

MEETING OF OCTOBER 11, 2005

(The meeting convened at 10:00 a.m. and adjourned at 12:43 p.m.)

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

MOMENT OF SILENCE

In memory of those persons who have lost their lives due to the earthquake that impacted Pakistan, India and Afghanistan.

In memory of Broward County employee Christine Hood from the Office of Management and Budget.

In memory of Jonathan Cohen, nephew of Judge Geoffrey D. Cohen and Broward County Property Appraiser Lori Nance Parrish.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Ms. Theresa Seavey to serve on the Advisory Board for Individuals with Disabilities. (Commissioner Rodstrom)
ACTION: (T-10:08 AM) Approved.
- B. MOTION TO REAPPOINT Mr. James Weldon to serve on the Living Wage Advisory Board. (Commissioner Rodstrom)
ACTION: (T-10:08 AM) Approved.
- C. MOTION TO REAPPOINT Dan Shaw to the Living Wage Advisory Board. (Commissioner Scott)
ACTION: (T-10:08 AM) Approved.



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

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT



2. A. MOTION TO APPROVE agreement between Broward County and The Gordian Associates, Inc., RLI No. 20030617-0-FC-01, to provide consultant services required to develop, and provide training and administrative support for, a Job Order Contracting (JOC) process for the Public Works and Transportation Department, and other appropriate County agencies involved in maintenance, renovation, repair and minor construction projects, effective upon Board approval and terminating on September 30, 2009, with the option for two additional one-year terms, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Withdrawn for further staff review.

- B. MOTION TO APPROVE initial solicitation of the JOC contracts as reserved contracts for Broward County Certified Minority and Women Owned Businesses (M/WBE), and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Withdrawn for further staff review.

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

3. MOTION TO APPROVE agreement between Broward County and the City of Sunrise for Right-of-Way Beautification for West Oakland Park Boulevard, from University Drive to the Sawgrass Expressway, at no cost to the County and effective upon execution; and authorize the Mayor and Clerk to execute same. (Commission District 6)

ACTION: (T-10:08 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: The Commission District indicated in agenda item #3 is incorrect. The correct districts are #3 and #5.)

4. MOTION TO APPROVE Amendment No. One to Emergency Joint Participation Agreement between Broward County and the Florida Department of Transportation, for reimbursement of Federal Highway Administration eligible costs for repair of functionally classified County roads damaged by Hurricane Frances, at no cost to the County. The amendment will be effective upon execution by the Florida Department of Transportation; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

5. MOTION TO APPROVE first amendment to Revocable License Agreement between Broward County and ESA 0869, Inc., assigning ESA's rights, responsibilities and obligations in and to the Revocable License Agreement to BRE/ESA FL Properties, LLC. Under this first amendment, the obligations of ESA in the agreement shall terminate and BRE/ESA FL Properties shall assume all responsibility. There is no cost to the County for this amendment, and it shall become effective upon execution; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:08 AM) Approved.

REAL PROPERTY SECTION

6. MOTION TO APPROVE contract for sale and purchase executed by Wilbur A. Sheibels, in the amount of \$2,900 for the purchase by Broward County of Westlake Parcel 189, located in Hollywood Central Beach 4-20 B LOT 24 BLK 68. The Parks and Recreation Division authorizes Real Property Section to acquire this parcel using Parks and Recreation Division funds; authorize the Mayor and Clerk to execute contract for sale and purchase, and authorize acceptance and recordation of deed. **(Commission District 6)**

ACTION: (T-10:08 AM) Approved.

TRAFFIC ENGINEERING DIVISION

7. MOTION TO APPROVE Amendment No. Two to the Joint Participation Agreement between Broward County and the Florida Department of Transportation, adding the Financial Management No. (FM 228056-2-54-01) to the original agreement, at no cost to the County. The amendment will become effective upon execution by the Florida Department of Transportation; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

8. MOTION TO APPROVE Traffic Engineering Agreement between Broward County and the City of Coconut Creek, transferring responsibility to Broward County for traffic engineering functions on all roads within the City; effective upon execution; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:08 AM) Approved.

WATER AND WASTEWATER ENGINEERING DIVISION

9. MOTION TO APPROVE Change Order No. 11 to Contract T-30-02-049-CF with Lanzo Construction Co. Florida for the construction of the Central County Neighborhood Improvement Project, Bid Package No. 7, Broward Estates East for a decrease of \$266,986.51, from \$10,463,656.54 to \$10,196,670.03, and an increase of contract time of 25 days, and authorize the Mayor and Clerk to execute same. (BCWWS 11497) **(Commission District 9)**

ACTION: (T-10:08 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

10. MOTION TO ADOPT Resolution 2005-775 of the Board of County Commissioners of Broward County, Florida, authorizing the negotiation of a Loan, in an aggregate amount not to exceed \$8,500,000 from the First Florida Governmental Financing Commission; approving the refinancing of a prior loan made by the Commission to the County; approving the execution and delivery of a loan agreement with the Commission; approving the execution and delivery of a Continuing Disclosure Certificate; approving the execution and delivery of an Escrow Deposit Agreement; providing certain other matters in connection with the making of such loan; and providing an effective date.

ACTION: (T-10:08 AM) Approved.

ACCOUNTING DIVISION

11. 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-10:08 AM) Approved.

12. MOTION TO APPROVE travel (post approval) 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-10:08 AM) Approved.

HUMAN RESOURCES DIVISION

13. A. MOTION TO APPROVE proposed unrepresented compensation increase for Fiscal Year 2005-2006 in accordance with the current Leadership Performance Review (LPR) process and unrepresented compensation policies and providing a 4% salary increase for employees who are evaluated as having met or exceeded their overall performance expectations.

ACTION: (T-10:13 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE proposed Fiscal Year 2005-2006 Unrepresented Pay Plan, which includes an increase of 2% to the minimum and maximum of all pay ranges as reflected in Exhibit 1.

ACTION: (T-10:13 AM) Approved.

- C. MOTION TO APPROVE Compensation Policy Amendments as reflected in Exhibit 2.

ACTION: (T-10:13 AM) Approved.

- D. MOTION TO APPROVE proposed Fiscal Year 2005-2006 proposed new job classifications, elimination of unused job classifications, proposed Board level reclassifications, proposed salary range reallocations, and proposed title changes, as shown in Exhibit 3.

ACTION: (T-10:13 AM) Approved, as amended. The Board directed staff to remove any job classification recommendations which are related to the creation of the Office of Housing until such time as the Board has the opportunity to discuss the interrelationship between the Office of Housing and Community Development. (Refer to minutes for full discussion.)

PURCHASING DIVISION

For Aviation Department

14. MOTION TO AWARD fixed contract to low bidder, GlobeTec Construction, LLC, for Fort Lauderdale/Hollywood International Airport Offsite Sewage Force Main for the Consolidated Rental Car Facility Project, Bid No. N-7-04-139-CF, in the grand total bid amount of \$1,247,075; for the Aviation Department subject to receipt and acceptance of insurance/performance and payment guaranty, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:08 AM) Approved.

For Public Works and Transportation Department

15. MOTION TO APPROVE release of retainage and final payment in the amount of \$217,896.80, to Ric Man International, Inc. for North Andrews Gardens Neighborhood Improvement Project, Bid Package 2, Bid No. H-99-102-CF. (Project 1146-2) **(Commission District 4)**

ACTION: (T-10:08 AM) Approved.

HUMAN SERVICES DEPARTMENT

CHILDREN'S SERVICES ADMINISTRATION DIVISION

16. MOTION TO APPOINT to Children's Services Board, Terry Lacman, representing the State of Florida Department of Children and Families, pursuant to the provisions of Broward County Ordinance No. 2003-03.

ACTION: (T-10:08 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

17. A. MOTION TO APPROVE agreement between Broward County (County) and the South Broward Hospital District d/b/a Memorial Hospital West (MHW), providing for MHW to utilize a portion of the parking area at C.B Smith Park, Monday through Friday, from 5:00 a.m. to 12:00 midnight, except on County holidays which fall on a weekday and County special event set-up days as notified by the County, for the sole purpose of providing parking for up to 250 MHW employee vehicles at any one time each day for a term beginning October 24, 2005, through June 2, 2006, providing for MHW to pay County a flat rate of \$200 per day up to 200 vehicles per day and \$1 per day for each additional vehicle up to 50 vehicles, or up to \$250 for each day the parking area is utilized; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-776 within the General Capital Outlay Fund for the Parks and Recreation Division in an amount up to \$40,000 for the purpose of offsetting maintenance costs associated with the utilization of County-owned property for vehicular parking.

ACTION: (T-10:08 AM) Approved.

EMERGENCY MANAGEMENT AGENCY

18. MOTION TO APPROVE subgrant agreement between Broward County and the City of Fort Lauderdale in the amount of \$500,000; for the purpose of participating in and supporting the implementation of the Urban Area Security Initiative (UASI) from the U.S. Department of Homeland Security (DHS), through its Office of Domestic Preparedness (ODP) and the State of Florida Division of Emergency Management (DEM), through the City of Miami effective from date of execution through January 30, 2006; authorize the Mayor to execute same, and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

ACTION: (T-10:08 AM) Withdrawn for further staff review.

19. MOTION TO APPROVE subgrant agreement between Broward County and the City of Sunrise in the amount of \$150,000; for the purpose of participating in and supporting the implementation of the Urban Area Security Initiative (UASI) from the U.S. Department of Homeland Security (DHS), through its Office of Domestic Preparedness (ODP) and the State of Florida Division of Emergency Management (DEM), through the City of Miami effective from date of execution through November 30, 2005; authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

ACTION: (T-10:08 AM) Withdrawn for further staff review.

20. A. MOTION TO APPROVE agreement between the State of Florida, Department of Community Affairs and Broward County through August 30, 2006, in the amount of \$163,315 to support homeland security functions in Broward County; authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-777 within the Grant Fund of the Broward Emergency Management Agency in the amount of \$163,315 for the purpose of supporting homeland security functions in Broward County, as part of the Department of Homeland Security-State Homeland Strategy funding.

ACTION: (T-10:08 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION

21. MOTION TO ACCEPT joint deed of conservation easement and agreement from the Archdiocese of Miami for 9.5 acres of wetland mitigation located south of Pembroke Road and east of SW 160th Avenue in the City of Miramar. **(Commission District 8).**

ACTION: (T-10:08 AM) Approved.

22. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, approving the recommendation of the Broward Beautiful Committee to allocate \$200,573.70, to the 28 organizations specified for funding under the Broward Beautiful Community Grants program; and authorizing the County Administrator to execute contracts on behalf of the County with the specified organizations; and providing for an effective date.

ACTION: (T-10:21 AM) Deferred to Tuesday, October 18, 2005. The Board requested a list of the different applications with a brief statement explaining what the grants were for. In addition, how people were notified of the grants program. (Refer to minutes for full discussion.)

POLLUTION PREVENTION AND REMEDIATION DIVISION

23. MOTION TO INCREASE personnel cap within the general fund for the Pollution Prevention and Remediation Division (PPRD) by one employee, for the purpose of adding a Hydrogeologist I position to the Petroleum Cleanup Program, fully funded by the State; and to eliminate the position when State funding for the contract ceases.

ACTION: (T-10:08 AM) Approved.

PORT EVERGLADES DEPARTMENT

24. 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-10:08 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

25. A. MOTION TO APPROVE interlocal agreement between Broward County and the City of West Park to transfer responsibility for provision of municipal-level services to City.

ACTION: (T-10:08 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-778 within the Municipal Service District Fund (0020) in the amount of \$152,150 to appropriate funds to provide certain municipal-level services within the City of West Park, between October 1, 2005 and December 31, 2005, in accordance with the approved interlocal agreement between the City and County.

ACTION: (T-10:08 AM) Approved.

26. MOTION TO APPROVE Fiscal Year 2006 Personnel Cap of 6,427 pursuant to Section 20.8 of the Administrative Code.

ACTION: (T-10:08 AM) Approved.

COUNTY AUDITOR

27. MOTION TO FILE County Auditor's Report on Transition Review Services for the Broward County Property Appraiser Phase II.

ACTION: (T-10:08 AM) Approved.

COUNTY COMMISSION

28. MOTION TO FILE Resolution No. 2005-25 from the City of Hallandale Beach, Florida, dated September 6, 2005, supporting legislation regulating pari-mutuel facilities by the state and/or Broward County in conjunction with the municipality hosting the pari-mutuel facility. (Mayor Jacobs)

ACTION: (T-10:08 AM) Approved.

29. MOTION TO FILE Board of County Commissioners of Sarasota County, Florida, Resolution No. 2005-107, dated September 14, 2005; which supports the use of red light cameras at selected signalized intersections to reduce crashes that result in loss of life and injury, urging the State Legislature to enact a law allowing local governments to protect their citizens by using red light cameras at signalized intersections to issue traffic citations and thereby encourage safe driving; urging the formation of a coalition of all of Florida's 67 county and 410 municipal governments to create a Green Light for Red Light Camera Enforcement Coalition, to demonstrate local governments' strong support for the enactment of legislation authorizing the use of red light cameras at signalized intersections. (Mayor Jacobs)

ACTION: (T-10:08 AM) Approved.

30. MOTION TO APPROVE travel for Commissioner Josephus Eggelletion, Jr. to attend the “94th Annual Convention of the American Association of Port Authorities” in Tampa, Florida, on October 23, 2005 – October 27, 2005. (Commissioner Eggelletion)

ACTION: (T-10:08 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

31. MOTION TO ADOPT Resolution 2005-779 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, November 8, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to vacate and abandon a five-foot utility easement, lying and being in Broward County, Florida, and located at approximately 5485 West Atlantic Boulevard in the City of Margate, Florida, at no cost to the County. Petitioner: Lancaster Devcorp, Inc. (Schwebke-Shiskin & Associates, Inc. - Agent) (2005-V-19) **(Commission District 2)**

ACTION: (T-10:08 AM) Approved.

32. MOTION TO ADOPT Resolution 2005-780 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, November 8, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to vacate and abandon a 60-foot wide drainage easement and a 40-foot wide drainage easement within “the Waldman Plat”, lying and being in Broward County, Florida, and located south of Pembroke Road, North of Miramar Parkway and east of Palm Avenue in the City of Miramar, Florida, at no cost to the County. Petitioner: New Urban Mirabella, Miramar No 1 LLC and Gene Haskin.LLC: (Leigh Robinson Kerr & Associates, Inc. - Agent) (2005-V-10) **(Commission District 8)**

ACTION: (T-10:08 AM) Approved.

33. MOTION TO ADOPT Resolution 2005-781 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, November 8, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to vacate and abandon a ten-foot utility easement, lying and being in Broward County, Florida, and located at approximately 5485 West Atlantic Boulevard in the City of Margate, Florida, at no cost to the County. Petitioner: Lancaster Devcorp, Inc. (Schwebke-Shiskin & Associates, Inc. - Agent) (2005-V-18) **(Commission District 2)**

ACTION: (T-10:08 AM) Approved.

34. MOTION TO ADOPT Resolution 2005-782 directing the County Administrator to publish a Notice of Public Hearing to be held October 25, 2005 at 2:00 P.M. in Room 422 of the Governmental Center, to consider granting assignment of a non-exclusive franchise from Princess Cruises, Inc. to Princess Cruise Lines, Ltd. (Corp.) to provide steamship agent services at Port Everglades, and renewal of the franchise for a term of five years.

ACTION: (T-10:08 AM) Approved.

35. MOTION TO ADOPT Resolution 2005-783 directing the County Administrator to publish a Notice of Public Hearing to be held on October 25, 2005, at 2:00 P.M. in Room 422 of the Governmental Center, to consider amending the Broward County Administrative Code, Volume Two, Chapter 42, Sections Four, Five and Seven of Port Everglades Tariff No. 11, codified as Exhibit 42.A and incorporated in Section 42.25 of the Broward County Administrative Code, providing for increases in dockage and passenger wharfage fees, and establishment of a cruise terminal security item.

ACTION: (T-10:08 AM) Approved.

36. MOTION TO DIRECT County Administrator to publish notice of a public hearing to be held Tuesday, October 25, 2005, at 2:00 P.M. in Room 422 of the Governmental Center, to consider the issuance of renewal a Class 1 - ALS Rescue Certificate of Public Convenience and Necessity (COPCN) to the City of Weston. **(Commission Districts 5 and 8)**

ACTION: (T-10:08 AM) Approved.

37. MOTION TO DIRECT 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 consider new Nonemergency Medical Transportation Service (NEMTS) licenses to Central Transit, LLC, Medex Transport, Inc., Mercy Nonmedical Transportation, Inc., and State of Art Transport.

ACTION: (T-10:08 AM) Approved.

38. MOTION TO DIRECT 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 consider the renewal of Nonemergency Medical Transportation Service (NEMTS) licenses to Celebrity Wheelchair Services, Inc. and Johnson Transportation Service, Inc.

ACTION: (T-10:08 AM) Approved.

39. MOTION TO DIRECT County Administrator to publish notice of a public hearing to be held Tuesday, October 25, 2005, at 2:00 P.M. in Room 422 of the Governmental Center, to consider the issuance of a renewal Class 2 - ALS Transfer Certificate of Public Convenience and Necessity (COPCN) to the City of Coral Springs Fire Rescue.

ACTION: (T-10:08 AM) Approved.

40. MOTION TO ADOPT Resolution 2005-784 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 25, 2005, at 2 P.M. 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 CHAPTER 23, "OPERATIONAL POLICY, HUMAN SERVICES" AMENDING VOLUME 2, PART VII, "GRANT APPLICATIONS FOR RYAN WHITE C.A.R.E. TITLE I FUNDING", BY AMENDING EXHIBIT 23.A "APPEAL PROCEDURES FOR GRANT APPLICATIONS FOR RYAN WHITE C.A.R.E. ACT TITLE I FUNDING", PROVIDING SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:08 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Exhibit #1, Section 1, the date should read: October 25, 2005 NOT September 27, 2005. Exhibit No. 2, Page 7 – III.II BINDING ARBITRATION, Line 7, change to "grievant's.")

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION



41. MOTION TO APPROVE standard format for Declaration of Restrictive Covenants and agreements for Transit Concurrency fee credit – **Commission Districts 1-9.**

ACTION: (T-10:08 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION

42. DISCUSSION: of plat entitled "Bridgeview At Sailboat Bend" – **Commission District 7**, (040-MP-04).

ACTION: (T-10:08 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

43. DISCUSSION: of plat entitled "Toledo Isles" – **Commission District 8**, (036-MP-04).

ACTION: (T-10:08 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

44. DISCUSSION: of New Findings of Adequacy for plat entitled "Hastings Trust Plat" - **Commission District 4**, (046-MP-96).

ACTION: (T-10:08 AM) Approved New Findings of Adequacy subject to staff's recommendations as outlined in the Development Review Report.

45. DISCUSSION: of New Findings of Adequacy for plat entitled "Humphries Hideaway" – **Commission District 5**, (014-UP-98).

ACTION: (T-10:08 AM) Approved New Findings of Adequacy subject to staff's recommendations as outlined in the Development Review Report.

46. DELEGATION: Charlie Jones, regarding request to amend the note on the Strok Plat - **Commission District 9**, (058-MP-89).

ACTION: (T-10:08 AM) Approved subject to staff's recommendations.

47. DELEGATION: Gregory Mire, regarding request to revise the note on the Hollywood Crystal Lake Plat - **Commission District, 6** (007-MP-05).

ACTION: (T-10:13 AM) Approved subject to staff's recommendations. (Refer to minutes for full discussion.)

48. DELEGATION: C. William Laystrom, Jr. regarding request to amend the note on the Pointe West Center North Plat - **Commission District 8**, (100-MP-99). (Deferred from September 13, 2005).

ACTION: (T-10:08 AM) Approved subject to staff's recommendations.

49. DELEGATION: Jane Storms, regarding request to amend the note on the Somerset Village Plat - **Commission District 8**, (086-MP-95).

ACTION: (T-10:08 AM) Approved subject to staff's recommendations.

50. DELEGATION: Jane Storms, regarding request to amend the non-vehicular access line and modify conditions of plat approval on the Somerset Village Plat - **Commission District 8**, (086-MP-95).

ACTION: (T-10:08 AM) Approved subject to staff's recommendations.

51. DELEGATION: Howard Jablon, regarding request to modify conditions of plat approval on the Park Plaza Shoppes Plat – **Commission District 8**, (078-MP-96).

ACTION: (T-10:08 AM) Approved subject to staff's recommendations.

52. DELEGATION: Nicholas Saponara, regarding request to modify conditions of plat approval on the Praxis of Deerfield Beach Plat – **Commission District 2**, (061-MP-87).

ACTION: (T-10:08 AM) Deferred to May 16, 2006 or sooner, under Section 5-181(j) of the Land Development Code to submit a traffic study.

53. DELEGATION: Daniel A. Fee, regarding MOTION TO APPROVE agreements among Broward County, City of Pompano Beach and Habitat for Humanity of Broward, Inc. relating to the issuance of building permits prior to plat recordation for the Habitat for Humanity of Broward County Plat No. 2 (021-MP-05), Habitat for Humanity of Broward County Plat No. 3 (022-MP-05), and Habitat for Humanity of Broward County Plat No. 4 (023-MP-05) - **Commission District 9**.

ACTION: (T-10:13 AM) Approved subject to staff's recommendations. (Refer to minutes for full discussion.)

54. DELEGATION: Gerald L. Valent, regarding MOTION TO APPROVE agreement among Broward County, City of North Lauderdale, and San Remo Associates LTD. relating to the issuance of building permits prior to plat recordation for the San Remo Plat - **Commission District 1**, (062-MP-04).

ACTION: (T-10:13 AM) Approved subject to staff's recommendations. (Refer to minutes for full discussion.)

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



- 55. A. MOTION TO APPROVE interlocal agreement for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-75.3, also known as the Rock Island Greenway, between Broward County and the City of Margate; authorize the Mayor and Clerk to execute the interlocal agreement and authorize acceptance and recordation of the quit claim deed. **(Commission District 1)**

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

- B. MOTION TO ADOPT Resolution 2005-785 approving the conveyance of real property to the City of Margate for the operation and management of Open Space Site OS-75.3. **(Commission District 1)**

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

- C. MOTION TO APPROVE declaration of restrictive covenants for Open Space Site OS-75.3; and authorizing the Mayor and Clerk to execute same. **(Commission District 1)**

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

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

REAL PROPERTY SECTION

- 56. MOTION TO AUTHORIZE staff to enter concurrent negotiations with two real estate developers/land owners for a build-to-suit lease-purchase option by the County, for occupancy and use by the Broward County Property Appraiser and the Supervisor of Elections' Offices, with the provision for expansion space that may be occupied by Revenue Collection; and authorize the County Administrator to expend funds for the conduct of due diligence. **(Commission Districts 7, 9)**

ACTION: (T-10:08 AM) Withdrawn for further staff review.

57. MOTION TO DECLARE surplus to the County's need, real property commonly known as 1801 NW 64th Street, Fort Lauderdale, Florida, and located on leased land legally described as Lots 16 and 17, Fort Lauderdale Industrial Airpark Section 2 in Plat Book 63, Page 8, Broward County Records, and authorize the Real Property Section of the Public Works and Transportation Department to advertise the subject property for sale at a minimum acceptable price of \$3,714,000; and to manage the sale of the property in accordance with Florida Statutes Chapter 125.35. **(Commission District 9)**

ACTION: (T-10:08 AM) Withdrawn for further staff review.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Environmental Protection Department



58. MOTION TO APPOINT Selection Committee (S/C) to recommend the most qualified firm to assist in developing a water management master plan to aid the County in meeting its long-term water supply and water resource goals and approve Request for Letters of Interest for RLI No. 20050811-0-EQ-1.

ACTION: (T-10:24 AM) Approved the following to serve on the Selection Committee: Mayor Jacobs and Commissioners Eggelton, Gunzburger, Rodstrom, and Wexler; Director, Water Resources Division, Chair; Director, Water Management Division, and Director, Biological Resources Division. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. (Refer to minutes for full discussion.)

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

TRANSPORTATION PLANNING DIVISION

59. MOTION TO ACCEPT A1A/Barrier Island Greenway conceptual Master Plan prepared by the Department of Urban Planning and Redevelopment, Transportation Planning Division and the County's consultant Tetra-Tech Inc. **(Commission Districts 4 and 6)**

ACTION: (T-11:02 AM) Approved. (Refer to minutes for full discussion.)

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

60. MOTION TO APPROVE first amendment to interlocal agreement dated February 22, 2005, between Broward County and the City of Lauderhill relating to improvements for the County's Central Broward Regional Park, amending said agreement to increase the County contribution to an amount not-to-exceed \$1,500,000; for the City to acquire two parcels of real property, commonly known as the Premier Motors Property, totaling approximately one acre and adjacent to the County-owned park site, and authorizing the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-11:04 AM) Approved.

COUNTY ADMINISTRATION

61. MOTION TO APPROVE updated Commission calendar from October 11, 2005 through December 27, 2005, to include a replacement workshop for the Downtown Campus Project on November 8, 2005, that was originally scheduled for September 20, 2005.

ACTION: (T-10:08 AM) Approved. (Transferred to the Consent Agenda.)

COUNTY COMMISSION

62. MOTION TO RECONSIDER Item No. 47, Motion B, on the Broward County Board of County Commissioners Agenda of September 13, 2005 regarding the establishment of a Selection Committee (SC) and release of Request for Letters of Interest (RLI) for the creation of a master plan for the Broward Convention Center inclusive of a headquarters hotel, in order to give the Tourist Development Council the opportunity to consider the item at their meeting on September 29, 2005. (Commissioner Rodstrom) (Tabled from September 27, 2005 – Item No. 80)

ACTION: (T-11:04 AM) No Board action was taken. (Refer to minutes for full discussion.)

63. MOTION TO TERMINATE Airline Passenger Service Incentive Program at Fort Lauderdale/Hollywood International Airport (FLL). (Commissioner Rodstrom) (Deferred from September 27, 2005 – Item No. 79)

ACTION: (T-10:08 AM) Deferred to Tuesday, October 25, 2005, at the request of the County Auditor.

64. MOTION TO DISCUSS impact of the ongoing labor negotiations as it relates to the one year extension between GFC Crane and Broward County. (Commissioner Lieberman) (Deferred from September 27, 2005 – Item No. 81)

ACTION: (T-11:50 AM) Withdrawn at the request of Commissioner Lieberman. (Refer to minutes for full discussion.)

65. MOTION TO DISCUSS requirement for builders bidding on escheated properties in Broward County to include a warranty provision in contracts for new homes that would provide additional protection for new home buyers. (Commissioner Rodstrom)

ACTION: (T-10:08 AM) Withdrawn at the request of Commissioner Rodstrom.

66. A. MOTION TO FILE Board of County Commissioners of Palm Beach County resolution number R-2005-1763, dated September 13, 2005, supporting embryonic stem cell research in the State of Florida, opposing any state or federal legislation or administrative action that would have the effect of slowing or banning research in the area of stem cell research and supporting state and federal funding that will enable embryonic stem cell research to move forward rapidly and ensure public access to such advances. (Mayor Jacobs)

ACTION: (T-11:52 AM) Approved.

- B. MOTION TO ADOPT a resolution 2005-786 supporting embryonic stem cell research in the State of Florida, opposing any state or federal legislation or administrative action that would have the effect of slowing or banning research in the area of stem cell research and supporting state and federal funding that will enable embryonic stem cell research to move forward rapidly and ensure public access to such advances. (Mayor Jacobs)

ACTION: (T-11:52 AM) Approved.

COUNTY AUDITOR

67. MOTION TO EVALUATE County Auditor and establish salary for Fiscal Year 2006, effective October 1, 2005.

ACTION: (T-10:08 AM) Deferred at the request of the County Auditor.

68. MOTION TO APPROVE Agreement between Broward County, Broward County Property Appraiser, Broward County Sheriff, Broward County Supervisor of Elections, Housing Finance Authority of Broward, Florida, and Rachlin Cohen & Holtz LLP for independent audit services, providing for a comprehensive audit of County Agencies for the fiscal years 2004-2005 through 2008-2009, and authorize the Chair and Clerk to execute same.

ACTION: (T-11:53 AM) Approved.

69.

MAYOR'S REPORT

- A. SUPER BOWL RETURNING TO SOUTH FLORIDA 2010

ACTION: (T-11:53 PM) The Mayor was pleased to announce that the National Football League (NFL) owners will bring the Super Bowl back to South Florida in 2010 even though the County will host the event in 2007. Broward County is expected to see an economic impact of over \$200 million from the 2010 Super Bowl. The Mayor, on behalf of the Board, commended Nicki Grossman, President/CEO, Greater Fort Lauderdale Convention and Visitors Bureau, for all her efforts in bringing this event to the County. (Refer to minutes for full discussion.)

- B. MILLION MEALS CAMPAIGN – MONTH OF OCTOBER

ACTION: (T-11:53 AM) Mayor Jacobs reported that during the month of October, Broward County is the lead sponsor for the "Million Meals Campaign." This is an initiative that Broward County is participating in to replenish the local food pantries. The Mayor is asking all Broward County employees to "lend a hand and bring a can" to help those in need. Donation boxes are located in the Governmental Center, the Governmental Center West, all library locations, and all courthouse locations. The final collection day is Friday, October 28th. (Refer to minutes for full discussion.)

- C. NATIONAL WILDLIFE FEDERATION POSTED INFORMATION ON BROWARD'S COMMUNITY-WIDE HABITAT ON WEB SITE

ACTION: (T-11:55 AM) The Mayor expressed great pleasure that the National Wildlife Federation has posted information regarding Broward County's Community-wide Habitat program on their web site. (Refer to minutes for full discussion.)

D. HURRICANE PREPAREDNESS MEETING WITH GOVERNOR –

ACTION: (T-11:56 AM) Mayor Jacobs advised the Board that she recently participated in a meeting with the Governor and the Mayor of Miami-Dade County to detail the counties' hurricane preparedness, evacuation plans, and resources available for recovery following a hurricane. The Mayor relayed that the Governor commented to the media that Miami-Dade and Broward had the best and most sophisticated hurricane plans both pre and post hurricanes of all of the counties in all of the gulf states. The Mayor described some of the innovative plans Miami-Dade has for its residents. (Refer to minutes for full discussion.)

The Mayor requested that Interim County Administrator Bertha Henry ask Tony Carper, Director, Emergency Management Agency, to condense the Power Point presentation he gave before the Governor and present it to the Board at a future Commission meeting.

E. CONGRATULATIONS TO COMMISSIONER SCOTT – BIRTH OF GRANDSON

ACTION: (T-12:10 PM) The Mayor, on behalf of the Board, congratulated Commissioner Scott on the birth of a new grandson, Liam Michael Scott. Everyone is doing very well. (Refer to minutes for full discussion.)

70. COUNTY COMMISSION LIAISON REPORT

ACTION: (T-12:42 PM) No reports were filed.

71. COUNTY ADMINISTRATOR'S REPORT

ACTION: (T-12:42 PM) Interim County Administrator Bertha Henry informed the Board there was nothing to report.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

72. MOTION TO NOMINATE Bob Swindell to the Florida Atlantic Research and Development Authority. (Commissioner Scott)

ACTION: (T-10:08 AM) Approved. (Transferred to the Consent Agenda.)

NON AGENDA

73. REPORT ON AFFORDABLE HOUSING SUMMIT – COMMISSIONER WEXLER

ACTION: (T-12:11 AM) Commission Wexler gave a brief report on her participation at the Affordable Housing Summit. Five hundred people attended the summit. Commissioner Wexler encouraged Joseph Kocy, Director of Housing Finance, to meet with each commissioner to provide them with an in depth report on what occurred at the summit. (Refer to minutes for full discussion.)

74. REQUEST STAFF TO CREATE A CHRONOLOGICAL TIME LINE FOR COMMISSION – PROPERTY APPRAISER/SUPERVISOR OF ELECTIONS PERMANENT FACILITIES COMMISSIONER WEXLER

ACTION: (T-1215 PM) Commissioner Wexler requested that staff provide a written chronological time line relating to the Property Appraiser/Supervisor of Elections' permanent facilities leading up to the withdrawal of agenda item 56 from this day's agenda. (Refer to minutes for full discussion.)

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

ACTION: (T-12:16 PM) Commissioner Scott asked the County Attorney to research what action the County can take regarding a Charter amendment on the ballot, which would place limitations in Broward County with respect to the Supreme Court's decision regarding condemnation and eminent domain. (Refer to minutes for full discussion.)

76. BREAST CANCER AWARENESS MONTH IN OCTOBER – COMMISSION SCOTT

ACTION: (T-12:17 PM) Commissioner Scott asked that the Mayor find an appropriate way to recognize Breast Cancer Awareness Month in Broward County. (Refer to minutes for full discussion.)

77. MILLION MEALS PROGRAM FOR FOOD BANKS – COMMISSIONER GUNZBURGER

ACTION: (T-12:17 PM) Commissioner Gunzburger thanked everyone for their efforts in the Million Meals Program; the food banks were bare. Commissioner Gunzburger commented that people are being very generous. (Refer to minutes for full discussion.)

78. TRACKING SYSTEM FOR CONTRACTS – COMMISSIONER LIEBERMAN

ACTION: (T-12:18 PM) Commissioner Lieberman commented that staff must have a tracking system to follow when contracts are due to expire and reports must be filed. (Refer to minutes for full discussion.)

79. DEPARTMENT OF REVENUE TO BE TAKEN OUT OF THE SITE ON 13TH STREET – COMMISSIONER LIEBERMAN

ACTION: (T-12:20 PM) Commissioner Lieberman commented that approximately two and one half years ago she and Commissioner Parrish made a motion, which was unanimously carried, that the Department of Revenue be taken out of the site on 13th Street and relocated. Commissioner Lieberman stated that the existing building has insufficient space and is in very poor condition. The Commissioner asked for a report on the issue at the Tuesday, October 18th Commission meeting. (Refer to minutes for full discussion.)

80. NATURESCAPE MAKEOVER GRANT – COMMISSIONER LIEBERMAN

ACTION: (T-12:22 PM) Commissioner Lieberman applauded the Mayor for her leadership regarding Naturescape Makeover program. Commissioner Lieberman had a request from one of her constituents asking if there were any income guidelines for receiving the grant. The Commissioner requested that the Mayor consider that whoever receives the makeover, that there is an income basis to it. Mayor Jacobs stated that the panel is seeking a typical Broward County home where the makeover will demonstrate that a home can look beautiful and save money, and both maintenance and time to the homeowner, as well as being better for the environment. Commissioner Lieberman suggested providing additional information that the program is a partnership between Broward and those individuals donating materials or services to the program. (Refer to minutes for full discussion.)

81. AFFORDABLE HOUSING SUMMIT – COMMISSIONER LIEBERMAN

ACTION: (T-12:24 PM) Commissioner Lieberman relayed that she was disappointed that she could not attend the Affordable Housing Summit but had a previous engagement. Commissioner Lieberman commented that 10 months have passed and the Board is still waiting for recommendations; she would like to see an agenda item in the near future. (Refer to minutes for full discussion.)

82. COMMEMDED PHIL ALLEN FOR INNOVATIVE PROGRAM – COMMISSIONER LIEBERMAN

ACTION: (T-12:26 PM) Commissioner Lieberman commended Philip C. Allen, Interim Port Director, for his innovative program last year that allowed county employees to donate up to one day of accrued annual leave to be given to the Red Cross for hurricane relief. The program is so successful that other counties have emulated it. (Refer to minutes for full discussion.)

83. AFFORDABLE HOUSING SUMMIT – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-12:27 PM) Commissioner Wasserman-Rubin commented that she received several calls from partners in the business community expressing their frustrations and would like to see the County move forward on the issue. (Refer to minutes for full discussion.)

84. THANKS TO BROWARD HOUSING PARTNERSHIP – AFFORDABLE HOUSING SUMMIT – COMMISSIONER EGGELLETON

ACTION: (T-12:29 PM) Commissioner Eggelletion thanked the Broward Housing Partnership for hosting the Affordable Housing Summit. Commissioner Eggelletion commented that he is interested in taking any funds the County receives and to leverage those funds in the best way possible. Further, the County should not overlook the existing stock of current houses it has and how they can be rehabilitated and placed back on the market. (Refer to minutes for full discussion.)

85. LETTER FROM GREENBERG TRAURIG – TLMC – COMMISSIONER EGGELLETON

ACTION: (T-12:32 PM) Commissioner Eggelletion asked staff what progress is being made in terms of paying TLMC. Tom Jargiello, Director, Aviation Department, advised that an invoice was sent to the Department of Aviation and copied to the County Attorney's Office for \$270,000. The invoice was turned over to Aviation staff for review and to Mr. Yunior Pineiro from the County Attorney's Office to review for its acceptability. Staff does dispute a number of items in the invoice. It is being handled with Aviation staff's review of the earned value in compliance with County contracts and with the guidance of the County Attorney's Office for its viability. (Refer to minutes for full discussion.)

86. SUPERVISOR OF ELECTIONS (SOE) – NEW FACILITY – VICE MAYOR GRABER

ACTION: (T-12:34 PM) Vice Mayor Graber stated that although the Property Appraiser withdrew from the land acquisition, the Supervisor of Elections is still seeking a new facility.

Following Board discussion, the Board agreed to wait to review the chronological time line that staff will provide to the Board at the Tuesday, October 18th meeting before taking any action. (Refer to minutes for full discussion.)

87. COUNTY AUDITOR – UPDATE FOR RECRUITMENT OF COUNTY ADMINISTRATOR

ACTION: (T-12:34 PM) County Auditor Evan Lukic advised the Board that he would provide an update of the recruiting efforts for the County Administrator’s position on Wednesday, October 12th.

MEETING/WORKSHOP NOTICES

CODE OF OFFICIAL CONDUCT WORKSHOP

Tuesday, October 11th, at 12:00 Noon
(or immediately following the morning meeting)
Room 430, S. Andrews Ave. Governmental Center

CUSTOMER RELATIONSHIP MANAGEMENT

RLI No. 20041022-0-OIT-01
Tuesday, October 11th, at 3:00 PM
(Or immediately following the Public Hearing)
Room 430, S. Andrews Ave. Governmental Center

