

MEETING OF AUGUST 10, 2004

(The meeting convened at 10:00 a.m. and adjourned at 12:18 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioners James A. Scott, District 4 and Diana Wasserman-Rubin, District 8.

MOMENT OF SILENCE

In memory of Janice Scott, wife of Commissioner Scott.

In memory of Robert Cendoya, father of Commissioner Wasserman-Rubin.

In memory of Daniel Lyn, Andrew Cooke, and Brandon Miller, church youth group members, First Baptist Church at Hillsboro in Coconut Creek, who died in a fatal bus accident.

In memory of John Wade, county employee from the Office of Environmental Services.

In memory of Gene Squires, mother of Cyd Sterling.

In memory of the mother of Bob Cantrell, employee of the Property Appraiser's Office.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPROVE appointment of Berlin Ellerson to the Small Business Development Advisory Board in the category of Representative of a Minority Business Organization. (Commissioner Parrish)

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO APPROVE reappointment of Gail Maina Ling to the Parks and Recreation Advisory Board. (Commissioner Parrish)

ACTION: (T-10:09 AM) Approved.

- C. MOTION TO APPOINT Bobby DuBose to the Living Wage Advisory Board. (Commissioner Eggelletion)

ACTION: (T-10:09 AM) Approved.



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

AVIATION DEPARTMENT

2. MOTION TO ADOPT Resolution 2004-638 authorizing acceptance and execution of a Florida Department of Transportation Supplemental Joint Participation Agreement (SJPA), Financial Project No. 411129-1-94-01 to purchase and install security equipment and in-line baggage screening at Fort Lauderdale-Hollywood International Airport in the amount of \$149,000 (State's share); and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant and approve any non-monetary amendments to the agreement.

ACTION: (T-10:09 AM) Approved.

3. MOTION TO ADOPT Resolution 2004-639 authorizing execution of Amendment One to the Florida Department of Transportation State Infrastructure Bank (SIB) Loan Agreement, Financial Project No. 403635-1 in the amount of \$30,066,024 to revise the annual payment due date of a no interest loan with the County from June 30 to October 1 (at the State's request) in order to coincide with the beginning of the County fiscal year; and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the amendment to the loan agreement.

ACTION: (T-10:09 AM) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF GENERAL SERVICES

REAL PROPERTY SECTION

4. MOTION TO APPROVE contract for sale and purchase executed by JP Morgan Chase Bank, Executor, of the Estate of Margaret J. Webster, deceased, in the amount of \$10,125 for Westlake Outparcel 120. The Parks and Recreation Division authorizes Real Property Section to acquire this property using Park funds from the 1989 Bond Program; and authorize the Mayor and Clerk to execute contract; and authorize acceptance and recordation of deed. **(Commission District 6)**

ACTION: (T-10:09 AM) Approved.

OFFICE OF INTEGRATED WASTE MANAGEMENT

RECYCLING AND CONTRACT ADMINISTRATION DIVISION

5. MOTION TO APPROVE shell joint participation agreement (JPA) between Broward County and various municipalities for household hazardous waste (HHW) collection events, from date of execution to June 27, 2006 with options to extend for two additional one-year periods, and authorize the Mayor and Clerk to execute same upon receipt from the respective municipalities.

ACTION: (T-10:09 AM) Approved.

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

6. MOTION TO APPROVE first amendment to agreement between Broward County and Craven Thompson & Associates, Inc., for consultant services for improvement to Sheridan Street from NW 196th Avenue to NW 172nd Avenue, at an increase not to exceed \$206,469.35, from \$700,897.02, to \$907,366.37; and an increase in contract time of four months, from 12 months to 16 months; and authorize the Mayor and Clerk to execute the same. (Project No. 5238) **(Commission District 8)**

ACTION: (T-10:09 AM) Approved.

7. MOTION TO ADOPT Resolution 2004-640 of the Board of County Commissioners of Broward County, Florida providing notice of intent to terminate a revocable license agreement between Broward County and Dawn Property Management, Inc. for the installation of overflow parking, additional landscaping and irrigation within the east half of right of way of State Road 7, between Sutton Road and Barry Road, adjacent to Lots 11, 12 and 13, Block 26, Miami Gardens Estates Section 4 (28-20) and adjacent to Lots 27 and 28, Block 26, Miami Gardens Estates Section 5 (30-5). **(Commission District 8)**

ACTION: (T-10:09 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

8. MOTION TO ADOPT Resolution 2004-641 of the Board of County Commissioners of Broward County, Florida, authorizing the issuance of Tourist Development Tax Special Revenue Refunding Bonds (Convention Center), Series 2004, to be issued in an aggregate principal amount not exceeding \$22,000,000 consisting of one or more series (the "Series 2004 Bonds") for the purposes of (1) refunding on a current basis certain outstanding Broward County, Florida Tourist Development Tax Special Revenue Refunding Bonds (Convention Center), Series 1994 (the "Refunded Bonds"), (2) providing for the payment of the costs of any Bond Insurance and either the funding of a Reserve Account or

paying the cost of a Reserve Policy, if in the best interests of the County, and (3) providing for the costs of issuance of the Series 2004 Bonds; providing for the use of proceeds of such Series 2004 Bonds; delegating to the County Administrator, within the parameters set forth herein, the authority to provide certain terms and provisions of the Series 2004 Bonds; designating a Paying Agent for the Series 2004 Bonds; authorizing the execution and directing the authentication and delivery of the Series 2004 Bonds; specifying certain matters regarding the Reserve Account status and Surety Policy; providing for a Book-Entry System with respect to the Series 2004 Bonds; finding the necessity for a negotiated sale of the Series 2004 Bonds; approving and authorizing the execution and delivery of a Bond Purchase Agreement providing for the sale of said Series 2004 Bonds to the Underwriters named therein and delegating to the County Administrator the authority to consummate such sale and to award the Series 2004 Bonds pursuant to the Bond Purchase Agreement; approving the form and authorizing the distribution and use of a Preliminary Official Statement and authorizing the execution, distribution and use of a Final Official Statement relating to the Series 2004 Bonds; authorizing the County Administrator to negotiate and obtain a Bond Insurance Policy and a Reserve Policy and any Agreements related thereto, if necessary and providing that such Agreements shall supersede any inconsistent provisions in the Resolution relating to the Series 2004 Bonds; designating an Escrow Agent to hold the escrow for the Refunded Bonds; authorizing the execution and delivery of an Escrow Deposit Agreement; authorizing the execution and delivery of a Continuing Disclosure Certificate; approving the Printer for the Preliminary Official Statement and the Official Statement and the Verification Agent for the Refunded Bonds; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale, execution and delivery of the Series 2004 Bonds and with the refunding of the Refunded Bonds; providing for conflicts, severability and an effective date.

ACTION: (T-10:09 AM) Approved.

ACCOUNTING DIVISION

9. MOTION TO APPROVE travel (Post Approval) for the addition of a sixth traveler for the National Institute of Governmental Purchasing Convention for County employees on the attached list, in accordance with Volume 1 of the Administrative Code Chapter 3, Part II, Section 3.10 – County Employee Travel.

ACTION: (T-10:09 AM) Approved.

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

ACTION: (T-10:18 AM) Approved. See Page *****

11. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending June 30, 2004.

ACTION: (T-10:09 AM) Approved.

COUNTY RECORDS DIVISION

12. A. MOTION TO APPROVE minutes of the 10:00 AM Broward County Board of County Commission meetings of June 8, 2004 and June 15, 2004; and the minutes of the 2:00 PM Public Hearing of June 8, 2004.

ACTION: (T-10:09 AM) Approved.

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

ACTION: (T-10:09 AM) Approved. See Page *****

OFFICE OF INFORMATION TECHNOLOGY

13. MOTION TO ADOPT budget Resolution 2004-642 transferring funds within the General Capital Outlay Fund for the Office of Information Technology in the amount of \$390,000 to replace obsolete mainframe hardware.

ACTION: (T-10:09 AM) Approved.

PURCHASING DIVISION

For Public Works Department

14. MOTION TO AWARD fixed contract to low bidder, Atlantic Truck Center, for three trucks with aluminum dump bodies, Bid No. C404078FF in the total amount of \$251,493 for the Environmental Operations Division.

ACTION: (T-10:09 AM) Approved.

REVENUE COLLECTION DIVISION

15. MOTION TO APPROVE AND EXECUTE Error and Insolvencies Report for 2003 as required by Florida Statute 197.492.

ACTION: (T-10:20 AM) Approved, as amended. The Board directed the County Auditor to conduct an audit of the Revenue Collection Division's handling of errors and insolvencies, to include a review of the handling of these items by Miami-Dade, Hillsborough, Orange, Palm Beach, and Duval Counties. Further, the Board directed Revenue Collection staff to determine what public records search was performed on the businesses highlighted by Commissioner Parrish and why they appeared on the Error and Insolvencies Report for 2003. See Page *****

16. MOTION TO ADOPT three Resolutions 2004-643 thru 2004-645 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Tax and License No. 2090002760916 and Payroll No. 2079940003798.

ACTION: (T-10:09 AM) Approved.

HUMAN SERVICES DEPARTMENT

OFFICE OF HOUSING FINANCE



17. MOTION TO ADOPT Resolution 2004-646 of the Board of County Commissioners of Broward County, Florida, approving the issuance in one or more series of not to exceed the aggregate principal amount of \$37,500,000 of the Housing Finance Authority of Broward County, Florida (the "Authority") Multifamily Housing Revenue Bonds (Cypress Grove Apartments Project) Series 2004 (the "Bonds"), all of which shall be tax-exempt bonds, for the purpose of financing the acquisition and rehabilitation of a multi-family residential development in Broward County, Florida to provide housing for persons and families of low and moderate income; approving the issuance of the bonds; approving and authorizing the execution of a Trust Indenture by and between the Authority and the Bank of New York Trust Company, N.A. (the "Trustee"); approving and authorizing the execution of a Land Use Restriction Agreement by and between the Authority, the Trustee and Reliance-Cypress Grove Associates, Ltd. (the "Borrower") for the bonds; approving and authorizing the execution of a loan agreement by and between the Authority and the Borrower; approving and authorizing the execution and delivery of assignments of Leasehold Mortgage, Assignment of Rents and Security Agreement and Assignment of Leases, Rents and Other Income from the Authority to the Trustee; approving and authorizing the execution and delivery of an Intercreditor Agreement by and among the Authority, the Trustee and AIG SunAmerica Life Assurance Company (the "Credit Provider"), joined and consented to by the Borrower; designating a Trustee, Paying Agent, Registrar and Tender Agent for the Bonds and approving and authorizing the execution of a Trustee Fee Agreement between the Authority and

the Trustee for the Bonds; determining the need for a negotiated sale of the Bonds; approving and authorizing the execution of a Bond Purchase Agreement for the Bonds among the Authority, the Borrower and Raymond James & Associates, Inc. as Underwriters' Representative (the "Underwriter"); approving and authorizing the execution and distribution of a final official statement for the bonds; authorizing the utilization of credit enhancement for the bonds provided by the Credit Provider and the execution of such agreements as may be required in connection with such credit enhancement; approving the execution of such agreements as may be necessary in connection with such consent; and providing an effective date. **(Commission District 9)**

ACTION: (T-10:32 AM) Tabled to later in the meeting. See Page *****

ACTION: (T-10:39 AM) Approved. See Page *****

18. MOTION TO ADOPT Resolution 2004-647 of the Board of County Commissioners of Broward County, Florida approving and authorizing the execution of a second amendment to construction loan and permanent Mortgage Servicing Agreement by and among the Authority, Florida Housing Finance Corporation, First Housing Development Corporation of Florida and the Bank of New York Trust Company, N.A., amending that certain construction loan and permanent mortgage servicing agreement dated as of August 1, 2002, as amended and supplemented by a first amendment to construction loan and permanent Mortgage Servicing Agreement dated as of October 31, 2003, relating to the Authority's Multifamily Housing Revenue Bonds (St. Croix Apartments Project), Series 2002 (the "Bonds"); and authorizing other actions required in connection therewith. **(Commission District 9)**

ACTION: (T-10:33 AM) Approved. See Page *****

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

19. MOTION TO APPROVE agreement between Broward County and Millennium Medical Records Consultants, Inc., (RLI No. 20040202-0-HS-01)), from the date of execution through September 30, 2005, in the amount of \$361,686; to provide a medical records system for substance abuse services for the Substance Abuse and Health Care Services Division; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

CULTURAL DIVISION

20. A. MOTION TO APPROVE agreement between Broward County and the State of Florida Division of Cultural Affairs (Grant No. 05-8019) in the amount of \$18,334 for the purpose of providing general program support for the Broward Cultural Division for the period July 1, 2004, through June 30, 2005, and authorize the Mayor and Clerk to execute same and sign other documents related to the grant. (County cash match \$18,334)

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-648 within the Cultural Council Local Arts Agency Grant Fund (7730) for the Cultural Division in the amount of \$36,668.

ACTION: (T-10:09 AM) Approved.

- C. MOTION TO AUTHORIZE the County Administrator to sign the Fiscal Year 2004 year-end grant report.

ACTION: (T-10:09 AM) Approved.

21. A. MOTION TO APPROVE agreement between Broward County and the State of Florida Division of Cultural Affairs (Grant No. 05-6057) in the amount of \$6,761 for the purpose of supplementing the Education and Community Development Grant (ECD) to the School Board of Broward County from July 1, 2004, through June 30, 2005; and authorize the Mayor and Clerk to execute same and sign other documents related to the grant. (County cash match \$6,761)

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-649 within the Cultural Council's Arts in Education Grant Fund (7250) for the Cultural Division in the amount of \$13,522.

ACTION: (T-10:09 AM) Approved.

- C. MOTION TO AUTHORIZE County Administrator to sign the Fiscal Year 2004 year-end grant report.

ACTION: (T-10:09 AM) Approved.

PORT EVERGLADES DEPARTMENT

22. MOTION TO APPROVE designation and participation of Kenneth R. Krauter, Port Director, as a Delegate to the American Association of Port Authorities (AAPA) Annual Convention in Long Beach, California, from September 27, 2004 - September 30, 2004; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

23. MOTION TO FILE Periodic Review and Final Evaluation Report of certain franchises located within Port Everglades for the period June 1, 2003 through May 31, 2004.

ACTION: (T-10:34 AM) Approved. See Page *****

24. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Global Transportation Group LTD, f/k/a Griffin-Oaks Marine Management L.L.C., for Suite No. 3 in Building 611 (Amman Building) at Port Everglades, consisting of 520 square feet of office space, for the period of September 1, 2004 through August 31, 2005, at an annual rental amount of \$9,100; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:34 AM) Approved. See Page *****

25. MOTION TO APPROVE renewal of a lease agreement between Broward County and Manaco International Forwarders, Inc., for Suite No. 8 in Building 611 (Amman Building) at Port Everglades, consisting of 520 square feet of office space, for the period of September 1, 2004 through August 31, 2006, with rent in the approximate amount of \$19,100 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

26. MOTION TO APPROVE renewal of a lease agreement between Broward County and The Frank Pesce Group, Inc., for 2,952 square feet of warehouse space in Building AB@, Bay No. 1 of Foreign Trade Zone No. 25 at Port Everglades, for the period of October 1, 2004 through September 30, 2005 at an annual rental amount of \$25,492.68; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

27. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Prospect Enterprises, Inc., d/b/a Kansas Marine Company for 5,902 square feet of warehouse space in Building AB@, Bays No. 3 and 4 of Foreign Trade Zone No. 25 at Port Everglades, for the period of September 1, 2004 through August 31, 2005 at an annual rental amount of \$48,455.42; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

28. MOTION TO FILE Quarterly Report for Business Permits issued at Port Everglades for the period April 1, 2004 through June 30, 2004.

ACTION: (T-10:09 AM) Approved.

29. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Sunshine Shipping, Inc., for 416 square feet of office space in Suite No. 210 in Building 611 (Amman Building) at Port Everglades, effective October 1, 2004 through September 30, 2005, at an annual rental amount of \$7,280; and authorize the Mayor and Clerk to execute same

ACTION: (T-10:34 AM) Approved. See Page *****

30. MOTION TO APPROVE new U. S. Government lease for real property between Broward County and the Government of the United States of America for 51,450 square feet of vacant land at Port Everglades, for an initial period of one year, effective upon Board approval with yearly renewal options for up to five years, not to extend beyond September 30, 2008; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved.

31. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Venture Travel, Inc., for Suite No. 12 in Building 611 (Amman Building) at Port Everglades, consisting of 640 square feet of office space, for the period of October 1, 2004 through September 30, 2005, at an annual rental amount of \$11,200; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:34 AM) Approved. See Page *****

32. A. MOTION TO APPROVE Amendment No. 4 to the agreement between Broward County and Bermello-Ajamil & Partners, Inc., for design and consulting services associated with the Port Everglades Security Improvement Program for an amount not to exceed \$784,691.00, increasing the total Contract amount to \$3,849,321.90; and authorizing the Mayor and Clerk to execute same.

ACTION: (T-10:40 AM) Approved. See Page *****

- B. MOTION TO ADOPT budget Resolution 2004-650 transferring funds within the Port Everglades Capital Fund (4710) in the amount of \$673,000 to fund Amendment No. 4 to the agreement between Broward County and Bermello-Ajamil & Partners, Inc., for design services associated with the Port Everglades Security Improvement Program.

ACTION: (T-) Approved. See Page *****

- C. MOTION TO ADOPT budget Resolution 2004-651 transferring funds within the Port Everglades Bond Construction Fund (4730) in the amount of \$112,000 to fund Amendment No. 4 to the agreement between Broward County and Bermello-Ajamil & Partners, Inc., for design services associated with the Port Everglades Security Improvement Program.

ACTION: (T-) Approved. See Page *****

33. A. MOTION TO APPROVE execution of a joint participation agreement (JPA) between the Broward County Board of County Commissioners and the Florida Department of Transportation (FDOT), Financial Project No. 416874-1-94-01, for the purpose of applying grant funding in the total amount of \$1,000,000 for the Broward County Department of Port Everglades for expenses incurred during the construction/expansion of the Terminal 2 baggage area which will allow larger cruise vessels to utilize the facility, and authorize the Mayor and Clerk to execute same; together with Resolution 2004-695 authorizing the Mayor to execute and file said JPA; and providing for an effective date.

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-652 within the Port Everglades Capital Fund (4710) for the Broward County Department of Port Everglades in the amount of \$1,000,000 for expenses that will be incurred during the construction/expansion of the Terminal 2 baggage area, which will allow larger cruise vessels to utilize the facility.

ACTION: (T-10:09 AM) Approved.

OFFICE OF BUDGET SERVICES

34. MOTION TO DIRECT County Attorney to draft an amendment to Ordinance 26-49 of the Broward County Code to remove language which currently allows certain Circuit and County Court judges and state employees to receive group health and life insurance benefits from Broward County.

ACTION: (T-10:09 AM) Approved.

35. MOTION TO ADOPT unanticipated revenue Resolution 2004-653 within the General Fund for the Broward Sheriff's Office in the amount of \$185,222 for additional salaries, overtime and fringe benefit costs incurred in connection with the Foreign Trade Area of the Americas (FTAA) event in Miami from November 17, 2003 to November 21, 2003.

ACTION: (T-10:09 AM) Approved.

COUNTY ATTORNEY

36. A. MOTION TO ADOPT Resolution 2004-654 relating to a special referendum election for determining whether the area known as the Pompano Highlands Area shall be annexed into the City of Deerfield Beach or the City of Pompano Beach; setting the election date; providing the substance of the measure to appear on the ballot; authorizing publication of notices of the special referendum election; and notifying the Supervisor of Elections Office.

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT Resolution 2004-655 relating to a special referendum election for determining whether the area known as the North Andrews Gardens Area shall be annexed into the City of Fort Lauderdale or the City of Oakland Park; setting the election date; providing the substance of the measure to appear on the ballot; authorizing publication of notices of the special referendum election; and notifying the Supervisor of Elections Office.

ACTION: (T-10:09 AM) Approved.

- C. MOTION TO RATIFY actions of County Administration and County Attorney staff relating to publication of notices of the special referendum elections for the annexation of the Pompano Highlands and North Andrews Gardens Areas, and the approval of ballot language for said elections to comply with the Supervisor of Elections' ballot deadlines.

ACTION: (T-10:09 AM) Approved.

COUNTY ADMINISTRATION

37. A. MOTION TO APPROVE voluntary special assessment requested by the Florida Association of Counties in the amount of \$11,939 for fees and costs to challenge Chapter Law 2004-263 regarding the State's shift of costs for pretrial detention of juveniles.

ACTION: (T-10:42 AM) Approved. See Page *****

- B. MOTION TO ADOPT budget Resolution 2004-656 transferring within the General Fund (0010) the amount of \$11,939 from the Commission Reserve for the purpose of supporting the effort to challenge the State's shift of costs for pretrial detention of juveniles to counties.

ACTION: (T-10:42 AM) Approved. See Page *****

OFFICE OF URBAN PLANNING AND REDEVELOPMENT

COMMUNITY CODE COMPLIANCE DIVISION

38. MOTION TO APPROVE interlocal agreement between Broward County and the Town of Hillsboro Beach to provide code inspections and zoning plan review services to the Town commencing on September 30, 2004 and shall continue in full force and effect until midnight, September 30, 2005; and authorize the Mayor and Clerk to execute same. Broward County will recapture the cost of providing these services through revenues collected from fees charged to the Town. **(Commission District 4)**

ACTION: (T-10:09 AM) Approved.

PLANNING SERVICES DIVISION

39. MOTION TO DIRECT Office of the County Attorney to prepare an Ordinance amending the Roosevelt Gardens Neighborhood Enhancement Plan to require barrel tile or s-tile roof construction on all new single family houses built within the Roosevelt Gardens Neighborhood Preservation and Enhancement District. **(Commission District 9)**

ACTION: (T-10:09 AM) Approved.

COUNTY COMMISSION

40. MOTION TO FILE Town of Davie Resolution R-2004-169, dated July 14, 2004, requesting the Broward County Board of County Commissioners place a rural Greenways “loop” on Broward County’s potential Greenways System map in order to avoid a potentially serious traffic conflict at the 6 lane Griffin Road’s Greenway Crossing over I-75; requesting that Broward County join the Town of Davie and Southwest Ranches for transportation enhancement funds made available from either Broward County’s Land Preservation Trust or the Florida Department of Transportation (FDOT), District Four; authorizing the Town Clerk to transmit this Resolution to concerned parties; and providing for an effective date. (Mayor Lieberman)

ACTION: (T-10:09 AM) Approved.

41. MOTION TO FILE City of Lauderhill Resolution 04R-07-140, dated July 12th, 2004, requesting that the Board of County Commissioners of Broward County, Florida, install an eight foot high masonry wall along the east side of Pine Island Road from South of NW 45th Court to south of NW 50th Street and from north of NW 50th street to south of Commercial Boulevard, as part of the Pine Island Roadway Expansion Project in order to protect the abutting existing residential areas from noise, glare, vibration and vehicular crashes; providing for an effective date. (Mayor Lieberman)

ACTION: (T-10:09 AM) Approved.

42. MOTION TO FILE City of Oakland Park Resolution R-2004-081, dated June 16, 2004, approving and authorizing the appropriate City officials to submit a letter of intent to Broward County and the Broward Legislative Delegation requesting to appear on the November 2nd, 2004 ballot for the annexation of Twin Lakes North. A copy of the letter of intent is attached as Exhibit “A”, approving proposed annexation policies. A copy of the proposed annexation policies are attached as Exhibit “B”, providing for conflict, providing for severability; providing for an effective date. (Mayor Lieberman)

ACTION: (T-10:09 AM) Approved.

43. MOTION TO FILE State Road 7/US 441 Collaborative Resolution 04-03, dated July 15, 2004, endorsing the proposed “Transit Oriented Corridor” and “Transit Oriented Development” future land use map categories that facilitate and promote the unified redevelopment efforts of each local government along the State Road/US 441 corridor. (Mayor Lieberman)

ACTION: (T-10:09 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

44. MOTION TO ADOPT Resolution 2004-657 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, September 14, 2004 at 2:00 PM in Room 422 of the Governmental Center, to vacate and abandon three (3) utility easements, a road right-of-way, and an easement for roads, utilities and related purposes, lying and being in Broward County, Florida and located at 1325 NE 26 Street in the City of Wilton. Manors. Petitioner: Wilton Station, L.L.C. (C.C.L. Consultants, Inc.- Agent) (2004 -V-07) **(Commission District 4)**

ACTION: (T-10:09 AM) Approved.

45. MOTION TO ADOPT Resolution 2004-658 directing the County Administrator to publish a Notice of Public Hearing to be held September 14, 2004 at 2:00 PM in Room 422 of the Governmental Center, to consider an application from Wilh. Wilhelmsen (USA), Inc. d/b/a Barwil Agencies (NA), Inc. to provide steamship agent services for a one-year term at Port Everglades.

ACTION: (T-10:09 AM) Approved.

46. MOTION TO ADOPT Resolution 2004-659 directing the County Administrator to publish a Notice of Public Hearing to be held September 14, 2004 at 2:00 PM in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of B. V. Oil Company, Inc. to provide vessel bunkering services for a five-year term at Port Everglades.

ACTION: (T-10:09 AM) Approved.

47. MOTION TO ADOPT Resolution 2004-660 directing the County Administrator to publish Notices of Public Hearings to be held on August 24, 2004 and September 14, 2004, at 2:00 PM in Room 422 of the Governmental Center to consider approval of the fourth amendment to the lease and Operating Agreement between Broward County, King Ocean Service de Venezuela, S.A., and King Ocean Central America, S.A. as Guarantor.

ACTION: (T-10:09 AM) Approved.

48. MOTION TO ADOPT Resolution 2004-661 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 2:00 PM in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending Administrative Code Section 14.233, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO MILITARY LEAVE FOR BROWARD COUNTY EMPLOYEES CALLED TO ACTIVE MILITARY DUTY; AMENDING CHAPTER 14, SECTION 14.233; PROVIDING FOR EMPLOYEES CALLED TO ACTIVE MILITARY DUTY TO CONTINUE TO

ACCRUE SICK AND ANNUAL LEAVE FOR THE DURATION OF THEIR MILITARY LEAVE; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:44 AM) Approved, as amended. Amendments submitted will be advertised and travel with the proposed Ordinance and shall be considered at the Public Hearing. The County Attorney was directed to research the legality of adopting the Ordinance retroactively. See Page *****

49. MOTION TO ADOPT Resolution 2004-662 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 2:00 PM 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 21 "MISCELLANEOUS OFFENSES AND PROVISIONS" BY AMENDING ARTICLE IX "USE OF BUS TRANSFER FACILITY" BY CHANGING THE TITLE TO "USE OF MASS TRANSIT FACILITIES"; BY AMENDING SECTION 21-142 "DEFINITIONS" TO DELETE THE DEFINITION OF BUS TRANSFER FACILITY OR FACILITY, BY ADDING A DEFINITION OF MASS TRANSIT FACILITY(IES) OR FACILITY(IES) AND BUS STOP IN ORDER TO INCREASE THE SAFETY, SECURITY, COMFORT AND CONVENIENCE OF PERSONS UTILIZING MASS TRANSIT FACILITIES; BY AMENDING SECTION 21-143 "DISORDERLY CONDUCT" SUBSECTION (M) TO INCLUDE ADDITIONAL JURISDICTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Board of County Commissioners)

ACTION: (T-10:09 AM) Approved.

50. MOTION TO ADOPT Resolution 2004-663 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 2:00 PM 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 SECTION 2.23 OF THE ADMINISTRATIVE CODE REGARDING MOVING EXPENSES; AMENDING SECTION 18.4 OF THE ADMINISTRATIVE CODE REGARDING COMMISSION COMMITTEES; AMENDING CHAPTER 21 OF THE BROWARD COUNTY ADMINISTRATIVE CODE REGARDING THE PROCUREMENT CODE; AMENDING CHAPTER 22 OF THE ADMINISTRATIVE CODE REGARDING DISPOSAL

OF SURPLUS TANGIBLE PERSONAL PROPERTY;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE ADMINISTRATIVE CODE; AND
PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:56 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: In the Motion, Exhibit 1 and Exhibit 3, the date of August 24, 2004 has been changed to: September 14, 2004. Also, in the "Summary Explanation" July 22 should read: June 22.) See Page *****

ACTION: (T-4:10 PM) Reconsidered. The date for the Public Hearing was rescheduled to Tuesday, August 24, 2004, at 2:00 p.m. not September 14, 2004.

51. MOTION TO ADOPT Resolution 2004-664 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 2:00 PM, 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 SECTION 1-75, REGARDING LOCAL BUSINESS BIDDING PREFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:09 AM) Approved.

52. MOTION TO ADOPT Resolution 2004-665 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 2:00 PM, 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 31½, "TAXATION," BY AMENDING THE TITLE OF ARTICLE VI, "TAX EXEMPTION ON HISTORIC PROPERTY," TO "HISTORIC PROPERTY" AND BY CREATING A NEW SECTION 31½-109, "CLASSIFICATION AND ASSESSMENT OF HISTORIC PROPERTY USED FOR COMMERCIAL OR CERTAIN NONPROFIT PURPOSES," TO PROVIDE FOR ASSESSMENT OF HISTORIC PROPERTY USED FOR COMMERCIAL OR CERTAIN NONPROFIT PURPOSES SOLELY ON THE BASIS OF CHARACTER OR USE; PROVIDING FOR NOTICE TO THE PROPERTY

APPRAISER; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN CODE; AND PROVIDING
FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:09 AM) Approved.

***ACTION: (T-11:06 AM) Reconsidered and approved, as amended.
Amendments submitted will be advertised and travel with the proposed
Ordinance and shall be considered at the Public Hearing.***

See Page *****

53. A. MOTION TO AUTHORIZE Office of County Attorney to draft an amendment to Ordinance No. 1999-43, Chapter 2 of the Broward County Code of Ordinances, to authorize the early collection of a Customer Facility Charge to offset the operating and maintenance expenses of the common busing system for the Consolidated Rental Car Facility at the Fort Lauderdale-Hollywood International Airport.

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT Resolution 2004-666 directing the County Administrator to publish a Notice of Public Hearing to be held on August 24, 2004, at 2:00 PM in Room 422 of the Governmental Center adopting a Resolution of the Board of County Commissioners of Broward County, amending Chapter 39, Broward County Administrative Code; amending Section 39.2, "Rates, Fees, Charges, Fort Lauderdale-Hollywood International Airport," to add a Customer Facility Charge; providing for severability; providing for inclusion in the Code; and providing for an effective date.

ACTION: (T-10:09 AM) Approved.

54. MOTION TO ADOPT Resolution 2004-667 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 2:00 PM, 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 2, AIRPORTS AND AIRCRAFT, OF THE BROWARD COUNTY CODE OF ORDINANCES, SECTION 2-122, RELATING TO THE EFFECTIVE DATE FOR IMPOSITION OF THE CUSTOMER FACILITY CHARGE FOR THE CONSOLIDATED RENTAL CAR FACILITY AT THE FORT LAUDERDALE-HOLLYWOOD

INTERNATIONAL AIRPORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:09 AM) Approved.

55. MOTION TO ADOPT Resolution 2004-668 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 24, 2004, at 10:00 AM, 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 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 27D, TRIPS NETWORK SUMMARY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(Commission Districts 5 and 8)**

ACTION: (T-10:09 AM) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

AIR QUALITY DIVISION

56. A. MOTION TO ACCEPT Section 103 grant award by the U.S. Environmental Protection Agency (USEPA) in the amount of \$46,646; to continue funding Particulate Matter 2.5 micron monitoring in Broward County, and authorize the County Administrator to make necessary administrative and budgetary actions to execute the grant for the Department of Planning and Environmental Protection (DPEP).

ACTION: (T-10:09 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-669 within Fund 8300-031-2242 for the Department of Planning and Environmental Protection in the amount of \$46,646 for the purpose of recognizing the Section 103 continuation grant funds received from the USEPA.

ACTION: (T-10:09 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

- 57. MOTION TO APPROVE first amendment to the interlocal agreement between Broward County and the City of Hollywood relating to the Broward County, Segment III, Shore Protection Project, reflecting changes in the project's work scope and increasing the City's estimated share of the costs by \$420,811; from \$929,544 to \$1,350,355; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

ACTION: (T-10:09 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

- 58. DISCUSSION: plat entitled "Samaroo Plat" – **Commission District 1**, (017-MP-03).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

- 59. DISCUSSION: of plat entitled "Greenbriar Plat" – **Commission District 3**, (018-MP-04).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

- 60. DISCUSSION: of plat entitled "Sunshine Storage" - **Commission District 5**, (065-MP-03). (Deferred from June 29, 2004).

ACTION: (T-10:09 AM) Approved the plat, as corrected, and subject to staff's recommendations as outlined in the Development Review Report.

(Scrivener's error - See County Administrator's memorandum: Second sentence of Staff Recommendation 1 on page 7 of the Development Review Report to read as follows: Said non-access line shall extend north along both sides of the ingress/egress easement for a minimum of 40 feet in accordance with the requirements of Staff Recommendation 4.

- 61. DISCUSSION: of plat entitled "Escada" – **Commission District 8**, (003-MP-04).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

62. DISCUSSION: of plat entitled "Downtown West" – **Commission District 9**, (004-UP-03).

ACTION: (T-10:09 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

63. DELEGATION: John J. Mascarenas regarding request to amend the note on the Bruce Plat - **Commission District 1**, (118-MP-85).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

64. DELEGATION: Hope Calhoun regarding request to amend the note on the Spear Plat - **Commission District 2**, (037-MP-99).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

65. DELEGATION: Gerald L. Knight regarding request to amend the note on the Whispering Woods Plaza Plat - **Commission District 1**, (136-MP-89). (Deferred from March 16, 2004).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

66. DELEGATION: Paul Lovesky regarding request to amend the note on the O'Donnell Farms Plat No. I - **Commission District 2**, (027-UP-83).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

67. DELEGATION: Susan Motley regarding request to amend the note on the Westpoint Section 7 Plat - **Commission District 3**, (042-MP-94).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

68. DELEGATION: Jane Storms regarding request to amend the note on the Tamarac Market Place Plat - **Commission District 3**, (060-MP-83).

ACTION: (T-10:09 AM) Deferred to March 15, 2005 or sooner under Section 5-181(j) to study transportation concurrency.

69. DELEGATION: Jane Storms regarding request to amend the note on the Alderman Parcels Plat - **Commission District 8**, (006-UP-00).

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

70. DELEGATION: Rod A. Feiner regarding request to amend the note on the James Bond Plat - **Commission District 4**, (162-MP-85).

ACTION: (T-10:09 AM) Deferred to March 15, 2005 or sooner under Section 5-181(j) to study conformity with the Land Use Plan.

71. DELEGATION: Erik Jon Wilczek regarding request to amend the note on the South 84 Plat - **Commission District 7**, (206-MP-84).

ACTION: (T-10:09 AM) Deferred to March 15, 2005 or sooner under Section 5-181(j) to study transportation concurrency.

72. DELEGATION: Shelley Eichner regarding request to amend the note on the Griffin Lakes Plat - **Commission District 7**, (040-MP-02).

ACTION: (T-11:10 AM) Deferred to Tuesday, August 24, 2004 for additional research. See Page *****

73. DELEGATION: John D. Voigt regarding request to amend the note on the Main Street Plat - **Commission District 7**, (049-MP-85). (Deferred from June 29, 2004).

ACTION: (T-10:09 AM) Deferred to September 28, 2004 under Section 5-181(j) to continue to study transportation concurrency.

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

ACTION: (T-11:22 AM) Approved, as amended, and subject to staff's recommendations. The Agreement will not be executed or recorded until the title certificates for the property are provided and approved by the County Attorney. Further, the applicant is not entitled to any building permits until all the agreements have been approved and recorded. (Transferred to the Regular Agenda.) See Page *****

75. DELEGATION: Hope Calhoun regarding request to amend the note on the New World Plat - **Commission District 7**, (088-MP-97).

ACTION: (T-11:22 AM) Approved, as amended, and subject to staff's recommendations. The Agreement will not be executed or recorded until the title certificates for the property are provided and approved by the County Attorney. Further, the applicant is not entitled to any building permits until all the agreements have been approved and recorded. (Transferred to the Regular Agenda.) See Page *****

76. DELEGATION: Hope Calhoun regarding request to amend the note on the Young World Plat - **Commission District 7**, (104-MP-83).

ACTION: (T-11:22 AM) Approved, as amended, and subject to staff's recommendations. The Agreement will not be executed or recorded until the title certificates for the property are provided and approved by the County Attorney. Further, the applicant is not entitled to any building permits until all the agreements have been approved and recorded. (Transferred to the Regular Agenda.) See Page *****

77. DELEGATION: Hope Calhoun regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Young World Plat - **Commission District 7**, (104-MP-83).
- ACTION: (T-10:09 AM) Deferred to March 15, 2005 or sooner under Section 5-181(j) to study access.**
78. DELEGATION: Neal Janov regarding request to amend the non-vehicular access line on the Encore Senior Village of Coconut Creek Plat - **Commission District 2**, (077-MP-98).
- ACTION: (T-10:09 AM) Approved subject to staff's recommendations.**
79. DELEGATION: Lisa A. Lanius regarding request to amend the non-vehicular access line on the Wolf Family Plat - **Commission District 7**, (067-MP-98).
- ACTION: (T-10:09 AM) Deferred to September 14, 2004 at the applicant's request.**
80. DELEGATION: Scott E. Backman regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Northwest Park of Commerce Plat - **Commission District 2**, (031-MP-89).
- ACTION: (T-10:09 AM) Deferred to March 15, 2005 or sooner under Section 5-181(j) to study access.**
81. DELEGATION: Paul Lovesky regarding request to revise conditions of plat approval on the Bosteryi Plat - **Commission District 6**, (015-MP-03).
- ACTION: (T-10:09 AM) Approved subject to staff's recommendations.**
82. DELEGATION: Julie Whiteside, representing the City of Hollywood, regarding request to waive transit impact fees for Hollywood's Southeast Public Safety Complex - **Commission District 6**.
- ACTION: (T-10:09 AM) Approved subject to staff's recommendations.**
83. DELEGATION: Scott E. Backman regarding request to waive the prohibition of filing a development permit application within a municipality without an approved Resolution agreeing not to issue building permits without evidence documenting the payment of impact fees for the proposed Parkview Lofts Plat - **Commission District 9**.
- ACTION: (T-10:09 AM) Approved subject to staff's recommendations.**

84. DELEGATION: Regina Bobo-Jackson regarding request to waive the prohibition of filing a development permit application within a municipality without an approved Resolution agreeing not to issue building permits without evidence documenting the payment of impact fees for the proposed Georgian Oaks Plat - **Commission District 7.**

ACTION: (T-10:09 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



85. A. MOTION TO APPROVE contract for sale and purchase between Mitzi Clark and Broward County in the amount of \$190,000 for the purchase of Open Space Site OS-82 (2.41acres, 104,922 square feet) in the Broward County Land Preservation Bond Program Inventory; vacant land located along the south side of SW 8th Street and east of SW 136th Avenue in the Town of Davie, Florida; authorize Real Property to acquire this property using GOB Safe Parks and Land Preservation Bond Issue funds; and authorize the Mayor and Clerk to execute contract for sale and purchase and authorize acceptance and recordation of deed. **(Commission District 5)**

ACTION: (T-11:32 AM) Approved.

B. MOTION TO APPROVE interlocal agreement for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-82 between Broward County and Town of Davie; and authorize the Mayor and Clerk to execute interlocal agreement and authorize acceptance and recordation of quit claim deed. **(Commission District 5)**

ACTION: (T-11:32 AM) Approved.

C. MOTION TO ADOPT Resolution 2004-670 approving the conveyance of real property to the Town of Davie for the operation and management of Open Space Site OS-82. **(Commission District 5)**

ACTION: (T-11:32 AM) Approved.

END PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



86. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held at 10:00 AM, Tuesday, September 21, 2004, in Room 422 of the Governmental Center, to consider the purchase of GOB Safe Parks and Land Preservation Issue Green Space Site 446 (1.67 acres, 72,600 square feet), vacant land located 477 feet south of Winston Park Boulevard and 1,200 feet west of Lyons Road, in the City of Coconut Creek, Florida, pursuant to Florida Statute Chapter 125.355.

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

- 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 or after September 21, 2004, a contract for sale and purchase for acquisition of Green Space Site 446, for a purchase price of \$82,500.00. **(Commission District 2)**

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)



87. A. MOTION TO APPROVE second amendment to the interlocal agreement between Broward County and the City of Hallandale Beach for the acquisition, improvement, enhancement, operation and management of Open Space, Site OS-33, Foster Park Addition to add parcel OS-33.6 to the site boundaries and subject it to the requirements of the interlocal agreement; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO ADOPT Resolution 2004-671 for the transfer of title of real property referred to as Site OS-33.6 in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 8)**

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)



88. MOTION TO DIRECT staff to take the necessary actions to place the 5-acre parcel of property (a portion of Folio No. 494205000046) in the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 2)** (Vice-Mayor Jacobs)

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

PUBLIC WORKS DEPARTMENT

OFFICE OF TRANSPORTATION

ENGINEERING DIVISION

89. MOTION TO APPROVE Road Transfer Agreement between Broward County and City of Fort Lauderdale for NW 6th Street from US 1 to NW 24th Avenue; and authorize the Mayor and Clerk to execute the same. **(Commission District 7)**

ACTION: (T-10:09 AM) Tabled to later in the meeting. See Page *****

ACTION: (T-11:33 AM) Approved, as amended. The Board directed staff to develop a traffic mitigation plan prior to approval of the transfer of jurisdiction and responsibility for the roadway. (See County Auditor’s memorandum dated August 9, 2004.) See Page *****

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

90. A. MOTION TO ADOPT Resolution 2004-672 amending Resolution No. 2003-753 of Broward County, Florida, providing that revenues of the solid waste system may be used for lawful purposes upon certain conditions; providing certain other matters in connection therewith; and providing an effective date.

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE eighth amendment to the interlocal agreement between Broward County and the Contract Communities dated November 25, 1986 for Solid Waste Disposal Services, which provides for a return of Resource Recovery System revenues to the Contract Communities on the basis of each Contract Community’s tonnage contribution of processable waste to the Resource Recovery System for the prior fiscal year.

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

PORT EVERGLADES DEPARTMENT

91. A. MOTION TO WAIVE Chapter 32, Part 1, Section 32.6 (2a) of the Broward County Administrative Code which establishes the rental rate of \$18.25, for the Port Everglades Administration Building.

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE renewal of a lease agreement between Broward County and Port Everglades Association, Inc., for 655 square feet of office space in the Port Administration Building at Port Everglades for the period of September 1, 2004 through August 31, 2005, with rent in the amount of \$9,855 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

SUPERVISOR OF ELECTIONS

92. MOTION TO APPROVE recommendation of the Supervisor of Elections amending the voting precincts which were approved on July 9, 2002, amended on August 13, 2002, January 14, 2003 and September 16, 2003 combining 20 precincts for voting in the Primary Election on August 31, 2004 as submitted in Exhibit A.

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

COUNTY COMMISSION

93. MOTION TO DISCUSS: construction of sound protection devices in conjunction with the County road project along the east side of Pine Island Road from south of NW 45th Court to south of NW 50th Street, and from north of NW 50th street to South of Commercial Boulevard, as outlined in the City of Lauderhill Resolution 04R-07-140. (Mayor Lieberman)

ACTION: (T-11:33 AM) The Board approved the construction of sound protection devices in the City of Lauderhill, contingent upon the commitment of the City, and directed county staff to work with the city on the project. Further, the Board directed staff to draft an amendment to its current policy to include the following revisions: 1) The cities would share 50 percent of the cost. 2) The cities would agree to maintain the sound protection devices. 3) The cities would be responsible for securing the easements from affected property owners for the placement of the soundproofing devices only where the property abuts single-family homes. Staff will place an item on the agenda for the Board's consideration of the amendment. In addition, staff was directed to provide cost projections for

*the placement of sound protection devices throughout the County in accordance with the revised policy. See Page ******

94. DISCUSSION: Broward County support for Veterans' Day Parade 2004. (Commissioner Parrish)

ACTION: (T-11:40 AM) The Board approved the County's support for Veterans' Day Parade 2004, and directed staff to work with the Veterans' Parade committee to provide in-kind services. If any costs arise due to the event, staff will return before the Board. The Board directed staff to draft a policy relating to county sponsorship of special events, including a budget item, and return before the Board with recommendations. Further, the Board directed staff to research the past year's events the County has sponsored detailing costs and hours incurred when county employees worked the event on a weekend (costs incurred for overtime, comp time, annual leave, BSO and Fire Rescue services.) See Page *****

95. MAYOR'S REPORT

ACTION: (T-12:17 PM) The Mayor's Report was deferred to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

- A. HOME FUNDS UPDATE

ACTION: (Time-4:09 PM) Mayor Lieberman discussed cities with populations over 50,000 that were not receiving HOME funds a year ago because they did not meet certain criteria. Now those ten cities are receiving almost \$1.9 million, with no city receiving less than \$134,000, and two cities receiving close to \$300,000 in HOME funds. Mayor Lieberman commented that the new programs for affordable housing and home ownership are happening because Broward County reached out to those ten cities and was able to get them federal funds. See Page *****

- B. TOURISM - CANADA

ACTION: (Time-4:14 PM) Mayor Lieberman informed the Board that she met with Montreal International and the Canadian Snowbird Association and discussed developing additional ways of encouraging tourism in Broward County on the part of Canadians. See Page*****

C. BOYS AND GIRLS CLUB – SUPPORT FOR CHRISTMAS PROGRAM

ACTION: (Time-4:16 PM) Mayor Lieberman discussed a letter received from the Boys and Girls Club asking Broward County employees for help with their Christmas Program. The Board agreed that the generosity of Broward County employees was phenomenal in our own Christmas program, and would not want to take away from that.

Furthermore, Mayor Lieberman commented on the generosity of Broward County employees for the Christmas in July program as well. See Page*****

96. COUNTY COMMISSION LIAISON REPORT

ACTION: (T-12:17 PM) The County Commission Liaison Report was deferred to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

A. ONE COMMUNITY PARTNERSHIP – CHILDREN’S SERVICES BOARD – COMMISSIONER GUNZBURGER

ACTION: (Time-4:18 PM) Commissioner Gunzburger commented that she is the representative to the One Community Partnership representing both the Children’s Service Council and the Children’s Service Board. Commissioner Gunzburger asked that the Commission oppose a proposed bylaw change by One Community Partnership, which currently has four members from the Children’s Service Board and four from the Children’s Service Council. Both entities signed off on a \$6 million grant from the federal government. The Board currently consists of 16 members. The proposed bylaw change is now suggesting that the Children’s Service Council would have only one representative and the Children’s Service Board would have only one representative, with the other 14 currently on the Board being community members who do not have to answer for any funds, but would have the majority for the votes for the Board. Without objection, the Board agreed to oppose the bylaw change. See Page*****

B. DISCONTINUED BUS SERVICE – MIAMI DOLPHINS GAMES – COMMISSIONER PARRISH

ACTION: (Time-4:19 PM) As the liaison to mass transit, Commissioner Parrish questioned why Broward County discontinued bus service to the Miami Dolphins games, and was informed it was due to low ridership. See Page*****

C. PORT - BILLING IRREGULARITIES – COMMISSIONER RODSTROM

ACTION: (Time-4:21 PM) Commissioner Rodstrom referenced a memorandum received on July 7, 2004, concerning billing irregularities on Terminal 4 redesign, and questioned whether fraud has been committed. Mr. Lukic agreed to have a recommendation for the Board at the August 24, 2004 Commission meeting. See Page*****

D. SOUTH FLORIDA WATER MANAGEMENT DISTRICT – DRAINAGE BASIN RULE REVISION – VICE MAYOR JACOBS

ACTION: (Time-4:23 PM) Vice Mayor Jacobs referenced a yellow sheet she sent out concerning South Florida Water Management District (SFWMD) Drainage Basin Rule Revision, and said she will keep the Board informed, because this would affect Broward County by significantly reducing the amount of basins that will become part of the permitting process. See Page*****

97. COUNTY ADMINISTRATOR’S REPORT

ACTION: (T-12:17 PM) The County Administrator’s Report was deferred to the conclusion of the 2:00 p.m. Public Hearing. See Page *****

ACTION: (T-4:33 PM) Deputy County Administrator Bertha Henry informed the Board there was nothing to report. See Page *****

BOARD OF COUNTY COMMISSIONERS SITTING AS THE GOVERNING BOARD OF TWIN LAKES WATER CONTROL DISTRICT

98. A. MOTION TO OPEN meeting as the Governing Board of Twin Lakes Water Control District.

ACTION: (T-12:07 PM) Approved. See Page *****

B. MOTION TO APPROVE appointment of Mr. Matthew Bapty, replacing the resigned Mr. Allan Bapty to the Twin Lakes Water Control District Advisory Board.

ACTION: (T-12:07 PM) Approved. See Page *****

C. MOTION TO CLOSE meeting as the Governing Board of Twin Lakes Water Control District. (Commission District 8)

ACTION: (T-12:07 PM) Approved. See Page *****

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

99. MOTION TO DISCUSS Broward County support for Broward Carnival and sponsorship of activities. (Mayor Lieberman)

ACTION: (T-12:07 PM) Deferred to the conclusion of the 2:00 PM Public Hearing meeting for further information. See Page *****

ACTION: (Time-4:10 PM) Mayor Lieberman stated that Broward Carnival, Inc., is registered as a Florida Non-Profit Corporation with the Secretary of State's Office. She referenced a letter from Broward Carnival requesting the County's support for in-kind services. Without objection, the Board agreed to support in-kind services only for Broward Carnival, until such time as staff returns before the Board with a policy and a budget item. See Page *****

100. MOTION TO DIRECT staff to take the necessary actions to place the one-acre parcel of property (Folio No. 514126000077) in the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 8)** (Commissioner Wasserman-Rubin)

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

101. MOTION TO APPOINT member of the Board of County Commissioners to the Canvassing Board. (Mayor Lieberman)

ACTION: (T-10:09 AM) The Board appointed Commissioner Scott as a member of the Board of County Commissioners to serve on the Canvassing Board. (Transferred to the Consent Agenda.)

102. MOTION TO FILE Town of Southwest Ranches Resolution No. 2004-106, requesting the Broward County Board of County Commissioners place a rural greenways "loop" on the Broward County Greenway System map in order to avoid a potentially serious traffic conflict at the six lane Griffin Road Greenway Crossing over the I-75 Highway; recommending that the links of the "loop" should consist of multi-purpose trails placed along: Volunteer Road, the north two lanes of Stirling Road from Volunteer Road, (SW 148th Avenue) to Dykes Road (SW 160th Avenue), Dykes Road, Weston Road, and South Post Road above I-75 from Weston Road to the Western Extension of Orange Drive; requesting that Broward County join the Town of Southwest Ranches and the Town of Davie in working to obtain transportation enhancement funds, which may be available

from either Broward County's Land Preservation Trust or the Florida Department of Transportation (FDOT), District Four; providing instructions to the Town Administrator; and providing an effective date. (Commissioner Wasserman-Rubin)

ACTION: (T-10:09 AM) Approved. (Transferred to the Consent Agenda.)

MEETING/WORKSHOP NOTICES

HEALTH CARE INSURANCE BENEFITS

RLI No. 20040315-0-PEB-02

Tuesday, August 10th in Room 430 at 3:00 PM or
Immediately following the afternoon Commission Meeting

