

MEETING OF SEPTEMBER 20, 2005

(The meeting convened at 10:00 a.m.; recessed at 12:18 p.m.; reconvened at 2:42 p.m. and adjourned at 3:37 p.m.)

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

MOMENT OF SILENCE

In memory of Cora Braynon, the first black director for nursing for the Broward County Health Department. Ms. Braynon later served as a North Broward Hospital Commissioner.

In memory of the persons who lost their lives as the result of Hurricane Rita.

In memory of Richard "Butch" Ingram, Dillard High School basketball coach.

CALL TO ORDER

CONSENT AGENDA

1.

BOARD APPOINTMENTS

- A. MOTION TO RE-APPOINT Lynn Schlitt to serve on the Municipal Services Advisory Board. (Commissioner Rodstrom)

ACTION: (T-10:18 AM) Approved.

- B. MOTION TO RE-APPOINT Henry Mack to serve on the Public Safety Coordinating Council. (Commissioner Rodstrom)

ACTION: (T-10:18 AM) Approved.

- C. MOTOIN TO APPOINT Noreen Williams to serve on the Municipal Services Advisory Board. (Commissioner Rodstrom)

ACTION: (T-10:18 AM) Approved.



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

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

FACILITIES MAINTENANCE DIVISION

2. MOTION TO ADOPT budget Resolution 2005-705 transferring within the Court Facilities Fee Fund, the amount of \$75,000 from the Court Facility Fee Reserve, for the purpose of reimbursing the General Fund for work performed by the Facilities Maintenance Division.

ACTION: (T-10:18 AM) Approved.

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

3. MOTION TO APPROVE agreement between Broward County and the Sonew Homeowners Association, Inc. for Right-of-Way Beautification for SW 4th Avenue in the City of Fort Lauderdale, at no cost to the County and effective upon execution; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:18 AM) Approved.

SEAPORT CONSTRUCTION AND PLANNING DIVISION

4. MOTION TO APPROVE Work Authorization No. WA5-0004 between Broward County and Craven Thompson & Associates, Inc., RLI-011701-RB, to engage the services of a qualified specialty consultant to prepare construction/bid documents, submit plans for permit review and assist the Seaport Construction and Planning Division in the bidding phase for the Port Everglades Public Safety Building Air Conditioning Survey project, for a total not-to-exceed amount of \$50,328; and a time period of 180 days, and authorize the Mayor and Clerk to execute same. (Project No. 691401) **(Commission Districts 4, 6)**

ACTION: (T-10:18 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

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

ACTION: (T-10:18 AM) Approved.

PURCHASING DIVISION

For Aviation Department

6. MOTION TO AWARD open-end contract to low responsive, responsible bidder, Florida Blacktop, Inc., for airport miscellaneous construction for Fort Lauderdale/Hollywood International Airport, Bid No. H-X-04-204-B1, in the estimated annual amount of \$3,785,636.25; for items 1 – 376, which includes \$5,000.00; as a pass-thru for airside insurance for the Aviation Department, and authorize the Purchasing Director to renew the contract for two, one-year periods for a total potential contract amount of \$11,356,908.75. The initial contract period shall start upon receipt and acceptance of insurance/performance and payment guaranty and shall terminate one year from that date.

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

For Community Services Department

7. A. MOTION TO WAIVE as a technicality, the requirement of the original signature by low bidder, Doron Precision Systems, Inc., on front page of the Invitation for Bid form.

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 14 on the 9/27 agenda.)

- B. MOTION TO AWARD fixed contract to low bidder Doron Precision Systems, Inc., for Bus Operator Simulator System (re-bid), Bid No. P-6-05-188-FF, in the base bid amount of \$510,158 for the Mass Transit Division.

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 14 on the 9/27 agenda.)

REVENUE COLLECTION DIVISION


8. MOTION TO APPROVE AND EXECUTE Tangible Personal Property Error and Insolvencies Report for 2004 as required by Florida Statute 197.492.

ACTION: (T-10:18 AM) Approved.

9. MOTION TO ADOPT Resolution 2005-706 Ordering the Value Adjustment Board to Certify the Assessment Roll for Broward County, Florida, pursuant to Section 197.323, Florida Statutes.

ACTION: (T-10:18 AM) Approved.

HUMAN SERVICES DEPARTMENT

-  10. A. MOTION TO AUTHORIZE County Administrator to execute a quit-claim deed conveying the real property located at 1629 Wilson Street, Hollywood, Florida, to Broward County Community Development Corporation (Broward CDC), Inc. d/b/a Broward Housing Solutions (the “grantee”), a Florida not-for-profit corporation for the purpose of providing affordable rental housing units to the residents of Broward County.

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 23 on the 9/27 agenda.)

- B. MOTION TO APPROVE written agreement between Broward County Community Development Corporation (CDC), Inc. d/b/a Broward Housing Solutions, a Florida not-for-profit corporation, and Broward County in the amount of \$300,000 in HOME Investment Partnership (HOME) funds from the U.S. Department of HUD from the date of full execution by both parties to August 30, 2006, for the purpose of rehabilitation of a multi-family rental property located at 1629 Wilson Street in Hollywood, Florida. No county funds are required. **(Commission District 6)**

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 23 on the 9/27 agenda.)


11. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida; authorizing allocations and disbursements for grantees for Fiscal Year 2005 and Fiscal Year 2006; prescribing requirements and conditions for disbursement of allocated funds; approving funding for not-for-profit organizations for capital funding projects and vehicle assistance projects in the amount of \$371,035; approving form contracts for execution by the County Administrator; providing for severability; and providing for an effective date.

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 25 on the 9/27 agenda.)

12. MOTION TO ADOPT Resolution 2005-707 of the Board of County Commissioners of Broward County, Florida; authorizing emergency funding in the amount of \$39,000 for Northwest Federated Woman’s Club of Broward County, Inc., (“Northwest”) an active non-profit Florida organization, for the purpose of paying operating expenses for the months of September, October and November, 2005; providing the necessary operating expenses to allow the agency to continue to provide essential services to low-income elderly residents of Broward County; prescribing requirements and conditions for disbursement of emergency funds; approving standard Unit of Service Contract form and approving addendum to such contract form for emergency funding; authorizing the County Administrator to execute such approved contract form with Addendum; providing for severability; and providing for an effective date.

ACTION: (T-10:18 AM) Approved.

CHILDRENS’ SERVICES ADMINISTRATION DIVISION

-  13. A. MOTION TO ACCEPT grant award for Cooperative Agreement No. SM54475-04 and TERMS AND CONDITONS OF AWARD (Children’s Services Grant No. 5U79 SM54475-04) 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 \$1,500,000; from September 30, 2005 through September 29, 2006 for the fourth year of a six year project for the purpose of developing system of care that delivers effective comprehensive community mental health services for children and adolescents with serious emotional disturbance and their families living in Broward County; and authorize the County Administrator or designee to negotiate and enter into contract with the Children’s Services Council of Broward County in the amount of \$510,000; for the purpose of continuing a Behavioral Health Training Institute for children’s mental health service providers, for the purpose of implementing a system-wide wraparound training delivery model; facilitating both national-level and local-level scientific based evaluations; and continuing 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-10:18 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-708 within the Children's Services Administration Division (CSAD) Grant Fund 9735, in the amount of \$1,500,000; 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. The required in-kind match is provided equally through existing children's mental health service contracts administered by CSAD and the Children's Services Council of Broward County.

ACTION: (T-10:18 AM) Approved.

HOUSING FINANCE AUTHORITY

14. MOTION TO ADOPT Resolution 2005-709 relating to the Housing Finance Authority of Broward County, Florida Single Family Mortgage Revenue Bonds, Series 1994; authorizing execution and delivery of a Purchase Contract in connection with such Certificates; authorizing execution and delivery of an Escrow Deposit Agreement; authorizing other action in connection with such agreement; and providing an effective date.

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

MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION

15. MOTION TO APPROVE renewal agreement between Broward County and Kenneth C. Jenne, II, as Sheriff of Broward County, Florida, from October 1, 2005 through September 30, 2007 for laboratory urine drug testing services for the Drug Court Program by Broward County's Medical Examiner and Trauma Services Division in the amount of \$200,200; as an annual guaranteed minimum to be paid by the Broward County's Sheriff's Office (BSO) and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

16. MOTION TO APPROVE Agreement 06-SAHCS-8334-01 between Broward County and Florida Healthy Kids Corporation from October 1, 2005 to September 30, 2006 in the amount of \$528,012 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 2006 budget of the Substance Abuse and Health Care Services Division.

ACTION: (T-10:18 AM) Approved.

17. MOTION TO APPROVE Amendment No. 1 to Agreement 05-SAHCS-8312-03 between Broward County and the South Broward Hospital District (SBHD) from October 1, 2005 to September 30, 2006 in the amount of \$120,960 for the purpose of extending the County's current partnership with the SBHD in providing satellite parking and shuttle services for employees working at the primary care clinic located at 4105 Pembroke Road, Hollywood, Florida; increasing the shuttle reimbursement rate to the SBHD; and authorize the Mayor and Clerk to execute same. Funding has been approved and allocated in the Fiscal Year 2006 budget of the Substance Abuse and Health Care Services Division.

ACTION: (T-10:18 AM) Approved.

18. MOTION TO ADOPT Resolution 2005-710 of the Board of County Commissioners of Broward County, Florida; making a finding and determination that the work and services of certain nonprofit organizations which are state funded community mental health service providers serve a public purpose; authorizing revised appropriations and disbursements for those providers in the amount of \$2,257,511 for Fiscal Year 2005-2006; prescribing requirements and conditions for disbursement of appropriated funds; approving revised funding for nonprofit organizations; authorizing the County Administrator to execute previously approved form agreements on behalf of the County; providing for severability; and providing for an effective date.

ACTION: (T-10:18 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Under fiscal impact section replace FY 2005 with FY 20006.)

19. 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 \$16,713,638 for the Substance Abuse and Health Care Services Division of Broward County, to provide health care related services to HIV/AIDS persons from March 1, 2006 through February 28, 2007, 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-10:18 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

ANIMAL CARE AND REGULATION DIVISION

20. 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 and neutering dogs and cats for the Fiscal Year October 1, 2005, through September 30, 2006, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 37 on the 9/27 agenda.)

21. MOTION TO APPROVE agreement between Broward County and Discount Spay Neuter Vaccination Clinic, LLC., in an amount not to exceed \$30,000 for the purchase of temporary general veterinarian services, which includes emergency medical and surgical treatment for injured animals, and \$1,300 for the purchase of radiology services for injured animals; for a total contract amount of \$31,300 for the period of October 1, 2005, through September 30, 2006, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 38 on the 9/27 agenda.)

22. MOTION TO APPROVE agreement between Broward County and Dr. R. W. Lundberg, V.M.D., in an amount not to exceed \$30,000 for the purchase of temporary general veterinarian services, which includes emergency medical and surgical treatment for injured animals, and \$1,300 for the purchase of radiology services for injured animals; for a total contract amount of \$31,300 for the period of October 1, 2005, through September 30, 2006, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

23. MOTION TO APPROVE agreement between Broward County and Dr. Steven Paul, V.M.D., for an amount not to exceed \$10,000 for the purchase of emergency medical and surgical treatment for the period October 1, 2005, through September 30, 2006, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved. (Refer to minutes for full discussion.)

24. MOTION TO APPROVE agreement between Broward County and Hollywood Animal Hospital, P.A., for a maximum amount of \$20,000 for the purchase of relief veterinarian services, which include emergency medical and surgical treatment for injured animals for the period October 1, 2005, through September 30, 2006, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

25. MOTION TO DIRECT Office of the County Attorney to amend Animal Care Ordinance Chapter 4, Section 4-10 and 4-11, relating to Rabies vaccination required for dogs and cats and licensing of dogs and cats.

ACTION: (T-10:18 AM) Approved.

MASS TRANSIT DIVISION



26. MOTION TO APPROVE interlocal agreement (ILA) between Broward County (County) and the City of Parkland (City) for public transportation services; providing for the lease of one wheelchair-accessible passenger vehicle from the County at a cost of \$10 per vehicle annually; providing for an operating stipend of \$20 per revenue service hour for community bus service operations; effective upon date of execution through September 30, 2008, and may be extended for up to two additional one-year periods upon written approval of the Contract Administrator; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1 and 3)**

ACTION: (T-10:18 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION

27. MOTION TO ACCEPT Deed of Conservation Easement and agreement from WCI Communities, Inc. for preservation of mitigation areas comprising 7.02 acres of real property located west of Heron Bay Boulevard and south of County Line Road, in the City of Coral Springs. **(Commission District 3).**

ACTION: (T-10:18 AM) Approved.

28. MOTION TO ACCEPT Deed of Conservation Easement and agreement from WCI Communities, Inc. for preservation of mitigation areas comprising 0.758 acre of real property located west of Heron Bay Boulevard and south of County Line Road, in the City of Coral Springs. **(Commission District 3).**

ACTION: (T-10:18 AM) Approved.

PORT EVERGLADES DEPARTMENT

29. MOTION TO APPROVE lease agreement between Broward County and The Frank Pesce Group, Inc., for 2,952 square feet of warehouse space in Building "B", Bay No. 1 of Foreign Trade Zone No. 25 at Port Everglades, for the period of October 1, 2005 through September 30, 2006 at an annual rental amount of \$25,492.68; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

30. MOTION TO APPROVE agreement between Broward County and DeRose Design Consultants, Inc. for bond engineering consultant services required by Bond Resolution 24-1989 for Port Everglades, in the amount of \$1,150,000; for a five-year term effective upon execution; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Withdrawn for further staff review.

31. MOTION TO APPROVE third amendment to agreement between Broward County and Broward Sheriff's Office (BSO) for professional law enforcement and security protection services within and throughout the Port jurisdictional area, extending the term of the agreement through December 31, 2005; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

32. MOTION TO ADOPT unanticipated revenue Resolution 2005-711 within the General Fund for the Broward Sheriff's Office in the amount of (\$378,376) for the purpose of decreasing the contract for police services for the City of Tamarac.

ACTION: (T-10:18 AM) Approved.

33. MOTION TO ADOPT budget Resolution 2005-712 re-allocating funds within the General Fund (0010) from capital in the amount of \$460,177 to Personal Services \$100,000 and Operating \$360,177; based on current operational requirements at the Broward Sheriff's Office (BSO) pertaining to the UASI Grant Program.

ACTION: (T-10:18 AM) Approved.


34. MOTION TO APPROVE Fiscal Year 2006 personnel cap of 6,424 pursuant to Section 20.8 of the Administrative Code.

ACTION: (T-10:18 AM) Withdrawn for further staff review.

35. MOTION TO ADOPT budget Resolution 2005-713 transferring funds within the General Fund (0010) Broward Sheriff's Office (BSO) Detention and Community Control Department budget in the amount of \$954,361; \$864,000 from operating expenses to personal services expenses due to operational requirements, and \$90,361 from operating expenses to capital for the purchase of an encryption appliance necessary to be in compliance with FBI and FDLE mandates.

ACTION: (T-10:18 AM) Approved.

HISTORICAL COMMISSION

-  36. MOTION TO APPROVE agreement between Broward County and Helen Landers for services as County Historian for the period October 1, 2005 through September 30, 2006 for \$23,577.86.

ACTION: (T-10:18 AM) Approved.

COUNTY ATTORNEY

37. MOTION TO APPROVE fourth amendment to Legal Services Agreement between Broward County and Moskowitz, Mandell, Salim & Simowitz, P.A. and authorize Mayor and Clerk to execute same.

ACTION: (T-10:18 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

38. MOTION TO ADOPT Resolution 2005-714 directing County Administrator to publish Notice of Public Hearing to be held Tuesday, October 25, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to release and abandon a 12-foot perimeter utility easement, lying and being in Broward County, Florida and located along State Road A-1-A, north of East Atlantic Boulevard (State Road 814) in the City of Pompano Beach, Florida, at no cost to the County. Petitioner: WCI Communities, Inc. (Gunster Yoakley - Agent) (2005-V-23) **(Commission District 4)**

ACTION: (T-10:18 AM) Approved.

39. MOTION TO ADOPT Resolution 2005-715 directing the County Administrator to publish a Notice of Public Hearing to be held October 11, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Cliff Berry, Inc. to provide vessel sanitary waste water removal services for a one-year term at Port Everglades, unless sooner terminated in accordance with Chapter 32 of the Broward County Administrative Code; for reasons including those enumerated factors provided in Section 32.29 of the Broward County Administrative Code and where Franchisee or an officer, director, executive, partner, shareholder, employee or agent who is active in the management of Franchisee is found guilty or convicted of illegal conduct or

activity (with or without an adjudication of guilt) as a result of a jury verdict, nonjury trial, entry of a plea of guilty or nolo contendere where the illegal conduct or activity (1) is considered to be a public entity crime as defined by Ch. 287, Florida Statutes, as amended, (2) is customarily considered to be a "white collar crime" or theft related crime such as fraud, smuggling, embezzlement or misappropriation of funds, or (3) results in a felony conviction.

ACTION: (T-10:24 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: On Page 1 of Exhibit 5, the sentence of clause #2 should read: " . . . as amended, or (2) is customarily considered . . ." (Refer to minutes for full discussion.)

40. MOTION TO ADOPT Resolution 2005-716 directing the County Administrator to publish a Notice of Public Hearing to be held October 11, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Eller & Company, Inc. to provide steamship agent services for a five-year term at Port Everglades.

ACTION: (T-10:18 AM) Approved.

41. MOTION TO ADOPT Resolution 2005-717 directing the County Administrator to publish a Notice of Public Hearing to be held October 11, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider an application to renew the non-exclusive franchise of Florida Transportation Services, Inc. to provide steamship agent services for a five-year term at Port Everglades.

ACTION: (T-10:18 AM) Approved.

42. MOTION TO ADOPT Resolution 2005-718 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 11, 2005, at 2:00 P.M., in Room 422 of the Governmental Center, to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE STATE JUDICIAL SYSTEM AND TEEN COURT PROGRAMS; CREATING SECTION 10-5 OF THE CODE RELATING TO TEEN COURT PROGRAMS; INCORPORATING BY REFERENCE THE PROVISIONS OF SECTION 938.19 (TEEN COURTS), FLORIDA STATUTES (2005); PROVIDING FOR A \$2.00 ASSESSMENT AS A COURT COST IN THE CIRCUIT AND COUNTY COURT AGAINST EACH PERSON WHO PLEADS GUILTY OR NOLO CONTENDERE (NO CONTEST) TO, OR IS CONVICTED OF, A VIOLATION OF A CRIMINAL LAW OR A MUNICIPAL OR COUNTY ORDINANCE, REGARDLESS OF ADJUDICATION OF GUILTY, OR WHO PAYS A FINE OR CIVIL PENALTY FOR ANY VIOLATION OF CHAPTER 316 (THE FLORIDA UNIFORM TRAFFIC CONTROL LAW), FLORIDA STATUTES (2005), OR EACH PERSON WHOSE ADJUDICATION OF GUILTY IS WITHHELD UNDER

SECTION 318.14(9) OR SECTION 318.14(10), FLORIDA STATUTES (2005); AMENDING SECTION 10-3(b)(4) OF THE CODE RELATING TO TEEN COURT PROGRAMS; PROVIDING FOR DELETION OF TEEN COURT PROGRAMS AS PROGRAMS SUPPORTED BY COURT COSTS COLLECTED UNDER SECTION 939.185(1)(A)(4), FLORIDA STATUTES (2005); PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:18 AM) Approved.

REGULAR AGENDA

DELEGATION


- 43. **DELEGATION:** Joseph M. Goldstein of Shutts & Bowen, LLP, regarding Local Preference Ordinance and Tie Breaker Criteria for Commission Meeting on September 13, 2005 or September 20, 2005.

ACTION: (T-10:59 AM) No Board action was taken. (Refer to minutes for full discussion.)

- 44. **DELEGATION:** Mitchell A. Bierman of Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.A., regarding Delegation Request by Shutts & Bowen LLP dated September 7, 2005.

ACTION: (T-10:59 AM) No Board action was taken. (Refer to minutes for full discussion.)

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  45. A. **MOTION TO APPROVE** interlocal agreement for the acquisition, improvement, enhancement, operation and management of Green Space Site 370 between Broward County and the City of Sunrise; authorize the Mayor and Clerk to execute same and authorize acceptance and recordation of quit claim deed. **(Commission District 3)**


ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

- B. **MOTION TO ADOPT** Resolution 2005-719 approving the conveyance of real property to the City of Sunrise for the operation and management of Green Space Site 370. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

- C. **MOTION TO APPROVE** Declaration of Restrictive Covenants for Green Space Site 370, and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

-  46. A. MOTION TO APPROVE interlocal agreement for the acquisition, improvement, enhancement, operation and management of Green Space Site GS-450 between Broward County and the City of Miramar; authorize the Mayor and Clerk to execute same and authorize acceptance and recordation of quit claim deed. **(Commission District 8)**


ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 73 on the 9/27 agenda.)

- B. MOTION TO ADOPT Resolution approving the conveyance of real property to the City of Miramar for the operation and management of Green Space Site GS-450. **(Commission District 8)**

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 73 on the 9/27 agenda.)

- C. MOTION TO ACCEPT Deed of Conservation Easement from the City of Miramar for Green Space Site GS-450, and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 73 on the 9/27 agenda.)

-  47. A. MOTION TO APPROVE interlocal agreement for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-58, also known as NW 44th Street Park, between Broward County and the City of Sunrise; authorize the Mayor and Clerk to execute same and authorize acceptance and recordation of quit claim deed. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO ADOPT Resolution 2005-720 approving the conveyance of real property to the City of Sunrise for the operation and management of Open Space Site OS-58. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

- C. MOTION TO APPROVE Declaration of Restrictive Covenants for Open Space Site OS-58, and authorizing the Mayor and Clerk to execute same. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)



48. A. MOTION TO APPROVE interlocal agreement for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-61, also known as Nob Hill Road Park, between Broward County and the City of Sunrise; authorize the Mayor and Clerk to execute same and authorize acceptance and recordation of quit claim deed. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO ADOPT Resolution 2005-721 approving the conveyance of real property to the City of Sunrise for the operation and management of Open Space Site OS-61. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

- C. MOTION TO APPROVE Declaration of Restrictive Covenants for Open Space Site OS-61, and authorize the Mayor and Clerk to execute same. **(Commission District 3)**

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

AVIATION DEPARTMENT

49. MOTION TO DISCUSS status of financing and proposed amendments to the agreement for the Sheltair Aviation Center, LLC proposed development at Fort Lauderdale-Hollywood International Airport.

ACTION: (T-10:18 AM) Withdrawn for further staff review. (Item 78 on the 9/27 agenda.)

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS


50. A. DISCUSSION: Lobbyists for the 2006 Florida Legislative Session.

ACTION: (T-10:18 AM) Discussion item, no Board action was necessary. (Transferred to the Consent Agenda.)

- B. MOTION TO DIRECT staff to prepare 2006 State Legislative lobbying contracts, and authorize the County Administrator to take all necessary budget and administrative actions to execute same.

ACTION: (T-10:18 AM) Approved. (Transferred to the Consent Agenda.)

COUNTY COMMISSION

-  51. MOTION TO DIRECT staff to create a cell phone lot at the Fort Lauderdale-Hollywood International Airport (FLL) at the Option No. 1 location, or any other appropriate location to accommodate cell phone users picking up passengers at Fort Lauderdale/Hollywood International Airport. (Commissioner Lieberman)

ACTION: (T-11:12 AM) Approved, as amended, with staff looking at the creation of a cell phone lot or any other available option that would provide some form of convenience for people waiting for a call to pick someone up at the airport. Additionally, staff is to explore the free time available for people to park their car in the garage and to request of BSO, that they give warnings first before ticketing passengers illegally parked. (Refer to minutes for full discussion.)

52. MOTION TO APPROVE funding in the amount of \$28,000 to assist Broward House in completing essential renovations to their assisted living facility in Fort Lauderdale. (Commissioner Rodstrom)

ACTION: (T-11:37 AM) The Board directed staff to go through the appropriate budget process to evaluate the funding request and return before the Board with recommendations on Tuesday, October 11, 2005. (Refer to minutes for full discussion.)

ACTION: (T-12:20 PM) Reconsidered. The Board directed staff to go through the appropriate budget process to evaluate the funding request and return before the Board with recommendations on Tuesday, October 11, 2005. (Refer to minutes for full discussion.)

53. MOTION TO APPROVE funding in the amount not to exceed \$500,000 for the American Red Cross to provide for local sheltering issues. The monies would be paid from reimbursables for actual costs incurred. August, 2005 and September, 2005; invoices would be eligible for repayment from 2006 funds. (Commissioner Rodstrom)

ACTION: (T-12:28 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting.

ACTION: (T-2:42 PM) Approved. (Refer to minutes for full discussion.)

54. MOTION TO DISCUSS termination of Daily Cruise Passenger Wharfage Agreement between Broward County and SeaEscape Entertainment, Inc. (Commissioner Rodstrom)

ACTION: (T-12:28 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting.

ACTION: (T-2:46 PM) Discussion item, no Board action was necessary. (Refer to minutes for full discussion.)

PORT EVERGLADES DEPARTMENT

55. MOTION TO APPROVE second amendment to Daily Cruise Passenger Wharfage Agreement between Broward County and SeaEscape Entertainment, Inc. replacing the Annual Minimum Guarantee of passenger Wharfage with an Annual Minimum Guarantee of Dockage, and providing a payment plan for SeaEscape's 2004 annual minimum guarantee (AMG) shortfall of \$210,858; plus finance charges; and authorize Mayor and Clerk to execute same. The Mayor and Clerk shall only execute the second amendment, thereby making the second amendment legally effective and binding against Broward County if SeaEscape provides written documentation by September 30, 2005, satisfactory to the County Attorney's Office, that the shares of SeaEscape Entertainment, Inc. owned by Douglas R. Baetz and Glenn M. Gallant through their respective holding companies, have been placed in an irrevocable blind trust. In the event such documentation is satisfactory to the Broward County Attorney's Office, Broward County's consent to the assignment of the shares shall be authorized.

ACTION: (T-12:28 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting.

ACTION: (T-3:34 PM) The Board approved a substitute motion as requested by Commissioner Rodstrom, and as amended, that the Board direct staff to include language in the amendment requiring SeaEscape Entertainment to use due diligence and reasonable efforts in moving toward the divestiture; that SeaEscape provide a quarterly report to the Port Director of their actions; that should the Port Director feel that SeaEscape is not moving

expeditiously enough in terms of their financial restructuring, the location and securing of successor guarantors, the renegotiation of the vendor obligation agreements, the creation of stock transfer documents, as well as all elements necessary for the corporation to effectuate the divestiture, the Port Director shall give SeaEscape a Notice of Default and a 90-day period to cure or the agreement will be called into default sooner than the one-year period agreed upon. (Refer to minutes for full discussion.)

56. **MAYOR'S REPORT**

ACTION: (T-12:28 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting.

ACTION: (T-3:37 PM) The Mayor's report and remaining items were tabled to the conclusion of the September 27, 2005 meeting.

57. **COUNTY COMMISSION LIAISON REPORT**

ACTION: (T-12:28 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting.

ACTION: (T-3:37 PM) Tabled to the conclusion of the September 27, 2005 meeting.

58. **COUNTY ADMINISTRATOR'S REPORT**

ACTION: (T-12:28 PM) Tabled to the conclusion of the 2:00 p.m. Public Hearing meeting.

ACTION: (T-3:37 PM) Tabled to the conclusion of the September 27, 2005 meeting.

NON AGENDA

ACTION: (T-3:37 PM) Tabled to the conclusion of the September 27, 2005 meeting.

MEETING/WORKSHOP NOTICES

INDEPENDENT EXTERNAL AUDITOR

RLI No. 2004-1027-0-AU-01

Tuesday, September 20th, at 9:00 AM

Room 430, S. Andrews Governmental Center, Fort Lauderdale

**FORT LAUDERDALE/HOLLYWOOD INTERNATIONAL AIRPORT
NOISE MITIGATION PROGRAM ASSISTANCE**

RLI No. 2004-1118-0-AV-01

Tuesday, September 20th, at 9:30 AM
Room 430, S. Andrews Governmental Center, Fort Lauderdale

DOWNTOWN CAMPUS WORKSHOP

Tuesday, September 20th, at 12:00 PM
(Or immediately following the morning meeting)
Room 430, S. Andrews Governmental Center, Fort Lauderdale

**AIRPORT FINANCIAL PLANNING SERVICES
CAPITAL FINANCIAL SERVICES**

RLI No. 2005-0314-0-AV-01

Tuesday, September 20th, at 2:00 PM
Room 430, S. Andrews Governmental Center, Fort Lauderdale

