$222,222 for the provision of in-home respite through the National Family Caregivers Support Program services.

ACTION: (Time-10:09 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

24. MOTION TO APPROVE agreement between Broward County and Dr. Steven Paul, V.M.D., in the amount of \$10,000 for the purchase of veterinarian services for injured and adopted animals, and emergency medical and surgical treatment, from the date of execution through September 30, 2003; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

25. MOTION TO APPROVE first amendment to the agreement between Broward County and Hollywood Animal Hospital, P.A., increasing the maximum compensation by \$10,000 for the purchase of emergency medical and surgical treatment for the period, upon execution to September 30, 2002; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

MASS TRANSIT DIVISION

26. A. MOTION TO ADOPT Resolution 2002-356 of the Board of County Commissioners of Broward County, Florida, authorizing the Commission Chair to execute and file an application for Federal assistance for Fiscal Year 2002 with the Federal Transit Administration, pursuant to 49 U.S.C., Section 5307 Funding in the amount of \$1,500,000 under the Federal Transit Act as amended; and providing for an effective date.

ACTION: (Time-10:09 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-357 to increase the Capital Fund (4510) for the Mass Transit Division, in the amount of \$1,500,000 providing for the purchase of five transit buses.

ACTION: (Time-10:09 AM) Approved.

27. A. MOTION TO AUTHORIZE Purchasing Director to allow the current Job Access and Reverse Commute (JARC) Transportation Service contract, Bid GZ99221B1, awarded December 4, 2001 (Item 9B), to Medical Care Transportation, Inc., to end on June 4, 2002, pursuant to the contract's expiration date. This service is commonly known as the "Northeast and Southeast Free ?B' Minibus Service." (**Commission Districts 2, 6, 7, 8, and 9**)

ACTION: (Time-10:21 AM) Approved. See Page *****

B. MOTION TO ADOPT Resolution 2002-358 of the Board of County Commissioners of Broward County, Florida, authorizing the Commission Chair to execute and file a grant application for Federal assistance for Fiscal Year 2002 with the Federal Transit Administration (FTA), pursuant to 49 U.S.C., Section 5309 funding, in the amount of \$1,050,000 under the Job Access and Reverse Commute grant program, as authorized under the Transportation Equity Act for the 21st Century (TEA-21); authorizing the Director of Mass Transit Division and the County Attorney to electronically file the grant application with the FTA, and accept the grant award electronically from the FTA; and providing for an effective date.

ACTION: (Time-10:21 AM) Approved. See Page *****

C. MOTION TO ADOPT Resolution 2002-359 of the Board of County Commissioners of Broward County, Florida, authorizing the Commission Chair and Clerk to execute and file a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT), in the total amount of \$400,000 (\$200,000 from FDOT and \$200,000 County match), to assist Broward County with Fiscal Year 2002 funding for transit projects provided under the Job Access and Reverse Commute grant program, as authorized under the Transportation Equity Act for the 21st Century (TEA-21); and providing for an effective date.

ACTION: (Time-10:21 AM) Approved. See Page *****

D. MOTION TO ADOPT unanticipated revenue Resolution 2002-360 to increase the Capital Grant Fund (4510) for the Mass Transit Division, in the total amount of \$1,650,000 [\$1,050,000 from the FTA, \$200,000 from FDOT, and \$400,000 from WorkForce One (formerly known as Broward Employment and Training Administration)], to assist with the financing of Broward County's Job Access and Reverse Commute grant program for Fiscal Year 2002. (A County match of \$450,000 will be made available October 1, 2002. Of this amount, \$200,000 will be designated as a cash match for the JPA.)

ACTION: (Time-10:21 AM) Approved. See Page *****

PARKS AND RECREATION DIVISION

28. MOTION TO APPROVE officially naming the Crystal Lake environmentally sensitive land site as the Crystal Lake Sand Pine Scrub Natural Area. (**Commission District 2**)

ACTION: (Time-10:09 AM) Approved.

DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

FIRE RESCUE DIVISION

29. MOTION TO ADOPT Resolution 2002-361 of the Board of County Commissioners of Broward County, Florida deleting Volume I, Chapter 12, Part XVI, "MSBU-EMS Advisory Committee," Sections 12.162 through 12.166 of the Broward County Administrative Code; providing for severability; and providing for an effective date. (**Commission Districts 4, 7 and 9**)

ACTION: (Time-10:09 AM) Approved.

PORT EVERGLADES DEPARTMENT

30. MOTION TO APPROVE renewal of a lease agreement between Broward County and Berg & Stephens, Inc., for 2,962 square feet of warehouse space in Bay No. 8 of Building "E" of Foreign Trade Zone No. 25 at Port Everglades, for a period of three years, effective July 1, 2002 through June 30, 2005, with rent in the approximate amount of \$77,000 over the lease term; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

31. 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, 2002 through May 31, 2003, with rent in the amount of \$36,382.50, over the lease term; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:09 AM) Approved.

OFFICE OF BUDGET SERVICES

32. MOTION TO APPROVE proposed dates and times of workshops to review the recommended Fiscal Year 2003 Budget and Capital Program.

ACTION: (Time-10:09 AM) Approved.

33. MOTION TO ADOPT unanticipated revenue Resolution 2002-362 within the Law Enforcement Trust Fund (LETF) in the amount of \$424,441 for the purpose of funding law enforcement operating and equipment expenditures and providing cash match for grants.

ACTION: (Time-10:09 AM) Approved, as amended. At the request of the Broward Sheriff's Office, \$22,000 to be withdrawn within item 33. The unanticipated revenue resolution within the Law Enforcement Trust Fund (LETF) is reduced from \$424,441 to \$402,441 accordingly.

COUNTY ATTORNEY

34. MOTION TO AUTHORIZE the Chair and Clerk to execute and deliver a Satisfaction of Mortgage for a certain mortgage executed by Robert A. Russo and Denise Russo, his wife, for the purpose of posting an appearance bond in the case of State of Florida v. Robert Alan Russo, 17th Circuit Case Nos. 98-18909CF10A and 95-19009CF10B.

ACTION: (Time-10:09 AM) Approved.

COUNTY COMMISSION

35. MOTION TO DIRECT Office of Economic Development to hold site visits at all companies that are closing or having lay offs. (Chair)

ACTION: (Time-10:09 AM) Approved.

36. MOTION TO FILE Resolution No. 161-2002 of the Broward County Democratic Executive Committee, urging that the Constitutional Officers remain independently elected Constitutional Officers. (Chair)

ACTION: (Time-10:09 AM) Approved.

37. MOTION TO FILE Resolution No. 162-2002 of the Broward County Democratic Executive Committee's Legislative Committee, expressing their support for adoption of the Living Wage Ordinance. (Chair)

ACTION: (Time-10:09 AM) Approved.

38. MOTION TO FILE Resolution No. 2002-105 of the City of Hollywood, urging Broward County to modify the division and distribution of proceeds from the tourist development tax (bed tax) to offset coastal communities' costs for beach renourishment projects, maintenance and safety. (Chair)

ACTION: (Time-10:09 AM) Approved.

39. MOTION TO FILE letter from the condo presidents of Hollywood Beach, declaring their opposition to the proposed expansion of the Fort Lauderdale-Hollywood Airport. (Chair)

ACTION: (Time-10:09 AM) Approved.

40. MOTION TO FILE Resolution No. 2002-64 of the City of Weston, opposing amendments to the Broward County Charter proposed by the Broward County Charter Review Commission relating to the establishment of a countywide water council and countywide water standards and determining that such amendments are not in the public interest. (Chair)

ACTION: (Time-10:09 AM) Approved.

41. MOTION TO FILE Resolution No. 2002-129 of the City of Hollywood, recommending that the location and construction of public utility transmission lines and/or poles be subject to local zoning jurisdiction and requesting that the Broward County Legislative Delegation, Board of County Commissioners or Broward County and the Florida League of Cities support appropriate legislation. (Chair)

ACTION: (Time-10:09 AM) Approved.

42. MOTION TO FILE Florida Contraband Forfeiture Semi-Annual Report filed by the Broward Sheriff's Office with the Florida Department of Law Enforcement. (Chair)

ACTION: (Time-10:30 AM) Approved. See Page *****

REQUEST TO SET FOR PUBLIC HEARING

43. MOTION TO ADOPT Resolution 2002-363 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 28, 2002 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 1, ADMINISTRATION, OF THE BROWARD COUNTY CODE CREATING A NEW ARTICLE ENTITLED “FALSE CLAIMS” TO PROHIBIT PRESENTATION, MAINTENANCE OR PROSECUTION OF FALSE OR FRAUDULENT CLAIMS; IMPOSING PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.”

(Sponsored by the Board of County Commissioners)

ACTION: (Time-10:32 AM) Approved, as amended. Prior to final reading, the Board directed the County Attorney to strengthen the language in the ordinance relating to false/fraudulent claims of any type, including reimbursement requests, vouchers, invoices. See Page *****

44. MOTION TO ADOPT Resolution 2002-364 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 28, 2002, 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, RELATING TO HUMAN RIGHTS; AMENDING THE BROWARD COUNTY HUMAN RIGHTS ACT, AS CODIFIED IN CHAPTER 16½ OF THE BROWARD COUNTY CODE OF

ORDINANCES; AMENDING SECTION 16½-1, CORRECTING CITATION REFERENCES; AMENDING SECTION 16½-2, CORRECTING CITATION REFERENCES, RENUMBERING PROVISIONS, AND DELETING OBSOLETE LANGUAGE; AMENDING SECTION 16½-3, AMENDING CERTAIN DEFINED TERMS, DELETING DEFINITIONS, AND RENUMBERING PROVISIONS; CREATING PART I OF CHAPTER 16½, TO BE ENTITLED "DISCRIMINATION IN EMPLOYMENT"; AMENDING SECTION 16½-21, PROHIBITING THE BOARD FROM ADOPTING CERTAIN RULES IN CONTRAVENTION OF FEDERAL OR STATE LAWS; AMENDING SECTION 16½-21.1, RENUMBERING PROVISIONS; AMENDING SECTION 16½-22, RENUMBERING PROVISIONS; AMENDING SECTION 16½-22.1, RENUMBERING PROVISIONS; CREATING A NEW ARTICLE III OF CHAPTER 16½, ENTITLED "DISCRIMINATION IN REAL ESTATE TRANSACTIONS"; AMENDING SECTION 16½-23, DEFINING CERTAIN TERMS RELATED TO REAL ESTATE TRANSACTIONS; AMENDING SECTION 16½- 23.1, RENUMBERING PROVISIONS AND CORRECTING CITATION REFERENCES; AMENDING SECTION 16½-24, RENUMBERING PROVISIONS; AMENDING SECTION 16½-25, RENUMBERING PROVISIONS; AMENDING SECTION 16½-26, RENUMBERING PROVISIONS; READOPTING SECTION 16½- 27; AMENDING SECTION 16½-28, RENUMBERING

PROVISIONS AND CORRECTING CITATION REFERENCES; AMENDING SECTION 16½-29, RENUMBERING PROVISIONS, DEFINING "HOUSING FOR OLDER AMERICANS," AND DELETING OBSOLETE PROVISIONS; AMENDING SECTION 16½-30, RENUMBERING PROVISIONS; CREATING PART II OF ARTICLE III OF CHAPTER 16½, ENTITLED "ENFORCEMENT OF PROHIBITION AGAINST DISCRIMINATORY AND OTHER PROHIBITED

PRACTICES IN REAL ESTATE TRANSACTIONS"; AMENDING SECTION 16½- 30.1, AUTHORIZING CIVIL RIGHTS DIVISION TO ENTER INTO CONTRACTS FOR INVESTIGATION OF HOUSING COMPLAINTS AND AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS OR AMENDMENTS WITH REVENUE VALUE OF LESS THAN \$150,000; AMENDING SECTION 16½-30.2, REVISING PROCEDURE FOR FILING HOUSING COMPLAINTS, PROVIDING FOR JOINDER OF OTHER RESPONDENTS IDENTIFIED DURING COURSE OF INVESTIGATION, PROVIDING PURPOSES OF INVESTIGATION, PROVIDING RESPONSIBILITIES OF CIVIL RIGHTS DIVISION UPON THE FILING OF A HOUSING COMPLAINT, PROVIDING PROCEDURES FOR CIVIL RIGHTS DIVISION TO OBTAIN CERTAIN INFORMATION DURING COURSE OF INVESTIGATION, AND RENUMBERING PROVISIONS; AMENDING SECTION 16½-30.3, REVISING PROCESS FOR CONCILIATION, PROHIBITING CERTAIN STAFF OF CIVIL RIGHTS DIVISION FROM PARTICIPATING IN CONCILIATION, PROVIDING REQUIREMENTS FOR CONCILIATION AGREEMENTS, PROVIDING RELIEF WHICH MAY BE SOUGHT BY AGGRIEVED PERSONS, AUTHORIZING INCLUSION OF CERTAIN PROVISIONS IN CONCILIATION AGREEMENTS TO VINDICATE THE PUBLIC INTERESTS, PROHIBITING USE OF INFORMATION RECEIVED DURING COURSE OF CONCILIATION TO BE INTRODUCED AS EVIDENCE IN SUBSEQUENT PROCEEDINGS, PROVIDING FOR APPROVAL OF CONCILIATION AGREEMENTS BY THE DIRECTOR OF THE CIVIL RIGHTS DIVISION AND THE BOARD UNDER CERTAIN CIRCUMSTANCES, AND DELETING OBSOLETE LANGUAGE; AMENDING SECTION 16½-30.4, RENUMBERING PROVISIONS AND MAKING TECHNICAL CORRECTIONS; AMENDING SECTION 16½- 30.5, PROVIDING FOR DIRECTOR OF THE CIVIL RIGHTS DIVISION TO CONSULT WITH COUNTY ATTORNEY PRIOR TO REQUESTING AUTHORITY FROM BOARD TO FILE CIVIL ACTION AND PROVIDING THAT CIVIL ACTION COMMENCED BY COUNTY ATTORNEY SHALL NOT DEFER DIVISION'S INVESTIGATION OR INITIATION OF OTHER ADMINISTRATIVE PROCEEDINGS; AMENDING SECTION 16½-30.6, REVISING PROCEDURES FOR CIVIL RIGHTS DIVISION'S DETERMINATION OF HOUSING COMPLAINTS, REQUIRING DIVISION TO PROVIDE PARTIES WITH A FINAL INVESTIGATIVE REPORT WHEN THE DIVISION RENDERS ITS DETERMINATION, AUTHORIZING THE DIVISION TO FILE A CHARGE IF DIVISION MAKES A DETERMINATION OF REASONABLE CAUSE, REVISING PROCEDURES FOR REDETERMINATIONS, PROVIDING APPEAL OF REDETERMINATION TO BOARD BY ANY DISSATISFIED PARTY, DELETING OBSOLETE LANGUAGE, AND RENUMBERING PROVISIONS; CREATING NEW SECTION 16½-30.7, PROVIDING FOR AN ADMINISTRATIVE PROCEEDING AFTER FILING OF A CHARGE BY THE DIVISION, PROVIDING FOR APPOINTMENT OF HEARING PANEL, ESTABLISHING CERTAIN TIME FRAMES, PROVIDING FOR DISCOVERY, PROVIDING FOR ISSUANCE OF RECOMMENDED ORDER BY THE HEARING PANEL, FILING OF EXCEPTIONS THERETO, AND RENDITION OF FINAL ORDER BY BOARD, SAVING CERTAIN CONTRACTS, SALES, ENCUMBRANCES, AND LEASES FROM EFFECT OF FINAL ORDER RENDERED BY THE BOARD UNDER CERTAIN CIRCUMSTANCES, AND PROHIBITING COMMENCEMENT OF ADMINISTRATIVE PROCEEDINGS AFTER THE FILING OF A CIVIL ACTION BY THE AGGRIEVED OR COMPLAINANT PARTY; AMENDING SECTION 16½-30.7, RENUMBERING SECTION, MAKING TECHNICAL CHANGES, AND PROVIDING FOR COLLECTED PENALTIES TO BE DEPOSITED IN BROWARD COUNTY'S GENERAL FUND; REPEALING SECTION 16½-30.8; AMENDING SECTION 16½- 30.9, RENUMBERING PROVISIONS AND REQUIRING DIVISION TO PROVIDE COPY OF BOARD'S FINAL ORDER TO ALL REGULATORY AGENCIES WITH WHOM VIOLATOR OF HOUSING PROVISIONS IS LICENSED OR REGULATED; REPEALING SECTION 16½-30.10; AMENDING SECTION 16½-30.11, RENUMBERING SECTION, RENUMBERING PROVISION THEREIN, AUTHORIZING CIVIL ACTION PURSUANT TO FEDERAL OR STATE LAWS AND HUMAN RIGHTS ACT, DELETING OBSOLETE LANGUAGE

CONCERNING DEFERRAL OF CIVIL ACTION FOR CONCILIATION, AND MAKING TECHNICAL CORRECTIONS; AMENDING SECTION 16½-30.12, RENUMBERING SECTION AND AUTHORIZING COUNTY ATTORNEY TO INTERVENE IN CIVIL ACTIONS BROUGHT BY AN AGGRIEVED PERSON FOR VIOLATION OF HUMAN RIGHTS ACT'S FAIR HOUSING PROVISIONS UPON REQUEST OF BOARD AND NOTICE TO COUNTY COMMISSIONERS UNDER CERTAIN CIRCUMSTANCES; CREATING ARTICLE IV OF CHAPTER 16½, TO BE ENTITLED "HUMAN RIGHTS BOARD"; AMENDING SECTION 16½-61, RENUMBERING SECTION AND MAKING TECHNICAL AND CONFORMING CORRECTIONS; AMENDING SECTION 16½-62, RENUMBERING SECTION, PROHIBITING DELEGATION OF BOARD'S QUASI-JUDICIAL AUTHORITY TO NONGOVERNMENTAL ENTITIES, MAKING TECHNICAL AND CONFORMING CORRECTIONS; CREATING SECTION 16½- 53, PROVIDING PROCEDURES FOR THE ASSIGNMENT OF HEARING PANELS AND BOARD MEMBERS FOR REDETERMINATIONS AND PROHIBITING CERTAIN CONDUCT BY PARTIES AND THEIR REPRESENTATIVES WITH RESPECT TO THE ASSIGNMENT OF HEARING PANELS AND BOARD MEMBERS FOR REDETERMINATIONS; REDESIGNATING CURRENT ARTICLE III OF CHAPTER 16½ AS NEW ARTICLE V OF CHAPTER 16½, ENTITLED "ENFORCEMENT OF PROHIBITION AGAINST DISCRIMINATORY PRACTICES IN EMPLOYMENT, PUBLIC ACCOMMODATIONS, AND RETALIATION";AMENDING SECTION 16½-63, RENUMBERING PROVISIONS, REVISING PROCEDURE FOR FILING CHARGES OF DISCRIMINATION, PROVIDING FOR DEFERRAL OF INVESTIGATION UNDER CERTAIN CIRCUMSTANCES, PROVIDING PURPOSES FOR DIVISION INVESTIGATION OF CHARGES OF DISCRIMINATION, PROVIDING RESPONSIBILITIES OF CIVIL RIGHTS DIVISION UPON THE FILING OF A CHARGE OF DISCRIMINATION, PROVIDING PROCEDURES FOR CIVIL RIGHTS DIVISION TO OBTAIN CERTAIN INFORMATION DURING COURSE OF INVESTIGATION, PROVIDING FOR FACT-FINDING CONFERENCES, AUTHORIZING DISMISSAL OF CHARGE IF AGGRIEVED PERSON OR COMPLAINANT FAILS TO COOPERATE WITH DIVISION, AUTHORIZING DIVISION TO MAKE ADVERSE INFERENCE AGAINST RESPONDENT WHO FAILS TO COOPERATE WITH DIVISION'S INVESTIGATION, REVISING PROCEDURES FOR CIVIL RIGHTS DIVISION'S DETERMINATION OF CHARGES OF DISCRIMINATION, REQUIRING DIVISION TO ISSUE NOTICE OF DETERMINATION CONTAINING FINDINGS AND REASONS FOR DIVISION'S DETERMINATION, REVISING PROCEDURES FOR REDETERMINATIONS, PROVIDING APPEAL OF REDETERMINATION TO BOARD BY ANY DISSATISFIED PARTY, REQUIRING THE DIVISION TO PROVIDE THE PARTIES WITH A COPY OF ITS DETERMINATION WITHIN A SPECIFIED TIME, AUTHORIZING THE DIVISION TO FILE A COMPLAINT WITH THE BOARD FOR ADDITIONAL ADMINISTRATIVE PROCEEDINGS WITHIN A SPECIFIED TIME WHEN THE DIVISION MAKES A DETERMINATION OF REASONABLE CAUSE, AUTHORIZING THE DIVISION TO TRANSFER CHARGES PROCESSED ON BEHALF OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION OR TO DISCONTINUE THE INVESTIGATION OF SUCH CHARGE UNDER CERTAIN CIRCUMSTANCES, AND DELETING OBSOLETE LANGUAGE; AMENDING SECTION 16½-64, SUBSTANTIALLY REVISING THE PROCEDURES FOR CONCILIATION OF CHARGES OF DISCRIMINATION, PROHIBITING CERTAIN STAFF OF CIVIL RIGHTS DIVISION FROM PARTICIPATING IN CONCILIATION EXCEPT AS OTHERWISE PERMITTED BY THE DIVISION DIRECTOR, PROVIDING REQUIREMENTS FOR CONCILIATION AGREEMENTS, PROVIDING RELIEF WHICH MAY BE SOUGHT BY AGGRIEVED PERSONS, AUTHORIZING INCLUSION OF CERTAIN PROVISIONS IN CONCILIATION AGREEMENT TO VINDICATE THE PUBLIC INTERESTS, PROHIBITING USE OF INFORMATION RECEIVED DURING COURSE OF CONCILIATION TO BE INTRODUCED AS EVIDENCE IN SUBSEQUENT PROCEEDINGS, PROVIDING FOR APPROVAL OF CONCILIATION AGREEMENTS BY THE DIRECTOR OF THE CIVIL RIGHTS DIVISION AND THE BOARD UNDER CERTAIN CIRCUMSTANCES, PROVIDING FOR ENFORCEMENT OF CONCILIATION AGREEMENTS,

AND DELETING OBSOLETE LANGUAGE; CREATING SECTION 16½-64.1, PROVIDING BOARD WITH AUTHORITY TO AUTHORIZE COUNTY ATTORNEY TO FILE CIVIL ACTIONS UPON REQUEST OF DIVISION DIRECTOR, REQUIRING DIRECTOR TO CONSULT WITH COUNTY ATTORNEY PRIOR TO REQUESTING THE FILING OF A CIVIL ACTION, AND PROVIDING THAT CIVIL ACTION COMMENCED BY COUNTY ATTORNEY SHALL NOT DEFER DIVISION'S INVESTIGATION OR INITIATION OF ADMINISTRATIVE PROCEEDINGS WITH RESPECT TO A CHARGE OF DISCRIMINATION; AMENDING SECTION 16½-65, RENUMBERING PROVISIONS, PROVIDING THAT WILLFUL INTERFERENCE WITH THE PERFORMANCE OF DIVISION OR ITS EMPLOYEES BY TWO OR MORE INDIVIDUALS IS A DISCRIMINATORY PRACTICE, AND MAKING TECHNICAL CORRECTIONS; AMENDING SECTION 16½-66, PROVIDING FOR GENERAL RULES OF PROCEDURES TO APPLY IN ALL ADMINISTRATIVE PROCEEDINGS BEFORE THE BOARD UNLESS OTHER RULES APPLY, MAKING TECHNICAL CORRECTIONS, RENUMBERING PROVISIONS, MODIFYING THE TERM 'FILING' FOR PURPOSES OF THE ACT, CLARIFYING PROCEDURE CONCERNING THE REPRESENTATION OF PARTIES NOT REPRESENTED BY COUNSEL IN PROCEEDINGS BEFORE THE BOARD, CLARIFYING THAT AN ATTORNEY IS NOT NEEDED TO FILE A CHARGE OF DISCRIMINATION, OR TO HAVE SUCH CHARGE INVESTIGATED AND ADJUDICATED THROUGH FINAL ORDER OF THE BOARD, PROVIDING THAT DISCOVERY LIMITATIONS IMPOSED BY HEARING PANEL OR THE BOARD SHALL APPLY EQUALLY TO ALL PARTIES IN THE PROCEEDING, PROVIDING THAT A HEARING PANEL MAY ASSIST THE PARTIES IN REACHING A SETTLEMENT OF A CHARGE OF DISCRIMINATION OR COMPLAINT IF REQUESTED BY THE PARTIES, REQUIRING SUCH SETTLEMENTS TO COMPLY WITH CERTAIN CONCILIATION PROVISIONS, AUTHORIZING THE DIVISION'S DIRECTOR AND THE COUNTY ATTORNEY TO ISSUE SUBPOENAS, REQUIRING HEARING TRANSCRIPTS TO BE FILED WITH THE DIVISION, AUTHORIZING THE DIVISION TO PROVIDE CERTAIN PARTIES WITH A COPY OF HEARING TRANSCRIPTS AT NO COST, AND REVISING ROLE OF COUNTY ATTORNEY AS LEGAL ADVISOR TO THE BOARD; AMENDING SECTION 16½-67, CONFORMING PROCEDURES FOR THE ASSIGNMENT OF HEARINGS, PROVIDING FOR EVIDENTIARY RULINGS TO BE MADE BY THE COUNTY ATTORNEY, SPECIFYING TIME FRAME FOR HOLDING ADMINISTRATIVE HEARINGS, CLARIFYING THAT A HEARING PANEL MAY GRANT AN AGGRIEVED PERSON RELIEF IF THE RESPONDENT FAILS TO ATTEND THE HEARING AFTER PRESENTATION OF EVIDENCE OR TESTIMONY IN SUPPORT OF THE CHARGE OR COMPLAINT, PROVIDING THAT COUNTY ATTORNEY SHALL MAKE RULINGS ON THE INTRODUCTION OF EVIDENCE AND OBJECTIONS MADE BY THE PARTIES AT THE HEARING, SUBJECT TO APPEAL, TO THE HEARING PANEL, MAKING TECHNICAL CORRECTIONS, AND RENUMBERING PROVISIONS; AMENDING SECTION 16½-68, RENUMBERING PROVISIONS AND REQUIRING THAT BOARD PROVIDE APPROPRIATE COUNTY AGENCIES WITH COPY OF ANY FINAL ORDER IN WHICH A RESPONDENT IS DETERMINED TO HAVE ENGAGED IN A DISCRIMINATORY PRACTICE WHILE PERFORMING UNDER A CONTRACT WITH BROWARD COUNTY OR SUCH AGENCY; AMENDING SECTION 16½-69, MAKING A TECHNICAL CORRECTION; AMENDING SECTION 16½-70, PROVIDING THAT A LICENSING AGENCY MAY TAKE ACTION AGAINST A RESPONDENT FOUND TO HAVE VIOLATED THE HUMAN RIGHTS ACT UPON RECEIPT OF BOARD'S FINAL ORDER; AMENDING SECTION 16½-71, CONFORMING PROVISION TO SECTION 16½-68; REPEALING SECTION 16½-72; AMENDING SECTION 16½-73, RENUMBERING SECTION, PROVIDING FOR CONFIDENTIALITY OF CHARGES AND COMPLAINTS FILED WITH THE DIVISION, PROHIBITING DISCLOSURE OF CONFIDENTIAL INFORMATION BY THE BOARD, BOARD MEMBERS, OR THE DIVISION, AND MAKING TECHNICAL CORRECTIONS; AMENDING SECTION 16½-74, RENUMBERING SECTION AND CONFORMING PROVISION; REDESIGNATING ARTICLE IV OF CHAPTER 16½; REDESIGNATING ARTICLE VI OF

CHAPTER 16½; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-10:09 AM) Approved.

45. MOTION TO ADOPT Resolution 2002-365 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 28, 2002, 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, RELATING TO LOCAL PREFERENCE; AMENDING DIVISION 5 OF CHAPTER 1, CODE OF ORDINANCES, BIDDING PREFERENCE FOR LOCAL VENDORS; AMENDING DEFINITIONS AND PROCEDURES FOR APPLICATION FOR AWARD OF LOCAL PREFERENCE; AMENDING RECIPROCITY PROVISION; PROVIDING FOR ADMINISTRATIVE RULE-MAKING IN ADMINISTRATION OF LOCAL PREFERENCE PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

ACTION: (Time-10:09 AM) Approved, as amended. The Board directed the County Attorney to include language in the ordinance that Broward County welcomes reciprocity among South Florida economic development organizations in Miami-Dade, Palm Beach, Martin, Lee, and Monroe Counties. See Page *****

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

46. MOTION TO APPROVE settlement agreement in the total amount of \$40,900 between Broward County and the listed respondents for violation of Broward County Code of Ordinances for Department of Planning and Environmental Protection (DPEP); and authorize the Chair and Clerk to execute same. **(Commission District 2)**

ACTION: (Time-10:09 AM) Approved.

PLANNING SERVICES DIVISION

47. MOTION TO APPROVE election of the Melrose Park Neighborhood Council, consisting of five members, duly elected at a noticed public meeting held February 28, 2002. **(Commission District 7)**

ACTION: (Time-10:09 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

48. MOTION TO ADOPT Resolution 2002-366 authorizing County Administration to execute a release of restrictions prohibiting docks and seawalls on or attached to certain properties in Edgewater Harbor Islands. **(Commission District 6).**

ACTION: (Time-10:09 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

49. DISCUSSION: of plat entitled “Estela Estates - **Commission District 5**, 018-MP-01.

ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

50. DISCUSSION: of plat entitled “Schooner Ridge” - **Commission District 7**, 089-MP-01.

ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

51. DISCUSSION: of plat entitled “Chesford Plat” - **Commission District 3**, 033-MP-01.

ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

52. DISCUSSION: of plat entitled “Deerfield Beach Public Works Facility Plat” - **Commission District 4**, 103-MP-01.

ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

53. DISCUSSION: of plat entitled “Sunrise/441 Plat ” - **Commission District 9**, 020-MP- 00. (Deferred from April 2, 2002.)

ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

54. DISCUSSION: of plat entitled “U.I.R.T. -1 ” - **Commission District 5**, 031-MP-00. (Deferred from January 8, 2002.)

ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

55. DISCUSSION: of plat entitled “Santorini at Vizcaya” - **Commission District 8**, 108-MP-01.

ACTION: (Time-10:09 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

56. DISCUSSION: of plat entitled "Home Depot - Ft. Lauderdale" - **Commission District 9**, 057-MP-00.

ACTION: (Time-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report and based upon the letter dated May 1, 2002 from the Broward County Planning Council.

57. DISCUSSION: of plat entitled "Conway Industrial Parcel" - **Commission District 9**, 031-MP-01.

ACTION: (Time-10:09 AM) Deferred to January 7, 2003 or sooner, under Section 5-181(i) of the Land Development Code, to study access.

58. DELEGATION: C. William Laystrom, Jr. regarding request to amend the note on ICW South Plat - **Commission District 8**, 028-MP-96.

ACTION: (Time-10:09 AM) Deferred to January 7, 2003 or sooner, under Section 5-181(i) of the Land Development Code, to study transportation concurrency.

59. DELEGATION: Jonathan W. Keith regarding request to amend the note on Jacaranda Parcel 910 Plat - **Commission District 7**, 166-CP-79.

ACTION: (Time-10:09 AM) Deferred to January 7, 2003 or sooner, under Section 5-181(i) of the Land Development Code, to study transportation concurrency.

60. DELEGATION: Joel K. Gustafson regarding request to amend the note on the Hospitality Center No. 2 Plat - **Commission District 7**, 113-MP-88.

ACTION: (Time-10:09 AM) Deferred to January 7, 2003 or sooner, under Section 5-181(i) of the Land Development Code, to study transportation concurrency.

61. DELEGATION: Rosana Cordova, representing the City of Pembroke Pines, regarding request to amend the note on the Big Sky North Residential Plat - **Commission District 8**, 010-MP-98.

ACTION: (Time-10:35 AM) Approved subject to staff's recommendations.

See Page *****

62. DELEGATION: Genevra Ferrero regarding request to place a note on the Sumcot Executive Plaza Plat - **Commission District 2**, 042-UP-81.

ACTION: (Time-10:09 AM) Deferred to May 21, 2002 at the applicant's request.

63. DELEGATION: Joe Handley regarding request to amend the note on the Chapel Trail II Plat - **Commission District 8**, 033-MP-81.

ACTION: (Time-10:09 AM) Approved subject to staff's recommendations.

64. DELEGATION: Robert C. Smith regarding the Lindgren Plat - **Commission District 4**, 004-MP-99:

A. Request to amend the note on the plat.

ACTION: (Time-10:38 AM) Approved subject to staff's recommendations. See Page *****

B. Request for designation as an affordable housing project and for partial waiver of impact fees and administrative fees.

ACTION: (Time-10:38 AM) Approved subject to staff's recommendations. See Page *****

65. **DELEGATION:** Michael R. Fawley regarding request to revise the note on the Ram Pompano Plat - **Commission District 4**, 053-MP-01.

ACTION: (Time-10:09 AM) Approved subject to staff's recommendations.

66. **DELEGATION:** Robert Harbin, Director, Broward County Parks and Recreation Division, regarding MOTION TO ADOPT Resolution 2002-368 of the Board of County Commissioners of Broward County, Florida, amending the note on the 595/441 Plat 048-UP-87; providing for waiver of road impact fees; providing for recording; providing for severability; and providing for an effective date. - **Commission District 7**

ACTION: (Time-10:09 AM) Approved subject to staff's recommendations.

67. **DELEGATION:** Robert Harbin, Director, Broward County Parks & Recreation Division, regarding MOTION TO ADOPT a Resolution 2002-369 of the Board of County Commissioners of Broward County, Florida amending the non-vehicular access line on the 595/441 Plat (048-UP-87); providing for severability; providing for recording; and providing for an effective date. - **Commission District 7**

ACTION: (Time-10:09 AM) Approved subject to staff's recommendations.

68. **DELEGATION:** Andrew Adams regarding request to amend the note on The Spring Plat - **Commission District 5**, 108-MP-90.

ACTION: (Time-10:09 AM) Deferred to January 7, 2003 or sooner, under Section 5-181(i) of the Land Development Code, to study transportation concurrency.

69. **DELEGATION:** Andrew Adams regarding request to amend the non-vehicular access line on The Spring Plat - **Commission District 5**, 108-MP-90.

ACTION: (Time-10:09 AM) Deferred to January 7, 2003 or sooner, under Section 5-181(i) of the Land Development Code, to study consistency of proposed use with notation on plat.

70. **DELEGATION:** James Kahn regarding request to amend the non-vehicular access line on the Savannah P.U.D. Plat I - **Commission District 5**, 054-MP-88.

ACTION: (Time-10:09 AM) Approved subject to staff's recommendations.

71. **DELEGATION:** Jeff Hodapp regarding request to modify conditions of plat approval on the West Broward Industrial Park Plat 019-UP-89, and on the Replat of Portion of West Broward Industrial Park Plat 069-MP-93 - **Commission District 8**.

ACTION: (Time-10:09 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission’s agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

72. DELEGATION: Elizabeth Pulice regarding request waiver of five month time limit for submittal of Letter of Objection/No Objection for the Phoenician Cove Plat - **Commission District 7**, 060-MP-01.

ACTION: (Time-10:42 AM) Approved subject to staff’s recommendations.

See Page *****

73. DISCUSSION: of plat entitled “Phoenician Cove” - **Commission District 7**, 060-MP- 01.

ACTION: (Time-10:43 AM) Due to the approval of item 72, staff recommended approval of the plat subject to staff’s recommendations as outlined in the Development Review Report. See Page *****

74. DELEGATION: Genevra Ferrero regarding MOTION TO APPROVE agreement among Broward County, City of Pompano Beach and Ashton Ventures Three, L.L.C. and 94-45 Roosevelt Avenue Corp. relating to the issuance of building permits while platting is in progress for the Fog - Harness Plat - **Commission District 9**, 045-MP- 00. (Deferred from April 16, 2002.)

ACTION: (Time-10:44 AM/11:42 AM) Deferred for up to six (6) months or sooner, to study traffic access and to enable the Developer to meet with the neighborhood Homeowners Association. See Page *****

75. DELEGATION: Stephanie Toothaker-Walker regarding request for partial waiver of impact and administrative fees on the Tennis Club II Plat - **Commission District 9**, 042-MP-96. (Deferred from April 23, 2002.)

ACTION: (Time-10:47 AM) Deferred to Tuesday, May 21, 2002 to study traffic access. See Page *****

76. DELEGATION: Richard G. Coker regarding request to amend the non-vehicular access line on the Fountains Corporate Center Plat - **Commission District 1**, 039-MP-86. (Deferred from April 2, 2002.)

ACTION: (Time-10:49 AM) Approved, as amended, and subject to staff’s recommendations. Staff

*recommended that the bus pullout bay (and related improvements) be deleted due to the fact that it does not meet the criteria in the Land Development Code. See Page ******

END OF QUASI-JUDICIAL HEARING

REGULAR AGENDA

77. COUNTY ADMINISTRATOR’S REPORT County Administrator Roger J. Desjarlais distributed CD’s (electronic format) containing the Quarterly Status Report for the 1999 Library Bond Program to the Board.

ACTION: (Time-11:40 AM) The Board will continue to receive a regular update for the 1999 Library Bond Program in an electronic format.

UPDATE: One University Drive

ACTION: (Time-11:45 AM) George Keller, Assistant Director, Safety and Emergency Services Department, and Nicole Fontayne-Mack, Director, Office of Information Technology, gave the Board an update on the University One Drive project. Staff will be placing an item/s on the Tuesday, May 14, 2002 Commission Agenda for the Board’s consideration. See Page *****

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78. DELEGATION: Mr. Bobby White regarding support for the Stone of Hope VFW Project.

ACTION: (Time-10:52 AM) The Board approved a 90-day extension to enable the applicant to present a financially feasible plan for finishing the project and a one-year extension to actually complete the project. Further, the County Commission directed staff to earmark CDBG funds when the VFW has their full financial funding in place. See Page *****

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works Department

79. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide Architectural/Engineering (A/E) Services for re--roofing County buildings, and approve RLI No. 20020314-0-CM-01.

ACTION: (Time-12:02 PM) Approved the following to serve on the Selection/Negotiation Committee: Director, Office of Project Management and Construction (Chair); Director, Mass Transit Division, and Director, Port Everglades Construction Management and Planning Division. Plus, administrative support staff from the offices of the County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.

80. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide/replace chilled water air handling units at the main jail, and approve RLI No. 20020319-7-PMC-01. (Commission District 7)

ACTION: (Time-12:04 PM) Approved the following to serve on the Selection/Negotiation Committee: Director, Office of Project Management and Construction, Public Works Department (Chair); Director, Office of General Services, Public Works Department, and Director, Maintenance Division, Aviation Department. Plus, administrative support staff from the offices of the County Attorney, Commissioner Auditor, Equal Opportunity, Risk Management, Purchasing, Broward Sheriff's Office, and the using agency.

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

81. MOTION TO ACCEPT addition of OS-01, Cooper Colony Golf and Country Club, located within the City of Cooper City to the Open Space Inventory with the recommended conditions of the Land Preservation and Acquisition Advisory Board, and authorize the appropriate staff to begin negotiations. (Commission District 5)

ACTION: (Time-10:56 AM) Approved, as amended. The Board removed the Land Preservation and Acquisition Advisory Board's recommendation to have a 19 acre passive park and to give the city the flexibility to design an 18 hole, 9 hole golf course. Further, the City agreed to landscape at least 50 percent of the area with native plant species. See Page *****

82. MOTION TO ACCEPT additional sites to the Land Preservation Inventory of Conservation Lands and Green Spaces, including Site 217 in the City of Coconut Creek, to the Green Space Inventory and Sites 142A and 142B in the City of Fort Lauderdale to the Green Space and Conservation Land Inventories, respectively. (Commission Districts 2 and 7)

ACTION: (Time-12:04 PM) Approved.

COUNTY ATTORNEY

83. DISCUSSION: Status report on the proposed contract for the Tree Canopy Program between the County and Broward League of Cities.

ACTION: (Time-12:04 PM) Staff was directed to send a letter to the League of Cities president, Mayor Caryl R. Stevens, City of Oakland Park and president elect, Commissioner Gwyndolen Clarke-Reed, City of Deerfield Beach, explaining the County's desire to expedite the proposed contract for the Tree Canopy Program. See Page *****

COUNTY COMMISSION

84. MOTION TO NOMINATE Mr. Preston Henn to the Tourist Development Council. (Commissioner Jacobs)

ACTION: (Time-10:09 AM) Approved. (Transferred to the Consent Agenda.)

85. DISCUSSION: of Community Greens: Shared Parks in Urban Blocks. (Chair)

ACTION: (Time-12:05 PM) The Board combined items 85 and 87 (to hire Ed McMahon, Vice President and Director of Land Use Programs at the Conservation Fund, to review the County's design codes and offer suggestions for improvement), and directed staff to work to present a work plan to reflect the County Commission's visions and goals with respect to greenways, blueways and land preservation using an urban community/redevelopment concept. Staff was requested to make recommendations to the Board prior to the Commission breaking for summer hiatus. See Page *****

86. DISCUSSION: City of Hollywood's request to rename Lake Mabel to Hollywood Harbor. * (Commissioner Gunzburger)

*** This item has been scheduled for a time certain at 10:30 a.m., or immediately following consent agenda.**

ACTION: (Time-11:26 AM) No Board action was taken. Commissioner Gunzburger will send a District Commissioner letter to the City of Hollywood explaining the Board's position. See Page *****

87. DISCUSSION: Recommendation of the Broward County Metropolitan Planning Organization (MPO), endorsing the County Commission's decision to hire Ed McMahon, Vice President and Director of Land Use Programs at the Conservation Fund, to review the County's design codes and offer suggestions for improvement. (Chair)

ACTION: (Time-12:05 PM) The Board combined items 85 and 87 (to hire Ed McMahon, Vice President and Director of Land Use Programs at the Conservation Fund, to review the County's design codes and offer suggestions for improvement), and directed staff to work to present a work plan to reflect the County Commission's visions and goals with respect to greenways, blueways and land preservation using an urban community/redevelopment concept. Staff was requested to make recommendations to the Board prior to the Commission breaking for summer hiatus. See Page *****

88. DISCUSSION: Direct the County Attorney to amend Section 1-233 of the Broward County Code to provide that attendance requirements only apply to the once a month regular Land Preservation and Acquisition Advisory Board (LPAAB) meetings and not special meetings. (Chair)

ACTION: (Time-12:18 PM) No Board action was taken. See Page *****

89. MOTION TO DISCUSS: Housing Finance Authority Board Expansion. (Commissioner Lieberman)

ACTION: (Time-12:18 PM) The Board directed the County Attorney to draft language amending the existing Ordinance of the Housing Finance Authority Board to expand the composition of the board to nine (9) members, with each commissioner having an appointment. Further, the County Attorney was directed to correct the composition of membership on any other Board with less than nine members. See Page *****

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SUPPLEMENTAL AGENDA

COUNTY COMMISSION

90. MOTION TO APPOINT alternate Commissioner to attend the Value Adjustment Board (VAB) Meeting of May 16, 2002. (Chair)

ACTION: (Time-12:29 PM) Approved the appointment of Commissioner Graber as alternate one and Commissioners Jacobs and Wasserman-Rubin as alternates two. See Page *****

91. MOTION TO FILE Resolution of the Broward County Sierra Club's Executive Committee opposing expansion of the Fort Lauderdale-Hollywood Airport. (Chair)

ACTION: (Time-10:09 AM) Approved. (Transferred to the Consent Agenda.)

92. MOTION TO FILE Resolution No. 2002-93 of the City of Hollywood, opposing the proposed expansion of the south runway at the Fort Lauderdale-Hollywood International Airport. (Chair)

ACTION: (Time-10:09 AM) Approved. (Transferred to the Consent Agenda.)

93. MOTION TO FILE Resolution No. 02-70 of the City of Fort Lauderdale, opposing any name change to the body of water known as Lake Mabel, located at Port Everglades. (Chair)

ACTION: (Time-10:09 AM) Approved. (Transferred to the Consent Agenda.)

94. MOTION TO APPROVE County entering into an interlocal agreement with certain cities to form a HOME Consortium. (Commissioner Lieberman)

ACTION: (Time-12:31 PM) Approved. Staff was directed to draft the appropriate letter, from the Chair, on behalf of the County Commission, to the Cities of Coral Springs, Davie, Deerfield Beach, Lauderdale, Margate, Miramar, Pembroke Pines, Plantation, Sunrise, and Tamarac, urging them to approve the interlocal agreement to form a HOME Consortium. The cities' executed agreements must be on the Commission agenda no later than June 30, 2002.

See Page *****

NON AGENDA

95. URBAN LEAGUE - EDUCATIONAL SUMMIT - 33311 ZIP CODE - NOVA SOUTHEASTERN UNIVERSITY - COMMISSIONER EGGELLETON

ACTION: (Time-12:36 PM) Commissioner Eggelton invited everyone to attend the Urban League's Educational Summit on Saturday, May 11, 2002, from 7:45 a.m. to 2:45 p.m. at Nova Southeastern University. Dr. Charles Washington will be a guest speaker at the event. See Page *****

96. HOMEOWNERS ASSOCIATIONS - COMMISSIONER EGGELLETON

ACTION: (Time-12:37 PM) The County Attorney will meet with Commissioner Eggelton to discuss

*Board policy as it relates to homeowners associations and annexations. See Page ******

97. CONE OF SILENCE - COMMISSIONER EGGELLETON

*ACTION: (Time-12:45 PM) Commissioner Eggelletion advised the Board that he received a packet of information regarding a bid and asked the County Attorney to research whether the firm violated the Cone of Silence Ordinance the County Commission has imposed. See Page ******

98. RESTORATION OF REEFS - COMMISSIONER RODSTROM

*ACTION: (Time-12:47 PM) The Board directed staff to place an item on an upcoming agenda for the Board's consideration to allocate funds to assist the non-profit volunteer group currently reef mapping for reef restoration purposes. See Page ******

99. FIRE RESCUE TASK FORCE - NEWS ARTICLE - COMMISSIONER WASSERMAN- RUBIN

ACTION: (Time-12:48 PM) The Board requested that the next report be a more focused report, delineating, specifically, in the four areas that the subcommittees were assigned to; namely, what issues or recommendations deal with something that is new, that has never been dealt with before, and will improve the system for which no money has been allocated.

*See Page ******

100. SCHEDULE COMMISSION LIAISON LUNCHEON - COMMISSIONER WASSERMAN-RUBIN

*ACTION: (Time-12:53 PM) The Chair will attempt to schedule another Commission Liaison luncheon. See Page ******

101. COMMENDED JOSEPH BENAVIDES - PRESIDENT - BROWARD COUNTY COUNCIL OF PROFESSIONAL FIREFIGHTERS - THE CHAIR

*ACTION: (Time-12:54 PM) The Chair acknowledged Mr. Joseph Benavides, president, Broward County Council of Professional Firefighters, for his outstanding leadership. See Page ******

102. NATURESCAPE BROWARD - COMMISSIONER JACOBS

*ACTION: (Time-12:57 PM) Commissioner Jacobs gave the Board an update on the Earth Day event and the County initiative "NatureScape Broward" creating "Florida Friendly" yards and landscapes. See Page ******

103. RECOMMENDATIONS FROM THE LAND PRESERVATION ADVISORY BOARD - COMMISSIONER JACOBS

ACTION: (Time-1:03 PM) The Board requested that the County Administrator meet with the Commissioners on an individual basis to review the element index and the scoring system used for funding land preservation projects.

*See Page ******

104. CREATE WORKGROUP - LOCAL AND STATE ISSUES - DEPARTMENT OF CHILDREN AND FAMILIES - COMMISSIONER GRABER

ACTION: (Time-1:04 PM) Commissioner Graber will form a workgroup to review local and state issues pertaining to the Department of Children and Families. See Page *****

105. BILLBOARDS - LEGAL STRATEGY - THE CHAIR

ACTION: (Time-1:04 PM) No Board action was taken. See Page *****

106. RELOCATION OF FIRM TO BROWARD COUNTY - THE CHAIR

ACTION: (Time-1:07 PM) The Board directed the County Administrator to handle the notification of Palm Beach or Miami-Dade Counties when staff is aware of a recruitment or relocation of a firm to Broward County.

See Page *****

107. ANNEXATION ISSUES AND SURVEY - FLORIDA ASSOCIATION OF COUNTIES - THE CHAIR

ACTION: (Time-1:08 PM) The Board directed staff to respond to the annexation issues and survey provided by the Florida Association of Counties, applying the Board's philosophy and policies on annexation. See Page *****

108. APPOINTMENT TO SELECTION/NEGOTIATION COMMITTEE - RENTAL CAR PARKING FACILITY - COMMISSIONER RODSTROM

ACTION: (Time-1:09 PM) The Board unanimously appointed Phillip C. Allen, Interim Port Director, Port Everglades Department, to serve on the Selection/Negotiation Committee for the rental car parking facility at the Fort Lauderdale-Hollywood International Airport (RLI 010-115 RB).

See Page *****

MEETING/WORKSHOP REMINDERS

SELECTION/NEGOTIATION COMMITTEE

Design Rental Car Facility, Fort Lauderdale-Hollywood International Airport

RLI No. 050699-RB

Tuesday, May 7th at 9:30 a.m. in Room No. 430

PERSONNEL REVIEW COMMITTEE

Review Nomination for Port Director

Tuesday, May 7th at 3:00 p.m. in Room No. 430

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