

## MEETING OF JUNE 19, 2007

(The meeting convened at 11:20 a.m.; recessed at 12:50 p.m.; reconvened at 2:45 p.m., and adjourned at 7:15 p.m.)

PLEDGE OF ALLEGIANCE was led by Mayor Josephus Eggelletion, Jr., District 9.

### MOMENT OF SILENCE

In memory of the soldiers who have given their lives in Iraq and for the nine firefighters in Charleston, South Carolina who lost their lives in the line of duty. Also in memory of Sid Jones for his work with the Aquaculture and Hydroponics Complex in Pompano Beach, and in memory of Ruth Graham, wife of evangelist Billy Graham.

CALL TO ORDER: Mayor Josephus Eggelletion, Jr. called the meeting to order and declared a quorum present.

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

### CONSENT AGENDA

A motion was made by Commissioner Lieberman and seconded by Commissioner Gunzburger and unanimously carried to approve the Consent Agenda, consisting of Items 1 through 32, along with the Mayor's request to transfer Item 36 from the Regular Agenda to the Consent Agenda.

The following Items were withdrawn: Item 28, deferred at the landlord's request.

The following items were pulled by Board members and considered separately: 5, 22, 23, and 28. Item 25 B was pulled by a member of the audience.

### BOARD APPOINTMENTS

1. MOTION TO APPROVE reappointment of Susan Onori to the Library Advisory Board. (Vice Mayor Wexler)

***ACTION: (T-11:48 AM) Approved.***



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

## **AVIATION DEPARTMENT**

2. **MOTION TO APPROVE** Business Technology Service Centers Concession Agreement between Broward County, Florida and Fort Lauderdale Business and Currency Services, LLC ("FLBCS") RLI No. 20060627-0-AV-05) to provide business technology services at the Fort Lauderdale-Hollywood International Airport ("FLL"); with an established percentage fee of the annual gross revenues based on the services during the transition period (no greater than 12 months); and thereafter the greater of the minimum annual guarantee ("MAG") of not less than \$95,000 (to be adjusted annually by 85% of the prior year's paid privilege fee); a minimum capital expenditure of \$125,000; to be effective upon approval, with a commencement date for operations of July 1, 2007, with an expiration date of December 31, 2013; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-11:48 AM) Approved.***

3. **MOTION TO ADOPT** Resolution 2007-396 authorizing acceptance and execution of a Florida Department of Transportation Supplemental Joint Participation Agreement (SJPA) No. 1, Financial Project No. 409856-1-94-01, to conduct an Airport Master Plan Update at North Perry Airport, in the amount of \$636,706 (State's share); and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant.

***ACTION: (T-11:48 AM) Approved.***

4. A. **MOTION FOR POST APPROVAL** of Fee Collection Agreement between Broward County and National Jets, Inc., for the collection of general aviation landing fees at the National Jets leasehold located at the Fort Lauderdale-Hollywood International Airport, with an effective date of February 01, 2007; and authorize the Mayor and Clerk to execute same. **(Deferred From April 17, 2007 – Item No. 2)**

***ACTION: (T-11:48 AM) Approved.***

- B. **MOTION FOR APPROVAL** of Guaranty and Indemnity Agreement by Carolina Aircraft Corp., a Florida corporation, in favor of Broward County, and authorize the Mayor and Clerk to execute same.

***ACTION: (T-11:48 AM) Approved.***

5. MOTION TO APPROVE Amendment No. 3 (“Amendment”) to the Terminal Building Lease Agreement (“TBLA”) between Broward County and Southwest Airlines Co. (“Southwest”), deleting the requirement for Southwest to preferentially lease Gate B7 on or before September 1, 2007, and increasing the required minimum number of flights per leased gate from four per day to seven per day; and authorize the Mayor and Clerk to execute same.

*(This item was pulled by Vice-Mayor Wexler.)*

***ACTION: (T-11:49 AM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

## **PUBLIC WORKS AND TRANSPORTATION DEPARTMENT**

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

6. MOTION TO APPROVE conveyance of a Utility Easement from Broward County to BellSouth Telecommunications for installation/relocation of underground telecommunication cables through County-owned property located at the southwest corner of Dixie Highway and Martin Luther King Jr. Boulevard in the City of Pompano Beach, at no cost to the County; and authorize the Mayor and Clerk to execute Easement Agreement. **(Commission District 2)**

***ACTION: (T-11:48 AM) Approved.***

7. MOTION TO APPROVE second amendment to Joint Participation Agreement between Broward County and the Florida Department of Transportation for reimbursement of eligible costs for repair of Federal Highway Administration functionally classified roads damaged by Hurricane Katrina. The amendment provides for the redistribution and increase of funding in the amount of \$38,662. The amendment will be effective upon execution by the Florida Department of Transportation; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-11:48 AM) Approved.***

8. MOTION TO ADOPT Resolution 2007-397 accepting a Bus Shelter Easement, at a nominal cost of \$1 to the County, executed by The Turtle Run Venture, LLC, a Limited Liability Company for bus shelter purposes for Wiles Road, located on the south side of Wiles Road, east of Creekside Drive in the City of Coral Springs. **(Commission District 1)**

***ACTION: (T-11:48 AM) Approved.***

## **REAL PROPERTY SECTION**

9. **MOTION TO ADOPT** Resolution 2007-398 authorizing the conveyance by Quit Claim Deed of five 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 Fort Lauderdale, Florida, the municipality within which these parcels are located, at no cost to the County; authorize the Mayor and Clerk to execute Deeds and authorize recordation of same. **(Commission Districts 4, 7 and 9)**

***ACTION: (T-11:48 AM) Approved.***


10. **MOTION TO ADOPT** Resolution 2007-399 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 Deerfield Beach, Florida, the municipality within which the land is located, at no cost to the County; and authorize the Mayor and Clerk to execute deeds, and authorize recordation of same. **(Commission Districts 2 and 4)**

***ACTION: (T-11:48 AM) Approved.***

11. **MOTION TO APPROVE** Contract for Sale and Purchase between Broward County and Lawrence P. Puckett, Jr., Trustee, in the amount of \$20,000 for the purchase of 900 square feet, or .0207 acre of land located at the northeast corner of N. W. 17<sup>th</sup> Lane and Copans Road; a portion of Lot 18, Associated Plat No. 2, Plat Book 101, Page 22, in the City of Pompano Beach, Florida; to provide a lift station for sewer service to properties between Copans Road and Park Central Boulevard, South, and NW 16<sup>th</sup> Lane and NW 17<sup>th</sup> Lane in Pompano Beach. The Water and Wastewater Engineering Division authorized Real Property to acquire this property for Water and Wastewater Services' Capital Project 9091; authorize the Mayor and Clerk to execute Contract for Sale and Purchase, and authorize recordation of Deed. **(Commission District 2)**

***ACTION: (T-11:48 AM) Approved.***

## **TRAFFIC ENGINEERING DIVISION**

-  12. MOTION TO APPROVE agreement between Broward County and the City of West Park, transferring responsibility to Broward County for traffic engineering functions on all roads within the City. The cost will vary based on, among other things, operational needs, rate of wear and tear on traffic control devices and quantity of study requests received. The Division has paid for the cost of these services while the area was unincorporated, and the County receives state gas tax funding for providing these services. The agreement will be effective upon execution and will run continuously until cancelled by either party; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

***ACTION: (T-11:48 AM) Approved.***


## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **HUMAN RESOURCES DIVISION**

13. MOTION TO APPROVE scheduling of an Executive Session (“Shade Meeting”) for June 26, 2007, beginning at 12:00 p.m., or following the conclusion of the morning meeting, relative to collective bargaining with the County’s Blue Collar Bargaining Unit, pursuant to Section 447.605, Florida Statutes; and authorize County Administrator to post the appropriate notice.


***ACTION: (T-11:48 AM) Approved.***

### **HUMAN SERVICES DEPARTMENT**

-  14. MOTION TO APPROVE Agreement No. 07-HSD-8452-01 between Broward County and Archways, Inc. an active not-for-profit Florida organization from the date of execution through September 30, 2007 in the amount of \$44,720; for the purpose of providing Emergency Funds to treat bed bug infestation at the agency’s three residential buildings; prescribing requirements and conditions for disbursement of emergency funds; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-11:48 AM) Approved.***

## **CHILDREN'S SERVICES ADMINISTRATION DIVISION**

- 
15. MOTION TO APPROVE agreement between Broward County and Jason A. Schulman, M.D., P.A. from July 1, 2007 through June 30, 2010 in the amount of \$300,000; for the purpose of providing medical evaluation and medical consultation services to children and families involved in child abuse and neglect investigations in Broward County and authorize the Mayor to execute same.

***ACTION: (T-11:48 AM) Approved.***

## **MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION**

16. MOTION TO ACCEPT nominations of Dr. Richard Paley and Dr. Louis Scott Ulin for appointments to the Broward Regional Emergency Medical Service (EMS) Council.

***ACTION: (T-11:48 AM) Approved.***

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

17. MOTION TO APPROVE allocation of State of Florida, Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant funding for the period of October 1, 2007 through September 30, 2008, in the amount of \$843,944 as recommended by the Broward County Commission on Substance Abuse; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-11:48 AM) Approved.***

18. MOTION TO APPROVE Amendment No. 1 to the agreement between Broward County and Volunteers of America of Florida, Inc. (VOA) for the purpose of increasing the value of the agreement from \$346,605 to \$376,928; which is a total increase of \$30,323 to provide County cash match required by HUD to continue to provide services under the HART House Permanent Supportive Housing Program; and authorize Mayor to execute same.

***ACTION: (T-11:48 AM) Approved.***

19. MOTION TO APPROVE agreement between Broward County and The Ronik-Radlauer Consultant Group, Inc., for the purpose of providing monitoring and evaluation services for the County Batterer Intervention Program. The \$35,000 funding for this item is included in the Funding Resolution in Fiscal Year 2007.

***ACTION: (T-11:48 AM) Approved.***

## **ENVIRONMENTAL PROTECTION DEPARTMENT**

### **ENFORCEMENT ADMINISTRATION DIVISION**

20. MOTION TO APPROVE Settlement Agreement in the amount of \$22,085 between Broward County and Tony P. and Joann W. Sellitti, and John U. and Sylvia Fazi, 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 4).**

***ACTION: (T-11:48 AM) Approved.***

### **POLLUTION PREVENTION & REMEDIATION DIVISION**

21. MOTION TO APPROVE Amendment No. 2 to Contract No. GC658 between the Broward County Board of County Commissioners (Board) and the Florida Department of Environmental Protection (FDEP) to extend the contract completion date through June 30, 2008, provide for the continued accelerated resolution of Significant Non-Compliance (SNC) violations, and associated enforcement activities at regulated storage tank facilities within Broward County; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-11:48 AM) Approved.***

### **URBAN PLANNING AND REDEVELOPMENT DEPARTMENT**

22. 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. **(Deferred from June 12, 2007 – Item No. 43)**

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

***ACTION: (T-11:50 AM) Approved, as amended. The Board requested that time and distance restrictions be included in the proposed amendment. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**


- 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. **(Deferred from June 12, 2007 – Item No. 43)**

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

**ACTION: (T-11:50 AM) Approved, as amended. The Board requested that time and distance restrictions be included in the proposed amendment. (Refer to minutes for full discussion.)**

**VOTE: 9 – 0.**

### **OFFICE OF TRANSPORTATION**

-  23. MOTION TO APPROVE Interlocal Agreement (ILA) between Broward County and the City of Wilton Manors for public transportation services; providing for the lease of one wheelchair-accessible passenger vehicle from the County at a cost of \$10 per vehicle annually; providing for an operating stipend of \$20 per revenue service hour for community bus service operations; for an estimated total annual operating cost not-to-exceed \$47,596.80; effective upon date of execution through September 30, 2009, and may be extended for up to two, additional one-year periods upon written approval of the Contract Administrator; and authorize the Mayor and Clerk to execute same.. **(Commission District 4)**

*(This item was pulled by Vice-Mayor Wexler.)*

**ACTION: (T-11:52 AM) Approved. (Refer to minutes for full discussion.)**

**VOTE: 8 - 0. Commissioner Rodstrom was out of the meeting room during the vote.**

**ACTION: (T-12:48 PM) Commissioner Rodstrom returned to the meeting room and requested he be shown voting in the affirmative. (Refer to minutes for full discussion.)**

**VOTE: 9 – 0.**

24. MOTION TO APPROVE between Broward County and Cherokee Enterprises, Inc. for consultant services for Mass Transit Underground Bulk Storage Tank System Removal and Replacement Design and Project Oversight, RLI No. 20060714-MT-01 in the total project amount of \$624,255.77, which includes \$375,201.99 in lump sum compensation for the Pre-Design phase of the project through Phase VA- Installation of Temporary Fueling System, (Basic Services amount of \$194,122.05, Technical Services by Other of \$106,522.50; Reimbursables up to a maximum amount not to exceed of \$74,557.440);

maximum amount not-to-exceed compensation of \$199,053.78, for Phase VB –Construction Oversight and Phase VI-Warranty Administration and Post Occupation, and optional services in a maximum amount not-to-exceed of \$50,000; and authorize the Mayor and Clerk to execute same.

**ACTION: (T-11:48 AM) Approved.**

### **COUNTY AUDITOR**

25. A. MOTION TO FILE County Auditor's Report – *Review of Taxicab Dispatch Operations – Aviation Department.*

**ACTION: (T-11:48 AM) Approved.**

- B. MOTION TO ADOPT County Auditor's Recommendations.

**ACTION: (T-4:44 PM) Approved.**

**VOTE: 9 – 0.**

26. A. MOTION TO FILE County Auditor's Report – *Port Everglades Department Delegated Purchases Review.*

**ACTION: (T-11:48 AM) Approved.**

- B. MOTION TO ADOPT County Auditor's Recommendations.

**ACTION: (T-11:48 AM) Approved.**

### **COUNTY ATTORNEY**

27. MOTION TO APPROVE proposed settlement in the amount of \$22,000; including costs and attorney's fees, in the case of *Paul Exantus, as Personal Representative of the Estate of Maltide Augustine, Deceased, for the use and benefit of Wildy Verdine and Matilia Verdine v. Broward County*, Case No. 06-01280.14.

**ACTION: (T-11:48 AM) Approved.**

### **COUNTY ADMINISTRATION**

28. MOTION TO APPROVE ceasing negotiations with Plantation Properties of Broward, for the relocation of the West Regional Tag Agency.

***(This item was pulled by Commissioner Lieberman for a comment regarding privatizing and a request for staff to provide a timeframe and a plan.)***

**ACTION: (T-11:47 AM) Deferred to a yet to be determined date by staff at the request of the landlord. (Refer to minutes for full discussion.)**

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

29. MOTION TO DIRECT County Administrator to publish notice of a Public Hearing to be held Tuesday, August 14, 2007, at 2:00 p.m., in Room 422 of the Governmental Center, to consider the issuance of a new Class 2 - ALS Transfer Certificate of Public Convenience and Necessity (COPCN) to the City of Tamarac Fire Rescue.

***ACTION: (T-11:48 AM) Approved.***

30. MOTION TO DIRECT County Administrator to publish notice of Public Hearing to be held Tuesday, August 14, 2007, at 2:00 p.m. in Room 422 of the Governmental Center, to consider new Nonemergency Medical Transportation Service (NEMTS) licenses to Above and Beyond Medical Transportation, LLC; Heralpin USA, Inc.; N-Mets, Inc., d/b/a On Wheels Transport; and Reliable Staffing, Inc.

***ACTION: (T-11:48 AM) Approved.***

31. MOTION TO ADOPT Resolution 2007-400 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 14, 2007 at 2:00 p.m. in Room 422 of the Governmental Center, to vacate a portion of a 20-foot wide alley and right-of-way portions of Lots 1, 2, and 3 of Block 7; lying within, over and across North Pompano Beach Section A Plat; located north of Sample Road between NE 15<sup>th</sup> Terrace and NE 16<sup>th</sup> Avenue in the City of Pompano Beach; at no cost to the County. Petitioners: Mario Esposito and Deborah A. Esposito; (2005-V-09) **(Commission District 2)**

***ACTION: (T-11:48 AM) Approved.***

32. MOTION TO ADOPT Resolution 2007-401 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 14, 2007, 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, REPEALING CHAPTER 27 OF THE BROWARD COUNTY CODE OF ORDINANCES, ARTICLE IX, "OPEN BURNING," AND REPLACING IT WITH ARTICLE IX, "OPEN BURNING," SECTION 27-281, "DECLARATION OF INTENT"; SECTION 27-282, "DOCUMENTS INCORPORATED BY REFERENCE"; SECTION 27-283, "DEFINITIONS"; SECTION 27-284, "PROHIBITIONS"; SECTION 27-285, "OPEN BURNING ALLOWED"; SECTION 27-286, "OPEN BURNING REQUIREMENTS"; SECTION 27-287, "NOTIFICATION REQUIRED"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-11:48 AM) Approved.***

**REGULAR AGENDA**

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

**PUBLIC HEARING**

**THIS ITEM CONTINUED FROM THE  
JUNE 12, 2007 10:00 AM PUBLIC HEARING**

33. **MOTION TO ADOPT** Resolution 2007-402 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-12:24 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 7 – 0. Commissioners Lieberman and Rodstrom were out of the meeting room during the vote.***


***ACTION: (T-12:36 PM/12:48 PM) Commissioners Lieberman and Rodstrom returned to the meeting room and requested they be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

**END PUBLIC HEARING**

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

## URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

-  34. MOTION TO APPROVE Interlocal Agreement by and between Broward County, the City of Oakland Park, and the City of Oakland Park Community Redevelopment Agency (CRA), to provide one or more grants not to exceed \$13,021,941 through the Redevelopment Capital Program (RCP), to fund public improvement projects located within the boundaries of the community redevelopment area; and authorize the Mayor and Clerk to execute same. **(Commission Districts 4 and 9)**


***ACTION: (T-12:35 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 7 – 0. Commissioner Lieberman was out of the meeting room during the vote.***

***ACTION: (T-12:36 PM/12:48 PM) Commissioners Lieberman and Rodstrom returned to the meeting room and requested they be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

## HOUSING AND COMMUNITY DEVELOPMENT DIVISION

-  35. MOTION TO APPROVE weighting factors for evaluation and selection of projects to be funded through the Affordable Housing Program.

***ACTION: (T-12:39 PM) Approved, as amended. The Board amended to direct staff to add the category “Green Building” or “Green Village” under Item 7 of the bonus factors. (Refer to minutes for full discussion.)***

***VOTE: 8 - 0. Commissioner Rodstrom was out of the meeting room during the vote.***

***ACTION: (T-12:48 PM) Commissioner Rodstrom returned to the meeting room and requested he be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

## OFFICE OF PUBLIC COMMUNICATIONS

36. 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. **(Deferred from June 12, 2007 – Item No. 50)**

***ACTION: (T-11:48 AM) Approved. (Transferred to the Consent Agenda.)***

## AVIATION DEPARTMENT

37. A. MOTION TO DISCUSS type of system to be used for providing taxicab service for arriving passengers at the Fort Lauderdale-Hollywood International Airport (“FLL”).

***ACTION: (T-4:44 PM) The Board discussed the type of system to be used. (Scrivener’s error – See County Administrator’s report: Remove “or” between Motions A and B.) (Refer to minutes for full discussion.)***

OR

- B. MOTION TO APPROVE Request for Letters of Interest for Metered Taxicab Management Concession at FLL RLI No. 20070417-0-AV-01 (“Hybrid System RLI”); and APPOINT a Selection Negotiation Committee (“SNC”) to recommend the most qualified firm.

***ACTION: (T-4:44 PM) No Board action taken.***

OR

- C. MOTION TO DIRECT Aviation Department staff to take the necessary actions to operate an Open System for the taxicab service for arriving passengers at Fort Lauderdale-Hollywood International Airport (“FLL”).

***ACTION: (T-4:44 PM) No Board action taken.***

OR

- D. a) MOTION TO WAIVE Chapter 26, Operational Policy, Aviation, of the Broward County Administrative Code, Sections 26.16 a. b. d. and f., to provide for a revision to the general description to modify the eligibility requirements, to modify the basis of award for a dispatch management agreement; and to eliminate the privilege fee requirement for the Open Metered Taxicab System Dispatch Management at FLL.

***ACTION: (T-4:44 PM) No Board action taken.***

- b) MOTION TO APPROVE Request for Letters of Interest for Open Metered Taxicab System Dispatch Management Agreement at FLL, RLI No. 20070417-0-AV-02 (“Open Dispatch Management System RLI”).

***ACTION: (T-4:44 PM) No Board action taken.***

- c) MOTION TO APPOINT Selection Negotiation Committee (“SNC”) to recommend the most qualified firm.

***ACTION: (T-4:44 PM) No Board action taken.***

OR

- E. a) MOTION TO WAIVE Chapter 26, Operational Policy, Aviation, of the Broward County Administrative Code, Sections 26.16 e. to provide for a revision to the eligibility requirements for the Metered Taxicab Concession at FLL, RLI No. 20070417-0-AV-03.

***ACTION: (T-4:44 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0. Commissioner Lieberman was out of the meeting room for the vote. .***

***ACTION: (T-5:40) Commissioner Lieberman returned to the meeting room and requested she be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

- b) MOTION TO APPROVE Request for Letters of Interest for Metered Taxicab Concession at FLL, RLI No. 20070417-0-AV-03 (“Concession System RLI”); and APPOINT a Selection Negotiation Committee (“SNC”) to recommend the most qualified firm.

***ACTION: (T-4:44 PM) Approved. The Board approved the following to serve on the Selection Negotiation Committee (SNC): Mayor Eggelton; Vice-Mayor Wexler; Commissioners Keechl and Ritter; Director of Business Division, Aviation Department (Chair); Director of Operations Division, Aviation Department; Deputy Director, Convention Visitors Bureau and in addition to the above, 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: 8 – 0. Commissioner Lieberman was out of the meeting room for the vote.***

***ACTION: (T-5:40) Commissioner Lieberman returned to the meeting room and requested she be shown voting in the affirmative and requested, without objection, to serve on the SNC as well. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

38. MOTION TO APPROVE Consultant Services Agreement (“Agreement”) between Broward County, Florida (“County”), and Robinson Aviation Inc., (“RVA”) providing for a one year term, with four, one year renewals at the County’s option; to provide airport ramp control services at the Fort Lauderdale-Hollywood International Airport (“FLL”) in the amount of \$1,069,214 for the first year, to be effective upon Board approval; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-2:46 PM) Approved. The Board directed staff to correct the language in Section 2.1 to reflect the funding is from the Airport Enterprise Fund. (Refer to minutes for full discussion.)***

***VOTE: 8 – 1. Commissioner Lieberman voted no.***

39. A. MOTION TO APPROVE first amendment to agreement between Broward County and Jacobs Consultancy, Inc. (formerly Leigh Fisher Associates, LFA) for Airport planning consulting services for preparation of the Master Plan Update, Phase III and Airport Layout Plan (RLI No. 20050307-0-AV-01) (Agreement); effective on the day of execution and ending January 31, 2009; for a maximum not to exceed amount of \$779,565; which includes professional services, expenses, and \$95,000 that may be utilized for additional services (if needed); and authorize the Mayor and Clerk to execute same.

***ACTION: (T-6:37 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

- B. MOTION TO ADOPT an unanticipated revenue Resolution 2007-403 within the Facility Improvement and Development Fund (4040) in the amount of \$584,674 to appropriate these grant funds, and to transfer \$194,891 from reserves in order to fund the Aviation Master Plan Update, Phase III.

***ACTION: (T-6:37 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

40. A. MOTION TO APPROVE second amendment to the agreement between Broward County and Jacobs Consultancy, Inc. for consulting services for the completion of the Part 150 Noise Compatibility Study (Part 150 Study) for the Fort Lauderdale-Hollywood International Airport (RLI No. 20040909-0-AV-01) (Agreement); for the maximum amount not-to-exceed \$795,000; which includes reimbursables in the amount of \$58,750; for a period of one year ending April 30, 2008, with a one-year renewal option; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-6:41 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-404 within the Facility Improvement and Development Fund (4040) in the amount of \$636,000 to appropriate grant funds, and to transfer funds from reserves in the amount of \$159,000 for the completion of the Part 150 Noise Compatibility Study for the Fort Lauderdale-Hollywood International Airport.

***ACTION: (T-6:41 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

41. A. MOTION TO APPROVE third amendment to the agreement between Broward County and Landrum & Brown (L&B) for the completion of the existing Environmental Impact Statement (EIS) services (RLI No. 20030325-0-AV-01) (Agreement); for a maximum not to exceed amount of \$727,000; which includes reimbursables in the amount of \$7,000; extending the agreement for one year to December 31, 2008; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-12:41 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 - 0. Commissioner Rodstrom was out of the meeting room during the vote.***

***ACTION: (T-12:48 PM) Commissioner Rodstrom returned to the meeting room and requested he be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-405 within the Facility Improvement and Development Fund (4040) in the amount of \$545,250, to appropriate these grant funds, and to transfer \$181,750 from reserves in order to fund the completion of the existing Environmental Impact Statement.

***ACTION: (T-12: 41 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 - 0. Commissioner Rodstrom was out of the meeting room during the vote.***

***ACTION: (T-12:48 PM) Commissioner Rodstrom returned to the meeting room and requested he be shown voting in the affirmative. (Refer to minutes for full discussion.)***


***VOTE: 9 – 0.***

42. MOTION TO APPROVE Amendment No. 4 to the Agreement of Lease between Broward County and Embraer Aircraft Holding, Inc., covering 25.2894 acres located on the north side of the Fort Lauderdale-Hollywood International Airport (“FLL”) providing for, (i) a ten year extension of the lease term from April 16, 2020 to April 16, 2030, with a five year mutual option period thereafter; (ii) a minimum capital expenditure of \$8,000,000 for the construction of a new maintenance and repair facility of approximately 40,000 square feet, including shops and office space; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-2:57 PM) Approved. (Scrivener’s error – See County Administrator’s report: In the Third Amendment on Page 2, Section 5.1 reads “December 31, 2007” should read “December 31, 2008” and on Page 3, Section 6.1.4 reads “January 11, 2007” should read January 24, 2007”) (Refer to minutes for full discussion.)***

***VOTE: 5 – 4. Vice-Mayor Wexler and Commissioners Lieberman, Jacobs, and Rodstrom voted no.***

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

-  43. MOTION TO APPROVE Resolution 2007-406 authorizing a Memorandum of Agreement with Embraer Aircraft Holding, Inc. with respect to financing the cost of constructing and equipping of a project in Broward County, Florida; providing for the issuance of Airport Facility Revenue Bonds of Broward County, Florida in an original principal amount not to exceed \$17,000,000 for the purpose of paying all or any part of the cost of the project; providing certain other details with respect thereto; and providing an effective date.

***ACTION: (T-3:50 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 5 – 4. Vice-Mayor Wexler and Commissioners Lieberman, Jacobs, and Rodstrom voted no.***

## **PURCHASING DIVISION**

For Office of Transportation



44. A. **MOTION TO AUTHORIZE** Purchasing Director to approve and execute an extension to the interim agreements for paratransit transportation services with Handi-Van, Inc. and Village Car Service, Inc., which expire June 30, 2007, for the purpose of providing services, as needed, from July 1, 2007 to September 30, 2007.

***ACTION: (T-3:52 PM) Approved. (Scrivener's error – See County Administrator's report: Page 2, Paragraph 4, remove reference to Exhibit 1. Under "Requested Action," Motion A reads "to September 30, 2007" should read "not to exceed November 30, 2007." Page 2, third paragraph from bottom reads "September 30, 2007" should read "November 30, 2007.") (Refer to minutes for full discussion.)***

***VOTE: 7 – 2. Mayor Eggelletion and Commissioner Keechl voted no.***

- B. **MOTION TO AUTHORIZE** the Director of the Office of Transportation to assign trips to not-for-profit providers if Handi-Van, Inc. and Village Car Service, Inc., refuse to execute the month-to-month extensions.

***ACTION: (T-3:52 PM) Approved. (Scrivener's error – See County Administrator's report: Page 2, Paragraph 4, remove reference to Exhibit 1. Under "Requested Action," Motion A reads "to September 30, 2007" should read "not to exceed November 30, 2007." Page 2, third paragraph from bottom reads "September 30, 2007" should read "November 30, 2007.") (Refer to minutes for full discussion.)***

***VOTE: 7 – 2. Mayor Eggelletion and Commissioner Keechl voted no.***

For Greater Fort Lauderdale Convention and Visitor's Bureau



45. MOTION TO APPOINT Selection Committee to select the most qualified firm to provide developer and operator services for the Broward County Convention Center Hotel, and approve Request for Letters of Interest (RLI) No. 20070522-0-CVB-01.

***ACTION: (T-5:22 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Mayor Eggelletion; Vice-Mayor Wexler; Commissioners Lieberman, Jacobs, Ritter, Keechl, Gunzburger, Rodstrom, and Wasserman-Rubin; President, Greater Fort Lauderdale Convention and Visitors Bureau (Chair); Assistant County Administrator, County Administration; CFO/Director, Finance and Administrative Service Department; Director, Port Everglades Department. Plus administrative support staff from the Offices of Equal Opportunity, County Attorney, County Auditor, Purchasing Division, and Risk Management Division. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

For Public Works and Transportation Department

46. MOTION TO APPOINT Selection Committee (SC) to shortlist the most qualified firms through Letters of Interest to submit bids using the Construction Manager at Risk-Modified (Two-Step Hybrid) procurement method for Cruise Terminal 18 Baggage Expansion Phase 1 Project, consisting of renovating approximately 33,000 square feet of existing warehouse space into additional cruise ship passenger baggage area for the Seaport Construction and Planning Division (SCPD), and approve Request for Letters of Interest (RLI) No. 20070525-0-CPD-01.

***ACTION: (T-4:40 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Vice-Mayor Wexler; Commissioners Gunzburger, Keechl, and Rodstrom; Director, Port Everglades Department; Assistant Director, Public Works and Transportation Department (Chair); Deputy Port Director, Port Everglades Department; County Architect, Public Works and Transportation Department, plus administrative support staff from the Office of Equal Opportunity, County Attorney, County Auditor, Purchasing Division, Risk Management Division and the requesting agency. (Refer to minutes for full discussion.)***

***(Scrivener's error – See County Administrator's report: The Presentation/Ranking paragraph and Negotiation and Award paragraph in the RLI document will be removed because they are not applicable to a Construction Manager at Risk Modified procurement.) (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

## COUNTY ATTORNEY

47. **DISCUSSION:** County Attorney's advice and request for an attorney-client session pursuant to Subsection 286.011 (8), Florida Statutes, regarding settlement negotiations or strategy related to litigation expenditures in *National Beverage Corporation v. Broward County*, 17<sup>th</sup> Judicial Circuit Court Case No. 02-10896 (12); *Broward County v. National Beverage Corporation*, 17<sup>th</sup> Judicial Circuit Court Case No. 06-08784 (12); *National Beverage Corporation v. Broward County*, United States District Court Case No. 06-6158 MOORE/GARBER.

***ACTION: (T-12:46 PM) Approved. (Scrivener's error – See County Administrator's report: Remove "Assistant County Attorney Benjamin R. Salzillo" from the Notice (Exhibit 1). (Refer to minutes for full discussion.)***

***VOTE: 8 - 0. Commissioner Rodstrom was out of the meeting room during the vote.***

***ACTION: (T-12:48 PM) Commissioner Rodstrom returned to the meeting room and requested he be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

## COUNTY ADMINISTRATION

48. A. **MOTION TO APPROVE** County participation in the State funding plan for the purchase of both optical scan and ballot on demand equipment, and authorize the Secretary of State to negotiate the disposal of 4,500 County owned touchscreen machines, with the proceeds to be used to pay off a portion of the County's \$8.3 million debt for the existing voting system.

***ACTION: (T-12:01 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 - 0. Commissioner Rodstrom was out of the meeting room during the vote.***

***ACTION: (T-12:48 PM) Commissioner Rodstrom returned to the meeting room and requested he be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0.***

- B. MOTION TO APPROVE sole source, sole brand standardization of Election Systems and Software, Inc. (ESS) for voter tabulation system equipment, licensed application software products, maintenance support, including new releases and third party item upgrades for the Office of Supervisor of Elections.

***ACTION: (T-12:01 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 - 0. Commissioner Rodstrom was out of the meeting room during the vote.***

***ACTION: (T-12:48 PM) Commissioner Rodstrom returned to the meeting room and requested he be shown voting in the affirmative. (Refer to minutes for full discussion.)***

***VOTE: 9 - 0.***

#### **COUNTY COMMISSION**

49. MOTION TO DIRECT staff to prepare an expedited Request for Letters of Interest (RLI) to seek proposals for an engineering study on the proposed design of the expansion of runway 9R/27L at the Fort Lauderdale/Hollywood International Airport. (Commissioner Rodstrom)

***ACTION: (T-6:41 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 - 0.***

50. MOTION TO TERMINATE for convenience the contract with Jacobs Consultancy for planning and programming services related to Broward County owned airports. (Commissioner Rodstrom)

***ACTION: (T-6:37 PM) No Board action taken.***

51. **COUNTY ADMINISTRATOR'S REPORT**

A. AIRPORT POSITION

***ACTION: (T-6:46 PM) The County Administrator confirmed that the recruiter for the airport position, as well as Mr. Walsh, are scheduled to meet with the Commissioners at the conclusion of the budget workshop on Thursday, June 21, 2007. (Refer to minutes for full discussion.)***

52.

**MAYOR'S REPORT**

A. **TRADE MISSION REPORT**

***ACTION: (T-6:47 PM) Mayor Eggelletion stated that he would submit a copy of his comments regarding the trade mission that he and Commissioner Wasserman-Rubin led to Mexico. Commissioner Wasserman-Rubin commented on the success of the contacts made regarding economic potential.***

B. **NATIONAL DUMP THE PUMP DAY – MAYOR EGGELLETION**

***ACTION: (T-6:50 PM) Mayor Eggelletion encouraged members of the Board and the general public to utilize mass transit on Thursday, June 21, 2007, to recognize National Dump the Pump Day, in an effort to send a message to the oil companies. (Refer to minutes for full discussion.)***

C. **WASTE TREATMENT FACILITY ON NORTH FORK/NEW RIVER**

***ACTION: (T-7:06 PM) Mayor Eggelletion discussed the closing of the Waste Treatment Facility on the North Fork of the New River and directed staff to investigate the ownership of a vacant building on that property as it is part of the county and suggested plans to reclaim for green space. (Refer to minutes for full discussion.)***

**NON-AGENDA**

53. **BROWARD SOIL AND WATER CONSERVATION DISTRICT UPDATE - COMMISSIONER JACOBS**

***ACTION: (T-6:51 PM) Commissioner Jacobs updated the Board as to a recent Broward Soil and Water Conservation District meeting. Recently a resolution was passed to change from a land owner to a qualified elector so as to become a taxing authority. (Refer to minutes for full discussion.)***

54. **ANIMAL SHELTER CONCERNS – COMMISSIONER JACOBS, COMMISSIONER KEECHL AND VICE-MAYOR WEXLER**

***ACTION: (T-6:51 PM) Commissioner Jacobs stated issues have been raised relating to the euthanasia of animals at a Broward County animal shelter and directed the County Administrator to provide a report as soon as possible.***

***Commissioner Keechl stated he was also very concerned regarding the treatment of the animals at the shelter and stressed that the Board will review and resolve the issue.***

*Vice-Mayor Wexler reported that the veterinarian and the director at the shelter will meet with the Commissioners and staff to answer questions. Vice-Mayor Wexler proposed a possible advisory committee for animal care and regulation and suggested it should be discussed in a workshop. (Refer to minutes for full discussion.)*

55. ACT AND FAC SCHEDULE CONFLICT – COMMISSIONER JACOBS

***ACTION: (T-7:04 PM) Commissioner Jacobs noted a conflict with the ACT airport retreat meeting and the FAC retreat which are both scheduled for August 23, 2007. The County Administrator reported that staff will work with the Board to find a new date and the Mayor advised the Board to be willing to adjust their calendar. (Refer to minutes for full discussion.)***

56. NEXT IN-LINE FOR PRESIDENT OF FLORIDA ASSOCIATION OF COUNTIES – COMMISSIONER JACOBS

***ACTION: (T-6:54 PM) Commissioner Jacobs congratulated Commissioner Lieberman on her recent achievement of as the next in line to serve as Vice-President of FAC. (Refer to minutes for full discussion.)***

57. CONGRATULATIONS TO COUNTY ATTORNEY'S OFFICE – COMMISSIONER KEECHL

***ACTION: (T-6:56 PM) Commissioner Keechl congratulated the County Attorney's Office on a job well done relating to Broward County versus the Christian Romany Church Ministries and Security Bank, NA. (Refer to minutes for full discussion.)***

58. LEGISLATIVE AGENDA– COMMISSIONER GUNZBURGER

***ACTION: (T-6:57 PM) Commissioner Gunzburger referenced her yellow-sheeted non-agenda item regarding H.R. 1023 and requested that staff expeditiously add it to the Legislative agenda. Upon inquiry, Ms. Madison replied that it had already become part of the Legislative program. (Refer to minutes for full discussion.)***

59. TRAFFIC LIGHTS – COMMISSINOER GUNZBURGER

***ACTION: (T-6:58 PM) Commissioner Gunzburger directed staff to examine the use of LED traffic lights so as to provide long-term monetary savings and staff reported they are in limited use now. (Refer to minutes for full discussion.)***

60. CITY OF FORT LAUDERDALE CONCERNS – COMMISSIONER RODSTROM

**ACTION: (T-6:59 PM) Commissioner Rodstrom commented that the City of Fort Lauderdale is concerned with issues related to the over proliferation of the neighborhood regarding the Romany Church ruling.**

61. REMAINING FUNDING FOR PROJECTS – COMMISSIONER RODSTROM AND VICE-MAYOR WEXLER

**ACTION: (T-7:00 PM) Commissioner Rodstrom inquired as to the funds left in the budget for Sistrunk Boulevard and Vice-Mayor Wexler inquired as to the amount remaining in the Redevelopment Trust Fund. The County Administrator reported on the amounts available and Vice-Mayor Wexler requested staff to provide what funding remains for proposed projects. (Refer to the minutes for full discussion.)**

62. CONGRATULATIONS – COUNTY ATTORNEY

**ACTION: (T-7:10 PM) The County Attorney thanked the Board for their congratulatory note and expressed kudos to Assistant County Attorney Tony Rodriguez on his success with the Romany church case. (Refer to minutes for full discussion.)**

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

**MEETING/WORKSHOP NOTICES**

**FISCAL YEAR 2008 BUDGET OVERVIEW WORKSHOP**

Tuesday, June 19<sup>th</sup>, in Room 430 at 1:00 PM

Or immediately following the morning Commission meeting

**FISCAL YEAR 2008 BUDGET OVERVIEW WORKSHOP**

Thursday, June 21<sup>st</sup>, in Room 430 at 11:00 AM

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