

MEETING OF SEPTEMBER 14, 2004

(The meeting convened at 10:00 a.m. and adjourned at 12:26 p.m.)

PLEDGE OF ALLEGIANCE Joyce Medina, Urban Fellow Intern, National Urban Fellows.

MOMENT OF SILENCE

In memory of Richard M. Wendrow, Lauderhill, Florida, brother-in-law of Broward County Mayor Ilene Lieberman. Mr. Wendrow was a Town of Davie police officer.

In memory of Sylvia Jones Gelhl, Fort Lauderdale, Florida.

In memory of Joan Rodenberg, a civic activist and Fight for Sight fundraiser from Hollywood, Florida.

In memory of Deputy Donald Vaughn, Broward Sheriff's Office.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. **MOTION TO APPROVE** appointment of John G. Metsopoulos to the Human Rights Board. (Commissioner Gunzburger)

ACTION: (T-10:22 AM) Approved.

- B. **MOTION TO APPOINT** Mr. Quentin Morgan to the Parks and Recreation Advisory Board. (Vice-Mayor Jacobs)

ACTION: (T-10:22 AM) Approved.



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

AVIATION DEPARTMENT

2. **MOTION TO ADOPT** Resolution 2004-774 authorizing execution of a Florida Department of Transportation Joint Participation Agreement (JPA), Financial Project No. 416315-1-94-01 to participate financially with the County to conduct an Environmental Impact Statement (EIS) for the proposed extension of Runway 9R/27L at Fort Lauderdale-Hollywood International Airport in the amount of \$872,369 (State's share); and authorize the County Administrator to make the necessary administrative and budgetary actions to execute the grant and approve any non-monetary amendments to the agreement.

ACTION: (T-10:22 AM) Approved.

3. **MOTION TO APPROVE** Off-Airport Parking Operators Permit between Broward County, Florida and Airport Parking, Inc., at the Fort Lauderdale-Hollywood International Airport for a term of five years, commencing upon Board approval and terminating September 30, 2009; with anticipated revenues generated from a monthly privilege fee of 4% of the gross revenues on the first \$20,000; and 8% of gross revenues above \$20,000; to be effective upon Board approval, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:22 AM) Approved.

4. **MOTION TO APPROVE** Amendment No.1 to the Airline-Airport Lease and Use Agreement between Broward County, Florida and AirTran Airways, Inc., extending the expiration date from September 21, 2004 to September 30, 2009, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:22 AM) Approved.

PUBLIC WORKS DEPARTMENT

OFFICE OF TRANSPORTATION

5. **MOTION TO APPROVE** settlement agreement between Broward County, Florida's Turnpike Enterprise, Arena Development Company LTD., Miller Consulting, Inc., and Beiswenger, Hoch & Associates (BHA), at a cost to the County in the amount of \$31,500; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-10:22 AM) Approved.

ENGINEERING DIVISION

6. MOTION TO APPROVE agreement between Broward County and the City of Coral Springs, at no cost to the County, for right-of-way beautification for Sample Road median from Coral Springs Drive west to the Sawgrass Expressway; and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

ACTION: (T-10:22 AM) Approved.

7. MOTION TO APPROVE agreement between Broward County and the City of Fort Lauderdale, at no cost to the County, for right-of-way beautification along Andrews Avenue at the intersection of SE/SW 2 Street and Las Olas Boulevard, and along SE 3rd Avenue at the intersection of SE 2nd Street; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:22 AM) Approved.

8. MOTION TO APPROVE Amendment No. Five to Joint Participation Agreement between Broward County and the Florida Department of Transportation (FDOT) for the Andrews Avenue Extension Improvement Project, from Copans Road to Pompano Park Place, at a cost to the County of \$2,892,175.01; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:22 AM) Approved.

9. MOTION TO APPROVE agreement between Broward County and the City of Coral Springs, at no cost to the County, for right-of-way beautification for Atlantic Boulevard median from Riverside Drive east to Margate border; and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

ACTION: (T-10:22 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

10. MOTION TO ADOPT Resolution 2004-775 of the Board of County Commissioners of Broward County, Florida 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 by the County of its Airport System Revenue Bonds, Series 2004L and Series 2004M, in an aggregate principal amount not to exceed \$320,000,000; delegating to the Chief Financial Officer and Director of the Finance and Administrative Services Department the responsibility of holding such public hearing; and providing an effective date.

ACTION: (T-10:22 AM) Approved.

OFFICE OF INFORMATION TECHNOLOGY

11. MOTION TO APPROVE Assignment Agreement among Broward County and City of Deerfield Beach and Comcast of Greater Florida/Georgia, Inc. f/k/a MediaOne of Greater Florida, Inc. for assignment of cable television franchise for an area to be annexed to the City of Deerfield Beach, and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

12. MOTION TO APPROVE Assignment Agreement among Broward County and City of Pompano Beach and Comcast of Greater Florida/Georgia, Inc. f/k/a MediaOne of Greater Florida, Inc. for assignment of cable television franchise for an area to be annexed to the City of Pompano Beach, and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

PURCHASING DIVISION

For Community Services Department

13. MOTION TO NOTE FOR THE RECORD emergency open-end contract to single responsive, responsible quoter Harrison Uniforms Co. for uniforms and accessories, Quotation No. D4MT1101, in the total estimated amount of \$443,649.30, for the Mass Transit Division. The contract period commenced on August 26, 2004 and shall terminate on September 30, 2006.

ACTION: (T-10:22 AM) Approved.



14. MOTION TO AWARD fixed contract to low bidder Digital Recorders for automatic passenger counting (APC) system (Group 1 and optional item 12), in the total amount of \$477,195; and low responsive, responsible bidder Digital Recorders for four additional years of support (Group 2) based on availability of funds in the not to exceed amount of \$30,600 for a total not to exceed amount of \$507,795; Bid No. DY03276FF, for the Mass Transit Division subject to performance/payment guaranty.

ACTION: (T-10:22 AM) Approved.

For Public Works Department

15. MOTION TO AWARD open-end contract to low bidder American Water Services Residuals Management, Inc., for sludge land application and sludge landfill (re-solicitation), Bid No. P-6-04-105-B3 in the estimated three year amount of \$3,552,000 for the Environmental Operations Division subject to receipt and acceptance of performance/payment guaranty; and authorize the Purchasing Director to renew the contract for two one-year periods. The initial contract period shall begin on October 13, 2004 and shall terminate three years from that date. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

REVENUE COLLECTION DIVISION

16. MOTION TO ACKNOWLEDGE receipt of Notice of Lands Available for Taxes submitted pursuant to Florida Statutes 197.502(7) and Department of Revenue Rule 12D-13.064(1)(2)(3).

ACTION: (T-10:22 AM) Approved.

RISK MANAGEMENT DIVISION

17. MOTION TO APPROVE full and final settlement of claim no. 90 WC0034NT PT in the amount of \$230,000.

ACTION: (T-10:22 AM) Approved.

18. MOTION TO APPROVE a full and final settlement of claim no. SM021698FUEN & LK012200FUEN/PT in the amount of \$834,627.97.

ACTION: (T-10:22 AM) Approved.

19. MOTION TO APPROVE full and final settlement of claim no. 97WC0298NT in the amount of \$33,250.

ACTION: (T-10:22 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: The settlement amount is \$33,750, not \$33,250.)

HUMAN SERVICES DEPARTMENT

CHILDREN'S SERVICES ADMINISTRATION DIVISION



20. A. MOTION TO APPROVE first amendment to Agreement No. 04-CSAD-8267-01 between Broward County and the School Board of Broward County, Florida, allowing the School Board of Broward County Florida to utilize all monies available in the Driver Education Safety Trust Fund from date of execution through September 30, 2005, for the purpose of providing traffic education programs to additional public and non-public Broward County high school students; and authorize the County Administrator to take the necessary budgetary action for implementation. Funds for this amendment will be provided through the Broward County Driver Education Trust Fund.

ACTION: (T-10:28 AM) Approved, as corrected, and as amended. The Board directed staff to amend the contract to include Hallandale Beach High School as an additional site for the traffic education program. The Board also asked staff to respond to questions regarding other locations where classes could be offered, such as Pompano Park Race Track, and whether Saturday classes were available and possible. Further, staff was directed to research whether other driver education components are still an integral part of the program, such as "Scared Sober" and field trips to the jails to visit inmates and the effects driving under the influence has had on their lives. See Page *****

(Scrivener's error - See County Administrator's memorandum: The Contract Number should read No. 04-CSAD-8267-02. This change will appear wherever the contract number is listed.)

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-776 within the Driver Education Safety Trust Fund for the Children's Services Administration in the amount of \$297,783 to recognize Fiscal Year 2003 surplus revenue for the purpose of providing traffic education programs to public and non-public Broward County high school students for Fiscal Year 2004.

ACTION: (T-10:28 AM) Approved, as corrected, and as amended. The Board directed staff to amend the contract to include Hallandale Beach High School as an additional site for the traffic education program. The Board also asked staff to respond to questions regarding other locations where classes could be offered, such as Pompano Park Race Track, and whether Saturday classes were available and possible. Further, staff was directed to research whether other driver education components are still an integral part of the program, such as "Scared Sober" and field trips to the jails to visit inmates and the effects driving under the influence has had on their lives. See Page *****

(Scrivener's error - See County Administrator's memorandum: The Contract Number should read No. 04-CSAD-8267-02. This change will appear wherever the contract number is listed.)

- C. MOTION TO ADOPT unanticipated revenue Resolution 2004-777 within the Driver Education Safety Trust Fund for the Children's Services Administration in the amount of \$960,000 to adopt the budget for Fiscal Year 2005 for the purpose of providing traffic education programs to public and non-public Broward County high school students.

ACTION: (T-10:28 AM) Approved, as corrected, and as amended. The Board directed staff to amend the contract to include Hallandale Beach High School as an additional site for the traffic education program. The Board also asked staff to respond to questions regarding other locations where classes could be offered, such as Pompano Park Race Track, and whether Saturday classes were available and possible. Further, staff was directed to research whether other driver education components are still an integral part of the program, such as "Scared Sober" and field trips to the jails to visit inmates and the effects driving under the influence has had on their lives. See Page *****

(Scrivener's error - See County Administrator's memorandum: The Contract Number should read No. 04-CSAD-8267-02. This change will appear wherever the contract number is listed.)

21. A. MOTION TO APPROVE 2004/2005 Amendment to Agreement V3033 between Broward County and the Office of the Attorney General from October 1, 2004 to September 30, 2005, in the amount of \$150,897 for the purpose of providing services for victim assistance in non-caretaker child abuse and adult sexual assault, and authorize the Mayor to execute same. A 20% County in-kind match is required and is being provided through current staff resources.

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-778 within the Victim of Crime Act Grant Fund (9590) for the Children's Services Administration Division, Sexual Assault Treatment Center Section, in the amount of \$150,897 for the purpose of providing victim assistance in non-caretaker child abuse and adult sexual assault.

ACTION: (T-10:22 AM) Approved.



22. A. MOTION TO ACCEPT grant award for Cooperative Agreement No. SM54475-03 and terms and conditions of award (Children's Services Grant No. 5U79 SM54475-03) between Broward County and the United States Center for mental health services, Substance Abuse and Mental Health Services Administration Division (SAMHSA) in the amount of \$2,000,000; from September 30, 2004 through September 29, 2005 for the third year of a six year project for the purpose of developing system of care that deliver effective comprehensive community mental health services for children and adolescents with serious emotional disturbance and their families living in Broward County. This grant project is a collaborative partnership between the Children's Services Administration Division (CSAD) and the Children's Services Council of Broward County (CSC). The required in-kind match is provided equally by CSAD and CSC through existing children's mental health services contracts.

ACTION: (T-10:27 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-779 within the Children's Services Administration Division (CSAD) Grant Fund 9735, in the amount of \$2,000,000 for the purpose of developing systems of care that deliver effective comprehensive community mental health services for children and adolescents with serious emotional disturbance and their families.

ACTION: (T-10:27 AM) Approved.

- C. MOTION TO AUTHORIZE County Administrator or designee to negotiate and enter into contract with the Children's Services Council of Broward County in the amount of \$666,000 for the purpose of developing a Behavioral Health Training Institute for children's mental health service providers, for the purpose of implementing a system-wide wraparound service delivery model, for the purpose of facilitating both national-level and local-level scientific based evaluations of this project, and for the purpose of initiating a system-wide continuous quality improvement program for children's mental health services; allowing use of previously approved form contract, to be used for execution on behalf of the County by the County Administrator.

ACTION: (T-10:27 AM) Approved.

- D. MOTION TO AUTHORIZE County Administrator or designee to negotiate and enter into contract with Henderson Mental Health Center, Inc. in the amount of \$215,000 for the purpose of maintaining an office in the community for this grant project along with the positions of a Family Involvement Coordinator and a Youth Involvement Coordinator, and facilitating integration of families and youth at all levels of the system of care; allowing use of previous approved form contract, to be used for execution on behalf of the County by the County Administrator.

ACTION: (T-10:27 AM) Approved. See Page *****

- E. MOTION TO INCREASE grant personnel cap within the Substance Abuse and Mental Health Services Administration Division (SAMHSA) Grant Fund 9735, for the Children's Services Administration Division for the purpose of establishing two positions consisting of a Social Worker II, and a Contract/Grants Administrator II.

ACTION: (T-10:27 AM) Approved.

FAMILY SUCCESS ADMINISTRATION DIVISION



23. A. MOTION TO APPROVE Agreement No. 05SB-4N-11-16-01-003 between the Broward County Community Action Agency and the State of Florida, Department of Community Affairs, in the amount of \$1,286,466, for the purpose of providing child care, tuition payments for training and education, and emergency rental assistance to low income households in Broward County; from October 1, 2004 to September 30, 2005; and authorize the Mayor and Clerk execute same. This Agreement requires \$137,929 of in-kind match and \$78,490 of cash match, which is available in the Family Success Administration budget for Fiscal Year 2005.

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-780 in the Community Action Agency grant fund (CSBG grant fund 9210-024-1807,1808,1809 and 1810) in the amount of \$1,286,466 for the purpose of providing, childcare, tuition payments, and emergency rental assistance to low income households in Broward County.

ACTION: (T-10:22 AM) Approved.



24. MOTION TO APPROVE interlocal agreement between Broward County and the City of Fort Lauderdale in the amount of \$76,315; from October 1, 2004 to September 30, 2005, with a one year extension for the purpose of preventing homelessness by allowing Broward County to make referrals to the City of Fort Lauderdale for the payment of emergency rent, mortgage and/or utility assistance to Broward County clients who are residents of the City of Fort Lauderdale; and authorize the Mayor and Clerk to execute same. This agreement requires a County in-kind match of \$26,315 which shall be provided through current personnel resources. **(Commission Districts 2, 4, 7, and 9)**

ACTION: (T-10:22 AM) Approved.

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION



25. MOTION TO APPROVE Agreement 05-SAHCS-8334-01 between Broward County and Florida Healthy Kids Corporation from October 1, 2004 to September 30, 2005 in the amount of \$496,493 for the purpose of purchasing comprehensive health insurance coverage for eligible school age children, and authorize the Mayor and Clerk to execute same. Funding has been approved and allocated in the Fiscal Year 2005 budget of the Substance Abuse and Health Care Services Division.

ACTION: (T-10:22 AM) Approved.



26. MOTION TO APPROVE Agreement No. 05-SAHCS-8312-01 between Broward County and the South Broward Hospital District (SBHD) from October 1, 2004 to September 30, 2007 in the amount of \$4,459,586 for Fiscal Year 2005, \$4,459,586; plus CPI for Fiscal Year 2006, and the Fiscal Year 2006 amount plus CPI for Fiscal Year 2007 (\$13,378,758 in total, not including the Consumer Price Index (CPI), for the purpose of providing primary care services to qualified low-income persons; and authorize the Mayor and Clerk to execute same. Funding has been approved and allocated in the Fiscal Year 2005 budget of the Substance Abuse and Health Care Services Division.

ACTION: (T-10:22 AM) Approved.

27. MOTION TO APPROVE Agreement 05-SAHCS-8312-03 between Broward County and the South Broward Hospital District (SBHD) from Date of Execution to September 30, 2005 in the amount of \$117,840 for the purpose of partnering with the SBHD in providing satellite parking and shuttle services for employees working at the primary care clinic located at 4105 Pembroke Road, Hollywood, FL; and authorize the Mayor and Clerk to execute same. Funding is available from the Substance Abuse and Health Care Services Division (SAHCS) unutilized accruals for Fiscal Year 2003 and from the Division's operating budget.

ACTION: (T-10:22 AM) Deferred for further staff review.



28. MOTION TO APPROVE Agreement No. 05-SAHCS-8266-01 between Broward County and the North Broward Hospital District (NBHD) from October 1, 2004 to September 30, 2005 (with two optional annual renewal periods) in the amount of \$8,149,060 for Fiscal Year 2005, \$8,149,060 plus Medical CPI (capped at 3%) for Fiscal Year 2006, and the Fiscal Year 2006 amount plus Medical CPI (capped at 3%) for Fiscal Year 2007 (\$24,447,180 in total, not including the Medical Consumer Price Index (CPI)-capped at 3%), for the purpose of providing primary care services to qualified low-income persons; and authorize the Mayor and Clerk to execute same. Funding has been approved and allocated in the Fiscal Year 2005 budget of the Substance Abuse and Health Care Services Division.

ACTION: (T-10:27 AM) Approved. See Page *****

29. A. MOTION TO APPROVE Agreement 05-SAHCS-8266-04 for billing between Broward County and the North Broward Hospital District (NBHD) from October 1, 2004 to September 30, 2007 for the purpose of setting reimbursement rates for inmate medical services at 110% of Broward General Medical Center's Medicaid rate; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:27 AM) Approved. See Page *****

B. MOTION TO APPROVE Agreement 05-SAHCS-8312-002 for billing between Broward County and the South Broward Hospital District (SBHD) from October 1, 2004 to September 30, 2007 for the purpose of setting reimbursement rates for inmate medical services at 110% of Memorial Regional Hospital's Medicaid rate; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:27 AM) Approved. See Page *****

30. MOTION TO ADOPT Resolution 2004-781 of the Board of County Commissioners of Broward County, Florida; making a finding and determination that the work and services of certain non-profit organizations of state funded community mental health services serve a public purpose; authorizing appropriations and disbursements for non-profit organizations of state funded community mental health services in the amount of \$2,202,450 for Fiscal Year 2004-2005; prescribing requirements and conditions for disbursement of appropriated funds; approving funding for non-profit organizations of state funded community mental health services; and authorize the County Administrator to execute previously approved form agreements and amendments on behalf of the Board by the County Administrator; providing for severability; and providing for an effective date.

ACTION: (T-10:22 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

31. MOTION TO APPROVE agreement between Broward County and Animal Birth Control for Broward, Inc., a non-profit corporation, in the amount of \$30,000 for the purchase of services for spaying or neutering dogs and/or cats for the Fiscal Year October 1, 2004, through September 30, 2005, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:22 AM) Approved.

CULTURAL DIVISION

32. A. MOTION TO FILE South Florida Cultural Consortium (SFCC) annual financial report for the Fiscal Year ending September 30, 2004, in accordance with Section 8 of the SFCC's interlocal agreement.

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO FILE SFCC Report of Activities in accordance with Section 19 of the SFCC's interlocal agreement.

ACTION: (T-10:22 AM) Approved.

LIBRARIES DIVISION

33. MOTION TO APPROVE Grant Agreement between the State of Florida, Department of State, Division of Library and Information Services; and the Broward County Board of County Commissioners (Project 05-PLC-02), for grant funding in the amount of \$500,000 for construction of the new South Regional/Broward Community College Library; authorizing the County Administrator to execute any additional assurances, certificates, administrative, and budgetary actions to execute the grant; and providing for an effective date; and authorize the Mayor and Clerk to execute the same. **(Commission District 6)**

ACTION: (T-10:22 AM) Approved.

34. MOTION TO APPROVE grant agreement between the State of Florida, Department of State, Division of Library and Information Services; and the Broward County Board of County Commissioners (Project 05-PLC-03), for grant funding in the amount of \$500,000, for the construction of the new West Regional Library; authorizing the County Administrator to execute any additional assurances, certificates, administrative, and budgetary actions to execute the grant; and providing for an effective date; and authorize the Mayor and Clerk to execute same. **(Commission District 1)**

ACTION: (T-10:22 AM) Approved.

35. MOTION TO APPROVE grant agreement and certification of credentials between the Broward County Board of County Commissioners and the Florida Department of State, Division of Library and Information Services, for the Fiscal Year 2004-2005 State Aid Grant Program to Libraries budgeted in the amount of \$2,954,556 for the purpose of operating public library services, as authorized under Chapter 257, Florida Statutes, beginning October 1, 2004, through September 30, 2005, 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-10:22 AM) Approved.

PORT EVERGLADES DEPARTMENT

36. MOTION TO APPROVE renewal of a one-year 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, 2004 through September 30, 2005, at an annual rental amount of \$17,500; and authorize the Mayor and Clerk to execute same.

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

37. MOTION TO APPROVE renewal of a lease agreement between Broward County and Worldwide Shore Services, Inc., for 21,340 square feet of warehouse space in Building AF@, Bay Nos. 2, 3, 4, 15, 16, and 17 of Foreign Trade Zone No. 25 at Port Everglades, for the period of October 1, 2004 through September 30, 2005 at an annual rental amount of \$178,400.16; and authorize the Mayor and Clerk to execute same.

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

38. MOTION TO APPROVE renewal of a one-year lease agreement between Broward County and Donald T. Quinn for Suite No. 404, consisting of 487 square feet of office space, in the Port Administration Building at Port Everglades for the period of October 1, 2004 through September 30, 2005, with rent in an annual amount of \$8,887.75; and authorize the Mayor and Clerk to execute same.

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

39. MOTION TO APPROVE renewal of a 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, 2004 through September 30, 2005, at an annual rental amount of \$7,210; and authorize the Mayor and Clerk to execute same.

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

40. MOTION TO APPROVE execution of three separate easement-dedication instruments with Florida Power and Light (FPL) and BellSouth as they relate to the proposed abandonment/vacation of the platted right-of-way of McIntosh Road within the Southport area of Port Everglades, and to authorize the Mayor and Clerk to execute same.

ACTION: (T-10:22 AM) Deferred for further staff review.

41. A. MOTION TO ADOPT budget Resolution 2004-782 transferring funds within the Department of Port Everglades Capital Fund 4710 in the amount of \$600,000 which will be utilized to assist the Florida Department of Transportation (FDOT) with the purchase of a necessary right-of-way for the Eller Drive Return Loop Project.

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO APPROVE execution of a Locally Funded Agreement (LFA) between the Broward County Board of County Commissioners and the Florida Department of Transportation (FDOT), Financial Project No. 236806-3-43-01, and authorize the Mayor and Clerk to execute same; together with a Resolution authorizing the Mayor to execute and file said LFA; and providing an effective date.

ACTION: (T-10:22 AM) Approved and adopted Resolution 2004-783.

OFFICE OF BUDGET SERVICES

42. MOTION TO DIRECT County Attorney to draft an amendment to Ordinance 18-112.3 of the Broward County Code to remove language which currently appropriates annually not less than ten percent of the total revenues recorded in the Pay Telephone Commissions Trust Fund for medical costs of prisoners detained in the various detention facilities operated by the sheriff.

ACTION: (T-10:22 AM) Approved.

43. MOTION TO ADOPT budget Resolution 2004-784 within the General Fund (0010) in the amount of \$323,100 from the Reserve for State Impacts for the purpose of allocating funding for the last quarter of Fiscal Year 2004 for state mandated local requirements per Article V legislation approved in the 2004 legislative session.

ACTION: (T-10:22 AM) Approved.

44. MOTION TO APPROVE interlocal agreement between the County and the City of Deerfield Beach to implement the annexation of the "North of Sample Road" area into the City; and authorize the Mayor and the County Administrator to take all actions necessary to execute the agreement. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Please change Exhibit A, Section 12, page 17, Line 3 as follows:

The County shall pay CITY ~~\$1,557,388~~ \$1,030,482 (~~\$389,347~~ \$257,620 following each quarter of the fiscal year 2005) to compensate CITY for shared revenue sources generated by the annexed area prior to the change in the CITY's population to recognize the additional population.

The City reimbursement from the County for state-shared revenues is reduced because the City will start receiving some of the revenues sooner than anticipated.)

45. A. MOTION TO APPROVE interlocal agreement between the County and the City of Pompano Beach to implement the annexation of the areas referred to as "South of Sample Road" into the City; and authorize the Mayor and the County Administrator to take all actions necessary to execute the agreement contingent on approval by the City, which is scheduled for September 14, 2004. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO APPROVE interlocal agreement between the County and the City of Pompano Beach to implement the annexation of Pompano Beach Highlands, provide for a six month transition period; and authorize the Mayor and the County Administrator to take all actions necessary to execute the agreement. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

- C. MOTION TO ADOPT unanticipated revenue Resolution 2004-785 in the amount of \$427,620 within the Municipal Services District Fund (0020) to appropriate reimbursements from the City of Pompano Beach for services to be provided to the Pompano Beach Highlands neighborhood, between October 1, 2004 and March 31, 2005 to enable the City to prepare for the provision of municipal level services to the community. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

46. A. MOTION TO APPROVE interlocal agreement between the County and the City of Cooper City to Implement the annexation of the Waldrep Dairy into the City of Cooper City; and authorize the Mayor and the County Administrator to take all actions necessary to execute the agreement contingent on City approval. **(Commission District 5)**

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO APPROVE amendment to the interlocal agreement between the County and the City of Cooper City to Implement the annexation of the Royal Palm Ranches and Lake Maranatha annexation; and authorize the Mayor and the County Administrator to take all actions necessary to execute the amendment to the agreement contingent on City approval.

ACTION: (T-10:22 AM) Approved.

COUNTY ATTORNEY

47. MOTION TO APPROVE agreement between Renee Clark, Esq. and Broward County for hearing examiner services and authorize the County Attorney to execute the agreement on behalf of the Board of County Commissioners.

ACTION: (T-10:22 AM) Approved.

48. MOTION TO APPROVE agreement between Mark Goldstein, Esq. and Broward County for hearing examiner services and authorize the County Attorney to execute the agreement on behalf of the Board of County Commissioners.

ACTION: (T-10:22 AM) Approved.

49. MOTION TO APPROVE agreement between Broward County and Rafael E. Suarez-Rivas, Esq. for procurement hearing officer services for a term of three years, and authorize the County Attorney to execute same on behalf of the County.

ACTION: (T-10:22 AM) Approved.

50. A. MOTION TO ADOPT Resolution 2004-786 relating to a special referendum election for determining the date the area known as the Rock Island Area shall be annexed into the City of Fort Lauderdale; setting the election date, providing the substance of the measure to appear on the ballot, authorizing the publication of notices of special referendum election, and notifying the Supervisor of Elections Office.

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO ADOPT Resolution 2004-787 relating to a special referendum election for determining whether the area known as the Twin Lakes North Area shall be annexed into the City of Fort Lauderdale or the City of Oakland Park; setting the election date; providing the substance of the measure to appear on the ballot; authorizing publication of notices of the special referendum election; and notifying the Supervisor of Elections Office.

ACTION: (T-10:22 AM) Approved.

- C. MOTION TO ADOPT Resolution 2004-788 relating to a special referendum election for determining whether the proposed City of West Park shall be approved; setting the election date; providing the substance of the measure to appear on the ballot; authorizing publication of notices of the special referendum election; and notifying the Supervisor of Elections Office.

ACTION: (T-10:22 AM) Approved.

COUNTY COMMISSION

51. MOTION TO DIRECT County Attorney to revise the purchasing card policy, allowing the Director of Purchasing to reinstate revoked cards when, in his judgment, the reinstatement is justified, and further require that a report of issued, revoked and reinstated purchasing cards be submitted to the Commission Auditor quarterly. (Mayor Lieberman)

ACTION: (T-10:22 AM) Approved.

52. MOTION TO FILE City of Lauderdale Lakes Resolution 04-106 dated July 27, 2004, urging the adoption of legislation designed to protect against certain condominium regimes from suffering slum and blight conditions as a result of a non-functioning governing association; providing for instructions to the City Clerk; providing for the adoption of representations; providing an effective date. (Mayor Lieberman)

ACTION: (T-10:22 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

53. MOTION TO ADOPT Resolution 2004-789 directing the County Administrator to publish a Notice of Public Hearing to be held on September 28, 2004, at 2:00 PM in Room 422 of the Broward County Governmental Center, amending Chapter 39, Broward County Administrative Code, "Fees and Other Charges, Aviation" amending Section 39.2, "Rates, Fees and Charges, Fort Lauderdale-Hollywood International Airport," to amend terminal rates and charges, -landing fees, and security charges, and courtesy parking, and amending Exhibit 39.A and Exhibit 39.C; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

ACTION: (T-10:22 AM) Approved.

54. MOTION TO ADOPT Resolution 2004-790 directing the County Administrator to publish a Notice of Public Hearing to be held October 12, 2004 at 2:00 PM in Room 422 of the Broward County Governmental Center, to consider an application to renew the non-exclusive franchise of Seaboard Marine, Ltd., Inc. to provide steamship agent services for a five-year term at Port Everglades.

ACTION: (T-10:22 AM) Approved.

55. MOTION TO ADOPT Resolution 2004-791 directing the County Administrator to publish Notice of a Public Hearing to be held on Tuesday, September 28, 2004 at 2:00 PM in Room 422 of the Broward County Governmental Center to consider adoption of a proposed Resolution, the title of which is as follows (**Commission Districts 1-9**):

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING THE COUNTY'S COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT SUFFICIENCY REMEDIAL RESPONSES; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-10:22 AM) Approved.

56. MOTION TO ADOPT Resolution 2004-792 directing the County Administrator to publish a notice of a Public Hearing to be held by the Broward County Board of County Commissioners on Tuesday, September 28, 2004 at 2:00 PM in Room 422 of the Governmental Center, to consider enactment of an Ordinance changing the Zoning District boundaries of certain lands within the Unincorporated Area of Broward County, Florida (**Commission District 5**).

REZONING PETITION 1-Z-04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 31, TOWNSHIP 50 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, FROM A-1, AGRICULTURAL ESTATE DISTRICT, TO E-1, 1-ACRE ESTATE DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL ZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:22 AM) Approved.

57. MOTION TO ADOPT Resolution 2004-793 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 12, 2004 at 2:00 PM, in Room 422 of the Governmental Center, to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA,

AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 35, BY CREATING A NEW SECTION, IMPOSING A TOTAL RATE FOR THE LOCAL COMMUNICATIONS SERVICE TAX OF 5.22% IN LIEU OF IMPOSING CABLE FRANCHISE FEES, PUBLIC SERVICE TAX, OR PERMIT FEES ON COMMUNICATION SERVICE PROVIDERS DESIRING TO OCCUPY COUNTY RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

58. A. MOTION TO ADOPT Resolution 2004-794 directing the County Administrator to publish notice of a public hearing to be held on September 28, 2004, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan (PCT 04-8), designating a "Local Activity Center" in the city of Hallandale Beach, relating to the Village at Gulfstream Park Development of Regional Impact, to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184(15), Florida Statutes. **(Commission District 6)**

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO ADOPT Resolution 2004-795 directing the County Administrator to publish notice of a public hearing to be held on September 28, 2004, 2:00 P.M., 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 04-20), designating a "Local Activity Center" in the city of Hallandale Beach, relating to the Village at Gulfstream Park Development of Regional Impact, to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184(15), Florida Statutes. **(Commission District 6)**

ACTION: (T-10:22 AM) Approved.

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

59. MOTION TO AUTHORIZE Office of the County Attorney to initiate legal action against Urbietta Enterprises, Inc. to collect unpaid penalties and costs resulting from violations of Chapter 27 of the Broward County Code. **(Commission District 7)**

ACTION: (T-10:22 AM) Approved.

60. MOTION TO APPROVE Satisfaction of Lien against the property of Petroamerica, Inc. and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:22 AM) Approved.

BUILDING CODE SERVICES DIVISION

61. MOTION TO ADOPT Resolution 2004-796 authorizing the County Administrator to execute agreements on behalf of Broward County with municipalities for building code services under the Florida Building Code, providing for the County Administrator to sign agreements with certain municipalities, and providing for an effective date.

ACTION: (T-10:22 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

62. MOTION TO ACCEPT Deed of Conservation Easement and agreement from LSC Associates and Harbor Lakes Estates Community Development District for preservation of a mitigation area of 117 acres of real property more or less, located at SW 196th Avenue and Pembroke Road, in the City of Miramar. **(Commission District 8)**

ACTION: (T-10:22 AM) Approved.

TRANSPORTATION PLANNING DIVISION

63. MOTION TO ADOPT unanticipated revenue Resolution for the Metropolitan Planning Organization (MPO) in the amount of \$2,082,838 for support of the MPO's 2004-05 Unified Planning Work Program; and authorize the necessary administrative and budgetary actions for implementation, and authorize the Mayor and Clerk to execute the same.

ACTION: (T-10:22 AM) Approved and adopted Resolutions 2004-797 thru 2004-800. (Note: For clarifications purposes, the unanticipated revenue Resolution consists of four (4) separate Resolutions accepting the revenue and allocating appropriations across a variety of funds.)

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

64. DISCUSSION: of plat entitled "BBS Plat" – Commission District 2, (060-MP-03).

ACTION: (T-10:22 AM) Deferred to April 26, 2005 or sooner under Section 5-181(j) to study transportation concurrency.

65. DISCUSSION: of plat entitled "Estates of Trotters West" – Commission District 3, (034-MP-04).

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

66. DISCUSSION: of plat entitled "Estates of Trotters East" – Commission District 3, (035-MP-04).

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

67. DISCUSSION: of plat entitled "Oakland Park Hess" – Commission District 4, (042-MP-02).

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

68. DISCUSSION: of plat entitled "Flamingo Ranch Estates" – Commission District 5, (073-MP-03).

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

69. DISCUSSION: of plat entitled "Waldrep Plat" – Commission District 5, (005-UP-03).

ACTION: (T-10:22 AM) Deferred to September 28, 2004 at the applicant's request.

70. DISCUSSION: of plat entitled "Plantation Oaks West II" – **Commission District 5, (015-MP-04).**
- ACTION: (T-10:22 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
71. DISCUSSION: of plat entitled "Madison Lakes II" – **Commission District 7, (078-MP-03).**
- ACTION: (T-10:22 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
72. DISCUSSION: of plat entitled "Chemin Des Palm II" – **Commission District 7, (072-MP-03).**
- ACTION: (T-10:22 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
73. DISCUSSION: of plat entitled "Zarbafi Estates" - **Commission District 7, (007-MP-03).** (Deferred from April 13, 2004.)
- ACTION: (T-10:22 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
74. DISCUSSION: of plat entitled "Ferri Land" – **Commission District 8, (089-MP-02).**
- ACTION: (T-10:22 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.***
75. DELEGATION: Regina Bobo-Jackson regarding request to amend the note on the Boulevard Forest Plat - **Commission District 1, (112-MP-80).**
- ACTION: (T-10:22 AM) Deferred to April 26, 2005 or sooner under Section 5-181(j) for additional information as described in the back-up material.***
76. DELEGATION: Joe Roles regarding request to amend the note on the Sunrise Prospect Plaza Two Plat - **Commission District 3, (019-MP-02).**
- ACTION: (T-10:22 AM) Deferred to April 26, 2005 or sooner under Section 5-181(j) to study transportation concurrency.***
77. DELEGATION: Alexander P. Heckler regarding request to amend the note on the Westfork Commercial Plat - **Commission District 5, (111-MP-94).**
- ACTION: (T-10:22 AM) Approved subject to staff's recommendations.***

78. DELEGATION: Scott E. Backman regarding request to amend the note on the Pembroke Shores Plat - **Commission District 8**, (065-MP-92).

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

79. DELEGATION: Bruce Bernard, representing the Town of Davie, regarding request to amend the note on the Y.A.F. Plat - **Commission District 7**, (087-MP-85).

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

80. DELEGATION: Bruce Bernard, representing the Town of Davie, regarding request to amend the non-vehicular access line on the Y.A.F. Plat - **Commission District 7**, (087-MP-85).

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

81. DELEGATION: Lisa A. Lanius regarding request to amend the note on the Wolf Family Plat - **Commission District 7**, (067-MP-98).

ACTION: (T-10:22 AM) Deferred to September 28, 2004 at the applicant's request.

82. DELEGATION: Lisa A. Lanius regarding request to amend the non-vehicular access line on the Wolf Family Plat - **Commission District 7**, (067-MP-98). (Deferred from August 10, 2004).

ACTION: (T-10:22 AM) Deferred to September 28, 2004 under Section 5-182(v) for compliance with a condition of a previously approved Development Order.

83. DELEGATION: Kevin Busse regarding request to amend the note on the Genco Corner Plat - **Commission District 9**, (184-MP-89).

ACTION: (T-10:22 AM) Deferred to April 26, 2005 or sooner under Section 5-181(j) to study transportation concurrency.

84. DELEGATION: Kevin Busse regarding request to amend the non-vehicular access line on the Genco Corner Plat - **Commission District 9**, (184-MP-89).

ACTION: (T-10:22 AM) Deferred to April 26, 2005 or sooner under Section 5-182(v) for compliance with a condition of a previously approved Development Order.

85. DELEGATION: Karen Lynch, regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Miramar Lakes Plat - **Commission District 8**, (041-MP-99).

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

86. DELEGATION: Edward P. Ploski, regarding request to amend the non-vehicular access line on the Mariani Asphalt Plat - **Commission District 4**, (186-MP-86).

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

87. DELEGATION: Paul Lovesky, regarding request to amend the non-vehicular access line on the O'Donnell Farms Plat No. 1 **Commission District 2**, (027-UP-83).

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

88. DELEGATION: Hope Calhoun regarding request to amend the non-vehicular access line on the New World Plat - **Commission District 7**, (088-MP-97).

ACTION: (T-10:22 AM) Deferred to April 26, 2005 or sooner under Section 5-182(v) for compliance with a condition of a previously approved Development Order.

89. DELEGATION: Abbas H. Zackria, representing the City of Pompano Beach, regarding request to waive transit impact fees for Canal Pointe Park, **Commission District 2**.

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

90. DELEGATION: Charles Myers, representing the Broward County Construction Management Division, regarding request to waive road impact fees for the Sunset Strip Neighborhood Library - **Commission District 9**.

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

91. DELEGATION: George Platt regarding MOTION TO APPROVE agreement among Broward County, the School Board of Broward County, Florida, and WCI Communities, Inc. for educational impact fee credit - Douglas West Plat - **Commission District 3**, (086-MP-99).

ACTION: (T-10:22 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

QUASI-JUDICIAL HEARING

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

DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION

DEVELOPMENT MANAGEMENT DIVISION

- 92. **DELEGATION:** Gregory Mire regarding request to amend the note on the Lundy Plat - **Commission District 2**, (012-UP-85). (Deferred from August 17, 2004.)

ACTION: (T-10:37 AM) Approved subject to staff’s recommendations. The portion of the application relating to a fire station was withdrawn at the request of the applicant. See Page *****

END OF QUASI-JUDICIAL HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



- 93. A. **MOTION TO DIRECT** County Administrator to publish Notice of Public Hearing to be held at 10:00 AM, Tuesday, October 26, 2004, in Room 422 of the Governmental Center, to consider the Purchase and Sale Agreement for easement on part of Hurley Pasture, Purchase of Development Rights Site 05 (“PDR-05”) in the Safe Parks and Land Preservation Bond Program, (approximately 26+/- acres), at SW 20th Street between SW 118th and 121st Avenues, Town of Davie, Florida, pursuant to Florida Statute Chapter 125.355.

ACTION: (T-10:45 AM) Approved. See Page *****

- B. MOTION TO ACKNOWLEDGE to the Broward County Board of County Commissioners that the Office of General Services, Real Property Section intends to present for consideration on or after October 26, 2004, a Purchase and Sale Agreement for easement on PDR-05, for a purchase price of \$2,332,000. **(Commission District 5)**

ACTION: (T-10:46 AM) Approved. See Page *****



94. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held at 10:00 AM, Tuesday, October 26, 2004, in Room 422 of the Governmental Center, to consider the Purchase and Sale Agreement for easement on Prestige Growers, Purchase of Development Rights Site 10 ("PDR-10") in the Safe Parks and Land Preservation Bond Program, (approximately 9.8+/- acres), at 5071 SW 64th Avenue (Davie Road), Town of Davie, Florida, pursuant to Florida Statute Chapter 125.355.

ACTION: (T-10:48 AM) Approved.

- B. MOTION TO ACKNOWLEDGE to the Broward County Board of County Commissioners that the Office of General Services, Real Property Section intends to present for consideration on or after October 26, 2004, a Purchase and Sale Agreement for easement on PDR-10, for a purchase price of \$1,090,000. **(Commission District 7)**

ACTION: (T-10:48 AM) Approved.



95. MOTION TO DIRECT staff to take the necessary actions to place a 1.6 acre parcel of property (Folio No. 514230071050) in the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 8)** (Commissioner Wasserman-Rubin)

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)



96. MOTION TO DIRECT staff to take the necessary actions to place a 4-acre parcel of property (a portion of Folio No. 514229000200) in the Open Space Inventory of the Safe Parks and Land Preservation Bond Program. **(Commission District 8)** (Commissioner Wasserman-Rubin)

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

HUMAN RESOURCES DIVISION

97. A. MOTION TO APPROVE in concept renewal of the agreement with United Health Care for provision of the current Consumer Driven Health Plan (CDHP) option for calendar year 2005 at the premium rates included in Exhibit 1, subject to the Commission's approval of the applicable service agreement.

ACTION: (T-10:48 AM) Approved.

- B. MOTION TO APPROVE in concept an agreement with Av-Med for the provision of Open Access HMO and POS medical insurance plan options for one year ending December 31, 2005, at the premium rates included in Exhibit 1 with four one-year renewals, subject to the Commission's approval of the applicable service agreement.

ACTION: (T-10:48 AM) Approved.

- C. MOTION TO APPROVE in concept an agreement with Vista for the provision of Open Access HMO and POS medical insurance plan options for one year ending December 31, 2005, at the premium rates included in Exhibit 1 with four one-year renewals, subject to the Commission's approval of the applicable service agreement.

ACTION: (T-10:48 AM) Approved.

- D. MOTION TO APPROVE in concept renewal and amendment of the agreement with Express Scripts, Inc., for the provision of self-funded pharmacy services adding two (2) additional years to the term of the agreement to accommodate a three-year locked-in fee structure through December 31, 2007 as described in Exhibit 2, subject to the Commission's approval of the applicable service agreement.

ACTION: (T-10:48 AM) Approved.

- E. MOTION TO APPROVE the following annual County Contributions to employee health insurance for calendar year 2005: Single - \$5,575.44, Employee + Children - \$6,896.04, Employee + Spouse/Domestic Partner - \$8,131.32, and Family - \$9,725.64, which are inclusive of the County medical subsidy, pharmacy subsidy, and \$4,100 Flex benefit; and continue to allow employees to “opt out” of County insurance and receive any portion of \$4,100 not used to purchase County insurance products as taxable income.

ACTION: (T-10:48 AM) Approved. See Page *****

- F. MOTION TO APPROVE in concept renewal of agreement with Standard Insurance for Group Life Insurance, Group Long Term Disability, Hazardous Occupation, and Felonious Assault Insurance coverage for calendar year 2005 with no increase in premium, subject to the Commission’s approval of the applicable service agreement.

ACTION: (T-10:48 AM) Approved.

- G. MOTION TO APPROVE in concept amendment of the agreement with American Family Life Assurance Company (AFLAC) for the provision of Cancer/Dread Disease coverage adding one (1) additional year to the term of the agreement through December 31, 2005 with no increase in premium for calendar year 2005, subject to the Commission’s approval of the applicable service agreement.

ACTION: (T-10:48 AM) Approved.

- H. MOTION TO APPROVE in concept amendment of the agreement with ARAG for the provision of Prepaid Legal Services adding two (2) additional years to the term of the agreement to accommodate a two-year rate lock with no increase in premiums through December 31, 2006, subject to the Commission’s approval of the applicable service agreement

ACTION: (T-10:48 AM) Approved.

PURCHASING DIVISION

For Public Works Department

98. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide independent engineering services as required by the service agreements between Broward County, Wheelabrator South Broward, Inc. and Wheelabrator North Broward, Inc., and approve Request for Letters of Interest (RLI) No.20040517-0-IWA-01.

ACTION: (T-10:52 AM) Approved the following to serve on the Selection/Negotiation Committee: Commissioners Eggelton, Parrish and Mayor Lieberman; Director, Solid Waste Operations Division, Public Works Dept. (Chair); Director/Plant Manager, Wheelabrator North Broward, Inc., and Executive Director, Resource Recovery Board. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. See Page *****

PORT EVERGLADES DEPARTMENT

99. A. MOTION TO WAIVE competitive selection provisions of Section 32.4(h), Broward County Administrative Code, for the renewal of a Marine Terminal Operating Agreement.

ACTION: (T-10:53 AM) Approved. See Page *****

- B. MOTION TO AUTHORIZE Port Director to negotiate the renewal of a Marine Terminal Lease and Operating Agreement between Broward County and H.T. Shipping, Inc., for a period of five years.

ACTION: (T-10:53 AM) Approved. See Page *****

OFFICE OF URBAN PLANNING AND REDEVELOPMENT

PLANNING SERVICES DIVISION


100. MOTION TO FIND application 04-CF-01 for the allocation of 2.3 acres of commercial flexibility in the City of Miramar compatible with adjacent uses, and that impacts upon public school facilities have been adequately considered. **(Commission District 8)**

ACTION: (T-10:55 AM) Approved.


COUNTY COMMISSION

101. MOTION TO NOMINATE Mr. John A. Benz to the Broward Regional Health Planning Council. (Commissioner Graber)

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

-  102. MOTION TO APPROVE allocation of \$200,000 in County District Commissioner Discretionary Bond funds for a capital improvement project by the YMCA at the Weston Regional Park in the City of Weston. **(Commission District 8)** (Commissioner Wasserman-Rubin)

ACTION: (T-10:55 AM) Approved. See Page *****

-  103. MOTION TO APPROVE allocation of \$100,000 in County District Commissioner Discretionary Bond funds for a capital improvement project at the Wetlands Park in the City of Pembroke Pines. **(Commission District 8)** (Commissioner Wasserman-Rubin)

ACTION: (T-10:56 AM) Approved.

104. **MAYOR'S REPORT**

ACTION: (T-12:08 PM) Due to the Mayor's absence from this day's meeting, there was no report filed. See Page *****

105. **COUNTY COMMISSION LIAISON REPORT**

- A. NEW TREND IN CLASS ACTION LAWSUITS – COMMISSIONER GRABER

ACTION: (T-12:09 PM) Commissioner Graber advised the Board that there seems to be a new trend in class action lawsuits whereby some attorneys are targeting public hospitals claiming that Medicaid patients are not being treated fairly and seeking to attack the trust funds of the public hospital systems for compensation. See Page *****

106.

COUNTY ADMINISTRATOR'S REPORT

ACTION: (T-10:11 AM) County Administrator Roger J. Desjarlais introduced Tony Carper, Director, Emergency Management Agency, who then briefed the Board on the County's preparations and actions taken during its response to Hurricane Frances. Mr. Desjarlais advised the Board that staff will be performing an after action review of all the events of the storm season. The Board members commended Mr. Desjarlais, Mr. Carper, staff and all the people who volunteered their time during the recent hurricanes. The Vice Mayor and the Board commended Mayor Lieberman for the fine job she did keeping each commissioner informed about their respective districts and updating the public through television news briefs. See Page *****

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

107. MOTION TO DISCUSS Resolution encouraging the United States Coast Guard to keep all bridges at lock down position for at least 24 hours following lifted evacuation orders during a hurricane. (Commissioner Rodstrom)

ACTION: (T-10:56 AM) The County Administrator advised the Board that staff would request that the U.S. Coast Guard include the 24-hour lock down position of all bridges for at least 24 hours following lifted evacuation orders during a hurricane in the Flotilla Plan. See Page *****

108. MOTION TO APPROVE payment in lieu of taxes on Plats 7 and 8, a portion of which are located in the runway protection zone of the preferred alternative north parallel runway at Fort Lauderdale/Hollywood International Airport, until such time as the Environmental Impact Statement is completed, and the ultimate impacts to the Plats have been determined. (Commissioner Rodstrom)

ACTION: (T-10:58 AM) No Board action was taken. See Page *****

109. MOTION TO DISCUSS acquisition of the Sunny Lakes Site (OS-83) in the town of Davie. (Commissioner Rodstrom)

ACTION: (T-11:20 AM) The Board directed staff to transfer \$1.7 million in funds (50% of the purchase price) from the Greenways category of the Safe Parks and Land Preservation Bond Program to the Open Space category to fund the project. See Page *****

110. MOTION TO DISCUSS Florida Department of State, Division of Elections memo dated August 30, 2004. (Mayor Lieberman)

ACTION: (T-10:22 AM) Deferred to Tuesday, September 21, 2004 at the request of Mayor Lieberman. See Page *****

111. MOTION TO REQUEST Florida Legislature to fund a study to determine where the weaknesses are in the electrical grid that caused such severe power outages, as well as funding a cost benefit analysis for placing power lines underground. (Mayor Lieberman)

ACTION: (T-11:58 AM) Approved, as amended. The Board directed staff to add the issue to the County's Legislative Package, bring the issue forward as a policy issue, and notify the Florida Association of Counties. Staff will pursue conversations with the Public Service Commission to request that FP & L provide the County with a five-year plan. Further, staff will explore a way to compel developers of new or redevelopment projects to place power lines underground. Staff will also pursue conversations with FP & L to include future and emerging technologies for the placement of power lines in the study, in addition to placing power lines underground. See Page *****

COUNTY ADMINISTRATION

112. MOTION TO CONFIRM County Administrator's plan to allow employees to cash out Annual Leave for the purpose of providing employees with additional financial means to fund hurricane related clean up, repair, and other hurricane related expenses.

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

SUPPLEMENTAL AGENDA NO. 2

COUNTY ADMINISTRATION

113. MOTION TO ADOPT Resolution 2004-801 providing for a waiver of Broward County requirements regarding vapor tightness test certification of tanker trucks delivering gasoline at Port Everglades from Friday, September 10, 2004 through Thursday, September 16, 2004.

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

NON AGENDA

114. HAPPY ROSH HASHANAH – JEWISH NEW YEAR - COMMISSIONER GUNZBURGER

ACTION: (T-12:10 PM) No board action was necessary. See Page *****



115. COMMENDED STAFF FOR COMMUNITY RESPONSE TEAM CONCEPT – COMMISSIONER PARRISH

ACTION: (T-12:10 PM) Commissioner Parrish commended the County Administrator and staff for the “Team Broward” (Community Response Team) concept as a way of helping low income, elderly and disabled citizens clean up after Hurricane Frances. The County collaborated with United Way of Broward County, First Call for Help, and Volunteer Broward. See Page *****

116. LAST OFFICIAL DAY – COMMISSIONER PARRISH

ACTION: (T-12:11 PM) Commissioner Parrish informed the Board that her last official day serving as a Broward County Commissioner will be Monday, November 15, 2004 at midnight. Commissioner Parrish commented that most of the boards she serves on would be a matter of the Mayor’s discretion for appointment. However, Commissioner Parrish wanted the Board members to be aware that the Regional Transit Authority (RTA) involves a greater commitment. See Page *****

117. COUNTY ATTORNEY – RESIGNATION – COMMISSIONER PARRISH

ACTION: (T-12:12 PM) Commissioner Parrish expressed her sadness that County Attorney Edward A. Dion has tendered his resignation. Board members commended Mr. Dion on the fine job he has done as the County Attorney and wished him the best of luck in his future endeavors. See Page *****

118. RECOGNIZE LONGEST STANDING HOMEOWNER’S ASSOCIATIONS IN SAME GEOGRAPHIC AREA – COMMISSIONER RODSTROM

ACTION: (T-12:14 PM) The Board voted to recognize the longest standing homeowner’s associations in the same geographic area, on a case-by-case basis. At this time, the Board recognized the New Boulevard Gardens Community Group, Inc. and the Washington Park Civic Association. The County will not interfere with grant applications made by any of the competing homeowner’s associations. See Page *****

119. NEIGHBORHOOD IMPROVEMENT PLANS – COMMISSIONER EGGELLETON

ACTION: (T-12:20 PM) Commissioner Eggelton commended the County Administrator and staff on the fine job they have done with the Neighborhood Improvement Plans. Commissioner Eggelton asked the County Administrator to replant/replace the trees affected by the hurricanes. Commissioner Eggelton will provide staff with the exact location of an area that does not have irrigation. See Page *****

120. CITY OF PLANTATION - 39TH AVENUE DITCH – BROWARD ESTATES – COMMISSIONER EGGELETION

ACTION: (T-12:21 PM) Commissioner Eggeletion commented that he and the Mayor visited the 39th Avenue ditch in the City of Plantation. He stated that it is a county ditch and is not being maintained. There is overgrown grass and trash strewn all over the ditch. Commissioner Eggeletion asked staff to clean up the area. See Page *****

Further, Commissioner Eggeletion informed the Board that some of the local businesses in the same area along SR-441 are erecting fences in the alley way, which is in the County's right-of-way, making it difficult for people to walk through the alley way. The County Administrator advised that Code Enforcement staff would investigate the matter. See Page *****

121. COMMENDED GOVERNOR BUSH AND HIS STAFF – ALLOCATION OF FUNDS FOR HURRICANE CLEAN UP – COMMISSIONER SCOTT

ACTION: (T-12:25 PM) Commissioner Scott commended Governor Bush and his staff on the fine job they have done responding to the affected areas during the recent hurricanes. See Page *****

122. COMMENDED WORK OF COUNTY EMPLOYEE – VICE MAYOR JACOBS

ACTION: (T-12:15 PM) Vice Mayor Jacobs congratulated Marilyn Jardin, Building Code Services, for the wonderful job she is doing. Ms. Jardin went beyond her duties to assist a man who is building his own home. See Page *****

123. COMMENDED MARLENE WILSON AND THE HUMAN SERVICES DEPARTMENT STAFF – VICE MAYOR JACOBS

ACTION: (T-12:26 PM) Vice Mayor Jacobs congratulated Marlene Wilson, Director, Human Services Department and her entire staff for the fine job they are doing in the area of housing. The U.S. Department of Housing sent a letter to Ms. Wilson stating that Broward County's Community Development Program far exceeded their departmental standards. See Page *****

MEETING/WORKSHOP NOTICES

SELECTION/NEGOTIATION COMMITTEE MEETING

CM @ RISK

RLI No. 041700-RB/1999 Library Bond Program
Miscellaneous Managing General Contractors Agreements
Tyrone Bryant Branch Library
Tuesday, September 14th in Room 430 at 9:30 AM

BUDGET PUBLIC HEARING

Tuesday, September 14th in Room 422 at 5:01 PM

