

MEETING OF JULY 9, 2002

(The meeting convened at 10:00 a.m.; recessed at 1:13 p.m.; reconvened at 3:01 p.m. and adjourned at 5:15 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Ilene Lieberman, District 1.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Ileana Arias Tovar to the Commission on the Status of Women. (Commissioner Wasserman-Rubin)

ACTION: (Time-10:12 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Amendment No. 5 to the lease agreement between Broward County, Florida and National Car Rental System, Inc., to provide for relocation of National Car Rental System, Inc.'s, quick-turnaround facility in order to facilitate the construction of the Consolidated Rental Car Facility, with a monthly rental of \$19,782.77, subject to the approval of the United States Bankruptcy Court; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

3. MOTION TO APPROVE release, consent, subordination, attornment and non-disturbance agreement between Broward County, Florida; North Perry Aviation, Inc., and John B. Morgan, for T-Hangar Unit 22 located at North Perry Aviation, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

4. MOTION TO APPROVE release, consent, subordination, attornment and non-disturbance agreement between Broward County, Florida; North Perry Aviation, Inc., and Cordoba Helicopter Enterprises, Inc. located at North Perry Aviation, Inc., and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

5. A. MOTION TO APPROVE consent to assignment of lease between Broward County, Florida; Cargo Acquisition Company, LLC; Beason-Simons, Ltd.; and Aero Lauderdale, LLC to be effective upon Board approval; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO APPROVE agreement of lease Between Broward County, Florida and Aero Lauderdale, LLC. ("New Lease"), with the commencement date being the date the agreement of lease between Broward County, Florida and Beason-Simons, Ltd., is terminated, and the termination date being the last day of the 20th lease year with two, five- year mutual options, with the annual rental

payment for the first year of \$523,287; plus an additional payment of \$350,000 being paid within 30 days following the commencement date of the new lease; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

6. A. MOTION TO APPROVE agreement between Broward County and the City of Plantation for trafficway beautification for Hiatus Road from Broward Boulevard to Sunrise Boulevard, Project No. 5186; and authorize the Chair and Clerk to execute same. **(Commission Districts 1 and 5)**

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO APPROVE agreement between Broward County and the City of Plantation for trafficway beautification for Sunrise Boulevard, from Hiatus Road to Pine Island Road, Project No. 5186; and authorize the Chair and Clerk to execute same. **(Commission District 1)**.

ACTION: (Time-10:12 AM) Approved.

7. MOTION TO APPROVE Roadway Improvement Phasing Agreement among SB Tamarac Commerce Center, LLC; NB Tamarac Commerce Center, LLC; and Broward County, related to the "S & N Plat No. 2" (063-MP-00); and authorize the Chair and Clerk to execute same. **(Commission District 1)**

ACTION: (Time-10:12 AM) Approved.

8. MOTION TO APPROVE Roadway Improvement Phasing Agreement between Funeral Services Acquisition Group, Inc. and Broward County, related to the "Star of David Memorial Gardens II" Plat (049-MP-98); and authorize the Chair and Clerk to execute same. **(Commission District 1)**

ACTION: (Time-10:12 AM) Approved.

TRAFFIC ENGINEERING DIVISION

9. MOTION TO APPROVE first amendment to the agreement Between Broward County and Minnesota Mining and Manufacturing, Inc. (3M) for installation of a Global Positioning System (GPS) and Radio Based Priority Control System; and authorize the Chair and Clerk to execute same. **(All Commission Districts)**

ACTION: (Time-10:12 AM) Approved.

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

10. MOTION TO FILE Tangible Property Asset Disposal Certificate No. 432.

ACTION: (Time-10:18 AM) Approved, as amended. The Board directed staff to research creating a website for auctioning items on-line. See Page *****

11. MOTION TO ADOPT Resolution 2002-656 of the Board of County Commissioners of Broward County, Florida, amending Chapter 20, Part IV of the Broward County Administrative Code regarding the County's travel policy; amending Section 20.28; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (Time-10:12 AM) Approved.

PURCHASING DIVISION

For Aviation Department

12. MOTION TO APPROVE third amendment to deliberately phased Agreement (RLI No. 050699-RB) between Broward County and Spillis Candela & Partners, Inc. (SCP) for consultant services for design of Consolidated Rental Car Facility (RAC) at the Fort Lauderdale-Hollywood International Airport for design development, construction documents and construction-related services, increasing the agreement amount by \$484,400 from \$10,464,778 to \$10,949,178; and authorize the Chair and Clerk to execute the same.

ACTION: (Time-10:19 AM) Approved, as amended. The Board directed staff to restore the valet parking previously offered at the Fort Lauderdale- Hollywood International Airport and all associated services for vehicles being valeted, unless there is a threat to security. See Page *****

13. MOTION TO APPROVE Change Order 39E to the Design Build Agreement (Q498085CF) between Broward County and PCL Civil Constructors, Inc. (PCL), for Roadway Improvements Task 2 Project at the Ft. Lauderdale-Hollywood International Airport for an increase of \$538,584.02, from \$76,400,028.18, to \$76,938,612.20, and no change in contract time; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:23 AM) Approved. See Page *****

For Office of Court Administration

14. A. MOTION TO APPROVE AND AWARD sole source agreement between Broward County (County) and CourtSmart Digital Systems, Inc. (CourtSmart) for a digital recording system including training and maintenance at prices equivalent to GSA pricing but at more favorable terms to the County, Quote No. JCO1001, in the total amount of \$700,103 for the Office of Court Administration, Seventeenth Judicial Circuit of Florida, and authorize the Chair and Clerk to execute same. The agreement will commence upon date of execution and terminate three years from that date.

ACTION: (Time-10:25 AM) Approved, as corrected. (Scrivener's error - See County Administrator's report: Reference Page 24, section 16.2, insert as follows: ". . . in a minimum amount of \$158,000" (state required amount of insurance.) See Page *****

B. MOTION TO INCREASE personnel cap by ten positions within the General Fund for Electronic Court Reporters for the Seventeenth Judicial Circuit of Florida, as approved by the Human Resources Division of Court Administration and the Office of Budget Services.

ACTION: (Time-10:25 AM) Approved. See Page *****

For Finance and Administrative Services Department

15. A. MOTION TO APPROVE sole source sole brand standardization of various Microsoft software licenses including any new releases or upgrades from Software House International (SHI).

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO AWARD three year contract to sole source sole brand standardized vendor, Software House International for various Microsoft software licenses (Enterprise option) along with any new releases or upgrades from State of Florida Contract 255-001-01-1, in the amount of \$2,845,283.34, for a three year period, and authorize the Purchasing Director to exercise approval of fourth year as an option at a cost of \$931,050.00, and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

For Greater Fort Lauderdale Convention and Visitors Bureau

16. MOTION TO APPROVE increase in the change order allowance from \$22,432.25, (5%) up to \$134,593.50, (30%) of the original contract amount of \$448,645.00, for the fire alarm system, Contract No. T501108CF, with Atech Fire & Security, Inc., for the Broward County Convention Center (Convention Center).

ACTION: (Time-10:12 AM) Approved.

For Port Everglades Department

17. MOTION TO AWARD fixed contract to low bidder, FXP Corporation, for Terminal 21 chiller replacement at Port Everglades, Bid No. H-4-02-103-CF, in the total bid amount of \$371,025 for Port Everglades Department subject to receipt and acceptance of the insurance/performance and payment guarantee, and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

18. A. MOTION TO AWARD fixed contract to low bidder, GLF Construction Corporation, for Berth 14 and 15 stabilization, Bid No. H-3-02-073-CF, in the amount of \$3,877,804 for the Port Everglades Department, subject to receipt and acceptance of insurance/performance and payment guarantee; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:27 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time- 4:49 PM) Approved. See Page *****

B. MOTION TO APPROVE increase in the change order allowance from 5% to 10% for Contract No. H-3-02-073-CF.

ACTION: (Time-10:27 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page

ACTION: (Time- 4:50 PM) Approved. See Page *****

C. MOTION TO ADOPT budget Resolution 2002-690 transferring funds within the Port Everglades Bond Construction Fund (4730) for the Port Everglades in the amount of \$2,536,521 for the purpose of funding the Berths 14 and 15 stabilization project.

ACTION: (Time-10:27 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time- 4:50 PM) Approved. See Page *****

For Public Works Department

19. A. MOTION TO DECLARE emergency under Florida Statute 287.055, Consultant Competitive Negotiation Act (CCNA) for procurement of consultant services for the improvement of Griffin Road from SW 160th Avenue to SW 186th Avenue.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO APPROVE agreement between Broward County and CCL Consultants, Inc. for consultant services for Griffin Road improvements from SW 160th Avenue to SW 186th Avenue, Engineering Division Project No. 5067, for an amount not to exceed \$100,000; and a contract time of 180 days, and authorize the Chair and Clerk to execute same. **(Commission District 8)**

ACTION: (Time-10:12 AM) Approved.

20. MOTION TO APPROVE fixed contract purchase of chairs and tables from Norix Group, Inc. in the total amount of \$255,450.58, State of Florida Contract 420-420-02-1, to furnish the Women's Detention Facility in Pompano Beach for the Project Management Division. **(Commission District 9)**

ACTION: (Time-10:12 AM) Approved.

21. MOTION TO AWARD fixed contract to sole source, Naztec, Inc. for traffic controllers, in the amount of \$782,775; Quotation No. 2TE1014 for the Traffic Engineering Division.

ACTION: (Time-10:12 AM) Approved.

22. MOTION TO APPROVE eighth amendment to agreement between Broward County and Craig A. Smith & Associates, Inc. for consultant services for improvements to McNab Road from University Drive to Pine Island Road, Project No. 5117, at an increased cost of \$48,761.88, from \$1,013,008.76, to \$1,061,770.64; and an increase of 45 days in contract time from 720 days, plus 17 months to 765 days, plus 17 months; and authorize the Chair and Clerk to execute same. **(Commission Districts 1 and 3)**

ACTION: (Time-10:27 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-4:50 PM) Deferred to Tuesday, August 13, 2002.

*See Page ******

23. MOTION TO APPROVE Work Authorization No. 8, pursuant to the agreement between Broward County and Saltz Michelson Architects, Inc. dated January 15, 2002, providing for professional services in the amount of \$34,706.78, and for the time period of 210 calendar days for the design and construction contract administration of the new laundry facility for the North Broward Detention Center; and authorize the Chair and Clerk to execute same. (**Commission District 9**)

ACTION: (Time-10:12 AM) Approved.

REVENUE COLLECTION DIVISION

24. MOTION TO ADOPT three Resolutions 2002-657 thru 2002-659 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Payroll No. 2079940003798, Self-Insurance No. 2090002760518 and Tax and License No. 2090002760916.

ACTION: (Time-10:12 AM) Approved.

HUMAN SERVICES DEPARTMENT

CHILDREN'S SERVICES ADMINISTRATION DIVISION

25. MOTION TO ADOPT unanticipated revenue Resolution within the Children's Services Administration Division/Child Care Licensing and Enforcement Section Grant Fund, in the amount of \$43,640 for the purpose of implementing the quality rating of 20 child care facilities. The funding for this quality rating system is provided by a Federal grant administered through the Broward School Readiness Coalition, Inc. and requires no County funds. (Deferred from June 25, 2002 - Item 25)

ACTION: (Time-10:12 AM) Withdrawn for further staff review.

26. MOTION TO APPROVE Amendment No. 2 to Agreement No. 02-CSAD-8367 between Broward County and Family Central, Inc., from date of execution through September 30, 2002, increasing the value of the main agreement by \$97,986; from \$3,152,742 to \$3,250,728 for the purpose of providing child care for up to 214 children of homeless families in Broward County, and authorize the Chair and Clerk to execute same. The funding for this amendment is the result of underutilized funds from the Children's Services Administration Division Fiscal Year 2002 budget. All other terms and conditions of the original agreement remain in full force and effect.

ACTION: (Time-10:12 AM) Approved.

27. A. MOTION TO ADOPT Resolution 2002-660 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of \$500.00 from Frank Holt and Jean M. Holt for deposit in the Broward County Children's Victim Services Section Trust Fund (formerly known as the Sexual Assault Treatment Center Trust Fund), and authorizing the County Administrator to take all administrative actions to implement same. No County funds are required.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-661 within Trust Fund 6350-024-

1201-8500 for deposit in the Broward County Children's Victim Services Section Trust Fund (formerly known as the Sexual Assault Treatment Center Trust Fund), in the amount of \$500.

ACTION: (Time-10:12 AM) Approved.

ELDERLY AND VETERANS SERVICES DIVISION

28. **MOTION TO APPROVE** first amendment to agreement between Broward County and Silver Impact, Inc. for the purpose of increasing the total dollar amount of the contract by \$9,000; from \$34,000 to \$43,000 to ensure the continued provision of Mental Health Drop In Center services to elderly with mental health disabilities; and authorize the Chair and Clerk to execute same. No additional County funds are required. All other terms and conditions of original agreement remain in full force.

ACTION: (Time-10:12 AM) Approved.

29. **MOTION TO APPROVE** agreements between Broward County and Health Care Service Providers from July 15, 2002 to December 31, 2002; in the amount of \$167,778 for the provision of respite care services to caregivers of the elderly , and authorize the Chair and Clerk to execute same. Funding for this service is provided through Agreement JA002-15-2002 between Broward County and the Areawide Council on Aging of Broward County, Inc.

ACTION: (Time-10:12 AM) Approved.

OFFICE OF HOUSING FINANCE DIVISION

30. **MOTION TO ADOPT** Resolution 2002-662 of the Board of County Commissioners of Broward County, Florida, approving State Housing Initiatives Partnership (SHIP) program funding for Fiscal Year 2001/2002; approving the form agreement for the subgrantees; authorizing the County Administrator to execute the form agreements and any time extension, funding and project scope amendments; providing for severability; and providing for an effective date. **(Commission Districts 5, 7 and 9)**

ACTION: (Time-10:12 AM) Approved.

31. **MOTION TO APPROVE** agreement between Broward County and The Florida Atlantic University Board of Trustees for the benefit of the Broward County Office of Housing Finance RLI in the amount of \$23,800 for an analysis of Broward County residences' needs for affordable housing and submission of a Scope of Services for housing services, effective upon complete execution by both parties and terminating 180 days from date of execution, and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved. See Page *****

32. **MOTION TO APPROVE** agreement between Broward County and Broward County Community Development Corporation in the amount of \$75,000 for the rehabilitation of 21 rental apartments for very low and low income persons with special needs; and authorize the Chair and Clerk to execute same. The funding for this amendment is available in the State Housing Initiatives Partnership (SHIP) grant fund and no County funds are required. **(Commission Districts 7, 9)**

ACTION: (Time-10:36 AM) Approved. The Board directed staff to look at all outside not-for-profit

*organizations and incorporate a leveraging component to the grants. See Page ******

33. A. MOTION TO ADOPT unanticipated revenue Resolution within the Broward County Affordable Housing Assistance Trust Fund in the amount of \$5,264,136 to be used for implementing affordable housing strategies described in the 2002-2004 Joint Local Housing Assistance Plan as required by the State Housing Initiatives Partnership Act approved by the Board of County Commissioners through Resolution 2001-376 for Fiscal Years 2002, 2003 and 2004. (Deferred from July 2, 2002 - Item 30)

ACTION: (Time-10:12 AM) Withdrawn until August for additional information.

B. MOTION TO INCREASE personnel cap within the Broward County Affordable Housing Assistance Trust Fund by one grant position for the Office of Housing Finance. The position is a Contracts Grant Administrator II to address the increased workload, for implementing the affordable housing strategies in the State Housing Initiatives Partnership (SHIP) Program. (Deferred from July 2, 2002 - Item 30)

ACTION: (Time-10:12 AM) Withdrawn until August for additional information.

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

34. MOTION TO ADOPT Resolution 2002-663 of the Board of County Commissioners of Broward County, Florida approving the reallocation of \$44,230 Fiscal Year 2001 Domestic Violence Services funding; authorizing the County Administrator to execute the appropriate amendments to existing contracts; providing for severability; and providing for an effective date.

ACTION: (Time-10:12 AM) Approved.

35. MOTION TO APPROVE agreement between Broward County and Broward Regional Health Planning Council, Inc. (BRHPC), from March 1, 2002 to February 28, 2003, in the amount of \$944,742 for the purpose of providing Planning Council support and program support under the Ryan White Title I, C.A.R.E. Act grant; and authorize the Chair and Clerk to execute same. All funding for this agreement was obtained through the Ryan White Title I federal grant. No County match is required.

ACTION: (Time-10:12 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

36. A. MOTION TO APPROVE agreement between Broward County and the City of Lauderdale for the construction of water line improvements, in an amount not to exceed \$1,300,000; effective on the date of full execution of the agreement by both parties, and authorize the Chair and Clerk to execute same. **(Commission District 9)**

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-664 within the General Capital Outlay Fund in the amount of \$1,300,000 to provide funds for the construction of a water line in accordance with the agreement with the City of Lauderdale.

ACTION: (Time-10:12 AM) Approved.

DEPARTMENT OF SAFETY AND EMERGENCY SERVICES

BUILDING CODE SERVICES DIVISION

37. MOTION TO APPROVE interlocal agreement between Broward County and the City of Deerfield Beach to provide Florida Building Code inspection and plan review services to the City from July 11, 2002 through September 30, 2004, and authorize the Chair and Clerk to execute same. Broward County will recapture the cost of providing these services through revenues collected from fees charged to the City. (Commission Districts 2, 4)

ACTION: (Time-10:12 AM) Approved.

FIRE RESCUE DIVISION

38. A. MOTION TO ADOPT unanticipated revenue Resolution 2002-665 within the Emergency Medical Services Fund for the Fire Rescue Division in the amount of \$78,750 from the State of Florida Department of Health Bureau of Emergency Medical Services Matching Grant Program, for the purchase of a rapid gas chromatogram/mass spectrometer to perform rapid analysis of unknown hazardous biological or chemical substances. The Emergency Medical Services Matching Grant Program requires a County match of \$26,250.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO ADOPT budget Resolution 2002-666 within the Emergency Medical Services Fund transferring \$26,250 from reserve for the purpose of providing the required County cash match for the State of Florida Department of Health Bureau of Emergency Medical Services Matching Grant Program, for the purchase of a rapid gas chromatogram/mass spectrometer to perform rapid analysis of unknown hazardous biological or chemical substances.

ACTION: (Time-10:12 AM) Approved.

39. MOTION TO APPROVE interlocal agreement between Broward County and the City of North Lauderdale providing for the delivery of fire protection and emergency medical services by the City within the unincorporated areas known as Broadview Estates, Pompano Park, Imperial Estates, and Village Park for a six-year term effective October 1, 2002 through September 30, 2008, in the amount of \$755,000 for the first year; and authorize the Chair and Clerk to execute the same. (Commission District 1)

*ACTION: (Time-10:37 AM) Approved. See Page ******

TELECOMMUNICATIONS DIVISION

40. MOTION TO ADOPT budget Resolution 2002-667 transferring funds within the General Capital Outlay Fund in the amount of \$67,000 from the Public Safety Communications Reserve for a Work Order Tracking System to be used by the Division of Telecommunications to track repairs and upgrades to mobile and portable radios and lap top modems.

ACTION: (Time-10:12 AM) Approved.

PORT EVERGLADES DEPARTMENT

41. MOTION TO FILE Quarterly Report for Business Permits issued at Port Everglades for the period April 1, 2002 through June 30, 2002.

ACTION: (Time-10:12 AM) Approved.

42. MOTION TO APPROVE amended Florida Petroleum Reprocessors' Site PRP (Potentially Responsible Party) Group Agreement; and authorize the Chair and Clerk to execute same.

ACTION: (Time-10:12 AM) Approved.

OFFICE OF BUDGET SERVICES

43. MOTION TO ADOPT budget Resolution 2002-668 within the General Fund in the amount of \$300,000 from the Non-Departmental Reserve for the 17th Judicial District to provide funding reserved in anticipation of Local Government Criminal Justice Trust Fund revenues.

ACTION: (Time-10:12 AM) Approved.

44. MOTION TO APPROVE memorandum of agreement between the State of Florida, Department of State, Division of Elections and Broward County providing voting systems assistance to the County in the amount of \$1,158,750.

ACTION: (Time-10:12 AM) Approved.

45. MOTION TO ADOPT unanticipated revenue Resolution 2002-669 within the Law Enforcement Trust Fund (LETf) in the amount of \$25,000 for the purpose of providing cash match for the Gang Free Communities and School Grant.

ACTION: (Time-10:12 AM) Approved.

46. MOTION TO APPROVE increasing the Clerk of Courts' personnel cap by one position from 712 to 713, to hire personnel to administer the foreclosure revenue.

ACTION: (Time-10:12 AM) Approved.

47. A. MOTION TO ADOPT unanticipated revenue Resolution 2002-670 within the General Fund for the Clerk of Courts in the amount of \$57,710 in order to provide funding for seven additional support staff for the judiciary in Traffic Magistrate.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO APPROVE increasing the Clerk of Courts' personnel cap by seven positions from 713 to 720 to hire support personnel to assist the Traffic Magistrate judiciary.

ACTION: (Time-10:12 AM) Approved.

48. A. MOTION TO ADOPT unanticipated revenue Resolution 2002-671 within the General Fund for the Clerk of Courts in the amount of \$120,000 in order to provide additional staffing for operations related to child support enforcement.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO APPROVE increasing the personnel cap for the Clerk of Courts by four positions from 720 to 724, to hire personnel necessary for expedited processing of child support enforcement cases.

ACTION: (Time-10:12 AM) Approved.

49. MOTION TO ADOPT unanticipated revenue Resolution 2002-672 within the General Fund for the Clerk of Courts in the amount of \$50,000 in order to provide funding for operations related to the Clerk of Courts' Driver's License Reinstatement Program.

ACTION: (Time-10:12 AM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

50. A. MOTION TO ADOPT budget Resolution 2002-673 of the Broward County Board of County Commissioners to transfer from reserve a total of \$250,000 to support Project Horizons II, a public/private strategic initiative for a community and economic development visioning process designed to address a consolidated vision for the future of Broward County. The funds will serve as the County's contribution toward the overall cost of this project, to include the cost of temporary personnel and consultants as necessary to conduct the business activities associated with the project.

ACTION: (Time-10:37 AM) Approved. See Page *****

B. MOTION TO ADOPT Resolution 2002-674 of the Broward County Board of County Commissioners to join in partnership with the Broward Alliance, the Broward Workshop, and other community organizations to conduct this community and economic development visioning process; and designating the Office of Economic Development, through the County Administrator, as the County's coordinating agency to administer the project budget and to ensure that the County's participation in this visioning process is carried out to meet the Board's goals and objectives.

ACTION: (Time-10:37 AM) Approved. See Page *****

GREATER FORT LAUDERDALE CONVENTION CENTER

51. MOTION TO APPROVE First Amendment to Agreement between Broward County and TNT Promotions, Inc., d/b/a Sharp Marketing for Marketing and Distribution of Greater Fort Lauderdale Convention & Visitors Bureau Logo on Apparel and Merchandise. The initial term of this Agreement shall commence on July 28, 1997, and terminate on September 30, 2005. The County agrees to pay Second Party, in the manner specified in Section 4.2, in an amount not to exceed the amount budgeted by the County for promotional items. The Agreement will not exceed Two Hundred Thousand Dollars (\$200,000.00) per fiscal year. Section 9.7, for Broward County, the President of the GFLCVB and the Assistant to the County Administrator will be designated for giving notice. Section 9.8.1, the Second Party shall provide County with a monthly sales journal of all customer purchases of Greater Fort Lauderdale Convention & Visitors Bureau (GFLCVB) logo products, and a quarterly sales journal of all customer purchases of COUNTY logo products. All sales journals required shall be delivered to the attention of the Vice President of Administration for the GFLCVB at 1850 Eller Drive, Suite 303, Fort Lauderdale, FL 33316. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect between the parties, and authorize the Clerk and Chair to execute same.

ACTION: (Time-10:38 AM) Approved, as amended. The Board directed staff to place the contract out to bid when the contract terminates on September 30, 2005. See Page *****

COUNTY ATTORNEY

52. **MOTION TO APPROVE** Settlement agreement in the case of John J. Kirlin, Inc. of Florida, a Division of John J. Kirlin, Inc. v. Broward County v. MWH Americas, Inc. f/k/a Montgomery Watson Americas, Inc., Case No. 00-019102(25).

ACTION: (Time-10:12 AM) Approved.

COUNTY ADMINISTRATION

53. **MOTION TO APPROVE** grant application by the Broward Sheriff's Office (BSO) in the amount of \$100,000 to the Florida Department of Law Enforcement (Edward Byrne Memorial Grant Program) in order to support a statewide initiative known as "OPERATION T.H.U.G.S." (Taking Hoodlums Using Guns Seriously) for the period of October 1, 2002 through September 30, 2003.

ACTION: (Time-10:12 AM) Approved.

COUNTY COMMISSION

54. **MOTION TO FILE** Resolution No. 2002-16 of the City of Hallandale Beach, supporting the City of Hollywood's proposal to Broward County to provide Regional Public Safety Communications. (Chair)

ACTION: (Time-10:12 AM) Approved.

55. **MOTION TO FILE** Resolution of the Broward Teachers Union, expressing support of a living wage, supporting the goal of raising base pay for employees of firms which contract for services with or receive economic assistance from local government in Broward County to 110% of the federal poverty level for a family of four, and to provide health care benefits. (Chair)

ACTION: (Time-10:12 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

56. **MOTION TO DIRECT** County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 13, 2002 at 2:00 p.m. in Room 422 of the Governmental Center to consider Nonemergency Medical Transportation Service (NEMTS) licenses (renewals) for Security USA Transportation, Inc. and We Care of the Palm Beaches, Inc.

ACTION: (Time-10:12 AM) Approved.

57. **MOTION TO ADOPT** Resolution 2002-675 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 13, 2002 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 15, ARTICLE XII OF THE BROWARD COUNTY CODE, RELATING TO THE BROWARD COUNTY HEALTH FACILITIES AUTHORITY; PROVIDING

FOR AN AMENDMENT TO CHAPTER 15, SECTIONS 15-176(j) AND 15-181(a), TO INCREASE THE MAXIMUM AMOUNT OF BONDS WHICH THE AUTHORITY MAY ISSUE FROM TWO HUNDRED SIXTY- FOUR MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$264,700,000) TO THREE HUNDRED AND FOUR MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$304,700,000); PROVIDING FOR SEVERABILITY; PROVIDING FOR A CERTIFIED COPY TO BE SENT TO THE DEPARTMENT OF REVENUE; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-10:12 AM) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

AIR QUALITY DIVISION

58. A. MOTION TO ACCEPT \$109,577 increase in the Section 103 PM-2.5 Air Monitoring Program, Cooperative Agreement No. PM984384-98-5 grant award from the U.S. Environmental Protection Agency (USEPA) for air quality monitoring with no County matching funds, and to authorize the County Administrator to make necessary administrative and budgetary actions to execute the grant for the Department of Planning and Environmental Protection.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-676 within Fund 8300 for the Department of Planning and Environmental Protection in the amount of \$109,577 to recognize the Section 103 grant award increase.

ACTION: (Time-10:12 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

59. MOTION TO APPROVE amendment number four to the agreement between Broward County and the Florida Fish and Wildlife Conservation Commission (FWCC) for restoration of the USS Memphis reef grounding site to add the Year Four state funding increment of \$16,912 to the original agreement. **(Commission District 6)**

ACTION: (Time-10:12 AM) Approved.

DEVELOPMENT MANAGEMENT DIVISION

60. MOTION TO ADOPT Resolution 2002-677 of the Board of County Commissioners of Broward County, Florida amending the Broward County Administrative Code, Chapter 27, Operational Policy, Development Management Division, by amending Appendix 27A, Road Segments Operating at Level of Service "D"; amending Appendix 27B, Road Segments on Constrained Facilities with Level of Service Standard "110% Maintain"; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-10:41 AM) Approved, as amended, based on the applicant's representations. (Moved to the Regular Agenda) See Page *****

POLLUTION PREVENTION AND REMEDIATION DIVISION

61. A. MOTION TO APPROVE Contract No. GC642, in the amount of \$131,680 (renewable for two, one-year periods, for a total contract value of \$395,040), between the Broward County Board of County Commissioners (Board) and the Florida Department of Environmental Protection (FDEP) for the accelerated resolution of significant non-compliance (SNC) violations at regulated storage tank facilities within Broward County; authorize the County Administrator to make the necessary administrative and budgetary actions to implement the contract.

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO INCREASE personnel cap within the General Fund for the Pollution Prevention and Remediation Division (PPRD) by one Natural Resource Specialist II, and one Administrative Coordinator-I, for the purposes of implementing the contract; and to eliminate the two new positions when State funding for the contract ceases.

ACTION: (Time-10:12 AM) Approved.

62. A. MOTION TO ACCEPT \$50,000 water conservation grant award from the South Florida Water Management District (SFWMD) for creation of a Rain Shut-off Device Incentive Program, and authorize the County Administrator to take necessary administrative and budgetary actions to execute the grant for the Pollution Prevention and Remediation Division of the Department of Planning and Environmental Protection (DPEP).

ACTION: (Time-10:12 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2002-678 within Fund 8645 in the amount of \$50,000 to recognize receipt of a water conservation grant award from the SFWMD.

ACTION: (Time-10:12 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

63. DISCUSSION: of plat entitled “Silver Falls” - **Commission District 8**, 071-MP- 01.

ACTION: (Time-10:44 AM) Approved the plat, as amended, and subject to staff’s recommendations as outlined in the Development Review Report and based on the approval of item 60. Further, Commissioner Wasserman- Rubin, as the District Commissioner, will send a letter, on behalf of the County Commission, to the City of Miramar expressing the County Commission’s concerns regarding construction within noise abatement areas, and look forward to the city addressing the issue at the

*municipal planning level. (Moved to the Regular Agenda) See Page ******

64. DISCUSSION: of plat entitled "Memorial Hospital Miramar" - **Commission District 8**, 034-MP-01. (Deferred from May 21, 2002.)

ACTION: (Time-10:12 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

65. A) DELEGATION: Gerald L. Knight regarding request to amend the note on the Kings Point Replat - **Commission District 3**, 058-MP-93. (Deferred from June 18, 2002.)

ACTION: (Time-10:12 AM) Approved subject to staff's recommendations.

B) MOTION TO APPROVE unanticipated revenue Resolution 2002-679 within the Engineering Capital Outlay Fund (3150) in the amount of \$50,000 for the purpose of funding the acquisition and installation of traffic video detection devices.

ACTION: (Time-10:12 AM) Approved.

66. DELEGATION: Karen Lynch, representing School Board of Broward County, regarding the Minto-Margate I Plat - **Commission District 2**, 014-MP-89.

A) Request to amend the note on the plat.

ACTION: (Time-10:12 AM) Approved subject to staff's recommendations.

B) Request to amend the non-vehicular access line. (Deferred from May 21, 2002.)

ACTION: (Time-10:12 AM) Approved subject to staff's recommendations.

67. DELEGATION: C. William Laystrom Jr. regarding request to amend the note on the Jacaranda Parcel 840 Plat - **Commission District 7**, 043-MP-86. (Deferred from December 4, 2001.)

ACTION: (Time-10:12 AM) Withdrawn at the applicant's request.

68. DELEGATION: Sheila Rose, representing the City of Coconut Creek, regarding request to amend the note on the High School "GGG" Site No. 354.1 Plat - **Commission District 2**, 020-MP-99. (Deferred from June 18, 2002)

ACTION: (Time-10:12 AM) Approved subject to staff's recommendations and contingent upon the School Board approval of the Concurrency Agreement.

69. DELEGATION: Sheila Rose, representing the City of Coconut Creek, regarding request to amend the note on the Hale Plat - **Commission District 2**, 043-MP- 84. (Deferred from June 18, 2002)

ACTION: (Time-10:12 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

70. **COUNTY ADMINISTRATOR'S REPORT** County Administrator Roger J. Desjarlais gave a brief overview of the FY 2003 Broward County Operating and Capital Budget to the Board. He advised that the total County-wide millage rate will decline from 7.4005 to 7.365. The County Administrator thanked the County Commissioners for their direction and support. Also, Mr. Desjarlais thanked Bertha Henry, Deputy County Administrator; County Attorney Edward A. Dion and Commission Auditor Norman Thabit for their partnerships, Kayla Olsen, director, Office of Budget Services; Pete Corwin, Denise Cot'e, Pamela Madison and Zack Williams, Assistants to the County Administrator; all department directors and all respective /TO*GTS staffs for the fine job they did working on the County's budget.

ACTION: (Time-3:03 PM) The Commissioners commended the County Administrator and staff for their hard work and efforts working on the County's budget. See Page *****

PUBLIC HEARING

This item has been scheduled for Public Hearing at 10:00 a.m.

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

71. **MOTION TO APPROVE** contract for sale and purchase between Seagrove- Davis Realty, Ltd. and Broward County in the amount of \$275,000 for GOB Safe Parks and Land Preservation Bond Issue Site 353.2 (0.29-acre Conservation Land); GOB Safe Parks and Land Preservation Bond Issue authorizes Real Property Section to acquire this property using GOB Safe Parks and Land Preservation Bond Issue funds; authorize the Chair and Clerk to execute contract for sale and purchase; and authorize acceptance and recordation of deed. **(Commission District 6)**

ACTION: (Time-10:50 AM) Approved. See Page *****

END PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

72. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held Tuesday, August 13, 2002 in Room 422 of the Governmental Center to consider the purchase of GOB Safe Parks and Land Preservation Bond Issue Delevoe Park Addition parcel (2.49 acres) pursuant to Florida Statute 125.355.

ACTION: (Time-10:51 PM) Withdrawn. See Page *****

B. MOTION TO ACKNOWLEDGE to the Broward County Board of County Commissioners that the Office of General Services, Real Property Section intends to present for consideration on August 13, 2002 a purchase and sale contract for real estate Delevoe Park Addition parcel (108,429 square feet, 2.49 acres) located at 550 NW 27th Avenue, Fort Lauderdale, Broward County, Florida, at a total purchase price of \$2,200,000. **(Commission District 7)**

ACTION: (Time-10:51 PM) Withdrawn. See Page *****

73. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held Tuesday, August 13, 2002 in Room 422 of the Governmental Center to consider the purchase of GOB Safe Parks and Land Preservation Bond Issue Site 216 (11.68-acre Conservation Land) pursuant to Florida Statute 125.355.

ACTION: (Time-10:52 AM) Approved.

B. MOTION TO ACKNOWLEDGE to the Broward County Board of County Commissioners that the Office of General Services, Real Property Section intends to present for consideration on August 13, 2002 a purchase and sale contract for real estate Site 216 (508,663 square feet, 11.68 acres) located on the east side of U.S. 441, approximately 600 feet north of Hillsboro Boulevard, in Coconut Creek, Florida at a total purchase price of \$4,250,000. **(Commission District 2)**

ACTION: (Time-10:52 AM) Approved.

74. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held Tuesday, August 13, 2002 in Room 422 of the Governmental Center to consider the purchase of GOB Safe Parks and Land Preservation Bond Issue Site 212 (3.93-acre Green Space) pursuant to Florida Statute 125.355.

ACTION: (Time-10:52 AM) Approved. See Page *****

B. MOTION TO ACKNOWLEDGE to the Broward County Board of County Commissioners that the Office of General Services, Real Property Section intends to present for consideration on August 13, 2002 a purchase and sale contract for real estate Site 212 (171,290 square feet, 3.93 acres) located at the northeast corner of NW 27th Avenue and Sunrise Boulevard, in Unincorporated Broward County, Florida at a total purchase price of \$1,070,000. **(Commission District 9)**

ACTION: (Time-10:52 AM) Approved. See Page *****

75. MOTION TO ACCEPT addition of Site 444, located within the City of Lighthouse Point, into the Conservation Land and Green Space Inventory as a Green Space and authorize the Real Property Section to initiate due diligence on the property. **(Commission District 4)**

ACTION: (Time-10:18 AM/10:22 AM) Approved. See Page *****

76. MOTION TO APPROVE agreement between Broward County and Robert S. Walters, A.I.A., P.A., (Walters), RLI 20011101-5-PA-01, for owner's representative (construction management) services for repair/replacement of certain park facilities within the Broward County parks system, totaling approximately \$7,820,000, with Project funded through the 2000 Safe Parks and Land Preservation Bond program, providing for (i) maximum not-to-exceed compensation to be paid to Walters in the amount up to \$380,000 to perform the owner's representative/construction management services; (ii) payment to Walters of an amount not-to-exceed \$70,000 for reimbursables, for a total not-to-exceed owner's representative services amount of \$450,000, for a term commencing upon execution by the County and ending no later than five years from that date; and authorize the Chair and the Clerk to execute same. **(Commission District 5)** (Chair)

ACTION: (Time-10:53 AM) Approved.

COUNTY ADMINISTRATION

77. MOTION TO ESTABLISH Evaluation Committee to seek and evaluate a proposal from the Broward Sheriff's Office (BSO) for the provision of Fire/Rescue services.

ACTION: (Time-10:54 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-3:08 PM) Motion, as amended, failed. See Page *****

78. MOTION TO APPROVE agreement among Broward County ("County") Community Cable Television, Mediaone of Greater Florida, Inc., TCI TKR of South Florida, Inc., and Margate Video Systems, Inc. (collectively the Franchisees), relating to cable television franchises, identified above, which include provisions for amending upgrades of the cable systems, extension of franchise terms for certain franchises, and other provisions as agreed upon by both parties.

ACTION: (Time-11:05 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-3:42PM/4:10 PM) Approved with the following amendments: 1) That the improvements to the system shall be completed by March 31, 2004, liquidated damages commencing April 1, 2004. 2) No bonds will not be released until the last upgrade is made (each bond at \$200,000). (On the bond, the County shall be named as having the ability to draw down on the bond automatically.). 3) With respect to the two franchise extensions, Community Cable Television (Davie) and TCI TKR of South Florida, Inc. will provide a report showing revenues and expenditures raised within each franchise district on an annual basis. 4) After the system is launched, AT & T shall provide free installation and service of the cable modems and Internet access to all public schools and all libraries in the subject unincorporated areas covered by the franchises, including same services to the African American Library and Research Center by its opening date. Further, similar cable service shall be provided to up to five (5) social services agencies.

See Page *****

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11:00 AM TIME CERTAIN

PUBLIC HEARING

(Continued from July 2, 2002 - Item 74)

79. A. MOTION TO ADOPT Resolution 2002-680 of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, Selkirk Communications, Inc., by Resolution 95-283 which was subsequently transferred by Resolution 2000-1233 to Community Cable Television; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to those unincorporated areas of Broward County; commonly known as "Palm Aire Village," more particularly described as area bounded on the north by McNab Road, on the east by NW 31st Avenue, on the south by NW 44th Street, and on the west by the Florida Turnpike plus the area bounded on the north by Cypress Creek Canal, on the east by Dixie Highway, on the south by Cypress Creek Road, and on the west by Interstate 95, and those unincorporated areas of Broward County bounded on the north by a line extending due east from the northeast corner of the Town of Sea Ranch Lakes, on the east by the Atlantic Ocean, on the south by Pine Road, and on the west by Highway A1A, excluding incorporated municipalities; providing for severability; and providing for an effective date. (**Commission Districts 4, 7, 9**)

ACTION: (Time-11:05 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-4:44 PM) Approved the transfer contingent upon AT & T, on behalf of the Franchisees, notifying the County that they accept the amended agreements set forth in Item 78 no later than 500 p.m., Friday, July 12, 2002. If AT & T and the Franchisees do not sign the amended agreements within 2 weeks, the approval is then denied based upon the financial constraints outlined in the memorandum dated June 24, 2002, from John Prior, director, Accounting Division, and that the County Attorney is authorized to file ex parte comments, including the map from the Finance & Administrative Services director showing the unequal upgrades, the discrimination against the unincorporated areas (predominantly racially identifiable areas), as well as failure to perform upgrades in the areas, which shows technical ability or character, along with any other pertinent information, with the Federal Communications Commission (FCC) and to hire outside counsel, if deemed necessary, to oppose the proposed transfer.

See Page *****

B. MOTION TO ADOPT Resolution 2002-681 of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, Margate Video Systems, Inc., d/b/a Telecable of Broward County by Resolution No. 95-376; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to the franchise for those unincorporated areas of Broward County bounded on the north by the Broward County line, on the east by the Florida Turnpike, on the south by Sample Road, and on the west by the eastern boundary of Conservation Area 2A, excluding incorporated municipalities; providing for severability; and providing for an effective date. (**Commission Districts 1, 3**)

***ACTION: (Time-11:05 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page

ACTION: (Time-4:44 PM) Approved the transfer contingent upon AT & T, on behalf of the Franchisees, notifying the County that they accept the amended agreements set forth in Item 78 no later than 500 p.m., Friday, July 12, 2002. If AT & T and the Franchisees do not sign the amended agreements within 2 weeks, the approval is then denied based upon the financial constraints outlined in the memorandum dated June 24, 2002, from John Prior, director, Accounting Division, and that the County Attorney is authorized to file ex parte comments, including the map from the Finance & Administrative Services director showing the unequal upgrades, the discrimination against the unincorporated areas (predominantly racially identifiable areas), as well as failure to perform upgrades in the areas, which shows technical ability or character, along with any other pertinent information, with the Federal Communications Commission (FCC) and to hire outside counsel, if deemed necessary, to oppose the proposed transfer.

See Page *****

C. MOTION TO ADOPT Resolution 2002-682 of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, MediaOne of Greater Florida, Inc., Resolution No. 1998-323; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to those unincorporated areas of Broward County with boundaries east of Rock Island Road, south of SW 15th Street to NE 15th Avenue and SE 15th Street to the Atlantic Ocean, north of Oakland Park Boulevard, excluding incorporated municipalities; providing for severability; and providing for an effective date. (**Commission Districts 2, 4, 9**)

***ACTION: (Time-11:05 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page

ACTION: (Time-4:44 PM) Approved the transfer contingent upon AT & T, on behalf of the Franchisees, notifying the County that they accept the amended agreements set forth in Item 78 no later than 500 p.m., Friday, July 12, 2002. If AT & T and the Franchisees do not sign the amended agreements within 2 weeks, the approval is then denied based upon the financial constraints outlined in the memorandum dated June 24, 2002, from John Prior, director, Accounting Division, and that the County Attorney is authorized to file ex parte comments, including the map from the Finance & Administrative Services director showing the unequal upgrades, the discrimination against the unincorporated areas (predominantly racially identifiable areas), as well as failure to perform upgrades in the areas, which shows technical ability or character, along with any other pertinent information, with the Federal Communications Commission (FCC) and to hire outside counsel, if deemed necessary, to oppose the proposed transfer.

See Page *****

D. MOTION TO ADOPT Resolution 2002-683 of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, TCI TKR of South Florida, Inc., d/b/a TCI of South Florida by Resolution No. 2002-255; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to the franchise for those unincorporated areas of Broward County bounded on the north by State Road 84, on the east by the Atlantic Ocean, on the south by the Miami-Dade County line, and on the west by U.S. Highway 27, excluding incorporated municipalities; providing for severability; and providing for an

effective date. (Commission Districts 5, 6, 8)

ACTION: (Time-11:05 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-4:44 PM) Approved the transfer contingent upon AT & T, on behalf of the Franchisees, notifying the County that they accept the amended agreements set forth in Item 78 no later than 500 p.m., Friday, July 12, 2002. If AT & T and the Franchisees do not sign the amended agreements within 2 weeks, the approval is then denied based upon the financial constraints outlined in the memorandum dated June 24, 2002, from John Prior, director, Accounting Division, and that the County Attorney is authorized to file ex parte comments, including the map from the Finance & Administrative Services director showing the unequal upgrades, the discrimination against the unincorporated areas (predominantly racially identifiable areas), as well as failure to perform upgrades in the areas, which shows technical ability or character, along with any other pertinent information, with the Federal Communications Commission (FCC) and to hire outside counsel, if deemed necessary, to oppose the proposed transfer.

See Page *****

E. MOTION TO ADOPT Resolution 2002-684 of the Board of County Commissioners of Broward County, Florida, relating to the cable television franchise granted to the franchisee, Community Cable Television, by Resolution No. 2002-254; approving the transfer of control from franchisee's parent corporation, AT&T Corp., to AT&T Comcast Corporation; relating to the franchise for those unincorporated areas of Broward County bounded on the north by Oakland Park Boulevard, on the east by the Atlantic Ocean, on the south by Sheridan Street, and on the west by U.S. Highway 27, excluding incorporated municipalities; providing for severability; and providing for an effective date. (Commission Districts 5, 7, 8)

ACTION: (Time- 11:05 AM) Tabled to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (Time-4:44 PM) Approved the transfer contingent upon AT & T, on behalf of the Franchisees, notifying the County that they accept the amended agreements set forth in Item 78 no later than 500 p.m., Friday, July 12, 2002. If AT & T and the Franchisees do not sign the amended agreements within 2 weeks, the approval is then denied based upon the financial constraints outlined in the memorandum dated June 24, 2002, from John Prior, director, Accounting Division, and that the County Attorney is authorized to file ex parte comments, including the map from the Finance & Administrative Services director showing the unequal upgrades, the discrimination against the unincorporated areas (predominantly racially identifiable areas), as well as failure to perform upgrades in the areas, which shows technical ability or character, along with any other pertinent information, with the Federal Communications Commission (FCC) and to hire outside counsel, if deemed necessary, to oppose the proposed transfer.

See Page *****

QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission’s agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

80. DISCUSSION: of plat entitled “E. K. Investment Plat” - **Commission District 3**, 093-MP-01. (Deferred from July 2, 2002.)

ACTION: (Time-10:54 AM) Approved subject to staff’s recommendations and conditions which will assure compliance with the standards and requirements of Chapter 5, Article IX of the Broward County Code of Ordinances.

*See Page ******

END OF QUASI-JUDICIAL HEARING

FINANCE & ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

81. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firms to submit bids for removal, disposal and replacement of air handler units on Terminals 2, 3 and 4, plus Concourses E, F and H at the Fort Lauderdale- Hollywood International Airport, and approve Request for Letters of Interest (RLI) No. 20020617-0-AV-01.

ACTION: (Time-10:55 AM) Approved the following to serve on the Selection Committee: Director, Planning and Development Division, Aviation Department (Chair); Director, Office of General Services, Public Works Department, and Director, Maintenance Division, Aviation Department. Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.

82. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firms to provide bids to furnish and install equipment needed to complete the communications center and coordinate the move of existing systems at the Fort Lauderdale/Hollywood Airport, and approve Request for Letters of Interest (RLI) No. 20020617-0-AV-02.

ACTION: (Time-10:55 AM) Approved the following to serve on the Selection Committee:

Director, Planning and Development Division, Aviation Department (Chair); Director, Information Systems, Office of Environmental Services, Public Works Department, and Director, Information Systems, Aviation Department. Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.

For Finance and Administrative Services Department

83. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide a study of requirements and design of a fiber optic network for the Office of Information Technology, and approve Request for Letters of Interest (RLI) No. 20020411-0-IT-01.

ACTION: (Time-10:56 AM) Approved the following to serve on the Selection/Negotiation Committee: Commissioners Eggelton, Parrish, Rodstrom and Wasserman-Rubin; Chief Information Officer, Office of Information Technology (Chair); Director, Telecommunications, Department of Safety and Emergency Services, Director, Office of Budget Services, Director, Traffic Engineering, Public Works Department, and one School Board staff member if designated by the Superintendent of Schools. Plus, administrative support staff from the offices of County Attorney, Commission Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.

84. MOTION TO ADOPT Resolution 2002-685 amending numerous sections of the Broward County Procurement Code; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-10:56 AM) Approved, as amended, page 4, Section 21.15, line 21: “. . . Each Commissioner’s office shall provide a copy of all requests for payments . . . to the Commission Auditor, within 24 hours use of the card.” See Page *****

For Public Works Department

85. MOTION TO APPROVE settlement agreement between Broward County and Man Con, Inc. (MCI) for North County Neighborhood Improvement Project, Bid Package No. 2, Bid No. T-2-01-024-CF in the amount of \$304,097.55 which will withdraw and nullify the contractor’s claim of \$418,459.10, allow the closeout of the contract for the Office of Environmental Services (OES), and authorize the Chair and Clerk to execute same. (BCOES Project No. 1152/8629) **(Commission District 2)**

ACTION: (Time-10:57 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

86. MOTION TO APPROVE termination of lease agreement between Broward County and SmartParks-Florida, Inc., (“Lessee”), for a Family Aquatic Center at Tradewinds Park; providing for the County to waive the 120 day notice by Lessee to terminate the Lease Agreement without cause; providing for an effective date of termination of July 9, 2002, providing for a payment by Lessee to Broward County of \$100,000 by July 24, 2002, for the right to terminate early; and authorizing the County Administrator to take all necessary administrative and budgetary actions to effectuate the termination of lease agreement. **(Commission District 2)**

ACTION: (Time-10:57 AM/3:01 PM) Approved. By a consensus of the Board, the Board agreed that the \$100,000 shall remain in the Parks and Recreation Division's budget for other projects. See Page *****

OFFICE OF BUDGET SERVICES

87. MOTION TO ADOPT unanticipated revenue Resolution 2002-686 within the Law Enforcement Trust Fund (LETF) in the amount of \$33,000 for the purpose of providing funding to the Coordinating Council of Broward's Healthy Communities Plan and Work Program 2002-2003.

ACTION: (Time-10:57 AM) Approved.

PORT EVERGLADES DEPARTMENT

88. MOTION TO ADOPT Resolution 2002-687 of the Board of County Commissioners of Broward County, Florida, amending the Broward County Administrative Code, Volume Two, Chapter 42, Sections Four, Five, Eight and Nine of Port Everglades Tariff No. 11, codified as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code providing for definition of intercoastal tug & barge container ocean carriers; providing for the establishment of dockage, cargo wharfage and container crane rates applicable to intercoastal tug and barge container ocean carriers providing carriage between Port Everglades and other continental United States ports; providing for severability; providing for inclusion in the Broward County Administrative Code; and providing for an effective date.

ACTION: (Time-10:58 AM) Approved.

SUPERVISOR OF ELECTIONS

89. MOTION TO ADOPT Resolution adopting recommendation made by the Supervisor of Elections altering and creating precincts for voting in Broward County, effective August 1, 2002 as submitted in Exhibit A, attached.

ACTION: (Time-10:58 AM) Approved, as corrected. (Scrivener's error - See County Administrator's report: Should read: MOTION TO ADOPT ~~Resolution adopting~~ recommendations made by the . . .)

COUNTY COMMISSION

90. MOTION TO DISCUSS amendment to the Broward County Charter concerning fire and rescue services. (Chair)

ACTION: (Time-11:45 AM) Motion failed. See Page *****

SUPPLEMENTAL AGENDA

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

91. A. MOTION TO APPROVE Change Order No. B-256 to the construction agreement between Broward County and Aviation Constructors, Inc./Morse Diesel International, Inc.(ACI/MDI), a joint venture, for New North Passenger Terminal and Concourse C, Task D (Phase One) and Concourse B, Task C (Phase Two), at Fort Lauderdale-Hollywood International Airport, for an increase of \$773,733 in contract value from \$95,210,619 to \$95,984,352; with no change in Phase One contract time of 747 calendar days and no change in A. MOTION TO APPROVE Change Order No. B-256 to the construction agreement between Broward County and Aviation Constructors, Inc./Morse Diesel International, Inc.(ACI/

ACTION: (Time-10:59 AM) Approved.

B. MOTION TO APPROVE increase in the tenant build-out allowance (TBO) of up to \$400,000 from \$3,260,000 to \$3,660,000 for the construction agreement between Broward County and ACI/MDI, a joint venture, for New North Passenger Terminal and Concourse C, Task D (Phase One) and Concourse B, Task C (Phase Two), at Fort Lauderdale-Hollywood International Airport.

ACTION: (Time-10:59 AM) Approved.

COUNTY COMMISSION

92. MOTION TO DISCUSS Broward Beautiful Board contract and grant criteria. (Commissioner Jacobs)

ACTION: (Time-10:59 AM) The Board moved to allow the grants already given out to go forward under the old contracts exactly as expected when the neighborhood associations first applied for the grants, and directed appropriate staff to amend the contract to provide a different type of financial audit, to enable the neighborhood associations to meet the criteria for the Broward Beautiful grants. See Page *****

93. MOTION TO FILE Resolution of the Governing Board of Water Control District No.3 electing to transfer the power, duties, obligations and functions of Water Control District No. 3 to the Broward County Board of County Commissioners; providing for a list of assets and real and personal property that will be transferred to Broward County; providing for a list of monies that will be held in a separate account for the operation of the District; providing for a list of all contracts and agreements to which the MOTION TO FILE Resolution of the Governing Board of Water Control District No.3 electing to transfer the power, duties, obligations and functions of Water Control District No. 3 to the Broward County Board of County Commissioners; providing for a list of assets and real and personal property t

ACTION: (Time-11:03 AM) Approved. See Page *****

94. MOTION TO ADOPT Resolution amending Chapter 18 of the Broward County Administrative Code, "Board Policy," establishing a Board annexation policy. (Commissioner Eggelletion)

ACTION: (Time-11:03 AM) Tabled to the conclusion of the 2:00 p.m. public hearing.

ACTION: (Time-3:46 PM) No Board action was taken. See Page *****

NON AGENDA

95. LICENSE AGREEMENT - CITY OF LAUDERHILL - COMMISSIONER EGGELLETON

ACTION: (Time-4:53 PM) The Board approved, as amended, the License Agreement between the County and the City of Lauderdale for the District office of Commissioner Eggelletion. (Amendment: Pages 4/5 paragraph 16, Notices: Add the County Attorney's Office for notice, in addition to Charles Faranda, City Manager, W. Earl Hall, Esquire and Commissioner Eggelletion.)

See Page *****

96. SEPTEMBER 11 OBSERVANCE - UNION ISSUES - COMMISSIONER EGDELLETION

ACTION: (Time-4:54 PM) Commissioner Eggelletion will continue to work with the County Administrator on the issues. An item will be placed on the Commission agenda in August. See Page *****

97. PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT (H.R. 1475)

ACTION: (Time-4:57 PM) The Board directed staff to monitor the legislation during the summer hiatus and if the collective bargaining agreement is impacted, that the Washington lobbyists be directed to oppose any impacts on the collective bargaining agreement. See Page *****

98. CLOSING COUNTY'S NURSERY - MARKHAM PARK - COMMISSIONER JACOBS

ACTION: (Time-5:00 PM) The Board directed staff to research the issue and make efforts to keep the nursery opened. See Page *****

99. CONCERNS REGARDING CONTENT/WORDING OF APPRAISAL FOR RICHARDSON PROPERTY - COMMISSIONER JACOBS

ACTION: (Time-5:02 PM) The County Administrator advised that staff has dealt with the issue and would meet Commissioner Jacobs to discuss the matter. See Page *****

100. CHANGE VOTE ON ITEM 77 - COMMISSIONER JACOBS

ACTION: (Time-5:07 PM) Commissioner Jacobs requested that she be shown voting in the affirmative on the main motion for item 77. See Page *****

101. BEACON COUNCIL - COUNTY'S RESOLUTION INCENTIVES - COMMISSIONER LIEBERMAN

ACTION: (Time-5:08 PM) No Board action was taken. See Page *****

102. ADOPT STATE LAW - DOG FIGHTING REGULATIONS - COMMISSIONER LIEBERMAN

ACTION: (Time-5:09 PM) The Board directed appropriate staff to work with the law enforcement agencies to explain state law and ensure that the state's dog fighting regulations are enforced in Broward County. See Page *****

103. ADD TO SELECTION/NEGOTIATION COMMITTEES - COMMISSIONER WASSERMAN-RUBIN

ACTION: (Time-5:11 PM) The Board voted to add Commissioner Wasserman- Rubin the following

Selection/Negotiation Committees: 20203140 CM-01 Major Re-roofing and RLI#20020227-0-PORT-01, Advertising Services for Greater Fort Lauderdale Bureau & Convention Center, Aviation and Port.

See Page *****

104. INFORMATIONAL ITEM - NEW CARGO CARRIER AT PORT EVERGLADES - COMMISSIONER EGGELLETION

ACTION: (Time-5:11 PM) No Board action was taken. See Page *****

105. SPONSOR TABLE - HONORING AND RECOGNIZING THE ACCOMPLISHMENTS OF EXECUTIVE DIRECTOR EDITH LEDERBERG - AREA AGENCY ON AGING OF BROWARD COUNTY - THE CHAIR

ACTION: (Time-5:11 PM) No Board action was taken. See Page *****

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