

MEETING OF JUNE 11, 2002

(The meeting convened at 10:00 a.m.; recessed at 12:36 p.m.; reconvened at 4:51 p.m. and adjourned at 5:21 p.m.)

PLEDGE OF ALLEGIANCE was led by Mr. Neil Kalis, Esquire.

MOMENT OF SILENCE In memory of Mr. Johnny Dollar, Vice Mayor and a founding father of the Town of Southwest Ranches.

CALL TO ORDER

CONSENT AGENDA

1. BOARD APPOINTMENTS

A. MOTION TO RE-APPOINT Anthony Krayer to the Regional Health Planning Council. (Commissioner Wasserman-Rubin)

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

PUBLIC WORKS DEPARTMENT

OFFICE OF GENERAL SERVICES

REAL PROPERTY SECTION

2. MOTION TO ADOPT Resolution 2002-515 authorizing the conveyance by quit claim deed, of various tax deed properties that have escheated to Broward County for delinquent real estate taxes, to the municipalities in which land is located pursuant to Florida Statute 197.592. These particular properties are all within the City of Miramar and the City of Hallandale Beach; authorize the Chair and Clerk to execute deed; and authorize acceptance and recordation of same. **(Commission Districts 6 and 8)**

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

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 2002-516 accepting a warranty deed, at a nominal cost of \$10.00 to the County, executed by Pompano Imports, Inc., for right-of-way for Lyons Road (east side) located approximately 96 feet north of Sample Road. **(Commission District 2)**

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

4. MOTION TO APPROVE revocable license agreement between Broward County and the City of Plantation for the use of a portion of the right-of-way of Hiatus Road between State Road 84 and Broward Boulevard, adjacent to the Enclave 2nd Addition plat for the installation of a sign, sign feature, additional landscaping and irrigation; authorize the Chair and Clerk to execute same. **(Commission**

District 5)

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

STREETS AND HIGHWAYS DIVISION

5. MOTION TO ADOPT budget Resolution 2002-517 transferring funds within the Streets and Highways' Capital Outlay Fund as part of the Capital Improvement Fund for Fiscal Year 2002 for Streets and Highways Division in the amount of \$200,000 for restoration of 400 linear feet of 72 inch diameter concrete drainage pipe on NW 31st Avenue between NW 1st and 2nd Streets, in unincorporated Fort Lauderdale. **(Commission District 9)**

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

6. MOTION TO ADOPT budget Resolution 2002-518 transferring funds within the Streets and Highways' Capital Outlay Fund as part of the Capital Improvement Fund for Fiscal Year 2002 for Streets and Highways Division, in the amount of \$325,000 for asphalt sidewalk restoration on the north side of State Road 84 from University Drive west to Markham Park entrance. **(Commission Districts 5 and 7)**

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

TRAFFIC ENGINEERING DIVISION

7. MOTION TO APPROVE Amendment No.1 to the Local Agency Participation (LAP) Agreement between Florida Department of Transportation (FDOT) and Broward County which transfers \$1,104,586 from the Construction Engineering Inspection (CEI) phase of the Project to Preliminary Engineering (Design) phase of the project; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:14 AM) Approved. See Page *****

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

8. MOTION TO ADOPT Resolution 2002-519 expressing the intent of Broward County, Florida; providing for the issuance of Industrial Development Revenue Bonds of Broward County in the aggregate principal amount not to exceed \$3,550,000 for the acquisition, construction and equipping of a manufacturing facility in Broward County, Florida; providing for the lending of funds for such purposes to Fast Industries, Ltd. and/or Fast Real Estate Partners, Ltd. or their successors or assigns; authorizing the execution of an agreement pertaining to the issuance of such bonds and the acquisition, construction and equipping of the project; and providing certain other details with respect thereto.

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

ACCOUNTING DIVISION

9. 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-10:10 AM) Approved.

PURCHASING DIVISION

For Aviation Department

10. **MOTION TO APPROVE** sixth amendment to agreement between Broward County and Harris Miller Miller & Hanson, Inc. (HMMH) in the amount of \$52,500 increasing agreement from \$467,885 to \$520,385 and extending the agreement for a 10 month period, October 1, 2002 through July 31, 2003 for Fiscal Year 2003 for acoustical consulting services at Fort Lauderdale/Hollywood International Airport, subject to Fiscal Year 2003 funding; and authorize the Chair and the Clerk to execute same.

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

For Community Services Department

11. **MOTION TO AWARD** fixed contract to low bidder, RPM General Contractors Inc., for construction of Vista View Park - Phase II, Bid No. Q202026CF, in the amount of \$221,726.40, for the Parks and Recreation Division, subject to receipt and acceptance of insurance / performance and payment guarantee; and authorize the Chair and Clerk to execute same. **(Commission District 5)**

ACTION: (Time-10:19 AM) Approved. See Page *****

For Finance and Administrative Services Department

12. **MOTION TO APPROVE** amendment to the agreement between Broward County (County) and GovConnect, Inc. (GovConnect) which terminates the agreement for the development of a County-wide information technology strategic plan.

ACTION: (Time-10:24 AM) Approved. The Board directed staff to schedule a Commission workshop prior to implementation of the County-wide information technology strategic plan to discuss the elements of the plan and implementation schedule. See Page *****

For Port Everglades Department

13. **MOTION TO RESCIND** award to Siga, Inc. (Siga), for Contract Number H-5-01- 119-CF, Port Everglades Surface Water Drainage Ditch Improvements, awarded to Siga, Inc., in the amount of \$183,179.70, on October 9, 2001, Item Number 10 A and B, for failure to comply with contract specifications to provide a detailed project schedule and construction method required prior to starting construction and approve a settlement agreement between Broward County, Samuel K. Sigars, individually, and Siga stating that all parties agree to terminate Contract No. H-5-01-119-CF, with no recourse against the contractor's performance bond.

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

For Public Works Department

14. A. **MOTION TO NOTE FOR THE RECORD** emergency interim contract No. G201041B3IK to Triangle Services, Inc. for janitorial services for the Broward County Judicial Complex and Midrise Building (BCJC) in the monthly amount of \$71,668.68. The emergency contract started July 11, 2001 and was on a month-to-month basis pending start of a new contract.

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

B. MOTION TO AWARD open-end contract to Kleen-Rite Janitorial, Inc., low responsive, responsible bidder for group 1, janitorial services, Broward County Judicial Complex (Re-Bid), Bid No. GX01221B3, in the estimated amount of \$1,858,354.26, for the Facilities Management Division subject to receipt and acceptance by the County of performance and payment guaranty and authorize the Purchasing Director to renew the contract for two one-year periods. The initial contract shall start on the next anniversary date of the month-to-month interim contract after acceptance of performance and payment guaranty and shall terminate three years from that date.

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

HUMAN SERVICES DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

15. MOTION TO APPROVE second amendment to the 26th Year Community Development Block Grant (CDBG) Agreement between Broward County and Partners for Self-Employment d/b/a MICRO-Business USA, increasing the amount by \$40,000 from \$34,000 to \$74,000 for the purpose of providing additional business management training and providing additional small business loans to eligible persons; and authorize the Chair and Clerk to execute same.

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

16. MOTION TO APPROVE agreement between Broward County and SOS Children's Village of Florida, Inc. for the term of March 14, 2002 to June 30, 2002, in the amount of \$154,748 for the purpose of implementing care and support of foster children; and authorize the Chair and Clerk to execute same. No County funds are required. (**Commission District 2**)

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

ELDERLY AND VETERANS SERVICES DIVISION

17. A. MOTION TO APPROVE first amendment to Agreement No. JC002-15- 2001 between Areawide Council on Aging of Broward County, Inc. and Broward County, decreasing State Community Care for the Elderly (CCE) funds, which provide case management, in-home and adult day care services to elders, in the amount of \$300,945; reducing State of Florida funds from \$5,757,761 to \$5,456,816; adding and amending contract clauses, and authorize the Chair to execute same. Total Revenue includes \$5,456,816 State dollars; \$390,676 Areawide Council on Aging of Broward County, Inc. Cash Match; \$125,000 Revenue from Operations; \$613,407 County Cash Match; \$700,000 Commission in Fees; and \$522,222 Sub-Contractor In-Kind. No additional County funds are required.

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

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-520 in the amount of -(\$300,945) within the State of Florida Grant Fund for the Elderly and Veterans Services Division decreasing State funds for the provision of Community Care for the Elderly services.

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

18. MOTION TO APPROVE first amendment to agreements between Broward County and health services providers reallocating the total dollar amount of \$260,000 among provider agreements for the purpose of ensuring the continued provision of homemaker, personal care and respite care services to the elderly; and authorize the Chair and Clerk to execute same. Funding for these services is provided through an agreement between Broward County and the Areawide Council on Aging of Broward County, Inc. No additional County funds are required. All other terms and conditions of the original agreements remain in full force.

ACTION: (Time-10:10 AM) Approved. (Note: Exhibit 4 - Pages 3 & 4 and Exhibits 5 & 6 (in their entirety) were inadvertently omitted from the printed version; they are on the internet and available for viewing.)

FAMILY SUCCESS ADMINISTRATION DIVISION

19. MOTION TO APPROVE amendment No.2 to agreement between Broward County, Family Success Administration Division and Hispanic Unity of Florida, Inc. increasing the dollar amount \$20,000; from \$132,730 to \$152,730 for the purpose of providing additional case management services to Hispanic residents in the North Region Family Success Center service area in Broward County; and authorize the Chair and Clerk to execute same. The source of funding is from Human Services General Funds for non-profit organizations. **(Commission Districts 1, 2, 3, 4, and 9)**

ACTION: (Time-10:14 AM) Approved. See Page *****

20. A. MOTION TO APPROVE Amendment No. 1 to Agreement No. OSB-11-11- 16-01-00 between the State of Florida, Department of Community Affairs (DCA) and Broward County, increasing the amount of the agreement by \$65,727 from \$802,067 to \$867,794 for the purpose of providing additional child care, tuition, and rent /mortgage payments to clients as well as replacing computer and office equipment to meet Joint Commission for the Accreditation of Healthcare Organizations standards and program goals; and authorize the Chair to execute same. This agreement requires an additional cash match of \$13,145 which is available in the Family Success Administration Division's Fiscal Year 2002 budget.

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

B. MOTION TO ADOPT unanticipated revenue resolution 2002-521 in the amount of \$65,727 within the Family Success Administration Division, Community Action Agency (CAA) Grant Fund for the purpose of assisting low income households in Broward County achieve self-sufficiency. The unanticipated revenue is a result of a funding increase from DCA and the match of \$13,145 is available in the Family Success Administration Division's Fiscal Year 2002 budget.

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

21. MOTION TO APPROVE amendment No. 3 to agreement between Broward County and Broward County Housing Authority to extend the contract five months, from October 31, 2002 to March 31, 2003, for the purpose of allowing tenant-based rental assistance services to be provided to clients for a full 12 months. No additional funds required and all terms and conditions remain unchanged.

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

22. MOTION TO ADOPT unanticipated revenue Resolution 2002-522 within the Family Success

Administration Division, Community Action Agency (CAA) Summer Food Service Program (SFSP) grant fund in the amount of \$75,000 for the purpose of providing meals to children from the area surrounding the Central Region Family Success Center and enhancing existing services provided to the community. **(Commission Districts 1, 7, and 9)**

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

HOMELESS INITIATIVE PARTNERSHIP ADMINISTRATION

23. **MOTION TO ADOPT** Standards of Care for homeless shelter and service continuum of care providers which contract with Broward County. The purpose of the Standards of Care is to establish the minimum scope of housing and services to be provided and the minimum quality level when providing such housing and services directly to homeless individuals and families.

ACTION: (Time-10:10 AM) Withdrawn per Human Services Department; to be placed on the Agenda at a later date with revisions.

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

24. **MOTION TO TRANSFER** \$75,500 within the General Trust Fund (6350) for the Substance Abuse and Health Care Services Division, from the Broward County Alcoholism Trust Fund, to the Broward County Alcohol and Drug Abuse Advisory Board Trust Fund, for the purpose of separation of funds from the Broward County Alcoholism Trust Fund to the Broward County Alcohol and Drug Abuse Advisory Board Trust Fund.

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

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

25. **MOTION TO APPROVE** first amendment to the master agreement between Broward County and the School Board of Broward County, Florida, providing for Broward County to pay \$10,000 to the School Board for the services of two media specialists who will assist the Broward County Libraries Division in providing services to children during the period of June 24, 2002, through August 2, 2002, in the proposed "Summer Session @ The Library Program"; and authorize the Chair and Clerk to execute same. **(Commission District 9)**

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

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

26. **MOTION TO APPROVE** settlement agreements in the total amount of \$6,900 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 Districts 4 and 6)**

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

27. A. **MOTION TO APPROVE** local agency program agreement with the Florida Department of

Transportation, providing for \$514,000 in federal grant funds to construct a multi-purpose path along the New River/State Road 84 corridor from US 441 to the Sewell Lock. (**Commission District 7**)

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

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-523 within the Engineering Division Capital Project fund 3150-127-7462.6510 in the amount of \$514,000 for funding the construction of the New River/State Road 84 multi-purpose path.

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

BIOLOGICAL RESOURCES DIVISION

28. MOTION TO ACKNOWLEDGE use by Florida Power and Light Company of the South Dade/Everglades Mitigation Bank as the site for compensatory mitigation for a linear project with wetland impacts occurring in south-western Broward County. (**Commission District 8**).

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

DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

FIRE RESCUE DIVISION

29. MOTION TO APPROVE subgrant agreement between Broward County and the State of Florida Department of Community Affairs providing Broward County with specialized emergency response equipment valued at \$184,496 for response to disasters and terrorist acts effective upon execution by both parties through March 31, 2007; and authorize the Chair and Clerk to execute same. The Department of Community Affairs requires no County match.

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

PORT EVERGLADES DEPARTMENT

30. MOTION TO APPROVE renewal of a lease agreement between Broward County and Manaco International Forwarders, Inc., for Suite No. 8 in Building 611 at Port Everglades, consisting of 520 square feet of office space, for the period of September 1, 2002 through August 31, 2004, with rent in the approximate amount of \$18,540 over the lease term; and authorize the Chair and Clerk to execute same.

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

31. MOTION TO APPROVE new one-year lease agreement between Broward County and Port Everglades Association, Inc., for 540 square feet of office space in the Port Administration Building at Port Everglades for the period of September 1, 2002 through August 31, 2003, with rent in the amount of \$9,855 over the lease term; and authorize the Chair and Clerk to execute same.

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

32. MOTION TO APPROVE agreement between Broward County and the U.S.S. Hoga Association, Inc. for berthing facilities for the World War II U.S. Navy tugboat "USS Hoga" during her stay in Port

Everglades; and authorize the Chair and Clerk to execute same.

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

GREATER FORT LAUDERDALE

CONVENTION & VISITORS BUREAU

33. A. MOTION TO ADOPT Resolution 2002-524 of the Board of County Commissioners of Broward county, Florida requesting the lease of surplus property from the Florida Department of Transportation to Broward County, Florida, to be utilized for the purpose of providing a marquee sign for the Greater Fort Lauderdale and Broward County Convention Center.

ACTION: (Time-10:10 AM) Approved, as corrected. (Scrivener's error - See County Administrator's report: In the motion, 2nd line, capitalize the word county, on the last line, delete the word and.)

B. MOTION TO APPROVE lease agreement between State of Florida, Department of Transportation (DOT) and Broward County for a 20 year lease of DOT property to be utilized for the purpose of providing a marquee sign for the Broward County Convention Center; and authorize the Chair and Clerk to execute same.

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

COURT ADMINISTRATION

34. MOTION TO APPROVE first amendment to existing agreement between Broward County and Henderson Mental Health Center, Inc., to revise Exhibit B, the Outcome Measurement System for Fiscal Year 2001-2002; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:10 AM) Approved, as corrected. (Scrivener's error - See County Administrator's report: Under the Summary Section add: The Court Administrator's Office will provide a mental health court longitudinal recidivist report to the County Commission semiannually. The first report will be provided July 1, 2002.

35. MOTION TO APPROVE purchase of service agreement between Broward County and the State of Florida Department of Revenue, Office of Child Support Enforcement for the period of July 1, 2002, through June 30, 2003, in the amount of \$140,000.

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

COUNTY ATTORNEY

36. A. MOTION TO ADOPT Resolution 2002-525 amending Volume II, Chapter 31, Part VIII, "Ambulance Rules and Regulations" of the Broward County Administrative Code relating to emergency and non-emergency medical transportation services, subject to enactment of the amendments to Chapter 3½ of the County Code at the 2:00 p.m. Public Hearing on June 11, 2002; providing for severability, inclusion in the administrative code and an effective date.

ACTION: (Time-10:40 AM) Approved. See Page *****

B. MOTION TO APPROVE seventh amendment to the contracts/certificates between Broward County and American Ambulance Services, Inc., Broward Ambulance, Inc. d/b/a American Medical Response and Medics Ambulance Service, Inc., respectively; providing for a five year extension in the term of the contracts/certificates until April 30, 2008, and revising the exclusivity provision to allow governmental providers to provide interfacility transfers; subject to enactment of the amendments to Chapter 3½ of the County Code at the 2:00 p.m. Public Hearing on June 11, 2002.

ACTION: (Time-10:40 AM) Approved. See Page *****

COUNTY ADMINISTRATION

37. MOTION TO DIRECT County Attorney to draft an Ordinance amending Subsection 10-80(2) of the Broward County Code in order to decrease service charges for small claims actions in the category of \$100 to \$500 filed in Civil Court, with an Ordinance effective date of August 1, 2002.

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

COUNTY COMMISSION

38. MOTION TO FILE Resolution of the Greater Fort Lauderdale Chamber of Commerce, urging the Broward County Commission to continue it's eight year commitment to build a second major runway and the Federal Aviation Administration to approve the County's original proposal to add capacity at Fort Lauderdale-Hollywood International Airport by the expansion of runway 9R- 27L to a length of 8,920 feet. (Chair)

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

39. MOTION TO FILE Resolution of the Greater Fort Lauderdale Chamber of Commerce, supporting a Southeast Florida Regional approach for progress, including criteria as stated in the Resolution. (Chair)

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

40. MOTION TO FILE Resolution No. 2002-99 of the City of Weston, encouraging Broward County, the Town of Southwest Ranches, and the South Florida Water Management District to join with the City of Weston in locating and funding an appropriate site for a regional dog park. (Chair)

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

REQUEST TO SET FOR PUBLIC HEARING

41. MOTION TO ADOPT Resolution 2002-526 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 25, 2002, at 2:00 p.m. in Room 422 of the Governmental Center pursuant to Section 20-414 of Article XVII, "Cable TV Regulation" of the Broward County Code to consider adoption of a Resolution, the title of which is as follows:

A Resolution of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, Community Cable Television, by Resolution No. 2002-254; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to the franchise for those unincorporated areas of Broward County bounded on the north by Oakland Park Boulevard, on the east by the Atlantic Ocean, on the south by

Sheridan Street, and on the west by U.S. Highway 27, excluding incorporated municipalities; providing for severability; and providing for an effective date. **(Commission Districts 5, 7, 8)**

ACTION: (Time-10:29 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-10:10 AM) Approved, as amended, with the understanding that staff is attempting to reach an agreement with AT & T. Should the parties fail to reach an agreement by the time frame specified, that the franchises will be conditioned that they must upgrade all of the areas in their franchises no later than January 1, 2004. See Page *****

42. MOTION TO ADOPT Resolution 2002-527 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 25, 2002, at 2:00 p.m. in Room 422 of the Governmental Center pursuant to Section 20-414 of Article XVII, "Cable TV Regulation" of the Broward County Code to consider adoption of a Resolution, the title of which is as follows:

A Resolution of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, Selkirk Communications, Inc., by Resolution 95-283 which was subsequently transferred by Resolution 2000-1233 to Community Cable Television; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to those unincorporated areas of Broward County; commonly known as "Palm Aire Village," more particularly described as area bounded on the north by McNab Road, on the east by Northwest 31 Avenue, on the south by Northwest 44 Street, and on the west by the Florida Turnpike plus the area bounded on the north by Cypress Creek Canal, on the east by Dixie Highway, on the south by Cypress Creek Road, and on the west by Interstate 95, and those unincorporated areas of Broward County bounded on the north by a line extending due east from the northeast corner of the Town of Sea Ranch Lakes, on the east by the Atlantic Ocean, on the south by Pine Road, and on the west by Highway A1A, excluding incorporated municipalities; providing for severability; and providing for an effective date. **(Commission Districts 4, 7, 9)**

ACTION: (Time-10:29 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-10:10 AM) Approved, as amended, with the understanding that staff is attempting to reach an agreement with AT & T. Should the parties fail to reach an agreement by the time frame specified, that the franchises will be conditioned that they must upgrade all of the areas in their franchises no later than January 1, 2004. See Page *****

43. MOTION TO ADOPT Resolution 2002-528 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 25, 2002, at 2:00 p.m., in Room 422 of the Governmental Center pursuant to Section 20-414 of Article XVII, "Cable TV Regulation" of the Broward County Code to consider adoption of a Resolution, the title of which is as follows:

A Resolution of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, MediaOne of Greater Florida, Inc., Resolution No. 1998-323; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to those unincorporated areas of Broward County with boundaries east of Rock Island Road, south of SW 15th Street to NE 15th Avenue and SE 15th Street to the Atlantic Ocean, north of Oakland Park Boulevard, excluding incorporated municipalities; providing for severability; and providing for an effective date. **(Commission Districts 2, 4, 9)**

***ACTION: (Time-10:29 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page

ACTION: (Time-10:10 AM) Approved, as amended, with the understanding that staff is attempting to reach an agreement with AT & T. Should the parties fail to reach an agreement by the time frame specified, that the franchises will be conditioned that they must upgrade all of the areas in their franchises no later than January 1, 2004. See Page *****

44. **MOTION TO ADOPT** Resolution 2002-529 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 25, 2002, at 2:00 p.m., in Room 422 of the Governmental Center pursuant to Section 20-414 of Article XVII, "Cable TV Regulation" of the Broward County Code to consider adoption of a Resolution, the title of which is as follows:

A Resolution of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, Margate Video Systems, Inc., d/b/a Telecable of Broward County by Resolution No. 95 -376; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to the franchise for those unincorporated areas of Broward County bounded on the north by the Broward County line, on the east by the Florida Turnpike, on the south by Sample Road, and on the west by the eastern boundary of Conservation Area 2A, excluding incorporated municipalities; providing for severability; and providing for an effective date. **(Commission Districts 1, 3)**

***ACTION: (Time-10:29 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page

ACTION: (Time-10:10 AM) Approved, as amended, with the understanding that staff is attempting to reach an agreement with AT & T. Should the parties fail to reach an agreement by the time frame specified, that the franchises will be conditioned that they must upgrade all of the areas in their franchises no later than January 1, 2004. See Page *****

45. **MOTION TO ADOPT** Resolution 2002-530 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 25, 2002, at 2:00 p.m., in Room 422 of the Governmental Center pursuant to Section 20-414 of Article XVII, "Cable TV Regulation" of the Broward County Code to consider adoption of a Resolution, the title of which is as follows:

A Resolution of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, TCI TKR of South Florida, Inc., d/b/a TCI of South Florida by Resolution No. 2002-255; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to the franchise for those unincorporated areas of Broward County bounded on the north by State Road 84, on the east by the Atlantic Ocean, on the south by the Miami -Dade County line, and on the west by U.S. Highway 27, excluding incorporated municipalities; providing for severability; and providing for an effective date. **(Commission Districts 5, 6, 8)**

***ACTION: (Time-10:29 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page

ACTION: (Time-10:10 AM) Approved, as amended, with the understanding that staff is attempting to reach an agreement with AT & T. Should the parties fail to reach an agreement by the time frame specified, that the franchises will be conditioned that they must upgrade all of the areas in their

franchises no later than January 1, 2004. See Page *****

46. MOTION TO ADOPT Resolution 2002-531 directing the County Administrator to publish a Notice of Public Hearing to be held June 25, 2002 at 2:00 p.m. in Room 422 of the Governmental Center to consider an application from B & R Agencies, Inc. for a non-exclusive franchise to provide steamship agent services for a one-year term at Port Everglades.

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

REGULAR AGENDA

47. A. COUNTY ADMINISTRATOR'S REPORT County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

ACTION: (Time-10:50 AM) *No Board action was taken.*

B. MOTION TO DISCUSS and give direction to County Administration regarding a convention center headquarters hotel. (Deferred from April 9, 2002 - Item 35B)

ACTION: (Time-10:51 AM) *As a short term remedy, the Board directed staff to develop a room block solution with the hotel industry to accommodate Convention Center business and return before the Board on Tuesday, August 13, 2002.*

*Further, the Board deferred up to January 2003, discussion of a convention center headquarters hotel to allow staff to monitor the changes in the economy, environment and tourism and return to the Commission with periodic updates if necessary. See Page ******

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Safety and Emergency Services Department

48. MOTION TO APPOINT Selection/Negotiation Committee to recommend the most qualified firms to provide cellular airtime and equipment, and approval RLI No. 20020129-0-TL-01.

ACTION: (Time-11:26 AM) *Approved, as amended, with the addition of the Chief Information Officer to the Selection/Negotiation Committee. The following will serve on the Selection/Negotiation Committee: Director, Telecommunications Division (Chair); Director, Office of General Services, Assistant to the Director, Human Services Department, Director of Information Systems, Aviation Department, and Chief Information Officer. Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing, and the using agency. See Page ******

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

49. A. MOTION TO CONSIDER continuation of the School of Choice Bus Pass Pilot Program during the summer months from June 16, 2002, through August 25, 2002, which program provides free bus passes, with parental consent, to middle and high school students who attend out-of-boundary magnet schools, voluntarily reassigned schools of choice, and charter schools, good for unlimited transportation on Broward County Transit's fixed-route buses; or

ACTION: (Time-11:27 AM) No Board action taken. (See Motion 49B) See Page *****

B. MOTION TO CONSIDER continuation of the School of Choice Bus Pass Pilot Program for a one-year period, from June 16, 2002, through June 15, 2003, which program provides free bus passes, with parental consent, to middle and high school students who attend out-of-boundary magnet schools, voluntarily reassigned schools of choice, and charter schools, good for unlimited transportation on Broward County Transit's fixed-route buses; or

ACTION: (Time-11:27 AM) The Board took the following action: 1) Approved Motion B, in addition to the continuation of the School of Choice Bus Pass Pilot Program during the summer months from June 16, 2002, through August 25, 2002. 2) Directed staff to research the feasibility of partnering with the public and private school systems for joint applications for federal funding to initiate a Pilot Program along the lines of Motion D. 3) Directed staff to prepare a match proposal for School of Choice Bus Pass Pilot Program to present to the Metropolitan Planning Organization for consideration to enhance and expand the program. 4) Staff will continue to keep statistics on the School of Choice Bus Pass Pilot Program. See Page *****

C. MOTION TO CONSIDER Free-Ride Summer Youth Pilot Program for all children (age 18 and under) to travel on Broward County Transit's fixed- route buses at all times, from June 16, 2002 through August 25, 2002; or

ACTION: (Time-11:27 AM) The Board directed staff to research how to implement a Free-Ride Summer Youth Pilot Program for the summer of 2003 and return to the Board with proposals no later than February 2003. See Page *****

D. MOTION TO CONSIDER Free-Ride Youth Pilot Program for all children (age 18 and under) to travel on Broward County Transit's fixed-route buses at all times, for a one-year period, from June 16, 2002 through June 15, 2003.

ACTION: (Time-11:27 AM) No Board action taken.

PORT EVERGLADES DEPARTMENT

50. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Volume 2, Chapter 32, "Operational Policy, Port Everglades": Part I "Real Property Lease Policy" establishing a Trade and Commerce Policy in order to foster effective international competition at marine cargo terminals at Port Everglades; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date. (Deferred from June 4, 2002 - Item No. 51)

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

REQUEST TO SET FOR PUBLIC HEARING

51. MOTION TO ADOPT Resolution directing the County Administrator to publish notices of Public Hearings to be held on June 25, 2002 at 2:00 p.m. and July 9, 2002 at 2:00 p.m., respectively, in Room 422 of the Governmental Center, to consider the approval of a restated lease and operating agreement and consent to transfer and assign interest therein from Maersk, Inc. (Assignor) to Universal Maritime Service Corporation (Assignee) at Port Everglades. (Deferred from June 4, 2002 - Item No. 52)

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

COUNTY ATTORNEY

52. MOTION TO APPROVE interlocal agreement between Broward and Miami-Dade Counties providing for reciprocity of local preference Ordinances and programs, authorizing the Chair to execute the interlocal agreement, and directing the County Administrator to file the interlocal agreement in accordance with Section 163.01, Florida Statutes.

ACTION: (Time-11:53 AM) Approved. See Page *****

COUNTY COMMISSION

53. A. MOTION TO DISCUSS: Amendment to the Broward County Charter to abolish constitutional Officers and make them elected Charter officers. (Commissioner Graber)

ACTION: (Time-11:56 AM) A motion to amend the Broward County Charter to abolish constitutional Officers and make them elected Charter officers failed. See Page *****

B. MOTION TO DIRECT County Attorney to draft an amendment to the Broward County Charter.

ACTION: (Time-11:56 AM) No Board action was taken.

See Page *****

SUPPLEMENTAL AGENDA

COMMUNITY SERVICES DEPARTMENT

54. MOTION TO DISCUSS: options for funding the SWIM Central Program.

ACTION: (Time-11:56 AM) The Board voted to accept staff's recommendations with the additional \$15,000 for a total Broward County match of \$75,000.

See Page *****

COUNTY COMMISSION

55. MOTION TO FILE letter of the Lauderdale Isle Civic Improvement Association, Inc., supporting the 2020 Airport Plan for the future development of the Fort Lauderdale- Hollywood International

Airport, and the proposed expansion of the south runway, Runway 9R-27L. (Chair)

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

56. MOTION TO FILE Resolution No. 5-15-02 of the Downtown Development Authority, supporting the 2020 Airport Plan for the future development of the Fort Lauderdale- Hollywood International Airport, and the proposed expansion of the south runway, Runway 9R-27L. (Chair)

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

NON AGENDA

57. TREE TRIMMING VIOLATIONS - CLARIFY ORDINANCE (COMMISSIONER EGGELLETON)

ACTION: (Time-4:57 PM) Without objection, the Board directed staff to clarify technical issues discussed by the Board with respect to the Tree Preservation Abuse Ordinance. See Page *****

58. DISCUSSION - VIOLATIONS ON BIDS - SELECTION/NEGOTIATION COMMITTEES - COMMISSIONER EGGELLETON

ACTION: (Time-5:08 PM) The Board moved to send the Airport Shuttle and the Employee Parking contracts back to their respective Selection/Negotiation Committees to determine whether there were violations of fraud and misrepresentation on bids. Commission members of the Selection/Negotiation Committees will report back to the Board. Violations of the Cone of Silence will be discussed at the Board level. See Page *****

59. FILE AMICUS BRIEF - MARKHAM VS. PPI, INC. - COMMISSIONER LIEBERMAN

ACTION: (Time-5:08 PM) The Board moved to direct the County Attorney to file an Amicus Brief with respect to Markham vs. PPI, Inc. litigation.

See Page *****

60. INFORMATION TECHNOLOGY STRATEGIC PLAN - COMMISSIONER LIEBERMAN

ACTION: (Time-5:09 PM) The Board directed staff to research and include as a part of the Information Technology Strategic Technology Plan workshop, the issue of citizen access via the Internet, such as what is being done in Chicago regarding resident requests for city services. See Page *****

61. FLORIDA ASSOCIATION OF COUNTIES - LEGISLATIVE REPORT - COMMISSIONER LIEBERMAN

ACTION: (Time-5:11 PM) The Board directed the County Attorney to research and report on the issue that it is the policy of the state that no state agency or local government entity receiving any funds pursuant to the 2002-03 General Appropriations Act shall expend any such funds for newspaper, magazine, direct mail, radio, television, or outdoor advertising in support of, or in opposition to any candidate or issue appearing on the ballot.

See Page *****

62. MEMORANDUM FROM COUNTY ATTORNEY - HOUSE BILL 29E AND 3E - SINGLE SUBJECT REQUIREMENT - COMMISSIONER JACOBS

*ACTION: (Time-5:12 PM) Commissioners individually responded to the memorandum. See Page ******

63. LAND USE PLAN - EMPLOYMENT CENTERS - FIVE ACRES OF LAND OR LESS - COMMISSIONER JACOBS

*ACTION: (Time-5:13 PM) The Board directed staff to research whether the Employment Center designation is feasible for parcels of land five acres or less. See Page ******

64. SELECTION/NEGOTIATION COMMITTEE - QUORUM - COMMISSIONER JACOBS

*ACTION: (Time-5:14 PM) The Board moved to direct the County Attorney to draft an amendment to the Administrative Code excluding County Commissioners serving on Selection/Negotiation Committees from the quorum count. See Page ******

65. WILDLIFE CARE CENTER - COMPLAINTS - COMMISSIONER JACOBS

*ACTION: (Time-5:20 PM) The Board directed staff to provide a follow up report on the issue. See Page ******

MEETING/WORKSHOP REMINDER

WORKSHOP: Safe Parks & Land Preservation Bond Program Update

Tuesday, June 11th in Room 430

12:00 p.m. or Immediately Following the Morning Commission Meeting

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