

## **MEETING OF JUNE 12, 2007**

(The meeting convened at 10:10 a.m.; recessed at 11:06 a.m.; reconvened at 11:08 a.m., and adjourned at 11:50 a.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Stacy Ritter.

### **MOMENT OF SILENCE**

In memory of our soldiers in the middle east, and in memory of Bob Cantrell, long-time Broward County governmental insider and activist.

CALL TO ORDER: Vice-Mayor Lois Wexler called the meeting to order and declared a quorum present.

<b><u>COMMISSIONER</u></b>	<b><u>DISTRICT</u></b>	<b><u>ATTENDANCE</u></b>
Josephus Eggleton, Jr.	9	Attending a Trade Mission
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	In Tallahassee
Ken Keechl	4	Present
Ilene Lieberman	1	In Tallahassee
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Attending a Trade Mission
Lois Wexler	5	Present

### **CONSENT AGENDA**

A motion was made by Commissioner Gunzburger, seconded by Commissioner Keechl and unanimously carried to approve the Consent Agenda, consisting of Items 1 through 45. At the request of the Vice-Mayor, Items 48, 49, 52, 55, and 57 were transferred to the Consent Agenda.

The following items were pulled by Board members and considered separately: 6 and 7. A member of the audience pulled Items 2 and 5.

### **BOARD APPOINTMENTS**

1. A. MOTION TO APPOINT Ms. Yvonne Eckert to the Municipal Services Advisory Board. (Commissioner Jacobs)

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

- B. MOTION TO APPOINT Dr. George Kling to serve on the Human Rights Board, under the category of 60 years of age or older. (Commissioner Rodstrom)

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



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

## **AVIATION DEPARTMENT**

2. **MOTION TO APPROVE** Amendment No. 4 to the Agreement of Lease between Broward County and FLL-Air, Inc. for 7.126 acres located on the north side of the Fort Lauderdale-Hollywood International Airport ("FLL"); extending the term for a 12 month period, effective August 1, 2007 through July 31, 2008; adjusting the annual rental rate from \$173,239.20 to \$178,436.38; and authorize the Mayor and Clerk to execute same.

*(This item was pulled by a member of the audience.)*

***ACTION: (T-10:22 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor Eggelton and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

3. **MOTION TO APPROVE** Amendment No. 1 to the Short Term Lease Agreement between Broward County and Key Power Driving School Inc.; f/k/a/ Key Power Technical Institute, Inc. for 2.735 acres of land, including a 13,405 square foot building, for the purpose of operating a commercial driver's training and testing facility at North Perry Airport ("NPA"); extending the term on a month to month basis until July 31, 2008, adjusting the monthly rental rate from \$4,894.31 to \$15,162.75, with a 30-day termination clause, with or without cause; and authorize the Mayor and Clerk to execute same.

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

4. **MOTION TO APPROVE** agreement between Broward County and Matrix Systems, Inc. (Matrix) for custom programmed maintenance and repair of all Matrix-supplied security system equipment, hardware, firmware, software and software upgrades at the Fort Lauderdale-Hollywood International Airport ("FLL"), subject to receipt and acceptance of performance bond; commencing on date of award, terminating five years thereafter; with an initial fee of \$173,107 for the first year, escalating at the lesser of CPI or 3% per annum, for a total estimated amount of \$922,022 over the five year term, with an additional budgeted amount of \$200,000/yearly, to cover unforeseen security changes and/or conditions to the maintenance agreement; and authorize the Mayor and Clerk to execute same.

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

5. MOTION TO APPROVE Amendment No.1 (“Amendment”) to the Airline-Airport Lease and Use Agreement (“Signatory Agreement”) between Broward County, Florida and Southwest Airlines Co. (“Southwest”) changing the expiration date of the Signatory Agreement from month-to-month to September 30, 2011, and authorize the Mayor and Clerk to execute same.

*(This item was pulled by a member of the audience.)*

**ACTION:** (T-10:22 AM ) Approved. (Refer to minutes for full discussion.)

**VOTE:** 5 – 0. Mayor Eggelletion and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.

## **PUBLIC WORKS AND TRANSPORTATION DEPARTMENT**

### **CONSTRUCTION MANAGEMENT DIVISION**

6. A. MOTION TO APPROVE closeout of the Phase I Preconstruction Services Contract with James A. Cummings Inc., for the Sunset Strip Neighborhood Library, RLI No. 041700–RB. No release of retainage or final payment is due.

*(This item was pulled by Commissioner Rodstrom.)*

**ACTION:** (T-10:34 AM) Approved. (Refer to minutes for full discussion.)

**VOTE:** 5 – 0. Mayor Eggelletion and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.

- B. MOTION TO APPROVE Termination for Convenience of the Phase II Construction Services Contract with James A. Cummings, Inc., RLI No. 041700-RB, for the Sunset Strip Library. (Project No. 60X11-99-01) (Commission District 9)

*(This item was pulled by Commissioner Rodstrom.)*

**ACTION:** (T-10:34 AM) Approved. (Refer to minutes for full discussion.)

**VOTE:** 5 – 0. Mayor Eggelletion and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.



7. A. MOTION TO ADOPT Budget Resolution 2007-372 transferring funds within the Library Bond Capital Outlay Fund in the amount of \$1,533,306 for the Tyrone Bryant Branch Library.

*(This item was pulled by Commissioner Gunzburger.)*

***ACTION: (T-10:34 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor EGGLETON and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

- B. MOTION TO APPROVE first amendment to the agreement between Broward County and D. Stephenson Construction, Inc., for Managing General Contractor Phase II Construction Services for the Tyrone Bryant Library, RLI No. 041700-RB, increasing the guaranteed maximum price by \$1,533,306; from \$2,130,516 to \$3,663,822; with a contract time of 425 calendar days. (Project No. 605699DS2) **(Commission District 9)**

*(This item was pulled by Commissioner Gunzburger.)*

***ACTION: (T-10:34 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor EGGLETON and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

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

8. MOTION TO ADOPT Resolution 2007-373 accepting a Warranty Deed, at a nominal cost of \$10 to the County, executed by Phase II Lofts, Inc., a Florida Corporation, for right-of-way on the west side of Dixie Highway, south of Van Buren Street, in the City of Hollywood. **(Commission District 6)**

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

#### **REAL PROPERTY SECTION**

9. MOTION TO ADOPT Resolution 2007-374 authorizing the conveyance by Quit Claim Deed of six Tax Deed properties that are unbuildable parcels and have escheated to Broward County for delinquent real estate taxes pursuant to Florida Statutes Chapter 197.592, to the City of Oakland Park, Florida, the municipality within which the land is located, at no cost to the County; authorize the Mayor and Clerk to execute deeds and authorize recordation of same. **(Commission Districts 4 and 9)**

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

10. MOTION TO APPROVE first amendment to the Business Lease Agreement between Broward County, Tenant, and 499 CORPORATION, a Florida corporation, Landlord, for the lease of 1,850 square feet of additional temporary office space located at 3500 N. State Road 7, Lauderdale Lakes. The first amendment expands the total temporary office space leased from 7,900 to 9,750 square feet, and provides space for additional staff and a training room for the Central Regional Family Success Centers and Community Action Agency; commencing no later than 30 days after lease is fully executed upon Tenant's acceptance of delivery of premises, terminating concurrently with the term of the existing Lease, July 9, 2009; full service rent \$22 per square foot prorated for the remainder of the first lease year, increasing 3.0 % annually thereafter; total estimated full service aggregate rent for the expansion space \$88,315; averaging \$23 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-10:22 AM) Approved.***

11. A. MOTION TO APPROVE Tenant Estoppel Certificate pursuant to Lease between Broward County, Tenant, and DIASOG Corporation, Landlord, for 19,644 square feet of office space in the Ideal Building located at 4200 NW 16<sup>th</sup> Street, Lauderhill, Florida, serving the office needs of the Substance Abuse and Health Care Services Division; being effective upon execution, and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

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

- B. MOTION TO APPROVE and authorize the County Administrator or designee to execute in their discretion, an Estoppel Certificate in substantially the form of "MOTION A" as to any Broward County lease.

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

12. A. MOTION TO APPROVE conveyance of a Utility Easement to the City of Miramar for the installation and maintenance of utilities to service the Miramar Pinelands Natural Area, located at approximately 4200 South University Drive, Miramar, Florida: Parks and Recreation Division, Project 524-04A. The Parks and Recreation Division has requested Real Property Section to prepare the Easement for Board approval; and authorize the Mayor and Clerk to execute Utility Easement. **(Commission District 8)**

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

- B. MOTION TO APPROVE conveyance of Drainage Easements No. 1, No. 2, and No. 3 to South Broward Drainage District for installation of drainage systems, located at approximately 4200 South University Drive, Miramar, Florida, Parks and Recreation Division, Project 524-04A. The Parks and Recreation Division has requested Real Property Section to prepare the Easement for Board approval; and authorize the Mayor and Clerk to execute Drainage Easement, and authorize recordation of same. **(Commission District 8)**

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

- C. MOTION TO ADOPT Resolution 2007-375 authorizing conveyance of Broward County's interest in certain real property to the Florida Department of Transportation pursuant to Florida Statutes Chapter 125.38. This property is located on the west side of University Drive at approximately 4200 South University Drive, Miramar; and authorize the Mayor and Clerk to execute Deed, and authorize recordation of same. **(Commission District 8)**

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

#### **SEAPORT CONSTRUCTION AND PLANNING DIVISION**

13. MOTION TO APPROVE first amendment to the deliberately phased agreement between Broward County and EAC Consulting, Inc., RLI No. 20041122-0-PORTCM-01, for design and consulting services for the New Bridge Over the Florida Power and Light Discharge Canal at Port Everglades, for an increase to the maximum not-to-exceed amount of \$891,000.00, and an increase to reimbursables not-to-exceed \$20,000.00, for a total increase of \$911,000.00; and a new agreement total of \$1,036,986.98; and for an increase of 548 additional days for an agreement total of 913 days, and authorize the Mayor and Clerk to execute same. (Project No. 651600)

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

## WATER AND WASTEWATER SERVICES

### WATER AND WASTEWATER ENGINEERING DIVISION

14. MOTION TO APPROVE third amendment to the agreement between Broward County and Chen and Associates Consulting Engineers, Inc., RLI No. 20020515-7-EVEE-01, to provide engineering services for the Broadview Park Neighborhood Improvement Project, for an increase to the maximum-not-to-exceed of \$327,540.00, and a lump sum increase of \$324,609.00; for a total increase of \$652,149.00, and a new agreement total of \$8,809,942.28; and for an increase in the contract time of 435 non-cumulative days, for a new agreement total of 2,130 non-cumulative days; and authorize the Mayor and Clerk to execute same. (BCWWS Project No. 1156/8989) **(Commission District 7)**

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

15. MOTION TO APPROVE increase in the change order allowance for the Broadview Estates Neighborhood Improvement Project, Bid Package 1, with Lanzo Construction Co., for the Water and Wastewater Engineering Division, Contract No. P-5-05-126-CF, in the amount of \$277,950.00; from \$793,539.04, to \$1,071,489.04; which is 7.71% of the original contract amount of \$13,897,356.20. (WWED Project Number 1155/8976) **(Commission District 1)**

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

### FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

16. MOTION TO ADOPT unanticipated revenue Resolution 2007-376 within Fund 2340 (the 1997/2007 First Florida Bond Fund) in the net amount of \$7,364,143 to recognize the proceeds of the First Florida Governmental Financing Commission Revenue Refunding Bonds, Series 2007.

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

### COUNTY RECORDS DIVISION

17. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meetings of April 24, 2007, May 1, 2007; and the minutes of the 2:00 P.M. Public Hearing of April 24, 2007.

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

- C. MOTION TO APPROVE destruction of Board of County Commission minutes and supporting documents which have all been imaged and have met retention requirements per General Records Schedule GS1-L, established by the Division of Library and Information Services of the State of Florida for local government agencies.

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

### **HUMAN RESOURCES DIVISION**

18. MOTION TO APPROVE second extension of the agreement between Broward County and ARAG Insurance Company, for an additional six months, for Group Legal Insurance, in the estimated six month amount of \$100,000 for the Human Resources Division; and authorize the Mayor and Clerk to execute same. The contract extension shall begin on July 1, 2007 and will terminate six months from that date on December 31, 2007.

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

### **PURCHASING DIVISION**

For Aviation Department

19. MOTION TO APPROVE release of retainage and final payment in the amount of \$145,862.37 to Dato Electric, Inc., for the installation of a Closed Circuit Television System, Bid No. T-2-06-050-CF, at Fort Lauderdale-Hollywood International Airport, for the Aviation Department. **(Commission District 7)**

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

For Public Works and Transportation Department

20. MOTION TO APPROVE release of retainage and final payment in the amount of \$10,250 to Intrastate Construction Corp., for the S-4 Pump Station Rehabilitation, Contract No. N404069CF. (WWS 8947) **(Commission District 7)**


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

## HUMAN SERVICES DEPARTMENT

21. MOTION TO ADOPT Resolution 2007-377 of the Board of County Commissioners of Broward County, Florida (“BOARD”), approving the continuation of the authorization of the County Administrator to execute certain agreements, addenda, and amendments to agreements (collectively “AGREEMENTS”) for the continuation of Medicaid billing and payments; providing for authorization to continue for the period commencing July 1, 2007, through June 30, 2009, under the similar terms and conditions as previously approved in Resolution 2006-442; providing for review by County Attorney’s Office; providing for severability; and providing for an effective date.

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


## CHILDREN’S SERVICES ADMINISTRATION DIVISION

-  22. A. MOTION TO APPROVE Amendment No. 3 to Contract No. CPU10, between the State of Florida Department of Health (DOH), Children’s Medical Services and Broward County, upon execution through June 30, 2009, for the purpose of increasing funding by \$57,623; to a total amount of \$1,143,301 for Fiscal Year 2007-2008, and a total amount of \$3,311,555 for the three year term of the agreement; and authorize the Mayor to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions in the option periods.

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

- B. MOTION TO ADOPT unanticipated Revenue Resolution 2007-378 in the amount of \$1,143,301 within the State Grant Fund (7530), for the Children’s Services Administration Division/Sexual Assault Treatment Center.


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

-  23. A. MOTION TO RETROACTIVELY APPROVE agreement between Broward County and the School Board of Broward County, Florida, allowing the School Board of Broward County, Florida to utilize all monies available in the Driver Education Safety Trust Fund from October 1, 2006 through September 30, 2007, for the purpose of providing traffic education programs to additional public and non-public Broward County high school students; and authorize the Mayor to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions for the term of the agreement.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-379 in the amount of \$108,000 within the Driver Education Safety Trust Fund, for the purpose of providing traffic education programs to public and non-public Broward County high school students. \$720,000 has already been recognized within this fund in the second supplemental budget on March 13, 2007.

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

-  24. A. MOTION TO APPROVE agreement between Broward County and the Early Learning Coalition of Broward County, Inc., formerly known as the Broward County School Readiness Coalition, Inc., from July 1, 2007 through June 30, 2008 in the amount of \$514,351; for the purpose of implementing a Quality Rating System (QRS) for licensed pre-school child care facilities and family child care homes in Broward County; and authorize the Mayor to execute same. The funding for this agreement is provided through the Early Learning Coalition of Broward County, Inc., and requires no County funds.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-380 within the State Grant Fund for the Children's Services Administration Division/Child Care Licensing and Enforcement Section, in the amount of \$514,351 for the purpose of implementing a Quality Rating System (QRS) for licensed pre-school child care facilities and family child care homes in Broward County.

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

#### **ELDERLY AND VETERANS SERVICES DIVISION**

25. A. MOTION TO APPROVE Agreement No. JC007-15-2008 between Areawide Council on Aging of Broward County, Inc. and Broward County from July 1, 2007 through June 30, 2008, for the continuation of the Community Care for the Elderly (CCE) Program in the amount of \$9,173,854; and authorize the Mayor to execute same. Revenue for the CCE program includes \$5,586,876 State dollars; \$310,676 Areawide Council on Aging of Broward County, Inc. Cash Match; \$100,000 Revenue from Operations; \$613,410 County Cash Match; \$2,127,559 Commission in Fees; and \$435,333 Sub-contractor In-Kind.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-381 within the State of Florida Grant Fund for the Elderly and Veterans Services Division in the amount of \$9,173,854 for the continuation of the Community Care for the Elderly Program.

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

26. A. MOTION TO APPROVE Agreement No. JH007-15-2008 between Areawide Council on Aging of Broward County, Inc. and Broward County from July 1, 2007 to June 30, 2008 for the provision of Home Care for the Elderly Program services in the amount of \$46,431; and authorize the Mayor to execute same. The agreement includes a Memorandum of Understanding between Areawide Council on Aging of Broward County, Inc., and Broward County for the purpose of defining the Home Care for the Elderly Subsidy Spending Authority for the Elderly and Veterans Services Division.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-382 within the State of Florida Grant Fund for the Elderly and Veterans Services Division in the amount of \$46,431 for the Home Care for the Elderly Program services.

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

27. MOTION TO ADOPT unanticipated revenue Resolution 2007-383 within the State of Florida, Department Children and Families Grant Fund for Elderly and Veterans Services Division for the third year of contract (JH248), funding in the amount of \$2,951,224 for the continuation of Behavioral Health Program services.

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

#### **FAMILY SUCCESS ADMINISTRATION DIVISION**

28. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Fort Lauderdale in the amount of \$75,861; from date of execution to September 30, 2007, for the purpose of preventing homelessness by allowing Broward County to make referrals to the City of Fort Lauderdale for the payment of emergency rent, mortgage, and/or utility assistance to Broward County clients who are residents of the City of Fort Lauderdale; and authorize the Mayor and Clerk to execute same. This Agreement requires a County in-kind match of \$25,861; which shall be provided through current personnel resources. **(Commission Districts 4, 7, and 9)**

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

## COMMUNITY SERVICES DEPARTMENT

### CULTURAL DIVISION

29. MOTION TO FILE semi-annual grant report for the second half of Fiscal Year 2007 in accordance with Section 29.17h (Reports) of the Broward County Administrative Code relating to the Broward County cultural grant agreements.

**ACTION: (T-10:22 AM) Approved. (Scrivener's error – See County Administrator's report: Motion reads "...semi-annual grant report is for the second half..." Should read "...semi-annual grant report is for the first half..." (Refer to minutes for full discussion.)**

### PARKS AND RECREATION DIVISION


30. MOTION TO ADOPT Resolution 2007-384 phasing the installation of improvements and securing the cost of the improvements, as a condition of plat approval, related to the "Central Broward Regional Park Plat" (040-MP-05), providing for severability, providing for recordation in the Public Records of Broward County, Florida, and providing for an effective date. **(Commission District 9)**

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

31. MOTION TO APPROVE first amendment to agreement between Broward County and Horses and the Handicapped of South Florida, Inc. (HHSF), allowing HHSF to expand and improve its therapeutic horseback riding facility at Tradewinds Park by undertaking an estimated \$450,000 worth of improvements to be made at the facilities, allowing HHSF to utilize an additional 1/2 acre of land adjacent to its current operation, extending the agreement for 13 years; from July 10, 2019 through July 10, 2032; and authorizing the Mayor and Clerk to execute same. **(Commission District 2)**

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

### OFFICE OF TRANSPORTATION

-  32. A. MOTION TO ADOPT Resolution 2007-385 authorizing the Mayor to execute and file a Transportation Regional Incentive Program Agreement with the Florida Department Of Transportation (FDOT) for funding assistance for the supervision of design and construction of ADA-accessible bus stops, bus shelters, and/or bus bays at locations on Transportation Regional Incentive Program Corridors in Broward County for \$1,500,000; which requires a one-half match of \$750,000 by Broward County; and providing for an effective date. The term of this agreement is from date of execution by FDOT through December 31, 2008.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-386 within the Operating Grant Fund (0046) for the Office of Transportation in the amount of \$750,000 from FDOT, to fund the design and construction of ADA-accessible bus stops, bus shelters and/or bus bays on TRIP-eligible bus route corridors in Broward County.

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

## **ENVIRONMENTAL PROTECTION DEPARTMENT**

### **ENFORCEMENT ADMINISTRATION DIVISION**

33. MOTION TO APPROVE Settlement Agreement in the total amount of \$40,450 between Broward County and Cohen, Inc., to resolve work practice violations of Chapter 27 of the Broward County Code of Ordinances involving the improper removal of asbestos containing material; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

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

34. MOTION TO APPROVE Settlement Agreement in the total estimated amount of \$29,895 between Broward County and TP Trucking & Excavating, Inc., Joann McNeil Parrish, and Joann McNeil Parrish as personal representative, attorney in fact for the Estate of Tony Parrish (collectively referred to as Respondents) to resolve hazardous material and solid waste regulation violations of Chapter 27 of the Broward County Code of Ordinances; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

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

### **WATER RESOURCES DIVISION**

35. MOTION TO APPROVE first amendment to Agreement 3600001049 (previously OT060351), between Broward County and the South Florida Water Management District (SFWMD) to support the construction of a secondary canal improvement project in central Broward County for the purpose of providing surface water recharge to the City of Fort Lauderdale's Peele-Dixie wellfield with excess water from the Old Plantation Water Control District, at no additional cost and an increase in contract time of 90 days following execution by the SFWMD Governing Board; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1, 7, 9)**

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

### **EMERGENCY MANAGEMENT AGENCY**

36. A. MOTION TO APPROVE Planning Funding Agreement between Broward County and Nextel; and authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

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

- B. MOTION TO APPROVE Reconfiguration Planning Phase Agreement between Motorola and Broward County Board of County Commissioners; and authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

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

- C. MOTION TO ADOPT unanticipated budget Resolution 2007-387 in accordance with the agreement with Nextel for the amount of \$11,937 to the Broward Sheriffs Telecommunication Office.

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

### **PORT EVERGLADES DEPARTMENT**

37. MOTION TO APPROVE Lease Agreement between Broward County and Rice, Unruh, Reynolds Co., for Suites No. 211 and 212 in Building 611 (Amman Building) at Port Everglades, consisting of 800 square feet of office space, for the period of August 22, 2007 through August 31, 2008, with rent in the amount of \$14,376.35, over the lease term; and authorize the Mayor and Clerk to execute same.

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

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

38. MOTION TO ADOPT unanticipated revenue Resolution 2007-388 within the Law Enforcement Trust Fund in the amount of \$42,000 to provide funding for two license plate recognition devices for the Broward Sheriff's Office.

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

39. A. MOTION TO APPROVE budget Resolution 2007-389 transferring funds within the General Capital Outlay Fund in the amount of \$5,623,921 for a one-time capital purchase of hardware and software for BSO Communications Equipment Capital.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-390 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$5,623,921 for a one-time capital purchase of hardware and software for BSO Communications Equipment Capital.


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

#### **COUNTY ATTORNEY**

40. MOTION TO APPROVE settlement in the amount of \$20,500; including costs and attorney's fees, in the case of *Debbie Ramsden v. Leonard Joseph Degroot, GEICO General Insurance Company, City of Fort Lauderdale, and Broward County*, Case No. 04-01799 (02).

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

#### **COUNTY COMMISSION**

-  41. MOTION TO APPROVE Resolution 2007-391 supporting U.S Conference of Mayors; signing onto the U.S. Mayors Climate Protection Agreement; and encouraging all city and town governments in Broward County to sign onto the U.S. Climate Protection Agreement. (Commissioner Jacobs).

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

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

42. MOTION TO ADOPT Resolution 2007-392 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 26, at 10:00 a.m. in Room 422 of the Governmental Center, to consider adoption of a Boat Facility Siting Plan (BFSP) as a required element of Broward County's Manatee Protection Plan.

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

**URBAN PLANNING AND REDEVELOPMENT DEPARTMENT**

43. A. MOTION TO INITIATE amendment to the Broward County Land Use Plan, to modify Section IV.D.2. of the Plan Implementation Requirements Section to exempt construction of two or fewer residential dwelling units from platting requirements, and transmit the amendment to the Broward County Planning Council.

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

***ACTION: (T-10:41 AM) The Board reconsidered Item 43. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor Eggelletion and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

***ACTION: (T-10:41 AM) Deferred until June 19, 2007. (Refer to minutes for full discussion.)***

- B. MOTION TO INITIATE amendment to Article 4 of the Administrative Rules Document of the Broward County Land Use Plan, to implement the Alternative State Review Process Pilot Program to be created in Section 163.32465, Florida Statutes.

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

***ACTION: (T-10:41 AM) The Board reconsidered Item 43. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor Eggelletion and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

***ACTION: (T-10:41 AM) Deferred until June 19, 2007. (Refer to minutes for full discussion.)***

**HOUSING AND COMMUNITY DEVELOPMENT DIVISION**

- 44. MOTION TO ADOPT Resolution 2007-393 of the Board of County Commissioners of Broward County, Florida, authorizing the issuance by the Housing Finance Authority of Broward County, Florida of not to exceed \$12,000,000 of its Multifamily Housing Revenue Bonds (Golden Villas); authorizing the execution of a request for bond allocation on behalf of the Housing Finance Authority of Broward County, Florida in connection with such issuance for the purpose of providing funds to finance the acquisition and construction of a multifamily rental housing development to be located in the County, to provide rental housing for persons and families of low and moderate income to be owned by the party specified herein; approving the Public Hearing held in respect of such issuance; and providing an effective date. **(Commission District 9)**

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

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**QUASI-JUDICIAL CONSENT HEARING**

**COUNTY COMMISSION**

45. **DELEGATION:** Gregory Mire, representing the Pompano Beach Housing Authority, regarding request to amend the note on the Golden Farms Redevelopment Plat – **Commission District 9**, (101-MP-86). (Mayor Eggelletion)

***ACTION: (T-10:22 AM) Approved, subject to staff's recommendations.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

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**PUBLIC HEARING**

- 46. MOTION TO ADOPT Resolution to vacate a portion of a 50-foot wide right-of-way known as SW 3<sup>rd</sup> Street, or Van Buren Street; lying within, over and across South Broward Ranches Plat; located between SW 67<sup>th</sup> Terrace and SW 68<sup>th</sup> Avenue in the City of Pembroke Pines; at no cost to the County. Petitioners: Randall and Rene Arrowsmith Carlisto and Verona Riley, and Goldy Aguirre (2006-V-13) **(Commission District 6)**

***ACTION: (T-10:42 AM) Deferred until June 19, 2007. (Refer to minutes for full discussion.)***

-  47. A. MOTION TO OPEN Public Hearing relating to the proposed issuance of Broward County, Florida Revenue Bonds (Maimonides Shalom Academy, Inc. Project), Series 2007, in an aggregate principal amount not exceeding \$12,000,000.

***ACTION: (T-11:04 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor Eggelton and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

B. MOTION TO APPROVE Resolution 2007-394 of the Board of County Commissioners of Broward County, Florida, pertaining to the issuance of Broward County, Florida Revenue Bonds (Maimonides Shalom Academy, Inc. Project), Series 2007, in an aggregate principal amount not exceeding \$12,000,000, for the purpose of making a loan of funds to Maimonides Shalom Academy, Inc. in order to finance the cost of constructing, equipping and improving educational facilities and to refinance existing debt used to construct, equip and improve an educational facility including costs of issuance of the bonds, in Broward County, Florida; approving and authorizing the execution and delivery of a loan agreement to provide security for such bonds; approving and authorizing the execution of a Memorandum of Agreement; approving and authorizing the execution and delivery of a Trust Indenture between the County and U. S. Bank National Association, as trustee; waiving certain requirements of the Broward County Administrative Code; approving and authorizing the execution and delivery of certain other documents, including a Bond Purchase Agreement; approving the issuance of such bonds for purposes of Section 147(f) of the Internal Revenue Code of 1986; authorizing all proper officials to award the sale of the bonds to Comerica Securities as underwriter and approving the conditions of such sale; making certain other appointments; and providing certain other details in connection therewith.

***ACTION: (T-11:04 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor Eggelton and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

**END PUBLIC HEARING**

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## PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

### REAL PROPERTY SECTION

48. MOTION TO APPROVE first amendment to Business Lease Agreement between Broward County, Landlord, and the Henderson Mental Health Center, Inc., a Florida not-for-profit corporation, Tenant, for approximately 12,500 gross square feet of office space located at 2677 NW 19 Street, Fort Lauderdale, Florida; extending the lease term from June 30, 2007 through October 31, 2007; in order to conform with the proposed extension of the Service Agreement with Henderson Mental Health Center from June 30, 2007 to October 31, 2007; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

***ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)***

### OFFICE OF PUBLIC COMMUNICATIONS

49. MOTION TO APPROVE Memorandum of Understanding between the Broward County Public Communications Office and 2-1-1 First Call for Help, Inc. to co-locate 2-1-1 counselors at the Call Center during activations of the Emergency Operations Center.

***ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)***

50. MOTION TO APPROVE Memorandum of Understanding between Broward County and News Radio 610 WIOD to designate 610 WIOD as Broward County's official emergency information radio station and to document the working partnership that has been agreed to during activations of the Emergency Operations Center.

***ACTION: (T-11:08 AM) Deferred until June 19, 2007. (Refer to minutes for full discussion.)***

### AVIATION DEPARTMENT

51. A. MOTION TO WAIVE Chapter 26, Operational Policy, Aviation, of the Broward County Administrative Code, Sections 26.17 a. c. and e., to provide for a revision to the general description, to allow for the award of the concessions through a Request for Letters of Interest, to extend the concession term and Section 26.4 d. 2. to provide for a mandatory pre-response conference for the Airport Advertising Concessions at the Fort Lauderdale-Hollywood International Airport ("FLL").

***ACTION: (T-11:18 AM) Approved. (Scrivener's error – See County Administrator's report: Page 4, under Exhibits Attached, Exhibit 1 reads "Small Business Development Division goal setting memo dated April 30, 2007." Should read "...dated May 2, 2007.") (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor Eggelton and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

- B. MOTION TO APPROVE Request for Letters of Interest for an Airport Advertising Concession Agreement at Fort Lauderdale-Hollywood International Airport (“FLL”) RLI No. 20070612-0-AV-01 (“Airport Advertising Concession RLI”).

***ACTION: (T-11:18 AM) Approved. (Scrivener’s error – See County Administrator’s report: Page 4, under Exhibits Attached, Exhibit 1 reads “Small Business Development Division goal setting memo dated April 30, 2007.” Should read “...dated May 2, 2007.”) (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor EGGLETT and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

- C. MOTION TO APPOINT Selection Negotiation Committee (“SNC”) to recommend the most qualified firm for the Airport Advertising Concession RLI.

***ACTION: (T-11:18 AM) Approved. (Scrivener’s error – See County Administrator’s report: Page 4, under Exhibits Attached, Exhibit 1 reads “Small Business Development Division goal setting memo dated April 30, 2007.” Should read “...dated May 2, 2007.”) (Refer to minutes for full discussion.)***

***The Board approved the following to serve on the Selection Committee (SC): Vice-Mayor Wexler; Commissioners Rodstrom, Gunzburger, Keechl, and Ritter; Director of Business Division, Aviation Department (Chair); Director, Port Everglades Department; President of the Greater Fort Lauderdale Convention and Visitors Bureau, in addition to support staff from the offices of the County Attorney, County Auditor, Small Business Development Division, Risk Management Division, Purchasing Division and the Aviation Department. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor EGGLETT and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

### **HUMAN SERVICES DEPARTMENT**

52. MOTION TO TERMINATE Sublease Agreement (“Sublease”) between the State of Florida, Department of Children and Families (“DCF”) and Broward County for the Florida State Hospital Apartments (“Apartments”), and discontinue discussions with the State regarding the County’s purchase of the apartments. (Deferred From May 22, 2007 – Item No. 32)

***ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)***

## COMMUNITY SERVICES DEPARTMENT

### LIBRARIES DIVISION

53. MOTION TO APPROVE first amendment to the Revocable License Agreement (Agreement) between Broward County (County) and Artserve, Inc. (Lessee), allocating an additional 4,350 square feet of space to the Lessee; for a total of 20,735 square feet of space, located at the Fort Lauderdale Branch Library, 1300 East Sunrise Boulevard in the City of Fort Lauderdale, to provide space for a special collection library owned and operated by the Stonewall Library and Archives (Stonewall); a Florida non profit organization; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

***ACTION: (T-11:20 AM) Approved, with the provision that the sublease is subject to approval from the City of Fort Lauderdale. (Refer to minutes for full discussion.)***

***VOTE: 5 – 0. Mayor Eggelton and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

## URBAN PLANNING AND REDEVELOPMENT DEPARTMENT


### HOUSING AND COMMUNITY DEVELOPMENT DIVISION

54. MOTION TO DIRECT staff to prepare a Request for Letters of Interest (RLI) to seek proposals from the development community regarding the property known as Flagler Point.

***ACTION: (T-11:31 AM) Approved.***

***VOTE: 5 – 0. Mayor Eggelton and Commissioners Jacobs, Lieberman, and Wasserman-Rubin were absent.***

## HISTORICAL COMMISSION

-  55. A. MOTION TO APPROVE Historic Preservation Challenge Grant Fund Standard Form Contract Grant Agreements that implement the Grant Awards approved by the Broward County Board of County Commissioners on May 1, 2007, Agenda Item No. 34.

***ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO ADOPT Resolution 2007-395 of the Board of County Commissioners of Broward County, Florida, authorizing the County Administrator to execute the appropriate contracts with approved grant recipients and to take all administrative actions necessary to implement same.

***ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)***

### **COUNTY ADMINISTRATION**

56. A. MOTION TO APPROVE the County Administrator's nomination of Richard S. Walsh for appointment to the position of Director of the Aviation Department.

***ACTION: (T-11:49 AM) No Board action was taken. Due to a lack of a quorum, the meeting was recessed and shall be reconvened Tuesday, June 19, 2007, at 9:30 a.m. (Scrivener's error – See County Administrator's report: Change Motion to Approve to Motion to Acknowledge.)***

- B. MOTION TO DISCUSS the County Commission's option to establish a Commission Committee to review the County Administrator's nomination for Aviation Department Director pursuant to Section 2.04 (H) of the Charter.

***ACTION: (T-11:49 AM) No Board action was taken. Due to a lack of a quorum, the meeting was recessed and shall be reconvened Tuesday, June 19, 2007, at 9:30 a.m.***

### **COUNTY COMMISSION**

57. MOTION TO NOMINATE Charles F. Fultz to the Enterprise Zone Development Agency. (Commissioner Keechl)

***ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)***

58. **COUNTY ADMINISTRATOR'S REPORT**

***No report presented.***

59. **MAYOR'S REPORT**

***No report presented.***

**SUPPLEMENTAL AGENDA**

**COUNTY COMMISSION**

60. MOTION TO RECONSIDER County Commission Agenda Item 60-A of June 5, 2007, styled as follows: MOTION TO DISCUSS scope of work and fee structure for Hospitality Real Estate Counselors (HREC), as related to the development of the Convention Center Hotel. (Mayor Eggelletion)

***ACTION: (T-11:49 AM) No Board action was taken. Due to a lack of a quorum, the meeting was recessed and shall be reconvened Tuesday, June 19, 2007, at 9:30 a.m.***

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**MEETING/WORKSHOP NOTICES**

**SELECTION COMMITTEE**

**PM REPORTING SYSTEM**

**RLI No. 20061205-0-OMB-3**

Tuesday, June 12<sup>th</sup>, in Room 302 at 9:00 A.M.

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