

MEETING OF MAY 25, 2004

(The meeting convened at 10:00 a.m. and adjourned at 11:09 a.m.)

PLEDGE OF ALLEGIANCE was led by Jasmine Shirley, president, Delta Sigma Theta Sorority, Inc., Broward County Alumni Chapter.

CALL TO ORDER

CONSENT AGENDA

1. BOARD APPOINTMENTS

ACTION: (T-10:18 AM) No appointments were made.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Fuel System Lease between Broward County, Florida and Gulfstream International Airlines, Inc., at the Fort Lauderdale-Hollywood International Airport, effective upon Board approval, for a period of one year and month-to-month thereafter, not to exceed five years; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

3. MOTION TO ADOPT Resolution 2004-475 authorizing acceptance and execution of a Florida Department of Transportation Joint Participation Agreement (JPA), Financial Project No. 407394-1-94-01 for ASDE-X Transponders for the prevention of runway incursions at Fort Lauderdale-Hollywood International Airport in the amount of \$25,000 (State-s share); 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-10:18 AM) Approved.

4. MOTION TO ADOPT Resolution 2004-476 authorizing acceptance and execution of a Florida Department of Transportation Joint Participation Agreement (JPA), Financial Project No. 416747-1-94-01 for Security improvements at Fort Lauderdale-Hollywood International Airport in the amount of \$319,069 (State-s share); 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-10:18 AM) Approved.



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

5. A. MOTION TO ADOPT Resolution 2004-477 authorizing execution of a Joint Participation Agreement (“JPA”) between Florida Department of Transportation (“FDOT”) and Broward County concerning the reconfigured terminal access roadways to the Fort Lauderdale-Hollywood International Airport (“Airport”); authorizing conveyance of certain parcels to FDOT for roadway and related transportation purposes; authorize the Mayor or Vice Mayor and Clerk to execute and deliver the JPA, the deed of conveyance and such other documents as may be required in connection therewith; and authorizing the County Administrator to take the necessary administrative and budgetary actions.

ACTION: (T-10:18 AM) Approved.

- B. MOTION TO ADOPT Resolution 2004-478 determining that certain real property located east of the Airport is unnecessary for airport operational or revenue purposes, is necessary for the state highway, US 1 corridor, and the conveyance of the property will not impair the revenue producing capability or operating efficiency of the airport system; and authorize the County Administrator to take the necessary administrative and budgetary actions.

ACTION: (T-10:18 AM) Approved.

- C. MOTION TO APPROVE Letter of Release and Deed of Release from the Federal Aviation Administration (“FAA”) Orlando Airports District Office, which provides FAA approval of the conveyance of the parcels to FDOT, and authorize the Mayor or Vice Mayor and Clerk to execute and deliver such documents; and authorize the County Administrator to take the necessary administrative and budgetary actions.

ACTION: (T-10:18 AM) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF ENVIRONMENTAL SERVICES

ENVIRONMENTAL ENGINEERING DIVISION

6. MOTION TO APPROVE Change Order No. 40 to Contract No. N-6-00-138-CF with Foster Marine Contractors, for the construction of Central County Neighborhood Improvement Project - Melrose Park - Bid Package 4, for a decrease of \$401,344.11; from \$12,190,838.63 to \$11,789,494.52, with no change in contract time; and authorize the Mayor and Clerk to execute same. (Project No. 1149/8559) **(Commission District 7)**

ACTION: (T-10:18 AM) Approved.

OFFICE OF GENERAL SERVICES

REAL PROPERTY SECTION

7. MOTION TO APPROVE contract for sale and purchase executed by Yasmeen A. Haroon, a married woman, and Ravindeer K. Singh, a married woman, as tenants-in-common in the amount of \$5,000 for the purchase of property located in Washington Park Fourth Addition, Lot 25, Block 46, at NW 27th Avenue, approximately 100 feet south of NW 15th Street, as a part of the Roosevelt Gardens Neighborhood Enhancement Plan; and authorize the Mayor and Clerk to execute contract for sale and purchase, and authorize recordation of deed. **(Commission District 9)**

ACTION: (T-10:18 AM) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

1. MOTION TO APPROVE agreement between Broward County and Edwards & Kelcey, Inc. for consultant services for Improvements to Bailey Road (NW 64th Avenue to SR-7), at a cost to the County not to exceed \$549,988.75, and a contract time of 410 days; and authorize the Mayor and Clerk to execute same. (Project No. 5300) **(Commission District 1)**

ACTION: (T-10:18 AM) Approved.

STREETS AND HIGHWAYS DIVISION

9. A. MOTION TO ADOPT budget Resolution 2004-479 transferring \$107,880 within the Mosquito Control Fund to proceed with the design of an airplane hangar for Mosquito Control at North Perry Airport. **(Commission District 8)**

ACTION: (T-10:18 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-480 to the General Fund for Mosquito Control in the amount of \$107,880 for the purpose of proceeding with the design of an airplane hangar for Mosquito Control at North Perry Airport.

ACTION: (T-10:18 AM) Approved.

TRAFFIC ENGINEERING DIVISION

10. MOTION TO ADOPT unanticipated revenue Resolution 2004-481 within the High Speed Rail Crossing System Grant Fund (8435) for the Traffic Engineering Division in the amount of \$9,734 for the purpose of continuing implementation of a highway railroad grade crossing safety advisory system.

ACTION: (T-10:18 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

11. MOTION TO ADOPT Resolution 2004-482 of the Board of County Commissioners of Broward County, Florida, authorizing the Refunding of certain of the Certificates of Participation, Series 1994A; authorizing the execution and delivery of an Amendment to Lease Schedule No. 1994; authorizing the execution and delivery of a Supplemental Trust Agreement with The Bank of New York Trust Company, N.A., as Trustee, pursuant to which the Trustee will execute, authenticate and deliver not exceeding \$32,000,000 Refunding Certificates of Participation, Series 2004; authorizing the execution and delivery of a Certificate Purchase Agreement relating to such Certificates of Participation; delegating to the County Administrator the determination of certain matters and details concerning such Certificates of Participation; authorizing the execution and delivery of an Official Statement with respect to such Certificates of Participation; approving the Form of a Series 2004 Supplemental Assignment Agreement; approving Uncertificated, Book-Entry Only Registration of such Certificates with The Depository Trust Company; authorizing the execution and delivery of an Escrow Deposit Agreement and designating the Escrow Agent thereunder; authorizing the execution and delivery of a Continuing Disclosure Certificate; delegating the appointment of the Provider of a Municipal Bond Insurance Policy to insure such Certificates and of a Transfer or Purchase of Reserve Account/Insurance Policy; making findings as to the necessity for a Negotiated Sale of such Certificates; authorizing the appointment of the Printer and a Verification Agent; and providing an effective date.

ACTION: (T-10:18 AM) Approved.

12. MOTION TO ADOPT Resolution 2004-483 of the Board of County Commissioners of Broward County, Florida, approving issuance by the Broward County Health Facilities Authority of its Revenue Bonds in an amount not to exceed \$7,000,000 to finance health facilities for the benefit of Henderson Mental Health Center, Inc. for purposes of and pursuant to Section 147(F) of The Internal Revenue Code Of 1986, as amended; waiving validation of the bond issue and certain policies of the Authority; and providing for an effective date.

ACTION: (T-10:20 AM) Approved. See Page *****

13. MOTION TO APPROVE appointment of two teams of Managing Underwriters and Co-Managers for the proposed Airport System Revenue Bonds as follows: Team 1: Morgan Stanley, Senior Manager with book; Bear Stearns, Co-Senior Manager; Morgan Keegan, Co-Manager; Siebert, Brandford, Shank, Co-Manager; Jackson Securities, Co-Manager; Loop Capital Markets, Co-Manager; Ramirez & Co., Co-Manager. Team 2: Bear Stearns, Senior Manager with book; Morgan Stanley, Co-Senior Manager; Morgan Keegan, Co-Manager; Siebert, Brandford, Shank, Co-Manager; Jackson Securities, Co-Manager; Loop Capital Markets, Co-Manager; Ramirez & Co., Co-Manager.

ACTION: (T-10:18 AM) Approved.

ACCOUNTING DIVISION

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

ACTION: (T-10:18 AM) Approved.

15. MOTION TO APPROVE travel (Post approval) for County employees on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 B County Employee Travel.

ACTION: (T-10:18 AM) Approved.

16. MOTION TO FILE Semi-Annual Financial Summary for the Sheriff-s Contraband Forfeiture Semi-Annual Report for period ending March 31, 2004.

ACTION: (T-10:18 AM) Approved.

17. MOTION TO FILE Semi-Annual Financial Summary for the Park, Open Space and Recreational Trust Fund for the six month period ending March 31, 2004.

ACTION: (T-10:18 AM) Approved.

COUNTY RECORDS DIVISION

18. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commission meetings of March 23, 2004, April 13, 2004, and April 20, 2004; and the minutes of the 2:00 P.M. Public Hearings of March 23, 2004 and April 13, 2004.

ACTION: (T-10:18 AM) Approved.

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

ACTION: (T-10:18 AM) Approved. See Page *****

HUMAN RESOURCES DIVISION

19. MOTION TO APPROVE Broward County's participation as a member organization of the Florida Health Care Coalition (FHCC).

ACTION: (T-10:18 AM) Approved.

20. MOTION TO APPROVE release of retainage in the amount of \$39,349.80 to iXmatch, Inc. for the STAR project's automated recruitment and examination system, RLI No. 0980600-RB.

ACTION: (T-10:18 AM) Approved.

PURCHASING DIVISION

21. MOTION TO APPROVE fixed contract to nTier Solutions, Inc. for Oracle license compliance, updated subscriptions and one year support, State of Florida Contract No. 252-002-00-1, in the amount of \$238,247.22, for the Mass Transit Division, Office of Environmental Services and the Aviation Department and \$220,989.00, for Oracle license compliance, update rights and one year product support for Fiscal Year 2005, subject to budget approval and availability of funds for the Office of Environmental Services, for a total amount of \$459,236.22.

ACTION: (T-10:18 AM) Approved.

For Aviation Department

22. MOTION TO APPROVE release of retainage and final payment in the amount of \$186,719.28, to Pavex Corporation for Terminal Apron Taxilane Rehabilitation at the Ft. Lauderdale - Hollywood International Airport, Bid No. Q-2-01-032-CF. **(Commission District 7)**

ACTION: (T-10:18 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Contractor's Evaluation – Item 5, Recommended for future contracts, should be checked "Yes.")

For Community Services Department

23. MOTION TO AWARD open-end contract to low bidder, North American Bus Industries, Inc., for transit buses, Items 1 and 2, Bid Number CY03283B3, in the total estimated annual amount of \$7,875,428 for the Mass Transit Division; and authorize the Purchasing Director to renew the contract for three, one-year periods. The initial contract shall start on date of award and terminate one year from that date.

ACTION: (T-10:18 AM) Approved.

For Finance and Administrative Services Department

24. MOTION TO AWARD open-end contract to single bidder Marsh USA, Inc. for Item 3, Airport Liability Insurance, Fort Lauderdale/Hollywood International and North Perry Airports, Bid No. D304049B1, in the total annual amount of \$356,475 for the Risk Management Division; and authorize the Purchasing Director to renew the contract for three, one-year periods. The initial contract period shall begin on June 4, 2004 and shall terminate one year from that date.

ACTION: (T-10:20AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (T-2:33 PM) Tabled for additional information. See Page *****

ACTION: (T-4:36 PM) Approved with the caveat that the brokerage firm voluntarily agreed to utilize 10% of the brokerage fee for a certified minority vendor. Further, the Board directed the County Administrator to clarify the County's policy to staff with respect to the purchase of insurance. See Page *****

For Public Works Department

25. MOTION TO AWARD fixed contract to low bidder, Foster Marine Contractors, North County Neighborhood Improvements B Northwest Quadrant, Bid Package No. 6, Bid No. H-1-04-006-CF, in the amount of \$8,229,102 for the Environmental Engineering Division, subject to receipt and acceptance of insurance and performance/payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:18 AM) Approved.

HUMAN SERVICES DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

26. MOTION TO APPROVE first amendment to the 29th Program Year Community Development Block Grant (CDBG) Residential Rehabilitation B Minor Home Repair (RR-MHR) Program agreement between Broward County and the City of Cooper City (City) to increase the amount of funding by \$5,035; from \$125,812 to \$130,847; to reimburse the City for eligible costs incurred relative to the 28th Program Year-s RR-MHR Program. **(Commission District 5)**

ACTION: (T-10:18 AM) Approved.

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

27. A. MOTION TO TERMINATE Agreement 02-SAHCS-8485-23 between Broward County and Integrity Place of Broward, Inc. for cause pursuant to Article 7 of the agreement, effective May 25, 2004.

ACTION: (T-10:18 AM) Approved.

- B. MOTION TO TERMINATE Agreement 03-SAHCS-8465-01 between Broward County and Integrity Place of Broward, Inc. for cause pursuant to Article 7 of the agreement, effective May 25, 2004.

ACTION: (T-10:18 AM) Approved.

- C. MOTION TO TERMINATE Agreement 04-SAHCS-8443-01 between Broward County and Integrity Place of Broward, Inc. for cause pursuant to Article 7 of the agreement, effective May 25, 2004.

ACTION: (T-10:18 AM) Approved.

- D. MOTION TO TERMINATE Agreement 04-SAHCS-HUD-02 between Broward County and Integrity Place of Broward, Inc. for cause pursuant to Article 7 of the agreement, effective May 25, 2004.

ACTION: (T-10:18 AM) Approved.

28. A. MOTION TO TERMINATE Agreement 04-SAHCS-8228-07 between Broward County and Nova Southeastern University, Inc. for cause pursuant to Article 6 of the Agreement, effective April 1, 2004.

ACTION: (T-10:20 AM) Approved. See Page *****

- B. MOTION TO APPROVE Amendment No. 1 to Agreement No. 03-SAHCS-8452-07 between Broward County and Archways, Inc., from October 1, 2003 to September 30, 2004 increasing the value of the Agreement from \$142,485 to \$186,665.63 which is an increase of \$44,180.63 for the purpose of providing a comprehensive array of community based mental health services for adults in Broward County and authorizing the County Administrator to execute the appropriate Amendments to existing contracts; on behalf of the Board of County Commissioners.

ACTION: (T-10:20 AM) Approved. See Page *****

- C. MOTION TO APPROVE Amendment No. 1 to Agreement No.04-SAHCS-8463-07 between Broward County and Henderson Mental Health Center, Inc., from October 1, 2003 to September 30, 2004 increasing the value of the Agreement from \$1,368,080 to \$1,412,260.63 which is an increase of \$44,180.62 for the purpose of providing a comprehensive array of community based mental health services for adults in Broward County and authorizing the County Administrator to execute the appropriate Amendments to existing contracts; on behalf of the Board of County Commissioners.

ACTION: (T-10:20 AM) Approved. See Page *****

29. MOTION TO APPROVE allocation of State of Florida, Department of Law Enforcement (FDLE) Edward Byrne State and Local Law Enforcement Assistance Formula Block Grant funding for the period of October 1, 2004, through September 30, 2005, in the amount of \$1,153,339 as recommended by the United Way Broward County Commission on Substance Abuse (UWBCCSA); and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

OFFICE OF BUDGET SERVICES

30. MOTION TO ADOPT unanticipated revenue Resolution 2004-484 within the Law Enforcement Trust Fund in the amount of \$15,000.

ACTION: (T-10:18 AM) Approved.

31. MOTION TO APPROVE agreement between Broward County and the City of Deerfield Beach related to the Park Ridge Neighborhood Improvement Project; and authorize the Mayor and Clerk to execute the agreement.

ACTION: (T-10:18 AM) Approved.

32. MOTION TO DIRECT County Attorney to draft an Ordinance to increase court costs effective July 1, 2004 to partially fund state mandated local requirements and certain local option programs per Article V legislation approved in the 2004 legislative session, and to take necessary action to direct a \$2.50 court cost fee to the County.

ACTION: (T-10:18 AM) Approved.

COUNTY ATTORNEY

33. MOTION TO APPROVE settlement agreement of a lawsuit filed in the United States District Court for the Southern District of Florida, Robert Cohen, Ellen Cohen and Access For The Disabled, Inc., v. Broward County, Case Number 03-60272-CIV-MARRA/SELTZER, and authorize the Mayor and Clerk to execute the settlement agreement.

ACTION: (T-10:18 AM) Approved.

COUNTY COMMISSION

34. MOTION TO FILE City of Pembroke Pines Resolution 2004-R-22-2989, dated May 5, 2004, urging member of Congress to reject efforts to end or limit the Federal Government's role in our nation's beach nourishment projects and to recognize that continued federal support is critical to the environmental and economic health of our coastal resources and communities; authorizing and directing City administration to transmit a certified copy of this Resolution to President George Bush, the City's representatives in the United States Senate and House of Representatives, the secretary of the United States Environmental Protection Agency, the Florida Department of Environmental Protection, Governor Jeb Bush, the Board of County Commissioners of Broward County, Florida, and any other interested parties; providing for conflict; providing for severability; and providing an effective date. (Mayor Lieberman)

ACTION: (T-10:18 AM) Approved.

35. MOTION TO FILE City of Oakland Park Resolution R-2004-044, dated April 21, 2004, opposing proposed Florida Senate Bill 2774 and proposed Florida House Bill 1495, relating to cell tower legislation; this Resolution to the president of the Florida Senate, the speaker of the Florida House of Representatives, and member of the Florida Legislature; providing for conflicts; providing for severability; and providing an effective day. (Mayor Lieberman)

ACTION: (T-10:18 AM) Approved.

36. MOTION TO FILE City of Fort Lauderdale Resolution No. 0476, dated April 7, 2004, urging the Broward County Board of Commissioners to increase the Passenger Facility Charge at the Fort Lauderdale/Hollywood International Airport to its maximum allowable level and to commit those funds to noise mitigation measures related to the expansion of the South Runway. (Vice Mayor Jacobs)

ACTION: (T-10:18 AM) Approved.

37. MOTION TO FILE City of Hallandale Beach Resolution No. 2004-11, dated March 16, 2004, urging the current Administration to continue the current level of federal participation in beach erosion control projects and studies, including beach nourishment projects and requesting continuation of the current federal participation beyond the initial nourishment phase. (Vice Mayor Jacobs)

ACTION: (T-10:18 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

38. MOTION TO ADOPT Resolution 2004-485 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 8, at 2:00 PM 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 31 2, ATAXATION,@ BY DELETING LANGUAGE PROHIBITING THE USE OF ANY SAVINGS WHICH MAY BE REALIZED BY A REFUNDING OF THE BONDS ISSUED BY BROWARD COUNTY FOR THE CONSTRUCTION OF THE BROWARD CIVIC ARENA PROJECT TO ISSUE ADDITIONAL BONDS FOR THE BROWARD CIVIC ARENA PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:18 AM) Approved.

39. MOTION TO ADOPT Resolution 2004-486 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 8, 2004, at 2:00 PM 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 SECTIONS 312-38 AND 312-42 BROWARD COUNTY CODE OF ORDINANCES, RELATED TO THE BROWARD COUNTY ADDITIONAL ONE CENT LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE ADJUSTING THE SPLIT OF DISTRIBUTION OF THE PROCEEDS BETWEEN THE COUNTY AND THE MUNICIPALITIES; EXTENDING THE LEVY OF THE TAX TO DECEMBER 31, 2029; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR A CERTIFIED COPY TO BE SENT TO THE DEPARTMENT OF REVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:18 AM) Approved.

40. MOTION TO ADOPT Resolution 2004-487 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 22, 2004, at 2:00 PM in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows: (Deferred from May 18th, 2004 B Item No. 25)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY ZONING CODE OF ORDINANCES; AMENDING ARTICLE II, DEFINITIONS, SECTION 39-4, "TERMS DEFINED" TO PROVIDE DEFINITIONS FOR FIREWORKS AND PYROTECHNICAL ITEMS; AMENDING ARTICLE XIII, CONDITIONAL USES, SECTION 39-239, "HOLIDAY WAYSIDE STANDS" TO PROVIDE FOR A LONGER PERMIT PERIOD FOR THE CHRISTMAS AND NEW YEAR'S DAY HOLIDAYS; AMENDING ARTICLE XVIII, INDUSTRIAL DISTRICT, SECTION 39-313, "LIMITATION OF USES" TO CORRECT A SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

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

- 41. MOTION TO ADOPT Resolution 2004-488 directing the County Administrator to publish a Notice of Public Hearing to be held on June 8, 2004, at 2:00 PM in Room 422 of the Governmental Center, amending Chapter 26, Broward County Administrative Code, AOperational Policy, Aviation@ amending Section 26.2.A, ABackground And General Policy Statement,@ to add Self Service Baggage Carts; Amending Section 26.23, to add a procedure for Awarding Concession And Consumer Services Privileges not described in Part II of the policy; Adding Section 26.24, Self Service Baggage Carts; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (T-10:18 AM) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

BIOLOGICAL RESOURCES DIVISION

- 42. MOTION TO ADOPT Resolution 2004-489 of the Board of County Commissioners of Broward County, Florida, seeking assistance under the Florida Inland Navigation District Waterways Assistance Program to help fund a Corps of Engineers Section 107 Continuing Authorities Study of deepening portions of the Intracoastal Waterway and Dania Cut-Off Canal. **(Commission Districts 4 and 6)**

ACTION: (T-10:18 AM) Approved.

- 43. MOTION TO APPROVE Sovereign Submerged Lands Easement No. 30670, for the North Fork New River Dredging Project, and authorize the Mayor to execute same. **(Commission District 7)**

ACTION: (T-10:18 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

44. **DISCUSSION:** of plat entitled AParkland Western Community Park@- **Commission District 3**, (066-MP-02). (Deferred from October 14, 2003)

ACTION: (T-10:18 AM) Deferred to June 8, 2004 Quasi-Judicial Hearing Agenda for failure to submit the required affidavit as required by Chapter 1, Article XVII. Quasi-Judicial Proceedings, Section 1-328 of the Code of Ordinances.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

PUBLIC HEARING

- 45. MOTION TO ADOPT Resolution 2004-490 the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 41, MOVING PART VIII, "BUILDING CODE SERVICES," TO CHAPTER 40, "FEES AND OTHER CHARGES, PLANNING AND ENVIRONMENTAL PROTECTION", RENUMBERING AND AMENDING SECTION 41.32, "GENERAL FEES SCHEDULE," ESTABLISHING THE FEES FOR BUILDING CODE SERVICES DIVISION SERVICES; RENUMBERING AND AMENDING SECTION 41.32.1, "SPECIAL FEES," PROVIDING FOR PROCESSING FEES ON NON-BUILDING PERMIT RELATED ACTIVITIES; RENUMBERING AND AMENDING SECTION 41.33, "BUILDING PERMITS FEE SCHEDULE," PROVIDING FEES TO BE CHARGED FOR BUILDING PERMITS; RENUMBERING AND AMENDING SECTION 41.34, "ELECTRICAL PERMITS FEE SCHEDULE," SETTING FORTH FEES FOR ELECTRICAL PERMITS; RENUMBERING AND AMENDING SECTION 41.35, "MECHANICAL (AIR CONDITIONING AND VENTILATION) PERMITS FEE SCHEDULE," PROVIDING FEES FOR MECHANICAL PERMITS; RENUMBERING AND AMENDING SECTION 41.36, "PLUMBING PERMITS FEE SCHEDULE," ESTABLISHING FEES FOR PLUMBING PERMITS; RENUMBERING SECTION 41.37, "ELEVATORS, ESCALATORS AND OTHER APPARATUS,"; PROVING FEES FOR ELEVATORS ESCALATORS AND RELATED APPARATUS," RENUMBERING SECTION 41.38, "TREE TRIMMING LICENSE FEE," PROVIDING FEES FOR TREE TRIMMER LICENSES; AMENDING EXHIBIT 41.A, "PLAN REVIEW FEE SCHEDULE," PROVIDING FOR PLAN REVIEW PROCESSING FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATEE.

ACTION: (T-10:24 AM) Approved, as amended, per staff's recommendations, as cited in the memorandum from DPEP Acting Director Elliot Auerhahn, dated May 24, 2004. See Page *****

- 46. MOTION TO ADOPT Resolution 2004-491 amending the Broward County Administrative Code the title of which is:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING FOR THE REORGANIZATION OF

CERTAIN COUNTY DEPARTMENTS, DIVISIONS AND AGENCIES; DELETING CHAPTERS 15, 31, AND 41 IN THEIR ENTIRETY RELATED TO THE ORGANIZATION, OPERATIONAL POLICY AND FEES AND OTHER CHARGES FOR THE DEPARTMENT OF SAFETY AND EMERGENCY SERVICES AND ITS DIVISIONS; RE-ESTABLISHING THE BUILDING CODE SERVICES DIVISION WITHIN THE DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION AND THE MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION WITHIN THE DEPARTMENT OF HUMAN SERVICES; PROVIDING FOR THE FUNCTIONS OF THE ZONING CODE SERVICES DIVISION TO BE DIVIDED BETWEEN THE OFFICE OF URBAN PLANNING AND REDEVELOPMENT AND THE DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION; PROVIDING FOR THE ADMINISTRATIVE TELEPHONE SERVICE TO BE SPLIT FROM THE TELECOMMUNICATIONS DIVISION AND RE-ESTABLISHED UNDER THE OFFICE OF INFORMATION TECHNOLOGY; MOVING AMBULANCE RULES AND REGULATIONS UNDER THE MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION WITHIN THE DEPARTMENT OF HUMAN SERVICES; RE-ESTABLISHING FEE SCHEDULES IN THE APPROPRIATE CODE SECTIONS TO REFLECT THE ORGANIZATIONAL CHANGES; PROVIDING FOR HOUSEKEEPING REVISIONS RELATED TO THE ORGANIZATIONAL CHANGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:25 AM) Approved.

END PUBLIC HEARING

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

BOARD OF COUNTY COMMISSIONERS SEATED AS THE BOARD OF DIRECTORS OF THE BROWARD COUNTY COMMISSION GOVERNMENTAL LEASING CORPORATION

- 47. MOTION TO ADOPT Resolution 2004-492 of the Board of Directors of Broward County Commission Governmental Leasing Corporation authorizing the refunding of certain of the Certificates of Participation, Series 1994A; authorizing the execution and delivery of Lease Schedule No. 2004; authorizing the execution and delivery of a Supplemental Trust Agreement with The Bank Of New York Trust Company, N.A., as Trustee, pursuant to which the Trustee will execute, authenticate and deliver not exceeding \$32,000,000 Refunding Certificates Of Participation, Series 2004;

authorizing the execution and delivery of a Certificate Purchase Agreement relating to such Certificates Of Participation; delegating to the President and/or County Administrator the determination of certain matters and details concerning such Certificates Of Participation; authorizing the execution and delivery of an Official Statement with respect to such Certificates Of Participation; approving the form of a Supplemental Assignment Agreement; approving Uncertificated, Book-Entry Only Registration of such Certificates with The Depository Trust Company; authorizing the execution And delivery of an Escrow Deposit Agreement and designating the Escrow Agent thereunder; delegating the appointment of a provider of a Municipal Bond Insurance Policy to insure such Certificates and the Provider of a Reserve Account Insurance Policy; making findings as to the necessity for a Negotiated Sale of such Certificates; authorizing the appointment of the Printer and a Verification Agent; and providing an effective date.

ACTION: (T-10:25 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Port Everglades Department

- 48. A. MOTION TO DECLARE emergency under Florida Statute 255.20, Public Property and Publicly Owned Buildings, for debris removal and repairs to the bulkhead system at Berth No. 6 at Port Everglades.

ACTION: (T-10:26 AM) Approved.

NOTE: The Port Everglades Department, on behalf of the County Commission, has filed a claim against the petroleum vessel that damaged the bulkhead system at Berth No. 6 at Port Everglades.

See Page *****

- B. MOTION TO DIRECT Purchasing Director to obtain a contract under the provisions of the Broward County Procurement Code and applicable Ordinances for the Port Everglades Department

ACTION: (T-10:26 AM) Approved. See Page *** .**

- 49. A. MOTION TO DECLARE emergency under Florida Statute 255.20, Public

Property and Publicly Owned Buildings, for removal of debris and reconstruction of mooring bollard, Berth 28.

ACTION: (T-10:26 AM) Approved. See Page *****

- B. MOTION TO DIRECT Purchasing Director to obtain a contract under the provisions of the Broward County Procurement Code and applicable Ordinances for the Port Everglades Department

ACTION: (T-10:26 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

50. MOTION TO AUTHORIZE staff to notify the Commission for the Transportation Disadvantaged (CTD) of Broward County-s intent to discontinue providing Medicaid Non-Emergency Medical Transportation (NEMT) service effective August 1, 2004.

ACTION: (T-10:27 AM) Approved. See Page *****

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

51. MOTION TO APPROVE Master Plan for a regional park on the approximately 109-acre parcel commonly known as the Central Broward Regional Park, located in central Broward County, on the northeast corner of the intersection at Sunrise Boulevard and U.S. 441/State Road 7. **(Commission District 9)**

***ACTION: (T-10:45 AM) Approved. (Time Certain at 10:45 a.m.)
See Page ********

COUNTY COMMISSION

52. MOTION TO NOMINATE Mayor Jim Naugle for the Tourist Development Council. (Commissioner Scott)

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

53. MOTION TO FILE City of Tamarac Resolution No. R2004-103, dated May 12, 2004, expressing support for the Broward County Commissioners- request to urge

Congress to reject efforts to end or limit the Federal Government's role in the nourishment of U.S. beaches. (Vice Mayor Jacobs)

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

54. **MAYOR'S REPORT**

ACTION: (T-11:03 AM) No report was filed. (The Mayor is visiting China on a trade mission for Broward County.)

55. **COUNTY COMMISSION LIAISON REPORT**

ACTION: (T-11:03 AM) No reports were filed.

56. **COUNTY ADMINISTRATOR'S REPORT**

ACTION: (T-11:03 AM) County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

57. **MOTION TO DIRECT** staff to take the necessary actions to place the 8.88 acre parcel of property (Folio No. 484103010034) in the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 3)** (Commissioner Graber)

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

NON AGENDA

58. **DIRECT COUNTY ATTORNEY TO DRAFT AN ORDINANCE - COMMISSIONER SCOTT**

ACTION: (T-10:48 AM) Without objection, the Board directed the County Attorney to draft an ordinance amending Section 5-136 of the Broward County Code of Ordinances to provide that small scale land use amendments may be adopted by the County Commission four times per calendar year instead of twice a year. See Page *****

59. **DELAY CONSIDERATION OF COMPREHENSIVE PLAN AMENDMENT – COMMISSIONER SCOTT**

ACTION: (T-10:49 AM) Commissioner Scott requested that an item be placed on the Tuesday, June 8, 2004 agenda for the Board's consideration to delay the transmittal of the barrier island/compatibility review amendment to the Planning Council. See Page *****

60. INVITATION TO ATTEND TEST MATCH – U.S. CRICKET TEAM – COMMISSIONER EGELLETON

ACTION: (T-10:53 AM) Commissioner Eggleton invited everyone to attend a test match between the United States and the Canadian cricket teams at Brian Piccolo Park, Friday, May 28 thru Sunday, May 30, 2004. See Page *****

61. CONGRATULATIONS – PROMOTION OF CONRAD STRONG – CHIEF HARBORMASTER AT PORT EVERGLADES

ACTION: (T-10:54 AM) Commissioner Eggleton congratulated Mr. Conrad Strong on his promotion as Chief Harbormaster of Port Everglades. Also, the Commissioner commended the County Administrator and Port Director for promoting Mr. Strong to the position. Commissioner Eggleton commented that he is researching whether Mr. Strong is the first African American to hold the position of Chief Harbormaster on the eastern seaboard of the United States. See Page *****

62. DRAFT RESOLUTION FOR ADOPTION – NATIONAL HUNGER AWARENESS DAY – COMMISSIONER RODSTROM

ACTION: (T-10:55 AM) In recognition of the National Association of Counties' (NACO) National Hunger Awareness Day on June 3, 2004, Commissioner Rodstrom requested that staff draft a Resolution for the Board's adoption at the 2:00 p.m. Public Hearing this day to promote the event. Further, he asked staff to coordinate the County's effort within the Governmental Center. There are four drop-off locations at the courthouse. Commissioner Rodstrom encouraged everyone to contribute canned goods and other nonperishable items for the food drive. See Page *****

63. PLAYGROUNDS AT PUBLIC PARKS DESIGNATED NON-SMOKING AREAS – COMMISSIONER GUNZBURGER

ACTION: (T-10:57 AM) The Board directed staff to explore the idea of designating children’s playgrounds at public parks as “Non-smoking” areas. Staff will return before the Board with recommendations.

See Page *****

64. PROVIDE HEALTH SERVICES INFORMATION HOTLINE – COMMISSIONER GRABER

ACTION: (T-11:00 AM) Commissioner Graber commented that there seems to be confusion with the public regarding health services information. Without objection, the Board directed staff to research a hotline for health services information for the public to access; it must be user friendly.

See Page *****

65. ATTENDED RACE UNITY FUN WALK – CITY OF MIRAMAR – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-11:02 PM) Commissioner Wasserman-Rubin informed the Board that on Saturday, May 22, 2004, she attended “Race Unity Fun Walk” in the city of Miramar. The purpose for the walk was to celebrate cultural diversity and promote racial harmony in the city. Commissioner Wasserman-Rubin advised she brought back a poster for each of the commissioners commemorating the day. See Page *****

66. COUNTY TO PARTICIPATE IN PROGRAM “BUILIDING BRIDGES” – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-11:03 AM) As the Commission’s international trade liaison, Commissioner Wasserman-Rubin stated that a program was started last year prior to her becoming Mayor in 2003 by the mayor of Jamaica called “Building Bridges.” The program is culminating in an in-bound mission in which Broward County will participate. Commissioner Wasserman-Rubin stated that she would provide the dates and schedule of events and invited the commissioners to attend. See Page *****

67. PRESENT PROCLAMATION TO THE NEW PRESIDENT OF THE DOMINICAN REPUBLIC

ACTION: (T-11:04) Commissioner Wasserman-Rubin informed the Board that the Dominican Republic recently elected a new President, Dr. Leonel Fernandez. The Commissioner advised that Dr. Fernandez will be visiting Broward County in the near future and suggested that the Mayor, on behalf of the County Commission, present a proclamation of congratulations to him. See Page *****

68. MC DONALD'S AIR AND SEA SHOW – REQUEST COSTS – COMMISSIONER PARRISH

ACTION: (T-11:06 AM) Commissioner Parrish wanted to know what the costs were to Broward County to close the Fort Lauderdale-Hollywood International intermittently and reroute air traffic for the McDonald's Air and Sea Show event. See Page *****

69. COUNTY OPERATED CHARTER SCHOOL – COMMISSIONER GRABER

ACTION: (T-11:06 AM) Commissioner Graber wanted to know if the County had the authority to form its own Charter school. Board members answered in the affirmative. See Page *****

70. BARC AWARDS – VICE MAYOR JACOBS

ACTION: (T-11:06 AM) Vice Mayor Jacobs stated that she was the keynote speaker at the BARC awards and dinner on Friday evening, May 21, 2004. The Vice Mayor commented that she was very impressed with staff after hearing the testimonies of several people who were helped by the County's programs. She congratulated Marlene Wilson, Director, Human Services Department and her staff for helping people turn their lives around. See Page *****

71. CONGRATULATIONS – COMMISSIONER WASSERMAN-RUBIN RECEIVED AWARD – BROWARD COUNTY COUNCIL OF PROFESSIONESSIONAL FIRE FIGHTERS BALL – COMMISSIONER PARRISH

ACTION: (T-11:08 AM) Commissioner Parrish mentioned that she, and Commissioner Rodstrom attended the Broward County Council of Professional Fire Fighters Ball on Friday evening, May 21, 2004. Commissioner Wasserman-Rubin was honored as "Trail Blazer of the Year." Also, Walter Dix, president, Broward County Professional Fire Fighters and Paramedics Association, International Association of Fire Fighters, AFL-CIO, CLC, Local 4321, received the "Fire Fighter of the Year" Award. See Page *****

72. CONGRATULATIONS TO COMMISSIONER GUNZBURGER – GOVERNMENT LEADER OF THE YEAR AWARD – COMMISSIONER PARRISH

ACTION: (T-11:06 AM) Commissioner Parrish congratulated Commissioner Gunzburger for receiving the “Government Leader of the Year” Award from ArtServe, Inc. at a luncheon on Friday, May 21, 2004. See Page*****

73. CORRECTION TO THIS DAY’S AGENDA – COUNTY ADMINISTRATOR

ACTION: (T-11:10 AM) The County Administrator advised that the Meeting/Workshop Notices on the last page of this day’s agenda has a correction. The General Benefits Consultant Presentations/Selections RLI No. 20040315-0-PEB-01 scheduled for Tuesday, May 27, 2004, in Room 302 at 1:00 p.m., should read: “Thursday, May 27, 2004, at “1:30 p.m.” See Page *****

MEETING/WORKSHOP NOTICES

**SELECTION/NEGOTIATION COMMITTEE
GENERAL BENEFITS CONSULTANT
SHORT LISTING**

RLI No. 20040315-0-PEB-01
Tuesday, May 25th, in Room 430 at 2:30 PM or
Immediately Following the 2:00 PM Public Hearing

**SELECTION/NEGOTIATION COMMITTEE
GENERAL BENEFITS CONSULTANT
PRESENTATIONS/SELECTIONS**

RLI No. 20040315-0-PEB-01
Tuesday, May 27th, in Room 302 at 1:00 PM

