

## **MEETING OF MAY 23, 2006**

(The meeting convened at 10:00 a.m.; recessed at 12:03 p.m.; reconvened at 3:06 p.m. and adjourned at 4:41 p.m.)

PLEDGE OF ALLEGIANCE was led by Patty Wiesler, aide to Commissioner Diana Wasserman-Rubin, District 8, and Jo Bieber, VAB and Documents Manager, who both celebrated birthdays.

### **MOMENT OF SILENCE**

In memory of Aviation Director Tom Jargiello's step father, Frank Wahala.

In memory of Max Streisand, longtime resident of Lauderhill, Florida, and Democratic activist.

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

### **CALL TO ORDER**

## **CONSENT AGENDA**

1.

### **BOARD APPOINTMENTS**

A. MOTION TO APPOINT Howard Kaplan to serve on the Bicycle and Pedestrian Advisory Committee. (Commissioner Rodstrom)

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

### **AVIATION DEPARTMENT**

2.

MOTION TO ADOPT Resolution 2006-335 authorizing execution of a Florida Department of Transportation Joint Participation Agreement (JPA), Financial Project No. 409856-1-94-01 in the amount of \$7,270 (State's share) to participate financially with the County to conduct an Airport Master Plan Update at North Perry Airport; and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant and approve any non-monetary amendments to the agreement.

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



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

3. A. MOTION TO AUTHORIZE Director of Aviation to extend the Lease Agreement between Broward County, Florida and BellSouth Telecommunications, Inc. F/K/A/ Southern Bell Telephone and Telegraph Company, as amended, ("Lease Agreement"), on a month to month basis not to exceed 90 days (August 31, 2006) to provide the parties an opportunity to negotiate a new lease agreement.

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

- B. MOTION TO AUTHORIZE Office of the County Attorney and the Aviation Department to take all necessary actions at the expiration of the Lease Agreement, as extended, should BellSouth Telecommunications, Inc. ("BellSouth") fail to enter into a new Lease Agreement prior to August 31, 2006, which actions may include eviction and all other necessary or desirable legal and administrative proceedings.

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

#### **PUBLIC WORKS AND TRANSPORTATION DEPARTMENT**

4. MOTION TO APPROVE deliberately phased agreement between Broward County and Craven Thompson & Associates, Inc., RLI No. 20041101-0-EED-01, to provide engineering services to Water and Wastewater Services for Utility Analysis Zones 124, 308, and 310, for a maximum-not-to-exceed salary cost of \$3,775,479 and not-to-exceed reimbursable cost of \$372,529; for a total maximum-not-to-exceed cost of \$4,148,008 and a lump sum compensation of \$4,071,931; for a total contract cost of \$8,219,939 and a contract time of 1515 non-cumulative days; effective upon issuance of Notice to Proceed; and authorize the Mayor and Clerk to execute same. (BCWWS 9051, 9061 and 9065) **(Commission Districts 7, 9)**

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

#### **HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION**

5. MOTION TO APPROVE agreement between Broward County and S & H Lutz, LLC for construction of offsite improvements as part of County road project relating to a portion of the W.L.T. Plat; at no net cost to the County; and effective upon execution by the Board; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

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

6. A. MOTION TO APPROVE amendment to nonvehicular access lines agreement between Broward County and Chabad of Parkland, Inc., relating to the Chabad of Parkland Site Plan, establishing a nonvehicular access line along the future right-of-way line for Hillsboro Boulevard and restrict access to this site plan, at no cost to the County and effective upon execution by the Board; and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

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

- B. MOTION TO APPROVE required improvements agreement between Broward County and Chabad of Parkland, Inc., relating to the Chabad of Parkland Site Plan, formalizing Chabad of Parkland's obligation to construct off-site road improvements, such as turn lane improvements, pavement markings, signs, and sidewalks, at no cost to the County and effective upon execution by the Board; and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

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

7. MOTION TO ADOPT Resolution 2006-336 accepting a warranty deed, at a nominal cost of \$10 to the County, executed by SMS OF SOUTH FLORIDA, INC., for right-of-way for SW 42<sup>nd</sup> Street, north side, located approximately 100 feet west of Ravenswood Road, in the City of Dania Beach. **(Commission District 7)**

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

8. MOTION TO ADOPT Resolution 2006-337 accepting a road easement, at a nominal cost of \$1 to the County, executed by the Revival Faith Center Ministries, Inc., f/k/a Revival Faith Center, Inc., for right-of-way for NW 36<sup>th</sup> Avenue at the northeast corner of the intersection with Broward Boulevard, in unincorporated Broward County. **(Commission District 9)**

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

9. A. MOTION TO ADOPT budget Resolution 2006-338 transferring within the Engineering Capital Project Fund the amount of \$1,206,814 from the Reserve for Future Capital Outlay, in order to fund the agreement with the Florida Department of Transportation for the Griffin Road Improvement Project from I-75 to Flamingo Road.

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

- B. MOTION TO APPROVE Joint Participation Agreement between Broward County and Florida Department of Transportation for the Griffin Road Improvement project from I-75 to Flamingo Road, at a cost to the County of \$1,206,814; and effective upon execution by Florida Department of Transportation, and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

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

### **REAL PROPERTY SECTION**

10. MOTION TO ADOPT Resolution 2006-339 authorizing conveyance of title to a portion of Broward County owned real property to the City of Pompano Beach for right-of-way purposes, to include construction of a public sidewalk, pursuant to Section 125.38, Florida Statutes; and authorize the Mayor and Clerk to execute quit claim deed, and authorize recordation of same. **(Commission District 4)**

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

11. MOTION TO APPROVE Business Lease Agreement between Broward County (Tenant) and 499 Corporation (Landlord) for 7,900 square feet of office space at 3500 North State Road 7, Lauderdale Lakes, for the Central Regional Family Success Center for a period of three years with options to renew for two additional and successive periods of one year each, commencing no later than 30 days after lease is fully executed upon Tenant's acceptance of delivery of premises; full service rent is \$22.00, per square foot for the first year, increasing 3% annually thereafter; The total three-year aggregate rent is \$537,198.42, averaging \$22.66, per square foot per year; Tenant shall have the unilateral right to terminate lease at the end of the second lease year or at any time during the third Lease year by providing 90 days prior written notice; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

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

12. MOTION TO APPROVE second amendment to business lease agreement between Broward County, Landlord, and Fort Lauderdale Food Services, Inc., d/b/a Charcuterie Too, Tenant, providing for a one-year extension of the term of the lease upon the same terms and conditions, commencing June 1, 2006 and terminating May 31, 2007, for the continuation of food services in the Main Library, located at 100 S. Andrews Avenue, Fort Lauderdale. The County shall have the unilateral right to terminate this lease by providing not less than 90 days prior written notice to Tenant; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (T-10:43 AM) Tabled and considered along with item 56 from this day's meeting. (Refer to minutes for full discussion.)***

***ACTION: (T-10:46 AM) Approved. (Refer to minutes for full discussion.)***

#### **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

13. MOTION TO AUTHORIZE execution of the agreement between the County, City of Fort Lauderdale, the Performing Arts Center Authority, and Caballero & Castellanos, P.L. for auditor services for the Performing Arts Center Authority for a five year term beginning in Fiscal Year 2006.

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

#### **ACCOUNTING DIVISION**

14. MOTION TO APPROVE list of computer checks issued from October 1, 2005 through October 31, 2005, November 1, 2005 through November 30, 2005, December 1, 2005 through December 31, 2005, January 1, 2006 through January 31, 2006 and February 1, 2006 through February 28, 2006.

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

15. A. MOTION TO APPROVE travel outside the continental United States 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: (T-10:13 AM) Approved.***

- B. MOTION TO APPROVE business 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: (T-10:13 AM) Approved.***

## **PURCHASING DIVISION**

For Aviation Department

16. A. MOTION TO ADOPT budget Resolution 2006-340 transferring funds from within the Aviation Renewal and Replacement Fund (4020) in the amount of \$1,000,000 to North Perry Airport Fund (4070) for the Aviation Department.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-341 within the North Perry Airport Fund (4070) in the amount of \$1,000,000 for the Aviation Department.

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

- C. MOTION TO AWARD fixed contract to low bidder, General Asphalt Co., Inc., for rehabilitation of Runway 18R – 36L and Taxiways L, L3, J, M2, D and D2 at North Perry General Aviation Airport, Bid No. H-1-06-018-CF, in the total bid amount of \$2,359,725; for Aviation Department subject to receipt and acceptance of insurance and performance/payment guaranty and, authorize the Mayor and Clerk to execute same.

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

For Court Administration Division

17. MOTION TO APPROVE sole source determination and award fixed contract to sole source, IBM Corporation, for upgrade of the IBM AS/400 Mainframe and software maintenance and support, Quote A06JA012S in the amount of \$468,896.00, and for software maintenance and support for four, one-year periods in the annual amount of \$8,650.93, for a total potential support amount of \$34,603.72, based on availability of funds, for a potential total amount of \$503,499.72 for the Court Administration Division. The contract for software maintenance and support will begin on date of delivery and acceptance of the equipment and will end one year from that date.

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

For Finance and Administrative Services Department

18. MOTION TO APPROVE open-end contract for voice and data equipment and services, State of Florida Contract No.'s 725-330-05-01 and 4974, to Verizon Wireless for an estimated annual amount of \$878,869 for the Office of Information Technology, and authorize the Board of County Commissioners to renew the contract for one-year periods, in accordance with the renewal terms of the State Contract. The initial term of the contract shall start on the date of award and shall terminate one year from that date.


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

For Human Services Department

19. MOTION TO NOTE FOR THE RECORD Request for Proposal (RFP) No. A106025B3 for a Medical Examiner application (Software System) for the Medical Examiner and Trauma Services Division that has not been presented to the Board and has not been evaluated, for which Commissioners may choose to join the Evaluation Committee.

***ACTION: (T-10:21 AM) Approved, as amended. The Board directed staff to delete the 10% Legal assigned to the Evaluation Factors, and transfer the 10% to the Price Evaluation Factor. Further, to insert language that states the County reserves the right to reject any changes to its agreement. Commissioner Wexler will serve on the Evaluation Committee. (Refer to minutes for full discussion.)***

For Public Works and Transportation Department

-  20. MOTION TO AWARD open-end contract to low bidder, Weekley Asphalt Paving, Inc., for Groups 1 - 4, Asphaltic Concrete Surfaces, Bid No. T-5-05-123-B-1, in the estimated annual amount of \$7,974,887.50, for the Highway and Bridge Maintenance Division, subject to receipt and acceptance of Performance and Payment Guaranty; and authorize the Purchasing Director to renew the contract for two, one-year periods for a total potential estimated amount of \$23,924,662.50. The initial contract period shall start after acceptance of payment and performance guaranty and shall terminate one year from that date.

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

## **REVENUE COLLECTION DIVISION**

21. MOTION TO ADOPT two Resolutions 2006-342 & 2006-343 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, and Payroll Account No. 2079940003798.

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

## **HUMAN SERVICES DEPARTMENT**

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

22. A. MOTION TO APPROVE Amendment No. 1 to Agreement No. JD220 between the State of Florida Department of Children and Families and Broward County, from the date of execution through June 30, 2006, decreasing the value of the agreement from \$3,745,184 to \$3,669,377; which is a total decrease of \$75,807; and authorize the Mayor to execute same.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-344 in the amount of (\$75,807) within the Substance Abuse and Health Care Services Division budget for the purpose of recognizing a reduction in the amount of grant funding.

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

23. A. MOTION TO APPROVE agreement between Broward County and Henderson Mental Health Center, Inc., from the date of execution through May 31, 2007, in the amount of \$24,570 for the provision of substance abuse treatment services for homeless individuals with co-occurring substance abuse and mental health disorders; and authorize Mayor and Clerk to execute same.


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

- B. MOTION TO ADOPT unanticipated revenue Resolution in the amount of \$24,570 within the Substance Abuse and Health Care Services Division budget, for the purpose of providing grant funding for substance abuse treatment services.

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

## COMMUNITY SERVICES DEPARTMENT

### MASS TRANSIT DIVISION

-  24. MOTION TO APPROVE subject to final execution by the South Florida Regional Transportation Authority (SFRTA), an Interlocal Agreement between Broward County and the SFRTA relating to the operating funding of the SFRTA Project; in the total amount of \$7,435,294; of which \$4,159,000 is for SFRTA's Fiscal Year 2006-2007 net operating costs, a not-to-exceed amount of \$606,294 for Tri-Rail feeder bus service, and \$2,670,000 for capital contribution, effective July 1, 2006, through June 30, 2007; and authorize the Mayor and Clerk to execute same.

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

### ENVIRONMENTAL PROTECTION DEPARTMENT

25. MOTION TO APPROVE Settlement Agreement in the total estimated amount of \$32,100 between Broward County and Dania Investments, Inc. to resolve violations of Chapter 27 of the Broward County Code of Ordinances regarding a petroleum discharge and improper operation of the storage tank system, and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

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

### AIR QUALITY DIVISION

26. MOTION TO APPROVE standardized Revocable License Agreement (RLA) to be used by the Environmental Protection Department (EPD) to enter into agreements between Broward County and municipalities and other public or governmental entities to use and occupy premises for the purpose of conducting a special air monitoring project, and authorize the County Administrator to execute these agreements on behalf of the Broward County Board of County Commissioners.

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

### BIOLOGICAL RESOURCES DIVISION

27. A. MOTION TO APPROVE Grant Agreement between the State of Florida Department of Transportation (FDOT) and Broward County for a FDOT Litter Control and Prevention grant to Broward County's Broward Beautiful program in the amount of \$19,150 (requires a Broward County match of \$20,000); and authorize the Mayor and Clerk to execute same;

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-345 within the General Fund (0010) for the Broward Beautiful program in the amount of \$19,150 for the purpose of recognizing a grant from the Florida Department of Transportation for litter control and prevention.

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

28. MOTION TO ADOPT Resolution 2006-346 of the Board of County Commissioners of Broward County, Florida, authorizing the County Administrator to execute a contract on behalf of the County with the City of Oakland Park in the amount of \$225,000 for funding of the I-95 / Oakland Park Interchange Greening Gateways landscape project as a Broward Beautiful Special Project; and providing for an effective date. **(Commission Districts 4, 9)**

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

#### **POLLUTION PREVENTION AND REMEDIATION DIVISION**

29. MOTION TO APPROVE Amendment No. 1 to Contract No. GC658, between Broward and the Florida Department of Environmental Protection (FDEP) to extend the contract completion date from June 30, 2006 through June 30, 2007, and to provide for the continued implementation of the accelerated resolution of significant non-compliance (SNC) violations and associated enforcement activities at regulated storage tank facilities within Broward County; in the amount of \$131,680; and authorize the Mayor and Clerk to execute same.

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

#### **PORT EVERGLADES DEPARTMENT**

30. MOTION TO APPROVE award of structural enhancements to Southport container cranes SP1-SP7 to G.F.C. Crane Consultants, Inc., under the terms of the existing maintenance and repair agreement between Broward County and G.F.C. Crane Consultants, Inc. in a lump sum not to exceed amount of \$459,200.

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

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

31. A. MOTION TO ADOPT budget Resolution 2006-347 transferring funds within the General Capital Outlay Fund in the amount of \$537,746 for one-time capital maintenance projects at detention centers.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-348 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$537,746 for one-time capital maintenance projects at detention centers.

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

**OFFICE OF ECONOMIC DEVELOPMENT**

32. MOTION TO ACCEPT Broward Alliance Fiscal Year 2006 Quarterly Performance Report for the period January 1, 2006 through March 31, 2006, pursuant to the agreement between Broward County and the Broward Alliance.

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

**COUNTY ATTORNEY**


33. A. MOTION TO APPROVE proposed Settlement Agreement in the case of the de Moya Group, Inc. v. Broward County and Craig A. Smith & Associates of Florida, Inc., Case No. 02-06637-CACE-21, and authorize the County Attorney's Office to finalize the documents and security filings required in the proposed Settlement Agreement, with such documents and security filings to be reviewed by Special Counsel.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2006-349 within the Engineering Capital Projects Fund in the amount of \$2,529,540 to appropriate funds for the legal settlement with the de Moya Group, Inc.

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

**COUNTY ADMINISTRATION**


-  34. MOTION TO APPROVE agreement between Community Redevelopment Associates of Florida, Inc. (CRA, Inc.), and Broward County in the amount of \$1,499,611 in HOME Investment Partnership (HOME) funds from the U.S. Department of Housing and Urban Development (HUD), for the purpose of providing single family housing rehabilitation within the cities of Coral Springs, Deerfield Beach, Miramar and Tamarac, for a term from May 23, 2006 to September 30, 2007; authorizing the Mayor and Clerk to execute same. No County funds are required. **(Commission Districts 1, 2, 3, 4, and 8)**

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


## COUNTY COMMISSION

35. MOTION TO AUTHORIZE establishment of a Commission Select Committee on Elections Systems. (Mayor Graber)

***ACTION: (T-10:13 AM/11:05 AM) Approved the following to serve on the Commission Select Committee on Elections Systems: Commissioner Gunzburger, (Chair); Commissioners Jacobs and Wasserman-Rubin, and Supervisor of Elections Dr. Brenda Snipes. (Refer to minutes for full discussion.)***

-  36. MOTION TO APPROVE international travel to the United Kingdom for Mayor Ben Graber of the Broward County Board of County Commissioners. This mission is to accompany Governor Jeb Bush to the United Kingdom and Scotland to promote growth of international business, direct foreign investment and to explore the life sciences industry already established in the United Kingdom. (Mayor Graber)

***ACTION: (T-10:19 AM) Approved, as amended, that in the event the Mayor is unable to attend the mission, the Board authorized Commissioner Diana Wasserman-Rubin, as Chair of the International Business Development Select Committee, to attend in the Mayor's absence. (Refer to minutes for full discussion.)***

-  37. MOTION TO APPROVE international travel to the United Kingdom for Commissioner Diana Wasserman-Rubin of the Broward County Board of County Commissioners. This mission is to accompany Governor Jeb Bush to the United Kingdom and Scotland to promote growth of international business, direct foreign investment and to explore the life sciences industry already established in the United Kingdom. (Commissioner Wasserman-Rubin)

***ACTION: (T-10:20 AM) Withdrawn and referred to the Select Committee on International Business Development to discuss policy and budget implications for future trips. (Refer to minutes for full discussion.)***

38. MOTION TO FILE City of Cooper City Resolution No. 2006-04-01 expressing support for the efforts of the Broward County Commission to develop and implement strategies to meet the affordable housing needs in Broward County, and the efforts of the Broward County League of Cities in working with Broward County to develop these strategies. (Mayor Graber)

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

39. MOTION TO FILE City of Hallandale Beach Resolution No. 2006-10, supporting a regional long-range transportation solution involving establishment of a transit station serving Hallandale Beach and surrounding communities in southern Broward and northern Miami-Dade Counties, in addition to consideration of opportunities for future passenger rail service. (Mayor Graber)

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

40. MOTION TO FILE City of Margate Resolution No. 10-601 supporting the South Florida Regional Transportation Authority's initiative to encourage the State Legislature to legislate a dedicated local funding source for transit in South Florida and regional transit projects. (Mayor Graber)

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

41. MOTION TO FILE City of Margate Resolution No. 10-623 supporting a one penny increase in the surtax for transit projects to be placed on the November ballot in Broward County. (Mayor Graber)

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

#### **REQUEST TO SET FOR PUBLIC HEARING**

42. MOTION TO ADOPT Resolution 2006-350 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 13, 2006, at 2:00 P.M. in Room 422 of the Governmental Center, to consider 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 SECTION VII OF THE BROWARD ESTATES NEIGHBORHOOD ENHANCEMENT PLAN RELATING TO MINIMUM STANDARDS; CREATING A NEW SECTION IX PROVIDING FOR PROHIBITED ACTIVITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

43. MOTION TO ADOPT Resolution 2006-351 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 13, 2006, at 2:00 P.M. in Room 422 of the Governmental Center, to consider 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 COUNTY BOARDS, AUTHORITIES, AND

AGENCIES; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SUBSECTION 1-233(g), TO REFLECT THAT REVIEWS OF ATTENDANCE RECORDS FOR COUNTY BOARDS, AUTHORITIES, AND AGENCIES SHALL BE ADMINISTERED ON A MONTHLY RATHER THAN ON A SEMI-ANNUAL BASIS; AMENDING SUBSECTION 1-233(i), TO DELETE THE REQUIREMENT THAT THIRTY (30) DAYS MUST PASS BEFORE VACANCIES ON COUNTY BOARDS, AUTHORITIES, AND AGENCIES CAN BE FILLED; CREATING SUBSECTION 1-233(l), TO REFLECT THAT MEMBERS OF COUNTY BOARDS, AUTHORITIES, AND AGENCIES MAY REQUEST THAT MEETINGS NOT BE SCHEDULED ON RELIGIOUS HOLIDAYS, AND THE CHAIR MUST HONOR SUCH REQUEST; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**TRANSPORTATION PLANNING DIVISION**

- 44. MOTION TO ADOPT unanticipated revenue Resolution 2006-352 within the Federal Transit Administration (FTA), Section 8, Unified Work Plan Fund (9726) for the Transportation Planning Division, in the amount of \$13,000 for support of the MPO's 2005-2006 Unified Planning Work Program (UPWP).

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

\*\*\*\*\*  
\*\*\*\*\*

**QUASI-JUDICIAL CONSENT HEARING**

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**DEVELOPMENT MANAGEMENT DIVISION**

- 45. DISCUSSION: of plat entitled "Satori Condominium" - **Commission District 4**, (031-MP-05).

**ACTION: (T-10:13 AM) Deferred to January 2, 2007, or sooner, under Section 5-181(j) of the Land Development Code to study right-of-way and access requirements.**

46. DISCUSSION: of plat entitled "Montessori Academy" - **Commission District 8**, (057-MP-05).

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

47. DISCUSSION: of New Findings of Adequacy for plat entitled "A Portion of Boulevard Forest" - **Commission District 1**, (112-MP-80).

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

48. DELEGATION: Andrew Ponnock, regarding request to amend the note on the Greater Coral Springs Research & Development Park Addition V Plat - **Commission District 3**, (060-MP-95).

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

49. DELEGATION: Leigh R. Kerr, regarding request to amend the note on the Plaza Plat - **Commission District 5**, (150-MP-83).

***ACTION: (T-10:13 AM) Deferred to January 2, 2007, or sooner, under Section 5-181(j) of the Land Development Code to study traffic concurrency.***

50. DELEGATION: Susan Young, regarding request to amend the note on the 4112 South Ocean Plat - **Commission District 6**, (232-MP-85).

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

51. DELEGATION: Paul D'Arelli, regarding request to amend the non-vehicular access line on the McCarthy Plat - **Commission District 2**, (148-MP-85).

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

52. DELEGATION: Ron Fritz, regarding request to revise the non-vehicular access line on the 3500 Davie Blvd. Plat - **Commission District 7**, (017-MP-04).

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

**END OF QUASI-JUDICIAL CONSENT HEARING**

\*\*\*\*\*  
\*\*\*\*\*

**REGULAR AGENDA**

\*\*\*\*\*  
\*\*\*\*\*

**PUBLIC HEARING**

- 53. **MOTION TO ADOPT** Resolution 2006-353 to vacate and abandon a portion of a 15-foot wide utility easement, lying on the border of Parcels F and H of the Harbour Lake Estates Plat, located south of Pembroke Road between SW 196<sup>th</sup> Avenue and SW 208<sup>th</sup> Avenue, in the City of Miramar, Broward County, Florida; and at no cost to the County. Petitioner: Harbour Lake Estates Community Development District (Carnahan-Proctor-Cross, Inc. - Agent) (2006-V-01) **(Commission District 8)**

***ACTION: (T-10:45 AM) Approved.***

- 54. **MOTION TO ADOPT** Resolution 2006-354 revising the fee schedule for proposed amendments to the Broward County Land Use Plan Map, Broward County Trafficways Plan amendments and waiver requests, recertification of local land use plan map amendments and requests for written platting interpretations.


A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE; SECTION 40.5a, THE SCHEDULE OF FEES AND CHARGES FOR LAND USE PLAN AMENDMENTS, TRAFFICWAYS AMENDMENTS AND WAIVERS, RECERTIFICATION OF LOCAL LAND USE PLAN MAP AMENDMENTS AND WRITTEN PLATTING DETERMINATIONS, PROCESSED BY THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (T-10:45 AM) Approved.***

**END PUBLIC HEARING**

\*\*\*\*\*  
\*\*\*\*\*

## SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  55. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Parkland for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-45, also known as the Margate-Blount Archaeological Site; and authorizing the Mayor and Clerk to execute same. **(Commission District 3)**

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

- B. MOTION TO APPROVE transfer of funds to the City of Parkland in the amount of \$647,895.70, towards the acquisition of real property referred to as the Margate-Blount Archaeological Site (OS-45) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 3)**

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

## FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

### PURCHASING DIVISION

For Community Services Department

56. MOTION TO NOTE FOR THE RECORD the following Request for Proposal (RFP), No. 20050123-0-LIB-IRE (Main Library Restaurant Operation), that has not been presented to the Board and has not been advertised, or evaluated, for which Commissioners may choose to join the evaluation Committee.

***ACTION: (T-10:45 AM) Approved, as amended. The Board directed staff to change the RFP to a Request for Letters of Interest (RLI), Sheltered Market Contract, to allow Broward County vendors to participate in the contract. Further, the Board made the following amendments: 1) Under Section 1, page 3, Parameters for the operations of the concession, bullet 4 - Better define the language for level of service, removing "nationally recognized name brand companies." 2) Under bullet 7, "Exhibit 4 shall be a coffee kiosk or similar type of vending area." - remove the requirement to allow recommendations from the vendors as to what conditions might be a first floor establishment. 3) Under bullet 10, "The facility operated by the Lessee . . ." - Ask vendor to give hours they would consider regular operations; provide a pilot program for what days of the week the vendor would consider extended operations, leave in special events. 4) Research allowing the vendor to place signage in strategic areas paid for by the vendor. (Refer to minutes for full discussion.)***

For Finance and Administrative Services Department

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

***ACTION: (T-11:11 AM) Approved, as amended, to include the language relating to business-related lawsuits. The following to serve on the Selection Committee: Commissioners Gunzburger and Wexler; Chief Information Officer (Chair); Director, Revenue Collection Division, and Director, Office of Public Communications. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. (Refer to minutes for full discussion.)***

For Public Works and Transportation Department

58. MOTION TO APPROVE sole source determination and award fixed contract to sole source, Radiant Systems, Inc. for the Declared Emergencies and Field Automation Module to the FastTrac System in the amount of \$258,620; for the period beginning on the date of execution and shall end five years after final acceptance, for the Traffic Engineering Division, and authorize the Mayor and Clerk to execute same.

***ACTION: (T-11:12 AM) Approved.***

**COUNTY AUDITOR**

59. MOTION TO DISCUSS status of the County Administrator Recruitment.

***ACTION: (T-11:12 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. (Refer to minutes for full discussion.)***

***ACTION: (T-4:03 PM) The Board authorized the County Auditor to begin contract negotiations with Pamela Brangaccio.***

## COUNTY COMMISSION SELECT COMMITTEE REPORTS

***ACTION: (T-4:34 PM) Vice Mayor Eggelton updated the Board on the Judicial Court Complex Select Committee. He advised the Board that the Chair of the Broward School Board or representative has been invited to participate in discussions. The consultant and staff will visit each commissioner with respect to the direction the Selection Committee may recommend for the full commission to take action prior to the end of June. The Mayor recommended placing an item on the June 20<sup>th</sup> Commission agenda. A copy of the agendas and minutes are available at: [www.broward.org/commissioncommittees](http://www.broward.org/commissioncommittees). (Refer to minutes for full discussion.)***

### SELECT COMMITTEE ON ETHICS AND LOBBYING

60. A. MOTION TO DIRECT County Attorney's Office to draft a Broward County Ordinance to establish a conflict of interest section in the County Code for Commissioners, County employees, and individuals appointed to Boards, Committees, Agencies, and Authorities in accordance with the recommendations of the Select Committee on Ethics and Lobbying. (Commissioner Gunzburger, Commissioner Jacobs, Commissioner Lieberman, Commissioner Wasserman-Rubin)

***ACTION: (T-11:12 AM) The Board referred this item back to the Select Committee on Ethics and Lobbying for further evaluation. Also, the County Auditor and County Attorney will review the language for clarity. (Refer to minutes for full discussion.)***

- B. MOTION TO DIRECT County Attorney's Office to draft a Broward County Ordinance to establish a Code of Official Conduct for Commissioners, County employees, and individuals appointed to Boards, Committees, Agencies, and Authorities in accordance with the recommendations of the Select Committee on Ethics and Lobbying.

***ACTION: (T-11:12 AM) The Board referred this item back to the Select Committee on Ethics and Lobbying for further evaluation. Also, the County Auditor and County Attorney will review the language for clarity. (Refer to minutes for full discussion.)***

- C. MOTION TO DIRECT County Administrator to take the necessary steps to implement the recommendations of the Select Committee on Ethics and Lobbying including implementing a comprehensive mandatory annual ethics training program for all County Commissioners, employees, and individuals appointed to County Boards, Committees, Agencies, and Authorities.

***ACTION: (T-11:12 AM) The Board referred this item back to the Select Committee on Ethics and Lobbying for further evaluation. Also, the County Auditor and County Attorney will review the language for clarity. (Refer to minutes for full discussion.)***

61. MOTION TO DIRECT County Attorney's Office to draft an amendment to the Broward County Code of Ordinances, and a Resolution amending the Broward County Administrative Code, to implement the lobbying policy recommendations of the Select Committee on Ethics and Lobbying. (Commissioner Gunzburger, Commissioner Jacobs, Commissioner Lieberman, Commissioner Wasserman-Rubin)

***ACTION: (T-3:06 PM) Approved. (Refer to minutes for full discussion.)***

62. MOTION TO DIRECT County Attorney's Office to draft an amendment to the Broward County Code of Ordinances, and a resolution amending the Broward County Administrative Code, to implement the recommendations of the Select Committee on Ethics and Lobbying expanding the Cone of Silence; (1) to be applicable to all procurement awards, (2) to be imposed upon approval of any procurement and (3) requiring that permitted communications be in writing and distributed to all members of both the selection and negotiation committees. (Commissioner Gunzburger, Commissioner Jacobs, Commissioner Lieberman, Commissioner Wasserman-Rubin)

***ACTION: (T-3:07 PM) Approved. (Refer to minutes for full discussion.)***

#### **SELECT COMMITTEE ON HURRICANE PREPAREDNESS**

63. MOTION TO APPROVE recommendations of the Hurricane Select Committee. (Vice-Mayor Eggelletion, Commissioner Jacobs, Commissioner Lieberman)

***ACTION: (T-3:51 PM) Approved. (Refer to minutes for full discussion.)***

## COUNTY COMMISSION

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

A. MOTION TO NOMINATE Mr. Bruce Rogow for the At-Large Position on the Charter Review Commission. (Commissioner Jacobs)

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

65. MOTION TO NOMINATE Mr. Mark Ketcham to serve on the Charter Review Commission. (Commissioner Rodstrom)

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

66. MOTION TO NOMINATE Mr. Joseph M. Maus for appointment to the Charter Review Commission as the District 4 Representative. (Commissioner Scott)

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

67. COUNTY ADMINISTRATOR'S REPORT

***ACTION: (T-4:40 PM) Interim County Administrator Bertha Henry informed the Board that the County launched the first set of bio-diesel vehicles at the Fort Lauderdale-Hollywood International Airport. Broward County is the first airport in the country to use these vehicles.***

68. MAYOR'S REPORT

A. FOURTH ANNUAL BROWARD COUNTY MAYOR'S GALA

***ACTION: (T-4:27 PM) The Fourth Annual Broward County Mayor's Gala will take place on Saturday, October 21, 2006, at the Broward County Convention Center. Proceeds from the Gala will go to the United Way of Broward County and at the Mayor's request, \$50,000 will be earmarked to go to the March of Dimes. The theme this year is "A Renaissance Celebration" honoring the importance of Science, Mathematics, and the welfare and education of children. The Women's Way of the United Way is organizing the event. (Refer to minutes for full discussion.)***

B. FILMING MOVIE IN BROWARD COUNTY

***ACTION: (T-4:27 PM) Filming for the movie "My Sexiest Year" starring Harvey Keitel and Frankie Muniz is taking place this day at the Broward County Convention Center and Port Everglades. In the***

*movie, the Convention Center will be identified as an exterior of Miami International Airport and Port Everglades will be identified as La Guardia Airport. No release date is set at this time. The County will reap economic benefits from the filming. (Refer to minutes for full discussion.)*

C. HURRICANE EXPO

***ACTION: (T-4:28 PM) The Mayor thanked everyone who worked tirelessly on the Hurricane Expo that took place Saturday, May 20<sup>th</sup>, held at the Emergency Operations Center. Many public officials attended the event, including Vice Mayor Eggelletion, Commissioners Gunzburger, Lieberman and Wexler. Mayor Graber gave special thanks to School Board Member Marty Rubinstein, who initiated a poster contest where winning students were given savings bonds donated by the Bank of America. (Refer to minutes for full discussion.)***

D. END HOMELESSNESS PLAN

***ACTION: (T-4:30 PM) The County kicked off its ten-year plan to end homelessness on Thursday, May 18<sup>th</sup>, a plan that the Commission endorsed last December. Philip Mangano, the Executive Director of the U.S. Interagency Council on Homelessness, attended the event and commended Broward's efforts, calling Broward a "national model for the country." (Refer to minutes for full discussion.)***

\*\*\*\*\*  
\*\*\*\*\*

**SUPPLEMENTAL AGENDA**

**COUNTY COMMISSION**

69. MOTION TO DIRECT staff to take the necessary actions to place a 3.4 acre property (Folio Numbers No. 494231000214, No. 494231330010) into the Green Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 9)** (Vice Mayor Eggelletion)

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

**Following is an additional Supplemental Agenda item:**

**COUNTY COMMISSION**

70. MOTION TO REQUEST Mayor Graber to write a letter of support for an amendment to provide funding to state and local governments for the costs associated with immigration reform. (Commissioner Lieberman)

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

**NON AGENDA**

71. MARLENE WILSON HONORED – COMMISSIONER WEXLER

***ACTION: (T-4:31 PM) Commissioner Wexler informed the Board that she and Commissioner Wasserman-Rubin attended a Senior Volunteers event, where Marlene Wilson, Director, Human Services Department, received the Edith Lederberg Award. Commissioner Wexler congratulated Ms. Wilson and commented that the County appreciates and recognizes her talents. (Refer to minutes for full discussion.)***

72. 21<sup>ST</sup> INTERNATIONAL HISPANIC THEATRE FESTIVAL – OPENING IN BROWARD – COMMISSIONER WASSERMAN-RUBIN

***ACTION: (T-4:31 PM) Commissioner Wasserman-Rubin announced that opening night of the 21<sup>st</sup> International Hispanic Theatre Festival is Thursday, June 1<sup>st</sup>. For the first time in the Festival's history, it will open in Broward County. The opening performance is Shakespeare's "The Tempest." The play is adapted to reflect the Hispanic culture. The reception is sponsored by Bacardi USA. (Refer to minutes for full discussion.)***

73. ADD COMMISSIONER TO EVALUATION COMMITTEE – COMMISSIONER SCOTT

***ACTION: (T-4:33 PM) Commissioner Scott requested that he be added to the Evaluation Committee for RLI #20051019-8-PA-1, relating to Everglades Holiday Park Master Plan. Commissioner Wasserman-Rubin commented that if she was not already on the Evaluation Committee, she would like to be added. (Refer to minutes for full discussion.)***

74. HAITIAN FLAG DAY – COMMISSIONER WASSERMAN-RUBIN

**ACTION: (T-4:38 PM) Commissioner Wasserman-Rubin informed the Board that last weekend (May 18<sup>th</sup>) was Haitian Flag Day. She presented a proclamation, on behalf of the County Commission, to the Haitian leadership in Broward County at a reception at the Performing Arts Center. (Refer to minutes for full discussion.)**

75. MISSION TO CHINA – MAYOR GRABER

**ACTION: (T-4:39 PM) Mayor Graber advised that he would be leading a mission to China to promote economic development. The Mayor will be out of the country the first two meetings in June. Vice Mayor Eggelation will be chairing the meetings. The Mayor stated that he would attempt to web cast from China. (Refer to minutes for full discussion.)**

76. NEW COUNTY ADMINISTRATOR – COUNTY AUDITOR

**ACTION: (T-4:40 PM) County Auditor Evan Lukic informed the Board that he attempted to contact both candidates to advise them of the Board’s decision but they were both in transit. Mr. Lukic stated that he would be in touch with them later in the day. (Refer to minutes for full discussion.)**

\*\*\*\*\*  
\*\*\*\*\*

**MEETING/WORKSHOP NOTICES**

**COUNTY ADMINISTRATOR CANDIDATE INTERVIEWS**

**Monday, May 22<sup>nd</sup> at 9:00 AM**  
In Room 430, Governmental Center

**BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS  
& BROWARD LEAGUE OF CITIES**

**WELCOME AND INTRODUCTION OF  
NEWLY ELECTED MUNICIPAL OFFICIALS**

**Tuesday, May 23<sup>rd</sup> at 9:00 AM**  
In Room 430, Governmental Center

**SELECTION COMMITTEE  
EVERGLADES HOLIDAY PARK MASTER PLAN**

**RLI No. 20051019-8-PA-1**  
**Tuesday, May 23<sup>rd</sup> at 9:00 AM**  
In Room 409G, Governmental Center

**HEALTH INSURANCE RENEWAL**  
**Tuesday, May 23<sup>rd</sup> at 3:00 PM**  
or immediately following the 2:00 PM Public Hearing  
In Room 430, Governmental Center

\*\*\*\*\*  
\*\*\*\*\*