

MEETING OF SEPTEMBER 9, 2008

(Meeting convened at 10:15 a.m.; recessed at 12:16 p.m.; reconvened at 4:25 p.m.; recessed at 5:00 p.m.; reconvened at 5:13 p.m.; recessed at 5:46 p.m.; reconvened at 7:52 p.m., and adjourned at 8:45 p.m.)

PLEDGE OF ALLEGIANCE was led by Dr. Fred Lippman, Chancellor of Nova Southeastern University's Health Professions Division and a former member of Florida's House of Representatives.

MOMENT OF SILENCE

In memory of Dennis Myers, a Navy veteran who was also a former civic leader and community activist as well as a former employee of Broward County Government for 27 ½ years.

Prayers for those who have been severely harmed by the hurricanes in Haiti, the Dominican Republic, Cuba, and the Turks and Caicos.

Prayers for the families who have loved ones serving in the Middle East and for those who have been lost in that effort as well.

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

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

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Keechl and unanimously carried to approve the Consent Agenda consisting of items 1 through 38. At the request of the Mayor, Regular Agenda items 41 and 56 were transferred to the Consent Agenda.

The following items were withdrawn/deferred: 36 and 37 (Deferred to September 23, 2008, at the applicant's request under Section 5-181(j) of the Land Development Code to study the plat note), 39, and 50.

The following items were pulled by the Board and considered separately: 6, 20, and 30.



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

1.

BOARD APPOINTMENTS

A. MOTION TO APPOINT Mr. Alfred C. Calloway to serve on the Transit Advisory Committee. (Commissioner Rodstrom)

ACTION: (T-10:23 AM) Approved.

B. MOTION TO APPOINT Mr. Ray Kooser to serve on the Broward County Marine Advisory Committee. (Commissioner Rodstrom)

ACTION: (T-10:23 AM) Approved.

C. MOTION TO APPOINT Andrea McDowell JohnBaptiste to the Commission on Status of Women. (Commissioner Lieberman)

ACTION: (T-10:23 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO ADOPT Resolution 2008-563 authorizing the Interim County Administrator to execute a Federal Aviation Administration (FAA) Grant Agreement for AIP Project 3-12-0025-057-2008, in the maximum not to exceed amount of \$1,580,462, for the rehabilitation and widening of Taxiway AB, in connection with the construction of two High Speed Exit Taxiways and the rehabilitation of Taxiways B East, Q, S, & T5 at Fort Lauderdale-Hollywood International Airport (Airport); and to authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant agreement and approve any non-monetary amendments to the agreement.

ACTION: (T-10:23 XX AM) Approved.

PUBLIC WORKS DEPARTMENT

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

3. MOTION TO ADOPT Resolution 2008-564 accepting a Warranty Deed, at a nominal cost of \$10 to the County, executed by Las Olas Properties, Inc., a Florida Corporation, for right-of-way along the east side of NE 3rd Avenue between NE 3rd Street and NE 4th Street, in the City of Fort Lauderdale. (Commission District 7)

ACTION: (T-10:23 AM) Approved.

4. A. MOTION TO ADOPT Resolution 2008-565 accepting a Sidewalk Easement, at a nominal cost of \$1 to the County, executed by The City of Miramar, for a sidewalk along the north side of Miramar Parkway between SW 67th Terrace and SW 67th Avenue in the City of Miramar. **(Commission District 8)**

ACTION: (T-10:23 AM) Approved.

- B. MOTION TO ADOPT Resolution 2008-566 accepting a Bus Shelter Easement, at a nominal cost of \$1 to the County, executed by The City of Miramar, for a bus shelter along the north side of Miramar Parkway between SW 67th Terrace and SW 67th Avenue in the City of Miramar. **(Commission District 8)**

ACTION: (T-10:23 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

COUNTY RECORDS DIVISION

5. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commissioners meeting of June 24, 2008; and the minutes of the 2:00 P.M. Public Hearing of June 24, 2008.

ACTION: (T-10:23 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-10:23 AM) Approved.

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

ACTION: (T-10:23 AM) Approved.

6. MOTION TO APPROVE Agreement between Broward County and Monroe Kiar, Esquire, appointed by the Value Adjustment Board (VAB) as VAB Interim Private Counsel until further action; and authorize the Mayor to execute the agreement on behalf of the Board of County Commissioners.

(Mayor Wexler and Commissioner Eggleton pulled this item.)

ACTION: (T-10:23 AM) Approved. (Refer to minutes for full discussion.0

VOTE: 9 – 0.

PURCHASING DIVISION

For Community Services Department

7. MOTION TO APPROVE release of retainage and final payment in the amount of \$28,366.43, to ENCO, LLC, for Helene Klein Pinelands Preserve, Bid No. QY06366CAF, for the Community Services Department/Parks and Recreation Division. **(Commission District 2)**

ACTION: (T-10:23 AM) Approved.

8. MOTION TO APPROVE sole source designation and approve the agreement between Broward County and ArtServe, Inc., for a Cooperative Marketing Services Program, in the not-to-exceed annual amount of \$355,000; including reimbursable expenses in the not-to-exceed amount of \$46,000; and authorize the Director of Purchasing to renew the contract for two, one-year periods, contingent upon funding, for a potential estimated three-year amount of \$1,065,000; and authorize the Mayor and Clerk to execute same. The initial agreement shall begin on October 1, 2008 and shall terminate on September 30, 2009.

ACTION: (T-10:23 AM) Approved.

For Finance and Administrative Services Department

9. A. MOTION TO APPROVE Fifth Amendment to the Agreement between Broward County and First Broward Auto Tag Agency of Lauderhill, Inc. for Private Auto Tag Agency Services, to extend the agreement termination date from September 30, 2008 to September 30, 2009; and authorize the collection of a fee for biennial registration renewals in accordance with the State of Florida 2007, House Bill 275, at no cost to the County, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

- B. MOTION TO APPROVE Fifth Amendment to the Agreement between Broward County and SFADA Tag Agency, Inc. for Private Auto Tag Agency Services to extend the agreement termination date from September 30, 2008 to September 30, 2009 and authorize the collection of a fee for biennial registration renewals in accordance with the State of Florida 2007, House Bill 275, at no cost to the County, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

- C. MOTION TO APPROVE Seventh Amendment to the Agreement between Broward County and First Broward Auto Tag Agency, Inc. for Private Auto Tag Agency Services to extend the agreement termination date from September 30, 2008 to September 30, 2009 and authorize the collection of a fee for biennial registration renewals in accordance with the State of Florida 2007, House Bill 275, at no cost to the County, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

- D. MOTION TO APPROVE Sixth Amendment to the Agreement between Broward County and Deerfield Auto Tag Agency, Inc. for Private Auto Tag Agency Services to extend the agreement termination date from September 30, 2008 to September 30, 2009 and authorize the collection of a fee for biennial registration renewals in accordance with the State of Florida 2007, House Bill 275, at no cost to the County, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

- E. MOTION TO APPROVE Fifth Amendment to the Agreement between Broward County and Broward Express Auto Tag Agency, Inc. for Private Auto Tag Agency Services to extend the agreement termination date from September 30, 2008 to September 30, 2009 and authorize the collection of a fee for biennial registration renewals in accordance with the State of Florida 2007, House Bill 275, at no cost to the County, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

For Port Everglades Department

10. MOTION TO AWARD fixed contract to low bidder, Highway Safety Devices, Inc., for construction of Wayfinding/Informational Signage at Port Everglades, Bid No. N408132CAF, in the amount of \$2,496,079.78, which includes an optional item in the amount of \$11,111.11, for the Seaport Engineering and Construction Division, to be substantially completed within 150 calendar days from notice to proceed, subject to the receipt and acceptance of insurance/performance and payment guarantee; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

For Public Works Department

11. MOTION TO APPROVE release of retainage and final payment in the amount of \$19,620.63, to Hazen and Sawyer, P.C., for Work Authorization GS0205 from the General Services Agreement, Request for Letters of Interest (RLI) No. 110800-RB for the Rolling Stock and Distribution Center (Project No. 9110) **(Commission District 2)**

ACTION: (T-10:23 AM) Approved.

12. MOTION TO APPROVE release of retainage and final payment in the amount of \$500 to Hill York Service Corporation for the replacement of the Horizontal Condenser Water Piping at the Broward County Judicial Center North Tower, Bid No. M-4-07-148-CAF (Project No. 903862). **(Commission District 7)**

ACTION: (T-10:23 AM) Approved.

13. MOTION TO APPROVE Change Order No. 13 to Contract No. P505126CF with Lanzo Construction Company Florida, for the construction of Broadview Estates Neighborhood Improvement Project (NIP) Bid Package No.1, for an increase of \$536,249.45; from \$14,916,114.09 to \$15,452,363.54, for Water and Wastewater Services; and authorize the Mayor and Clerk to execute same. (BCWWS Project No.1155) **(Commission District 1)**

ACTION: (T-10:23 AM) Approved.

14. A. MOTION TO ADOPT Budget Resolution 2008-567 transferring funds within the General Capital Outlay Fund (3010) in the amount of \$1,286,080 for the renovation of the Medical Examiner's Building.

ACTION: (T-10:23 AM) Approved.

- B. MOTION TO AWARD fixed contract to low bidder, Thornton Construction Company, Inc., for Construction Services for Renovating the Medical Examiner's Building, Bid No. P-6-07-192-CAF, in the total amount of \$2,422,675 for the Construction Management Division, subject to the receipt and acceptance of the insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same. (CMD Project No. 7923) **(Commission District 7)**

ACTION: (T-10:23 AM) Approved.

- C. MOTION TO INCREASE Change Order Allowance for an additional 10%, from 5% to 15%, due to unknown conditions that may be identified during renovation.

ACTION: (T-10:23 AM) Approved.

REVENUE COLLECTION DIVISION

15. MOTION TO ADOPT two Resolutions, 2008-568 and 2008-569, Authorizing Cancellation of Warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, Payroll Account No. 2079940003798, Tax & License Account No. 2090002760916 and Self Insurance Account No. 2090002760518.

ACTION: (T-10:23 AM) Approved.

HUMAN SERVICES DEPARTMENT

16. MOTION TO APPROVE Grant Application to the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA), in the amount of \$16,574,871; from March 1, 2009 through February 28, 2010 for the Human Services Department of Broward County to provide health care and support services to persons with HIV/AIDS, and authorize the County Administrator to take the necessary administrative and budgetary actions to execute the grant. No County match is required as this is a 100% federally funded grant.

ACTION: (T-10:23 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

17. **MOTION TO APPROVE** Grant Agreement and Certification of Credentials between Broward County Board of County Commissioners (Board) and the Florida Department of State, Division of Library and Information Services (State), for the Fiscal Year 2008-2009 State Aid to Libraries Grant Program to Broward County Libraries Division (Division) estimated in the amount of \$1,968,800 for the purpose of operating public library services, as authorized under Chapter 257, Florida Statutes, beginning October 1, 2008, through September 30, 2009, and authorize the County Administrator to make modifications to the application, if necessary, and to take all necessary administrative or budgetary actions to implement the grant; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

PORT EVERGLADES DEPARTMENT

18. **MOTION TO APPROVE** Lease Agreement between Broward County and Fairn & Swanson, Inc., for 29,990 square feet of warehouse space located on the east side of Warehouse 30 at 3403 McIntosh Road, a designated general purpose site of Foreign Trade Zone No. 25 (FTZ), in Port Everglades, for an initial term of three years upon Board approval, with two additional three year option terms, and with rent in the approximate amount of \$926,960 over the initial lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:23 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

19. **MOTION TO ADOPT** unanticipated revenue Resolution 2008-570 within the Law Enforcement Trust Fund in the amount of \$180,000 to provide funding for the purchase of 3,000 traffic vests to enable the Broward Sheriff's Office (BSO) to be in compliance with new federal regulations by November 2008.

ACTION: (T-10:23 AM) Approved.

TRANSPORTATION DEPARTMENT

20. MOTION TO AUTHORIZE the County Administrator, or designee, to execute amendments to the Interlocal Agreements (ILA's) between Broward County and various cities for Public Transportation Services, to extend the expiration of these community bus agreements for a period not to exceed 120 days, and to take any administrative actions deemed necessary for the agreements to conform to the County's proposed Fiscal Year 2009 budget.

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

ACTION: (T-10:37 AM) Approved, as amended, to extend the proposed cancellation of the routes for 30 days with the appropriate funding to go along with the extensions. (Refer to minutes for full discussion.)

VOTE: 7 – 2. Mayor Wexler and Commissioner Keechl voted no.

ACTION: (T-5:51 PM) The Board also discussed Item 20 at the 5:01 p.m. Budget Public Hearing. (Refer to minutes for full discussion.)

COUNTY COMMISSION

21. MOTION TO FILE Resolution No. 2008-238 adopted by the City Commission of the City of Pompano Beach, Florida, recognizing the need for a collaborative, multi-jurisdictional approach to address Countywide water resource needs; establishing the Broward Water Resources Task Force composed of Elected County and City Commissioners, and Officials representing the South Florida Water Management District Governing Board, Special Districts and Water Control Districts; authorizing the designation of a Technical/Professional Staff Workgroup to advise the Task Force; providing for duties of the Task Force; providing for meetings of the Task Force and Technical/Professional Staff Workgroup; providing for staff support; providing for reporting and maintenance of records; and providing for an effective date. (Mayor Wexler)

ACTION: (T-10:23 AM) Approved.

22. MOTION TO FILE Resolution No. 2008-222 adopted by the City Commission of the City of Pompano Beach, Florida, opposing the construction of the Calypso Liquefied Petroleum Natural Gas Deepwater Port; providing for direction to the City Clerk; providing an effective date. (Mayor Wexler)

ACTION: (T-10:23 AM) Approved.

23. MOTION TO APPROVE travel expenses for Commissioner Jacobs to attend a Local Government Climate Leaders Retreat on September 14-16 in Tarrytown, New York. (Commissioner Jacobs)

ACTION: (T-10:23 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

24. MOTION TO ADOPT Resolution 2008-571 authorizing the County Administrator to advertise a Public Hearing to be held September 23, 2008 at 2:00 P.M. in Room 422 Governmental Center, for adopting supplemental budgets to recognize changes in revenues and appropriations.

ACTION: (T-10:23 AM) Approved.

25. MOTION TO ADOPT Resolution 2008-572 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 14, 2008, at 2:00 P.M. in Room 422 of the Governmental Center, to vacate a 10-foot wide platted utility easement, lying within, over and across Lots 42 through 47, and the south 115 feet of a 6-foot wide platted utility easement lying within, over and across Lot 41, of the Pine Lake Plat, located south of Griffin Road in the City of Cooper City; at no cost to the County. Petitioners: Crown Land and Development Corporation (Craven Thompson & Associates, Inc., Agent) (2007-V-06) **(Commission District 5)**

ACTION: (T-10:23 AM) Approved.

26. MOTION TO ADOPT Resolution 2008-573 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 14, 2008, at 2:00 P.M. in Room 422 of the Governmental Center, to vacate a 36-foot wide, non-exclusive access easement, lying within, over and across a portion of Parcel A of the Delegal Plat, located at the southeast corner of State Road 7 and NW 62nd Street, in the City of North Lauderdale; at no cost to the County. Petitioners: 441 Real Estate Investment, Inc. (Carnahan, Proctor & Cross, Inc., Agent) (2007-V-26) **(Commission District 9)**

ACTION: (T-10:23 AM) Approved.

27. MOTION TO ADOPT Resolution 2008-574 of the Board of County Commissioners of Broward County, Florida, directing the County Administrator to publish notice of Public Hearing to be held on Tuesday, September 23, 2008, at 2:00 P.M. in Room 422, Broward County Governmental Center, to receive public input on the adoption of proposed changes to the Broward County Transportation Department fixed bus routes 20, 55, and 62 with an effective date of November 2, 2008; changes to fixed bus routes 3, 14, and 50, the elimination of fixed bus routes 92, 93, 94, 95, and 97, and implementation of new bus route 48, with an effective date of January 11, 2009.

ACTION: (T-10:23 AM) Approved.

28. MOTION TO ADOPT Resolution 2008-575 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 23, 2008, 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 OF ORDINANCES RELATING TO ANIMAL CARE AND REGULATION; AMENDING SECTION 4-30 RELATING TO THE ANIMAL CARE TRUST FUND ACCOUNT AND THE S.P.O.T. PROGRAM TO EXTEND THE S.P.O.T. PROGRAM; MAKING HOUSEKEEPING CHANGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE AND AN AUTOMATIC REPEAL DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:23 AM) Approved.

29. MOTION TO ADOPT Resolution 2008-576 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 23, 2008, 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, RELATING TO AUTHORITY TO ESTABLISH A SURFACE WATER MANAGEMENT RE-INSPECTION FEE; AMENDING CHAPTER 27 OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING ARTICLE V, SECTION 27-201, "FEE AUTHORIZATION"; PROVIDING AUTHORITY FOR A SURFACE WATER MANAGEMENT RE-INSPECTION FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:23 AM) Approved.

30. MOTION TO ADOPT Resolution 2008-577 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 23, 2008, 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, RELATING TO THE SOLICITATION AND PROCUREMENT OF SERVICES; CREATING SECTION 26-80 OF ARTICLE V OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-11:17 AM) Approved, as amended to strike the verbiage “or recommend” from the summary of the explanation background. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION

31. MOTION TO ACCEPT Amended Deed of Conservation Easement and Agreement from Lennar Homes, LLC for mitigation of 2.89 acres of real property located at the northeast corner of Regency Lakes Boulevard and Sawgrass Boulevard, in the City of Coconut Creek. **(Commission District 2)**

ACTION: (T-10:23 AM) Approved.

32. MOTION TO ACCEPT Deed of Conservation Easement and Agreement from the Edward Rack Corporation for the creation and preservation of an upland forested preserve area comprising .53 acre of real property located east of Pine Island Road and south of McNab Road in the City of Tamarac. **(Commission District 3)**

ACTION: (T-10:23 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION

33. **DISCUSSION:** of plat entitled "Regions Atlantic" (055-MP-07). **(Commission District 2)**

ACTION: (T-10:23 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

34. **DISCUSSION:** of plat entitled "Jolly Fields" (065-MP-07). **(Commission District 7)**

ACTION: (T-10:23 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

35. **DISCUSSION:** of New Findings of Adequacy for a plat entitled "Deerfield No. 1 Plat" (065-MP-01). **(Commission District 4)**

ACTION: (T-10:23 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

36. **DELEGATION:** Hope Calhoun regarding request to amend the note on the Nova University No. 1 Plat (241-MP-89). (Deferred from August 5, 2008.) **(Commission District 7)**

ACTION: (T-10:23 AM) Deferred to Tuesday, September 23, 2008, at the applicant's request under Section 5-181(j) of the Land Development Code to study the plat note.

37. **DELEGATION:** Hope Calhoun regarding request to amend the non-vehicular access line on the Nova University No. 1 Plat (241-MP-89). **(Commission District 7)**

ACTION: (T-10:23 AM) Deferred to Tuesday, September 23, 2008, at the applicant's request under Section 5-181(j) of the Land Development Code to study the plat note.

38. **DELEGATION:** Cynthia Pasch regarding request to modify conditions of plat approval on the Sample Road Land, Inc. Plat (011-MP-92). **(Commission District 2)**

ACTION: (T-10:23 AM) Approved, subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

DELEGATION

39. **DELEGATION:** Ms. Brian Coleman requests to speak to the Board regarding the possibility of four (4) Live Oak trees being designated as Historical Trees pursuant to Article XIV Tree Preservation & Abuse Ordinance SEC. 27-412 Historical Trees.

ACTION: (T-10:23 AM) Withdrawn at the applicant's request.

THE FOLLOWING ITEM IS CONTINUED FROM
THE AUGUST 12, 2008 PUBLIC HEARING, ITEM NO. 50

PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

40. MOTION TO APPROVE Contract for Sale and Purchase between Broward County and Parkersquest, LLC, for the County's acquisition of Safe Parks and Land Preservation Bond Program Open Space Site OS-70.08, containing 0.121 acres, or 5,250 square feet, improved with a residential duplex located at 2840 NW 11th Place in unincorporated Broward County, Florida, at a cost to the County of \$215,000; The site lies adjacent to the north boundary of Roosevelt Gardens Park, and is designated as Open Space Site OS-70.08 under the Safe Parks and Land Preservation Bond Program; authorize Real Property Section to acquire this property using Safe Parks and Land Preservation Bond Issue Funds; authorize the Mayor and Clerk to execute Contract for Sale and Purchase, and authorize acceptance and recordation of deed. **(Commission District 9)**
(Continued from August 12, 2008 – Item No. 50)

***ACTION: (T-11:19 AM) Continued until Tuesday, September 16, 2008.
(Refer to minutes for full discussion.)***

VOTE: 9 – 0.

END PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

41. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Cooper City for the Acquisition, Improvement, Enhancement, Operation and Management of Open Space Site OS-137 and Palm Avenue Water Retention Area, also known as the Mumford Property; and authorize the Mayor and Clerk to execute same.
(Commission District 5)

ACTION: (T-10:23 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO ADOPT Resolution 2008-578 for the conveyance of real property referred to as Site OS-137, the Mumford Property, in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 5)**

ACTION: (T-10:23 AM) Approved. (Transferred to the Consent Agenda.)

TRANSPORTATION DEPARTMENT

42. MOTION TO ADOPT Resolution 2008-579 of the Board of County Commissioners of Broward County, Florida, supporting the Downtown Transit Circulator (DTC) project; adopting a Locally-Preferred Alternative (LPA) and technology; approving the project financial plan; providing for ownership and funding commitments; and providing for an effective date. **(Commission District 7)**

ACTION: (T-4:26 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

43. MOTION TO DIRECT staff to enter into agreements with existing lobbying firms, at Fiscal Year 2008 compensation/expense rates, to provide Broward County with state legislative and executive branch lobbying services during Fiscal Year 2009; and authorizing the County Administrator to execute same, and to take all necessary budgetary and administrative actions.

ACTION: (T-5:13 PM) Approved.

VOTE: 9 – 0.

ACTION: (T-5:14 PM) Reconsidered. The Board approved a new RLI with an expedited process engaging a new lobbying team. An item will be placed on the September 16, 2008 BCC meeting agenda. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

44. MOTION TO ADOPT Resolution 2008-580 of the Board of County Commissioners of Broward County, Florida approving the issuance by the Broward County Educational Facilities Authority of Educational Facilities Revenue Bonds, Series 2008 (Nova Southeastern University Project) in one or more series at one or more times in the aggregate principal amount not to exceed \$60,000,000 to finance the 2008 Projects described herein for purposes of Section 147(F) of the Internal Revenue Code of 1986, as amended; approving the minutes of the public hearing held pursuant to Section 147 (F) of the Internal Revenue Code of 1986, as amended; and providing for an effective date.

ACTION: (T-5:33 PM) Approved. The Board directed the County Attorney to look into other educational facilities authorities' structures throughout the state and return to the Board with a report. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

PURCHASING DIVISION

For Community Services Department

45. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified proposer to provide public sector marketing expertise for the Parks and Recreation Division (Division) through the development of advertising, sponsorship, and naming rights opportunities, providing for an analysis of the Division's viable product inventory (amenities, facilities, programs, etc.) and current marketplace value, customizing a targeted sponsorship program, conducting a personalized one-on-one sales effort with potential sponsors, negotiating terms and fees subject to Board approval, and providing marketing services to other interested County agencies under separate agreement, and approve Request for Letters of Interest (RLI) No. 20071212-0-PA-01.

ACTION: (T-5:33 PM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Mayor Wexler; Commissioners Keechl, Gunzburger, and Eggelletion; Director, Parks and Recreation Division, Community Services Department (Chair); Director Office of Public Communication, plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division, and the Parks and Recreation Division. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

46. MOTION TO APPROVE sole source agreement between Broward County and Nova Southeastern University, Inc., (NSU) on behalf of its Museum of Art Division (Museum), for Arts Management, Preparatory, Art Handling, Conservation, and Curatorial Services in the annual not-to-exceed amount of \$340,000, plus \$10,000 for reimbursables for the Cultural Division and authorize the Director of Purchasing to renew the Agreement for two one-year periods, subject to the receipt and acceptance of insurance and authorize the Mayor and the Clerk to execute same. The initial term will commence on January 6, 2009 and terminate on January 5, 2010. **(Commission District 7)**

ACTION: (T-5:45 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

For Public Works Department

47. MOTION TO APPROVE release of retainage and final payment in the amount of \$10,249.99 to Edwards Electric Corp., for the MCC/Load Center Replacement, Bid No. N305081CF, for Water and Wastewater Services. (WWS 8945) **(Commission District 2) (Deferred from August 12, 2008 – Item No. 9)**

ACTION: (T-7:53 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 1. Commissioner Lieberman voted no.

COUNTY AUDITOR

48. MOTION TO PLACE County Auditor's Estimated Financial Impacts of Proposed Charter Amendments on the November 4, 2008 General Election Ballot.

ACTION: (T-7:54 PM) The Board directed the County Attorney to draft a cost savings item related to the Management & Efficiency Study for the September 16, 2008 BCC meeting. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY ADMINISTRATION

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

ACTION: (T-8:03 PM) Approved, as amended. A Shade Meeting will be held on Tuesday, September 16, 2008 at approximately 2:00 p.m. in Room 430 of the Governmental Center. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY COMMISSION

50. MOTION TO CONSIDER nominations for two at-large appointments to the Climate Change Task Force. (Mayor Wexler) **(Deferred from August 12, 2008 – Item No. 61)**

ACTION: (T-10:23 AM) Deferred for further staff review.

51. MOTION TO DIRECT County Attorney to draft a Resolution making legislative finding to use the Tourist Development Tax for sea turtle conservation and reef mooring buoy maintenance. (Commissioner Lieberman and Commissioner Jacobs)

ACTION: (T-8:27 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 1. Mayor Wexler voted no.

SHADE MEETINGS

The following item will be addressed at 12:00 p.m. or immediately following the morning meeting. As this is a Shade Meeting, it is not open to the public.

COUNTY ADMINISTRATION

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

The following item will be addressed at 1:00 p.m. or immediately following the County Administration meeting shown above. As this is a Shade Meeting, it is not open to the public:

COUNTY ATTORNEY

- 53. ATTORNEY-CLIENT MEETING: Commencement of attorney-client session pursuant to Subsection 286.011 (8), Florida Statutes, to discuss settlement negotiations or strategy related to litigation expenditures in *South Florida Chapter of the Associated General Contractors, et al., Plaintiffs, v. Broward County, Florida, et al., Defendants*, United States District Court for the Southern District of Florida, Case No. 07-60374.

END SHADE MEETING

- 54. **COUNTY ADMINISTRATOR’S REPORT**

HURRICANE IKE

ACTION: (T-8:29 PM) Interim County Administrator Bertha Henry thanked the Board and staff for being prepared for a possible hurricane strike this past week. (Refer to minutes for full discussion.)

- 55. **MAYOR’S REPORT**

No report presented.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION



- 56. MOTION TO APPROVE letter in support of Congressman Henry Waxman’s “Safe Climate Act” being sent to the Board members of the Florida Congressional Delegation; and authorizing the Mayor, Vice Mayor and individual commissioners to execute same. (Commissioner Gunzburger and Commissioner Keechl)

ACTION: (T-10:23 AM) Approved. (Transferred to the Consent Agenda.)

NON AGENDA

57. MISDEMEANOR PROBATION - COMMISSIONER KEECHL

ACTION: (T-8:29 PM) Commissioner Keechl discussed the possibility of BSO not privatizing misdemeanor probation. The Public Safety Coordinating Council objected to the privatizing of probation for various reasons. At some point, an RLI will be coming forward to privatize probation. (Refer to minutes for full discussion.)

58. CENTRAL EXAMINING BOARD MEETING SCHEDULE - COMMISSIONER RODSTROM

ACTION: (T-8:34 PM) Commissioner Rodstrom commented that the Central Examining Board has recently changed their meeting time to mid afternoon to save money. This time change has created a hardship for several board members and they cannot get a quorum.

Bertha Henry, Interim County Administrator, responded that this issue has been brought to her attention and she asked staff to rework the schedules to be able to accommodate the Board members. (Refer to minutes for full discussion.)

59. BSO BUDGET QUESTIONS – COMMISSIONER JACOBS

ACTION: (T-8:35 PM) Commissioner Jacobs stated that the Sheriff passed a 3% raise to his contract cities, but sees there is a 5% increase, with the 2% being passed on countywide through the Sheriff's budget. Commissioner Jacobs wanted to understand where that 2% is and asked for documentation in writing. (Refer to minutes for full discussion.)

60. FICUS DYING COUNTYWIDE – COMMISSIONER JACOBS

ACTION: (T-8:35 PM) Commissioner Jacobs commented that she has just learned that a certain type of white fly insect is killing ficus trees countywide, and had concerns about whether there was a contingency plan in place for trees that are on county properties. Additionally, Commissioner Jacobs was concerned about dead trees falling during hurricanes. **The Board directed staff to look into these issues to see if this is a problem or something cyclical. (Refer to minutes for full discussion.)**

61. CLOTHING AND FOOD DROP OFF FOR HURRICANE VICTIMS – COMMISSIONER EGGELLETON

ACTION: (T-8:40 PM) Commissioner Eggelletion commented that he hoped there would be media coverage so people would know where to drop off food or clothing for hurricane victims in the Bahamas and various other places. (Refer to minutes for full discussion.)

62. QUESTIONS ON THE SHERIFF’S BUDGET - COMMISSIONER EGGELLETON

ACTION: (T-8:42 PM) Commissioner Eggelletion requested information regarding the contracts with each of the cities that the Sheriff contracts with and what the total county’s budget will be with the Sheriff. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE

**PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES
AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT
RLI No. 20071014-0-AV-01A**

Tuesday, September 9, 2008, Room 430 at 9:00 AM

BUDGET PUBLIC HEARING

Tuesday, September 9, 2008, in Room 422 at 5:01 PM

