

MEETING OF OCTOBER 18, 2005

(The meeting convened at 10:00 a.m. and adjourned at 2:11 p.m.)

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

MOMENT OF SILENCE

In memory of Eugene Franklin, Chair of the Neighborhood Enhancement Program in Washington Park; Past President of the Washing Park Civic Association and Chair of the Municipal Services Advisory Board.

In memory of Frank Parker Scruggs, Sr., Broward County School Board educator.

CALL TO ORDER

CONSENT AGENDA

BOARD APPOINTMENTS

1. A. MOTION TO RE-APPOINT Mr. Alyn D. Kay to the Broward Beautiful Committee. (Commissioner Wasserman-Rubin)
ACTION: (T-10:07 AM) Approved.
- B. MOTION TO APPROVE appointment of Commissioner Iris Siple to the Commission on the Status of Women. (Commissioner Wexler)
ACTION: (T-10:07 AM) Approved.
- C. MOTION TO RE-APPOINT Bruce W. McNeilage to the Consumer Protection Advisory Board. (Commissioner Eggelletion)
ACTION: (T-10:07 AM) Approved.
- D. MOTION TO NOMINATE FOR RE-APPOINTMENT Bob Young to the Central Examining Board of Building Construction Trades. (Commissioner Eggelletion)
ACTION: (T-10:07 AM) Approved.



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

AVIATION DEPARTMENT

2. MOTION TO APPROVE fourth amendment to the Agreement 121300-RB, between Broward County and Singer Architects, Inc. for architect, engineering and interior design services at the Fort Lauderdale-Hollywood International Airport in order to: (1) increase the current year optional service not-to-exceed amount by \$265,000; from \$5,102,300 to \$5,367,300 for the remaining period of the current agreement year, (2) approve the second and final renewal option to extend the agreement to November 27, 2006, (3) increase the optional service not-to-exceed amount by \$1,820,000 for the final agreement year, (4) increase the total Optional Service not-to-exceed amount of the agreement by \$2,085,000; from \$5,776,400 to \$7,861,400; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved.

3. MOTION TO APPROVE second amendment to the agreement between Broward County and Harris Miller Miller & Hanson, Inc. (HMMH) for Acoustical Consulting Services at Fort Lauderdale/Hollywood International Airport (RLI 20021015-0-AV-01), increasing the agreement amount not to exceed \$126,000; from \$219,931 to \$345,931; and authorize the Mayor and Clerk to execute same

ACTION: (T-10:07 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

SEAPORT CONSTRUCTION AND PLANNING DIVISION

4. A. MOTION TO ADOPT Resolution 2005-791 authorizing the Mayor and Clerk to execute a joint participation agreement between Broward County and the Florida Department of Transportation, for the purpose of applying grant funds in the total amount of \$1,035,000 to the Port Everglades Department for the construction of the new bridge over the FPL discharge canal; requiring \$1,378,000 in matching funds from the County, for a total project cost of \$2,413,000; effective upon execution by the Florida Department of Transportation through July 31, 2007.

ACTION: (T-10:07 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-792 within the Port Everglades Capital Fund (4710) for the Department of Port Everglades in the amount of \$1,035,000; for the construction of the new bridge over the FPL discharge canal.

ACTION: (T-10:07 AM) Approved.

5. A. MOTION TO ADOPT Resolution 2005-793 authorizing the Mayor and Clerk to execute a joint participation agreement between Broward County and the Florida Department of Transportation, for the purpose of applying grant funds in the total amount of \$2,100,000 to the Port Everglades Department for the construction of the Southport Phase VIII Container Yard; requiring \$2,100,000 in matching funds from the County, for a total project cost of \$4,200,000; effective upon execution by the Florida Department of Transportation through July 31, 2007.

ACTION: (T-10:07 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-794 within the Port Everglades Capital Fund (4710) for the Port Everglades Department in the amount of \$2,100,000; for the construction of the Southport Phase VIII Container Yard.

ACTION: (T-10:07 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

6. MOTION TO APPROVE execution of a Consent letter regarding the Broward County Industrial Development Bonds (American Whirlpool Products Corp. Project), Series 1993.

ACTION: (T-10:07 AM) Approved.

COUNTY RECORDS DIVISION

7. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meetings of August 30, 2005, and September 13, 2005; and the minutes of the 2:00 P.M. Public Hearing of September 13, 2005, and 5:01 P.M. First Budget Hearing of September 13, 2005.

ACTION: (T-10:07 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-10:07 AM) Approved.

PURCHASING DIVISION

For Aviation Department

8. **MOTION TO AWARD** open-end contract to low responsive, responsible bidder, Runway Growers, Inc. (Certified Small Business Enterprise), to provide and install trees, palms and shrubs for roadway projects at Fort Lauderdale/Hollywood International Airport (Re-bid), Bid No. H-4-05-107-M1, in the estimated annual amount of \$240,000; 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 \$720,000. The initial contract period shall start on date of award and shall terminate one year from that date.

ACTION: (T-10:07 AM) Approved.

For Public Works and Transportation Department

9. **MOTION TO APPROVE** limitation of competition for the purchase of additional electrical generators, to specify only Caterpillar, Inc. and Detroit Diesel, Inc., for Water and Wastewater Services.

ACTION: (T-10:07 AM) Approved.

10. **MOTION TO AWARD** fixed contract to single responsive, responsible bidder, Sun Coast Glass Protection Inc., for Broward County Judicial Complex North Wing Window Film Installation, Bid No. P-2-05-025-CF, in the total amount of \$693,000; 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-10:07 AM) Approved.

REVENUE COLLECTION DIVISION

11. A. **MOTION TO APPROVE** third amendment to the agreement between Broward County and First Broward Auto Tag Agency of Lauderhill, Inc. for private tag agency services, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE third amendment to the agreement between Broward County and SFADA Tag Agency, Inc. for private tag agency services, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:09 AM) Approved. (Refer to minutes for full discussion.)

- C. MOTION TO APPROVE fifth amendment to the agreement between Broward County and First Broward Auto Tag Agency, Inc. for private tag agency services, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved.

- D. MOTION TO APPROVE third amendment to the agreement between Broward County and Deerfield Auto Tag Agency, Inc. for private tag agency services, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved.

- E. MOTION TO APPROVE third amendment to the agreement between Broward County and Broward Express Auto Tag Agency, Inc. for private tag agency services, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved.

HUMAN SERVICES DEPARTMENT

12. MOTION TO APPROVE eighth amendment to the Cooperation Agreement dated November 10, 1970, between Broward County and the Broward County Housing Authority (BCHA) to waive the requirement for Payment In Lieu of Taxes (PILOT) for the Fiscal Years ending September 30, 2006, September 30, 2007 and September 30, 2008.

ACTION: (T-10:07 AM) Approved.

FAMILY SUCCESS ADMINISTRATION DIVISION

13. **MOTION TO APPROVE** Interlocal Agreement between Broward County and the City of Fort Lauderdale in the amount of \$75,861; from date of execution to September 30, 2006, for the purpose of preventing homelessness by allowing Broward County to make referrals to the City of Fort Lauderdale for the payment of emergency rent, mortgage and/ or utility assistance to Broward County clients who are residents of the City of Fort Lauderdale, and authorize the Mayor and Clerk to execute same. This agreement requires a County in-kind match of \$25,861; which shall be provided through current personnel resources. **(Commission Districts 4,7and 9)**

ACTION: (T-10:07 AM) Approved.

14. A. **MOTION TO APPROVE** Amendment No. 2 to Agreement LK433, between the State of Florida Department of Children and Families and Broward County, for the period of October 1, 2003, through September 30, 2006, for the purpose of increasing the three-year funding level under the agreement by \$88,388; from \$694,800 to \$783,188 to authorize a budget of \$319,988 under the agreement for Fiscal Year 2006; and authorize the Mayor and Clerk to execute the same. No County match is required.

ACTION: (T-10:07 AM) Approved.

- B. **MOTION TO ADOPT** unanticipated revenue Resolution 2005-795 in the amount of \$319,988 within the Targeted Assistance for Refugees Fund for the purpose of providing employment and special social adjustment services to refugees, asylees, and Cuban/Haitian entrants under the third year of the contract.

ACTION: (T-10:07 AM) Approved.


SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

15. **MOTION TO APPROVE** agreement between Broward County and Hart House Apartments, Inc. for the purpose of providing Permanent Supportive Housing services from the date of execution through November 30, 2005, in the amount of \$75,000, and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-10:07 AM) Withdrawn for further staff review.

ENVIRONMENTAL PROTECTION DEPARTMENT

AIR QUALITY DIVISION

-  16. A. MOTION TO ADOPT budget Resolution 2005-796 transferring funds within the Fiscal Year 2006 Air Trust Fund (1080) from the Air Trust Reserve in the amount of \$31,500; for costs associated with the funding of an agreement with the South Florida Regional Planning Council (SFRPC) related to promoting the use of alternative fuels in Broward County.

ACTION: (T-10:07 AM) Approved.

- B. MOTION TO APPROVE agreement with the South Florida Regional Planning Council in the amount of \$51,500; for the Community Transportation Initiative (CTI) to promote the use of alternative fuels and alternative fueled vehicles in governmental and private fleets in Broward County. The agreement period begins on the date it is fully executed by both parties and shall end on September 30, 2006.

ACTION: (T-10:07 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

17. MOTION TO APPROVE agreement between Broward County and the City of Lighthouse Point, disbursing up to \$35,530 from the Tree Preservation Trust Fund for a tree planting project at DeGroff Park, for an 18 month period effective upon execution; and authorizing the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:07 AM) Approved.

PORT EVERGLADES DEPARTMENT

18. MOTION TO APPROVE lease agreement between Broward County and Donald T. Quinn for Suite No. 404, consisting of 487 square feet of office space, in the Port Administration Building at Port Everglades for the period of November 1, 2005 through October 31, 2006, with rent in an annual amount of \$8,887.75; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved.

19. A. MOTION TO APPROVE mutual termination of Easement Agreement between Broward County (f/k/a “Port Everglades Authority”) and Cliff Berry & Associates Inc. terminating an easement dated December 1, 1991; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved.

- B. MOTION TO APPROVE Petroleum Transfer Facilities License Agreement between Broward County and South Florida Petroleum Services, LLC and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved.

20. A. MOTION TO APPROVE second amendment to agreement between Broward County and Florida East Coast Railway, LLC (FEC), for the operation and maintenance of the Port Everglades Railroad; extending for a fifteen year period; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:07 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Exhibit 1, Agreement Summary Sheet inadvertently reveals goals; however, there are no goals for this agreement.)

- B. MOTION TO AUTHORIZE Port Director to execute Industry Trackage Agreements between Broward County, Florida East Coast Railway, LLC and various rail users for rail shipments utilizing the County owned Industry Track which is a part of the Port Everglades Railroad.

ACTION: (T-10:07 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

21. A. MOTION TO APPROVE certificate regarding matching funds between Broward County and the State of Florida providing for match funds in the amount of \$46,221 to be used for voter education.

ACTION: (T-10:07 AM) Approved.

- B. MOTION TO ADOPT budget Resolution 2005-797 transferring within the General Fund the amount of \$46,221 from the Reserve for Grant Match for the purpose of providing matching funds to receive State Grant.

ACTION: (T-10:07 AM) Approved.

- C. MOTION TO ADOPT unanticipated revenue Resolution 2005-798 within the Supervisor of Elections – Education and Outreach Plan Grant Fund in the amount of \$46,221 for the purpose of voter education.

ACTION: (T-10:07 AM) Approved.

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

BUILDING CODE SERVICES DIVISION

22. MOTION TO APPROVE Guaranteed Partial Services Interlocal Agreement between Broward County and the City of Lauderhill to provide Florida Building Code inspection, plan review and building official services to the City from the date of approval by the County Commission to September 30, 2008; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1 and 9)**

ACTION: (T-10:07 AM) Approved.

23. MOTION TO APPROVE Emergency/Non-Guaranteed Supplemental Support Interlocal Agreement between Broward County and the City of Lauderhill to provide Florida Building Code inspection, plan review and building official services to the City from the date of approval by the County Commission to September 30, 2008; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1 and 9)**

ACTION: (T-10:07 AM) Approved.

COUNTY AUDITOR

24. MOTION TO FILE State of Florida's Auditor General Report, *County Value Adjustment Boards, Performance Audit dated July 1, 2003, Through June 30, 2004.*

ACTION: (T-10:07 AM) Approved.


REGULAR AGENDA

DELEGATION

- 25. **DELEGATION:** Wilter Louis requests to speak to the Board regarding permit process for taxi cabs.

ACTION: (T-10:09 AM) No Board action was necessary. (Refer to minutes for full discussion.)

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

-  26. A. **MOTION TO APPROVE** agreement between TLC Investment Group, inc., and Broward County in the amount of \$45,000 cash and conveyance of four vacant, residential, County-owned lots (that escheated to the County) for the purchase of Safe Parks and Land Preservation Bond Program Open Space Site OS-70.11 (26,132 square feet, 0.60 acre); vacant land located at the northwest corner of NW 11th Street and NW 28th Avenue, Unincorporated Broward County (Fort Lauderdale), Florida; authorize Real Property Section to acquire this property using Safe Parks and Land Preservation Bond Issue funds; authorize the Mayor and Clerk to execute agreement and quit claim deed, and authorize acceptance and recordation of warranty and quit claim deeds. **(Commission District 9)**

ACTION: (T-10:12 AM) Approved.

- B. **MOTION TO ADOPT** Resolution 2005-799 approving the conveyance and exchange of vacant real property that Broward County has determined will not be needed for County purposes. **(Commission District 9)**

ACTION: (T-10:12 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION

27. MOTION TO ADOPT Resolution 2005-800 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. (Deferred from October 11, 2005 – Item No. 22)

ACTION: (T-10:12 AM) Approved.

HUMAN SERVICES DEPARTMENT

28. A. MOTION TO APPROVE budget Resolution 2005-801 transferring within the General Fund the amount of \$92,000 from the Commission Reserve for the purpose of providing one time emergency funding to Legal Aid Services of Broward County, Inc., to ensure continuation of services offered through a State legal services pilot project for Fiscal Year 2006.

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

- B. MOTION TO APPROVE first amendment to the agreement between Broward County and Legal Aid Services of Broward County, Inc., for the purpose of modifying scope of services and performance outcomes and increasing the agreement by \$92,000 for same; and authorize the County Administrator to execute said first amendment. Such amendment shall be subject to the prior review and approval by the County Attorney's Office prior to execution by the County Administrator on behalf of Broward County

ACTION: (T-10:07 AM) Deleted on the advice of the County Attorney's Office.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

29. MOTION TO NOMINATE five members and one alternate to the Broward County HIV Health Services Planning Council.

ACTION: (T-10:07 AM) Approved the following to serve on the HIV Health Services Planning Council: Members: Fulgencio Aponte, Edith Garcia, Gary Kallmayer, Eddy Remy, and Karlene Tomlinson. Alternate: Louis Curbelo. (Transferred to the Consent Agenda.)

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

REAL PROPERTY SECTION

30. MOTION TO DIRECT staff to advertise a Request For Proposals for space that can be acquired by purchase, lease-purchase or long-term lease to accommodate Revenue Collections N.E. 13th Auto Tag Operation.

ACTION: (T-10:13 AM) Tabled to the conclusion of item 31. (Refer to minutes for full discussion.)

ACTION: (T-1:11 PM) The Board directed staff to advertise a Request For Proposals (RFP) for space to lease (not long term) with an opt out provision similar to the current lease's opt out provision. The geographic radius for the purposes of location shall be the general area of Sunrise Boulevard to the north; Federal Highway to the east; University Drive/Pine Island Road to the west, and Griffin Road to the South. While conducting the search, the Board directed staff to consider land the County already owns. Staff will make every attempt to expedite the project. (Refer to minutes for full discussion.)

COUNTY ADMINISTRATION

31. MOTION TO DISCUSS space needs and facilities for the Supervisor of Elections and the Property Appraiser.

ACTION: (T-11:05 AM) The Board directed staff to take thirty (30) days to perform due diligence and search for locations for the Supervisor of Elections in and around the Broward Boulevard corridor from Pine Island Boulevard to I-95; from Oakland Park Boulevard to Griffin Road. Staff will return before the Board with recommendations. (Refer to minutes for full discussion.)

COUNTY AUDITOR

32. MOTION TO DISCUSS County Administrator Recruitment Plan.

ACTION: (T-1:20 PM) The Board directed the County Auditor to proceed with the following recruitment plan: Closing date for applications is October 28th. Three to five candidates will be short listed. The full Board shall interview the short-listed candidates first. Subsequent to the full Board interviews, individual interviews will be scheduled over a one or two-day period. No social event will be planned. (Refer to minutes for full discussion.)

33.

MAYOR'S REPORT

❖ **MAYOR'S BALL**

ACTION: (T-2:08 PM) Mayor Jacobs thanked the Commissioners for their support and help with the Mayor's Ball. The Mayor's Ball will take place Saturday night, October 22nd, at the Broward Convention Center, with a reception starting at 6:30 p.m. and dinner at 8:30 p.m. (Refer to minutes for full discussion.)

34.

COUNTY COMMISSION LIAISON REPORT

ACTION: (T-2:11 PM) No reports were filed.

35.

COUNTY ADMINISTRATOR'S REPORT

ACTION: (T-2:11 PM) Interim County Administrator Bertha Henry informed the Board there was nothing to report.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

36. **MOTION TO DIRECT** County Attorney's Office to draft an amendment to Section 21.84, Broward County Administrative Code, to provide that no Selection Committee members may be appointed subsequent to a Selection Committee's shortlisting of prospective vendors. (Commissioner Lieberman)

ACTION: (T-1:41 PM) The Board directed staff to convene a new Procurement Committee to discuss, in greater depth, issues brought forward by the Board at this day's meeting. The following will serve on the Committee: Mayor Jacobs, Vice Mayor Graber, Commissioners Lieberman, Rodstrom, and Wexler. The Committee will return before the Board with recommendations. (Refer to minutes for full discussion.)

NON AGENDA

37. MEMORANDUM FROM THE COUNTY ATTORNEY – DEBARMENT PROCEEDINGS – MARSH AND MC LENNAN COMPANIES, INC. - COMMISSIONER LIEBERMAN

ACTION: (T-2:09 PM) Commissioner Lieberman referenced a memorandum from County Attorney Jeffrey Newton relating to the initiation of debarment proceedings against Marsh and McLennan. The memorandum states that there does not show a clear basis under the Procurement Code for the County to initiate debarment proceedings against Marsh and McLennan. Commissioner Lieberman commented that under Number 10, she felt having the Attorney General of the State of New York seek a settlement from this vendor is a compelling reason to debar. Mr. Newton stated that the Director of Purchasing could look at the catch all phrase (Number 10) and reach that conclusion. (Refer to minutes for full discussion.)

38. CONGRATULATIONS TO BILL NORKUNAS – APPOINTED TO FLORIDA BUILDING COMMISSION – COMMISSIONER LIEBERMAN

ACTION: (T-2:09 PM) Commissioner Lieberman, on behalf of the Board, congratulated Bill Norkunas on his appointment to the Florida Building Commission. (Refer to minutes for full discussion.)

39. PARKING ISSUE AT TAMARAC LIBRARY – COMMISSIONER LIEBERMAN

ACTION: (T-2:10PM) Commissioner Lieberman relayed that she received a letter from Tamarac City Commissioner Beth Flansbaum-Talabisco relating to parking problems at the Tamarac Library. She asked staff to look into the matter and return with recommendations. Tamarac District Commissioners are: Mayor Jacobs and Commissioners Eggelletion and Lieberman. (Refer to minutes for full discussion.)

40. DRAFT RESOLUTION FROM THE CITY OF LAUDERHILL – COMMISSIONER EGGELLETON

ACTION: (T-2:11 PM) Commissioner Eggelletion stated that he received a draft Resolution from the City of Lauderhill regarding the 2008 Golden Oldies World Cricket Festival. Commissioner Eggelletion asked Interim County Administrator Bertha Henry for her recommendations with respect to the County’s level of participation prior to bringing an item before the County Commission. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

CODE OF OFFICIAL CONDUCT WORKSHOP

Tuesday, October 18th, at 12:00 Noon
or immediately following the morning meeting
Room 430, S. Andrews Governmental Center

WATER AND WASTEWATER ENGINEERING DIVISION

WATER AND SEWER IMPROVEMENTS

RLI No. 20041101-0-EED-01

Tuesday, October 18th, at 2:00 PM
Room 430, S. Andrews Governmental Center

AIRPORT MASTER PLAN UPDATE WORKSHOP

Tuesday, October 18th, at 5:30 PM
Room 422, S. Andrews Governmental Center

