

MEETING OF OCTOBER 2, 2007

(The meeting convened at 10:06 a.m. and adjourned at 12:49 p.m.)

PLEDGE OF ALLEGIANCE was led by Sergeant 1st Class Roberto Hernandez, Assistant to the County Administrator, who returned from serving a year of active duty training soldiers at Fort Dix, New Jersey.

CALL TO ORDER: Mayor Josephus Eggelletion, Jr. called the meeting to order and declared a quorum present.

MOMENT OF SILENCE

In memory of all of our men and women serving in the Armed Forces, and for Staff Sergeant Donnie D. Dixon of Miami; for Miami Dade Police Officer Jose Somohano; for BSO Officer Sergeant Christopher Reyka, and for all those officers who have put their lives on the line protecting us.

Also for BSO Deputy Maury Hernandez and for Miami Dade Police Officer Jody Wright, still recovering from injuries received while serving in the line of duty.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Not Present *
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Not Present **
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

* *Commissioner Jacobs participated via teleconferencing, due to illness.*

***Commissioner Ritter arrived at 11:47 a.m., due to car trouble.*

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Lieberman and unanimously carried to approve the Consent Agenda, consisting of Items 1 through 24, as well as the additional back-up material submitted for October 2, 2007. At the request of the Mayor, Regular Agenda Items 35 and 36 were transferred to the Consent Agenda.

The following Items were withdrawn/deferred: Items 22, 33, and Supplemental Item 39.

The following items were pulled by Board members and considered separately: 4, 13, 16, 18, 23, 24, and 36. Item 18 was pulled by members of the audience.



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

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Jeffrey T. West to the Advisory Board for Individuals with Disabilities. (Commissioner Keechl)

ACTION: (T-10:19 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE second amendment to the agreement between Broward County and Sharpton, Brunson & Company, P.A. for Airport financial planning services related to Broward County owned airports (RLI No. 20050314-0-AV-01) in the amount of \$754,000 for Fiscal Year 2008; and authorize the Mayor and the Clerk to execute same.

ACTION: (T-10:19 AM) Approved. (Scrivener's error – See County Administrator's report: On Exhibit 2, page 3, remove the word "of" in Sec. 5.1 (c), line 2. Refer to minutes for full discussion.)

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

3. MOTION TO APPROVE Revocable License Agreement between Broward County and the Phase II Lofts, Inc. for the use of the west 7 feet of the right of way of Dixie Highway from Van Buren Street south for approximately 295 feet for the installation and maintenance of brick pavers, and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:19 AM) Approved.

REAL PROPERTY SECTION

4. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Hollywood for construction of a stormwater retention pond, surrounding maintenance berm, and inflow/outflow structures to receive, treat, and release excess stormwater into the waters of West Lake Park, at the Sheridan Street Addition Site GS-365, located at the southeast corner of North 14th Avenue and Sheridan Street, Hollywood, Florida; and authorize Mayor and Clerk to execute same. **(Commission District 6)**

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-10:20 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO APPROVE Title, Possession and Lien Affidavit, Form C-9a, as a requirement of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, the Florida Department of Environmental Protection, as an inducement for the Florida Department of Environmental Protection to issue a Florida Department of Environmental Protection permit for construction and modification of Site GS-365; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-10:20 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

5. MOTION TO ADOPT Resolution 2007-679 of the Board of County Commissioners of Broward County, Florida, relating to the issuance of Broward County, Florida Industrial Development Revenue Bonds (Sun Auto Tops/Specialty Automotive Project), Series 2007, in an aggregate principle amount not exceeding \$4,000,000; for the purpose of making a loan of funds to Sun Auto Tops, Inc. (lessor of Specialty Automotive, Inc.), in order to finance and refinance all or part of the cost of acquiring, constructing, equipping and improving its facilities located in Broward County Florida; authorizing a delegated private placement of such bonds with Commerce Bank, N.A.; authorizing the execution and delivery of a financing agreement and all other related instruments and collateral documents to provide security for such bonds; making certain other appointments; and providing certain other details in connection therewith.

ACTION: (T-10:19 AM) Approved.

COUNTY RECORDS DIVISION

6. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meetings of August 7 and August 14, 2007; and the 2:00 P.M. Public Hearing of August 14, 2007.

ACTION: (T-10:19 AM) Approved.

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

ACTION: (T-10:19 AM) Approved.

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

ACTION: (T-10:19 AM) Approved.

HUMAN RESOURCES DIVISION

7. MOTION TO APPROVE two-year Collective Bargaining Agreement between Broward County and the Federation of Public Employees representing the County's Blue Collar Bargaining Unit for the Fiscal Years 2006/2007 and 2007/2008; and authorize the Mayor to execute the agreement.

ACTION: (T-10:19 AM) Approved. (Scrivener's error – See County Administrator's report: On the Agenda document, "Exhibits Attached," Exhibit 2 should read: Summary of Contract Provision Changes for Blue Collar Collective Bargaining Agreement. Refer to minutes for full discussion.)

PURCHASING DIVISION

For Public Works and Transportation Department

8. MOTION TO APPROVE release of retainage and final payment in the amount of \$10,250 to Lanzo Construction Co., Florida, for the North Andrews Gardens Neighborhood Improvements Project, Bid Package No. 6, Bid No. P-9-03-229-CF (WWS 1146/8409). **(Commission District 4)**

ACTION: (T-10:19 AM) Approved.

9. MOTION TO AWARD fixed contract to low bidder, Asphalt Consultants, Inc., for Water System Improvements, Bid No. NY05357CF, in the amount of \$4,193,350 for the Water and Wastewater Services Division, subject to the receipt and acceptance of the insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:19 AM) Approved.

10. A. MOTION TO AWARD fixed contract to low bidder, Mulch City, Inc., for Vegetative Waste Removal and Disposal, Bid No. Q407115B2, Item 1, in the amount of \$297,960.53, for the Waste and Recycling Services Division.

ACTION: (T-10:19 AM) Approved.

- B. MOTION TO AWARD open-end contract to low bidder, Mulch City, Inc., for Vegetative Waste Removal and Disposal, Bid No. Q407115B2, Item 2, in the estimated two-year amount of \$516,000.00, for the Waste and Recycling Services Division, and authorize the Director of Purchasing to renew the contract for one one-year period for a total combined potential three- year amount of \$1,071,960.53. The award shall commence upon the receipt and acceptance of insurance, and shall terminate two years from that date.

ACTION: (T-10:19 AM) Approved.

11. MOTION TO AWARD open-end contract to low bidder, Naztec, Inc., Group 1, for Advanced Transportation Controller (ATC) 2070L, Bid No. E107008B2, in the estimated two-year amount of \$896,900 for the Traffic Engineering Division and authorize the Director of Purchasing to renew the contract for a one-year period for a potential three-year contract amount of \$1,367,100; which includes \$60,000 for five years of maintenance subject to the availability of funds. The initial contract period shall start on the date of award and shall terminate two years from that date.

ACTION: (T-10:19 AM) Approved.

12. MOTION TO AWARD open-end contract to low, responsive, responsible bidder, High Tech Engineering, Inc. (High Tech), for Locate/Mark Underground Utilities, Bid No. NZ06377B2, in the estimated two-year amount of \$1,890,261.00, for the Water and Wastewater Services Division; and authorize the Director of Purchasing to renew the contract for one one-year period for an estimated total potential contract amount of \$2,835,391.50. The initial contract period shall begin upon the receipt and acceptance of insurance and shall terminate two years from that date.

ACTION: (T-10:19 AM) Approved.

13. MOTION TO APPROVE release of retainage and final payment in the amount of \$7,215.32, to Miller Electric Company for design/build of 138 sets of school flashers, Contract No. Q-2-01-026-CF. (Project No. 3332)

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:23 AM) Approved. The Board directed staff to inform of availability rather than state the goal was not met, and to strike the language about whether or not this was to be used in future procurements until such time litigation has been determined and the program revised. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

For Office of Transportation

14. MOTION TO AWARD open-end contract to low, responsive, responsible bidder, Tropic Oil Company, Group 1, Bid No. D507150B1 for Petroleum Products – Oils, Lubes, and Greases (re-bid), in the estimated annual amount of \$435,673.38, for the Office of Transportation and other County agencies, and authorize the Director of Purchasing to renew the contract for two one-year periods, for a total potential three-year contract amount of \$1,307,020.14. The initial contract period shall start on the date of the award and shall terminate one year from that date.

ACTION: (T-10:19 AM) Approved.

REVENUE COLLECTION DIVISION

15. MOTION TO ADOPT Resolution 2007-680 ordering the Value Adjustment Board to certify the Assessment Roll for Broward County, Florida, pursuant to Section 197.323, Florida Statutes.

ACTION: (T-10:19 AM) Approved.

HUMAN SERVICES DEPARTMENT

16. MOTION TO ADOPT Resolution 2007-681 of the Board of County Commissioners of Broward County, Florida, approving State EMS County Grant Funding Standard Form Agreements and Addendum to State EMS County Grant Funding for Participating Agency for Governmental and Non-governmental Entities for EMS Grant funding (approved through Resolution No. 2007-261); authorizing the County Administrator to execute same and any extensions and amendments as authorized in the agreement; providing for severability; and providing for an effective date.

(This item was pulled by Commissioner Wasserman-Rubin.)

ACTION: (T-10:33 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioner Wasserman-Rubin abstained from voting so as to avoid an appearance of a conflict, and Commissioner Ritter was not present at the time of the vote.

HOMELESS INITIATIVE PARTNERSHIP ADMINISTRATION



17. A. MOTION TO ADOPT Resolution 2007-682 of the Board of County Commissioners of Broward County, Florida, approving Challenge Grant funding from the State of Florida, Department of Children and Families Office on Homelessness (DCF) for fiscal year 2007/2008; approving funding to subgrantees for projects under this grant; authorizing the County Administrator to execute Challenge Grant Agreements with DCF; approving a standard agreement form for Challenge Grant funding contracts; authorizing the County Administrator to execute the approved standard form agreements with approved subgrantees and any amendments to said agreements relating to time extensions, administrative and budgetary actions, and project changes that do not increase the total award amount; authorizing the County Administrator to terminate said agreements for cause or convenience; and providing for an effective date.

ACTION: (T-10:19 AM) Approved.

ACTION: (T-10:34 AM) The Board reconsidered this item and approved the Consent Agenda with the exception of Item 17. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

ACTION: (T-10:38 AM) The Board approved Item 17. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO ADOPT unanticipated Revenue Resolution 2007-683 in the Homeless Challenge Grant Fund (9765) in the amount of \$60,000 to be used for homeless prevention assistance and move-in costs.

ACTION: (T-10:19 AM) Approved.

ACTION: (T-10:34 AM) The Board reconsidered this item and approved the Consent Agenda with the exception of Item 17. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

ACTION: (T-10:38 AM) The Board approved Item 17. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

18. MOTION TO APPROVE first amendment to the agreement between Broward County (County) and Nova Southeastern University (NSU) modifying on a temporary basis the County's payment obligations for operating expenses and expenses for library materials (October 1, 2007–September 30, 2008) and temporarily reducing the parking spaces available to members of the public and the County's obligation for construction costs of the parking garage (October 1, 2007–June 30, 2009), and authorize the County Administrator to implement all necessary administrative and budgetary actions, and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

(This item was pulled by Commissioner Lieberman and members of the audience.)

ACTION: (T-10:39 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION

19. MOTION TO APPROVE Cash Bond Agreement between Broward County and Commerce Bank, N.A. in the amount of \$7,200 to be held as security for the performance of Specimen Tree relocation in the City of Tamarac; and authorizing the Mayor and Clerk to execute same. **(Commission District 1)**

ACTION: (T-10:19 AM) Approved.

20. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by Griffin Landmark, LLC as a site for compensatory mitigation for wetland impacts for a commercial development project known as Griffin Landmark Building in the Town of Davie. **(Commission District 7)**

ACTION: (T-10:19 AM) Approved.

PORT EVERGLADES DEPARTMENT

21. **MOTION TO APPROVE** second amendment to the agreement between Broward County and the Broward Sheriff's Office (BSO), providing for Seaport security and law enforcement services at Port Everglades, increasing funds for cruise-related traffic control from \$300,000 to \$500,000 per year; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:15 AM) Approved. (Scrivener's error – See County Administrator's report: Change the budget number in Fiscal Impact cost to read: 4700-470-1070-8101. Refer to minutes for full discussion.)

OFFICE OF MANAGEMENT AND BUDGET

22. **MOTION TO ADOPT** unanticipated revenue Resolution within the Law Enforcement Trust Fund in the amount of \$632,901 to fund the Forfeiture Unit for Fiscal Year 2008.

ACTION: (T-10:15 AM) Withdrawn at the request of the Broward Sheriff's Office.

REQUEST TO SET FOR PUBLIC HEARING

23. **MOTION TO ADOPT** Resolution 2007-684 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 23, 2007 at 2:00 P.M. in Room 422 of the Governmental Center, to vacate a 15-foot and a 25-foot wide utility easement; lying within, over and across Parcel II, EDC Associates Plat; located south of Oakland Park Boulevard and east of NW 36 Terrace, in the City of Lauderdale Lakes; at no cost to the County. Petitioner: United Homes at Lauderdale Lakes, Inc., (Craven Thompson & Associates, Inc., Agent) (2007-V-02) **(Commission District 9)**

(This item was pulled by Mayor Eggelletion.)

ACTION: (T-10:51 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Mayor Eggelletion abstained from voting so as to avoid an appearance of a conflict, and Commissioner Ritter was not present at the time of the vote.

COUNTY COMMISSION

24. MOTION TO ADOPT Resolution 2007-685 of the Board of County Commissioners of Broward County, Florida, accepting from United Homes International, Inc., the donation of a framed Tuskegee Airmen limited edition signature print called "The Red Tail," which is signed by more than sixty of the original Tuskegee Airmen, and includes an original piece of a P-51C Mustang aircraft flown by the Tuskegee Airmen and a Tuskegee Airmen collector's coin for display at the African American Research Library and Cultural Center; authorizing the County Administrator to take all administrative action necessary to complete the County's acceptance of the donation; and providing for an effective date. **(Commission District 7)** (Mayor Eggelletion)

(This item was pulled by Mayor Eggelletion.)

ACTION: (T-10:51 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Mayor Eggelletion abstained from voting so as to avoid an appearance of a conflict, and Commissioner Ritter was not present at the time of the vote.

REGULAR AGENDA

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DELEGATION

25. A. DELEGATION: Major Scott Patterson to present a proposal to save the Mayday Building at North Perry Airport.

ACTION: (T-10:55 AM) The Board directed staff to bring this item to the Aviation Workshop for discussion and to continue to work with the parties until a date for the workshop is determined. (Refer to minutes for full discussion.)

- B. DELEGATION: Mr. Raymond Osteen to present a proposal to renovate the Mayday building at North Perry Airport.

ACTION: (T-10:55 AM) The Board directed staff to bring this item to the Aviation Workshop for discussion and to continue to work with the parties until a date for the workshop is determined. (Refer to minutes for full discussion.)

- C. DELEGATION: Captain Terry Fensome to present a proposal to renovate the Mayday building at North Perry Airport.

ACTION: (T-10:55 AM) The Board directed staff to bring this item to the Aviation Workshop for discussion and to continue to work with the parties until a date for the workshop is determined. (Refer to minutes for full discussion.)

- D. DELEGATION: Mr. Greg Jackson to present a proposal to renovate the Mayday building at North Perry Airport.

Mr. Jackson did not appear.

PUBLIC HEARING

**BOARD OF COUNTY COMMISSIONERS SITTING AS
THE GOVERNING BOARD OF THE
COCOMAR WATER CONTROL DISTRICT**

26. A. MOTION TO OPEN meeting as the Governing Board of the Cocomar Water Control District.

ACTION: (T-11:14 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO APPROVE reappointment of the following two members to the Cocomar Water Control District Advisory Board: Reddy Chitepu and Larry Lemelbaum; and the appointment of Jean Dupuis to the Cocomar Water Control District Advisory Board.

ACTION: (T-11:15 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- C. MOTION TO CLOSE meeting as the Governing Board of the Cocomar Water Control District. **(Commission District 2)**

ACTION: (T-11:15 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

**BOARD OF COUNTY COMMISSIONERS SITTING AS
THE GOVERNING BOARD OF THE
WATER CONTROL DISTRICT NO. 2**

27. A. MOTION TO OPEN meeting as the Governing Board of Water Control District No. 2.

ACTION: (T-11:16 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO APPROVE reappointment of Abraham (Mickey) Kaplan to the Water Control District No. 2 Advisory Board.

ACTION: (T-11:16 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- C. MOTION TO CLOSE meeting as the Governing Board of Water Control District No. 2. (Commission Districts 2, 4)

ACTION: (T-11:16 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

**BOARD OF COUNTY COMMISSIONERS SITTING AS
THE GOVERNING BOARD OF THE
WATER CONTROL DISTRICT NO. 3**

- 28. A. MOTION TO OPEN meeting as the Governing Board of Water Control District No. 3.

ACTION: (T-11:17 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO APPROVE reappointment of Ed Phillips to the Water Control District No. 3 Advisory Board.

ACTION: (T-11:18 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- C. MOTION TO CLOSE meeting as the Governing Board of Water Control District No. 3. (Commission Districts 2, 9)

ACTION: (T-11:18 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

**BOARD OF COUNTY COMMISSIONERS SITTING AS
THE GOVERNING BOARD OF THE
WATER CONTROL DISTRICT NO. 4**

29. A. MOTION TO OPEN meeting as the Governing Board of Water Control District No. 4.

ACTION: (T-11:18 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO APPROVE reappointment of Chuck Deeb to the Water Control District No. 4 Advisory Board.

ACTION: (T-11:19 AM) Approved. Commissioner Ritter was not present at the time of the vote.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- C. MOTION TO CLOSE meeting as the Governing Board of Water Control District No. 4. **(Commission Districts 2, 4, 9)**

ACTION: (T-11:19 AM) Approved.

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

END PUBLIC HEARING

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

30. A. MOTION TO DISCUSS establishment of a Captive Insurance Program (CIP) to provide insurance coverage for County facilities for windstorm and flood perils.

ACTION: (T-11:19 AM) Board discussion took place. The Board directed staff to put together an RLI. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO DIRECT Staff to send a letter to the State of Florida requesting approval of a CIP as a satisfactory method of providing insurance.

ACTION: (T-11:19 AM) Approved. The Board directed staff to put together an RLI. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.


- C. MOTION TO WAIVE Section 21.31.g of the Procurement Code to enable the current Agent-Broker to obtain property insurance at the upcoming February 1, 2008 renewal date.

ACTION: (T-11:19 AM) Approved. The Board directed staff to put together an RLI. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

PURCHASING DIVISION

For Public Works and Transportation Department

-  31. **MOTION TO APPOINT** Selection Committee (SC) to recommend the most qualified firm to provide general construction management services through the Construction Manager @ Risk modified process for the Sunset Strip Neighborhood Library, and approve a Request for Letters of Interest (RLI) No. 20070509-9-CM-01.

ACTION: (T-11:45 AM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Mayor Eggelton; Commissioner Keechl; Commissioner Lieberman; Director, Construction Management Division (Chair); Director, Libraries Division; Director, Parks and Recreation Division; plus administrative support staff from the offices of the County Attorney, County Auditor, Office of Equal Opportunity, Purchasing Division, Risk Management Division, and the requesting agency. (Refer to minutes for full discussion.)


VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

32. **MOTION TO AWARD** fixed contract to low bidder, Hill York Service Corporation, for replacement of the horizontal condenser water piping at the Broward County Judicial Complex North Tower, Bid No. M-4-07-148-CAF, in the amount of \$346,450 for the Construction Management Division, subject to receipt and acceptance of insurance/performance and payment guaranty; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-11:45 AM) Approved.


VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

HUMAN SERVICES DEPARTMENT

-  33. **MOTION TO ADOPT** Resolution of the Board of County Commissioners of Broward County, Florida, authorizing allocations and disbursements for grantees for Fiscal Year 2007 and Fiscal Year 2008, respectively; prescribing requirements and conditions for disbursement of allocated funds; approving funding for not-for-profit organizations for capital funding projects in the amount of \$466,397; approving standard capital contract form; providing for approval and execution by the County Administrator after approval by the County Attorney's office; providing for severability; and providing for an effective date.

ACTION: (T-10:15 AM) Withdrawn for further staff review.

OFFICE OF TRANSPORTATION

-  34. MOTION TO AUTHORIZE Purchasing Director to approve and execute a Seventh Amendment that extends the Sixth Amendment Interim Agreements for Paratransit Transportation services with Handi-Van, Inc. and Village Car Service, Inc., which expire November 30, 2007, for the purpose of providing services, as needed, from December 1, 2007 to February 29, 2008, unless sooner terminated by the County. Effective October 1, 2007, the seventh amendments with Handi-Van, Inc., and Village Car Service, Inc., shall adjust the per trip reimbursement rates by the same dollar amount increase being provided to the other paratransit providers pursuant to the current agreements, (e.g., \$1.12, per general ambulatory trip and \$1.52, per general wheelchair trip).

ACTION: (T-11:48 AM) Approved. (Refer to minutes for full discussion.)

***** VOTE: 9 – 0.***

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

35. MOTION TO ACCEPT nominations for three appointments to the Community Action Agency Advisory Board: one in the category of elected public official and two in the category of community activists.

ACTION: (T-10:19/11:54 AM) Approved. (Transferred to the Consent Agenda.) Upon consensus of the Board, names of nominees are to be provided to the County Attorney. (Refer to minutes for full discussion.)

COMMUNITY SERVICES DEPARTMENT

LIBRARIES DIVISION

36. A. MOTION TO ACCEPT City of Coral Springs' (City) request to terminate for convenience an Interlocal Agreement (ILA) between Broward County (County) and the City for the joint funding of the West Atlantic Library (Library). **(Commission District 3).**

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:52 AM) Approved. The Board directed staff to refrain from editorializing regarding this item. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- B. MOTION TO APPROVE closure of the Library located at 10643 West Atlantic Boulevard, in the City of Coral Springs on November 2, 2007. (Commission District 3).

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:52 AM) Approved. The Board directed staff to refrain from editorializing in regard to this item. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- C. MOTION TO ADOPT negative unanticipated revenue Resolution 2007-686 in the amount of \$322,223; to recognize the reduction in revenues to the General Fund and reduction in operating expenses resulting from the City's termination of the ILA for funding the West Atlantic Library.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:52 AM) Approved. The Board directed staff to refrain from editorializing in regard to this item. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

- D. MOTION TO APPROVE reduction in the personnel cap for the Libraries Division from 901 to 896 full-time positions, due to the City of Coral Springs early termination of the ILA.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:52 AM) Approved. The Board directed staff to refrain from editorializing in regard to this issue. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

37.

COUNTY ADMINISTRATOR'S REPORT

A. UPDATE ON EMPLOYEE PLACEMENT

ACTION: (T-11:58 AM) The County Administrator reported that all but two of 103 affected employees impacted by the reduction in force have received offers of continued employment, adding that the salaries of those two will be extended until they can find new positions. (Refer to minutes for full discussion.)

B. COUNTY-WIDE POLICY FOR MANAGEMENT COMPETITION

ACTION: (T-11:59 AM) The County Administrator stated that a County-wide policy for management competition will be coming to the Board for discussion at their December Retreat. (Refer to minutes for full discussion.)

C. ANNOUNCEMENT OF OPENING

ACTION: (T-12:00 PM) The County Administrator announced an opening on Friday, October 5, 2007, at 10:30 a.m. of an environmentally sensitive national 34-acre site located east of Dixie Highway and north of Sample Road. (Refer to minutes for full discussion.)

D. VISIONBROWARD INTERNATIONAL SYMPOSIUM

ACTION: (T-12:00 PM) The County Administrator reported that a VisionBROWARD International Business Symposium will be held on Friday, October 5, 2007 at Parker Playhouse; doors open at 7:30 a.m. (Refer to minutes for full discussion.)

38.

MAYOR'S REPORT

A. TOURISM DEVELOPMENT COMMITTEE (TDC)

ACTION: (T-11:57 AM) The Mayor reported that the TDC had a monthly meeting and that the number of tourists have shown an increase. (Refer to minutes for full discussion.)

B. DINE OUT LAUDERDALE

ACTION: (T-11:57 AM) The Mayor reported on the Dine Out Lauderdale promotion featuring top restaurants in the area celebrating a set fee for a three-course meal from October 1 through November 15. He stated that the website, www.sunny.org/dineout, will provide the participating restaurant information. (Refer to minutes for full discussion.)

C. NICKI GROSSMAN HONORED

ACTION: (T-11:58 AM) The Mayor reported that Nicki Grossman, President and CEO of the Greater Fort Lauderdale Convention and Visitors Bureau, was honored by the National Association of Black Hotel Owners, Operators, and Developers with the Multicultural Trailblazer Award and recently received the Urban League of Broward County's Diversity Champion Award, as well as being inducted into the Florida Tourism Hall of Fame. He commended Ms. Grossman for her efforts on behalf of tourism. (Refer to minutes for full discussion.)

D. CONVENTION CENTER HOTEL IN WASHINGTON, D.C.

ACTION: (T-12:49 PM) Mayor Eggelton reported that the deal on the Convention Center Hotel in Washington, D.C. was closed with 1,150 rooms at a cost of \$560 million and that a land swap was part of the deal. As such, he stressed the need for Convention Center Hotel in Broward County. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

39. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, urging Congress to pass the US-Colombia Trade Promotion Agreement and transmit this Resolution to the Speaker of the United States House of Representatives and members of the Florida Congressional Delegation. (Commissioner Diana Wasserman-Rubin)

ACTION: (T-10:15 AM) Withdrawn at the request of Commissioner Wasserman-Rubin.

COUNTY COMMISSION

40. MOTION TO RECONSIDER Agenda Items No. 14, No. 15, and No. 16 on the September 25, 2007 Commission Agenda. (Mayor Eggelletion)

ACTION: (T-10:12 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Ritter was not present at the time of the vote.

ACTION: (10:14 AM) The Board approved Items No. 14, No. 15, and No. 16 from the September 25, 2007 Commission Agenda. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Mayor Eggelletion abstained from voting so as to avoid the appearance of a conflict, and Commissioner Ritter was not present at the time of the vote.

NON-AGENDA

41. ANIMAL CARE SHELTER – COMMISSIONERS KEECHL AND RODSTROM

ACTION: (T-12:00 PM) Commissioner Keechl commented briefly on the report from Animal Care and thanked staff for the thorough investigation. He ensured the situation will be carefully monitored. (Refer to minutes for full discussion.)

ACTION: (T-12:03 PM) Commissioner Rodstrom requested that staff monitor the ongoing performance at the Animal Shelter and keep the Board informed for tracking purposes. (Refer to minutes for full discussion.)

42. ANN STORCK CENTER – COMMISSIONER GUNZBURGER

ACTION: (T-12:01 PM) Commissioner Gunzburger referenced correspondence from the director of the Ann Storck Center regarding proposed privatization versus not-for-profit's and requested, without objection, to have staff notify the lobbyists in Tallahassee to oppose this legislation should it come forward. (Refer to minutes for full discussion.)

43. EVERGLADES HOLIDAY PARK – COMMISSIONER RITTER

ACTION: (T-12:03 PM) Commissioner Ritter referenced an article and e-mails received regarding Everglades Holiday Park and stated the Board has not had any discussion nor have made any decisions about the park as of yet. (Refer to minutes for full discussion.)

ACTION: (T-12:20 PM) Vice-Mayor Wexler reported on a recent air-boat trip that she took of the Everglades Holiday Park and commented on a meeting that took place at Southwest Regional Library back in June. (Refer to minutes for full discussion.)

44. ROOF REPLACEMENT – COMMISSIONER RITTER

ACTION: (T-12:04 PM) Commissioner Ritter discussed the bid process and procurement code regarding the roof repairs at Fort Lauderdale/Hollywood International Airport and suggested this issue be addressed by the Board. (Refer to minutes for full discussion.)

45. RECYCLING AT COUNTY FACILITIES – COMMISSIONER LIEBERMAN

ACTION: (T-12:06 PM) Commissioner Lieberman observed the City of Fort Lauderdale’s recycling practices regarding white paper and asked that the County emulate it by providing two-bin, trash/recycle receptacles, and asked that the County Administrator implement a recycling program at all County facilities. (Refer to minutes for full discussion.)

46. LITIGATION – COMMISSIONER LIEBERMAN

ACTION: (T-12:09 PM) Commissioner Lieberman informed the Board that in Hersh vs. Browning, both the Florida League of Cities and the Florida Association of Counties have sided with Mayor Hersh and have voted to file amicus briefs to appeal the ballot question. (Refer to minutes for full discussion.)

47. ANIMAL CONTROL – COMMISSIONER LIEBERMAN

ACTION: (T-12:09 PM) Commissioner Lieberman discussed the Broward County Veterinary Association and suggested that perhaps they could provide recommendations and identification of changes to Animal Control in conformance with standards for veterinarians. (Refer to minutes for full discussion.)

48. SUN RECYCLING – COMMISSIONER LIEBERMAN

ACTION: (T-12:11 PM) Commissioner Lieberman referenced an article regarding Sun Recycling and the eight notices of violation and that the County Attorney, upon inquiry, noted there are no requirements to disclose violations via the bid process. As such, Commissioner Lieberman requested, without objection, that the County Attorney review the Procurement Code and return with recommendations to tighten the procurement process. (Refer to minutes for full discussion.)

49. PRIVATIZING BUS ROUTES – COMMISSIONER LIEBERMAN

ACTION: (T-12:36 PM) Commissioner Lieberman referenced correspondence regarding a proposal to privatize four bus routes and requested that staff schedule a workshop. Discussion ensued among the Board regarding funding for other alternatives and the need for a policy decision. The Mayor stressed that the Board members need to make time for such a workshop. (Refer to minutes for full discussion.)

50. PROCUREMENT PROCESS – VICE-MAYOR WEXLER

ACTION: (T-12:12 PM) Vice-Mayor Wexler requested that procurement be overhauled and that an attorney be assigned full-time. The County Attorney stated David Greenbaum is the point of contact and that he in turn reports to Larry Lymas-Johnson in the County Attorney's office with respect to all procurement-related questions.

Commissioner Wasserman-Rubin inquired as to the two committees that were previously assigned to review the procurement process and Vice-Mayor Wexler replied that a staff task force had been created and that a report was supposed to be forthcoming. Vice-Mayor Wexler requested that staff provide that report as quickly as possible. (Refer to minutes for full discussion.)

51. ANIMAL CARE ADVISORY COMMITTEE – VICE-MAYOR WEXLER, COMMISSIONERS KEECHL AND LIEBERMAN

ACTION: (T-12:23 PM) Vice-Mayor Wexler stated that it was critical that the new Animal Care Advisory Board be well-rounded and that they keep the Commissioners informed with periodic reports and network with staff. Upon inquiry, the County Attorney replied that the Animal Care Advisory Board will be coming to the Board soon. (Refer to minutes for full discussion.)

ACTION: (T-12:32 PM) Commissioner Keechl commented that this would a more formal Animal Care Advisory Committee and stated that if it needs to be expanded for more accountability, he would be supportive of bringing in “new blood.” (Refer to minutes for full discussion.)

ACTION: (T-12:33 PM) Commissioner Lieberman stated that she felt the issue is the authority of the Animal Care Advisory Committee; that the group needs to be the eyes and ears and know the proper procedures and protocols. Commissioner Keechl agreed, reiterating that he wants this group to have “teeth” and as much authority to act as possible. (Refer to minutes for full discussion.)

52. EVALUATION PACKETS – VICE-MAYOR WEXLER

ACTION: (T-12:23 PM) Vice-Mayor Wexler suggested that senior management and the department heads do anonymous evaluations for the County Administrator, County Attorney, and County Auditor, and that these be submitted to the Mayor’s office so that they can be shared with the Board.

Commissioner Lieberman insisted there be some methodology to protect people’s anonymity in submitting their evaluations.

Commissioner Rodstrom and Mayor Eggelletion commented that anonymous evaluations are constructive. Hearing no objections, the Mayor stated he would work with Mr. Acton, Human Resources Director, to initiate the process. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE

AFFORDABLE HOUSING FOR 600 NORTH ANDREWS AVENUE

RLI No. 20070608-0-UP-1

Tuesday, October 2nd, in Room 430 at 9:00 AM

SELECTION COMMITTEE

WEB TRANSLATIONS AND HOSTING SERVICE

RLI No. 20060623-0-IT-1A

Tuesday, October 2nd, in Room 409G at 9:30 AM

