

MEETING OF DECEMBER 6, 2005

(The meeting convened at 10:00 a.m.; recessed at 1:20 p.m.; reconvened at 2:30 p.m. and adjourned at 4:16 p.m.)

PLEDGE OF ALLEGIANCE was led by Broward County Supervisor of Elections Dr. Brenda C. Snipes

MOMENT OF SILENCE

For the men and women defending our country around the world and for those who lost their lives.

CALL TO ORDER

CONSENT AGENDA

1. **BOARD APPOINTMENTS**

ACTION: (T-10:10 AM) No Board appointments were filed

AVIATION DEPARTMENT

2. MOTION TO APPROVE agreement between Broward County and Brown + Brown Architects, Inc. for consultant services for replacement and repairs of roofs at the Fort Lauderdale-Hollywood International Airport in Broward County, Florida, (RLI No. 20050111-0-AV-01) for a maximum amount not to exceed \$838,502.40, effective from Notice to Proceed to the time periods as described in attachment "A" of the document; and authorize the Mayor and Clerk to execute same.

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

3. MOTION TO APPROVE: Fourth Amendment to the agreement between Broward County and USA Parking Associates III, a joint venture, RFP No. A08961360. This amendment will accomplish the following: Move Garage Keepers Liability Insurance premiums, cost of providing armored car service, security services associated with cash management of Pay on Foot machines and bank fees related to managing the "change fund" from the list of operating expenses excluded from reimbursement in accordance with Article 5.5 to the list of operating expenses eligible for reimbursement in accordance with Article 5.4 of the Agreement. Adjust the current management fee of \$213,210 for the self-parking component of the agreement to \$179,116 to reconcile USA Parking's ongoing obligation to fund these expenses from the management fee at the pre-amendment levels, authorize a one time reimbursement of \$115,674 to USA Parking for excess Garage Keepers Liability Insurance premiums paid by USA



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

Parking in excess of premiums payable at the commencement of the agreement; and to authorize the Mayor and Clerk to execute same.

ACTION: (T-10:15 AM) Approved. Commissioner Lieberman requested that the County Attorney research establishing clear guidelines in the Procurement process regarding items that substantially change an agreement and whether they return to the Selection Committee or directly to the Commission. (Refer to minutes for full discussion.)

4. MOTION TO ADOPT Resolution 2005-862 approving an expenditure not to exceed \$15,000 to provide instruments of recognition and refreshments for volunteers who participate in the Fort Lauderdale-Hollywood International Airport's Volunteer Ambassador Program and Winterfestival of Music Program.

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

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

5. MOTION TO APPROVE Renewal of License Agreement between the City of Cooper City and Broward County, effective February 1, 2006 through January 31, 2007, for District 5 Commissioner's office space at City Hall, located at 9090 SW 50th Place, Cooper City, Florida; office and one dedicated parking space provided at no cost to the County; authorize the Mayor and Clerk to execute same. **(Commission District 5)**

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

6. MOTION TO ADOPT Resolution 2005-863 authorizing the conveyance by Quit Claim Deed of Broward County's interest in certain real property to the City of Pembroke Pines, pursuant to Section 125.38, Florida Statutes. This property is an undeveloped portion of Washington Street, west of Palm Avenue, approximately 2500 feet south of Pines Boulevard in the City of Pembroke Pines; authorize the Mayor and Clerk to execute deed, and authorize recordation of same. **(Commission District 6)**

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

WATER AND WASTEWATER SERVICES

WATER AND WASTEWATER ENGINEERING DIVISION

7. MOTION TO APPROVE Work Authorization GS0173 between Broward County and Hazen and Sawyer, P.C. for a maximum not-to-exceed salary cost of \$487,009; and a maximum-not-to-exceed reimbursable cost of \$18,300 for a total maximum not-to-exceed cost of \$505,309; and a time period of 840 calendar days, to provide design, bidding, award and construction management services for the Pump Station 310 Relocation, and authorize the Mayor and Clerk to execute same. (BCWWS 8974) **(Commission District 7)**

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

8. MOTION TO APPROVE Work Authorization GS0176 between Broward County and Hazen and Sawyer, P.C. for a maximum not-to-exceed salary cost of \$228,209; and a maximum-not-to-exceed reimbursable cost of \$21,500 for a total maximum not-to-exceed cost of \$249,709; and a time period of 760 calendar days, to provide design, bidding, award and construction management services for the District 3A Force Main Improvements, and authorize the Mayor and Clerk to execute same. (BCWWS 8974) **(Commission District 7)**

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

9. MOTION TO APPROVE Work Authorization No. GS0181 between Broward County and Hazen and Sawyer, P.C. for a maximum not-to-exceed salary cost of \$208,770; and a maximum-not-to-exceed reimbursable cost of \$17,304 for a total maximum not-to-exceed cost of \$226,074; and a time period of 540 calendar days, to provide design, bidding and award services for Water Treatment Plant 1A Disinfection System Modifications, and authorize the Mayor and Clerk to execute same. (BCWWS 8973) **(Commission District 9)**

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

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

10. MOTION TO NOTE AND FILE FOR RECORD Declaration of Official Intent for reimbursement from tax-exempt bond/notes for capital expenditures associated with the acquisition of the "Dynergy Site" within the Port Everglades Development District for future use by the Port Everglades and Aviation Departments.

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

11. MOTION TO AUTHORIZE execution of a Satisfaction of Mortgage and Uniform Commercial Code (UCC) Financing Statement Amendment pursuant to the terms of the bond documents executed in connection with the issuance of the Broward County Industrial Development Revenue Bonds (Riverfront Marina, Inc. Project), Series 1983. (the "Bonds")

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

PURCHASING DIVISION

For Finance and Administrative Services Department

12. MOTION TO APPROVE open-end contract to best-evaluated vendor, CompBenefits Corporation for Group Vision Insurance (Option 1), RFP D705235B2, in the estimated amount of \$1,001,693.76, for the initial two-year period, for the Human Resources Division, and authorize the Purchasing Director to renew the contract for three, one-year periods for a potential contract amount of \$2,504,234.40, and authorize the Mayor and Clerk to execute same. The initial contract period shall begin on January 1, 2006 and shall terminate two years from that date.

ACTION: (T-10:10 AM) Approved, as corrected. (Scrivener's error - See Interim County Administrator's memorandum: Motion should read: "\$1,502,540.64 for the initial three-year period . . . and shall terminate three years from that date" with renewals for two additional one year periods. Agreement Summary Sheet should reflect the same.)

For Public Works and Transportation Department

13. MOTION TO APPROVE release of retainage and final payment in the amount of \$10,250 to Lanzo Construction, Inc., for Riverland Village Neighborhood Improvement Project, Bid Package 2 (1144-2). **(Commission District 7)**

ACTION: (T-10:14 AM) Approved. (Refer to minutes for full discussion.)

REVENUE COLLECTION DIVISION

14. MOTION TO ADOPT two Resolutions 2005-864 and 2005-865 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Payroll No. 2079940003798, Self Insurance No. 2090002760518 and Tax and License No. 2090002760916.

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

RISK MANAGEMENT DIVISION

15. A. MOTION TO ACCEPT settlement offer for damages sustained at Port Everglades Berth 6 on May 12, 2004, in the amount of \$223,950; which fully covers the cost of repairs.

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

- B. MOTION TO AUTHORIZE Risk Management Division to execute settlement release.

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

16. MOTION TO APPROVE full and final settlement of claim SM112301 in the amount of \$50,000.

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

17. MOTION TO APPROVE full and final settlement of claim NT102201 in the amount of \$450,750.

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

18. MOTION TO APPROVE full and final settlement of claim 0603044376 in the amount of \$50,000.


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

19. MOTION TO APPROVE full and final settlement of claim 0416032653 in the amount of \$275,750.

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

HUMAN SERVICES DEPARTMENT


CHILDREN'S SERVICES ADMINISTRATION DIVISION

-  20. A. MOTION TO APPROVE interlocal agreement between Broward County and the Children's Services Council of Broward County from January 1, 2006 to June 30, 2006, in the amount of \$72,891; for the purpose of providing additional multidisciplinary Child Protection Team services for children with allegations of physical and sexual abuse; and authorize the Mayor to execute same. A 12.5% County match is required and is being provided through existing services.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-866 for the Children's Services Administration Division, Sexual Assault Treatment Center Section, in the amount of \$72,891; for the purpose of providing additional multidisciplinary Child Protection Team services for children with allegations of physical and sexual abuse.

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

-  21. A. MOTION TO APPROVE standard subcontract between Broward County and the Florida Council Against Sexual Violence (FCASV)/Department of Health from date of execution through June 30, 2006 in the amount of \$51,935; for the purpose of increasing professional crisis intervention and advocacy services to sexual violence victims. The funding for this subcontract is provided by the Department of Health through the Florida Council Against Sexual Violence and requires no County funds.

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

- B. MOTION TO APPROVE subcontract between Broward County and the Florida Council Against Sexual Violence (FCASV)/Office of the Attorney General effective upon execution through June 30, 2006 in the amount of \$22,631; for the purpose of increasing professional crisis intervention and advocacy services to sexual violence victims. The funding for this subcontract is provided by the Office of the Attorney General through the Florida Council Against Sexual Violence and requires no County funds.

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

- C. MOTION TO ADOPT two unanticipated revenue Resolutions for the Children's Services Administration Division/Sexual Assault Treatment Center, in the amount of \$51,935 and \$22,631; for the purpose of increasing professional crisis intervention and advocacy services to sexual violence victims.

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

- D. MOTION TO ESTABLISH one grant funded position classification consisting of a Crisis Intervention Counselor classification within the Children's Services Administration, Sexual Assault Treatment Center. The new position will provide additional professional crisis intervention and advocacy services to sexual violence victims.

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

ELDERLY AND VETERANS SERVICES DIVISION


22. A. MOTION TO APPROVE Agreement No. 120300523-01 between The Florida International University Board of Trustees and Broward County from date of execution to August 14, 2006 in the amount of \$3,600; for the purpose of participating in work related to the Health Foundation of South Florida project entitled, Fitness Initiative for Senior Services.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-867 within the Elderly and Veterans Services Division Trust Fund in the amount of \$3,600; for services to the elderly.

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

HOMELESS INITIATIVE PARTNERSHIP ADMINISTRATION

-  23. MOTION TO ADOPT Resolution 2005-868 of support for "A Way Home," Broward County, Florida's Ten Year Plan to End Homelessness, and directing the Mayor to transmit the Plan to the United States Interagency Council on Homelessness, the municipalities in Broward County and to other community stakeholders.

ACTION: (T-10:16 AM) Approved. (Refer to minutes for full discussion.)

OFFICE OF HOUSING FINANCE

24. MOTION TO ADOPT Resolution 2005-869 of the Board Of County Commissioners of Broward County, Florida, approving form of Assumption Agreement to be entered into by the Housing Finance Authority of Broward County, Florida in connection with the Jasmine at Tamarac Apartments Project; and providing for an effective date. **(Commission District 3)**

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

SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION



25. A. MOTION TO APPROVE agreement between Broward County and Women In Distress of Broward County, Inc. for the purpose of providing domestic violence education, intervention, and training services from the date of execution through September 30, 2006 in the amount of \$24,000; and authorize the Mayor and Clerk to execute same.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-870 within the Substance Abuse and Health Care Services Division's Myers Act Fund (9756) in the amount of \$24,000; for the purpose of providing grant funded domestic violence services.

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

COMMUNITY SERVICES DEPARTMENT

MASS TRANSIT DIVISION




26. A. MOTION TO APPROVE extension of time from December 31, 2005, to December 31, 2006, of the Joint Partnership Agreement (JPA) between Broward County and the Florida Department of Transportation (FDOT) District 4 for the College Bus Pass Pilot Program; and authorize Mayor and Clerk to execute same. (Requires no additional cash or in-kind match from the County.)

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

- B. MOTION TO ADOPT Resolution 2005-871 authorizing an extension to the College Bus Pass Pilot program; authorizing the Mass Transit Division Director to continue to issue discounted bus passes for students who are currently enrolled in college or other institutions of higher learning through December 31, 2006; and providing for an effective date.


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

-  27. A. MOTION TO APPROVE extension of time for the completion of project services set forth in the County Incentive Grant Program Agreement (CIGPA) between the Florida Department of Transportation (FDOT) and Broward County for Financial Project No. 409706-1-54-01, from December 31, 2005, to December 31, 2006, in the amount of \$600,000; for a Neighborhood Transit Center in the City of Pompano Beach; and authorize the Mayor to execute same. **(Commission District 2)**

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

- B. MOTION TO APPROVE extension of time, from December 31, 2005, to December 31, 2006, for the completion of project services set forth in the Intermodal Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and Broward County for Financial Project No. 412309-1-94-01, in the total amount of \$1,381,798, for a Neighborhood Transit Center in the City of Pompano Beach; and authorize the Mayor to execute same. **(Commission District 2)**


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

-  28. MOTION TO APPROVE extension of time, from December 31, 2005, to December 31, 2006, for the completion of project services set forth in the County Incentive Grant Program Agreement (CIGPA) between the Florida Department of Transportation (FDOT) and Broward County for Financial Project No. 410368-1-54-01, in the amount of \$1,600,000; for the construction of a neighborhood transportation center to be located in the City of Hollywood; and to authorize the Mayor and Clerk to execute same. **(Commission District 6)**


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

29. MOTION TO APPROVE first amendment to agreement between Broward County and Neurological Rehabilitation Center Program Services, Inc. (NRC), RLI 012401-RB, for Paratransit Eligibility Services, modifying the transportation reimbursement rate from \$15.00 to \$24.60 per round-trip transportation for clients to and from the NRC evaluation site; from date of execution through January 31, 2007; and authorize the Mayor and Clerk to execute same.


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

-  30. MOTION TO APPROVE extension of time, from December 31, 2005, to December 31, 2006, for the completion of project services set forth in the County Incentive Grant Program Agreement (CIGPA) between the Florida Department of Transportation (FDOT) and Broward County for Financial Project No. 410369-1-54-01, in the amount of \$4,500,000; to provide for improved operations, property purchase, design, construction, roadway redesign, amenities, marketing, and other associated expenses related to improving mobility and reducing congestion; and authorize the Mayor and Clerk to execute same. **(Commission Districts 1, 7, and 9)**

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

-  31. MOTION TO APPROVE extension of time, from December 31, 2005, to December 31, 2006, for the completion of project services set forth in the Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and Broward County for Financial Project No. 41526619401, to continue a “Transit Teens and Tweens” program designed to promote the benefits of public transportation to youths between the ages of 10 and 13 years; and to authorize the Mayor and Clerk to execute same.

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

-  32. MOTION TO APPROVE extension of time from December 31, 2005, to December 31, 2006 for the completion of project services set forth in the Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and Broward County for Financial Project No. 41338119401, to continue a “Savvy Senior” program which markets the senior reduced bus fares and encourages non-transit riders age 65 years and older to use mass transit; and authorize the Mayor and Clerk to execute same.

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

EMERGENCY MANAGEMENT AGENCY

33. MOTION TO APPROVE disaster relief funding agreement between Broward County and the State of Florida Department of Community Affairs for the purpose of providing funds for eligible disaster relief activities relative to Hurricane Katrina (FEMA-DR-1602-FL); authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

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

34. MOTION TO APPROVE disaster relief funding agreement between Broward County and the State of Florida Department of Community Affairs for the purpose of providing funds for eligible disaster relief activities relative to Hurricane Rita (FEMA-3259-EM-FL); authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

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

35. MOTION TO APPROVE disaster relief funding agreement between Broward County and the State of Florida Department of Community Affairs for the purpose of providing funds for eligible disaster relief activities relative to Hurricane Wilma (FEMA-1609-DR-FL); authorize the Mayor to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the agreement.

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

ENVIRONMENTAL PROTECTION DEPARTMENT

36. MOTION TO APPROVE settlement agreement in the total estimated amount of \$73,520; between Broward County and Woodlands Townhomes, Inc., and M & M Excavating, Inc. for tree removal violations of Chapter 27-405 of the Broward County Code of Ordinances for the Environmental Protection Department (EPD); and authorize the Mayor and Clerk to execute same. **(Commission District 1)**

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

BIOLOGICAL RESOURCES DIVISION

37. MOTION TO APPROVE grant agreement between Broward County and the South Plantation High School PTSA, Inc. for funding of environmental science educational materials for the South Plantation High School Environmental Science and Everglades Restoration Magnet Program, in the amount of \$7,000; effective December 6, 2005 thru May 1, 2008; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**


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

POLLUTION PREVENTION AND REMEDIATION DIVISION

38. MOTION TO DIRECT County Attorney to draft an Ordinance to amend Chapter 27, Pollution Control, Article XII, Hazardous Material, of the Broward County Code of Ordinances to streamline and clarify Ordinance language and to maintain consistency with state and federal hazardous material rules and regulations.

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

WATER RESOURCES DIVISION

-  39. A. MOTION TO APPROVE interlocal agreement among Broward County, City of Coconut Creek, City of Cooper City, City of Coral Springs, City of Dania Beach, Town of Davie, City of Deerfield Beach, City of Fort Lauderdale, City of Hollywood, City of Lauderdale Lakes, City of Lauderhill, City of Margate, City of Miramar, City of North Lauderdale, City of Oakland Park, City of Pembroke Pines, City of Plantation, City of Pompano Beach, City of Sunrise, City of Tamarac, Coral Springs Improvement District, and North Springs Improvement District, providing cost share support of a NatureScape Irrigation Service to be operated by Broward County within the water utility service areas and reimbursing Broward County for performing specific technical activities associated with landscape and irrigation system evaluations as part of the Broward County-wide Integrated Water Resource Plan, effective upon execution through December 2010 at a total cost of \$311,213; and authorize the Mayor and Clerk to execute the same.

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

- B. MOTION TO ADOPT unanticipated revenue Resolution 2005-872 in the amount of \$18,240 within the General Fund (0010) for the purpose of recognizing the balance of the cost share funds for Fiscal Year 2006, to be provided by interlocal partners.

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

PORT EVERGLADES DEPARTMENT

40. MOTION TO APPROVE Landlord Estoppel Certificate, as it pertains to the Amended and Restated Land Lease North Port Parcel, dated October 26, 1993, between Broward County and Portside Yachting Center, LLC, effective upon Board Approval; and authorize the Mayor and Clerk to execute same.

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

41. A. MOTION TO APPROVE agreement between Broward County and Kenneth C. Jenne, II, Sheriff of Broward County, for seaport security and law enforcement services at Port Everglades for a five year term, commencing on October 1, 2005 and ending on September 30, 2010; in an amount not to exceed \$15,410,602 (\$12,950,000 for basic services and \$2,460,602 in reimbursable items) for Fiscal Year 2006; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Deferred to Tuesday, December 13, 2005. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE transfer from Reserve Resolution for Port Everglades Fund (4700) in the amount of \$303,259 for payment of expenses under the attached agreement.

ACTION: (T-10:28 AM) Deferred to Tuesday, December 13, 2005. (Refer to minutes for full discussion.)

- C. MOTION TO ADOPT unanticipated revenue Resolution within the Port Everglades Operating Fund (4700) for the Port Everglades Department in the amount of \$991,173; for the purpose of recognizing revenue generated by Tariff Item 732 to reimburse the Port for expenses under the attached agreement.

ACTION: (T-10:28 AM) Deferred to Tuesday, December 13, 2005. (Refer to minutes for full discussion.)

OFFICE OF MANAGEMENT AND BUDGET

42. MOTION TO ADOPT unanticipated revenue Resolution 2005-873 within the Fire Rescue Fund for the Broward Sheriff's Office in the amount of \$325,323 for the purpose of increasing the contract for Fire Rescue Services for the City of Weston.

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

43. MOTION TO ADOPT unanticipated revenue Resolution 2005-874 within the Fire Rescue Fund for the Broward Sheriff's Office in the amount of \$149,458 for a new Airport Fire Inspector.

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

44. MOTION TO ADOPT unanticipated revenue Resolution 2005-875 within the General Fund in the amount of \$2,298,328; for the purpose of funding the Supervisor of Elections requests.

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

45. A. MOTION TO APPROVE interlocal agreement between Broward County and the City of Lauderhill to implement the annexation of West Ken Lark, St. George and the Swap Shop Commercial Properties into the City.

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

- B. MOTION TO ADOPT budget Resolution 2005-876 within the unincorporated capital fund (3420) in the amount of \$120,000 to provide funds for replacement of the fence in West Ken Lark Park.

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

COUNTY AUDITOR

46. A. MOTION TO FILE County Auditor's *Review of Work Order Process - Division of Water and Wastewater Services - Department of Public Works and Transportation* Report.

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

- B. MOTION TO ADOPT County Auditor's Recommendations.

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

47. A. MOTION TO FILE County Auditor's *Audit Follow Up: 2001 Report on the Cyborg HR Payroll System*.

ACTION: (T-10:29 AM) Deferred to Tuesday, December 13, 2005. (Refer to minutes for full discussion.)

B. MOTION TO ADOPT County Auditor's recommendations.

***ACTION: (T-10:29 AM) Deferred to Tuesday, December 13, 2005.
(Refer to minutes for full discussion.)***

COUNTY ADMINISTRATION

48. MOTION TO APPROVE extension of the appointment of Mr. Phillip C. Allen as Interim Director of Port Everglades, effective December 7, 2005, for a period of up to three months.

ACTION: (T-10:10 AM) Approved, as corrected. (Scrivener's error - See Interim County Administrator's memorandum: The last paragraph of the Summary should read: "Mr. Allen" not "Mr. Lalla.")

49. MOTION TO APPROVE extension of the appointment of Matthew Lalla as Interim Chief Financial Officer, effective December 7, 2005, for a period of up to three months.

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

COUNTY COMMISSION

50. MOTION TO FILE City of Weston Resolution No. 2005-156, objecting to the application submitted by Southwest Ranches to Broward County for the Southwest Meadows Sanctuary Plat. (Mayor Graber)

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

51. MOTION TO FILE City of Weston Resolution No. 2005-157, repealing Resolution No. 2004-22, withdrawing all support for and opposing the Town of Southwest Ranches efforts to receive any open space grants from Broward County and/or the State of Florida intended for the acquisition of public property. (Mayor Graber)

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

52. MOTION TO FILE Lauderdale Lakes City Commission Resolution No. 05-152, authorizing and requesting the Mayor to issue a statement declaring an emergency in the City related to Hurricane Wilma. (Mayor Graber)

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

53. MOTION TO FILE Hallandale Beach Resolution No. 2005-32 requesting the Federal Government remove the Federal Emergency Management Agency (FEMA) from the Department of Homeland Security and return FEMA to its former independent status that provided for better response and relief following disasters. (Mayor Graber)

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

54. MOTION TO FILE Downtown Development Authority Resolution 11-1-05, supporting Broward County's efforts to rebuild the Downtown Courthouse Complex and to proceed with the development of the Downtown Governmental Center/Campus Project. (Mayor Graber)

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

55. MOTION TO FILE Community Redevelopment Plan of the City of Oakland Park's Community Redevelopment Agency. (Mayor Graber)

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

56. MOTION TO FILE Highlands County Resolution in support of state funding for wind compliant shelters for counties designated as "host counties" during emergency evacuations. (Mayor Graber)

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

REQUEST TO SET FOR PUBLIC HEARING

57. A. MOTION TO ADOPT Resolution 2005-877 directing the County Administrator to publish notice of public hearing to be held on Tuesday, January 10, 2006, at 2:00 P.M. in Room 422 of the Governmental Center to consider the 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 SECTION 24.50, BROWARD COUNTY ADMINISTRATIVE CODE, PROVIDING FOR CHANGES IN MAXIMUM FEES FOR RECOVERING, TOWING, REMOVING, OR STORING VEHICLES REMOVED FROM PRIVATE PROPERTY, PROVIDING FOR CHANGES IN MAXIMUM FEES FOR TOWING, REMOVING, OR STORING VEHICLES REMOVED FROM OTHER THAN PRIVATE PROPERTY, INCLUDING TOWS DIRECTED BY LAW ENFORCEMENT OR OTHER MUNICIPAL AGENCIES,

PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- B. MOTION TO DIRECT Office of the County Attorney to draft a Resolution to amend the Broward County Administrative Code, as a housekeeping measure, to conform with the 2002 amendments to the Towing and Immobilization Company Regulating Ordinance of Broward County.

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

58. MOTION TO ADOPT Resolution 2005-878 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 10, 2006, at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING SECTION 37.2 OF THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING FOR A MINIMUM TAXI FARE WHEN PASSENGERS ARE PICKED UP FROM THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT AND PORT EVERGLADES SEAPORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

59. MOTION TO ADOPT Resolution 2005-879 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 10, 2006, 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, AMENDING SECTION 22½-9A OF THE BROWARD COUNTY CODE OF ORDINANCES (MOTOR CARRIERS ORDINANCE), ENTITLED "OPERATIONS—MINIMUM STANDARDS OF CONDUCT," SECTION 22½-10 ENTITLED "TAXIMETERS," AND SECTION 22½-11 ENTITLED "TAXICAB RATE REGULATIONS" IN ORDER TO ESTABLISH A MINIMUM CHARGE FOR TRANSPORTATION FROM THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT AND FROM PORT EVERGLADES SEAPORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

BUILDING CODE SERVICES DIVISION

60. MOTION TO APPROVE first amendment to guaranteed partial service interlocal agreement between Broward County and the City of Lauderhill approved by the County Commission on October 18, 2005 to include additional services requested by 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 District 1 and 9).**

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

TRANSPORTATION PLANNING DIVISION



61. MOTION TO APPROVE second amendment to agreement between Broward County and Tetra-Tech Inc. for consultant services for Greenways Corridors design and permitting RLI No. 111301 RB, increasing the contract amount by \$161,840 to a total of \$2,826,840.

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

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION

62. DELEGATION: Matthew E. Morrall, regarding request to amend the note on the Westwood Plaza Plat – **Commission District 2**, (104-MP-88).

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

63. DELEGATION: Edward P. Ploski, regarding request to amend the note on the Greystar Plat – **Commission District 2**, (107-MP-01).

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

64. DELEGATION: Gregory Mire, regarding request to revise the non-vehicular access line on the Parkland Commercial Plat – **Commission District 3**, (032-MP-04).

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

65. DELEGATION: Dennis D. Mele, regarding request for extension of the five year adequacy requirement for the Berber Plat – **Commission District 2**, (027-MP-98).

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

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

QUASI-JUDICIAL HEARING

Please be advised that the following items on the Commission’s agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding the quasi-judicial item is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.


- 66. **DELEGATION:** Edward P. Ploski regarding request to amend the note on the Village Marina Plat - **Commission District 7**, (037-MP-85). (Deferred from May 17, 2005.)

ACTION: (T-10:43 AM) Due to a tie vote, the item rolled over to the Tuesday, December 13, 2005 Commission meeting. (Refer to minutes for full discussion.)

END OF QUASI-JUDICIAL HEARING

OFFICE OF EQUAL OPPORTUNITY

SMALL BUSINESS DEVELOPMENT DIVISION

-  67. A. **MOTION TO FILE** Business Opportunity Act Annual Performance Report, as required by the Broward County Business Opportunity Act of 2004 Ordinance

ACTION: (T-2:39 PM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE staff recommendations in concept, and to direct staff to evaluate the feasibility of each and provide a report to the Board's Procurement Committee which will make final recommendation(s) to the Broward County Board of County Commissioners.

ACTION: (T-2:39 PM) Approved. (Refer to minutes for full discussion.)

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

68. 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-3:21 PM) Approved.

- 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-3:21 PM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

HUMAN RESOURCES DIVISION

69. MOTION TO APPROVE agreement between Broward County and ICMA-RC including the execution of the Trust and Adoption of the plan for the purpose of providing a retirement health savings investment vehicle to be used for the reimbursement of medical expenses. The initial term of this agreement will be effective January 1, 2006 – December 31, 2010. This agreement will automatically renew for each succeeding year unless written notice of termination is provided by either party no less than 90 days before the end of such extension year.

ACTION: (T-3:22 PM) Approved.

70. A. MOTION TO APPROVE first renewal agreement between Broward County and AvMed, Inc. d/b/a AVMED HEALTH PLAN for Group Open Access HMO, POS and CDH health insurance coverage for Broward County employees, with three remaining one-year renewals, RLI No. 20040315-0PEB-02, for the Human Resources Division, and authorize the Mayor and Clerk to execute same. The first renewal contract period will be effective January 1, 2006, and will terminate on December 31, 2006.

ACTION: (T-3:22 PM) Approved.

- B. MOTION TO APPROVE first renewal agreement between Broward County and Vista Health Plan, Inc., and Vista Insurance Plan for Group Open Access HMO, POS and CDH health insurance coverage for Broward County employees, with three remaining one-year renewals, RLI No. 20040315-0PEB-02, for the Human Resources Division, and authorize the Mayor and Clerk to execute same. The first renewal contract period will be effective January 1, 2006, and will terminate on December 31, 2006.

ACTION: (T-3:22 PM) Approved.

- C. MOTION TO APPROVE amendment to agreement between Broward County and American Life Assurance Company of Columbus (AFLAC) for Cancer/Dread Disease/Accident insurance coverages for Broward County employees for a term of two years with three one-year renewals, RLI No. 120897-RB, for the Human Resources Division and authorize the Mayor and Clerk to execute same. The amended contract period will be effective January 1, 2006, and will terminate on December 31, 2007.

ACTION: (T-3:22 PM) Approved.

- D. MOTION TO APPROVE amendment to agreement between Broward County and Comp Benefits for dental insurance, adding an additional dental plan during the term of the current contract which expires December 31, 2006, RLI No. 030900-RB, for the Human Resources Division, and authorize the Mayor and Clerk to execute same.

ACTION: (T-3:22 PM) Approved.

RISK MANAGEMENT DIVISION

71. MOTION TO APPROVE acceptance of two checks (\$514,718.68 and \$87,253.23) from Arthur J. Gallagher and Co. in the total amount of \$601,971.91, in accordance with the Agreement for Deposit of Checks with Reservation of Rights between Broward County and Arthur J. Gallagher and Co., and authorizing the Mayor or Vice Mayor and Clerk to execute the agreement for deposit of checks; and authorizing the County Administrator to take the necessary administrative and budgetary actions.

ACTION: (T-3:22 PM) Approved. (Refer to minutes for full discussion.)

COMMUNITY SERVICES DEPARTMENT

72. A. MOTION TO AUTHORIZE Community Services Department (Department) to implement and continue a program for the purpose of procuring and distributing trees to residents of Broward County through five County parks utilizing funds in the amount of \$200,000 returned to the Broward County Board of County Commissioners (Board) by the Broward League of Cities, Inc. (League)

ACTION: (T-10:32 AM) Deferred to Tuesday, December 13, 2005. (Refer to minutes for full discussion.) (Transferred to the Consent Agenda.)


- B. MOTION TO WAIVE County Procurement Code due to the need to rapidly replace lost tree canopy in Broward County due to the hurricane impact.

ACTION: (T-10:32 AM) Deferred to Tuesday, December 13, 2005. (Refer to minutes for full discussion.) (Transferred to the Consent Agenda.)

- C. MOTION TO ADOPT unanticipated revenue Resolution for the Community Services Department, in the amount of \$200,000 within the deposit held in Escrow Account in the General Fund for the purpose of procuring trees.

ACTION: (T-10:32 AM) Deferred to Tuesday, December 13, 2005. (Refer to minutes for full discussion.) (Transferred to the Consent Agenda.)

COUNTY ADMINISTRATION


-  73. MOTION TO APPROVE Letter Agreement between Broward County and the Department of Children and Families from date of execution and for 60 days thereafter for the purpose of providing temporary housing for residents displaced by Hurricane Wilma at the Florida State Hospital Apartments, and authorize the Mayor to execute same; providing for severability; and providing for an effective date.

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

COUNTY COMMISSION

74. MOTION TO NOMINATE Henry Rose for appointment to the Community Action Agency Advisory Board. (Commissioner Wexler)

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

-  75. MOTION TO AUTHORIZE establishment of Commission Committees to enable each Commissioner to focus his/her talents and abilities on particular programs and projects of Broward County and report back to the full County Commission with recommendations. (Mayor Graber)

ACTION: (T-3:23 PM/4:15 PM) Approved. (Refer to minutes for full discussion.)

76. COUNTY COMMISSION LIAISON REPORT

ACTION: (T-3:53 PM) No reports were filed.

77. COUNTY ADMINISTRATOR'S REPORT

ACTION: (T-4:12 PM) Interim County Administrator Bertha Henry provided the Board with a hurricane update. (Refer to minutes for full discussion.)

78. MAYOR'S REPORT

- A. PUBLIC WORKSHOP – STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF RECREATION AND PARKS

ACTION: (T-3:48 PM) Mayor Graber announced that the State Department of Environmental Protection, Division of Recreation and Parks, will be conducting two meetings on its proposed land management plan for Hugh Taylor Birch State Park. One meeting will

be a public workshop this evening (December 6) at 7:00 p.m., at Glenn F. Bates Garden Center, Fort Lauderdale. The other meeting will be of its Advisory Group, Wednesday, December 7, at 9:00 a.m. at the same location. The County's parks staff will be attending the meetings. (Refer to minutes for full discussion.)

B. THANK YOU LETTER FROM CHIEF JUDGE DALE ROSS – COUNTY'S HURRICANE RECOVERY EFFORTS

ACTION: (T-3:48 PM) The Mayor informed the Board that Chief Judge Dale Ross has written former Mayor Jacobs a letter complimenting the County for its hurricane recovery efforts. Mayor Graber thanked Judge Ross for the letter, which will be filed in the County records. (Refer to minutes for full discussion.)

NON AGENDA

79. HB-15 – EXTEND EARLY PAY DISCOUNT ON PROPERTY TAX BILLS IN COUNTIES IMPACTED BY THE HURRICANES – COMMISSIONER GUNZBURGER

ACTION: (T-3:49 PM) Commissioner Gunzburger asked staff to place an item on next week's Commission agenda (December 13) relating to HB-15 sponsored by Representative Hasner, with a companion Senate bill by Senator Atwater, that would extend the early pay discount on this year's tax bills in counties impacted by the hurricanes. The bill requires a local option and Commission vote. It would extend the 4% discount date to January 31, the 3% to February 28, and the 2% to March 31. The County Attorney will research the Bill prior to December 13. There was no objection from the Board. (Refer to minutes for full discussion.)

80. LOSS OF BEACH SAND – SAND BY-PASS PROJECT – COMMISSIONER GUNZBURGER

ACTION: (T-3:53 PM) Commissioner Gunzburger relayed that City Manager Cameron Benson from the City of Hollywood asked her when the Sand By-Pass study would end and when the engineering would begin. The City is very grateful for the sand it received, but due to the recent hurricanes, there has been a lot of sand lost. The Commissioner asked staff to look into the matter. (Refer to minutes for full discussion.)

81. ADD COMMISSIONER TO SELECTION COMMITTEE – COMMISSIONER JACOBS

ACTION: (T-3:54 PM) Commissioner Jacobs asked to be added to the Selection Committee for RLI 20041118-AV-01, relating to Airport Noise Mitigation. A meeting is scheduled for Thursday, December 8. There was no objection from the Board. (Refer to minutes for full discussion.)

82. FAA LITIGATION – DISCUSS SETTLEMENT - COMMISSIONER JACOBS

ACTION: (T-3:54 PM) Commissioner Jacobs asked the County Attorney when the item would be placed on the Commission agenda for discussion. County Attorney Jeffrey Newton advised that there would be an item on the December 13 agenda. (Refer to minutes for full discussion.)

83. LETTER FROM CHIEF JUDGE DALE ROSS – COMMISSIONER JACOBS

ACTION: (T-3:54 PM) As former Mayor, Commissioner Jacobs advised that she wrote a response letter to Chief Judge Dale Ross regarding his letter complimenting the County for all its efforts during the recovery period following Hurricane Wilma. Commissioner Jacobs stated that she copied the letter to each commissioner. (Refer to minutes for full discussion.)

84. ADD COMMISSIONER TO SELECTION COMMITTEE – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-3:55 PM) Commissioner Wasserman-Rubin asked to be added to the Selection Committee for RLI 20041118-AV-01, relating to Airport Noise Mitigation. A meeting is scheduled for Thursday, December 8. There was no objection from the Board. (Refer to minutes for full discussion.)

85. ATM IN GOVERNMENTAL CENTER LOBBY – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-3:55 PM) Commissioner Wasserman-Rubin asked staff to look into installing an additional ATM in the Governmental Center Lobby that would accept all bank cards. Currently, the ATM in the lobby only accepts certain bank cards, mainly from the Credit Union. Interim County Administrator Bertha Henry advised that staff would research the issue and return before the Board. (Refer to minutes for full discussion.)

86. DEDICATED RADIO STATION FOR COUNTY EMERGENCIES – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-3:55 PM) Commissioner Wasserman-Rubin asked staff if it was possible to have a dedicated radio station for the citizens of Broward County to tune into in the event of hurricanes or other County emergencies. Interim County Administrator Bertha Henry conveyed that this issue was discussed during the Hurricane Workshop and staff is researching it. (Refer to minutes for full discussion.)

87. PLANNING COUNCIL – LEAGUE OF CITIES - COMMISSIONER WEXLER

ACTION: (T-3:57 PM) Commissioner Wexler asked the County Attorney to research whether the upcoming meeting with the Broward County Planning Council Subcommittee and the League of Cities to discuss affordable housing issues is precedent setting; she is concerned about the Planning Council maintaining its independence. Board discussion followed. (Refer to minutes for full discussion.)

88. ELEVATORS AT MAIN COURTHOUSE – COMMISSIONER LIEBERMAN

ACTION: (T-4:06 PM) Commissioner Lieberman asked staff to look into when the renovation or replacement of the elevators at the main courthouse will take place. Commissioner Lieberman commented that it is becoming a regular occurrence that two out of the four elevators in the main bank on the west side of the courthouse are down causing problems accessing the court rooms, especially during motion calendar when the elevators are used the most. The Commissioner stated that it is an urgent situation. The Mayor suggested expediting the work. (Refer to minutes for full discussion.)

89. ATTENDED OPENING EVENT – THE BOBBY JONES INTERNATIONAL GOSPEL INDUSTRY RETREAT – VICE MAYOR EGGELLETON

ACTION: (T-4:10 PM) Vice Mayor Eggelletion informed the Board that he attended the opening event for The Bobby Jones International Gospel Industry Retreat on December 4, at the Center for the Performing Arts. This Retreat is the 17th bi-annual event, and participants are from all facets of the gospel music industry. The event will have a large economic impact to the County. The Vice Mayor encouraged everyone to attend. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

**BOARD SUBCOMMITTEE TO ESTABLISH PERFORMANCE REVIEWS FOR
COUNTY ADMINISTRATOR, COUNTY ATTORNEY, AND COUNTY AUDITOR**

Tuesday, December 6th, at 9:30 AM
Room 430, S. Andrews Ave. Governmental Center

**CUSTOMER SERVICE SURVEYS AT
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

RLI No. 2004-1116-0-AV-01
Tuesday, December 6th, at 2:30 PM
Room 430, S. Andrews Ave. Governmental Center

