

MEETING OF JUNE 14, 2005

(Meeting convened at 10:00 a.m.; recessed at 12:32 p.m.; reconvened at 3:19 p.m. and adjourned at 7:05 p.m.)

MOMENT OF SILENCE In memory of Mrs. Jean Booher, wife of the late Judge Stephen R. Booher.

PLEDGE OF ALLEGIANCE was led by former Broward County Attorney, Ed Dion.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. **MOTION TO APPOINT** Jose "Pepe" Lopez to the Broward County Housing Finance Authority Board. (Commissioner Eggelletion)

ACTION: (T-10:08 AM) Approved.

- B. **MOTION TO APPOINT** Mr. O. Mason Hurst II to the Historical Commission. (Vice Mayor Graber)

ACTION: (T-10:08 AM) Approved.

AVIATION DEPARTMENT

2. **MOTION TO ADOPT** Resolution 2005-382 authorizing the County Administrator to execute on behalf of Broward County a Federal Aviation Administration (FAA) Grant Agreement for AIP Project No. 3-12-0025-048-2005 in the approximate amount of \$7 million, to financially participate in the construction of Taxiway C and the installation of closed circuit television (CCTV) cameras at Fort Lauderdale-Hollywood International Airport (FLL) which will be substantially in the form attached to the Resolution, and to authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant agreement and approve any non-monetary amendments to the agreement.

ACTION: (T-10:08 AM) Approved.



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

3. MOTION TO ADOPT Resolution 2005-383 authorizing the County Administrator to execute on behalf of Broward County a Federal Aviation Administration (FAA) Grant Agreement for AIP Project No. 3-12-0025-049-2005 in the approximate amount of \$739,701; to financially participate in the Part 150 Noise Compatibility Study at Fort Lauderdale-Hollywood International Airport (FLL), which will be substantially in the form attached to the Resolution, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant agreement and approve any non-monetary amendments to the agreement.

ACTION: (T-10:11 AM) Approved. (Refer to minutes for full discussion.)

4. MOTION TO APPROVE lease agreement between Broward County and Broward Aviation, Inc., at the North Perry Airport for a 4.07 acre parcel, to be effective June 15, 2005 and terminate on June 14, 2025, with a minimum capital expenditure of \$865,000 by Broward Aviation, Inc. and anticipated annual revenue of \$54,360.72, which will be adjusted annually by the greater of 3% or the United States Consumer Price Index, and by a fair market value appraisal in the tenth lease year; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

ACTION: (T-10:15 AM) Reconsidered and approved. (Refer to minutes for full discussion.)

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT



5. MOTION TO APPROVE agreement between Broward County and Spillis Candela & Partners/Heery/Cartaya Joint Venture, for consultant services for pre-design services at a cost to the County of \$670,000; with a contract time for professional services of 360 calendar days and the additional days required for jurisdictional reviews for the master planning of the Courthouse District, development of consensus for the best development plan for the district, and gaining jurisdictional approvals necessary for the first phase of work (RLI 20030904-0-CM-01); and authorize the Mayor and Clerk to execute same. (Project No. 6510) **(Commission District 7)**

ACTION: (T-10:08 AM) Approved.

6. MOTION TO APPROVE tenth amendment to agreement between Broward County and Craven Thompson and Associates, Inc. (CTA) for professional engineering services for the South County Neighborhood Improvement Project, at no increase in cost or time, to redistribute \$581,923.03, in funds previously approved in Amendments 2, 3, 4, 5, and 9; and authorize the Mayor and Clerk to execute same. (Project No. 1148/8600) **(Commission District 8)**

ACTION: (T-10:08 AM) Approved.

7. MOTION TO APPROVE agreement between Broward County and Synalovski Gutierrez Romanik Architects, Inc., to provide architectural and engineering design consulting and related services when authorized, with a contract time of 365 calendar days, with cumulative fees not to exceed \$500,000 per annual fiscal year, effective upon execution, with two one-year options to extend the term of the contract; and authorize the Mayor and Clerk to execute same. (RLI No. 20040423-0-CM-01)

ACTION: (T-10:08 AM) Approved.

CONSTRUCTION MANAGEMENT DIVISION

8. MOTION TO APPROVE first amendment to agreement between Broward County and MBR Construction, Inc. for construction services for additional work for the site development for DPEP (EPD) temporary laboratory trailers located at 3211 College Avenue, Davie, Florida, (Contract No. T-2-04-031-C-F) in the amount of \$249,854.87; from \$218,375.00 to \$468,229.87, and includes an increase in contract time of 105 calendar days, from 305 to 410 calendar days; and authorize the Mayor and Clerk to execute same. (Project No. 5230A) **(Commission District 7)**

ACTION: (T-10:15 AM) Approved.

WATER AND WASTEWATER SERVICES

WATER AND WASTEWATER ENGINEERING DIVISION

9. MOTION TO APPROVE Work Authorization GS0174 between Broward County and Hazen and Sawyer, P.C. for a maximum not-to-exceed salary cost of \$226,098; a maximum-not-to-exceed reimbursable cost of \$14,000; for a total maximum not-to-exceed cost of \$240,098 and a time period of 920 days to provide engineering services and construction management services for the 3C Water Tank Fill Line, and authorize the Mayor and Clerk to execute same. (BCWWS 9044) **(Commission Districts 6 and 8)**

ACTION: (T-10:08 AM) Approved.

WASTE AND RECYCLING SERVICES

RECYCLING AND CONTRACT ADMINISTRATION DIVISION

10. MOTION TO APPROVE third amendment to the interlocal agreement (ILA) between Broward County and the School Board of Broward County, Florida for a Joint Comprehensive Recycling Program, which will extend the term through June 30, 2006, with no change in annual payment of \$467,000 from the School Board to Broward County, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

11. MOTION TO APPROVE interlocal agreement (ILA) between Broward County and Broward Community College (BCC) for a Joint Comprehensive Recycling Program, with an effective date of July 1, 2005 and termination date of December 31, 2006, with the option of two, one-year renewal periods, at no cost to the County, with \$70,050 in compensation from BCC; and authorize the Mayor and Clerk to execute same. **(Commission Districts 7, 8 and 9)**

ACTION: (T-10:08 AM) Approved.

SOLID WASTE OPERATIONS DIVISION

12. MOTION TO APPROVE agreement between Broward County and Malcolm Pirnie, Inc. for consultant services for the waste-to-energy (WTE) plants and the solid waste management program, at a cost not to exceed \$8,320,000 for the term of the agreement, commencing July 1, 2005 and ending on the same day as the termination of the interlocal agreement (ILA) between Broward County and Contract Communities for Solid Waste Disposal Service, but not to extend beyond July 2, 2013; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

13. 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 – County Employee Travel.

ACTION: (T-10:08 AM) Approved.

14. MOTION TO FILE Broward County, Florida, Single Audit Report Federal and State Grants for the year ended September 30, 2004.

ACTION: (T-10:08 AM) Approved.

PURCHASING DIVISION

For Community Services Department

15. MOTION TO AWARD fixed contract to best-evaluated firm, Recreational Design and Construction Inc., for design and construction improvements to Plantation Heritage Park, Design/Build No. Q 302064CF, in the amount of \$2,050,000 for the Parks and Recreation Division, subject to receipt and acceptance of performance and payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:08 AM) Approved.

16. MOTION TO AWARD fixed contract to best-evaluated firm Recreational Design and Construction, Inc. (RDC), for Transit Support Services Facility and site improvements, Design/Build No. T-7-04-143-C-F, in the amount of \$4,316,721; for the Mass Transit Division, subject to receipt and acceptance of performance and payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:08 AM) Approved.



17. MOTION TO AUTHORIZE staff to negotiate contract with best evaluated firm, based on application of Domestic Partner Ordinance, Roepnack Corporation (Roepnack), and bring final contract back to Board for award, for Design and Construction of Long Key Nature Center, Design/Build No. Q-6-02-147-C-F, for the Parks and Recreation Division. **(Commission District 5)**

ACTION: (T-10:08 AM) Withdrawn for further staff review.

For Public Works and Transportation Department

18. MOTION TO APPROVE release of retainage and final payment in the amount of \$131,613.84, to James A. Cummings, Inc. for the North Broward Women's Detention and Kitchen/Warehouse Facility, Contract No. N-X-99-181-CF, Project No. 5315. **(Commission District 9)**

ACTION: (T-10:08 AM) Approved.

19. MOTION TO AWARD open-end contract to low bidder, W. Jackson & Sons Construction Co., for emergency installation and repair services for Water and Sewer Systems, Bid No. P-3-05-064-B2, in the estimated two-year amount of \$399,335; including an estimated \$30,000 in pass-through material, for the Water and Wastewater Engineering Division, subject to receipt and acceptance of performance and payment guaranty; and authorize the Purchasing Director to renew the contract for a one-year period for a total potential value of \$599,002.50. The initial contract shall start upon approval of the performance and payment guaranty or August 6, 2005, whichever is later, and shall terminate two years from that date.

ACTION: (T-10:08 AM) Approved.

20. MOTION TO AWARD open-end contract to low bidder, W. Jackson & Sons Construction Company (Jackson), for Storm Drains, Pipe, & Culvert Inspection/Cleaning, Bid No. T-4-04-073-B-2 (Re-bid), in the estimated amount of \$1,711,430; plus an estimated amount of \$170,000 as a pass-through for specialized services for a total estimated amount of \$1,881,430 for the Water Management Division, and authorize the Purchasing Director to renew the contract for one year for a potential three-year total of \$2,822,145. The initial contract shall start on date of award and shall terminate two years after that date.

ACTION: (T-10:08 AM) Approved.

21. A. MOTION TO ADOPT budget Resolution 2005-384 transferring funds within the Water Control District Two Special Revenue Fund (1110) in the amount of \$234,000 from the Water Control District Two Reserve for the S-4 Pump Station Improvements.

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO AWARD fixed contract to low bidder, Intrastate Construction Corporation, for S-4 Pump Station Improvements, Bid No. N-4-04-069-CF, in the amount of \$773,789 for the Water and Wastewater Services, subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:08 AM) Approved.

HUMAN SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE

22. MOTION TO ADOPT Resolution 2005-385 relating to the Housing Finance Authority Of Broward County, Florida Single Family Mortgage Revenue Bonds, Series 1995; authorizing execution and delivery of a purchase contract in connection with such certificates; authorizing execution and delivery of an Escrow Deposit Agreement; authorizing other action in connection with such agreement; and providing an effective date.

ACTION: (T-10:08 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION

23. A. MOTION TO ADOPT budget Resolution 2005-386 transferring within the General Fund (0010-028-3000-9459) the amount of \$1,770,000 from the Reserve for fuel to cover Fiscal Year 2005 additional fuel costs for the Mass Transit Division.

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-387 within the Mass Transit Operating Fund (0045) for the Mass Transit Division in the amount of \$1,770,000 for additional fuel costs.

ACTION: (T-10:08 AM) Approved.



24. MOTION TO APPROVE first amendment to the interlocal agreement between Broward County and the City of Miramar for the Joint Funding, through a Florida Department of Transportation (FDOT) County Incentive Grant Program Agreement (CIGPA); for the design and construction of a Neighborhood Transit Center, in the estimated total amount of \$830,000 (requires 50% local in-kind match which City of Miramar will provide) effective upon execution through June 30, 2006; revising Article 2, "Scope of Services," to reimburse City for any eligible project costs and expenses incurred prior to the effective date of the agreement; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

ACTION: (T-10:08 AM) Approved.

PARKS AND RECREATION DIVISION

25. A. MOTION TO PROVIDE School Board of Broward County, Florida (SBBCF), with 90 days written notice of Broward County's (County) intent to terminate the Master Lease Agreement at Lake Forest Elementary School in southeast Broward County, effective midnight September 30, 2005, pursuant to Section 5 of the Master Lease Agreement; authorizing the Director, Broward County Parks and Recreation Division, to provide such written notice on behalf of the County; and authorizing the County Administrator to take any and all administrative actions to effectuate same including execution of a Bill of Sale for any County-owned personal property installed on the leased premises. **(Commission District 8)**

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO AUTHORIZE Director, Broward County Parks and Recreation Division, to furnish a letter to The School Board of Miami-Dade County, Florida (SBMDCF), requesting SBMDCF terminate the Master Lease Agreement at McTyre Park in Southeast Broward County effective midnight September 30, 2005; and authorizing the County Administrator to take any and all administrative actions to effectuate same, including execution of a Bill of Sale for any County-owned personal property installed on the leased premises. **(Commission District 8)**

ACTION: (T-10:08 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

26. **MOTION TO APPROVE** settlement agreement in the total estimated amount of \$22,625 between Broward County and Floval Oil Corporation and Orestes Flores d/b/a Amerika Hillsboro for violations of storage tank regulations of Chapter 27 of the Broward County Code of Ordinances for the Environmental Protection Department (EPD) and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:08 AM) Approved.

POLLUTION PREVENTION AND REMEDIATION DIVISION

27. **MOTION TO APPROVE** Amendment No. 2 to Contract No. GC622 for the management of petroleum contamination cleanups, between the Broward County Board of County Commissioners (Board) and the Florida Department of Environmental Protection (FDEP) to bring into effect the contract renewal option to revise the end date of the contract and provide for minor administrative changes requested by FDEP; and authorizing the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

PORT EVERGLADES DEPARTMENT

28. **MOTION TO APPROVE** lease agreement between Broward County and Prospect Enterprises, Inc., d/b/a Kansas Marine Company for 5,902 square feet of warehouse space in Building "B", Bays No. 3 and 4 of Foreign Trade Zone No. 25 at Port Everglades, for the period of September 1, 2005 through August 31, 2006, with rent in the annual amount of \$48,455.42; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

29. A. MOTION TO FILE with the Broward County Board of County Commissioners, the written evaluation criteria and procedures that the Port Everglades Department is prepared to follow as part of the open competitive selection, negotiation and award process to secure a Restricted Daily Cruise Operator for Berth No. 23 at Port Everglades.

ACTION: (T-10:31 AM) Approved the following to serve on the Selection/Negotiation Committee: Commissioners EGGLETTION, GUNZBURGER, LIEBERMAN, RODSTROM, and WEXLER; Director, Trade Development Division, Port Everglades Department (Chair); Director, Office of Economic Development; Deputy Director, Finance and Administration Services; County Administrator or Designee. Plus, administrative support staff from the office of the County Attorney, Commission Auditor, Risk Management, Purchasing Division, and the using agency. (Refer to minutes for full discussion.) (Moved from Consent to Regular Agenda)

- B. MOTION TO APPROVE temporary berth assignment to Ocean Casino Cruises, Inc., d/b/a Sun Cruz Casinos, for a period of time not to exceed nine months while an open competitive selection, negotiation and award process to secure a Restricted Daily Cruise Operator for Berth No. 23 at Port Everglades is conducted and a vendor selected.

ACTION: (T-10:31 AM) Approved, with direction to staff to negotiate a minimum guarantee with Sun Cruz. The Board agreed to shorten the time frame from nine months to four months while allowing the Port Director to have the ability to extend the contract, if necessary. (Refer to minutes for full discussion.) (Moved from Consent to Regular Agenda.)

30. MOTION TO APPROVE business lease agreement between Broward County (Tenant), and Exclusive Millwork, Inc. (Landlord), for premises located at 3200 S.E. 14th Avenue, Dania Beach, for a period of five years commencing upon the issuance of a Certificate of Occupancy and completion of all Landlord required work, at a base rent of \$19 per square foot per year for the five year term; tenant having the unilateral right to terminate the Lease at the end of three years by providing 90 days prior written notice; and authorize the Mayor and Clerk to execute same. .

ACTION: (T-10:08 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

31. MOTION TO ADOPT budget Resolution 2005-388 transferring \$1,315,000 from reserve within the BSO Self Insurance Fund to fund anticipated expenses through the end of the fiscal year.

ACTION: (T-10:16 AM) Approved. (Refer to minutes for full discussion.)

32. MOTION TO ADOPT budget Resolution 2005-389 transferring \$1,375,000 from the reserve for the mandated State Department of Juvenile Justice pre-disposition detention payment to fund the required July through September payments for this fiscal year.

ACTION: (T-10:08 AM) Approved.

33. MOTION TO ADOPT unanticipated revenue Resolution 2005-390 within the Law Enforcement Trust Fund in the amount of \$8,000 to provide the seventh year of funding to the Kappa Alpha Psi Foundation, Inc.

ACTION: (T-10:08 AM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

34. MOTION TO ADOPT Resolution 2005-391 recommending that Kaplan University be approved as a qualified applicant for participation in the State of Florida Qualified Target Industry Tax Refund Program (QTI) for fiscal years 2008 through 2013 based on the creation of the minimum requisite jobs within Broward County. **(Commission District 7)**

ACTION: (T-10:08 AM) Approved.

COUNTY AUDITOR

35. MOTION TO FILE County Auditor's Report *Status of Advantage 3.x Financial System Implementation Project*.

ACTION: (T-10:08 AM) Approved.

COUNTY ADMINISTRATION

36. MOTION TO APPROVE Master Agreement between Broward County and WorkForce One for Summer Youth Employment for the period of June 13, 2005 through July 29, 2005, for the provision of a summer work experience to youth from the age of fourteen thru eighteen years of age, at no cost to the County.

ACTION: (T-10:08 AM) Approved, as amended, with a paragraph added stating that the youth are employees of WorkForce One and not Broward County. WorkForce One has agreed to this revision, as per staff recommendation.

COUNTY COMMISSION

37. A. MOTION TO APPROVE Broward County's "Silver Sponsorship" of the 2005 Florida Neighborhoods Conference in Lakeland, Florida, from October 20 to 22, 2005, at a cost of \$5,000. (Mayor Jacobs).

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO ADOPT budget Resolution 2005-392 transferring \$5,000 within the General Fund from the Commission Reserve to fund the Florida Neighborhoods Conference sponsorship.

ACTION: (T-10:08 AM) Approved.

38. MOTION TO FILE City of Fort Lauderdale, Florida Resolution No. 05-25, dated February 1, 2005 supporting efforts to name the Broward County Courthouse in honor of Judge Henry Latimer. (Mayor Jacobs)

ACTION: (T-10:08 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

39. MOTION TO DIRECT County Administrator to publish notice of Public Hearing to be held Tuesday, June 28, 2005, at 2:00 p.m. in Room 422 of the Governmental Center, to consider new Nonemergency Medical Transportation Service (NEMTS) licenses to MacTran Medical Transport, Inc.; SHECR-MED, Inc.; TWR Transportation Services, Inc.; and United National Transport Network, Inc.

ACTION: (T-10:08 AM) Approved.

40. MOTION TO DIRECT County Administrator to publish notice of a Public Hearing to be held Tuesday, June 28, 2005, at 2:00 p.m., in Room 422 of the Governmental Center, to consider the issuance of renewal Class 1 - ALS Rescue Certificates of Public Convenience and Necessity (COPCN) to the City of Coral Springs Fire Department; Town of Davie Fire Rescue; City of Fort Lauderdale Fire Rescue Department; City of Lauderhill Fire Rescue; City of Lighthouse Point Fire Rescue; City of North Lauderdale Fire Rescue; City of Plantation Fire Department; Village of Lazy Lake; City of Parkland; City of Cooper City; City of Wilton Manors; and the Town of Pembroke Park. **(Commission Districts 1,3,4,5,6,7,8,and 9)**

ACTION: (T-10:08 AM) Approved.

41. MOTION TO DIRECT County Administrator to publish notice of a Public Hearing to be held Tuesday, June 28, 2005, at 2:00 p.m., in Room 422 of the Governmental Center to consider the issuance of new Class 1 - ALS Rescue Certificate of Public Convenience and Necessity (COPCN) to the Seminole Tribe of Florida, Department of Emergency Services.

ACTION: (T-10:08 AM) Approved.

42. MOTION TO DIRECT County Administrator to publish notice of a Public Hearing to be held Tuesday, June 28, 2005, at 2:00 p.m., in Room 422 of the Governmental Center to consider the issuance of new Class 2 - ALS Transfer Certificates of Public Convenience and Necessity (COPCN) to Omniflight Helicopters, Inc. d/b/a Life Guard 3 and the Seminole Tribe of Florida, Department of Emergency Services.

ACTION: (T-10:08 AM) Approved.

43. MOTION TO DIRECT County Administrator to publish notice of Public Hearing to be held Tuesday, June 28, 2005, at 2:00 p.m. in Room 422 of the Governmental Center to consider the renewal of Nonemergency Medical Transportation Service (NEMTS) licenses to AAA Wheelchair Wagon Services, Inc.; Broward Ambulance Service, Inc., d/b/a American Medical Response; LogistiCare Solutions, LLC, d/b/a HealthTrans of South Florida, Inc.; City of Margate Fire Rescue; and Village Car Service, Inc.

ACTION: (T-10:08 AM) Approved.

44. MOTION TO ADOPT Resolution 2005-393 directing the County Administrator to publish a Notice of Public Hearing to be held on June 28, 2005, at 2:00 p.m. in Room 422 of the Governmental Center, amending Chapter 26, Broward County Administrative Code, "Operational Policy, Aviation" amending Section 26.2(a)(12), to change a concession program name from "Business Service Centers" to "Business Technology Service Centers", Amending Section 26.3, to provide for updated language for Disadvantaged Business Enterprises, Amending Section 26.4(b)(3) to include Business Technology Service Centers, Amending Section 26.20, to include Business Technology Service Centers in the Rental Car Center, to add internet support services, to modify the eligibility requirements, to provide that the Business Technology Service Centers Concession will be awarded through a competitive proposal process; and to make other modifications consistent therewith; providing for severability; providing for inclusion in the administrative code; and providing for an effective date.

ACTION: (T-10:17 AM) Approved. (Refer to minutes for full discussion.)

45. MOTION TO ADOPT Resolution 2005-394 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 28, 2005, at 2:00 p.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO COUNTY BOARDS, AUTHORITIES, AND AGENCIES; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SECTION 1-233, SECTION (f), TO REFLECT THAT ADVISORY BOARD MEMBERS APPOINTED BY THE COUNTY COMMISSION WHO ARE ABSENT FROM MEETINGS DUE TO OUTSIDE ADVISORY BOARD BUSINESS, DEATH OF A MEMBER OF THE IMMEDIATE FAMILY AS DEFINED IN SECTION 14.231 OF THE ADMINISTRATIVE CODE, DEATH OF A DOMESTIC PARTNER, OR HOSPITALIZATION OF THE ADVISORY BOARD MEMBER, ARE TO BE EXCUSED; AMENDING SECTION 1-233, SUBSECTION (j), TO REFLECT THAT OTHER BOARD MEMBERS MAY ATTEND AND PARTICIPATE IN MEETINGS TELEPHONICALLY ONCE A QUORUM IS ESTABLISHED BY BOARD MEMBERS WHO ARE PHYSICALLY PRESENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

46. MOTION TO ADOPT Resolution 2005-395 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 28, 2005, at 2:00 p.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING VARIOUS SECTIONS OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES TO PROVIDE FOR THE DISSOLUTION OF THE ZONING BOARD AND TO TRANSFER THE CRITERIA FOR THE BASIS FOR CONSIDERATION OF REZONING REQUESTS FROM THE ZONING BOARD TO THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS; AMENDING VARIOUS SECTIONS OF CHAPTER 39 TO PROVIDE FOR THE DISSOLUTION OF THE BOARD OF ADJUSTMENT AND TO TRANSFER THE FUNCTIONS OF THE BOARD TO A HEARING OFFICER; REPLACING REFERENCES TO THE DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION, THE ZONING CODE SERVICES DIVISION, AND THE CODE AND ZONING ENFORCEMENT DIVISION WITH THE ENVIRONMENTAL PROTECTION DEPARTMENT, THE DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT, THE PLANNING SERVICES DIVISION OR THE CODE COMPLIANCE SECTION OF THE BUILDING CODE SERVICES DIVISION AS MAY BE

APPROPRIATE; AMENDING SECTION 39-4 TO CREATE A DEFINITION OF HEARING OFFICER; AMENDING VARIOUS SECTIONS OF CHAPTER 8½ TO PROVIDE FOR THE DISSOLUTION OF THE BROWARD COUNTY CODE ENFORCEMENT BOARD FOR BUILDING AND PERMITTING AND TO TRANSFER THE FUNCTION OF THE BOARD TO A HEARING OFFICER; AMENDING SECTION 8½-5 TO CREATE A DEFINITION OF HEARING OFFICER; AMENDING SECTION 5-115, DESIGNATION OF LOCAL PLANNING AGENCIES, TO DELETE THE SCHOOL BOARD AS THE LOCAL PLANNING AGENCY FOR THE PREPARATION OF THE PUBLIC SCHOOL ELEMENT AND TO DESIGNATE THE DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT AS THE LOCAL PLANNING AGENCY FOR THE REVIEW OF REQUESTS FOR REZONINGS AND AMENDMENTS TO THE ZONING CODE AND TO PROVIDE THAT A REPRESENTATIVE OF THE SCHOOL BOARD BE INCLUDED AS A NON-VOTING MEMBER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

47. A. MOTION TO ADOPT Resolution 2005-396 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-1), amending the permitted uses and boundaries of the “Regional Activity Center” in the City of Hollywood, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 6**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT ADDRESSING THE HOLLYWOOD DOWNTOWN REGIONAL ACTIVITY CENTER (RAC); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO ADOPT Resolution 2005-397 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan map (PC 05-1), amending the boundaries of the "Regional Activity Center" in the City of Hollywood, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 6**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF HOLLYWOOD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

48. MOTION TO ADOPT Resolution 2005-398 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-3), "Downtown Fort Lauderdale" Regional Activity Center, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 7**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE FORT LAUDERDALE DOWNTOWN REGIONAL ACTIVITY (RAC); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:17 AM) No Board Action taken. (Refer to minutes for full discussion.)

ACTION: (T-6:55 PM) Reconsidered and approved. (Refer to minutes for full discussion.)

49. MOTION TO ADOPT Resolution 2005-399 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-4), "Miramar" Regional Activity Center, relating to the East Miramar Areawide Development of Regional Impact (**Commission District 8**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT REGARDING THE EAST MIRAMAR DEVELOPMENT OF REGIONAL IMPACT (DRI) REGIONAL ACTIVITY CENTER (RAC) LOCATED IN THE CITY OF MIRAMAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

50. MOTION TO ADOPT Resolution 2005-400 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-2), designating a "Local Activity Center" in the City of Pompano Beach (John Knox Village), as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 4**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT ADDRESSING THE POMPANO BEACH JOHN KNOX VILLAGE LOCAL ACTIVITY CENTER (LAC); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO ADOPT Resolution 2005-401 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan map (PC 05-2), designating a "Local Activity Center" in the City of Pompano Beach (John Knox Village), as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 4**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

51. MOTION TO ADOPT Resolution 2005-402 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan map (PC 05-3), located in the City of Coconut Creek, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 2**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

52. MOTION TO ADOPT Resolution 2005-403 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan map (PC 05-5), located in the City of North Lauderdale, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 9**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

53. MOTION TO ADOPT Resolution 2005-404 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan map (PC 05-6), located in the City of North Lauderdale, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 1**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

54. MOTION TO ADOPT Resolution 2005-405 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan map (PC 05-7), located in the City of Oakland Park, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 9**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF OAKLAND PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

55. MOTION TO ADOPT Resolution 2005-406 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan map (PC 05-8), located in the City of Parkland, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan (**Commission District 3**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PARKLAND; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

56. MOTION TO ADOPT Resolution 2005-407 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, at 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting Small Scale land use plan amendment, PC 05-18, in the City of Pompano Beach to the Broward County Comprehensive Plan, (**Commission District 4**) the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

57. MOTION TO ADOPT Resolution 2005-408 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-5), to revise the "Local Activity Center" future land use category and associated policies and criteria, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO REVISE THE "LOCAL ACTIVITY CENTER" FUTURE LAND USE CATEGORY AND ASSOCIATED POLICIES AND CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

58. MOTION TO ADOPT Resolution 2005-409 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-6), to create a new land use category, "Mixed Use - Residential" and associated objectives, policies and criteria, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO CREATE A NEW LAND USE CATEGORY, "MIXED USE - RESIDENTIAL" AND ASSOCIATED OBJECTIVES, POLICIES AND CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

59. MOTION TO ADOPT Resolution 2005-410 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-7), to revise the "Residential" future land use category to address state law regarding redevelopment within the "Coastal High Hazard" area, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO REVISE THE "RESIDENTIAL" FUTURE LAND USE CATEGORY TO ADDRESS STATE LAW REGARDING REDEVELOPMENT WITHIN THE "COASTAL HIGH HAZARD" AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

60. MOTION TO ADOPT Resolution 2005- 411 directing the County Administrator to publish notice of a Public Hearing to be held on June 28, 2005, 2:00 p.m. in Room 422 of the Governmental Center, to consider enactment of an Ordinance adopting proposed amendment to the Broward County Land Use Plan text (PCT 05-8), to revise the “Regional Activity Center” future land use category and associated policies and criteria, as a part of the first annual proposed 2005 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2005 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO REVISE THE "REGIONAL ACTIVITY CENTER" FUTURE LAND USE CATEGORY AND ASSOCIATED POLICIES AND CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:08 AM) Approved.

REGULAR AGENDA

PUBLIC HEARING

61. MOTION TO CONSIDER Lease Agreement between Broward County and Chiquita Fresh North America, L.L.C., with an initial term expiring on March 31, 2014, and options for two additional five year terms. This is the first of two public hearings. The second public hearing will be held on June 28, 2005 at 10:00 a.m.

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

62. MOTION TO CONSIDER Marine Terminal Lease and Operating Agreement between Broward County and Sawgrass Transport, Inc., for a period of five years with two additional five year options terms. This is the first of two public hearings. The second public hearing will be held on June 28, 2005 at 10:00 a.m.

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

63. MOTION TO CONSIDER Fifth Amendment to Lease and Operating Agreement between Broward County and King Ocean Service De Venezuela, S.A. and King Ocean Services, Ltd. This is the first of two public hearings. The second public hearing will be held on June 28, 2005 at 10:00 a.m.

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

64. MOTION TO APPROVE Settlement and Assignment Agreement between Broward County and Soneet Kapila, Chapter 7 Trustee for South Stevedoring, Inc. ("Chapter 7 Trustee") (United States Bankruptcy Court, Southern District of Florida, Case Number 03-25110-BKC-RBR) settling all outstanding monetary cure obligations of the Chapter 7 Trustee to Broward County under the provisions of the U.S. Bankruptcy Code and assigning the Chapter 7 Trustee's rights and interests in the Marine Terminal Management Agreement between Broward County and South Stevedoring, Inc. as amended, to Florida International Terminal, LLC ("FIT") and Compania Sud Americana de Vapores S.A. as Guarantor, and authorize the Mayor and Clerk to execute all required agreements and documents to effectuate same. (This is the 2nd of two Public Hearings.)

ACTION: (T-12:05 PM) Approved.

65. MOTION TO ADOPT Resolution 2005-412 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Florida International Terminal, LLC, for a one-year term, to provide cargo handler services at Port Everglades, providing for severability; providing for an effective date; and authorizing the Mayor and Clerk to execute the franchise. The Resolution setting this Public Hearing was adopted on May 24, 2005 (Item 42). This motion coincides with the second public hearing on June 14, 2005 to consider an amended Marine Terminal Management Agreement between Broward County and Florida International Terminal, LLC.

ACTION: (T-12:05 PM) Approved.

66. MOTION TO ADOPT Resolution 2005-413 of the Board of County Commissioners of Broward County, Florida, granting a non-exclusive franchise to Florida International Terminal, LLC, for a one-year term, to provide stevedore services at Port Everglades, providing for severability; providing for an effective date; and authorizing the Mayor and Clerk to execute the franchise. The Resolution setting this Public Hearing was adopted on May 24, 2005 (Item 43). This motion coincides with the second public hearing on June 14, 2005 to consider an amended Marine Terminal Management Agreement between Broward County and Florida International Terminal, LLC.


ACTION: (T-12:05 PM) Approved.

END PUBLIC HEARING

PORT EVERGLADES DEPARTMENT

67. MOTION TO APPROVE lease agreement between Broward County and Florida International Terminal, LLC, for 478 square feet of office space in Suite No. 304 of the Port Administration Building at Port Everglades for the period of five-years from the Commencement Date, with rent in the approximate amount of \$43,300 over the lease term; and authorize the Mayor and Clerk to execute same.
ACTION: (T-12:05 PM) Approved.

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  68. A. MOTION TO APPROVE interlocal agreement between Broward County and the City of Fort Lauderdale for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-22; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:08 AM) Approved. (Transferred from Regular to the Consent Agenda.)

- B. MOTION TO APPROVE transfer of funds to the City of Fort Lauderdale in the amount of \$2,250,000 toward the acquisition of real property referred to as Flagler Heights Park (OS-22) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 7)**

ACTION: (T-10:08 AM) Approved. (Transferred from Regular to the Consent Agenda.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

69. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firm to conduct customer satisfaction and evaluation surveys and other related services at the Fort Lauderdale – Hollywood International Airport and other County agencies, and approve Request for Letters of Interest (RLI) No.20041116-0-AV-01.

ACTION: (T-12:05 PM) Approved the following to serve on the Selection Committee: Commissioners Lieberman, Rodstrom and Wexler; Director, Administration Division, Aviation Department (Chair); Director, Business Division, Aviation Department; Director, Public Communications Office. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency.

For Department Of Urban Planning And Redevelopment



70. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firm to provide assistance to the Department of Urban Planning and Redevelopment (DUPR) with preparation of amendments to County land development regulations and other County codes and to work with interested municipalities to develop model municipal codes to implement recommendations set forth in the County-wide Community Design Guidebook, and approve Request for Letters of Interest (RLI) No. 20041129-0-EQ-01.

ACTION: (T-12:24 PM) Approved the following to serve on the Selection Committee: Commissioners Eggelton and Gunzburger, Vice Mayor Graber, Mayor Jacobs; Assistant Director, Department of Urban Planning and Redevelopment (Chair); Director, Environmental Protection Department; Executive Director, Planning Council; Director, Highway Construction and Engineering Division, Public Works and Transportation Department; Representative, Broward League of Cities; Assistant to the County Administrator for Housing. Plus, administrative support from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. (Refer to minutes for full discussion.)

AVIATION DEPARTMENT

71. MOTION TO DISCUSS AND PRESENT Aviation Department's recommended runway use alternatives and County Attorney's legal options to mitigate the traffic congestion and delay times at the Fort Lauderdale-Hollywood International Airport, and to minimize the impact on the residents and at the same time recognize the customers served at the airport.

ACTION: (T-3:19 AM) The Board approved 1) pursuing the National Environmental Policy Act (NEPA) analysis; 2) Look into the installation of noise monitors in the Riverland area; 3) Review use of Broward County Aviation General Funds to see if a portion of those funds could be used to expand additional custom operations at the Executive Airport; 4) Ask staff to look at gate utilization and come back with a plan as to how gate utilization for existing airlines would be handled by looking at contractual commitments for airlines currently at the airport, 5) Explore ways of alleviating taxiway delays on the ground through all airfield projects outlined in the report prepared by staff.

Furthermore, the Board approved using 9 Right as outlined in the Boyd Report to help alleviate traffic congestion on the ground. (Refer to minutes for full discussion.)

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT



72. MOTION TO APPROVE Broward County County-Wide Community Design Guidebook prepared by the Department of Urban Planning and Redevelopment and the County's consultant Anthony Abbate, P.A.

ACTION: (T-12:07 PM) Approved. (Refer to minutes for full discussion.)

COUNTY ADMINISTRATION

73. A. MOTION TO DIRECT County Administrator to submit for Board approval, the necessary budgetary and administrative actions to prepare for a referendum to be held in the November 2006 general election for a one cent surtax to fund transit and transportation improvements throughout Broward County.

ACTION: (T-6:01 PM) Approved, as amended, with up to a one cent surtax to fund transit and transportation improvements throughout Broward County. (Refer to minutes for full discussion.)

- B. MOTION TO WAIVE County procurement code and authorize the County Administrator to negotiate and execute contracts as necessary for the purpose of providing assistance with the transit/transportation surtax referendum in amounts with a total not to exceed \$500,000.

ACTION: (T-6:01 PM) Deferred to June 21, 2005. (Refer to minutes for full discussion.)


74. MOTION TO DISCUSS entering into an executive session, pursuant to the provisions of Chapter 447.605(1), to discuss collective bargaining negotiations, either on June 21, 2005 or following the Board's return from break.

ACTION: (T-6:38 PM) The Board approved scheduling a meeting for collective bargaining negotiations upon return of summer break. (Refer to minutes for full discussion.)

COUNTY COMMISSION

75. MOTION TO RE-NOMINATE Basil Williams to the Central Examining Board of Electricians as a Consumer. (Commissioner Eggelletion)

ACTION: (T-10:08 AM) Approved. (Transferred from Regular to the Consent Agenda.)

-  76. A. MOTION TO DISCUSS concept of separating the capital challenge grant program for the Cultural Division and the Historical Commission, with each entity administering the programs under its own guidelines as approved by the County Commission, and with each program having equal funding appropriations by the County Commission. (Mayor Jacobs)

ACTION: (T-6:40 PM)) Approved, as amended, with each entity splitting the money that is available to them at this time. Additionally staff was requested to look into how Broward County could become a program sponsor and get additional monies. (Refer to minutes for full discussion.)

- B. MOTION TO DIRECT County Attorney to draft appropriate ordinance and administrative Code amendments which, if approved by the Commission, would be used by staff to implement this approach and to direct County Administration to include equal appropriations in the proposed FY 2006 budget for these capital challenge grants.

ACTION: (T-6:40 PM)) Approved, as amended, directing the County Attorney to draft appropriate ordinance and administrative code provisions to provide for the separate challenge grant program for the Historical Commission. (Refer to minutes for full discussion.)

HISTORICAL COMMISSION



77. MOTION TO DISCUSS funding in an amount up to \$40,000 to support the structural assessment and historic preservation of the c. 1906 former Hillsboro Inlet Light Station (“Hillsboro Lighthouse”) Keeper’s Cottage, in the Town of Hillsboro Beach, if an effective and practical method is available to prevent the demolition of the structure by either moving or deconstructing it for relocation to another site.

ACTION: (T-6:51 PM) Approved. (Refer to minutes for full discussion.)

78. MAYOR’S REPORT

LATENESS FOR MEETINGS

ACTION: (T-6:55 PM) Mayor Jacobs requested all Commissioners adjust their schedules to be on time for meetings. (Refer to minutes for full discussion.)

79. COUNTY COMMISSION LIAISON REPORT

ACTION: (T-6:55 PM) No reports were filed.

80. COUNTY ADMINISTRATOR’S REPORT

ACTION: (T-6:55 PM) County Administrator Roger J. Desjarlais informed the Board there was nothing to report.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

81. MOTION TO ADOPT Resolution 2005-414 opposing the Florida Department of Transportation’s plan to increase the travel restrictions in HOV lanes by four hours a day. (Mayor Jacobs)

ACTION: (T-10:08 AM) Approved. (Transferred from Regular to the Consent Agenda.)

82. MOTION TO DIRECT the Mayor to send a letter to Governor Jeb Bush urging the veto of Senate Bill 152, a bill relating to alimony. (Mayor Jacobs)

ACTION: (T-10:08 AM) Withdrawn.

NON AGENDA

83. EVALUATIONS FOR COUNTY ADMINISTRATOR, ATTORNEY AND AUDITOR – COMMISSIONER WEXLER

ACTION: (T-6:57 PM) Commissioner Wexler questioned the status of the evaluation process for County Administrator, County Attorney and County Auditor.

Mayor Jacobs explained staff was preparing meetings for further discussions. (Refer to minutes for full discussion.)

84. LACK OF PLAN FOR MANATEES – COMMISSIONER SCOTT

ACTION: (T-6:57 PM) Commissioner Scott mentioned that Broward County is one of three county's in the state that does not have a plan to deal with manatees. (Refer to minutes for full discussion.)

85. CONGRATULATIONS TO THE COUNTY ADMINISTRATOR FOR THE INFORMATION KIOSK INSTALLED IN THE LOBBY OF THE GOVERNMENTAL CENTER – COMMISSIONER GUNZBURGER

ACTION: (T-6:59 PM) Commissioner Gunzburger congratulated Mr. Desjarlais for installing the information kiosk in the lobby of the Governmental Center and relayed a request from Lori Parrish, Broward County Property Appraiser, to add a printer, as well as information from the Property Appraiser's office. (Refer to minutes for full discussion.)

86. HISPANISH CULTURAL RESEARCH CENTER PROPOSAL – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-7:01 PM) Commissioner Wasserman-Rubin informed the Board of a proposal from the Broward County Main Library, allowing 15,000 square feet of the third floor to be used for a Hispanic Cultural Library. (Refer to minutes for full discussion.)

87. CONGRATULATIONS TO THE BROWARD COUNTY LEGAL DEPARTMENT – MAYOR JACOBS

ACTION: (T-7:01 PM) Mayor Jacobs congratulated the legal department for their work on winning the Convention Center Hotel lawsuit. (Refer to minutes for full discussion.)