

## **MEETING OF AUGUST 16, 2005**

(The meeting convened at 10:00 a.m. and adjourned at 1:57 p.m.)

PLEDGE OF ALLEGIANCE was led by Vice Mayor Ben Graber, District 3.

### **MOMENT OF SILENCE**

In memory of:

Sam Goldstein, former Lauderdale Lakes Commissioner.

Woody Hampton, managed several South Florida cities, including Pembroke Pines.

Robert Koch, husband of Fourth District Court Judge Melanie May.

Arthur E. Teele, Jr., former Miami City Commissioner.

Kay Kassel, Hollywood activist.

Rhoda Radow, debate team coach and Nova High School teacher.

Gene Laden, past president of Century Village Pines Homeowner's Association.

Patrick Scancarella, an original Lauderdale Lakes City Council Member, 1961 – 1964.

### **CALL TO ORDER**

## **CONSENT AGENDA**

### **BOARD APPOINTMENTS**

1. A. MOTION TO APPROVE appointment of Linda Medvin to the Commission on the Status of Women. (Commissioner Wexler)

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

- B. MOTION TO APPROVE appointment of Constantine Kokonas to the Consumer Protection Board. (Commissioner Wexler)

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

- C. MOTION TO APPOINT Mr. Darryl "Mike D" Payne to the Diversity Advisory Council. (Vice Mayor Graber)



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

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

- D. MOTION TO APPOINT Larry Gierer to the Diversity Advisory Council. (Commissioner Scott)

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

- E. MOTION TO RE-APPOINT Stuart B. McIver to the Historical Commission Board. (Commissioner Scott)

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

- F. MOTION TO APPOINT Mr. John R. Smith to the Board of Rules and Appeals. (Commissioner Lieberman)

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

- G. MOTION TO APPOINT Ms. Laura Fronczek to the Marine Advisory Committee. (Commissioner Lieberman)

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

- H. MOTION TO APPROVE appointment of Mr. Neal A. McGarry to the Alcohol and Drug Abuse Advisory Board. (Commissioner Wexler)

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

- I. MOTION TO APPOINT William F. Goetz to the Bicycle and Pedestrian Advisory Committee. (Commissioner Scott)

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

- J. MOTION TO APPOINT: Commissioner Beth Flansbaum-Talabisco to the Library Advisory Board. (Vice Mayor Graber)

***ACTION: (T-10:10 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: In the Motion, Commissioner should be Vice Mayor.)***

- K. MOTION TO APPOINT: Commissioner Theodore "Ted" Mena to the Human Rights Board. (Vice Mayor Graber)

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

- L. MOTION TO APPOINT Natalie Bigio to the Broward County Planning Council. (Commissioner Lieberman)

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

### **AVIATION DEPARTMENT**

2. MOTION TO ADOPT Resolution authorizing use of Broward County facilities and staff to partner with FedEx Corporation and/or other airport tenants and charitable organization(s) for an annual "Tug-a-Plane" event at Fort Lauderdale-Hollywood International Airport, which accomplishes a charitable and public purpose; making related findings; and providing for an effective date.

***ACTION: (T-10:10 AM) Deferred to Tuesday, August 23, 2005 for further staff review.***

3. MOTION TO APPROVE agreement of Lease Between Broward County and Lauderdale Small Boat Club, Inc. ("LSBC"), for a 10.1 acre parcel to operate a small boat marina at the Fort Lauderdale/Hollywood International Airport effective on Board approval for a three year term, with two one-year extensions by written notice from the Director of Aviation, a 90 day notice of cancellation by either party, with or without cause, a minimum capital expenditure requirement of \$100,000 by LSBC, with annual revenue of \$139,050; adjusted annually by the greater of the United States Consumer Price Index or 3%, and authorize the Mayor and Clerk to execute the same.

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

### **PUBLIC WORKS AND TRANSPORTATION DEPARTMENT**

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

4. MOTION TO APPROVE third amendment to the agreement between Broward County and EAC Consulting, Inc. for consultant services for Improvements to Ravenswood Road from Stirling Road to Griffin Road, RLI No. 102699-RB, at an increased cost to the County of \$18,172.88; from \$556,066.52 to \$574,239.40, and an increase in contract time of 180 calendar days from Notice to Proceed (NTP); and authorize the Mayor and Clerk to execute same. (Project 5223 )  
**(Commission Districts 6, 7)**

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

5. MOTION TO ADOPT Resolution 2005-503 accepting a road easement, at a nominal cost of \$1 to the County, executed by Mount Hermon African Methodist Episcopal Church, Inc. for right-of-way for NW 7<sup>th</sup> Avenue (west side), approximately 100 feet north of NW 4<sup>th</sup> Street. **(Commission District 7)**

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

6. MOTION TO ADOPT Resolution 2005-504 accepting a warranty deed, at a nominal cost of \$10 to the County, executed by Ethel L. Goodman, Trustee, for right-of-way for SW 13<sup>th</sup> Street, at the southeast corner of the intersection with SW 44<sup>th</sup> Terrace. **(Commission District 7)**

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

7. MOTION TO APPROVE agreement between Broward County and the City of Pompano Beach for Right-of-Way Beautification for Andrews Avenue from south of Atlantic Boulevard (SR 814) to north of NW 10<sup>th</sup> Street, at no cost to the County and effective upon execution; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

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

## **REAL PROPERTY SECTION**

8. MOTION TO ADOPT Resolution 2005-505 authorizing the conveyance by quit claim deed of a tax deed property that is unbuildable and has escheated to Broward County for delinquent real estate taxes to the municipality in which land is located, at no cost to the County, pursuant to Florida Statutes Chapter 197.592. This particular property is within the City of Pompano Beach; authorize the Mayor and Clerk to execute Deed, and authorize recordation of same. **(Commission District 9)**

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

9. MOTION TO APPROVE business lease agreement between Broward County (Tenant) and Alice D. Lowry (Landlord) for the continued occupancy of the 8,970 square-foot facility presently occupied by the Revenue Collection Division's Auto Tag Agency at 815-835 NE 13<sup>th</sup> Street, Fort Lauderdale, for a two-year term beginning on November 1, 2005 through October 31, 2007, at a base rent of \$82,972.50, (\$9.25 per square foot) for the first year and increasing by 3 % in the second year, for a total cost to the County of \$168,456.60; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

***ACTION: (T-10:18 AM) Deferred to Tuesday August 30, 2005. The Board directed staff to provide an analysis and costs involved to use a portion of the building to renovate it for use by Revenue Collections. (Refer to minutes for full discussion.)***

10. MOTION TO APPROVE third amendment to business lease agreement, as amended, between Broward County (Tenant) and the City of Lauderhill, Florida, (Landlord) for the library facility located at 4257 NW 12<sup>th</sup> Street, Lauderhill, Florida, extending the term of the present lease agreement for an additional three years, commencing October 1, 2005 and terminating September 30, 2008, at a total cost to the County of \$227,475; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

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

11. MOTION TO APPROVE contract for sale and purchase executed by Richard Morrill and his wife Betty Morrill, in the amount of \$13,500 for the purchase by the County of Westlake Parcel 188, located in Hollywood Central Beach Number Three, Plat Book 10, Page 6, Lot 19 Block 16; Parks and Recreation Division authorizes Real Property Section to acquire this parcel using Parks and Recreation Division funds; authorize the Mayor and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed. **(Commission District 6)**

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

12. A. MOTION TO APPROVE Exchange Agreement between Florida Power and Light (FPL) and Broward County in the amount of \$1,431,150 (\$380,000 in cash and a County-owned 2.224-acre vacant, surplus parcel valued at \$1,051,150), in exchange of a 2.748-acre FPL-owned parcel valued at \$1,497,500 (known as: Parcel C of Port Everglades Industrial Park, Section 3), located west of McIntosh Road, Hollywood, Florida. The County's 2.224-acre surplus parcel is located at SW 3<sup>rd</sup> Avenue and SW 32<sup>nd</sup> Court, Fort Lauderdale, Florida; and is legally described as a portion of Parcel "A", "Replat of a portion of W. H. Marshall Subdivision," according to the plat thereof, as recorded in Plat Book 62, Page 21 of the

Public Records of Broward County, Florida; authorize the Mayor and Clerk to execute Exchange Agreement and quit claim deed, and authorize acceptance and recordation of quit claim deeds.

***ACTION: (T-10:21 AM) Approved. Commissioner Lieberman requested documentation that reflects how the value of the drainage easement was derived. (Refer to minutes for full discussion.)***

- B. MOTION TO ADOPT Resolution 2005-506 authorizing the Board of County Commissioners to request and direct the purchase of a 2.748-acre parcel owned by FPL in exchange of 2.224 acres of vacant, surplus real property that Broward County has determined will not be needed for County purposes, and a cash payment of \$380,000.

***ACTION: (T-10:21 AM) Approved. (Refer to minutes for full discussion.)***

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

13. MOTION TO ADOPT Resolution 2005-507 of the Board of County Commissioners of Broward County, Florida, authorizing the execution and delivery of an Interlocal Agreement between Broward County, Florida and the Orange County Industrial Development Authority (the "Authority") permitting the expenditure of a portion of the proceeds of the Authority's not to exceed \$16,000,000 original aggregate principal amount of Variable Rate Demand Revenue Bonds (Christian Prison Ministry, Inc. Project) (the "Bonds") for the principal purpose of financing the acquisition, construction and/or renovation of certain correctional, detention, rehabilitation and/or social service center facilities and/or refinancing certain indebtedness incurred by Christian Prison Ministry, Inc; authorizing the holding of a Public Hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, in connection with the issuance of the Bonds; delegating to the Acting CFO and Director of the Finance and Administrative Services Department the responsibility of holding such Public Hearing; and providing an effective date.

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

### **ACCOUNTING DIVISION**

14. 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-10:10 AM) Approved.***

15. MOTION TO APPROVE list of computer checks issued from October 1, 2004 through October 31, 2004, November 1, 2004 through November 30, 2004, December 1, 2004 through December 31, 2004, and January 1, 2005 through January 31, 2005.

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

16. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending June 30, 2005.

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

17. MOTION TO FILE Broward County, Florida Annual Financial Audit Report pursuant to Section 218.39, Florida Statutes for the year ended September 30, 2004.

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

18. MOTION TO FILE Sheriff's Florida Contraband Forfeiture Semi-Annual Report for the six-month period ending March 31, 2005.

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

### **COUNTY RECORDS DIVISION**

19. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meetings of May 24, 2005; June 7, 2005; June 14, 2005; and June 21, 2005; and the minutes of the 2:00 P.M. Public Hearings of May 24, 2005 and June 14, 2005.

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

20. 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-L established by the Division of Library and Information Services of the State of Florida for local government agencies.

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

### **PURCHASING DIVISION**

For Aviation Department

21. MOTION TO APPROVE release of retainage in the amount of \$1,543.87, to HNTB Corporation (HNTB) for the Environmental Impact Statement (EIS) for the Proposed Extension of Runway 9R/27L at the Fort Lauderdale-Hollywood International Airport, RLI No. 010395-RB, for the Aviation Department.

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

For Finance and Administrative Services Department

22. MOTION TO AWARD open-end contracts to Ideal Supply Inc., low responsive, responsible bidder, Groups 1, 2 and 3, in the estimated amount of \$258,727.60, and Dade Paper Co., low bidder, Group 4 and low responsive, responsible bidder, Item 9, in the estimated amount of \$45,422.50, for miscellaneous paper supplies (Rebid), Bid No. W605212B1, for a total estimated amount of \$304,150.10, for the Purchasing Division Central Warehouse; and authorize the Purchasing Director to renew the contract for a one-year period for a potential two-year amount of \$608,300.20. The initial contract period shall start on date of award and shall terminate one year from that date.

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

For Human Services Department

23. MOTION TO AWARD open-end multiple-award contracts to First Choice Pharmacy Services, LLC (First Choice), Harcourt Services, Inc. d/b/a/ Herbmor Compounding Pharmacy (Herbmor)(Certified SBE), and Spring Parks Drug, Inc. d/b/a/ Romano's Pharmacy (Romano's) Group 1, in the estimated amount of \$651,136.74, low bidder Spring Parks Drug, Inc. d/b/a/ Romano's, Group 2, in the estimated amount of \$467,136.48, and First Choice, Herbmor, and Romano's, Contingency Item 1, in the estimated amount of \$1,800.00, for a total estimated amount of \$1,120,073.22, for prescription drugs and pharmaceuticals, Bid No. T-3-05-089-B2, for the Substance Abuse and Health Care Services Division (SAHCS), and authorize the Purchasing Director to renew the contract for one

year for a potential estimated three-year total of \$1,680,109.83. The initial contract shall start August 16, 2005 and shall terminate August 15, 2007.

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

For Port Everglades Department

24. A. MOTION TO WAIVE exceptions taken by Pierce Manufacturing, Inc., to specific insurance requirements in the Special Instructions to Bidder, Bid No. C904193FF, for truck, chemical fire.

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

- B. MOTION TO AWARD fixed contract to single responsive, responsible bidder, Pierce Manufacturing, Inc., for truck, chemical fire, Bid No. C904193FF, in the total amount of \$521,948 for the Port Everglades Department.

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

For Public Works and Transportation Department

25. MOTION TO AWARD open-end contracts to low responsive, responsible bidders, Certified Network Professionals, Inc. (Group 1), for Ethernet switches and media converters with a five-year warranty and employee training in the estimated amount of \$698,750; and Cornet Technology, Inc. (Group 2), for video encoders and decoders with a three-year warranty, video decoder software with three years of maintenance and support, video monitors, and employee training in the estimated amount of \$403,500; and authorize the Purchasing Director to renew the contracts for one, two-year period and two additional years of warranty on the video encoders and decoders and two additional years of video decoder software maintenance and support in the estimated amount of \$29,936; contingent upon availability of funds, for a total potential contract amount of \$1,132,186 for Advanced Transportation Management Systems Communications Design, Re-Bid No. F405112B3, for the Traffic Engineering Division. The initial contract shall begin on date of award and shall terminate three years from that date.

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

26. MOTION TO APPROVE release of retainage and final payment in the amount of \$7,632.23, to Craven Thompson and Associates, Inc., for Florida Building Code Updates, Work Authorization No. WA2-0012. (Project No. 691401) **(Commission Districts 4 and 6)**

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

For Board of Rules and Appeals

27. MOTION TO APPROVE standardization of sole source vendor, International Code Council (ICC), for Florida Building Code Books for the Board of Rules and Appeals.

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

### **RISK MANAGEMENT DIVISION**

28. MOTION TO APPROVE full and final settlement of claim SD060302MORR in the amount of \$99,000.

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

### **HUMAN SERVICES DEPARTMENT**

#### **FAMILY SUCCESS ADMINISTRATION**

29. A. MOTION TO APPROVE agreement between Broward County and Florida Power and Light Company (FPL) from date of approval to December 31, 2006 for the purpose of administering FPL's "Care to Share" Program; and authorize the Mayor and Clerk to execute same.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-508 within the General Fund for the Family Success Administration Division in the amount of \$400,000 for the purpose of providing emergency energy assistance.

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

### **COMMUNITY SERVICES DEPARTMENT**

#### **CULTURAL DIVISION**

30. A. MOTION TO APPROVE South Florida Cultural Consortium's (SFCC) Fiscal Year 2006 budget, in the amount of \$216,529; in accordance with Section 7 of the SFCC's Interlocal Agreement (ILA).

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

- B. MOTION TO FILE SFCC annual Financial Report for the fiscal year ending September 30, 2005, in accordance with Section 8 of the SFCC's ILA.

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

- C. MOTION TO FILE SFCC's Report of Activities in accordance with Section 19 of the SFCC's ILA.

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

31. A. MOTION TO APPROVE Grant Award Agreement between Broward County and the State of Florida, Department of State, Division of Cultural Affairs (Grant No. 06-6086), in the amount of \$17,173, to provide a supplement to the County's Education and Community Development Grant (ECD) to The School Board of Broward County (School Board) from July 1, 2005 through June 30, 2006, and authorize the Mayor and the Clerk to execute same and sign other documents related to the grant. (County cash match of \$10,000)

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-509 within the Cultural Council's Arts in Education Grant Fund (7250) for the Cultural Division in the amount of \$7,173 for the purpose of supplementing the Arts in Education Program (AIE).

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

- C. MOTION TO AUTHORIZE County Administrator to sign the Fiscal Year 2005 year-end grant report.

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

32. A. MOTION TO APPROVE Grant Award Agreement between Broward County and the State of Florida, Department of State, Division of Cultural Affairs (Grant No. 06-8026), in the amount of \$45,468; to provide general program support for the Broward Cultural Division from July 1, 2005, through June 30, 2006, and authorize the Mayor and the Clerk to execute same and sign other documents related to the grant (County cash match \$22,734).

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-510 within the Cultural Council Local Arts Agency Grant Fund (7730) for the Cultural Division in the amount of \$22,734.

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

- C. MOTION TO AUTHORIZE County Administrator to sign the Fiscal Year 2005 year-end grant report.

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

### **MASS TRANSIT DIVISION**

33. A. MOTION TO ADOPT Resolution 2005-511 of the Board of County Commissioners of Broward County, Florida, authorizing the Mayor to execute and file an application for federal assistance for Fiscal Year 2005 with the Federal Transit Administration (FTA), pursuant to 49 U.S.C., Section 5309 funding, in the amount of \$1,330,199 under the Federal Transit Act as amended; and providing for an effective date. (No County match is required)

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-512 to increase the Capital Grant Fund (3450) for the Mass Transit Division, in the amount of \$1,330,199 for the purpose of providing funding assistance for the purchase of four transit buses.

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

34. A. MOTION TO ADOPT budget Resolution 2005-513 transferring \$181,070 from the Commission Reserve Fund to the Mass Transit Operating Fund (0045) for reimbursement to the Federal Transit Administration (FTA) for a County-owned Mass Transit 40-foot bus that was totaled in a single vehicle accident.

***ACTION: (T-10:22 AM) Approved. (Refer to minutes for full discussion.)***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-514 within the Mass Transit Operating Fund (0045), in the amount of \$181,070 for the purpose of reimbursing the FTA for the cost of a transit bus.

***ACTION: (T-10:22 AM) Approved. (Refer to minutes for full discussion.)***



35. MOTION TO APPROVE first amendment to agreement between Broward County and Canal Boats, Inc. (Canal Boats), for purchase and installation of Americans with Disabilities Act (ADA) Landings; extending the contract period an additional 12 months, from June 14, 2006, to June 13, 2007, for the purpose of allowing sufficient time to acquire necessary regulatory permits and the construction of landings, with no change in the compensation amount; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:24 AM) Deferred to Tuesday, August 30, 2005 for further staff review. (Refer to minutes for full discussion.)***

#### **EMERGENCY MANAGEMENT AGENCY**

36. A. MOTION TO APPROVE grant agreement between Broward County and the State of Florida Department of Community Affairs in the total amount of \$17,875 to update hazardous material data, retroactive to July 1, 2005 through June 30, 2006; and authorize the Mayor to execute same, and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-515 within the Grant Fund for the Broward Emergency Management Agency in the amount of \$17,875 for the purpose of updating hazardous material data.

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

## ENVIRONMENTAL PROTECTION DEPARTMENT

37. MOTION TO APPROVE settlement agreement in the total estimated amount of \$25,131 between Broward County and Chevron USA, Inc., d/b/a Chevron Products Company (Chevron), for air quality emission violations of Chapter 27-175 of the Broward County Code of Ordinances for the Environmental Protection Department (EPD), and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

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

## BIOLOGICAL RESOURCES DIVISION

38. MOTION TO ACKNOWLEDGE use by Florida Power and Light (FPL) of the South Dade/Everglades Mitigation Bank as the compensatory mitigation site for saltwater wetland impacts arising from maintenance repairs to the Port-Hollywood Transmission Line in the City of Dania Beach. **(Commission District 6)**

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

39. MOTION TO ADOPT Resolution 2005-516 of the Board of County Commissioners of Broward County, Florida, approving the recommendation of the Broward Beautiful Committee to allocate \$2,366.58, to the five organizations specified for funding under the Broward Beautiful Butterfly Garden program, and authorize the County Administrator to execute contracts on behalf of the County with the specified organizations; and providing for an effective date. **(Commission Districts 2, 4, 5, and 8)**

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

40. MOTION TO ADOPT Resolution 2005-517 of the Board of County Commissioners of Broward County, Florida, approving the recommendation of the Broward Beautiful Committee to allocate \$183,096 to the 15 organizations specified for funding under the Broward Beautiful GreenSHADE Grant program, and authorize the County Administrator to execute contracts on behalf of the County with the specified organizations; and providing for an effective date. **(Commission Districts 1, 2, 3, 4, 5, 7, 8 and 9)**

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

41. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, approving the recommendation of the Broward Beautiful Committee to allocate \$203,392.63, to the 28 organizations specified for funding under the Broward Beautiful Community Grants program, and authorize the County Administrator to execute contracts on behalf of the County with the specified organizations; and providing for an effective date.

***ACTION: (T-10:10 AM) Withdrawn for further staff review.***

42. MOTION TO ADOPT Resolution 2005-518 of the Board of County Commissioners of Broward County, Florida, approving the recommendation of the Broward Beautiful Committee to award a Special Project grant in the amount of \$7,200 to the School Board of Broward County for the “Broward Beautiful Green Team” project; and authorize the County Administrator to execute contracts on behalf of the County with the School Board of Broward County; and providing for an effective date.

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

#### **WATER RESOURCES DIVISION**



43. A. MOTION TO APPROVE Agreement OT050938 between Broward County and the South Florida Water Management District (SFWMD) to support the construction of secondary canal improvement projects in northern Broward County for the purpose of providing wetland rehydration and aquifer recharge in the amount of \$110,000 and a contract time of one year following execution by the SFWMD Governing Board, and authorize the Mayor and Clerk to execute same. (Requires an in-kind County match of \$110,000) **(Commission Districts 1 and 2)**

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-519 within the general capital fund (3010-031-7121-6500) in the amount of \$110,000 for the purpose of recognizing the funding provided by the SFWMD for wetland rehydration and aquifer recharge.

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



44. MOTION TO APPROVE Agreement OT051224 between Broward County and the South Florida Water Management District (SFWMD) to support construction of secondary canal improvement projects at the S-4 pump station in northern Broward County at a total cost not to exceed \$399,995 (with a Broward County cost share of \$261,000 and a SFWMD cost share of \$138,995), and a contract time of five months following execution by the SFWMD Governing Board, and authorize the Mayor and Clerk to execute same. **(Commission District 4).**

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

#### **PORT EVERGLADES DEPARTMENT**

45. MOTION TO FILE Quarterly Report for Business Permits issued at Port Everglades for the period April 1, 2005 through June 30, 2005.

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

46. MOTION TO FILE Periodic Review and Final Evaluation Report of certain franchises located within Port Everglades for the period June 1, 2004 through May 31, 2005.

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

47. MOTION TO APPROVE 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, 2005 through September 30, 2006, at an annual rental amount of \$7,280; and authorize the Mayor and Clerk to execute same.

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

48. MOTION TO APPROVE lease agreement between Broward County and American Guard Services, Inc., for 1,000 square feet of office space in Suites No. 322-326 in Building 611 (Amman Building) at Port Everglades, for the period of October 1, 2005 through September 30, 2006, at an annual rental amount of \$17,500; and authorize the Mayor and Clerk to execute same.

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

49. MOTION TO APPROVE lease agreement between Broward County and R. O. White & Company, Inc., for Suite No. 308 in Building 611 (Amman Building) at Port Everglades, consisting of 412 square feet of office space, for the period of October 1, 2005 through September 30, 2006, at an annual rental amount of \$7,210; and authorize the Mayor and Clerk to execute same.

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

50. MOTION TO APPROVE lease agreement between Broward County and Corporate Travel Consultants II, LLC 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, 2005 through September 30, 2006, at an annual rental amount of \$11,200; and authorize the Mayor and Clerk to execute same.

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

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

51. MOTION TO ADOPT unanticipated revenue Resolution 2005-520 within the General Fund for the Broward Sheriff's Office (BSO) in the amount of \$938,000 to increase the Fiscal Year 2005 BSO budget for operating costs associated with additional overtime staffing for law enforcement at Ft. Lauderdale-Hollywood International Airport, in accordance with the sixth amendment to the agreement between BSO and Broward County. This increase is in response to the Transportation Security Administration security directives.

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

52. MOTION TO ADOPT unanticipated revenue Resolution 2005-521 within the General Fund (0010) for the Supervisor of Elections in the amount of \$202,487; for two upcoming city elections, which will be reimbursed by the cities.

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

53. MOTION TO ADOPT unanticipated revenue Resolution 2005-522 within the Law Enforcement Trust Fund in the amount of \$10,000 for a grant cash match for a Juvenile Assessment Center (JAC) grant that is being increased due to the de-obligation of a grant for the City of Hollywood's "Women At Risk Reentry Program."

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

54. MOTION TO ADOPT unanticipated revenue Resolution 2005-523 within the Law Enforcement Trust Fund in the amount of \$189,858 to be used for confidential investigations.

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

55. MOTION TO ADOPT unanticipated revenue Resolution 2005-524 within the General Fund for the Broward Sheriff's Office in the amount of \$1,895,502 for the purpose of increasing the contract for Police Services for the City of Deerfield Beach.

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

56. MOTION TO ADOPT budget Resolution re-allocating funds within the General Fund (0010) from capital in the amount of \$450,177 to Personal Services \$100,000 and Operating \$350,177; based on current operational requirements at the Broward Sheriff's Office (BSO) pertaining to the UASI Grant Program.

***ACTION: (T-10:10 AM) Withdrawn for further review by BSO.***

#### **SUPERVISOR OF ELECTIONS**

57. 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 three precincts for voting in the Municipal (Plantation) Special Election on August 30, 2005.

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

#### **COUNTY COMMISSION**

58. MOTION TO FILE City of Lauderdale Lakes Resolution No. 05-103 dated July 12, 2005, providing for child healthcare awareness month, providing for public participation, providing for a request for legislation to provide Medicaid and other health program initiatives for uninsured children, providing for directions to the city clerk, providing for the adoption of representation and providing for an effective date. (Mayor Jacobs)

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

59. MOTION TO FILE City of Pembroke Park, Florida Resolution No. 05-07-01, dated July 6, 2005 recognizing the need for affordable housing, acknowledging the benefits of mobile home parks to provide affordable housing, requesting that the Broward County Board of County Commissioners and Broward County elected municipal officials work in conjunction for the creation of affordable housing and the protection of mobile home parks, directing the clerk commissioner to forward copies of this resolution to appropriate parties, repealing conflicting resolutions and providing an effective date. (Mayor Jacobs)

**ACTION: (T-10:22 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: In the Motion, the word City should be Town.) (Refer to minutes for full discussion.)**

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

60. MOTION TO ADOPT Resolution 2005-525 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to vacate, release, and abandon right-of-way, maintenance right-of-way, and ingress-egress easement, lying and being in Broward County, Florida, located at the intersection of NW 72<sup>nd</sup> Street (Trotter's Lane) and University Drive, in the City of Parkland, Florida. Petitioner: Henry J. Brewer (Carnahan, Proctor & Cross, Inc.-Agent) (2005-V-07) **(Commission District 3)**

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

61. MOTION TO ADOPT Resolution 2005-526 directing the County Administrator to publish a Notice of Public Hearing to be held September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Hyde Shipping Corporation to provide steamship agent services for a five-year term at Port Everglades.

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

62. MOTION TO ADOPT Resolution 2005-527 directing the County Administrator to publish a Notice of Public Hearing to be held September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Hyde Shipping Corporation to provide stevedore services for a ten-year term at Port Everglades.

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

63. MOTION TO ADOPT Resolution 2005-528 directing the County Administrator to publish a Notice of Public Hearing to be held September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Hyde Shipping Corporation to provide cargo handler services for a ten-year term at Port Everglades.

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

64. MOTION TO ADOPT Resolution directing the County Administrator to publish a Notice of Public Hearing to be held September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Cliff Berry, Inc. to provide vessel sanitary waste water removal services for a one-year term at Port Everglades.

***ACTION: (T-10:15 AM) Deferred. The Board directed the County Attorney to review the Miami State Attorney's file prior to this item returning before the Board for consideration. (Refer to minutes for full discussion.)***

65. MOTION TO ADOPT Resolution 2005-529 directing the County Administrator to publish a Notice of Public Hearing to be held September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of R. O. White & Company, Inc., to provide stevedore services for a ten-year term at Port Everglades.

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

66. MOTION TO ADOPT Resolution 2005-530 directing the County Administrator to publish a Notice of Public Hearing to be held September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of R. O. White & Company, Inc., to provide cargo handler services for a ten-year term at Port Everglades.

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

67. MOTION TO ADOPT Resolution 2005-531 directing the County Administrator to publish a Notice of Public Hearing to be held September 13, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Colmar Storage, L.L.C., to provide cargo handler services for a one-year term at Port Everglades.

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

68. A. MOTION TO ADOPT Resolution 2005-532 directing the County Administrator to publish notice of a public hearing to be held on August 30, 2005, 10:00 A.M. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan (PCT 02-8), designating a "Local Activity Center" in the city of Pompano Beach (a portion of the East Pompano Beach Community Redevelopment Area), as a part of the second annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission Districts 2 and 4)**

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

- B. MOTION TO ADOPT Resolution 2005-533 directing the County Administrator to publish notice of a public hearing to be held on August 30, 2005, 10:00 A.M. in Room 422 of the Governmental Center, to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 02-8), designating a "Local Activity Center" in the city of Pompano Beach (a portion of the East Pompano Beach Community Redevelopment Area), as a part of the second annual proposed 2005 amendments to the Broward County Comprehensive Plan. **(Commission Districts 2 and 4)**

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

69. MOTION TO ADOPT Resolution 2005-534 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 13, 2005, at 2:00 P.M., in Room 422 of the Governmental Center, to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 4 OF THE BROWARD COUNTY CODE RELATING TO ANIMAL CARE AND REGULATION; AMENDING SECTION 4-2 TO CHANGE THE DEFINITION OF SEVERE INJURY; AMENDING SUBSECTION 4-12(b) AND SUBSECTION 4-12(g) TO CORRECT SCRIVENER'S ERRORS; AMENDING SUBSECTION 4-12(g)(3) TO DELETE NOTIFICATION RELATED TO INSURANCE; AMENDING SUBSECTION 4-14.5(a) TO CHANGE "SERIOUS INJURIES" TO "SEVERE INJURIES"; AND AMENDING SECTION 4-20 TO CHANGE "SUBSECTION 4-20(3)"

TO "SUBSECTION 4-20(c)"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Ilene Lieberman)

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

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**PLANNING SERVICES DIVISION**

70. MOTION TO APPROVE election of the Washington Park Neighborhood Council, consisting of five members, duly elected at a noticed public meeting held May 12, 2005. (Commission District 7)

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

**TRANSPORTATION PLANNING DIVISION**

71. MOTION TO ADOPT unanticipated revenue Resolutions 2005-535 thru 2005-538 for the Metropolitan Planning Organization (MPO) in the amount of \$1,918,663 for support of the MPO's 2005-2006 Unified Planning Work Program; and authorize the necessary administrative and budgetary actions for implementation and authorize the Mayor and Clerk to execute same.

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

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**QUASI-JUDICIAL CONSENT HEARING**

**DEPARTMENT OF URBAN PLANNING & REDEVELOPMENT**

**DEVELOPMENT MANAGEMENT DIVISION**

72. DISCUSSION: of plat entitled "San Remo" – Commission District 1, (062-MP-04).

**ACTION: (T-10:22 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)**

73. DISCUSSION: of plat entitled “Estates of Coconut Creek” – **Commission District 2**, (063-MP-04).
- ACTION: (T-10:10 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
74. DISCUSSION: of plat entitled “Parkland Commercial” – **Commission District 3**, (032-MP-04). (Deferred from June 7, 2005).
- ACTION: (T-10:10 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. The County Attorney's Office has approved the Traffic Concurrency Agreement.***
75. DISCUSSION: of plat entitled “Cooper Office Centre” – **Commission District 5**, (079-MP-04).
- ACTION: (T-10:10 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
76. DISCUSSION: of plat entitled “Deeb Plat” – **Commission District 7**, (065-MP-04).
- ACTION: (T-10:10 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
77. DISCUSSION: of plat entitled “3500 Davie Blvd. Plat” – **Commission District 7**, (017-MP-04).
- ACTION: (T-10:10 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
78. DISCUSSION: of plat entitled “Forest Lawn South” – **Commission District 7**, (044-MP-04).
- ACTION: (T-10:10 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
79. DISCUSSION: of plat entitled “Skyrise” – **Commission District 8**, (048-MP-04).
- ACTION: (T-10:28 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Refer to minutes for full discussion.)***

80. DISCUSSION: of plat entitled “Habitat for Humanity of Broward County Plat No. 8” – **Commission District 9**, (089-MP-04).

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

81. DISCUSSION: of plat entitled “Cambridge Park” – **Commission District 9**, (061-MP-04).

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

82. DISCUSSION: of New Findings of Adequacy for plat entitled “4.944 Acre Portion of Parcel “C” Coral Springs Country Club West” – **Commission District 3**, (902-MP-99).

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

83. DELEGATION: Barbara A. Hall, regarding request to amend the note on the Lyons Creek Plat – **Commission District 2**, (049-MP-99).

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

84. DELEGATION: Edward P. Ploski regarding request to amend the note on the Neasham Plat - **Commission District 2**, (062-MP-02). (Deferred from December 14, 2004).

***ACTION: (T-10:10 AM) Withdrawn at the applicant's request.***

85. DELEGATION: Doug McIntee regarding request to amend the note on the Pavex Plat - **Commission District 2**, (021-UP-90). (Deferred from January 11, 2005).

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

86. DELEGATION: Mustafa Hamid, regarding request to amend the note on the Pleasant Acres Plat – **Commission District 5**, (014-UP-86).

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

87. DELEGATION: Eric N. Tessler, regarding request to place a note on the Sunrise Industrial Park Phase I Plat – **Commission District 5**, (035-MP-81).

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

88. DELEGATION: Scott E. Backman, regarding request to amend the note on the Maroone Tract Plat – **Commission District 6**, (049-MP-87).

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

89. DELEGATION: Gustavo X. Aguirre, regarding request to revise the note on the Regency Commons Plat – **Commission District 7**, (037-MP-00).

***ACTION: (T-10:10 AM) Deferred to September 13, 2005 to resolve violations of environmental regulations.***

90. DELEGATION: Raul Ocampo, regarding request to amend the note on the Beach Realty Office Center Plat – **Commission District 8**, (075-MP-96).

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

91. DELEGATION: Allan Milledge, regarding request to amend the note on the Miramar Park of Commerce Phase V Plat - **Commission District 8**, (050-MP-99).

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

92. DELEGATION: C. William Laystrom, Jr. regarding request to amend the note on the Pointe West Center North Plat - **Commission District 8**, (100-MP-99). (Deferred from April 26, 2005).

***ACTION: (T-10:10 AM) Deferred to September 13, 2005 or sooner under Section 5-181(j) of the Land Development Code to resolve conflicts with Mass Transit requirements.***

93. DELEGATION: Jason Perry, regarding request to amend the note on the Exxon-University / West Sunrise Plat - **Commission District 9**, (206-MP-87).

***ACTION: (T-10:10 AM) Deferred to August 30, 2005 and place on regular quasi-judicial agenda based on the applicant's failure to provide the required affidavit concurring with staff recommendations.***

94. DELEGATION: Joseph Handley, regarding request to amend the note on the EDC Associates Plat – **Commission District 9**, (144-MP-88).

***ACTION: (T-10:22 AM) Approved subject to staff's recommendations. (See memorandum dated August 15, 2005 from Al Simon, Director, Development Management Division.) (Refer to minutes for full discussion.)***

95. DELEGATION: Michele Mellgren, regarding request to amend the note on the Strok Plat No. 2 – **Commission District 9**, (055-MP-89).

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

96. DELEGATION: Nicholas Saponara, regarding request to amend the note on the Praxis of Deerfield Beach Plat – **Commission District 2**, (061-MP-87).

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

97. DELEGATION: Nicholas Saponara, regarding request to amend the non-vehicular access line on the Praxis of Deerfield Beach Plat – **Commission District 2**, (061-MP-87).

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

98. DELEGATION: Bonnie L. Miskel, regarding request to amend the non-vehicular access line on the Copans Commercial No.1 Plat – **Commission District 2**, (033-MP-82).

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

99. DELEGATION: Gregory Harnish, regarding request to amend the non-vehicular access line on the Corrigan Plat – **Commission District 2**, (042-MP-95).

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

100. DELEGATION: Gregory Mire, regarding request to modify conditions of plat approval on the Parkland Western Community Park Plat – **Commission District 3**, (066-MP-02).

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

101. DELEGATION: John J. Mascarenas, regarding request to modify conditions of plat approval on the Brewer Plat Two – **Commission District 3**, (013-MP-03).

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

102. DELEGATION: David W. Harris, regarding request to amend the non-vehicular access line on the Ridgeview Plaza Plat – **Commission District 3**, (097-MP-86).

***ACTION: (T-10:10 AM) Deferred to March 21, 2006 or sooner under Section 5-181(j) of the Land Development Code to study Mass Transit requirements.***

103. DELEGATION: Karen Chaperon, representing the City of Coral Springs, regarding request to modify conditions of plat approval on the Coral Springs Charter School Plat – **Commission District 3**, (091-MP-01).

***ACTION: (T-10:10 AM) Deferred to March 21, 2006 or sooner under Section 5-181(j) of the Land Development Code to study turn lane requirements.***

104. DELEGATION: Michelle Diaz-Mendez, regarding request to modify conditions of plat approval on the Pembroke Pines Regional Shopping Center Plat – **Commission District 5**, (144-MP-89).

***ACTION: (T-10:10 AM) Withdrawn at the applicant's request.***

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**REGULAR AGENDA**

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**SAFE PARKS AND LAND PRESERVATION BOND PROGRAM**



- 105. A. MOTION TO APPROVE interlocal agreement between Broward County and the City of Tamarac for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-117; and authorize the Mayor and Clerk to execute same. **(Commission District 1)**

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

- B. MOTION TO APPROVE transfer of funds to the City of Tamarac in the amount of \$1,588,954.50, as reimbursement for the acquisition of real property referred to as Water's Edge Park (OS-117) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 1)**

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



- 106. A. MOTION TO APPROVE interlocal agreement between Broward County and the City of Tamarac for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-118; and authorizing the Mayor and Clerk to execute same. **(Commission District 3)**

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

- B. MOTION TO APPROVE transfer of funds to the City of Tamarac in the amount of \$780,800.50, towards the acquisition of real property referred to as Swim Central Park Addition (OS-118) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 3)**

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

**DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT**

**PLANNING SERVICES DIVISION**

107. MOTION TO FIND application 05-CF-02 for the allocation of 3.23 acres of commercial flexibility in the City of North Lauderdale compatible with adjacent uses, and that impacts upon public school facilities have been adequately considered. **(Commission District 1)**

***ACTION: (T-10:36 AM) Approved.***

108. MOTION TO FIND application 05-RF-06 for the allocation of 92 flexibility units in the City of Sunrise compatible with adjacent uses, and that impacts upon public school facilities have been adequately considered. **(Commission District 5).**

***ACTION: (T-10:36 AM) Approved. (Refer to minutes for full discussion.)***

**PORT EVERGLADES DEPARTMENT**

109. A. MOTION TO APPROVE first amendment to Cruise Passenger Wharfage Agreement between Broward County and Discovery Cruise Services, Inc.; replacing the annual minimum guarantee of passenger wharfage with an annual minimum guarantee of dockage, and establish the amendment as the template for all future negotiated amendments and agreements for daily cruise contracts.

***ACTION: (T-10:38 AM) Approved. (Refer to minutes for full discussion.)***

- B. MOTION TO REMOVE suspension on pursuing enforcement of contractual remedies against SeaEscape Entertainment, Inc. due to failure of SeaEscape to pay shortfall minimum guarantees; and upon payment of shortfall, authorize Staff to negotiate a prospective amendment to the existing agreement.

***ACTION: (T-10:13 AM) Withdrawn for further staff review. (Refer to minutes for full discussion.)***

- C. MOTION TO DIRECT County Attorney's Office to pursue all necessary legal remedies if SeaEscape fails to cure default.

***ACTION: (T-10:13 AM) Withdrawn for further staff review. (Refer to minutes for full discussion.)***

**COUNTY AUDITOR**

110. MOTION TO AUTHORIZE County Auditor to hire Waters Consulting Group to perform a nationwide executive search for a County Administrator.

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

***ACTION: (T-11:03 AM ) Reconsidered and deferred to Tuesday, August 23, 2005 for further staff review. (Refer to minutes for full discussion.)***

**COUNTY COMMISSION**

111. A. MOTION TO WAIVE at-large board appointment rotation process to reappoint four members to the Performing Arts Center Authority. (Mayor Jacobs)

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

- B MOTION TO NOMINATE for reappointment, Michael Bienes, M. Austin Forman, Ramon Rodriguez, and David Rush to the Performing Arts Center Authority (PACA).

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

112. MOTION TO DIRECT staff to prepare a plan, including costs and timetables, to install baby changing stations in women's and men's restrooms in county facilities and present it to the Board for its consideration during an appropriate budget workshop. (Mayor Jacobs)

***ACTION: (T-11:25 AM) Approved, as amended. The Board directed staff to research and prepare plans, including costs and timetables, to install family rest rooms in county facilities and to modify existing bathrooms with privacy areas in rest rooms to present to the Board for its consideration. (Refer to minutes for full discussion.)***

113. MOTION TO NOMINATE Mr. Mitch Caesar to the Education, Research, and Training Authority. (Vice Mayor Graber)

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

114. MOTION TO NOMINATE Mr. Karl B. Andersson as an at-large appointment to the Central Examining Board of Electricians. Mr. Anderson fills a professional category vacancy. (Commissioner Gunzburger)

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

115. MOTION TO AUTHORIZE appropriate staff to begin assembling the information necessary to place a restrictive covenant on each parcel of County owned park land, to ensure that each remains as such in perpetuity, and to prepare a declaration requiring a four-fifths vote of the Commission to release such restrictive covenants. (Mayor Jacobs)

***ACTION: (T-11:28 AM) Approved. (Refer to minutes for full discussion.)***

116. MOTION TO RESCIND previously awarded 30<sup>th</sup> Year 2004/2005 Community Development Block Grant (CDBG) funding from Lafayette Hart Park Civic Association in the amount of \$68,343 and from Boulevard Gardens Progressive Homeowners Association in the amount of \$68,343; and to reallocate funding to Washington Park Civic Association Inc. in the amount of \$68,343 and to Boulevard Gardens Community Group Inc. in the amount of \$68,343 for the purpose of providing housing repairs to homes owned by income eligible residents of the respective areas. **(Commission District 7)** (Commissioner Rodstrom)

***ACTION: (T-11:33 AM) Approved. (Refer to minutes for full discussion.)***

117. MOTION TO DIRECT County Attorney to prepare a Resolution amending the Broward County Administrative Code to require County Commission approval in order to file any action, lawsuit, or claim on behalf of Broward County in any legal, administrative, or other regulatory forum or any other type of adversarial proceeding. (Commissioner Rodstrom)

***ACTION: (T-11:42 AM) Approved, as amended. The Board directed the County Attorney to look at all of the processes and codes and develop a mechanism whereby all legal matters of any kind go through the County Attorney's Office so that he is aware at all times of what issues are impacting the County. In addition, policy litigation matters affecting the County shall go before the Board for consideration. (Refer to minutes for full discussion.)***

118. MOTION TO DIRECT County Attorney to draft amendments to Chapter 1, Article XIII of the Broward County Code of Ordinances relating to lobbying activities; providing for revisions to the disclosure requirements and registration of contacts. (Commissioner Lieberman and Mayor Jacobs)

***ACTION: (T-11:51 AM) Approved. (Refer to minutes for full discussion.)***

119. MOTION TO TERMINATE open end contract (Bid No. H-X-04-204-B1), awarded to TLMC Enterprises, Inc. for Airport miscellaneous construction items for the Fort Lauderdale/Hollywood International Airport. (Commissioner Lieberman and Mayor Jacobs)

***ACTION: (T-12:07 PM) No Board action was taken. (Refer to minutes for full discussion.) (Note: Items 119 and 120 were considered at the same time.)***

***ACTION: (T-12:07 PM/1:15 PM) This item will be reconsidered at the Tuesday, August 23, 2005 Commission meeting. See Non-agenda item 126 of this day's meeting. (Refer to minutes for full discussion.)***

120. MOTION TO TERMINATE for convenience the open-end contract (Bid No. H-X-04-204-B1) awarded to TLMC Enterprises, Inc., for Airport miscellaneous construction Items for the Fort Lauderdale/Hollywood International Airport. (Commissioner Rodstrom)

***ACTION: (T-12:07 PM) No Board action was taken. (Refer to minutes for full discussion.) (Note: Items 119 and 120 were considered at the same time.)***

***ACTION: (T-12:07 PM/1:15 PM) This item will be reconsidered at the Tuesday, August 23, 2005 Commission meeting. See Non-agenda item 126 of this day's meeting. (Refer to minutes for full discussion.)***

121. MAYOR'S REPORT

A. REPORT ON TRIP TO WASHINGTON

***ACTION: (T-1:08 PM) Mayor Jacobs reported that she, along with Sheriff Jenne and Mayor Naugle, traveled to Washington, D. C. to brief the members of the Congressional Delegation on the County's request for reimbursement for the costs accrued for the Organization of American States' (OAS) general assembly meeting. The County is seeking approximately \$5.4 million. The Mayor advised that she, the Sheriff and Mayor Naugle were very well received. Congressman Shaw has offered to take the lead in seeking reimbursement. The Mayor will follow up on the issue in September when Congress returns from its recess. (Refer to minutes for full discussion.)***

B. THANK YOU LETTERS TO CONGRESSIONAL DELEGATION – TRANSPORTATION BILL

***ACTION: (T-1:09 PM) The Mayor asked each county commissioner to sign thank you letters to the members of the Congressional Delegation for the Transportation Reauthorization. The Transportation bill was recently signed by President Bush. The Mayor would like to acknowledge the Congressional Delegation for their excellent bi-partisan work in helping to fund transportation projects in Broward County. (Refer to minutes for full discussion.)***

C. THANKS TO VOLUNEERS – FOURTH ANNUAL CHRISTMAS IN JULY

***ACTION: (T-1:10 PM) Mayor Jacobs thanked everyone involved in making the Fourth Annual Christmas in July event for homeless children throughout Broward County such a success. Over 700 children from newborns to age 18 were helped by this event. Broward County has partnered with Kiwanis Division 23 for the past four years in this endeavor. (Refer to minutes for full discussion.)***

D. CONGRATULATIONS TO TONY CARPER

***ACTION: (T-1:11 PM) The Mayor congratulated Tony Carper, director of the Broward Emergency Management Agency, who has been named president of the annual Governor's Hurricane Conference by the event's board of directors. Next year's conference will be held at the Broward Convention Center. (Refer to minutes for full discussion.)***

E. GREATER FORT LAUDERDALE CONVENTION AND VISITOR'S BUREAU – 2005 GOLD SERVICE AWARD

***ACTION: (T-1:11 PM) The Greater Fort Lauderdale Convention and Visitor's Bureau (GFLCVB) has been awarded the prestigious Meetings and Conventions 2005 Gold Service Award by Meetings & Conferences' subscribers. Mayor Jacobs congratulated Nicki Grossman, President and CEO, GFLCVB, and her staff for the great job they do. (Refer to minutes for full discussion.)***

F. AVIATION DEPARTMENT – ZERO DISCREPANCIES FROM FEDERAL AVIATION OF ADMINISTRATION

**ACTION: (T-1:11 PM) Mayor Jacobs congratulated Aviation Department staff for receiving a “zero discrepancies” report on the annual FAA’s Part 139 inspection. This marks the seventh year in a row that the Fort Lauderdale-Hollywood International Airport has passed its annual safety and compliance inspection without discrepancies. Last year’s inspection placed the airport in the top 5% of airports in the country in achieving such an outstanding record. (Refer to minutes for full discussion.)**

G. BEST URBAN LANDSCAPING PROGRAM

**ACTION: (T-1:11 PM) The first project in a new program to revitalize the landscape of key interchanges along I 95 has been recognized as the best urban landscaping program in the state. The project at Sunrise Boulevard/I 95 in Fort Lauderdale, received the 2005 Trees Florida Award. The project was started by the Broward Beautiful Advisory Board through the Greening Gateways Project. (Refer to minutes for full discussion.)**

H. PROCEDURAL ITEM

**ACTION: (T-1:11 PM) The Mayor stated that at times, multiple agenda items on the same topic have been sponsored by individual Commissioners. Rather than staff consolidating the items into one item, the Mayor asked the Commissioners to place each individual item on the agenda, and they will all be considered as one item. (Refer to minutes for full discussion.)**

122. COUNTY COMMISSION LIAISON REPORT

**ACTION: (T-1:14 PM) No reports were filed.**

123. COUNTY ADMINISTRATOR’S REPORT

**ACTION: (T-1:56 PM) County Administrator Roger J. Desjarlais advised the Board that he and Nicki Grossman, President and CEO of the Greater Fort Lauderdale Convention and Visitor’s Bureau, have scheduled an hour appointment to meet with each County Commissioner to review a Master Plan for a Convention Center hotel. (Refer to minutes for full discussion.)**

## NON AGENDA

124. REPRESENTED COUNTY COMMISSION AT CHRISTMAS IN JULY EVENT – COMMISSIONER WEXLER

**ACTION: (T-1:14 PM) Commissioner Wexler stated that she attended the Fourth Annual Christmas in July event at the Convention Center, on behalf of the County Commission. Commissioner Wexler commented on the event's great success. (Refer to minutes for full discussion.)**

125. THANKS TO COUNTY ADMINISTRATOR – ORIENTATION OF COUNTY GOVERNMENT – COMMISSIONER WEXLER

**ACTION: (T-1:15 PM) Commissioner Wexler thanked County Administrator Roger J. Desjarlais for his hospitality and commended him on the professionalism of his staff during her orientation of Broward County Government. Mr. Desjarlais relayed that staff enjoyed her visits as well. (Refer to minutes for full discussion.)**

126. DISCUSSION - AGENDA ITEMS 119 & 120 – TLMC CONTRACT – COMMISSIONER WEXLER

**ACTION: (T-1:15 PM) Commissioner Wexler expressed concerns regarding the terms of the TLMC contract and the fact that the contract has options to renew, which do not typically return before the Board for consideration. The Board discussed issues relating to the Work Order and clarification of the contract terms. Vice Mayor Graber, who voted on the prevailing side of the issue, asked to change his vote from a yes to a no vote. Vice Mayor Graber made a motion to reconsider items 119 and 120, which carried. He requested that an item for reconsideration to Terminate for Convenience be placed on the Tuesday, August 23, 2005 Commission Agenda. (Refer to minutes for full discussion.)**

**Commissioner Eggelton asked the County Attorney to provide a legal opinion with respect to whether the non-assignment of work to a contractor once they have been awarded a contract is in violation of the contract. (Refer to minutes for full discussion.)**

127. SUPREME COURT DECISION – KELO CASE - CONDEMNATION AND EMINENT DOMAIN – COMMISSIONER SCOTT

**ACTION: (T-1:31 PM) Commissioner Scott asked the County Attorney to research whether the County can place a Charter amendment on the ballot, which would place limitations in Broward County with respect to the Supreme Court's decision regarding condemnation and eminent domain.**

**Commissioner Lieberman asked the County Attorney to research to what extent the Charter amendment would be enforceable countywide. Other Charter amendments may be necessary as well to increase the countywide authority of the Board that it has at present. There was no objection from the Board. (Refer to minutes for full discussion.)**

128. RLI PROCEDURES – COMMISSIONER GUNZBURGER

**ACTION: (T-1:40 PM) Commissioner Gunzburger asked staff to draft an amendment to the Procurement Code relating to the RLI process that when there are only three or less vendors to submit bids and the submissions are closed, ending the Short Listing process, that at that time, the Cone of Silence is instituted. (Refer to minutes for full discussion.)**

129. COMMENDED AVIATION DIRECTOR – ZERO DISCREPANCIES – FAA PART 139 REPORT - COMMISSIONER LIEBERMAN

**ACTION: (T-1:41 PM) Commissioner Lieberman commended Tom Jargiello, Director, Aviation Department, and his staff for receiving a “zero discrepancies” report for the seventh year in a row from the Federal Aviation Administration. (Refer to minutes for full discussion.)**

130. VACANCIES AT AIRPORT – UPDATE REPORT - COMMISSIONER LIEBERMAN

**ACTION: (T-1:42 PM) Commissioner Lieberman asked staff to provide an updated report on the status of vacancies at the airport reflecting whether candidates have been short listed and whether any offers have been made. The County Administrator advised that he would do so. (Refer to minutes for full discussion.)**

131. COUNTY ATTORNEY – CREATE MECHANISM INFORMING BOARD OF COMPLAINTS FILED AGAINST THE COUNTY – COMMISSIONER LIEBERMAN

**ACTION: (T-1:42 PM) Commissioner Lieberman asked the County Attorney to create a mechanism that when the County gets served with a complaint (an employee or other complaints), that the Board is given reasonable notice of recent actions. (Refer to minutes for full discussion.)**

132. STATUS ON PENNY TAX INITIATIVE – COMMISSIONER LIEBERMAN

**ACTION: (T-1:43 PM) Commissioner Lieberman asked the County Administrator for an update regarding the Penny Tax initiative. Deputy County Administrator Bertha Henry reported that there has been a lot of staff activity over the summer hiatus. Staff has been meeting with representatives of the private sector, and will be providing the Board with an update in the near future, beginning with individual briefings and then formally before the Board for specific actions. With respect to the creation of an advisory group, Ms. Henry advised that the advisory group is one of the issues under discussion relating to the composition and size of the group. (Refer to minutes for full discussion.)**

133. MANAGEMENT EFFICIENCY STUDY COMMISSION – PUBLIC HEARINGS – COMMISSIONER LIEBERMAN

**ACTION: (T-1:44 PM) Commissioner Lieberman informed the Board that the Management Efficiency Study Commission has started its Public Hearings. The first Public Hearing was held in Coral Springs; there was a good turnout, and the Commission received many suggestions. The Public Hearing schedule is published on the County's web site, [www.broward.org](http://www.broward.org). The Management Efficiency Study Commission encourages people to participate. (Refer to minutes for full discussion.)**

134. WORKSCAPE LLS – FURNITURE CONTRACT AT AIRPORT – COMMISSIONER EGGELLETON

**ACTION: (T-1:46 PM) Commissioner Eggelletion asked the County Administrator to look into a letter he received from Workscape LLS regarding the expansion of a furniture contract at the airport and that the contract has exceeded the purchasing director's authority of \$250,000 and is now \$430,000. (Refer to minutes for full discussion.)**

135. WATER TAXI RAMPS – COMMISSION EGGELLETON

**ACTION: (T-1:47 PM) Commissioner Eggelletion asked the County Administrator that when the water taxi item comes before the Board again, to provide recommendations with respect to whether or not there will be assistance from the County to provide the water taxis with a location for overnight storage of their vessels. (Refer to minutes for full discussion.)**

136. ROOSEVELT GARDENS NEIGHBORHOOD IMPROVEMENT PROJECT – COMMISSIONER EGGELLETION

**ACTION: (T-1:47 PM) Commissioner Eggelletion commended the County Administrator and his staff on the fine job they are doing with the Neighborhood Improvement Project in the Roosevelt Gardens area. He suggested that the Commissioners visit the area and see the difference in the neighborhood. Commissioner Eggelletion asked the County Administrator for a status report on two of the properties to be purchased for a community center in the same area: a parcel owned by Mr. Campbell, and apartments that the County has co-ownership in. The County Administrator stated that he would visit the Commissioner to discuss the issues. (Refer to minutes for full discussion.)**

137. UPDATE – WORLD NET BALL CONFERENCE – VICE MAYOR GRABER

**ACTION: (T-1:51 PM) Vice Mayor Graber informed the Board that he represented the County Commission at the World Net Ball Conference this summer. The competition was enjoyable and Convention Center staff did a great job transforming the Center into a gymnasium. (Refer to minutes for full discussion.)**

138. VISIT TO COUNTY BY SECRETARY LEVINE – MEDICAID PLAN – VICE MAYOR GRABER

**ACTION: (T-1:53 PM) The Vice Mayor reported that Secretary Levine visited Broward County to discuss the Medicaid plan at the Health Planning Council. Vice Mayor Graber was pleased by Mr. Levine's support to help develop the plan; he was looking for a lot of feedback. (Refer to minutes for full discussion.)**

139. COUNTY ATTORNEY - RESEARCH ADDING LANGUAGE TO COUNTY CONTRACTS – VICE MAYOR GRABER

**ACTION: (T-1:53 PM) Vice Mayor Graber asked the County Attorney to draft boilerplate language to the County's contracts relating to the falsification of information by a vendor seeking county business. (Refer to minutes for full discussion.)**

140. MAYOR'S REQUEST - COMMISSIONER WEXLER TO SERVE ON CANVASSING BOARD

**ACTION: (T-1:53 PM) Mayor Jacobs asked Commissioner Wexler to serve on the Canvassing Board Monday, August 22<sup>nd</sup> at 2:00 p.m. for the Logic and Accuracy Test for the upcoming municipal elections for the cities of Miramar and Plantation. The Mayor advised that she will serve Tuesday, August 30<sup>th</sup> at 7:00 p.m. Commissioner Wexler agreed to assist the Mayor. (Refer to minutes for full discussion.)**

141. NEW PLANTS IN COMMISSION CHAMBERS – MAYOR JACOBS

**ACTION: (T-1:54 PM) The Mayor commented on the new plants in the Commission Chambers; they are beautiful. She asked the County Administrator to find out the names of the plants. (Refer to minutes for full discussion.)**

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**MEETING/WORKSHOP NOTICES**

**SELECTION COMMITTEE  
PORT EVERGLADES MASTER PLAN UPDATE  
RLI No. 20050517-0-PORTCM-IRE**

Tuesday, August 16<sup>th</sup> at 9:00 AM  
Room 430, S. Andrews Governmental Center, Fort Lauderdale

**SELECTION COMMITTEE  
WATER AND SEWER IMPROVEMENTS  
RLI No. 20041101-0-EED-01**

Tuesday, August 16<sup>th</sup> at 9:30 AM  
Room 302, S. Andrews Governmental Center, Fort Lauderdale

**BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS  
BUDGET WORKSHOP**

Tuesday, August 16<sup>th</sup> at 1:00 PM  
Room 430, S. Andrews Governmental Center, Fort Lauderdale

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