

MEETING OF AUGUST 5, 2008

(Meeting convened at 2:20 p.m., and adjourned at 6:15 p.m.)

PLEDGE OF ALLEGIANCE was led by Walter Dix, Broward County Professional Firefighters & Paramedics Association, President of Local 4321.

MOMENT OF SILENCE

In memory of Patrick Lambert, Broward Sheriff's Office, Department of Detention, and representative for the Federation of Public Employees.

In memory of Gerald Charlton, longtime crane maintenance operator at Port Everglades, and owner of GFC Crane Consulting.

In memory of Lois Howell, longtime community activist.

In memory of David Patterson, former Fort Lauderdale homicide detective and investigator with the State Attorney's Office.

In memory of Janice Cooper, longtime community activist, and senator in the Silver Haired Legislature.

In memory of our brave troops serving in both Iraq and Afghanistan and throughout the world.

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

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

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Keechl and unanimously carried to approve the Consent Agenda consisting of items 1 through 77. At the request of the Mayor, Regular Agenda items, 82, 87, & Supplemental Item 91, were transferred to the Consent Agenda.

The following items were withdrawn/deferred: 13, 25, 65, 69, 74, & 85.

The following items were pulled by the Board and considered separately: 1, & 70.



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

The following items were pulled by members of the public and considered separately: 3, 4, 14, 58, & 59.

BOARD APPOINTMENTS

1. MOTION TO APPOINT Martin Rubinstein to the Transit Advisory Board. (Commissioner Lieberman)

(This item was pulled by Commissioner Eggelletion.)

ACTION: (T-2:51 PM) Deferred until Tuesday, August 12, 2008. (Refer to minutes for full discussion.)

VOTE: 6-3. Vice Mayor Ritter, Commissioners Lieberman and Jacobs voted no.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Meals Aloft Catering Permit between Broward County, Florida and Gate Gourmet, Inc., at the Fort Lauderdale-Hollywood International Airport; commencing October 1, 2008, and terminating on September 30, 2013; with a 30-day written termination notice by either party; with anticipated revenue of 5% of the first \$400,000 of gross revenues, 4% of the next \$200,000 of gross revenues, and 3% in excess of \$600,000 of gross revenues during each permit year; and authorize the Mayor and Clerk to execute same.

ACTION: (T-2:27 PM) Approved.

3. MOTION TO AMEND Resolution 2008-462 adopted on June 10, 2008 (Item No. 5), authorizing the County Administrator to execute on behalf of Broward County a Federal Aviation Administration (FAA) Grant Agreement for AIP Project No. 3-12-0025-056-2008, to increase the grant amount by \$2,014,329, from an amount not to exceed \$12,191,214 to an amount not to exceed \$14,205,543, to financially participate in the construction of two High Speed Exit Taxiways and the Rehabilitation of Taxiways B East, Q, S, & T5 at Fort Lauderdale-Hollywood International Airport (Airport); and to authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant agreement and approve any non-monetary amendments to the agreement.

(This item was pulled by members of the public.)

ACTION: (T-3:00 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-1. Commissioner Rodstrom voted no.

4. A. MOTION TO ADOPT Amendment to the Florida Department of Transportation Supplemental Joint Participation Agreement (SJPA) NO. 2, for Financial Project No. 418428-1-94-01, in the amount of \$11,599,000 (State's share), to participate financially with the County in the design and construction of the terminal exit roads at Fort Lauderdale-Hollywood International Airport (FLL); amending the agreement to comply with the Florida Single Audit Act, Section 215.97, Florida Statutes (2004), which increases the single audit threshold from \$300,000 to \$500,000; (Exhibit D); and to authorize the County Administrator to take the necessary administrative and budgetary actions to execute the amendment and approve any future non-monetary amendments to the Agreement.

(This item was pulled by members of the public.)

ACTION: (T-3:21 PM) **Approved, as amended, limiting eminent domain to non-residential properties.** (Refer to minutes for full discussion.)

VOTE: 7-1. **Commissioner Rodstrom voted no. Commissioner Wasserman-Rubin was not present during the vote.**

ACTION: (T-6:00 PM) **Commissioner Wasserman-Rubin requested being shown voting in the affirmative.**

VOTE: 8-1. **Commissioner Rodstrom voted no.**

- B. MOTION TO ADOPT Amendment to the Joint Participation Agreement between Broward County and Florida Department of Transportation, Item No. 407378-1-94-01, in the amount of \$9,756,398 (State's share) for the roadway improvements Tasks 2, 3 and 4 located at the Fort Lauderdale-Hollywood International Airport; amending the agreement to Comply with the Florida Single Audit Act, Section 215.97, Florida Statutes (2004), Florida Single Audit Act and audit procedures, which increases the single audit threshold from \$300,000 to \$500,000 to the agreement, (Exhibit D); and to authorize the County Administrator to take the necessary administrative and budgetary actions to execute the amendment and approve any future non-monetary amendments to the Agreement.

(This item was pulled by members of the public.)

ACTION: (T-3:21 PM) **Approved, as amended, limiting eminent domain to non-residential properties.** (Refer to minutes for full discussion.)

VOTE: 7-1. **Commissioner Rodstrom voted no. Commissioner Wasserman-Rubin was not present during the vote.**

ACTION: (T-6:00 PM) **Commissioner Wasserman-Rubin requested being shown voting in the affirmative.**

VOTE: 8-1. **Commissioner Rodstrom voted no.**

5. MOTION TO ADOPT Resolution 2008-463 authorizing execution of a Florida Department of Transportation Joint Participation Agreement (JPA), for Financial Project No. 416224-1-94-01 in the amount of \$1,629,600 (State's share), to participate financially with the County in the Overlay Runway 9L/27R at North Perry Airport; and to authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant and approve any non-monetary amendments to the agreement (requires a County cash match of \$407,400). Final execution of the JPA by FDOT is contingent upon State approval.

ACTION: (T-2:27 PM) Approved.

6. MOTION TO APPROVE Building Lease Agreement between Broward County (County) and Pelican Airways, Inc. (Pelican), for an approximately 7.4 acre land parcel, including four buildings at North Perry Airport, commencing upon Board approval, and terminating on August 30, 2023; a 180-day notice of cancellation by either party; an anticipated annual revenue of \$94,122.32; with a minimum capital expenditure of \$400,000.00 for the refurbishment of existing buildings and construction of a fuel farm facility; and authorize the Mayor and Clerk to execute same.

ACTION: (T-2:27 PM) Approved.

PUBLIC WORKS DEPARTMENT

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

7. A. MOTION TO ADOPT Resolution 2008-464 accepting a Warranty Deed, executed by Coconut Creek Development, LLC, a Florida Limited Liability Company and Stanbery Coconut Creek, LLC, an Ohio Limited Liability Company, conveying to the County the public right-of-way located along the south side of Wiles Road, west of Lyons Road, in the City of Coconut Creek, at a nominal cost of \$10 to the County. **(Commission District 2)**

ACTION: (T-2:27 PM) Approved.

- B. MOTION TO ADOPT Resolution 2008-465 accepting a sidewalk easement executed by Coconut Creek Development, LLC, a Florida Limited Liability Company and Stanbery Coconut Creek, LLC, an Ohio Limited Liability Company, conveying to the County an easement for a sidewalk located along the south side of Wiles Road, west of Lyons Road, and a sidewalk located along the west side of Lyons Road just south of Wiles Road, in the City of Coconut Creek; at a nominal cost of \$1 to the County. **(Commission District 2)**

ACTION: (T-2:27 PM) Approved.

8. MOTION TO ADOPT Resolution 2008-466 accepting a Warranty Deed, at a nominal cost of \$10 to the County, executed by B.B.S. Investments LLC, for right-of-way along North Dixie Highway between Lee Street and Thomas Street in the City of Hollywood. **(Commission District 6)**

ACTION: (T-2:27 PM) Approved.

9. MOTION TO ADOPT Resolution 2008-467 accepting a Warranty Deed, executed by Hallandale Beach Business Center, L.L.C., a Florida limited liability company, conveying to the County a right-of-way located along the west side of Dixie Highway, north of SW 2nd Street in the City of Hallandale, at a nominal cost of \$10 to the County. **(Commission District 8)**

ACTION: (T-2:27 PM) Approved.

10. MOTION TO ADOPT Resolution 2008-468 accepting and ratifying recordation of an Access Easement Deed, at a nominal cost of \$10 to the County, executed by Wal-Mart Stores East, LP and Funeral Services Acquisition Group, Inc., in order to provide pedestrian and vehicular access to-and-from the approved plat opening which is located on the south side of McNab Road, approximately 2400 feet east of SW 81st Avenue in the City of North Lauderdale. **(Commission District 1)**

ACTION: (T-2:27 PM) Approved.

REAL PROPERTY SECTION

11. MOTION TO DECLARE surplus to the County's need, real property commonly known as the Tarpon River Building, located at 955 South Federal Highway, Fort Lauderdale, together with an overflow non-contiguous parking lot parcel with principle frontage on nearby SE 9th Street; authorize Real Property Staff to advertise the combined subject properties for sale, and to manage the sale of the property in accordance with Florida Statutes Chapter 125.35. **(Commission District 7)**

ACTION: (T-2:27 PM) Approved.

12. A. MOTION TO ADOPT Resolution 2008-469 authorizing conveyance to the City of Pompano Beach, by Quit Claim Deed, of 23 platted, buildable, Tax-Deed parcels that escheated to Broward County for delinquent real estate taxes, pursuant to Florida Statutes Chapter 197.592.3, subject to Declaration of Restrictive Covenants as amended by the City; for development and use under the City's Affordable Housing Program, at no cost to the County; authorize the Mayor and Clerk to execute Quit Claim Deeds with Declaration of Restrictive Covenants as amended; and authorize recordation of same. **(Commission Districts 2, 4 and 9)**

ACTION: (T-2:27 PM) Approved.

- B. MOTION TO ADOPT Resolution 2008-470 authorizing conveyance to the City of Pompano Beach, by Quit Claim Deed, one un-buildable Tax Deed parcel that escheated to Broward County for delinquent real estate taxes, pursuant to Florida Statutes Chapter 197.592.3, at no cost to the County; authorize the Mayor and Clerk to execute the Deed; and authorize recordation of same. **(Commission Districts 2, 4 and 9)**

ACTION: (T-2:27 PM) Approved.

WASTE AND RECYCLING SERVICES

13. MOTION TO WAIVE Broward County Procurement Code and delegate authority to the Resource Recovery Board, on behalf of the County, to select a vendor utilizing a Request for Proposals and to negotiate a contract for County Commission consideration and approval that would procure Recovered Materials Processing Facility Services for recycling, to be effective October 1, 2009; and direct County staff to aid in the process to the fullest extent possible.

ACTION: (T-2:27 PM) Withdrawn for further staff review.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

14. MOTION TO ADOPT unanticipated revenue Resolution 2008-471 within the Aviation Operating Fund (4010) in the amount of \$103,975,000; to recognize the proceeds of the Airport System Revenue Refunding Bonds, Series 2008N.

(This item was pulled by members of the public.)

ACTION: (T-3:22 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

15. A. MOTION TO ADOPT unanticipated revenue Resolution 2008-472 within the Port Everglades Operating Fund (4700) in the amount of \$46,145,000 to recognize the proceeds of the Subordinate Port Facilities Refunding Revenue Bonds, Series 2008.

ACTION: (T-2:27 PM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-473 within the Port Everglades Capital Fund (4710) in the amount of \$2,836,400 to reallocate excess funds remaining from AMBAC termination payment.

ACTION: (T-2:27 PM) Approved.

ACCOUNTING DIVISION

16. MOTION TO APPROVE business travel for County employees on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 – County Employee Travel.

ACTION: (T-2:27 PM) Approved.

17. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending June 30, 2008.

ACTION: (T-2:27 PM) Approved.

COUNTY RECORDS DIVISION

18. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commissioners meetings of May 13, 2008, May 20, 2008, and June 10, 2008; and the minutes of the 2:00 P.M. Public Hearings of May 13, 2008 and June 10, 2008.

ACTION: (T-2:27 PM) Approved.

- B. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (T-2:27 PM) Approved.

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

ACTION: (T-2:27 PM) Approved.

19. A. MOTION TO ADOPT budget Resolution 2008-474 within the General Fund transferring funds from Commission reserves in the amount of \$93,000 to fund the cost of Special Magistrates for conducting hearings for the remainder of Fiscal Year 2008.

ACTION: (T-2:27 PM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-475 within the Value Adjustment Board Fund in the amount of \$155,000 (\$93,000 from Commission Reserves and \$62,000 from School Board Reimbursement) to fund the cost of Special Magistrates for conducting hearings for the remainder of Fiscal Year 2008.

ACTION: (T-2:27 PM) Approved.

PURCHASING DIVISION

For Community Services Department

20. **MOTION TO AWARD** open-end contract to low bidder, Communications Access Services, Inc., a certified Broward County Small Business Enterprise, to furnish and install audio visual equipment, including repairs, Bid No. Q408129B2, in the estimated two-year amount of \$291,275.00 including \$105,000.00 in pass-thru amounts, for the Libraries Division and other Broward County Agencies; and authorize the Director of Purchasing to renew the contract for an additional one-year period, for a total potential three-year amount of \$436,912.50. The initial contract period shall begin on the date of award, and shall terminate two years from that date.

ACTION: (T-2:27 PM) Approved.

For Finance and Administrative Services Department

21. **MOTION TO APPROVE** Agreement between Broward County and PFM Asset Management, LLC for Arbitrage Services, Request for Letters of Interest (RLI) No. 20070802-0-FA-1; and authorize the Mayor and Clerk to execute same. The initial term of the contract will be August 5, 2008 to December 31, 2010, with three one-year renewal options, effective from the date of execution.

ACTION: (T-2:27 PM) Approved.

For Public Works Department

22. MOTION TO AWARD open-end contract to single responsive, responsible bidder, Clean Harbors Environmental Services, Inc. (Group 1), for Household Hazardous Waste Collection and Disposal Services, Bid No. G408105B2, in the estimated two-year amount of \$979,910.38; and authorize the Director of Purchasing to renew the contract for three one-year periods, for a total potential contract amount of \$2,449,775.95 for Waste and Recycling Services. The initial contract period shall begin on the date of award and shall terminate two years from that date.

ACTION: (T-2:27 PM) Approved.

23. MOTION TO AWARD open-end contract to low bidder, F.A. Johnson, Inc., for Storm Drains, Pipe and Culvert Inspection and Cleaning, Bid No. H208040B2, in an estimated two-year amount of \$1,194,050, including \$170,000 for parts on a pass thru, for Water and Wastewater Services, subject to the receipt and acceptance of insurance/payment and performance bond; and authorize the Director of Purchasing to renew the contract for a one-year period, for a total three-year potential contract amount of \$1,791,075. The initial contract period shall start upon the receipt and acceptance of the insurance/payment and performance bond and shall terminate one year from that date.

ACTION: (T-2:27 PM) Approved.

24. MOTION TO APPROVE Change Order No. 12 to Contract No. T-6-05-176-CF, with Man-Con, Incorporated for the construction of the North Andrews Gardens Neighborhood Improvement Project, South Area, Bid Package No. 7, for a decrease of \$397,677.39, from \$15,966,558.32 to \$15,568,880.93; and authorize the Mayor and Clerk to execute same. (BCWWS Project No.1146-7)
(Commission District 4)

ACTION: (T-2:27 PM) Approved.

25. MOTION TO APPROVE Agreement between Broward County and Chen and Associates Consulting Engineers, Inc., Request for Letters of Interest (RLI) No. 20060808-7-EED-02, Consultant Services for Water and Wastewater Improvements for Utility Analysis Zones (UAZ) 303, 314, 316, and 318 for a maximum not-to-exceed salary cost of \$1,031,833, a maximum not-to-exceed reimbursable cost of \$201,800, and a lump sum payment for basic services of \$1,256,966, for a total maximum Agreement amount of \$2,490,599 and a contract time frame of 480 non-cumulative days; and authorize the Mayor and Clerk to execute same. (WWS Projects 9059, 9115, 9068 and 9069)
(Commission District 7)

ACTION: (T-2:27 PM) Withdrawn for further staff review.

REVENUE COLLECTION DIVISION

26. MOTION TO FILE Quarterly Investment Report as required by Section 22.92 of the Broward County Administrative Code.

ACTION: (T-2:27 PM) Approved.

27. MOTION TO ADOPT two Resolutions 2008-476 and 2008-477 Authorizing Cancellation of Warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, Payroll Account No. 2079940003798, and Self Insurance Account No. 2090002760518.

ACTION: (T-2:27 PM) Approved.

RISK MANAGEMENT DIVISION

28. MOTION TO APPROVE full and final settlement of Claim 090401 involving a Broward County Risk Management Claims Adjuster.

ACTION: (T-2:27 PM) Approved.

29. MOTION TO APPROVE full and final settlement of Workers' Compensation Claims 030703 and 0528030978 involving a Broward County Parks and Recreation Park Aide I.

ACTION: (T-2:27 PM) Approved.

HUMAN SERVICES DEPARTMENT

FAMILY SUCCESS ADMINISTRATION DIVISION

30. A. MOTION TO APPROVE agreement between the Broward County Community Action Agency and the State of Florida, Department of Community Affairs, not to exceed the amount of \$1,222,517, from October 1, 2008 to September 30, 2009, for the purpose of providing childcare, tuition payments, and emergency rental assistance to low-income households in Broward County; and authorize the Mayor to execute same. This agreement requires \$200,962 of in-kind match and \$43,541 of cash match which is available in the Family Success Administration budget for Fiscal Year 2009.

ACTION: (T-2:27 PM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-478 in the amount not to exceed \$1,222,517 and \$200,962 of in-kind match and \$43,541 of cash match for the purpose of providing childcare, tuition payments, and emergency rental assistance to low income households in Broward County.

ACTION: (T-2:27 PM) Approved.

31. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Fort Lauderdale in the amount of \$76,079 (\$26,079 Emergency Shelter Grant and \$50,000 Community Development Block Grant), from date of execution to September 30, 2008 or until fully expended, for the purpose of preventing homelessness by allowing Broward County to make referrals to the City of Fort Lauderdale for the payment of emergency rent, mortgage, and/or utility assistance to Broward County clients who are residents of the City of Fort Lauderdale; and authorize the Mayor and Clerk to execute same. This Agreement requires a County in-kind and/or cash match of \$26,079 which shall be provided through provision of staff support and emergency assistance payments paid through the Family Success Centers. **(Commission Districts 4, 7, and 9)**

ACTION: (T-2:27 PM) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

32. MOTION TO ADOPT Resolution 2008-479 of the Board of County Commissioners (Board) of Broward County, Florida authorizing the acceptance of 19 Kuranda beds from Stray Aid & Rescue, Inc., (Stray Aid), for a total value of \$785 for the benefit of the Broward County Animal Care and Regulation Division (Division); and authorizing the County Administrator to take all administrative actions to implement same; and providing for an effective date.

ACTION: (T-2:27 PM) Approved.

PARKS AND RECREATION DIVISION

33. MOTION TO ADOPT Resolution 2008-480 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation from Office Depot Foundation of 700 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 2008 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-2:27 PM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

34. MOTION TO ADOPT budget Resolution 2008-481 transferring within the General Fund the amount of \$150,000 from the Broward Sheriff's Office's (BSO) Department of Law Enforcement personal services account to BSO's Court Deputy-Bailiffs personal services account.

ACTION: (T-2:27 PM) Approved.

35. MOTION TO ADOPT unanticipated revenue Resolution 2008-482 within the General Fund for the Broward Sheriff's Office in the amount of \$1,400,000 for the purpose of recognizing additional revenue for Special Detail services provided by the Broward Sheriff's Office.

ACTION: (T-2:27 PM) Approved.

36. MOTION TO ADOPT unanticipated revenue Resolution 2008-483 within the Law Enforcement Trust Fund in the amount of \$601,766 to provide funding for the purchase of a Cessna 206 fixed wing aircraft along with surveillance and communications equipment for BSO's Strategic Investigations Division.

ACTION: (T-2:27 PM) Approved.

37. MOTION TO ADOPT unanticipated revenue Resolution 2008-484 within the Law Enforcement Trust Fund in the amount of \$22,151 to provide funding for the purchase of ten patrol rifles for the Dania Beach District.

ACTION: (T-2:27 PM) Approved.

38. MOTION TO ADOPT unanticipated revenue Resolution 2008-485 within the Law Enforcement Trust Fund in the amount of \$83,168 to provide funding for five electric mobility vehicles and other equipment to be used at the Hollywood/Fort Lauderdale International Airport.

ACTION: (T-2:27 PM) Approved.

39. MOTION TO ADOPT budget Resolution 2008-486 transferring within the General Fund the amount of \$600,000 from the Broward County Sheriff's Office reserve to fund unanticipated high costs of fuel purchases for the Department of Law Enforcement.

ACTION: (T-2:27 PM) Approved.

40. MOTION TO ADOPT unanticipated revenue Resolution 2008-487 within the General Fund for the Broward Sheriff's Office in the amount of \$105,825 for the purpose of increasing the contract for Police Services for the City of Parkland.

ACTION: (T-2:27 PM) Approved.

41. A. MOTION TO ADOPT budget Resolution 2008-488 transferring \$583,144 from Commission reserve within the Fire Rescue Fund to fund payments to current and former Fire Rescue employees as required by binding labor arbitration.

ACTION: (T-2:27 PM) Approved. Commissioner Lieberman suggested that Board discussion take place at a later date as to how liability issues will be offset from contract communities. (Refer to minutes for full discussion.)

- B. MOTION TO ADOPT budget Resolution 2008-489 transferring \$169,004 from Commission reserve within the General Fund to fund payments to current and former Fire Rescue employees as required by binding labor arbitration.

ACTION: (T-2:27 PM) Approved. Commissioner Lieberman suggested that Board discussion take place at a later date as to how liability issues will be offset from contract communities. (Refer to minutes for full discussion.)

COUNTY ATTORNEY

42. MOTION TO APPROVE settlement including costs and attorney's fees, in the case of *Lent'echa Davis v. Broward County*, Case No. 06-015329 (04).

ACTION: (T-2:27 PM) Approved.

43. MOTION TO APPROVE settlement of claim in the case of *Brian Asay vs. Broward County*, 17th Judicial Circuit Court Case No.: 07-07778(09).

ACTION: (T-2:27 PM) Approved.

44. MOTION TO APPROVE Agreements for the appointment of hearing officers: (i) Kelly A. Gibson, Esquire; (ii) Ronald P. Hansen, Esquire; (iii) Karen A. Rosenblum-Grun, Esquire; and (iv) Janet K. Shepherd, Esquire, to preside at administrative hearings for the Child Care Licensing and Enforcement Section for a term of five years unless terminated earlier by either party; and authorize the County Attorney to execute same on behalf of the County.

ACTION: (T-2:27 PM) Approved.

COUNTY ADMINISTRATION

45. MOTION TO APPROVE extension of the appointment of Mr. Tony Hui as Interim Director of Public Works and Transportation, effective August 7, 2008, for a period of up to six months.

ACTION: (T-2:27 PM) Approved.

46. MOTION TO AMEND 2008 Broward County Board of Commissioners' meeting schedule to reflect changes to the August and September schedule.

ACTION: (T-2:27 PM) Approved.

COUNTY COMMISSION

47. MOTION TO FILE Resolution No. 77-2008 adopted by the City Council of the City of Boca Raton supporting the continued funding of the South Florida Regional Transportation Authority by Palm Beach, Broward and Miami-Dade Counties; providing for severability; providing for repealer; providing an effective date. (Mayor Wexler)

ACTION: (T-2:27 PM) Approved.

48. MOTION TO FILE Resolution No. 2008-80 adopted by the City Commission of the City of Weston, Florida, opposing the impacts caused by the Davie Commons Project; reaffirming Resolution No. 2002-90 relating to the proposed Davie Commons Project; further reaffirming the City's legislative policy of not widening the City's roadways; urging the Broward County Planning Council and the South Florida Regional Planning Council to recommend denial of the project; further, urging the Broward County Commission to deny the project; and providing for an effective date. (Mayor Wexler)

ACTION: (T-2:27 PM) Approved.

49. MOTION TO FILE Resolution No. 08-48 adopted by the City Commission of the City of Lauderdale Lakes, Broward County, recognizing and expressing its congratulations to Commissioner Pat Larkins of the City of Pompano Beach for his 25 years of service to the people of Pompano Beach and Broward County; providing for instructions to the City Clerk; providing for the adoption of representations; providing for an effective date. (Mayor Wexler)

ACTION: (T-2:27 PM) Approved.

50. MOTION TO FILE Resolution No. 08-06-5338 adopted by the City Commission of the City of North Lauderdale, Broward County, recognizing and expressing its congratulations to Commissioner Pat Larkins of the City of Pompano Beach for his 25 years of service to the people of Pompano Beach and Broward County; providing for instructions to the City Clerk; providing for the adoption of representations; providing an effective date. (Mayor Wexler)

ACTION: (T-2:27 PM) Approved.

51. MOTION TO FILE Resolution No. 08R-06-162 adopted by the City Commission of the City of Lauderhill, Florida recognizing and expressing its congratulations to Commissioner Pat Larkins of the City of Pompano Beach for his 25 years of service to the people of the City of Pompano Beach and to Broward County; providing for adoption of representations. (Mayor Wexler)

ACTION: (T-2:27 PM) Approved.

52. MOTION TO FILE Resolution No. 3280 adopted by the City Commission of the City of Wilton Manors, Florida recognizing the need for a collaborative, multi-jurisdictional approach to address county-wide water resource needs; establishing the Broward Water Resources Task Force composed of elected County and City Commissioners, and officials representing the South Florida Water Management District Governing Board, Special Districts and Water Control Districts; authorizing the designation of a Technical/Professional Staff Workgroup to advise the Task Force; providing for duties of the force; providing for meetings of the Task Force and Technical/Professional Staff Workgroup; providing for staff support; providing for reporting and maintenance of records. (Mayor Wexler)

ACTION: (T-2:27 PM) Approved.

53. MOTION TO FILE Resolution No. 3200 adopted by the City Commission of the City of Pembroke Pines, Florida recognizing the need for a collaborative, multi-jurisdictional approach to address county-wide water resource needs; establishing the Broward Water Resources Task Force composed of elected County and City Commissioners, and officials representing the South Florida Water Management Districts and Water Control Districts; authorizing the designation of a Technical/Professional Staff Workgroup to advise the Task Force; providing for staff support; providing for reporting and maintenance of records. (Mayor Wexler)

ACTION: (T-2:27 PM) Approved.

54. MOTION TO APPROVE allocation of \$217,353 in County District 8 Commissioner's Discretionary Bond funds for capital improvements at Mary Saunders Park in the City of West Park. **(Commission District 8)**
(Commissioner Wasserman-Rubin)

ACTION: (T-2:27 PM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

55. MOTION TO ADOPT Resolution 2008-490 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 9, 2008, at 2:00 p.m. in Room 422 of the Governmental Center, to consider the adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 29, PART II, SECTION 29.15, GENERAL ELIGIBILITY REQUIREMENTS; SECTION 29.16, SPECIFIC PROGRAM ELIGIBILITY REQUIREMENTS AND SECTION 29.17, GENERAL GRANT INFORMATION, OF THE BROWARD COUNTY ADMINISTRATIVE CODE FOR THE CULTURAL DIVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-2:27 PM) Approved.

56. MOTION TO ADOPT Resolution 2008-491 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 9, 2008, at 2:00 P.M., in Room 422 of the Governmental Center; 115 South Andrews Avenue, Fort Lauderdale, Florida, to vacate a platted 12-foot wide road right-of-way and two platted 10-foot wide utility easements lying within, over and across Parcel A, Pines-Hiatus Plat, located at the northeast corner of Hiatus Road and Pines Boulevard, in the City of Pembroke Pines; at no cost to the County. Petitioners: Pembroke Lakes Square, LLC (2008-V-08) (Calvin, Giordano & Associates-Agent) **(Commission District 5)**

ACTION: (T-2:27 PM) Approved.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

EMERGENCY MANAGEMENT DIVISION

57. A. MOTION TO APPROVE Federal Award letter to the sub-grant agreement (08-BG-24-11-16-01-222) between Broward County and the Florida Department of Community Affairs to accept the Federal Award in the amount of \$138,818 to administer Broward County's emergency management and preparedness program from October 1, 2007 to September 30, 2008; and to authorize the Mayor to execute same.

ACTION: (T-2:27 PM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-492 within the Base Grant Fund for the Broward Emergency Management Division in the amount of \$138,818 for the purpose of enhancing Broward County's emergency management and preparedness program.

ACTION: (T-2:27 PM) Approved.

METROPOLITAN PLANNING ORGANIZATION DIVISION

58. A. MOTION TO APPROVE unanticipated revenue Resolution 2008-493 for the FHWA PL (Metropolitan Planning) Grant Fund in the amount of \$1,612,093 to support the Broward MPO's 2008-2009 Unified Planning Work Program; authorize the necessary administrative and budgetary actions for implementation; and authorize the Mayor and Clerk to execute same.

(This item was pulled by members of the public.)

ACTION: (T-3:30 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman-Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

- B. MOTION TO APPROVE unanticipated revenue Resolution 2008-494 for the FTA Section 5303 Grant Fund in the amount of \$746,277 to support the Broward MPO's 2008-2009 Unified Planning Work Program; authorize the necessary administrative and budgetary actions for implementation; and authorize the Mayor and Clerk to execute same.

(This item was pulled by members of the public.)

ACTION: (T-3:30 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman-Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

- C. MOTION TO APPROVE unanticipated revenue Resolution 2008-495 for the FTA Section 5303 Grant Fund FDOT Match in the amount of \$82,920 to support the Broward MPO's 2008-2009 Unified Planning Work Program; authorize the necessary administrative and budgetary actions for implementation; and authorize the Mayor and Clerk to execute same.

(This item was pulled by members of the public.)

ACTION: (T-3:30 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman-Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

- D. MOTION TO APPROVE unanticipated revenue Resolution 2008-496 for the Transportation Disadvantaged Grant Fund in the amount of \$55,353 to support the Broward MPO's 2008-2009 Unified Planning Work Program; authorize the necessary administrative and budgetary actions for implementation; and authorize the Mayor and Clerk to execute same.

(This item was pulled by members of the public.)

ACTION: (T-3:30 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman-Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

POLLUTION PREVENTION REMEDIATION AND AIR QUALITY DIVISION

59. A. MOTION TO ACCEPT U.S. Department of Homeland Security (U.S. DHS) Cooperative Agreement No. 2006-ST-091-000015-03 award of \$433,374 representing funding for year three of a three-year Agreement to continue the BioWatch monitoring program in Broward County, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute same. The project funding period is from July 1, 2008 to June 30, 2009.

(This item was pulled by members of the public.)

ACTION: (T-3:32 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

B. MOTION TO ADOPT unanticipated revenue Resolution 2008-497 within the Air Pollution Control Fund 8301 for the Environmental Protection and Growth Management Department in the amount of \$433,374 for the purpose of recognizing the grant funds received from U.S. DHS.

(This item was pulled by members of the public.)

ACTION: (T-3:32 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

QUASI-JUDICIAL CONSENT HEARING

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION

60. **DISCUSSION:** of plat entitled "Kafin Plat" (101-MP-05). (Commission District 2)

ACTION: (T-2:27 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

61. **DISCUSSION:** of plat entitled "Poinsettia Ridge" (072-MP-05). (Commission District 4)

ACTION: (T-2:27 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

62. **DISCUSSION:** of plat entitled "Regent Bank Plat" (010-MP-06). (Commission District 4)

ACTION: (T-2:27 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

63. **DISCUSSION:** of plat entitled "Rancho Alegre" (005-MP-03). (Deferred from June 24, 2008.) (Commission District 5)

ACTION: (T-2:27 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

64. **DISCUSSION:** of plat entitled "Sterling Ranch" (038-MP-05). (Commission District 7)

ACTION: (T-2:27 PM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

65. **DISCUSSION:** of plat entitled "Miramar Park of Commerce Phase VI" (035-MP-07). (Commission District 8)

ACTION: (T-2:27 PM) Deferred to March 10, 2009, or sooner, under Section 5-181 (j) of the Land Development Code to study access and the plat note.

66. DISCUSSION: of New Findings of Adequacy for a plat entitled “Johns Corner – First Addition” (066-MP-01). (**Commission District 9**)

ACTION: (T-2:27 PM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.

67. DELEGATION: Mike Gai regarding request to amend the note on the Rowan Replat Plat (013-UP-91). (**Commission District 2**)

ACTION: (T-2:27 PM) Approved subject to staff’s recommendations.

68. DELEGATION: Hope Calhoun regarding request to amend the note on the Embassy Lakes Phase III Plat (180-MP-88). (**Commission District 5**)

ACTION: (T-2:27 PM) Approved subject to staff’s recommendations.

69. DELEGATION: Hope Calhoun regarding request to amend the note on the Nova University No. 1 Plat (241-MP-89). (**Commission District 7**)

ACTION: (T-2:27 PM) Deferred to September 9, 2008, to determine wastewater requirements.

70. DELEGATION: Jill Cohen regarding request to amend the note on the Isgette’s Runway Plat (060-MP-93). (**Commission District 7**) (Deferred from June 24, 2008.)

(This item was pulled by Mayor Wexler, Commissioners Gunzburger and Rodstrom.)

ACTION: (T-3:51 PM) Approved, as amended, requiring an additional plat note acknowledging that the subject property will potentially be subject to aircraft “overflight” and noise impacts due to its close proximity to Fort Lauderdale-Hollywood International Airport. Also, the Board encouraged the City of Dania Beach to establish an airport zoning regulation. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

71. DELEGATION: Janice Cabrera-Frias regarding request to amend the note on the Haas Addition Plat (181-MP-87). (**Commission District 9**)

ACTION: (T-2:27 PM) Approved subject to staff's recommendations.

72. DELEGATION: Scott Backman regarding request to amend the note on the Trace II Plat (154-MP-86). (**Commission District 2**)

ACTION: (T-2:27 PM) Approved subject to staff's recommendations.

73. DELEGATION: Scott Backman regarding request to amend the non-vehicular access line on the Trace II Plat (154-MP-86). (**Commission District 2**)

ACTION: (T-2:27 PM) Approved subject to staff's recommendations.

74. DELEGATION: Bill Laystrom regarding request to waive the sidewalk requirements on the Pointe West Center North Plat (100-MP-99). (**Commission District 8**)

ACTION: (T-2:27 PM) Deferred to August 26, 2008, to study sidewalk requirements.

75. DELEGATION: Susan Motley regarding request to amend the non-vehicular access line on the Greateon Plat No. 2 Plat (053-MP-94). (**Commission District 5**)

ACTION: (T-2:27 PM) Approved subject to staff's recommendations.

76. DELEGATION: Susan Motley regarding request to amend the non-vehicular access line on the Sawgrass Lakes Plat (034-MP-91). (**Commission District 5**)

ACTION: (T-2:27 PM) Approved subject to staff's recommendations.

77. DELEGATION: M. Scott Kleiman regarding request to amend the non-vehicular access line on the Temple Beth Emet Plat (048-MP-98). (**Commission District 5**)

ACTION: (T-2:27 PM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

PUBLIC HEARING

**BOARD OF COUNTY COMMISSIONERS SITTING AS
THE GOVERNING BOARD OF
WATER CONTROL DISTRICT NO. 4**

78. A. MOTION TO OPEN meeting as the Governing Board of Water Control District No. 4.

ACTION: (T-3:52 PM) Approved.

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

- B. MOTION TO ADOPT budget Resolution 2008-498 transferring within the Water Control District No. 4 Fund the amount of \$150,000 from reserves to fund the 25% cost share for the dredging of canals in Sub-District D.

ACTION: (T-3:53 PM) Approved.

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

C. MOTION TO APPROVE Agreement between Water Control District No. 4 and the City of Margate, for restoration of Sub-District D Canals and the transfer of jurisdiction and control of the portion of Sub-District D Canals within the City of Margate from the Water Control District No. 4 to the City of Margate, at a not-to-exceed cost to Water Control District No. 4 of \$150,000, effective upon execution by the Board; and authorize the Mayor and Clerk to execute same.

ACTION: (T-3:53 PM) Approved.

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

D. MOTION TO CLOSE meeting as the Governing Board of Water Control District No. 4. **(Commission Districts 2, 4, 9)**

ACTION: (T-3:54 PM) Approved.

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

END PUBLIC HEARING

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

79. A. MOTION TO WAIVE Broward County Procurement Code to authorize the Broward County Value Adjustment Board (VAB) to appoint interim private counsel to provide legal services to the VAB until such time as the newly constituted VAB determines the process it will use to appoint private counsel on a more permanent basis.

ACTION: (T-3:56 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

- B. MOTION TO ADOPT budget Resolution 2008-499 within the Value Adjustment Board Fund transferring funds from reserves in the amount of \$27,000 to fund the cost of interim private counsel for the remainder of Fiscal Year 2008.

ACTION: (T-3:56 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

PORT EVERGLADES DEPARTMENT

80. MOTION TO WAIVE competitive selection provisions of Section 32.4(h), Broward County Administrative Code, for awarding user agreements and marine terminal leases; and authorize the Port Director to commence negotiations with Mediterranean Shipping Company, S.A. (MSC) and MSC Cruises (USA) Inc. in response to their interest to enter into a Cruise Terminal Usage Agreement at Port Everglades.

ACTION: (T-4:00 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

81. A. MOTION TO SUBMIT for the record the final report to the Broward County Board of County Commissioners (Board) for the Pilot Program “on-demand” luxury limousine/transport van passenger services at Port Everglades.

ACTION: (T-5:14 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

- B. MOTION TO DIRECT County Attorney's Office to draft an amendment to Chapter 22 ½ of the Broward County Code of Ordinances (Motor Carriers Ordinance) to provide for on-demand luxury limousine/transport van passenger services at Port Everglades.

ACTION: (T-5:14 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

- C. MOTION TO AUTHORIZE continuation of the Pilot Program until the Motor Carriers Ordinance is amended.

ACTION: (T-5:14 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

SUPERVISOR OF ELECTIONS

82. MOTION TO APPROVE recommendation of the Supervisor of Elections amending the voting precincts which were approved on July 9, 2002, and amended on August 13, 2002, January 14, 2003, September 13, 2003, December 7, 2004 and December 13, 2005 combining 14 precincts for the Primary Election on August 26, 2008.

ACTION: (T-2:27 PM) Approved. (Transferred to the Consent Agenda.)

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

83. A. MOTION TO APPOINT Tony Hui and Peter Ross to the Climate Change Task Force representing Broward County Government.

ACTION: (T-5:15 PM) Approved.

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

- B. MOTION TO APPOINT Broward County Commissioner to the Climate Change Task Force and serve as Chair.

ACTION: (T-5:15 PM) Approved. The Board appointed Commissioner Jacobs as Chair to the Climate Change Task Force. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

- C. MOTION TO ACCEPT NOMINATIONS for appointment of two at-large members to the Climate Change Task Force.

ACTION: (T-5:15 PM) Approved. The Board will submit nominations for two at-large members to serve on the Climate Change Task Force on Tuesday, August 12th, 2008, or soon thereafter. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 9-0.

DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION

84. MOTION TO AUTHORIZE County Administrator to execute the County standard affordable housing declaration of restrictive covenants when the County holds a mortgage for an affordable housing project.

ACTION: (T-5:22 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting the in the affirmative.

VOTE: 9-0.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

85. **MOTION TO ADOPT** Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 12, 2008, at 2:00 P.M. in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 22 OF THE BROWARD COUNTY ADMINISTRATIVE CODE REGARDING THE POLICY FOR REIMBURSING DEPLOYED EMPLOYEES DURING EXTREME WEATHER CONDITIONS; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-2:27) Withdrawn for further staff review.

PURCHASING DIVISION

For Aviation Department

86. **MOTION TO APPROVE** First Amendment to the deliberately phased Agreement between Broward County and The Urban Group, Inc. (TUG), Request for Letters of Interest (RLI) No. 20041118-0-AV-01 for Noise Mitigation Program Assistance Consultant Services at the Fort Lauderdale-Hollywood International Airport (FLL) in the amount of \$1,912,868 for Phase II, increasing the total Agreement amount from \$280,203 to \$2,193,071; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

(This item was pulled by members of the public.)

ACTION: (T-4:49 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Eggelletion and Wasserman-Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 8-0. Commissioner Eggelletion was not present during the vote.

COUNTY COMMISSION

87. MOTION TO NOMINATE: Patricia Asseff to the Community Action Agency Advisory Board. (Commissioner Lieberman)

ACTION: (T- 2:27 PM) Approved. (Transferred to the Consent Agenda.)

88. A. MOTION TO APPOINT two Broward County Commissioners to serve on the Value Adjustment Board.

ACTION: (T-5:32 PM) Approved. The Board appointed Commissioners Lieberman and Rodstrom to serve on the Value Adjustment Board. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioners Eggelletion, Gunzburger and Wasserman-Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 7-0. Commissioners Eggelletion and Gunzburger were not present during the vote.

- B. MOTION TO ACCEPT NOMINATIONS for appointment of one citizen who must own homestead property within Broward County to the Value Adjustment Board. A citizen member may not be a member or an employee of any taxing authority, and may not be a person who represents property owners in any administrative or judicial review of property taxes. (Mayor Wexler)

ACTION: (T-5:32 PM) Approved. The Board deferred item 88-B until Tuesday, August 12, 2008. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioners Eggelletion, Gunzburger and Wasserman-Rubin were not present during the vote.

ACTION: (T-6:00 PM) Commissioner Wasserman-Rubin requested being shown voting in the affirmative.

VOTE: 7-0. Commissioners Eggelletion and Gunzburger were not present during the vote.

89.

COUNTY ADMINISTRATOR'S REPORT

A. **BROWARD COUNTY COURTHOUSE**

ACTION: (T-5:33 PM) Interim County Administrator Bertha Henry informed the Board that Chief Judge Victor Tobin has concerns as to the tentative addition to the Broward County Courthouse. Additionally, and through Ms. Henry, Judge Tobin asked that a discussion take place with the Board as to the Court Fee Fund, as well as the need to retain at least 20 employees that are scheduled to be laid off as a result of State budget cuts Ms. Henry sought feedback from the Board as to Judge Tobin's concerns, and asked for Board clarification as it relates to the Selection Committee that is scheduled for Thursday, August 7, 2008, for the selection of a courthouse construction manager. (Refer to minutes for full discussion.)

ACTION: (T-5:56 PM) Following discussion amongst Board members, the Board requested that the August 7, 2008, Selection Committee be held as scheduled, and that a discussion take place with Judge Tobin on Tuesday, August 19, 2008, as to all of Judge Tobin's concerns. Additionally the Board requested a breakdown of courthouse costs. (Refer to minutes for full discussion.)

90.

MAYOR'S REPORT

A. **TRADE MISSION**

ACTION: (T-5:57 PM) Mayor Wexler referenced Broward County's recent Trade Mission with Europe, and complimented staff on an outstanding job. (Refer to minutes for full discussion.)

B. **GOVERNMENTAL CENTER CAFETERIA CONSTRUCTION**

ACTION: (T-6:00 PM) Mayor Wexler informed the Board that construction work in the Governmental Center cafeteria commenced on July 21, 2008. Construction work will be completed September 5, 2008. The cafeteria remains open, and positive feedback has been received. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

91. MOTION TO NOMINATE Commissioner Cindi Hutchinson for appointment to the Tourist Development Council. (Commissioner Eggelletion)

ACTION: (T-2:27 PM) Approved. (Transferred to the Consent Agenda.)

NON-AGENDA

92. FLORIDA ASSOCIATION OF COUNTIES – COMMISSIONER LIEBERMAN

ACTION: (T-6:02 PM) Commissioner Lieberman informed the Board that 25 various counties, as well as the Florida Association of Counties, have filed a lawsuit relative to comments that were in the Supreme Court's opinion. (Refer to minutes for full discussion.)

93. HUMAN RIGHTS ORDINANCE AMENDMENT– COMMISSIONER KEECHL

ACTION: (T-6:04) Commissioner Keechl stated that there were many stakeholders that expressed their opinions as to the amendment of Broward County's Human Rights Ordinance. Commissioner Keechl spoke with the County Attorney's Office and is anticipating a response. (Refer to minutes for full discussion.)

94. SECURITY CAMERA AND LIGHTING ORDINANCE – VICE MAYOR RITTER, COMMISSIONER JACOBS, COMMISSIONER KEECHL, COMMISSIONER JACOBS

ACTION: (T-6:03 PM) Vice Mayor Ritter referenced the Security Camera and Lighting Ordinance item that is scheduled for Tuesday, August 12, 2008, and suggested that this item be postponed or that a workshop be scheduled to allow stakeholders an opportunity to participate prior to discussion at a public hearing. (Refer to minutes for full discussion.)

ACTION: (T-6:07 PM) Commissioner Jacobs suggested that staff obtain additional information as to the Security Camera and Lighting Ordinance and bring the item back at a later date. (Refer to minutes for full discussion.)

ACTION: (T-6:08 PM) Commissioner Keechl stated that the Security Camera and Lighting Ordinance requires additional information, but should not go to a workshop. (Refer to minutes for full discussion.)

ACTION: (T-6:09 PM) Mayor Wexler suggested that the League of Cities needs to provide input as to the Security Camera and Lighting Ordinance, and a community process needs to occur. Mayor Wexler requested that the Security Camera and Lighting Ordinance come forward as scheduled on Tuesday, August 12, 2008. (Refer to minutes for full discussion.)

ACTION: (T-6:11 PM) Commissioner Jacobs suggested that County Administration ask Commissioner Eggelation to voluntarily take the Security Camera and Lighting Ordinance item off the agenda for the public hearing on Tuesday, August 12, 2008, until further information can be obtained. (Refer to minutes for full discussion.)

95. FLORIDA ASSOCIATION OF COUNTIES – JEFFREY NEWTON BROWARD COUNTY ATTORNEY

ACTION: (T-6:14 PM) Jeffrey Newton Broward County Attorney, referenced the Florida Association of Counties law suit, et al, and stated that an item will come before the Board that sets forth what the financial arrangements are with respect to the 25 counties involved in said lawsuit. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE
**PROGRAM MANAGEMENT SERVICES FOR NEW SOUTH RUNWAY
AND TERMINAL 4 EXPANSION AT FORT LAUDERDALE-HOLLYWOOD
INTERNATIONAL AIRPORT**
RLI No. 20080317-0-AV-01
Tuesday, August 5th, in Room 430 at 9:00 AM

COMMISSION AVIATION PLANNING WORKSHOP
Tuesday, August 5th, in Room 430 at 12:00 PM or
immediately following the 9:00 AM Selection Committee meeting

