

## **MEETING OF NOVEMBER 13, 2008**

(Meeting convened at 10:10 a.m.; recessed at 1:00 p.m.; reconvened at 4:25 p.m.; recessed at 5:56 p.m.; reconvened at 6:20 p.m.; recessed at 6:47 p.m.; reconvened at 7:16 p.m.; and adjourned at 7:24 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Commissioner Ken Keechl, District 4.

### **MOMENT OF SILENCE:**

In memory of Leanna “Lee” Kmicic-Mirsky, former City of Lauderdale Commissioner.

In memory of Fred Frankel, former President of the Florida World Trade Center.

In memory of our brave men and women valiantly serving in Iraq and Afghanistan.

CALL TO ORDER: Mayor Wexler called the meeting to order and declared a quorum present.

<b><u>COMMISSIONER</u></b>	<b><u>DISTRICT</u></b>	<b><u>ATTENDANCE</u></b>
Josephus Eggelton, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

## **CONSENT AGENDA**

**A motion was made by Commissioner Lieberman, seconded by Commissioner Gunzburger and unanimously carried to approve the Consent Agenda consisting of items 1 through 77. At the request of the Mayor, Regular Agenda Items 79, 81, 82, 84, 86, 88, 89, and 90, along with Supplemental Items 98 and 99 were transferred to the Consent Agenda.**

**The following items were withdrawn/deferred: 1 C, 8, 61, 71, and 72.**

**The following items were pulled by the Board and considered separately: 74, 90, and 98.**

**The following items were pulled by a member of the audience: 14 A & B.**



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

1.

**BOARD APPOINTMENTS**

- A. MOTION TO RE-APPOINT Paul Hyman to the Diversity Advisory Council (Commissioner Keechl)

***ACTION: (T-10:20 AM) Approved.***

- B. MOTION TO RE-APPOINT Dale Redlich to the Alcohol and Drug Advisory Board. (Commissioner Wasserman-Rubin)

***ACTION: (T-10:20 AM) Approved.***

- C. MOTION TO RE-APPOINT Lisa L. Baumbach-Reardon, Ph.D. to the Broward County Land Preservation Advisory Board (LPAB) in the category of "At-Large Environmental Seat." (Mayor Wexler)

***ACTION: (T-10:12 AM) Withdrawn for further staff review.***

- D. MOTION TO APPOINT Dan Glickman to the Transit Advisory Board. (Commissioner Jacobs)

***ACTION: (T-10:20 AM) Approved.***

- E. MOTION TO APPOINT Leslie Sheffield to the Commission on the Status of Women. (Commissioner Jacobs)

***ACTION: (T-10:20 AM) Approved.***

**AVIATION DEPARTMENT**

2. MOTION TO APPROVE Pipeline License Agreement between Broward County, Florida and Florida Gas Transmission Company to continue the operation and maintenance of a natural gas pipeline at the Fort Lauderdale-Hollywood International Airport effective December 1, 2008, through November 30, 2013, for anticipated annual revenue of \$18,033.92, with an 18-month written notice of termination without cause; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:20 AM) Approved.***

3. MOTION TO APPROVE Agreement of Lease between Broward County (County) and Lockheed Martin Corporation (Lockheed) for 1,300 square feet of office space at Fort Lauderdale-Hollywood International Airport (FLL), commencing upon Board approval, and terminating on November 30, 2010; including a 90-day notice of cancellation by either party; for anticipated annual revenue of \$41,101.01; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:20 AM) Approved.***

4. MOTION TO APPROVE Shuttle Utilization Agreement between Broward County and Avis Rent A Car System, LLC to transport rental car customers between the passenger terminals at Port Everglades and the Rental Car Center at the Fort Lauderdale-Hollywood International Airport; to be effective on Board approval with services commencing December 1, 2008, on a month-to-month period not to exceed 24 months; anticipated monthly reimbursement costs of approximately \$3,693; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:20 AM) Approved.***

## **PUBLIC WORKS DEPARTMENT**

### **HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION**

5. MOTION TO ADOPT Resolution 2008-785 accepting a Road Easement executed by HBR Developers, LLC, a Florida limited liability company, conveying land to Broward County for right-of-way located on the southwest corner of NW 27<sup>th</sup> Avenue and NW 14<sup>th</sup> Street in unincorporated Broward County, at a nominal cost of \$1 to the County. **(Commission District 9)**

***ACTION: (T-10:20 AM) Approved.***

## **WATER AND WASTEWATER SERVICES**

### **WATER AND WASTEWATER ENGINEERING DIVISION**

6. MOTION TO APPROVE Agreement between Broward County and the City of Lauderdale Lakes to incorporate the replacement of a County-owned, 10-inch water main into the City's road and drainage improvement project on NW 49<sup>th</sup> Avenue, from Oakland Park Boulevard to south of NW 26<sup>th</sup> Street, at an estimated cost to the County of \$590,000; effective upon execution, and authorize the Mayor and Clerk to execute same. **(BCWWS 8864) (Commission District 9)**

***ACTION: (T-10:20 AM) Approved.***

## FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

### ACCOUNTING DIVISION

7. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending September 30, 2008.

***ACTION: (T-10:20 AM) Approved.***

8. MOTION TO FILE Tangible Property Asset Disposal Certificate 439.

***ACTION: (T-10:13 AM) Withdrawn for further staff review.***

9. MOTION TO FILE Semi-Annual Financial Summary for the Park, Open Space and Recreational Trust Fund for the six month period ending September 30, 2008.

***ACTION: (T-10:20 AM) Approved.***

### COUNTY RECORDS DIVISION

10. A. MOTION TO APPROVE minutes of the 10:00 A.M. Board of Broward County Commissioners meetings of September 9, 2008, September 16, 2008, September 23, 2008 and October 7, 2008; and the minutes of the 2:00 P.M. Public Hearings of September 9, 2008 and September 23, 2008.

***ACTION: (T-10:20 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-10:20 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-10:20 AM) Approved.***

## **PURCHASING DIVISION**

For Aviation Department

11. **MOTION TO APPROVE** release of retainage and final payment for Work Authorization BO2-4C-91 in the amount of \$20,418.20, and Work Authorization BO11-72 in the amount of \$3,982.29, for a total final payment of \$24,400.29, to Singer Architects, Inc., authorized under Miscellaneous Architect, Engineer and Interior Design Services, Request for Letters of Interest (RLI) No. 121300-RB, for the Aviation Department. **(Commission District 7)**

***ACTION: (T-10:20 AM) Approved.***

For Environmental Protection and Growth Management Department

12. **MOTION TO APPROVE** Fourth Amendment to the Agreement between Broward County and Olsen Associates, Inc. for Consultant Services for the Port Everglades Inlet Sand Management Feasibility and Engineering and Design, (Sand Bypassing Project), Request for Letters of Interest (RLI ) No. 022100-RB, providing for a no-cost extension of ten months for the completion of Task 4, National Environmental Policy Act (NEPA) Documentation, and Task 5, Permitting, extending the Agreement term from December 29, 2008 to October 29, 2009, and authorizing the Mayor and Clerk to execute same. **(Commission Districts 4 and 6)**

***ACTION: (T-10:20 AM) Approved.***

For Public Works Department

13. **MOTION TO AWARD** open-end contract to Corona Construction Company, low bidder, Groups 2, 5, and 6, and low responsive, responsible bidder, Groups 1, 3, and 4, for Gate Valves, Plug Valves, and Check Valves, Bid No. E808248B1, in the estimated annual amount of \$228,610 for the Water and Wastewater Operations Division and authorize the Director of Purchasing to renew the contract for two one-year periods for a potential contract amount of \$685,830. The initial contract period shall start on the date of the award and shall terminate one year from that date.

***ACTION: (T-10:20 AM) Approved.***

## **REVENUE COLLECTION DIVISION**

14. A. MOTION TO APPROVE Assignment and Amendment to the Agreement between the Florida Tax Collectors, Inc. and Florida Tax Collectors Service Corporation and Broward County for use of an Electronic Filing System. The agreement is being amended to provide a mechanism to allow access to the Florida Real-Time Information System by Certified Service Providers that have been certified by the Department of Highway Safety and Motor Vehicles (DHSMV) and The Tax Collectors following the approval of the original agreement. Access to the Florida Real-Time Vehicle Information System allows Participating Dealers, on behalf of their customers, to file applications for certificates of title and vehicle registrations. The amendment authorizes the County Administrator or designee to issue letters of notification to future Certified Service Providers. The Assignment of the Agreement is necessary due to the reassignment from the Florida Tax Collectors, Inc. to the Florida Tax Collectors Service Corporation of the agreement which allows access to the electronic filing system between the Florida Tax Collectors Service Corporation and Computerized Vehicle Registration (CVR).

***(This item was pulled by a member of the audience.)***

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

***ACTION: (T-10:21 AM) The Board reconsidered Item 14 A. and B. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

***ACTION: (T-10:21 AM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

- B. MOTION TO APPROVE modifications to the Standard Agreement between Broward County and Dealer for Express and Limited Branch Office ("Standard Agreement") which consist of the revision to Article 13 to authorize the term of the agreement to continue on a year-to-year basis and to remove the testing requirement in Article 16.8 based upon the variance of technology used by different Certified Service Providers for the Electronic Filing System and authorize the Mayor to execute the Standard Agreement in substantially the form approved herein to execute the Dealer Agreements.

*(This item was pulled by a member of the audience.)*

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

**ACTION:** (T-10:21 AM) The Board reconsidered Item 14 A. and B. (Refer to minutes for full discussion.)

**VOTE:** 9 – 0.

**ACTION:** (T-10:21 AM) Approved. (Refer to minutes for full discussion.)

**VOTE:** 9 – 0.

## **HUMAN SERVICES DEPARTMENT**

### **ELDERLY AND VETERANS SERVICES DIVISION**

15. A. MOTION TO APPROVE Vendor Agreement No. CH00003-15-2009 between Areawide Council on Aging of Broward County, Inc. and Broward County from date of execution through October 30, 2009 in the amount of \$75,987 for the purpose of providing evidence based interventions for depressive symptoms to people aged 60 years or older; and authorize the Mayor to execute same.

**ACTION:** (T-10:20 AM) Approved.

- B. MOTION TO ADOPT unanticipated Revenue Resolution 2008-786 within the State of Florida Grant Fund for the Elderly and Veterans Services Division in the amount of \$75,987 for the provision of evidenced based interventions for depressive symptoms.

**ACTION:** (T-10:20 AM) Approved.

## **FAMILY SUCCESS ADMINISTRATION DIVISION**

16. A. MOTION TO ADOPT unanticipated revenue Resolution 2008-787 within the Assets for Independence Fund for the Family Success Administration Division's Refugee Services Program in the amount of \$50,000 representing the amount for the first year of the five-year grant, for the purpose of funding the Individual Development Account program for low-income residents pursuant to an Assets for Independence Demonstration Program grant award from the U.S. Department of Health and Human Services, Office of Community Services

***ACTION: (T-10:20 AM) Approved.***

- B. MOTION TO ACCEPT grant award in the amount of \$222,500 from the U.S. Department of Health and Human Services, Office of Community Services for a five-year period. Revenue includes \$222,500 in federal grant award and \$72,500 in local match contributed by non-profit organizations and banks. A County cash match of \$150,000 is required 2011-2013, for a total program cost of \$445,000. This motion also authorizes the County Administrator to execute any administrative and budgetary actions necessary to implement the grant.

***ACTION: (T-10:20 AM) Approved.***

## **MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION**

17. MOTION TO ACCEPT nominations of Sheryl Forman, Jo-Ann Lorber, Paul Schweinler, and Pasquale Varone for appointment to the Broward Regional Emergency Medical Service (EMS) Council.

***ACTION: (T-10:20 AM) Approved.***

## **COMMUNITY SERVICES DEPARTMENT**

### **LIBRARIES DIVISION**

18. A. MOTION TO ADOPT Resolution 2008-788 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation of a Scully Reel-to-Reel Tape Deck and 52 reels from Ms. Carola Woodworth, for use at the Broward County African-American Research Library and Cultural Center (AARLCC); authorizing the County Administrator to take all administrative and budgetary actions and execute all forms required to implement same; and providing for an effective date. **(Commission District 7)**

***ACTION: (T-10:20 AM) Approved.***

- B. MOTION TO ADOPT Resolution 2008-789 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of a donation of a James Tandi sculpture from Ross Parker for use at the AARLCC; authorizing the County Administrator to take all administrative and budgetary actions and execute all forms required to implement same; and providing for an effective date. **(Commission District 7)**

***ACTION: (T-10:20 AM) Approved.***

19. MOTION TO ADOPT Resolution 2008-790 of the Board of County Commissioners of Broward County, Florida, authorizing the execution and resubmission of a grant application to the State of Florida, Department of State, Division of Library and Information Services, for grant funding in the amount of \$500,000 for construction of the new Lauderhill Central Park Branch Library; authorizing the County Administrator to execute any additional assurances, certifications, and administrative documents and to take all necessary administrative and budgetary actions to execute the grant; and providing for an effective date. **(Commission District 9)**

***ACTION: (T-10:20 AM) Approved.***

20. MOTION TO ADOPT Resolution 2008-791 of the Board of County Commissioners of Broward County, Florida, authorizing the execution and resubmission of a grant application to the State of Florida, Department of State, Division of Library and Information Services, for grant funding in the amount of \$500,000 for construction of the new Sunset Strip Branch Library; authorizing the County Administrator to execute any additional assurances, certifications, and administrative documents, and to take all necessary administrative and budgetary actions to execute the grant; and providing for an effective date. **(Commission District 1)**

***ACTION: (T-10:20 AM) Approved.***

## PORT EVERGLADES DEPARTMENT

21. MOTION TO APPROVE Second Amendment to the Petroleum Transfer Facilities License Agreement between Broward County and South Florida Petroleum Services, LLC for the operation and maintenance of petroleum transfer facilities located at Port Everglades, authorizing the Port Everglades Department to approve minor changes to the pipeline right-of-ways, effective upon approval; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:20 AM) Approved. (Scrivener's error – See County Administrator's Report: Exhibit 2, Page 2, Second Amendment to the Agreement of South Florida Petroleum Services, LLC (SFPS) to amend language to add "minor." Should read SFPS may request and be granted minor modifications..." (Refer to minutes for full discussion.)***

22. MOTION TO APPROVE First Amendment to the Agreement between Broward County and South Florida Materials Corp. (SFM) for Bulk Petroleum Product Pipelines located at Port Everglades, authorizing the Port Everglades Department to approve minor changes to the pipeline right-of-way and the perimeter fence plan; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:20 AM) Approved. (Scrivener's error – See County Administrator's Report: Exhibit 2, Page 2, Second Amendment to the Agreement of South Florida Materials, Corp. (SFM) to amend language to add "minor." Should read LICENSEE may request and be granted minor modifications..." (Refer to minutes for full discussion.)***

23. MOTION TO APPROVE ten year Grantee/Subzone Operator Agreement by and between Broward County, as Grantee of Foreign-Trade Zone No. 25, and CITGO Petroleum Corporation (CITGO), as Subzone Operator; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:20 AM) Approved.***

24. A. MOTION TO APPROVE letter to the Foreign-Trade Zones Board (FTZB) requesting approval of an Application for Special-Purpose Subzone of Foreign-Trade Zone No. 25 (FTZ No. 25) to designate a subzone site for the use of South Florida Materials Corp.; and to authorize the Port Director to effectuate same.

***ACTION: (T-10:20 AM) Approved.***

- B. MOTION TO APPROVE subject to the approval by the FTZB of the Special-Purpose Subzone Application, a ten year Grantee/Subzone Operator Agreement by and between Broward County, as Grantee of FTZ No. 25, and South Florida Materials Corp. as Subzone Operator; and authorize the Mayor and Clerk to execute same.

**ACTION: (T-10:20 AM) Approved.**

**OFFICE OF MANAGEMENT AND BUDGET**

25. A. MOTION TO ADOPT unanticipated revenue Resolution 2008-792 within the Law Enforcement Trust Fund in the amount of \$190,000 to provide match funding to continue operation of the BSO Firesetter Program.

**ACTION: (T-10:20 AM) Approved.**

- B. MOTION TO ADOPT budget Resolution 2008-793 transferring \$145,000 within the Pay Telephone Trust Fund from the BSO truancy program to continue operation of the BSO Firesetter Program.

**ACTION: (T-10:20 AM) Approved.**

- C. MOTION TO APPROVE one time grant to the Broward Sheriff's Office for FY 09 in the amount of \$65,000 from the Children Services Administration Division budget to continue operation of the BSO Firesetter Program.

**ACTION: (T-10:20 AM) Approved.**

**COUNTY ATTORNEY**

26. MOTION TO AUTHORIZE the Office of the County Attorney to execute written substitution of counsel in connection with the County's efforts to collect unpaid tourist development tax from online companies.

**ACTION: (T-10:20 AM) Approved.**

27. MOTION TO APPROVE settlement of claim in the case of *Deborah Mizell vs. Broward County*, 17<sup>th</sup> Judicial Circuit Court Case No.: 07-26997(14).

**ACTION: (T-10:20 AM) Approved.**

**COUNTY AUDITOR**

28. A. MOTION TO FILE the County Auditor's Report – *Review of Controls for Processing Wackenhut's Security Invoices*.

**ACTION: (T-10:20 AM) Approved.**

B. MOTION TO ADOPT County Auditor's Recommendations.

***ACTION: (T-10:20 AM) Approved.***

**COUNTY COMMISSION**

29. MOTION TO FILE Resolution No. 08-10-3 adopted by the City Commission of the City of Cooper City, Florida, supporting an amendment to the Florida Constitution requiring the Florida Legislature to operate under the Florida Sunshine Laws; and providing for an effective date. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

30. MOTION TO FILE Resolution No. 2008-125 adopted by the City Commission of the City of Coconut Creek, Florida, opposing the Broward County Board of County Commissioners enactment of a Retail Establishment Parking Security Ordinance, mandating retail businesses to install security surveillance cameras that would cover the entire parking lot during the hours the business is open; providing an effective date. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

31. MOTION TO FILE Resolution No. 08-239 adopted by the City Commission of the City of Fort Lauderdale, Florida, urging the Legislature of the State of Florida to fully fund and sustain Broward County's Traffic Magistrate Citation Program; in the absence of full funding by the State Legislature, urging the Board of County Commissioners of Broward County, the Broward County Clerk of Courts, the Broward Sheriff's Office, the Police Chiefs Association, all municipalities in Broward County and any other interested entities to collaborate and develop a mechanism to provide sufficient funding for the program. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

32. MOTION TO FILE Resolution No. 2008-41 adopted by the City Commission of the City of Hallandale Beach, Florida, opposing the Broward County Commission's proposed Retail Establishment Parking Security Ordinance, mandating retail businesses to install security surveillance cameras that would cover the entire parking lot twenty-four hours a day, seven days a week. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

33. MOTION TO FILE Resolution No. R-1066-08 adopted by Miami-Dade County Board of County Commissioners opposing the State of Florida leasing Alligator Alley to a private firm; opposing any diversion of Alligator Alley revenue away from Everglades Restoration and South Florida road projects; urging the Legislative Budget Commission not to approve any lease of Alligator Alley; urging the Legislature to repeal Statutes authorizing FDOT to lease Alligator Alley to a private firm. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

34. MOTION TO FILE Resolution No. 2008-306 adopted by the City Commission of the City of Pompano Beach, Florida, urging the Legislature of the State of Florida to fully fund and sustain Broward County's Traffic Magistrate Citation Program; in the absence of full funding by the Legislature, urging the Board of County Commissioners of Broward County, the Broward County Clerk of the Courts, the Broward Sheriff's Office, the Police Chiefs Association, all municipalities in Broward County and any other interested entity to collaborate to develop a mechanism to provide sufficient funding in order to continue with the Broward County Traffic Magistrate Citation Program; urging the Board of County Commissioners of Broward County and all municipalities in Broward County to consider imposing a surcharge on all traffic tickets issued within the County to assist with the full funding of the Traffic Magistrate Program; urging the above referenced entities to join in this request for full funding of the Broward County Traffic Magistrate Citation Program. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

35. MOTION TO FILE Resolution No. 08-148 adopted by the City Commission of the City of Sunrise, Florida, urging the Broward County Supervisor of Elections, the Secretary of State, and the Governor to take all appropriate measures to ensure that the Broward Supervisor of Elections Office is fully ready and able to perform the November 2008 Presidential Election; providing for an effective date. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

36. MOTION TO FILE Resolution No. R-2008-143 adopted by the City Commission of the City of Tamarac, Florida, supporting an amendment to the Florida Constitution requiring the Florida Legislature to operate under the Florida Sunshine Laws; directing the City Clerk to transmit a copy of this resolution to the Chair of the Commission on Open Government, the Governor of the State of Florida, Broward League of Cities, the Broward County Board of County Commissioners, and all municipalities located within Broward County; providing for conflicts; providing for severability; providing for an effective date. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

37. MOTION TO FILE Resolution R-2008-144 adopted by the City Commission of the City of Tamarac, Florida, opposing an amendment to the Florida Constitution requiring that every amendment to a city's or county's Comprehensive Plan be subject to a vote of the respective city's or county's electorate; encouraging public participation in the local government decision making process; directing the City Clerk to transmit a copy of this resolution to the Broward League of Cities, the Broward County Board of County Commissioners, and all municipalities located within Broward County; providing for conflicts; providing for severability; providing for an effective date. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

38. MOTION TO FILE Resolution R-2008-145 adopted by the City Commission of the City of Tamarac, Florida, relating to unfunded State mandates; urging the utilization of any means necessary to require the Florida Legislature to eliminate unfunded State mandates on local governments; urging the Florida League of Cities to consider the sponsorship of an initiative petition, to amend Article VII, Section 18(a) of the Florida Constitution to eliminate the clause allowing for unfunded mandates by a two-thirds majority, and to potentially amend other clauses of said subsection; directing the City Clerk to transmit a copy of this Resolution to the Governor of the State of Florida, Members of the Florida Legislature, the Florida League of Cities, Broward League of Cities, the Broward County Board of County Commissioners, and all municipalities located within Broward County; providing for conflicts; providing for severability; and providing for an effective date. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

39. MOTION TO FILE Resolution No. 2008-67 adopted by the City Commission of the City of West Park, Florida, urging the Florida Legislature to equalize funding based on population to provide each region of Florida, including South Florida, its fair share of State funding; providing for an effective date. (Mayor Wexler)

***ACTION: (T-10:20 AM) Approved.***

40. MOTION TO APPROVE allocation of \$250,000 in County District 2 Commissioner's Discretionary Bond funds for capital improvements at Centennial Park in the City of Pompano Beach. **(Commission District 2)** (Commissioner Jacobs)

***ACTION: (T-10:20 AM) Approved.***

**REQUEST TO SET FOR PUBLIC HEARING**

41. MOTION TO ADOPT Resolution 2008-794 directing the County Administrator to publish a Notice of Public Hearing to be held December 9, 2008 at 2:00 P.M. in the County Commissioners' Meeting Room (Room 422), to consider an application for assignment of a non-exclusive franchise to provide steamship agent services at Port Everglades from V. Ships Agency, Inc. to TFMarine, Inc.; for the remainder of the franchise term which expires November 27, 2011.

***ACTION: (T-10:20 AM) Approved.***

42. MOTION TO ADOPT Resolution 2008-795 authorizing the County Administrator to advertise a Public Hearing to be held December 9, 2008 at 2:00 P.M. in Room 422 Governmental Center for adopting supplemental budgets to recognize changes in revenues and appropriations.

***ACTION: (T-10:20 AM) Approved.***

43. MOTION TO ADOPT Resolution 2008-796 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-4), regarding "Green/Energy Efficient Land Use Pattern," as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

44. MOTION TO ADOPT Resolution 2008-797 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-5), regarding "Smart Growth" principles, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

45. MOTION TO ADOPT Resolution 2008-798 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-6), regarding updated water supply planning requirements, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

46. MOTION TO ADOPT Resolution 2008-799 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-7), regarding intergovernmental coordination with the School Board regarding large scale mixed land use plan amendments, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

47. MOTION TO ADOPT Resolution 2008-800 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-8), regarding forums for intergovernmental coordination to address and review comprehensive planning activities, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

48. MOTION TO ADOPT Resolution 2008-801 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-9), regarding mixed-use structures in “Commercial” and “Employment Center” land use categories, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

49. MOTION TO ADOPT Resolution 2008-802 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-10), regarding clarification of gross density calculations for residential development in non-residential areas, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

50. MOTION TO ADOPT Resolution 2008-803 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-11), regarding compatibility of land uses within redevelopment areas, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

51. MOTION TO ADOPT Resolution 2008-804 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-12), regarding adding the definitions for “Essential Services Personnel” and “Workforce-Income Person,” as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

52. MOTION TO ADOPT Resolution 2008-805 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-13), regarding community parks acreage calculations, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

53. MOTION TO ADOPT Resolution 2008-806 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan Natural Resource Map Series (PCNRM 08-1), to incorporate the Geographic Information Systems version of the same, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

54. MOTION TO ADOPT Resolution 2008-807 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan Natural Resource Map Series (PCNRM 08-2), to amend the Broward County Wetlands map, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

***ACTION: (T-10:20 AM) Approved.***

55. MOTION TO ADOPT Resolution 2008-808 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, at 2:00 P.M. to consider enactment of an Ordinance adopting Small Scale land use plan amendment, PC 08-17, in the City of Pembroke Pines to the Broward County Comprehensive Plan, **(Commission District 6)** the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:20 AM) Approved.***

56. MOTION TO ADOPT Resolution 2008-809 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, at 2:00 P.M. to consider enactment of an Ordinance adopting Small Scale land use plan amendment, PC 08-18, in the Town of Southwest Ranches to the Broward County Comprehensive Plan, **(Commission District 8)** the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE TOWN OF SOUTHWEST RANCHES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:20 AM) Approved.***

57. MOTION TO ADOPT Resolution 2008-810 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan map (PC 08-14), located in the City of Pembroke Pines, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan. **(Commission District 8)**

***ACTION: (T-10:20 AM) Approved.***

58. MOTION TO ADOPT Resolution 2008-811 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan map (PC 08-15), located in the City of Plantation, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan. **(Commission District 9)**

***ACTION: (T-10:20 AM) Approved.***

59. A. MOTION TO ADOPT Resolution 2008-812 directing the County Administrator to publish notice of a Public Hearing to be held on January 13, 2009, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 07-5), establishing a "Transit Oriented Development" in the city of Sunrise, relating to the Amerifirst Tract (Metropica) Development of Regional Impact. **(Commission District 5)**

***ACTION: (T-10:20 AM) Approved.***

- B. MOTION TO ADOPT Resolution 2008-813 directing the County Administrator to publish notice of a Public Hearing to be held on January 13, 2009, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan map (PC 07-19), designating a "Transit Oriented Development" in the city of Sunrise, relating to the Amerifirst Tract (Metropica) Development of Regional Impact. **(Commission District 5)**

***ACTION: (T-10:20 AM) Approved.***

60. A. MOTION TO ADOPT Resolution 2008-814 directing the County Administrator to publish notice of a Public Hearing to be held on January 13, 2009, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 08-3), establishing a "Local Activity Center" in the city of Sunrise, relating to the Harrison Park (Westerra) Development of Regional Impact. **(Commission District 5).**

***ACTION: (T-10:20 AM) Approved.***

- B. MOTION TO ADOPT Resolution 2008-815 directing the County Administrator to publish notice of a Public Hearing to be held on January 13, 2009, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan map (PC 08-12), designating a "Local Activity Center" in the city of Sunrise, relating to the Harrison Park (Westerra) Development of Regional Impact. **(Commission District 5)**

***ACTION: (T-10:20 AM) Approved.***

61. A. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan text (PCT 06-6), establishing a "Transit Oriented Corridor" in the town of Davie, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan. **(Commission District 7)**

***ACTION: (T-10:13 AM) Deferred at the request of the District Commissioner until after the issuance of the Record of Decision (ROD).***

- B. MOTION TO ADOPT Resolution directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider enactment of an Ordinance adopting a proposed amendment to the Broward County Land Use Plan map (PC 06-19), designating a "Transit Oriented Corridor" in the town of Davie, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan. **(Commission District 7)**

***ACTION: (T-10:13 AM) Deferred at the request of the District Commissioner until after the issuance of the Record of Decision (ROD).***

62. MOTION TO ADOPT Resolution 2008-816 directing the County Administrator to publish notice of a Public Hearing to be held on December 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 07-14), located in the Town of Davie, relating to The Commons Development of Regional Impact. **(Commission District 5)**

***ACTION: (T-10:20 AM) Approved.***

## **ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT**

### **DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION**

63. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from the City of Pembroke Pines for preservation of a wetland mitigation area comprising 20.9 acres of real property located west of SW 196<sup>th</sup> Avenue and south of Pines Blvd. in the City of Pembroke Pines. **(Commission District 8)**

***ACTION: (T-10:20 AM) Approved.***

64. MOTION TO ACCEPT Deed of Conservation Easement and Agreement from the La Preserve, LLC for mitigation of 1.1652 acres of real property located west of SW 12<sup>th</sup> Ave and north of SR 84, in the City of Fort Lauderdale. **(Commission District 7)**

***ACTION: (T-10:20 AM) Approved.***

## **NATURAL RESOURCES PLANNING AND MANAGEMENT DIVISION**

65. MOTION TO ADOPT Resolution 2008-817 of the Broward County Board of County Commissioners authorizing the Environmental Protection and Growth Management Department to file a long-range budget plan and funding request with the Florida Department of Environmental Protection for projects to mitigate beach erosion in Broward County; supporting the projects for which funding is requested; confirming Broward County's ability to serve as local sponsor for projects and the County's ability to fund the appropriate local share of projects; providing for severability; and providing an effective date. **(Commission Districts 4 and 6)**

***ACTION: (T-10:20 AM) Approved.***

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**QUASI-JUDICIAL CONSENT HEARING**

**ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT**

**DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION**

66. **DISCUSSION:** of plat entitled “Marion Estates” (062-MP-07). **(Commission District 3)**

***ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.***

67. **DISCUSSION:** of plat entitled “Kellier Plat” (050-MP-07). **(Commission District 9)**

***ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.***

68. **DISCUSSION:** of plat entitled “Plantation 441” (068-MP-07). **(Commission District 9)**

***ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.***

69. **DISCUSSION:** of plat entitled “DeJohn / Enterprise Plat” (022-MP-08). **(Commission District 9)**

***ACTION: (T-10:20 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report.***

70. **DELEGATION:** Cynthia Pasch regarding request to amend the note on the Cocopalms Plat (027-MP-92). **(Commission District 2)**

***ACTION: (T-10:20 AM) Approved, subject to staff’s recommendations. (Scrivener’s error – See County Administrator’s Report: As part of the wetlands determination submitted to the Board in the backup for the Tilinda Plat approved on October 7, 2008, staff already determined that no wetlands exist on Parcel B of the Cocopalms Plat. Accordingly, the standard staff advisories on pages 4 and 5 regarding a wetlands determination and the standard Conceptual Dredge and Fill Report on page 6 should be deleted.) (Refer to minutes for full discussion.)***

71. DELEGATION: C. William Laystrom regarding request to amend the note on the Avery Glen Plat (102-MP-05). **(Commission District 3)**

***ACTION: (T-10:13 AM) Deferred until June 16, 2009, or sooner, under Sec.5-181(j) of the Land Development Code to obtain release of restrictive covenant.***

72. DELEGATION: Jeff S. Hodapp regarding request to amend the note on the Bergeron Park of Commerce South Plat (034-MP-00). **(Commission District 8)**

***ACTION: (T-10:13 AM) Deferred until June 16, 2009, or sooner, under Sec. 5-181(j) of the Land Development Code to study traffic concurrency.***

73. DELEGATION: Linda Strutt regarding request to amend the note on the Budget Plat (034-MP-02). **(Commission District 9)**

***ACTION: (T-10:20 AM) Approved, subject to staff's recommendations.***

74. DELEGATION: Hope Calhoun regarding request to amend the note on the Young World Plat (104-MP-83). (Deferred from October 14, 2008.) **(Commission District 7)**

***(This item was pulled by Mayor Wexler.)***

***ACTION: (T-10:20 AM) Approved, subject to staff's recommendations. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

75. DELEGATION: Hope Calhoun regarding request to amend the non-vehicular access line on the Young World Plat (104-MP-83). (Deferred from October 14, 2008.) **(Commission District 7)**

***ACTION: (T-10:20 AM) Approved, subject to staff's recommendations.***

76. DELEGATION: Michael D. Rose regarding request to amend the non-vehicular access line on the Central Park of Commerce Plat (052-MP-83). (Deferred from October 28, 2008.) **(Commission District 2)**

***ACTION: (T-10:20 AM) Approved, subject to staff's recommendations.***

77. DELEGATION: Antoine Rabbat, representing the City of Miramar, regarding request to amend the non-vehicular access line on the County Lakes Northwest Quadrant Plat (033-MP-96). **(Commission District 8)**

***ACTION: (T-10:20 AM) Approved, subject to staff's recommendations.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

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**SAFE PARKS AND LAND PRESERVATION BOND PROGRAM**

78. A. MOTION TO APPROVE Land Stewardship Program “Parks for People” grant funding for development of 17 Safe Parks and Land Preservation Bond Program acquired sites.

***ACTION: (T-10:44 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0. Commissioner Eggelletion was not present in the meeting room at the time of the vote.***

- B. MOTION TO APPROVE use of modified Challenge Grant Agreement for dissemination of funds as reimbursement to successful applicants consistent with the Land Stewardship Program; and authorize the County Administrator to execute the agreements.

***ACTION: (T-10:44 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0. Commissioner Eggelletion was not present in the meeting room at the time of the vote.***

79. MOTION TO ACCEPT update of pending projects and fund encumbrances for the Land Preservation Bond Program through the first-come/first-served competitive process or previously approved grant-funding cycles.

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

## FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

### PURCHASING DIVISION

For Aviation Department

80. MOTION TO APPOINT Selection Committee (SC) to short list the most qualified firms through Letters of Interest to submit bids using the Construction Manager at Risk-Modified (Two-Step Hybrid) procurement method for removal, disposal and replacement of HVAC (heating/ventilating/air conditioning) equipment in the Terminal 1 Chiller Plant at the Fort Lauderdale-Hollywood International Airport, and approve Request for Letters of Interest (RLI) No. 20080930-0-AV-1.

***ACTION: (T-10:49 AM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Commissioner Keechl; Director, Airport Expansion Program – Engineering Division, Aviation Department (Chair); Director, Maintenance Division, Aviation Department; Director, Facilities Maintenance Division, Public Works Department, plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division, and the Aviation Department. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0. Commissioner Eggelletion was not present in the meeting room at the time of the vote.***

## HUMAN SERVICES DEPARTMENT

### FAMILY SUCCESS ADMINISTRATION DIVISION

81. A. MOTION TO APPROVE Agreement Number 09EA-7K-11-16-01-004 between Broward County and the State of Florida, Department of Community Affairs, in the amount of \$7,286,404 from date of execution to March 31, 2010 for the purpose of providing home energy assistance to low income households in Broward County that are at or below 150% of the Federal Poverty Guidelines; and authorize the Mayor to execute same. This Agreement requires no County match.

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-818 within the Community Action Agency Grant Fund (LIHEAP Grant Fund 7480) in the amount of \$7,286,404 for the purpose of providing home energy assistance to low income households in Broward County.

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

## **COMMUNITY SERVICES DEPARTMENT**

### **LIBRARIES DIVISION**

82. MOTION TO APPROVE Second 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 from October 1, 2008, through September 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)**

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

## **ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT**

### **HOUSING FINANCE AND COMMUNITY DEVELOPMENT DIVISION**

83. MOTION TO ADOPT Resolution 2008-819 of the Board of County Commissioners of Broward County, Florida, amending Broward County's Fiscal Year 2005-2010 Strategic Consolidated Plan and the accompanying Annual Action Plan for Fiscal Year 2008-2009; describing the strategies the County will pursue under the U.S. Department of Housing and Urban Development (HUD) Neighborhood Stabilization Program (NSP); authorizing the County Administrator to take the necessary administrative actions to implement the changes; providing for severability; and providing for an effective date.

***ACTION: (T-10:49 AM) Approved. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

**OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

84. MOTION TO NOMINATE following for appointment to the Broward County HIV Health Services Planning Council: Joseph (Joey) Wynn, Jodi Pearl, H. Bradley Katz, and Bradford Gammell.

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

**COUNTY ATTORNEY**

85. MOTION TO ADOPT Resolution 2008-820 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, December 9, 2008, at 2:00 p.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO FOR-HIRE TRANSPORTATION SERVICES; AMENDING CHAPTER 22½ OF THE BROWARD COUNTY CODE OF ORDINANCES (MOTOR CARRIERS ORDINANCE); AMENDING THE DEFINITIONS FOR "MOTOR VEHICLE OR VEHICLE" AND "LIMOUSINE"; PROVIDING FOR "ON-DEMAND" FOR-HIRE TRANSPORTATION SERVICES AT PORT EVERGLADES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-11:25 AM) Approved. The Board directed staff to provide an amendment as a separate document. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

**COUNTY COMMISSION**

86. MOTION TO NOMINATE Dale S. Easton to the Central Examining Board of Engineering Contractors in the consumer category. (Commissioner Lieberman)

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

87. MOTION TO DISCUSS the National Association of Counties (NACo) Green Competitions: Change the World, Start with Energy Star Pledge and “Drive Smarter” Challenge. (Commissioner Jacobs)

***ACTION: (T-11:27 AM) Board discussion took place. (Refer to minutes for full discussion.)***

88. MOTION TO ADOPT Resolution 2008-821, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, MAKING LEGISLATIVE FINDINGS AND APPROVING THE USE OF THE TOURIST DEVELOPMENT TAX FOR THE BROWARD COUNTY REEF MOORING BUOY PROGRAM AND THE SEA TURTLE CONSERVATION PROGRAM; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioners Lieberman, Jacobs, and Rodstrom)

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

89. MOTION TO ADOPT Resolution 2008-822 of the Board of County Commissioners supporting the efforts of the National Association of Counties “Cool Counties” initiative to reduce greenhouse gas emissions. (Commissioner Jacobs)

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

90. MOTION TO ADOPT Resolution 2008-823 of the Board of County Commissioners relating to the membership in the International Council for Local Environmental Initiatives (ICLEI) and the Cities for Climate Protection Campaign. (Commissioner Jacobs)

***(This item was pulled by Commissioner Lieberman.)***

***ACTION: (T-10:35 AM) Approved. The Board amended to require staff to provide a cost component in the budget which would detail costs per task. (Refer to minutes for full discussion.)***

**VOTE: 9 – 0.**

91. MOTION TO DISCUSS Palm Beach County's proposed settlement agreement for the University Drive and Riverside Drive TIM and 2020 Map Amendment to determine what course of action, if any, is warranted by Broward County relative to the currently pending DOAH proceeding. (Mayor Wexler, Commissioner Jacobs, Commissioner Keechl)

***ACTION: (T-4:25 PM) Following discussion, the Board directed staff to draft a resolution and bring it back to the Board at the reorganization meeting. The Board requested that the resolution state Broward County's concerns on surface roadways as identified by FDOT, and requested that mitigation issues be widened beyond the 441 corridor, as well as look at other issues affecting Broward County, and conduct an Alternative Need Analysis in terms of traffic. (Refer to minutes for full discussion.)***

***VOTE: 8-0. Commissioner Gunzburger was out of the room during the vote. Commissioner Wasserman-Rubin voted telephonically.***

***ACTION: (T-4:26 PM) Commissioner Gunzburger requested being shown voting in the affirmative.***

***VOTE: 9-0.***

### **TRANSPORTATION DEPARTMENT**

92. MOTION TO NOTE FOR THE RECORD outcome of staff re-examination of fixed route bus truncations, route eliminations, and community bus service.

***ACTION: (T-12:17 PM) A substitute motion to defer the item until December 2, 2008, along with reconsideration of the Tri-Rail Agreement died due to a tie vote. (Refer to minutes for full discussion.)***

***VOTE: 4 – 4. Vice Mayor Ritter and Commissioners Eggelation, Jacobs, and Lieberman voted no. Commissioner Wasserman-Rubin was not present in the meeting room at the time of the vote.***

***ACTION: (12:18 PM) The main motion to restore funding for the Davie and Coconut Creek bus routes from the General Reserve Fund died due to a tie vote. (Refer to minutes for full discussion.)***

***VOTE: 4 – 4. Mayor Wexler and Commissioners Gunzburger, Keechl, and Rodstrom voted no. Commissioner Wasserman-Rubin was not present in the meeting room at the time of the vote.***

## COUNTY ADMINISTRATION

93. MOTION TO ADOPT Resolution 2008-833 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, December 9, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO COURTS AND LEGAL SERVICES; CREATING SECTIONS 10-127 THROUGH 10-130 TO ARTICLE VII OF CHAPTER 10, OF THE BROWARD COUNTY CODE OF ORDINANCES; CREATING THE "BROWARD COUNTY PRETRIAL RELEASE POLICY"; PROVIDING A POLICY FOR THE PRETRIAL RELEASE SERVICES PROGRAM TO ADHERE TO APPLICABLE STATE STATUTES, RULES OF CRIMINAL PROCEDURE, AND THIS ORDINANCE WHEN RECOMMENDING INDIVIDUALS FOR THE PRETRIAL RELEASE PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-12:20 PM) The Board tabled this item until after the Public Hearing. (Refer to minutes for full discussion.)***

***ACTION: (T-6:33 PM) Approved, as amended, to move the resolution forward and publish the Notice for Public Hearing to be held on Tuesday, January 27, 2009. (Refer to minutes for full discussion.)***

***VOTE: 6-1. Commissioners Eggelletion and Wasserman-Rubin were not present during the vote. Commissioner Jacobs voted no.***

94. A. MOTION TO DIRECT staff to terminate the agreement between Broward County, Broward Sheriff's Office, the School Board of Broward County Florida, and the Broward Community College Foundation, Inc., that was established to provide the Broward Futures Endowment Fund to provide scholarships for at-risk students to attend Broward Community College.

***ACTION: (T-6:24 PM) No Board action taken. (Refer to minutes for full discussion.)***

OR

- B. MOTION TO AMEND section 7.5 of the Agreement between Broward County, Broward Sheriff's Office, the School Board of Broward County Florida, and the Broward Community College Foundation Inc., to extend the period of time to review the Foundation's improvement plan by 90 days in order to provide additional time for the County to consider the new agreement proposed by the Foundation.

***ACTION: (T-6:24 PM) Approved, including the recommendations made by the County Auditor, as cited in his memorandum dated November 13, 2008. (Scrivener's error – See County Administrator's Report: Should read "...to extend the period of time to review the Foundation's improvement plan by 60 days...") (Refer to minutes for full discussion.)***

***VOTE: 8-0. Commissioner Wasserman-Rubin was not present during the vote.***

95. MOTION TO APPROVE the payment of certain pre-development costs, in accordance with the Letter of Intent among FaulknerUSA, Inc., Hilton Management, LLC., and Broward County, incurred by Faulkner USA in connection with the proposed Convention Center Hilton Hotel Project in the amount of \$1,081,314.31. (Deferred from October 28, 2008 meeting – Item No. 66)

***ACTION: (T-7:16 PM) This item was deferred until Tuesday, December 2, 2008. (Refer to minutes for full discussion.)***

***VOTE: 7-0. Commissioners Jacobs and Wasserman-Rubin were not present during the vote.***

96. COUNTY ADMINISTRATOR'S REPORT

***(No report given.)***

97.

**MAYOR'S REPORT**

A. **STEPHEN POPIEL, ADMINISTRATIVE LIASION**

***ACTION: (7:23 PM) Mayor Wexler acknowledged and thanked Stephen Popiel for an outstanding job while performing the duties of administrative liaison. Mr. Popiel will be working in Community Services. (Refer to minutes for full discussion.)***

**SUPPLEMENTAL AGENDA**

**COUNTY COMMISSION**



98. **MOTION TO ADOPT** Resolution 2008-824 of the Board of County Commissioners supporting the South Florida Water Management District in establishing mandatory year-round water conservation measures, encouraging other local governments and water providers to voice similar support, and requesting distribution to the Chair of the South Florida Water Management District Governing Board. (Commissioner Jacobs)

***(This item was pulled by Commissioner Lieberman.)***

***ACTION: (T-10:38 AM) Approved, as amended. The Board directed staff to include language showing that the Board recognizes the importance of reducing water usage for irrigation and requested that there be consistency with the transition between water restriction levels when choosing which days of the week watering occurs. (Refer to minutes for full discussion.)***

***VOTE: 8 – 0. Commissioner Eggelletion was not present in the meeting room at the time of the vote.***

99. **MOTION TO NOMINATE:** Mayor Barrington Russell to the Community Action Agency Advisory Board as an elected official. (Commissioner Lieberman)

***ACTION: (T-10:20 AM) Approved. (Transferred to the Consent Agenda.)***

**NON-AGENDA**

100. **LIGHT BULBS- COMMISSIONER EGGELLETON**

***ACTION: (T-7:19 PM) Commissioner Eggelletion suggested that the Board promote the recycling of light bulbs so as to avoid dangerous chemicals being dumped into landfills. (Refer to minutes for full discussion.)***

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**MEETING/WORKSHOP NOTICES**

**SELECTION COMMITTEE**  
**ONLINE PARK RESERVATION SYSTEM**  
**RLI No. 20080604-0-PA-1**

Thursday, November 13<sup>th</sup>, in Room 430 at 9:00 AM

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