

**MEETING OF JUNE 26, 2007**

(The Regular Meeting convened at 9:12 a.m. in Room 430; recessed at 9:14 a.m.; reconvened at 10:27 a.m. in Room 422; recessed at 12:21 p.m.; reconvened at 2:00 p.m.; recessed at 5:00 p.m.; reconvened at 5:08 p.m.; adjourned at 8:29 p.m.)

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

**CALL TO ORDER**

Public Notice of Attorney-Client Meeting

Recess of Regular Meeting

**ATTORNEY-CLIENT MEETING**  
(CLOSED TO THE PUBLIC)

**COUNTY ATTORNEY**

1. **ATTORNEY-CLIENT MEETING:** Commencement of attorney-client session pursuant to Subsection 286.011(8), Florida Statutes, to discuss 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-9:00 AM) No Board action taken.***

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

(The Regular Meeting convened at 9:12 a.m. in Room 430; recessed at 9:14 a.m.; reconvened at 10:27 a.m. in Room 422; recessed at 12:21 p.m.; reconvened at 2:00 p.m.; recessed at 5:00 p.m.; reconvened at 5:08 p.m.; adjourned at 8:29 p.m.)

**PLEDGE OF ALLEGIANCE** was led by Nicki Grossman, Director of the Greater Ft. Lauderdale Convention and Visitors Bureau.

**MOMENT OF SILENCE**

In memory of Daniel Agami of Parkland, and all our other soldiers who have given their lives for the cause of freedom as well as for our soldiers serving in the Armed Forces in Iraq, Afghanistan, and other places around the world, placing their lives in harm's way for the cause of freedom. Also in memory for the nine firefighters from Charleston, South Caroline, who lost their lives in the line of duty.

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

<b><u>COMMISSIONER</u></b>	<b><u>DISTRICT</u></b>	<b><u>ATTENDANCE</u></b>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	at Aviation Administration
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 46, along with the Mayor's request to transfer Items 51, 52, 53, 54, 55, 58, 65, 66, 68, 69, 71, 79, 80, 82, 83, and 84, as well as Supplemental Items 88, 89, and 95 from the Regular Agenda to the Consent Agenda.

The following Items were withdrawn: 18 and 45 (Deferred until February 5, 2008, or sooner, under Section 5-181(J) of the Land Development Code to study access requirements.)

The following item was pulled by a Board member and considered separately: 46. Item 24 was pulled by members of the audience.

## **BOARD APPOINTMENTS**

2. A. MOTION TO APPROVE re-appointment of Lisa J. Cozzi-Ryan to the Housing Finance Authority. (Commissioner Gunzburger)

***ACTION: (T-10:53 AM) Approved.***

- B. MOTION TO APPOINT John Benz to the Broward County Regional Health Planning Council effective July 1, 2007. (Commissioner Wasserman-Rubin)

***ACTION: (T-10:53 AM) Approved.***

- C. MOTION TO APPOINT Clinton S. Thurlow to the Small Business Development Advisory Board. (Commissioner Keechl)

***ACTION: (T-10:53 AM) Approved.***

- D. MOTION TO APPOINT Sheryll Sharp to the Living Wage Advisory Board. (Commissioner Wasserman-Rubin)

***ACTION: (T-10:53 AM) Approved.***

## **PUBLIC WORKS AND TRANSPORTATION DEPARTMENT**

### **REAL PROPERTY SECTION**

3. A. MOTION TO APPROVE first amendment to Sublease Agreement between Broward County and the University of Florida Board of Trustees for the establishment of an environmental research facility for use by the Environmental Protection Department, and authorize the Mayor and Clerk to execute same, and authorize recordation of same. **(Commission District 7)**

***ACTION: (T-10:53 AM) Approved. (Scrivener's error – See County Administrator's report: Remove "...and authorize recordation of same" from Motion A & B.) (Refer to minutes for full discussion.)***

- B. MOTION TO APPROVE first amendment to License Agreement between Broward County and the University of Florida Board of Trustees; and authorize the Mayor and Clerk to execute same, and authorize recordation of same. **(Commission District 7)**

***ACTION: (T-10:53 AM) Approved.***

4. MOTION TO APPROVE Amended and Restated Declaration of Covenants and Restrictions Non-Exclusive Easement and Exclusive Parking Rights, Access Easement, Party Wall and Maintenance Agreement between Broward County and the City of Coral Springs, which shall include Amera Charter Place, Ltd. as a third party to the agreement, providing for various easements for exclusive parking rights and other easements throughout the City's Charter School campus common areas for ingress, egress, parking, maintenance of various utilities and other easements related to the normal functions of the library located at the Northwest Regional Library site on the southeast corner of West Sample Road and University Drive, in the City of Coral Springs; and authorize the Mayor and Clerk to execute same, and the recordation of same. **(Commission District 3)**

***ACTION: (T-10:53 AM) Approved.***

#### **TRAFFIC ENGINEERING DIVISION**

5. A. MOTION TO APPROVE time extension to Local Agency Program Agreement, Contract No. AI588, between Broward County and the Florida Department of Transportation, extending the expiration date from June 30, 2007 to June 30, 2009. The Local Agency Program Agreement provides for funding from the Florida Department of Transportation in the amount of \$15,500,000 for the deployment of fiber optic-based communications necessary for advanced traffic control systems. This extension provides for additional time to complete the project, at no cost to the County; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:53 AM) Approved, including the recommendations made by the County Auditor, as cited in his memorandum dated June 26, 2007.***

- B. MOTION TO APPROVE time extension to Joint Participation Agreement, Contract Number AOE-70, between Broward County and the Florida Department of Transportation, extending the expiration date from June 30, 2007 to June 30, 2009. The Joint Participation Agreement provides for funding from the Florida Department of Transportation in the amount of \$637,500 for the installation of video based vehicle detection devices. This extension provides for additional time to complete the project, at no cost to the County; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:53 AM) Approved, including the recommendations made by the County Auditor, as cited in his memorandum dated June 26, 2007.***

- C. MOTION TO APPROVE time extension to Joint Participation Agreement, Contract No. AN-834, between Broward County and the Florida Department of Transportation, extending the expiration date from June 30, 2007 to December 31, 2008. The Joint Participation Agreement provides for funding from the Florida Department of Transportation in the amount of \$500,000 for the installation of traffic control devices. This extension provides for additional time to complete the project, at no cost to the County; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:53 AM) Approved, including the recommendations made by the County Auditor, as cited in his memorandum dated June 26, 2007.***

- D. MOTION TO APPROVE Assignment of Authority to the County Administrator, or her designee, to execute future renewals and extensions of Local Agency Program and Joint Participation Agreements between Broward County and the Florida Department of Transportation.

***ACTION: (T-10:53 AM) Not approved, in accordance with the recommendation made by the County Auditor, as cited in his memorandum dated June 26, 2007.***

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **OFFICE OF INFORMATION TECHNOLOGY**

6. MOTION TO AUTHORIZE staff to begin direct negotiations for contract renewal/extension between Broward County and AT&T (formerly known as BellSouth Telecommunications, Inc), RLI No. 052996-RB, pursuant to the renewal option in the current agreement, to provide telecommunication network transmission (TNT) services.

***ACTION: (T-10:53 AM) Approved.***

## **PURCHASING DIVISION**

For Human Services Department

7. MOTION TO NOTE FOR THE RECORD emergency interim contracts for temporary services, health professionals, with Promed Personnel Services of Florida, Access Medical Staffing and Services, dba AMS, and CWG Healthcare Services, based on the same pricing of previous contract, Bid No. J604134B1, which commenced on May 19, 2007 on a month-to-month basis for a period not-to-exceed three months, in the estimated monthly amount of \$50,000; and authorize the Purchasing Director to renew the contract on a month-to-month basis or until date of award, for a period not-to-exceed six months, for a total potential contract amount of \$450,000 for a nine-month period for the Substance Abuse and Health Care Services Division and the Sexual Assault Treatment Center.

***ACTION: (T-10:53 AM) Approved.***

For Port Everglades Department

8. MOTION TO AWARD fixed contract to low bidder, Subaqueous Services, Inc., for dredging of Berth 29 at Port Everglades, Bid No. H706287CAF, in the amount of \$940,025 for the Public Works and Transportation Department, Seaport Construction and Planning Division, subject to receipt and acceptance of insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:53 AM) Approved.***

For Public Works and Transportation Department

9. MOTION TO AWARD fixed contract to low bidder, Nortrax Equipment Company, SE LP, for two Backhoe Loaders and a Wheel Loader, in the amount of \$295,909 for the Highway and Bridge Maintenance Division, and a Backhoe Loader in the amount of \$70,465 for the Water and Wastewater Operations Division, Bid No. C307090FF, for a total amount of \$366,374.

***ACTION: (T-10:53 AM) Approved.***

For Office of Transportation

10. MOTION TO MODIFY Board approved sole source, sole brand standardization for GFI Genfare, to include fare boxes for the Office of Transportation.

***ACTION: (T-10:53 AM) Approved.***

## **REVENUE COLLECTION DIVISION**

11. MOTION TO ADOPT two Resolutions, 2007-407 and 2007-408, authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, Payroll Account No. 2079940003798, and Tax and License Account No. 2090002760916.

***ACTION: (T-10:53 AM) Approved.***

## **HUMAN SERVICES DEPARTMENT**

### **CHILDRENS' SERVICES ADMINISTRATION DIVISION**



12. A. MOTION TO APPROVE Amendment No. 0001 to Agreement No. JC203 between the State of Florida, Department of Children and Families and Broward County upon execution to June 30, 2007, for the purpose of increasing funding by \$10,000 to a total amount of \$369,558 for Fiscal Year 2006-2007, and a total amount of \$1,088,674 for the three year term of the agreement; and authorize the Mayor to execute same, and authorize the County Administrator to make the necessary administrative and budgetary actions in the option periods.

***ACTION: (T-10:53 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-409 to increase the funding by \$10,000 from \$359,558 to \$369,558 for Fiscal Year 2007 within the State Grant Fund for the Children's Services Administration Division/Child Care Licensing and Enforcement Section.

***ACTION: (T-10:53 AM) Approved.***

## **COMMUNITY SERVICES DEPARTMENT**


### **PARKS AND RECREATION DIVISION**

13. MOTION TO ADOPT Resolution 2007-410 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation from Office Depot Foundation of 500 backpacks for the use and benefit of the Parks and Recreation Division, to provide school-aged children with backpacks in time to distribute them through the 2007 Summer Recreation Program for the upcoming school year in Broward County; authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date. **(Commission District 7)**

***ACTION: (T-10:53 AM) Approved.***

## ENVIRONMENTAL PROTECTION DEPARTMENT

### WATER RESOURCES DIVISION


-  14. A. MOTION TO APPROVE agreement between Broward County and the School Board of Broward County (SBBC) with staff in the Water Resources Division to provide Water Matters and NatureScape Broward program delivery and services through environmental programs, landscape improvements, demonstration projects, and staff training with the objective to enhance environmental education and water resource protection throughout the School District and Broward County, in the amount not-to-exceed \$199,212; and a contract time of 18 months, with four one-year renewable terms, and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:53 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-411 of \$33,202 within the General Fund (0010-031-7140) for the purpose of recognizing cost share funds to be provided by the SBBC in Fiscal Year 2007.

***ACTION: (T-10:53 AM) Approved.***

### OFFICE OF TRANSPORTATION

-  15. MOTION TO ADOPT Resolution 2007-422 of the Board of County Commissioners of Broward County, Florida ("Board") approving and authorizing execution of standard agreements between various municipalities and Broward County for the design and construction of ADA accessible bus stops; providing for severability; and providing an effective date.

***ACTION: (T-10:53 AM) Approved. (Scrivener's error – See County Administrator's report: Section 3.2.2 has been corrected to reflect payment to Municipality within thirty (30) calendar days...(not 60 days.) Section 4.1 has been corrected to replace incorrect reference to Section 4.7 with 4.6 as follows: "The term of this Agreement shall begin...and shall terminate as provided for by Sections 4.2 through 4.7 4.6 herein below." (Refer to minutes for full discussion.)***

### **PORT EVERGLADES DEPARTMENT**

16. MOTION TO APPROVE 10 year License Agreement between Broward County and CITGO Petroleum Corporation for Bulk Petroleum Product Pipelines at Port Everglades, and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:53 AM) Approved.***

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

17. MOTION TO ADOPT Resolution 2007-412 providing for proposed Fiscal Year 2008 non-ad valorem assessment rates for the Fire Rescue Municipal Service Taxing Unit (MSTU), to transmit the proposed rates to the Property Appraiser's Office for inclusion on the Notice of Proposed Property Taxes, and to set the Public Hearing to adopt the non-ad valorem assessment for September 11, 2007 at 5:01 p.m. at the Broward County Governmental Center.

***ACTION: (T-10:53 AM) Approved.***

### **COUNTY ATTORNEY**

18. MOTION TO APPROVE agreements between Broward County and Richard Alan Radis, Esquire, Robert A. Rosillo, Esquire, and Rafael E. Suarez-Rivas, Esquire, for procurement matter hearing officer services for a term of two years, and authorize the County Attorney to execute same on behalf of the County.

***ACTION: (T-10:38 AM) Withdrawn by the County Attorney.***

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

19. **MOTION TO ADOPT** Resolution 2007-413 of the Board of County Commissioners of Broward County, Florida, directing the County Administrator to publish a notice of Public Hearing to be held on Tuesday, August 14, 2007, at 2:00 p.m. in Room 422, Broward County Governmental Center, to receive public input on amending Chapter 37, "Fees And Other Charges, Community Services," by repealing Part III, "Mass Transit," Section 37.22, "Fixed-Route, Directly Operated Bus Fare Structure," Section 37.23, "Transpass Sales," Section 37.24, "Monthly Thirty-One Consecutive Day Transpass Prices Charged To County Employees," Section 37.25, "Paratransit Fare Structure," and Section 37.26, "Ferry Boat Fare Structure"; and creating a new Part III, "Office of Transportation," and creating Section 37.22, "Fixed Route, Directly Operated Bus Fare Structure," to establish a fare structure for the use of the fixed-route bus system; Section 37.23, "Thirty-One Day Bus Pass Prices Charged To County Employees," to establish a fee for Thirty-One Day Bus Passes sold to County Employees; Section 37.24, "Bus Pass Sales," to provide for the sale of bus passes through public, community-based, and private organizations at a one dollar discount; Section 37.25, "Paratransit Fare Structure," to establish a fee for prescheduled paratransit trips; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

***ACTION: (T-10:53 AM) Approved.***

20. **MOTION TO ADOPT** Resolution 2007-414 of the Board of County Commissioners of Broward County, Florida, directing the County Administrator to publish a notice of Public Hearing to be held on Tuesday, August 14, 2007, at 2:00 p.m. in Room 422, Broward County Governmental Center, to receive public input on amending Chapter 37, "Fees and Other Charges, Community Services," Part III, "Office of Transportation," to create a new Section 37.26, "Homeless Individuals Bus Fare Structure," to authorize sales of transit fare tickets and bus passes at a reduced fare to agencies that have been certified by the Broward County Human Services Department; and providing for an effective date.

***ACTION: (T-10:53 AM) Approved.***

## **COUNTY COMMISSION**

21. **MOTION TO FILE** City of Fort Lauderdale Resolution No. 07-82, urging the Florida Fish and Wildlife Conservation Commission and the Broward County Board of County Commissioners to create a program to humanely address the problems created by wild Iguanas in Fort Lauderdale. (Mayor Eggelletion)

***ACTION: (T-10:53 AM) Approved.***

22. MOTION TO FILE City of Hallandale Resolution No. R2007-22, supporting Senate Bill 1115 before the United States Congress known as the “Energy Efficiency Promotion Act”, Authorizing in Section 605 of the Act Grants to Cities and Counties for Improved Initiatives Aimed at Improving Energy Efficiency and Reducing Green House Emissions, as well as, implementing Legislation on a national level. (Mayor Eggelletion)

***ACTION: (T-10:53 AM) Approved.***

23. MOTION TO FILE City of Hallandale Resolution No. R2007-23, urging the Federal Government and the Legislature of the State of Florida to take any and all action necessary to preserve and protect the Levee System surrounding Lake Okeechobee. (Mayor Eggelletion)

***ACTION: (T-10:53 AM) Approved.***

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

24. MOTION TO INITIATE amendments to the Goals, Objectives and Policies and Plan Implementation Requirements Section of the Broward County Land Use Plan recommended within the “Broward County Golf Course Conversion Study”.

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

***ACTION: (T-10:56 AM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

### **HOUSING AND COMMUNITY DEVELOPMENT DIVISION**

25. A. MOTION TO APPROVE agreement between the State of Florida Department of Financial Services (DFS) and Broward County, beginning on the execution date of the agreement by both parties and ending June 30, 2009 in the amount of \$236,470; providing hurricane home hardening improvements for eligible clients; and authorizing the County Administrator to take all necessary actions for implementation of the grant inclusive of execution of the agreement.

***ACTION: (T-10:53 AM) Approved.***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-415 within the “My Safe Florida Home 2007” grant (Fund 9795) in the amount of \$236,470 to provide home hardening retrofit services.

***ACTION: (T-10:53 AM) Approved.***

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**QUASI-JUDICIAL CONSENT HEARING**

**URBAN PLANNING AND REDEVELOPMENT DEPARTMENT**

**DEVELOPMENT MANAGEMENT DIVISION**

26. **DISCUSSION:** of plat entitled "Midtown Village - North" - **Commission District 2**, (037-MP-06).

***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

27. **DISCUSSION:** of plat entitled "Ring Power Facility Plat" - **Commission District 2**, (018-MP-06).

***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

28. **DISCUSSION:** of plat entitled "Pembroke Corporate Center" - **Commission District 6**, (084-MP-06).

***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

29. **DISCUSSION:** of plat entitled "Shops at Griffin Subdivision" - **Commission District 7**, (094-MP-05).

***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

30. **DISCUSSION:** of plat entitled "River Oaks Landings" - **Commission District 7**, (019-MP-07).

***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

31. **DISCUSSION:** of plat entitled "Lionden" - **Commission District 8**, (058-MP-06).

***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***

32. DISCUSSION: of plat entitled "Treo" - **Commission District 8**, (059-MP-06).  
***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
33. DISCUSSION: of plat entitled "Glory Land" - **Commission District 9**, (122-MP-05).  
***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
34. DISCUSSION: of New Findings of Adequacy for a plat entitled "Griffin 78" - **Commission District 7**, (063-MP-99).  
***ACTION: (T-10:53 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
35. DELEGATION: Eric T. Slazyk regarding request to place a note on the Sunrise Industrial Park Phase I Plat - **Commission District 5**, (035-MP-81).  
***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***
36. DELEGATION: Scott Reale regarding request to amend the note on the Pembroke Pines City Center Plat - **Commission District 6**, (067-MP-03).  
***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***
37. DELEGATION: Hope Calhoun regarding request to amend the note on the Miramar Town Center Plat – **Commission 8**, (042-MP-00) (Deferred from December 12, 2006).  
***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***
38. DELEGATION: Mike Gai regarding request to amend the note on the Seneca Plat - **Commission District 8**, (084-MP-95).  
***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***
39. DELEGATION: Mike Gai regarding request to amend the note on the Weekley Plat - **Commission District 8**, (024-MP-01).  
***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***

40. DELEGATION: R.S. Murali regarding request to amend the note on the Green Farm Replat - **Commission District 2**, (012-MP-01). (Deferred from June 5, 2007).

***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***

41. DELEGATION: R.S. Murali regarding request to amend the non-vehicular access line on the Green Farm Replat - **Commission District 2**, (012-MP-01). (Deferred from June 5, 2007).

***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***

42. DELEGATION: Cary D. Winningham regarding request to amend the non-vehicular access line on the Towngate Plat - **Commission District 5**, (062-MP-93).

***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***

43. DELEGATION: Grant S. Besing regarding request to amend the non-vehicular access line on the Pembroke Pines Regional Shopping Center Plat - **Commission District 5**, (144-MP-89).

***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***

44. DELEGATION: Hoyt Holden regarding request to modify conditions of plat approval for the Aqua Isles Plat - **Commission District 7**, (036-MP-05).

***ACTION: (T-10:53 AM) Approved, subject to staff's recommendations.***

45. DELEGATION: Ron Fritz regarding request to amend the non-vehicular access line on the Miramar Park of Commerce Phase V Plat - **Commission District 8**, (050-MP-99).

***ACTION: (T-10:38 AM) Deferred until February 5, 2008, or sooner, under Section 5-181(J) of the Land Development Code to study access requirements.***

#### **COUNTY COMMISSION**

46. DISCUSSION: of plat entitled "Celebration Pointe" - **Commission District 2**, (063-MP-06). (Commissioner Jacobs)

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

***ACTION: (T-10:56 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

#### **END OF QUASI-JUDICIAL CONSENT HEARING**

**REGULAR AGENDA**

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**PUBLIC HEARING**

- 47. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" land use plan amendment, PC 07-12, in the City of Fort Lauderdale (**Commission District 7**) 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 FORT LAUDERDALE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-11:01 AM) Approved.***

**VOTE: 8 – 0.**

- 48. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" land use plan amendment, PC 07-13, in the City of Oakland Park (**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 OAKLAND PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-11:02 AM) Approved.***

**VOTE: 8 – 0.**

- 49. A. MOTION TO ADOPT Boat Facility Siting Plan (BFSP) as a required element of Broward County’s Manatee Protection Plan.

***ACTION: (T-11:03 AM) Approved, as amended. The Board directed staff to include the recommendation of points 2 through 7 as noted in the Marine Industry Association correspondence dated June 26, 2007. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

B. MOTION TO TRANSMIT adopted BFSP to the Florida Fish and Wildlife Conservation Commission (FWC) for their review and approval.

***ACTION: (T-11:03 AM) Approved, as amended. The Board directed staff to include the recommendation of points 2 through 7 as noted in the Marine Industry Association correspondence dated June 26, 2007. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

50. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, amending Chapter 39 of the Broward County Administrative Code, "Fees and Other Charges, Aviation;" amending Section 39.2, "Rates, Fees and Charges, Fort Lauderdale-Hollywood International Airport," revising terminal rates and charges, landing fees, security charges, employee parking lot fees, public parking facilities fees, courtesy parking, and lost keys; amending Section 39.3 "Non-terminal Rates and Charges - Fort Lauderdale-Hollywood International Airport and North Perry Airport," revising fuel flowage fees, and equipment rental rates; amending Section 39.4, "Other Rates, Fees, and Charges and Collection", revising terminal recheck fee; providing severability; providing for inclusion in the Administrative Code; and providing for an effective date.

***ACTION: (T-11:30 AM) The Board deferred until August 7, 2007. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

***ACTION: (T-2:01 PM) The Board reconsidered Item 50. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***


***ACTION: (T-2:01 PM) The Board recessed this Public Hearing Item and continued until August 7, 2007. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

**END PUBLIC HEARING**

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## SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  51. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the Town of Davie for the acquisition, improvement, enhancement, operation and management of Green Space Site OS-133, Davie Farm Park; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE transfer of funds to the Town of Davie in the amount of \$3,500,000 as reimbursement for the acquisition of real property referred to as Davie Farm Park (Site OS-133) in the Broward County Green Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 5)**


***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

-  52. A. MOTION TO APPROVE second amendment to Interlocal Agreement between Broward County and the City of Deerfield Beach for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-09, Pioneer Park Addition – Beche Property; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE transfer of funds to the City of Deerfield Beach in the amount of \$446,352.16, as reimbursement for the acquisition of real property referred to as Pioneer Park Addition – Beche Property (Site OS-09) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 4)**

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

-  53. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Oakland Park for the acquisition, improvement, Enhancement, Operation and Management of Open Space Site OS-152; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE transfer of funds to the City of Oakland Park in the amount of \$2,000,000 as reimbursement for the acquisition of real property referred to as Site OS-152 in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 4)**

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***



54. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held at 10:00 a.m. on Tuesday, August 7, 2007, in Room 422 of the Governmental Center, Fort Lauderdale to consider the purchase of Safe Parks and Land Preservation Bond Program Green Space Site GS-24, comprising approximately 5.0 acre, or 217,800 square feet, of vacant land located on the south side of NW 74<sup>th</sup> Street between NW 43<sup>rd</sup> Avenue and NW 39<sup>th</sup> Avenue, in the City of Coconut Creek.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO ACKNOWLEDGE to the Broward County Board of County Commissioners that Public Works and Transportation Department, Real Property Section, intends to present for consideration by the Board on or after August 7, 2007, a Contract for Sale and Purchase for the acquisition of Green Space Site GS-24 at a purchase price of \$960,000. **(Commission District 2)**

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

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

55. MOTION TO AUTHORIZE execution of the third amendment to the Broward County Civic Arena Operating Agreement dated June 4, 1996 by and between Broward County, Florida (County) and Arena Operating Company, Ltd. (Operator) for the purpose of procuring commercial property insurance.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

## **HUMAN RESOURCES DIVISION**

56. A. MOTION TO APPROVE in concept renewal of the agreement with VISTA for the provision of Open Access HMO and CDH medical insurance plan options for one year commencing on January 1, 2008 and ending on December 31, 2008, at the premium rates included in Exhibit 1 with one remaining one-year renewal, subject to the Commission's approval of the applicable service agreement.

***(Commissioner Ritter participated via teleconferencing.)***

***ACTION: (T-5:18 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0. Commissioner Ritter requested that she be shown voting in the affirmative via telephone.***

- B. MOTION TO APPROVE change to the County's "New Hire" health insurance eligibility guidelines effective January 1, 2008, which limits new hire enrollment to any of the three CDH (Consumer Driven Health) plans offered by the County. This limitation will be reviewed on an annual basis.

***(Commissioner Ritter participated via teleconferencing.)***

***ACTION: (T-5:18 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0. Commissioner Ritter requested that she be shown voting in the affirmative via telephone.***

- C. MOTION TO APPROVE change in the amount of flex benefit the County provides to benefit eligible employees who "waive" County health insurance coverage from \$4,100 to \$3,600.

***ACTION: (T-5:18 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 9 – 0. Commissioner Ritter requested that she be shown voting in the affirmative via telephone.***

## **PURCHASING DIVISION**

For Aviation Department

57. **MOTION TO APPOINT** Selection Committee (SC) to recommend the most qualified firm to provide Janitorial Services at Fort Lauderdale-Hollywood International Airport (FLL), and approve Request for Letters of Interest (RLI) No. 20070522-0-AV-1.

***ACTION: (T-2:03 PM) Approved to move as an RLI with price being a factor, but not the overriding factor, having short-listed the qualified vendors.***

***The Board approved the following to serve on the Selection Committee (SC): Mayor Eggelation; Vice-Mayor Wexler; Commissioners Jacobs, Keechl, Lieberman, Ritter, Rodstrom, and Wasserman-Rubin; Deputy Director Operations/Maintenance Broward County Aviation Department (Chair); Director, Broward County Facilities Maintenance Division; Deputy Port Director, Broward County Port Everglades. Plus administrative support staff from the Offices of the County Attorney, County Auditor, Small Business Development Division, Purchasing Division, Risk Management Division, and the Aviation Department.***

***(Scrivener's error – See County Administrator's report: Replace CDBE Goals Statement with "The Small Business Development Division will determine assignment of goals if applicable for this project at a later date.") (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

For Finance and Administrative Services Department

58. **MOTION TO APPROVE** new job classification, title changes to accommodate the new re-organization of the Purchasing Division, a Board level reclassification, and pay range reallocations, as reflected in Exhibit 1.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

For Public Works and Transportation Department

59. A. MOTION TO DISCUSS Resource Recovery Board's Request for Expressions of Interest (RFEI) related to assistance in the development and issuance of a Request for Expressions of Interest, to identify technologies and companies interested in future solid waste disposal and recycling contracts, and the exclusion of non-responders from future procurement action.

***ACTION: (T-2:07 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

- B. MOTION TO APPROVE Work Authorization No. 0448-154-810, pursuant to the agreement between Broward County and Malcolm Pirnie, Inc., for consultant services resulting from RLI 20040719-0-IWA-01, in the not-to-exceed amount of \$108,200 for assistance in the development and issuance of a Request for Expressions of Interest, to identify technologies and companies interested in future solid waste disposal and recycling contracts; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-2:07 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

60. MOTION TO APPOINT Selection Committee to recommend the most qualified firms to provide Maximo Upgrade Services for Water and Wastewater Services, and to approve the Request for Letters of Interest (RLI) No. 20070424-2-WWS-1.

***ACTION: (T-2:14 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Mayor Eggelton; Director, Fiscal Operations Division (Chair); Director, Water and Wastewater Information Technology Division; Director, Office of Information Technology. Plus administrative support staff from the Offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division, and the requesting agency. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

61. MOTION TO NOTE FOR THE RECORD Request for Proposal (RFP) No. 20070402-0-TE-1 for Traffic Signal Video Detection for the Traffic Engineering Division that has not been presented to the Board and has not been evaluated, which Commissioners may choose to join the Evaluation Committee.

***ACTION: (T-2:15 PM) Approved. (Scrivener's error – See County Administrator's report: Replace CDBE Goals Statement with "The Small Business Development Division will determine assignment of goals if applicable for this project at a later date.")***

**VOTE: 8 – 0.**

62. MOTION TO APPOINT Selection Committee (SC) to shortlist the most qualified firms to submit bids using the Construction Manager at Risk-Modified (Two-Step Hybrid) procurement method for Roof Replacement and/or Repair Project consisting of 12 roof systems on Port-owned and maintained buildings, for the Seaport Construction and Planning Division (SCPD), and approve Request for Letters of Interest (RLI) No. 20070301-0-CPD-01.

***ACTION: (T-2:15 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Commissioners Keechl and Rodstrom; 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 offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division and the requesting agency.***

***(Scrivener's error – See County Administrator's report: Replace CDBE Goals Statement with "The Small Business Development Division will determine assignment of goals if applicable for this project at a later date.") (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**



63. MOTION TO APPOINT a Selection Committee (SC) to recommend the most qualified firm to provide Construction Manager at Risk (CM @ Risk) services for the Children's Reading Center and Museum (Center), and approve the Request for Letters of Interest (RLI) No. 20070507-5-CM-1. **(Commission District 5)**

***ACTION: (T-2:16 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Vice-Mayor Wexler, Commissioners Gunzburger, Keechl, Rodstrom, and Wasserman-Rubin; Director, Construction Management Division, Public Works and Transportation Department (Chair); Director, Libraries Division, Community Services Department; Director, Seaport Construction and Planning, Public Works and Transportation Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Office of Equal Opportunity, Risk Management Division, Purchasing Division and the requesting agency. .***

***(Scrivener's error – See County Administrator's report: Replace CDBE Goals Statement with "The Small Business Development Division will determine assignment of goals if applicable for this project at a later date.") (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

For Office of Equal Opportunity

64. A. MOTION TO ADOPT Budget Resolution 2007-416 within the General Fund (0010) transferring \$500,000.00 from the Fiscal Year 2007 Commission Reserve to the Office of Equal Opportunity, for Minority and Women-owned Business Enterprise (MWBE) Disparity Consulting Services.

***ACTION: (T-2:17 PM) Approved, as amended by the Tuesday morning report to include additional disclosure on litigation which was read into the record by the Mayor. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

- B. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm for the Minority and Women-owned Business Enterprise (MWBE) Disparity Consulting Services for the Office of Equal Opportunity and approve Request for Letters of Interest (RLI) 20070615-0-OEO-01.

***ACTION: (T-2:17 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Vice-Mayor Wexler, Commissioners Lieberman and Ritter; Director, Office of Equal Opportunity (Chair); CFO/Director, Finance and Administrative Services Department; Director, Office of Economic Development. Plus administrative support staff from the Offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division, and the requesting agency. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

For Office of Transportation

65. A. MOTION TO APPROVE Amendment to Memorandum Of Understanding (MOU) (Amendment 1) approved by the Board, Item 12 and executed by the Mayor and Clerk on March 20, 2007 with North American Bus Industries, Inc. (NABI), low bidder on Bid No. C206055BV, for 40-foot Low Floor Diesel Buses and Hybrid Electric Diesel Buses (Groups 1 and 2) for the Office of Transportation at a cost of \$211.00 per bus, at a total cost of \$10,128.00 for the initial 48 buses and the estimated potential five-year total cost of \$41,778.00; and authorize the Mayor and Clerk to execute Amendment to Memorandum of Understanding.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE additional modifications of bid specifications (not itemized in the Amendment), per pre-build meeting between NABI and the Office of Transportation at a zero net cost to the County, including modifications in the Amendment to the MOU.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

## HUMAN SERVICES DEPARTMENT



66.

- A. MOTION TO ADOPT Resolution 2007-417 of the Board of County Commissioners of Broward County, Florida, authorizing appropriations and disbursements for providers for Fiscal Year 2008, commencing October 1, 2007, and ending September 30, 2008; prescribing requirements and conditions for disbursement of appropriated funds; approving funding for not-for-profit organizations, governmental entities, and for-profit organizations for services in the amount of \$24,290,988; approving standard form contracts and addenda for execution by the Broward County Administrator; approving the County Administrator to execute amendments to previously approved unit of service contract forms previously approved by Resolution No. 2004-572; providing for review by County Attorney's Office; providing for severability; and providing for an effective date.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE first amendment to the agreement dated October 15, 2002 made and entered into by and between BROWARD COUNTY and The Broward Partnership for The Homeless, Inc. ("BPHI Agreement") to extend the BPHI Agreement for one year for the operation of the Central Homeless Assistance Center and the first amendment to Lease Agreement dated December 3, 2002 entered into by and between BROWARD COUNTY and The Broward Partnership for The Homeless, Inc. ("BPHI Lease Agreement") to extend the BPHI Lease Agreement for one year for the operation of the Central Homeless Assistance Center.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- C. MOTION TO APPROVE first amendment to the agreement dated October 15, 2002 made and entered into by and between BROWARD COUNTY and Miami Rescue Mission, Inc. d/b/a Broward Outreach Center ("BOC Agreement") to extend the agreement for one year for the operation of the North and South Homeless Assistance Centers and the first amendment to Lease Agreement dated December 3, 2002, entered into by and between BROWARD COUNTY and Miami Rescue Mission, Inc. d/b/a Broward Outreach Center ("BOC Agreement") to extend the BOC Lease Agreement for one year for the operation of the North Homeless Assistance Center.


***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- D. MOTION TO APPROVE first amendment to agreement dated June 29, 2004 made and entered into by and between BROWARD COUNTY and Henderson Mental Health Center, Inc. (“CSU Agreement”) to extend the agreement for four months for the operation of the crisis stabilization unit.

**ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)**

## COMMUNITY SERVICES DEPARTMENT

### PARKS AND RECREATION DIVISION

-  67. MOTION TO APPROVE Agreement between Broward County (County) and the City of Lauderdale (City), subject to development of the final language relating to the new County Disadvantaged Business Enterprise (CDBE) program, regarding the development, construction, operation, and maintenance of a cultural center facility on a 2.49 acre parcel of county-owned land on the west boundary of Central Broward Regional Park (CBRP), providing for a County contribution to the Project in a maximum not-to-exceed amount of \$5,800,000 on a reimbursement basis, effective upon execution by both parties for a term of 99 years and granting a ground lease with an access easement to the City for that same term; and authorizing the Mayor and Clerk to execute the Agreement and the ground lease. **(Commission District 9)**

***ACTION: (T-2:17 PM) Approved. The Board directed the County Attorney to include language within the 99-year lease that protects the taxpayers money over that period of time should any of the following occur: if the building is destroyed and not constructed within a certain period of time, abandoned, or ceases operation; if the city incurs financial difficulties and reduces the level of operations; and that the city is not allowed the act of conveying the cultural center to anyone else.***


***(Scrivener’s error – See County Administrator’s report: On blue “Agenda Cover” remove the word “Interlocal.” And replace CDBE Goals Statement with “The Small Business Development Division will determine assignment of goals if applicable for this project at a later date.”) (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

## OFFICE OF TRANSPORTATION

68. MOTION TO APPROVE first amendment to Interlocal Agreement between Broward County and the City of Pompano Beach (City) for public transportation services; providing an additional financial contribution in the amount of \$12,000 annually, for the capital cost of contracting one additional wheelchair-accessible passenger vehicle for community bus service operations, and additional operating costs not to exceed \$42,075 annually, to expand Community Bus Service by the addition of a route; and authorize the Mayor and Clerk to execute same. The term of this amendment is from date of execution through September 30, 2007. **(Commission Districts 2, 4, and 9)** (Deferred from February 13, 2007 – Item No. 20)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

-  69. MOTION TO APPROVE Interlocal Agreement between Broward County and the South Florida Regional Transportation Authority (SFRTA) relating to the operating funding of the SFRTA Project; in the total amount of \$7,661,433; of which \$4,366,950 is for SFRTA's Fiscal Year 2007-2008 net operating costs, a not-to-exceed amount of \$624,483 for Tri-Rail feeder bus service, and \$2,670,000 for capital contribution, effective July 1, 2007, through June 30, 2008; authorized an amendment to Section 4 of the Interlocal Agreement to make the County's contribution contingent on Miami-Dade and Palm Beach Counties making their allocated contributions; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:52 AM) Approved. (Transferred to the Consent Agenda. Refer to minutes for full discussion.)***

## OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

70. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firms to provide for State Legislative and Executive Lobbying Services for the 2008 Legislative Session, and approve Request for Letters of Interest (RLI) No. 20070606-0-GR-01.

***ACTION: (T-2:23 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Mayor Eggelton; Vice-Mayor Wexler; Commissioners Keechl, Lieberman, Ritter, Rodstrom, and Wasserman-Rubin; Pamela L. Madison, Director, Office of Public and Governmental Relations (Chair); Phillip C. Allen, Director, Port Everglades; Kayla Olson, Director, Office of Management and Budget Services. Plus administrative support staff from the offices of the County Attorney, County Auditor, Risk Management, Purchasing, and the requesting agency. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

71. MOTION TO ACCEPT NOMINATIONS for appointment to the following boards:

- 1) Central Examining Board of General and Building Construction Trades (consumer category)
- 2) Central Examining Board of Mechanical and Specialty Mechanical Contractors (consumer category)
- 3) Central Examining Board of Plumbers (consumer category)
- 4) Health & Sanitary Control Board (construction trades alternate category - does not have to be in the same discipline)
- 5) Historical Commission (archaeology category)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

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

72. MOTION TO APPROVE agency invitation list for the 2010 Complete Count Committee; and authorize the Complete Count Committee Chair to invite additional agencies to participate as the complete count effort proceeds.

***ACTION: (T-2:24 PM) Approved. The Board invited anyone from the public who has an interest to serve on this committee to send a note to Ms. Chambers, Director, Urban Planning and Development. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

#### **HOUSING AND COMMUNITY DEVELOPMENT DIVISION**

73. A. MOTION TO APPROVE settlement between Reliance-Andrews, LLC and the Housing Finance Authority of Broward County (HFA) regarding the outstanding \$3,600,000 loan default pursuant to the Loan Agreement and related documents dated January 24, 2005; requiring Reliance Andrews to re-convey to the HFA the entire property encumbered by the mortgage, including all surveys, plans, drawing and other documents secured by the mortgage, payment of outstanding 2006 real estate taxes in the amount of \$45,253; payment of accrued interest through May 1, 2007 for the prior 90 day loan extension in the amount of \$82,325 payable in monthly installments over the next year at 7% interest, and the exchange of mutual releases upon full payment of all obligations. **(Commission District 7)**

***ACTION: (T-2:25 PM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

- B. MOTION TO DIRECT staff to apply to the City of Fort Lauderdale, for a time extension of the development rights, for the property at 600 North Andrews Avenue, also known as Flagler Point. **(Commission District 7)**

***ACTION: (T-2:25 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

- C. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to develop an Affordable Housing Project on property at 600 North Andrews Avenue, in the City of Fort Lauderdale, and to approve the Request for Letters of Interest (RLI) No. 20070608-0-UP-1. **(Commission District 7)**

***ACTION: (T-2:25 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Mayor Eggelton, Vice-Mayor Wexler, and Commissioners Keechl, Lieberman, and Rodstrom; Director, Urban Planning and Redevelopment Department (Chair); Director, Construction Management Division; Assistant Director, Accounting Division. Plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, and Housing and Community Development. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

#### **PLANNING SERVICES DIVISION**



74. A. MOTION TO CANCEL Requests for Letters of Interest for the Broward County Unincorporated Area Infill Home Construction Program (RLI No. 20040519-0-EQ-01) **(Commission Districts 7 and 9)**

***ACTION: (T-2:26 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

- B. MOTION TO APPROVE Redevelopment Agreement between Broward County and New Visions Community Development Corporation for the construction of five single-family homes and authorize the Mayor and County Administrator to execute same. **(Commission District 9)**

***ACTION: (T-2:26 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0***

- C. MOTION TO ADOPT Resolution 2007-418 authorizing the conveyance of five lots to New Visions Community Development Corporation for the construction of five affordable housing units; authorize Mayor and County Administrator to execute Deed; and recordation of same. **(Commission District 9)**

***ACTION: (T-2:26 PM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

- D. MOTION TO APPROVE Redevelopment Agreement between Broward County and New Visions Community Development Corporation for the construction of ten single-family homes and authorize the Mayor and County Administrator to execute same. **(Commission District 9)**

***ACTION: (T-2:26 PM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

- E. MOTION TO ADOPT Resolution 2007-419 authorizing the conveyance of 10 lots to New Visions Community Development Corporation for the construction of ten (10) affordable housing units; authorize Mayor and County Administrator to execute Deed; and recordation of same. **(Commission District 9)**

***ACTION: (T-2:26 PM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

#### **COUNTY AUDITOR**

75. A. MOTION TO FILE the County Auditor's Report – *Review of the ShuttlePort Florida, LLC, Contract at the Fort Lauderdale-Hollywood International Airport.*

***ACTION: (T-3:31 PM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

B. MOTION TO ADOPT County Auditor's Recommendations.

**ACTION:** (T-3:31 PM) Approved. (Refer to minutes for full discussion.)

**VOTE:** 8 – 0.

### AVIATION DEPARTMENT

76. MOTION TO DISCUSS the delivery of shuttle bus services at the Fort Lauderdale-Hollywood International Airport from the period November 1, 2007 to October 31, 2012.

**ACTION:** (T-4:02 PM) Approved, as amended, the County Auditor's recommendation # 2 dated June 26, 2007; the Board amended as follows: 1) to extend the contract for six months, requiring all RLI respondents to demonstrate financial feasibility in order to self-finance the buses should that become compulsory; and 2) that the shuttle bus drivers will meet the same criteria as Broward County's Mass Transit bus driver requirements beginning with the six-month agreement. **The Board further directed the County Attorney to author an amendment to the agreement that going forward prior to the start of the six-month contract, that the shuttle bus drivers will now be required to meet the same criteria as all Broward County Mass Transit drivers, and authorizing the County Administrator to execute the amendment and submit the amendment for the Board to ratify at the August 7, 2007 meeting. (Refer to minutes for full discussion.)**

**VOTE:** 8 – 0.

77. MOTION TO APPROVE Part A, Phases I and II of a deliberately phased Consultant Agreement, RLI No. 20051018-0-AV-01A for Airfield Modifications, between Broward County and Reynolds, Smith and Hills, Inc. (RS&H), in the maximum, not-to-exceed amount of \$1,400,000 for professional services to assess various options presented to the Selection Committee related to airfield improvements which will enhance aircraft ground movements and thereby increase the efficiency of the existing north runway and reduce airline and passenger delays.

**(Commissioner Ritter participated via teleconferencing.)**

**ACTION:** (T-2:52 PM) Approved. **The Board requested, without objection, that the County Auditor investigate the history of liquidated damages invoked within the aviation contracts and report back on August 7, 2007. (Refer to minutes for full discussion.)**

**VOTE:** 7 – 2. Mayor Eggelton and Vice-Mayor Wexler voted no.

78. 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 removal, disposal and replacement of HVAC (heating/ventilating/air conditioning) equipment in Terminal 3 and 4 chiller plants at the Fort Lauderdale-Hollywood International Airport, and approve Request for Letters of Interest (RLI) No. 20061204-0-AV-01 (Deferred From June 5, 2007 – Item No. 57)

***ACTION: (T-2:31 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Mayor Eggelton and Commissioner Ritter; Director of Planning and Development Division, Broward County Aviation Department (Chair); Director of Maintenance Division, Broward County Aviation Department; Director of Facilities Maintenance Division, Public Works and Transportation Department. Plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management Division, Purchasing Division, and the Aviation Department. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

#### **COUNTY ATTORNEY**

79. MOTION TO ADOPT Resolution 2007-420 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, AMENDING CHAPTER 10½ OF THE BROWARD COUNTY CODE OF ORDINANCES RELATING TO DRUG, PROSTITUTION, AND YOUTH AND STREET GANG-RELATED NUISANCES; AMENDING SECTION 10½-4, "CERTAIN DRUG, PROSTITUTION, AND YOUTH AND STREET GANG-RELATED ACTIVITIES DECLARED NUISANCES," AND SECTION 10½-7, "ORGANIZATION"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.


(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

80. MOTION TO APPROVE proposed Settlement Agreement in the cases of *Water Taxi, Inc., a Florida corporation v. Broward County*, 17<sup>th</sup> Judicial Circuit Court Case No. 06-006348 (05) and *Water Taxi, Inc., v. Broward County*, 4<sup>th</sup> District Court of Appeals Case No. 4D06-3938.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

**GREATER FORT LAUDERDALE CONVENTION AND VISITORS BUREAU**

-  81. A. MOTION TO APPROVE Request for Letters of Interest, RLI No. 20070522-0-CVB-01 for the provision of developer and operator services for the Broward County Convention Center Hotel.

***ACTION: (T-7:24 PM) Approved subject to the revisions made to the final RLI as noted in Board discussion. (Refer to minutes for full discussion.)***

**VOTE: 7 – 0.**

***ACTION: (T-7:30 PM) Commissioner Lieberman requested voting in the affirmative telephonically. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

- B. MOTION TO ADOPT Budget Resolution 2007-421 transferring within the Convention Center Capital Fund (3280) in the amount of \$577,216 from the Convention Capital Reserve to fund Phase 2B of the Consulting Agreement between Broward County and LMN Architects.

***ACTION: (T-7:24 PM) Approved subject to the revisions made to the final RLI as noted in Board discussion. (Refer to minutes for full discussion.)***

**VOTE: 7- 0. Commissioner Lieberman was not present during the vote.**

***ACTION: (T-7:30 PM) Commissioner Lieberman requested voting in the affirmative telephonically. (Refer to minutes for full discussion.)***

**VOTE: 8 – 0.**

## COUNTY COMMISSION

82. MOTION TO NOMINATE David C. Svetlick to the Central Examining Board of Electrical Contractors. Mr. Svetlick will fill a vacant slot. (Commissioner Gunzburger)

***ACTION: (T-10:53 AM) Approved. (Scrivener's error – See County Administrator's report: Date on agenda item reads 6/26/05, should read 6/26/07.) (Transferred to the Consent Agenda.)***

83. MOTION TO APPROVE agreement between Broward County and the City of Miramar (City) extending a \$441,370 Challenge Grant from the 2000 Safe Parks and Land Preservation Bond Program (Bond Program) for the Miramar Police Athletic League (PAL) Facility for six months from April 7, 2007 until October 6, 2007, subject to City Commission approval at its July 3, 2007 meeting; and authorizing the Mayor and Clerk to execute same. **(Commission District 8)** (Commissioner Wasserman-Rubin)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

84. MOTION TO APPROVE second amendment to Interlocal Agreement between Broward County and the City of Oakland Park for the acquisition, improvement, enhancement, operation, and management of Open Space Site OS-44, Downtown Park; and authorize the Mayor and Clerk to execute same. **(Commission District 4)** (Commissioner Keechl)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

85. COUNTY ADMINISTRATOR'S REPORT

Completed Commission Action List Update

A. AVIATION DIRECTOR

***ACTION: (T-7:25 PM) County Administrator Pam Brangaccio sought Board consensus for authorization to enter into contract negotiations with Ronald Mathieu for position of Aviation Director. Mayor Eggelton opined there was a consensus amongst the Board. Ms. Brangaccio informed the Board that acting Aviation Director, Robert Bielek's position commenced today, and she and Ms. Henry will rotate attending staff meetings. In addition, former Aviation Director, George Spofford will be coming in on Friday, June 29, 2007, to offer temporary assistance during the hiring process of Aviation Director. (Refer to minutes for full discussion.)***

86.

**MAYOR'S REPORT**

A. **SUPPLEMENTAL ITEMS**

***ACTION: (T-7:29 PM) Mayor Eggelletion asked for Board cooperation as to limiting submission of supplemental agenda items immediately prior to a meeting. (Refer to minutes for full discussion.)***

B. **TIRE REMOVAL OFF CORAL REEF**

***ACTION: (T-7:30 PM) Mayor Eggelletion reported that divers have removed approximately 10,370 tires off a coral reef approximately three miles off Florida's coast. The tires will be taken to a recycling plant to provide fuel to a paper recycling facility. In early spring or summer of 2008 the divers will remove an additional 750,000 tires that have caused damage to a natural coral reef. (Refer to minutes for full discussion.)***

C. **NEW REGIONAL FIRE RESCUE FACILITIES**

***ACTION: (T-7:32 PM) Mayor Eggelletion informed the Board that Vice Mayor Wexler and Ken Jenne broke ground on three new fire rescue facilities that include Dania Beach, Alligator Alley, and Fort Lauderdale. (Refer to minutes for full discussion.)***

D. **SAND MANDALA**

***ACTION: (T-7:33 PM) Mayor Eggelletion referenced the sand mandala that was recently created at the Governmental Center by Tibetan Buddhist Monks. Subsequent to the sand mandala being completed, the sand mandala is swept away, a ceremony is performed, and the sand mandala is then placed in the New River. The sand mandala symbolizes both creation and the impermanence of life. (Refer to minutes for full discussion.)***

E. **CHILDHOOD OBESITY**

***ACTION: (T-7:35 PM) Mayor Eggelletion expressed thanks to Shaquille O'Neal and others for their quest to battle childhood obesity. Wednesday, June 27, 2007 at 9:00 p.m. on ABC, a new series will commence entitled Shaq's Big Challenge. (Refer to minutes for full discussion.)***

F. NEWS MEDIA

**ACTION: (T-7:37 PM) Mayor Eggelletion thanked the news media for covering positive events in Broward County. (Refer to minutes for full discussion.)**

G. BUDGET

**ACTION: (T-7:39 PM) Mayor Eggelletion announced that he will be a guest on WLRI, 93.1 on Wednesday, June 27, 2007, at 1:00 p.m., along with Property Appraiser, Lori Parrish, and Miami-Dade Mayor, Carlos Alvarez, to discuss the budget. (Refer to minutes for full discussion.)**

H. CENTRAL BROWARD REGIONAL PARK SCOREBOARD

**ACTION: (T-7:40 PM) Mayor Eggelletion informed the Board that Demerara Distillers withdrew their proposal on the scoreboard for Central Broward Regional Park. As to Demerara Distillers withdrawal, the RLI language could be revised to include an option to provide hard alcohol service with respect to the food service. A consensus was reached amongst the Board to allow staff to revise the RLI language. (Refer to minutes for full discussion.)**

**EXECUTIVE SESSION (“SHADE MEETING”)**

Beginning at 12:00 p.m., or following the conclusion of the morning meeting.

**FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

**HUMAN RESOURCES DIVISION**

87. **EXECUTIVE SESSION:** Commencement of Executive Session (“Shade Meeting”) pursuant to Section 447.605, Florida Statutes, relative to collective bargaining with the County’s Blue Collar Bargaining Unit.

**ACTION: (T-12:30 PM) No Board action taken.**

## SUPPLEMENTAL AGENDA

### ENVIRONMENTAL PROTECTION DEPARTMENT

#### WATER RESOURCES DIVISION



88. A. MOTION TO WAIVE application of M/WBE goals.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE agreement between Broward County and DHI Water & Environment, Inc. (f/k/a DHI, Inc.) for hydrologic modeling and related activities in the development of a County-wide water management master plan that identifies the type, location, sizing, and benefits of water resource projects and associated infrastructure capable of meeting County-wide water resource goals and water supply demands through the year 2025 at a cost of \$1,000,000; effective upon execution for a term of 130 weeks, and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

#### COUNTY COMMISSION

89. MOTION TO REAFFIRM appointment of Paul Schlegel as the Broward County Commission's appointment to the Hillsboro Inlet District. (Commissioner Jacobs and Commissioner Keechl)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

90. MOTION TO DISCUSS current County practice of establishing multiple contracts for post-event debris management services as opposed to the designation of a pre-event primary contractor. (Commissioner Ritter)

***(Commissioner Ritter participated via teleconferencing.)***

***ACTION: (T-2:32 PM) The Board deferred until August 7, 2007 and directed the County Attorney to research the issues regarding FEMA reimbursement before the next scheduled meeting. (Refer to minutes for full discussion.)***

91. A. MOTION TO DISCUSS amending the definition of “Dangerous Dog”, as defined in Broward County Code of Ordinances, Chapter 4, Subsections 4-2(k) and 4-120(j); amending the appropriate sections of the Ordinance to impose similar penalties against owners for injuries caused by their dogs whether the injuries are to human beings or domestic animals; amending the Ordinance to delete Subsection 4-14.5 in its entirety; and amending the appropriate sections of the Ordinance related to mandatory confinement, observation, and/or rabies testing when a domestic animal is bitten by a dog or cat. (Commissioner Keechl)

**ACTION: (T-2:43 PM) Approved. (Refer to minutes for full discussion.)**

**VOTE: 8 – 0.**

*(Motion B below is contingent upon the Board’s desire to amend the above-referenced sections of the Broward County Code of Ordinances.)*

B. MOTION TO DIRECT County Attorney to draft an Ordinance amending Subsections 4-2(k), 4-12(j), 4-14.5, 4-15, and 4-16 of the Broward County Code of Ordinances to amend the definition of “Dangerous Dog”, and treat bites to domestic animals in the same manner as bites to human beings. (Commissioner Keechl).

**ACTION: (T-2:43 PM) Approved. (Refer to minutes for full discussion.)**

**VOTE: 8 – 0.**



92. MOTION TO APPOINT Evaluation Committee to recommend the most qualified firms for the construction of affordable single-family homes in the Central County area, and to approve the Request for Proposal (RFP) No. 20070621-0-UP-01. (Commission Districts 7 and 9) (Mayor Eggelletion)

**ACTION: (T-2:47 PM) Approved. The Board approved the following to serve on the Selection Committee (SC): Mayor Eggelletion, Commissioners Rodstrom and Keechl; Director, Urban Planning and Redevelopment Department (Chair); Director, Office of Economic Development; Director, Human Services Department; Director, Building Code Services Division. Plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing, and the requesting agency. (Refer to minutes for full discussion.)**

**VOTE: 8 – 0.**

93. MOTION TO APPROVE Change Order No. 3, GEN-X Construction, Inc., Contract No. HY06369caf, in the amount of \$ 326,918.21, for the construction of a metal picket fence at Roosevelt Gardens Park, 2841 NW 11<sup>th</sup> Street, unincorporated Fort Lauderdale, and authorize the Mayor and Clerk to execute same. **(Commission District 9)** (Mayor Eggelletion)

***ACTION: (T-2:49 PM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0.***

94. MOTION TO DIRECT County Auditor to perform an investigation of the financial situation at the Airport and the allegations of the mismanagement contained in the e-mails from Richard Walsh. (Commissioner Lieberman and Commissioner Rodstrom)

***ACTION: (T-2:50 PM) Approved.***

***VOTE: 8 – 0.***

95. A. MOTION TO APPROVE designation of Broward County as the backup manager to the Archaeological and Historical Conservancy, Inc., for the management of Tequesta Tree Island archaeological site in Southwest Ranches subject to approval by the Historical Commission Board that they assume the responsibility. **(Commission District 8)** (Commissioner Wasserman-Rubin)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO APPROVE submittal of a letter to Florida Communities Trust confirming that Broward County will be the governmental entity that will serve as the backup manager for Tequesta Tree Island archaeological site. **(Commission District 8)** (Commissioner Wasserman-Rubin)

***ACTION: (T-10:53 AM) Approved. (Transferred to the Consent Agenda.)***

## NON-AGENDA

96. MARKHAM PARK, "MMM" HIGH SCHOOL - COMMISSIONER JACOBS

**ACTION: (T-7:44 PM)** Commissioner Jacobs referenced that the Broward County School Board recently voted, and is requesting to take away 45 acres of Markham Park to place "MMM" High School at Markham Park. The School Board is expected to address the County Commission. Broward County School Board staff addressed the Board, and clarified a vote was not taken by the School Board, and explained that the process is to evaluate every potential alternative to site a high school known as "MMM" to relieve overcrowding at Cypress Bay High School. Alternatives are being explored. There was a consensus amongst Board members to deny exploration of High School "MMM" being located at Markham Park. (Refer to minutes for full discussion.)

97. LEGAL ANALYSIS ON PROPERTY TAX REFORM – COMMISSIONER JACOBS

**ACTION: (T-7:52 PM)** Commissioner Jacobs referenced a letter from a law firm that indicated a legal analysis on property tax reform indicated potential serious legal problems. (Refer to minutes for full discussion.)

98. LIVING WAGE – COMMISSIONER RODSTROM

**ACTION: (T-7:55 PM)** Commissioner Rodstrom made inquiry subsequent to referencing a memo addressing Living Wage, and asked what the amount of cost is to provide Living Wage. Commissioner Rodstrom asked County Attorney Jeff Newton to review the Ordinance and opine how the Ordinance can be amended to exclude the Paratransit Contract from the Living Wage. Upon Commissioner Rodstrom's inquiries, Mr. Newton will draft a document with proposed amendments for Board consideration. In addition, Commissioner Rodstrom asked to quantify the effects of the Living Wage on the Paratransit Contract. Bud Bentley, Assistant to the County Administrator, advised that staff can obtain what the rates were for vendors in previous contracts and staff can calculate the differential, and believes the requested inquiries can be provided at the Commission's Tuesday, August, 7, 2007, meeting. (Refer to minutes for full discussion.)

99. LIVING WAGE – VICE MAYOR WEXLER

**ACTION: (T-8:20 PM)** Vice Mayor Wexler requested additional information be provided as it relates to insurance, overhead, and possible Paratransit shuttle service relating to Living Wage. (Refer to minutes for full discussion.)

100. DEPARTMENT OF EDUCATION – VICE MAYOR WEXLER

**ACTION: (T-8:20 PM) Vice Mayor Wexler explained that Broward County has been asked to cosign a required form with the Department of Education for reconsideration of the projection of student growth for the next five years. There is a difference of 33,000 students. Consensus was reached amongst Board members to allow staff to move forward. (Refer to minutes for full discussion.)**

101. PERFORMING ARTS CENTER GRANT – COUNTY AUDITOR

**ACTION: (T-8:25 PM) County Auditor Evan Lukic informed the Board of an upcoming Performance Arts Center Grant Finance Committee meeting, and asked for guidance as to whether or not the Board has definitively decided on capital grants. Mr. Lukic sought Board consensus as to the \$350,000 grant for the Performing Arts Center. Consensus amongst Board members was not affirmative.**

102. MILLAGE RATE – COMMISSIONER GUNZBURGER

**ACTION: (T-8:30 PM) Upon inquiry by Commissioner Gunzburger, County Administrator Pam Brangaccio explained that a prior Board consensus had been reached as to the millage rate state process being rolled back, minus five percent. Certification will be applied by Ms. Olsen and Mayor Eggelletion next week. Ms. Brangaccio will provide the millage rate to the Board this evening or Wednesday, June 27, 2007.**

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**MEETING/WORKSHOP NOTICES**

THE FOLLOWING MEETING HAS BEEN POSTPONED

**2007 NEWLY ELECTED & NEWLY APPOINTED OFFICIALS WORKSHOP**

Tuesday, June 26<sup>th</sup>, in Room 302A at 10 AM

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