

MEETING OF DECEMBER 11, 2007

(Meeting convened at 10:00 a.m., and recessed at 1:01 p.m.; reconvened at 4:12 p.m.; and adjourned at 5:49 p.m.)

PLEDGE OF ALLEGIANCE was led by Vice Mayor Stacy Ritter.

MOMENT OF SILENCE

In memory of our fallen troops who have given their lives in Iraq and Afghanistan, and throughout the world on behalf of peace and freedom, as well as their families.

In memory of BSO Major Carol Maynard.

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

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, 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 Item 1 through 74. At the request of the Mayor, Regular Agenda Items 76, 83, 84, 85, 86, 90, 91, 92, & Supplemental Item 96, were transferred to the Consent Agenda. The following items were pulled by Board members and considered separately: 3, 38, 39, 47, 49, & 60.

The following items were withdrawn/deferred: 35, 53, 63, 64 & 70.

The following item was pulled by members of the public and considered separately: 60.



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

BOARD APPOINTMENTS

1. MOTION TO APPROVE Beverly Stracher to the Children's Services Board.
(Vice Mayor Ritter)

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO RE-APPOINT Mr. Craig Steinberg to the Broward County Educational Facilities Authority.

ACTION: (T-10:17 AM) Approved.

- C. MOTION TO RE-APPOINT Mr. Leon Slatin to the Broward County Library Advisory Board.

ACTION: (T-10:17 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPOINT agreement between Broward County, Florida and In-Ter-Space Services, Inc. d/b/a Clear Channel Interspace Airports RLI No. 20070612-0-AV-01 ("Agreement") to provide airport advertising services at the Fort Lauderdale-Hollywood International Airport; with the privilege fee during the Transition Period (a period not greater than 12 months) based on the greater of a Minimum Annual Guarantee ("MAG") \$1,000,000; or a percentage fee of 50% of the monthly gross revenues; following the expiration of the transition period, the greater of a MAG of not less than \$1,500,000 (to be adjusted annually by 85% of the prior year's paid privilege fee), or 50% of gross revenue for the first three contract years, and 60% for the remaining term; a minimum capital expenditure of \$1,200,018; to be effective upon Board approval with a commencement date of January 1, 2008 and an expiration date of December 31, 2013; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.

3. MOTION TO APPROVE deliberately phased agreement (RLI 20051014-0-AV-01) between Broward County and DMJM + Harris, Inc. (DMJM), for professional design services for In-Line Baggage facilities at Fort Lauderdale-Hollywood International Airport (FLL); in the maximum, not-to-exceed amount of \$3,514,000; and authorize the Mayor and Clerk to execute same.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:20 AM) *Approved, as amended. The Board directed Broward County Aviation Director Kent George, to delete the language in Exhibit F that reads: "Any additional cost for other governing agency requirements," as well as to reduce the \$85,000.00 amount accordingly, and amend the agreement so that it is understood that responding to other agency comments are part of the underlying master agreement. (Refer to minutes for full discussion.)*

VOTE: 9-0.

4. MOTION TO APPROVE First Amendment to the Consultant Agreement between Broward County and Reynolds, Smith and Hills, Inc. (RS&H), authorizing professional design services for Parts 'B' and 'C', Phases III through VII, of the deliberately-phased Consultant Agreement for airfield enhancements, in the Maximum, Not-To-Exceed amount of \$2,540,000; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) *Approved.*

5. MOTION TO APPROVE Change Order No. 34 to Contract No. N-2-06-069-CF, for the Terminals 2 and 3 Interim Baggage Solution Project at the Fort Lauderdale-Hollywood International Airport, between Broward County and Skanska USA Building, Inc. (Contract), for a credit to the Builder's Risk Insurance in the amount of \$387,591; from \$21,495,744 to \$21,108,153; with no increase in contract time; and authorize the Mayor and Clerk to execute same. (BCAEP Project No. 3810).

ACTION: (T-10:17 AM) *Approved.*

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

CONSTRUCTION MANAGEMENT DIVISION

6. MOTION TO APPROVE agreement between Broward County and Moss & Associates, LLC, RLI 200419-0-CM-01, for Managing General Contractor Phase II Construction Services for Fire Rescue Station 17/27, for a guaranteed maximum price of \$6,144,754; with a contract time of 409 calendar days, subject to receipt and approval of Performance and Payment guarantee bonds; and authorize the Mayor and Clerk to execute same. (Project No. 6407) **(Commission District 8)**

ACTION: (T-10:17 AM) Approved.

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

7. MOTION TO APPROVE Road Right-of-Way Transfer Agreement between Broward County and the City of Hollywood, providing for transfer to the City of a small portion of Dixie Highway, located between Van Buren Street and Hollywood Boulevard; and authorize the Mayor and Clerk to execute same. **(Commission District 6)**

ACTION: (T-10:17 AM) Approved.

8. MOTION TO ADOPT Resolution 2007-790 accepting a Traffic Control Devices Easement, executed by Eastern Financial Florida Credit Union, for traffic control devices located along the east side of University Drive, approximately 1280 feet north of Stirling Road, at a nominal cost of \$1 to the County. **(Commission District 7)**

ACTION: (T-10:17 AM) Approved.

9. MOTION TO APPROVE First Amendment to Joint Participation Agreement between Broward County and the Florida Department of Transportation, Contract No. AO-115, which provides funding from the Florida Department of Transportation in an amount not-to-exceed \$800,000 for costs of improvements to the Hillsboro Boulevard/Military Trail intersection. The amendment incorporates changed federal and state auditing provisions; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:17 AM) Approved.

REAL PROPERTY SECTION

10. A. MOTION TO APPROVE mutual termination of Lease Agreement between Broward County, Landlord, and the City of Hollywood, Tenant, premises being a part of the City of Hollywood. Beverly Park, described as Lot 10, designated Play Ground, of Block 15 of Beverly Park, a subdivision, according to the plat thereof, recorded in Plat Book 25, at page 44 of the public records of Broward County; authorize the Mayor and Clerk to execute Termination of Lease Agreement and authorize recordation of same. **(Commission District 6)**

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO DECLARE surplus to the County's need, solely for the purpose of conveyance to the City of Hollywood for continuing park and recreation purposes, approximately 0.7 acres of land located at 6329 SW 11th Street in the City of Hollywood, presently maintained and operated by the City as part of Beverly Park, and legally described as Lot 10, designated Play Ground, of Block 15 of Beverly Park, a subdivision according to the plat thereof, recorded in Plat Book 25, at page 44 of the public records of Broward County.

ACTION: (T-10:17 AM) Approved.

- C. MOTION TO ADOPT Resolution 2007-791 authorizing the conveyance by Quit Claim Deed of the same property described in Motion A above, being County owned parcel Lot 10, designated Play Ground, of Block 15 of Beverly Park, to the City of Hollywood; by the acceptance of this deed the City agrees not to use the land for any purpose other than recreational and park purposes, at no cost to the County; authorize the Mayor and Clerk to execute Deed and authorize recordation of same. **(Commission District 6)**

ACTION: (T-10:17 AM) Approved.

11. MOTION TO APPROVE Business Lease Agreement between Broward County, Tenant, and Fazio Properties, LLC, a Florida corporation, Landlord, for the County's lease of 6,246 square feet of office space located at 315 NE 7th Street, Fort Lauderdale, for the Broward Sheriff's Office Probation staff, at a full-service rental rate of \$24.00 per square foot, increasing 3% annually, for a total rental of \$795,860.69, for a five-year term commencing upon delivery and acceptance of premises by Tenant, and expiring December 11, 2012, with two, five-year renewal options; Tenant has the right to terminate at any time after the fourth year with 90-days prior notice; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:17 AM) Approved.


12. A. MOTION TO APPROVE conveyance to the City of Plantation of a Utility Easement for certain 15-foot wide strips of land located on County-owned property to allow the City to properly operate and maintain the public water and wastewater pipelines and other appurtenant facilities, which provide service to the newly constructed West Regional Library, located at 8601 West Broward Boulevard, Plantation; Library Bond Project 6048A99; authorize the Mayor and Clerk to execute Easement, and authorize recordation of same. **(Commission District 1)**

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO APPROVE Bill of Sale conveying ownership to the City of the Utility Facilities constructed by Broward County to connect the newly constructed West Regional Library to the City's water and wastewater systems, and serves as a County warranty of: 1) title; 2) the County's right to transfer ownership; 3) freedom of claims by third parties regarding the title; and 4) quality of the installation; and authorize the Mayor and Clerk to execute same. **(Commission District 1)**


ACTION: (T-10:17 AM) Approved.

TRAFFIC ENGINEERING DIVISION

-  13. MOTION TO APPROVE agreement between Broward County and Cornet Technology providing for the design and implementation of the railroad grade crossing and traffic video monitoring system, for a two year term effective upon execution, in the not-to-exceed project amount of \$1,917,348; to be fully reimbursed by the Florida Department of Transportation; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:17 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

-  14. MOTION TO ADOPT Resolution 2007-792 of the Board of County Commissioners of Broward County, Florida approving for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of not to exceed \$900,000 of Industrial Development Revenue Bonds by the Florida Development Finance Corporation to finance acquisition of athletic equipment for an educational facility on behalf of St. Thomas Aquinas High School, Inc. within Broward County and related costs; providing for severability; and providing for an effective date.

ACTION: (T-10:17 AM) Approved.

ACCOUNTING DIVISION

15. MOTION TO APPROVE list of computer checks issued from July 1, 2007 through July 31, 2007, August 1, 2007 through August 31, 2007, and September 1, 2007 through September 30, 2007.

ACTION: (T-10:17 AM) Approved.

16. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending September 30, 2007.

ACTION: (T-10:17 AM) Approved.

17. MOTION TO FILE Semi-Annual Financial Summary for the Park, Open Space and Recreational Trust Fund for the six-month period ending September 30, 2007.

ACTION: (T-10:17 AM) Approved.

18. MOTION TO FILE Annual Financial Report for the Tree Preservation Trust Fund for fiscal year ended September 30, 2007.

ACTION: (T-10:17 AM) Approved.

PURCHASING DIVISION

For Finance and Administrative Services Department

19. A. MOTION TO APPROVE First Amendment to Agreement with Dell Marketing, L.P. (Dell), for the procurement of notebook computers, desktop computers, servers, and related items, extending the term on a month-to-month basis, not to exceed twelve months, from December 17, 2007 through December 17, 2008, in the estimated annual amount of \$6,000,000.00 for the Enterprise Technology Services Division and authorize the Mayor and Clerk to execute the same.

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO APPROVE Agreement with Lexmark International, Inc. (Lexmark), for the procurement of laser printers, extending the term on a month-to-month basis, not to exceed twelve months, from December 17, 2007 through December 17, 2008, in the estimated annual amount of \$100,000.00 for the Enterprise Technology Services Division (ETS) and authorize the Mayor and Clerk to execute the same.

ACTION: (T-10:17 AM) Approved.

REVENUE COLLECTION DIVISION

20. MOTION TO ADOPT two Resolutions 2007-793 and 2007-794 authorizing cancellation of Warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, Payroll Account No. 2079970003798, Tax and License Account No. 2090002760916, and Self Insurance Account No. 2090002760518.

ACTION: (T-10:17 AM) Approved.

HUMAN SERVICES DEPARTMENT

21. A. MOTION TO ACCEPT report from the Emergency Medical Services (EMS) Grants Committee which includes the projects recommended for funding by distribution of the County Grant portion of State EMS Trust Fund Monies for Fiscal Year 2007/2008.

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO ADOPT Resolution 2007-795 authorizing an Emergency Medical Services (EMS) Grant Application in the amount of \$365,840 (comprising \$285,088 of Fiscal Year 2007/2008 EMS Trust Fund award monies, plus \$80,752 of earned interest) to the State of Florida, Department of Health for the purpose of improving and expanding pre-hospital emergency medical services in Broward County; authorizing the County Administrator to execute the application; providing certification relating to use of EMS Grant monies; approving EMS Grant Program Request for Grant Fund distribution; authorizing the County Administrator to revise the Project Leaders and Project Budgets to ensure utilization of EMS Grant funds; and authorizing the County Administrator to take the necessary administrative and budgetary actions for implementation; providing for severability; and providing for an effective date. No county match is required.

ACTION: (T-10:17 AM) Approved.

- C. MOTION TO ADOPT Resolution 2007-796 of the Board of County Commissioners of Broward County, Florida, authorizing, upon approval of the County's application for Fiscal Year 2007/2008 by the State Department of Health (DOH) Bureau of Emergency Medical Services (BEMS), appropriations and disbursements for governmental and non-governmental entities for the provision of EMS services and projects using Fiscal Year 2008 funding in the total amount of \$365,840; authorizing the County Administrator to execute for Fiscal Year 2008 the previously approved standard form contracts and addendums previously approved by Resolution No. 2007-861 for Fiscal Year 2008; providing for review by the County Attorney's office; providing for severability; and providing for an effective date.

ACTION: (T-10:17 AM) Approved.

MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION

22. MOTION TO ADOPT unanticipated revenue Resolution 2007-797 within the Coverdall Forensic Sciences Grant Fund (7229), in the amount of \$94,911 from an agreement with the United States Department of Justice, Paul Coverdall Forensic Sciences Improvement Act Formula Grant Program for the Medical Examiner and Trauma Services Division, Pathology Section. This grant will provide funding to convert and/or replace outdated medical examiner equipment to improve the quality and timeliness of medical examiner services. No County Match is required.

ACTION: (T-10:17 AM) Approved.

23. A. MOTION TO DIRECT County Attorney's Office to draft amendments to Chapter 3½, Broward County Code of Ordinances, relating to Emergency Medical Services and Nonemergency Medical Transportation Services; authorizing the County Administrator to grant extensions to Certificates of Public Convenience and Necessity (COPCN) and Nonemergency Medical Transportation Service (NEMTS) licenses for a definite period of time not to exceed two months; providing for streamlining of the renewal process for all applicants of COPCNs or NEMTS licenses; and providing for housekeeping changes.

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO DIRECT County Attorney's Office to draft amendments to Chapter 23, Part IV. Medical Transportation Rules and Regulations, Sections 23.18 through 23.28, Broward County Administrative Code, relating to Emergency Medical Services and Nonemergency Medical Transportation Services; providing for housekeeping changes to be consistent with changes to Chapter 3½, Broward County Code, pursuant to Motion A.

ACTION: (T-10:17 AM) Approved.

24. MOTION TO DIRECT County Attorney's Office to draft revisions to Chapter 15 of the Broward County Code of Ordinances, relating to the Broward Regional Emergency Medical Services (EMS) Council; providing for changes in membership categories, terms of membership and housekeeping revisions.

ACTION: (T-10:17 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

BIOLOGICAL RESOURCES DIVISION

25. A. MOTION TO ADOPT unanticipated revenue Resolution 2007-798 within the Manatee Protection Plan Fund (0210) for the Biological Resources Division in the amount of \$253,333 to implement the first year of the Manatee Protection Plan.

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO INCREASE personnel cap within the Manatee Protection Plan Fund (0210) for the Biological Resources Division by one position for the purpose of implementing the Manatee Protection Plan.

ACTION: (T-10:17 AM) Approved.

POLLUTION PREVENTION AND REMEDIATION DIVISION

26. MOTION TO APPROVE Amended Declaration of Restrictive Covenants by the Town of Davie for the property at 2581 South Hiatus Road, formerly known as the Math Iglor Property, removing environmental contamination related restrictions from the property as the contamination has been fully remediated. **(Commission District 5)**

ACTION: (T-10:17 AM) Approved.

WATER RESOURCES DIVISION

27. **MOTION TO APPROVE** First Amendment to Interlocal Agreement between Broward County and the City of Miramar to support the feasibility analysis and design of a stormwater reuse project that will provide source water for the City's reuse system for irrigation applications at no additional cost and an increase in contract time of 12 months; and authorize the Mayor and Clerk to execute same. **(Commission District 8)**

ACTION: (T-10:17 AM) Approved.

PORT EVERGLADES DEPARTMENT

28. **MOTION TO APPROVE** Lease Agreement between Broward County and Seafarers' House, Inc., for Suite No. 500 in the Port Administration Building at Port Everglades, consisting of 892 square feet of office space, for an initial period of three years effective upon Board approval, with two additional one year options; providing for a waiver of rent and electric charges; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.

29. **MOTION TO APPROVE** Lease Agreement between Broward County and Siemens Energy & Automation, Inc., for Suite No. 7 in Building 611 (Amman Building) at Port Everglades, consisting of 520 square feet of office space, for a period of two-years effective January 23, 2008 through January 22, 2010, with rent in the approximate amount of \$18,473 over the lease term; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.

30. A. **MOTION TO ADOPT** Resolution 2007-799 authorizing the Mayor and Clerk to execute a Supplemental Joint Participation Agreement (SJPA) between Broward County and the State of Florida Department of Transportation (FDOT), increasing the project cost by \$1,300,000 for the purpose of applying Fiscal Year 2007/2008 and Fiscal Year 2008/2009 FDOT Intermodal Program funds in the amount of \$650,000 to Port Everglades Department for the design and construction associated with the Midport Roadway Expansion project (requiring \$650,000 in matching funds from the County); effective upon execution by FDOT through December 31, 2008. (Deferred from December 4, 2007 – Item No. 29)

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO ADOPT unanticipated Revenue Resolution 2007-800 within Port Everglades Capital Fund (4710) for Port Everglades Department in the amount of \$201,000 for the design and construction associated with the Midport Roadway Expansion project; \$449,000 was previously adopted in the Fiscal Year 2008 Master Plan capital budget, bringing the total to \$650,000.

ACTION: (T-10:17 AM) Approved.


31. A. MOTION TO ADOPT Resolution 2007- 801 authorizing the Mayor and Clerk to execute a Supplemental Joint Participation Agreement (SJPA) between Broward County and the State of Florida Department of Transportation (FDOT), increasing the project cost by \$3,536,500 for the purpose of applying Fiscal Year 2007/2008 and Fiscal Year 2008/2009 FDOT Strategic Intermodal System (SIS) Growth Management funds in the amount of \$1,125,000; as well as Fiscal Year 2007/2008 and Fiscal Year 2008/2009 FDOT Intermodal Program funds in the amount of \$643,250 to Port Everglades Department for the design and construction of a new bridge over the Florida Power and Light (FPL) Canal in Midport (requiring \$1,768,250 in matching funds from the County); effective upon execution by FDOT through August 30, 2009. (Deferred from December 4, 2007 – Item No. 30)

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO ADOPT unanticipated Revenue Resolution 2007-802 within Port Everglades Capital Fund (4710) for Port Everglades Department in the amount of \$1,214,250 for the design and construction of a new bridge over the FPL Canal in Midport; \$554,000 was previously adopted in the Fiscal Year 2008 Master Plan capital budget, bringing the total to \$1,768,250.

ACTION: (T-10:17 AM) Approved.


OFFICE OF TRANSPORTATION

-  32. A. MOTION TO ADOPT Resolution 2007-803 of the Board of County Commissioners of Broward County, Florida, authorizing the Mayor and Clerk to execute and file a supplemental Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) District 4 in the amount of \$1,500,000 for a total of \$8,500,000 to provide funding for the purchase of buses and related expenses; extending the agreement; authorizing the County Administrator, or designee, to take any necessary administrative actions and authorizing the Director of the Office of Transportation to sign time extensions; and providing for an effective date. The term of this supplemental JPA is from execution by FDOT to December 31, 2008. (No County match required.)


ACTION: (T-10:17 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2007-804 within the Capital Grant Fund (3450) for the Office of Transportation, in the amount of \$1,500,000, to fund the purchase of buses and related expenses.

ACTION: (T-10:17 AM) Approved.

-  33. A. MOTION TO ADOPT Resolution 2007-805 of the Board of County Commissioners of Broward County, Florida, authorizing the Mayor to execute and file a Supplemental Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT), District 4, to provide additional funding for the construction of the Pompano Beach Northeast Transit Center; to increase the total JPA project amount by \$1,000,000, which is an increase from \$1,381,798 to \$2,381,798; to extend the expiration of the agreement; providing for an effective date; and to authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement and to sign any time extensions. The term of this Supplemental Agreement is from date of execution by FDOT through June 16, 2008. (Requires a 50 percent cash match from the County in the amount of \$500,000 for the new funds).
(Commission District 2)

ACTION: (T-10:17 AM) Approved. (Refer to minutes for full discussion.)

-  B. MOTION TO ADOPT unanticipated revenue Resolution 2007-806 within the Capital Grant Fund (3450) for the Office of Transportation, in the amount of \$1,366,709, to provide additional funds for the construction of the Pompano Beach Northeast Transit Center.

ACTION: (T-10:17 AM) Approved. (Refer to minutes for full discussion.)



- C. MOTION TO ADOPT unanticipated revenue Resolution 2007-807 within the Transit Concurrency Fee Fund (1050) for the Office of Transportation, in the amount of \$866,709, to provide additional funds for the construction of the Pompano Beach Northeast Transit Center.

ACTION: (T-10:17 AM) Approved. (Refer to minutes for full discussion.)

-  34. A. MOTION TO APPROVE License and Access Agreement between Broward County Office of Transportation and Industrial Developments International, Inc. (IDI) for the purpose of conducting offsite environmental assessment at the Copans Road Transit Maintenance and Operations facility; for a term of 90 days or until such time the work is complete; at no cost to the County for this agreement; and to authorize the Director of the Office of Transportation to execute the agreement and any extensions on behalf of the County.

ACTION: (T-10:17 AM) Approved.

- B. MOTION TO AUTHORIZE Director of the Office of Transportation to execute additional offsite access agreements, in substantially similar form, for the purpose of conducting off site environmental assessments for existing remediation projects at both the Copans Road and Ravenswood Transit Maintenance and Operations facilities. **(Commission Districts 2 and 7)**

ACTION: (T-10:17 AM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

35. MOTION TO ADOPT unanticipated revenue Resolution within the General Fund for the Office of Economic Development (OED), estimated to be in the amount of \$150,000 for the purpose of funding non budgeted non recurring activities of the Office of Economic Development.

ACTION: (T-10:17 AM) Withdrawn for further staff review.

SUPERVISOR OF ELECTIONS

36. MOTION TO APPROVE recommendation of the Supervisor of Elections amending the voting precincts which were approved on July 9, 2002, and amended on August 13, 2002, January 14, 2003, September 13, 2003, December 7, 2004 and December 13, 2005; combining 24 precincts for the Presidential Preference Primary and Municipal Elections on January 29, 2008.

ACTION: (T-10:17 AM) Approved.

COUNTY ATTORNEY

37. MOTION TO APPROVE proposed settlement in the amount of \$94,900, inclusive of severance damages, attorney's fees, and costs, in the eminent domain action *Broward County v. National Beverage Corporation*, Case No. 06-08784.12.

ACTION: (T-10:17 AM) Approved.

38. MOTION TO ADOPT Budget Resolution 2007-808 transferring within the Convention Center Capital Fund (3280) the amount of \$500,000 from the Convention Center Capital Reserve to fund special counsel, Squire Sanders, to prepare the Letter of Intent (LOI) and all other required contractual documents.

(This item was pulled by Mayor Wexler, and Commissioner Eggelletion.)

ACTION: (T-10:59 AM) Approved. The Board directed staff to bring back answers and information as to the contents of Mark Tobin's agreement and Scope of Work. (Refer to minutes for full discussion.)

VOTE: 9-0.

COUNTY ADMINISTRATION

39. MOTION TO APPROVE payment of \$10,000 to OneBroward Network Initiative to fund the County's proportionate share of a feasibility study.

(This item was pulled by Mayor Wexler.)

ACTION: (T-11:01 AM) Approved. The Board directed staff to bring back documentation as to the next phase of this item including what is involved, the amount of the cost, and how much return would be coming back to the County, as well as Google's initiative, and how interfacing or offsetting correlate as to what has been established. (Refer to minutes for full discussion.)

VOTE: 9-0.

COUNTY COMMISSION

40. MOTION TO FILE Ordinance No. 928 adopted by the City Commission of the City of Wilton Manors, Florida entitled "Nondiscrimination in Public Contracts," to amend the Definitions for Gender Identity; to include "Gender Identity or Expression"; and to amend the Definition for Sexual Orientation; providing for conflicts; providing for severability; providing for codification; and providing for an effective date. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved.

41. MOTION TO FILE Resolution No. 3162 adopted by the City Commission of the City of Pembroke Pines opposing Florida Hometown Democracy's Proposed Amendment to the Florida Constitution that would force voters to decide all changes to a city or county's Comprehensive Plan; urging municipalities throughout Broward County and the State of Florida, as well as Florida Electors, to oppose Florida Hometown Democracy's Proposed Amendment to the Florida Constitution. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved.

42. MOTION TO FILE Resolution No. 11-982 adopted by the City Commission of the City of Margate encouraging members of the Florida Legislature to adopt legislation which would regulate the parasailing industry; providing for instructions to the City Clerk. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved.

43. MOTION TO FILE Resolution 07-151 adopted by the City Council of the City of Sanibel, Florida in support of Congressional appropriations for the funding of the repairs and rehabilitation of the Herbert Hoover Dike. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved.

44. MOTION TO FILE Resolution No. 2007-T01 of the Broward County League of Cities urging the support of Broward County and its municipalities to promote the use of alternative fuel vehicles and environmentally friendly transportation. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved.

45. MOTION TO FILE Resolution No. 2007-T03 adopted by the Broward County League of Cities to the Broward County Commission, Metropolitan Planning Organization, RTA and Southeast Florida Transportation Council recommending usage of compatible equipment for Mass Transit. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved.

46. MOTION TO FILE Resolution No. 2007-T04 adopted by the Broward League of Cities to the Broward County Commission and Metropolitan Planning Organization approving and recommending a managed lane transportation corridor along Interstate 595 at grade level and to identify a Mass Transit Corridor also at grade level. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

47. MOTION TO ADOPT Resolution 2007-809 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 8, 2008 at 2:00 PM in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(This item was pulled by Mayor Wexler.)

ACTION: (T-11:06 AM) Approved. Mayor Wexler will collaborate with staff and write a letter to Broward County School Board requesting student generation reports. (Refer to minutes for full discussion.)

VOTE: 9-0.

48. MOTION TO ADOPT Resolution 2007-810 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 8, 2008 at 2:00 PM in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:17 AM) Approved.

49. A. MOTION TO ADOPT Resolution 2007-811 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 8, 2008 at 2:00 PM in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY ADDING A PUBLIC SCHOOL FACILITIES ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(This item was pulled by Mayor Wexler.)

ACTION: (T-11:06 AM) Approved. Mayor Wexler will collaborate with staff and write a letter to Broward County School Board requesting student generation reports. (Refer to minutes for full discussion.)

VOTE: 9-0.

- B. MOTION TO ADOPT Resolution 2007-812 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 8, 2008 at 2:00 PM in Room 422 to consider the approval of the Amended Interlocal Agreement for Public School Facilities Planning, Broward County, Florida.

(This item was pulled by Mayor Wexler.)

ACTION: (T-11:06 AM) Approved. Mayor Wexler will collaborate with staff and write a letter to Broward County School Board requesting student generation reports. (Refer to minutes for full discussion.)

VOTE: 9-0.

50. MOTION TO ADOPT Resolution 2007-813 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 8, 2008 at 2:00 PM in Room 422 of the Government Center, to vacate a 24 foot access easement lying within, over and across "The Machler Plat", located at 1877 West Hillsboro Boulevard, Deerfield Beach; at no cost to the County. Petitioners: The Phillips Stash, Inc. (2006-V-11) (Pulice Land Surveyors, Inc. – Agent) **(Commission District 4)**

ACTION: (T-10:17 AM) Approved.

51. MOTION TO ADOPT Resolution 2007-814 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 8, 2008 at 2:00 PM in Room 422 of the Governmental Center, to vacate a 12-foot wide Utility Easement lying within, over and across a portion of Tract 1, Melrose Park Section 8 Plat, located at 3846 W. Broward Boulevard, City of Plantation; at no cost to the County. Petitioner: P.C. Plantation, LLP (2007-V-27) (Trenton Gaskins, Agent) **(Commission District 9)**

ACTION: (T-10:17 AM) Approved.

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

52. MOTION TO APPROVE educational mitigation agreement among Broward County, the City of Lauderdale Lakes and the School Board of Broward County relating to a voluntary contribution to the School Board of Broward County in lieu of the payment of educational impact fees for proposed residential development within the Lauderdale Lakes Local Activity Center. **(Commission District 9)**

ACTION: (T-10:17 AM) Approved.

VOTE: 9-0.

ACTION: (T-11:06 AM) Commissioner Eggelletion requested that the Board reconsider Item 52, previously passed on the Consent Agenda, for the purpose of his abstention on Item 52. (Refer to minutes for full discussion.)

VOTE: 9-0.


ACTION: (T-11:07 AM) The Board reconsidered Item 52, previously passed on the Consent Agenda (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelletion abstained from voting.

53. MOTION TO DIRECT Office of the County Attorney to file a lawsuit to foreclose on a lien, in the amount of \$41,762.69, plus interest accruing at the rate of 12% per annum, which lien was imposed pursuant to a Road Impact Fee Agreement dated February 18, 2003, between the County and the Developer, Miramar No. 1, LLC, its successors and assigns, with regard to the Waldman Plat - (048-MP-90). **(Commission District 8)**

ACTION: (T-10:17 AM) Withdrawn at this time. The owner's representative contacted staff on December 7, 2007 to schedule a meeting to settle this matter.

PLANNING SERVICES DIVISION

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54. MOTION TO APPROVE Memorandum of Agreement between Broward County and the South Florida Regional Transportation Authority (SFRTA) to participate in the preparation of transit corridor plans and studies, which Agreement shall run for a period of three years, with one three year option period; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:17 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

DEVELOPMENT MANAGEMENT DIVISION

55. DISCUSSION: of plat entitled "North Broward Medical Center" - **Commission District 2**, (016-MP-07).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

56. DISCUSSION: of plat entitled "Estates of Oakland Park" - **Commission District 4**, (047-MP-07).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

57. DISCUSSION: of plat entitled "Wilton Park" - Commission District 4, (041-MP-07).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report. (Scrivener's error – See County Administrator's Report: Amend staff recommendation 23 to read as follows: Prior to plat recordation, obtain Count Commission approval of a Settlement Agreement acceptable to EPD and the County Attorney's Office to settle EPD Notice of Violation No. NOV07-0033.)

58. DISCUSSION: of plat entitled "Extra Care Animal Hospital" - Commission District 5, (002-MP-07).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

59. DISCUSSION: of plat entitled "Layla Estates" - Commission District 5, (006-MP-07).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

60. DISCUSSION: of plat entitled "Arden Park" - Commission District 7, (119-MP-05). (Deferred from November 6, 2007.)

(This item was pulled by Commissioners Gunzburger, Rodstrom, and members of the public.)

ACTION: (T-11:42 AM) Deferred until a later time to allow Broward County to follow their process and procedures. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Eggelletion was out of the room during the vote.

61. DISCUSSION: of plat entitled "Tango Park" - Commission District 8, (049-MP-05).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

62. DISCUSSION: of plat entitled "Southwest Nursery" - **Commission District 8**, (031-MP-07).

ACTION: (T-10:17 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

63. DELEGATION: Cynthia Pasch regarding request to amend the note on the Spear Plat - **Commission District 2**, (037-MP-99).

ACTION: (T-10:17 AM) Defer until August 5, 2008 or sooner, under Section 5-181 (j) of the Land Development Code to study the plat note.

64. DELEGATION: Cynthia Pasch regarding request to amend the note on the Alexander-Young Plat - **Commission District 2**, (023-MP-95).

ACTION: (T-10:17 AM) Defer until August 5, 2008 or sooner, under Section 5-181 (j) of the Land Development Code to study the plat note.

65. DELEGATION: Terry McCaghren, representing the City of Tamarac, regarding request to amend the note on the Tamarac Multi-Purpose Center Plat - **Commission District 3**, (050-MP-89).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

66. DELEGATION: Dennis D. Mele regarding request to amend the note on the Wertheimer Plat - **Commission District 6**, (090-MP-84).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

67. DELEGATION: Edward P. Ploski regarding request to amend the note on the Tanglewood Shopping Plaza No. 2 Plat - **Commission District 6**, (026-MP-84).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

68. DELEGATION: Allan Milledge regarding request to amend the note on the Miramar Park of Commerce Phase V Plat - **Commission District 8**, (050-MP-99).

ACTION: (T-10:17 AM-) Approved subject to staff's recommendations.

69. DELEGATION: Jeffrey Lynne regarding request to amend the note on the William A. Trueman Plat - **Commission District 9**, (086-MP-86).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

70. DELEGATION: Gerald L. Knight regarding request to amend the note on the Delegal Plat - **Commission District 9**, (083-MP-91).

ACTION: (T-10:17 AM) Defer until August 5, 2008 or sooner, under Section 5-181 (j) of the Land Development Code to study the plat note.

71. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding MOTION TO ADOPT a Resolution 2007-815 of the Board of County Commissioners of Broward County, Florida, amending the note on the Coconut Point Plat - **Commission District 2**, (061-MP-95).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

72. DELEGATION: Robert Wilson, representing the Broward County Parks and Recreation Division, regarding request to amend the non-vehicular access line on the Coconut Point Plat - **Commission District 2**, (061-MP-95).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

73. DELEGATION: Michael D. Rose regarding request to amend the non-vehicular access line on the Hiatt Acres IV Plat - **Commission District 2**, (021-UP-81).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

74. DELEGATION: Edward P. Ploski regarding request to amend the non-vehicular access line on the Mariani Asphalt Plat - **Commission District 4**, (186-MP-86).

ACTION: (T-10:17 AM) Approved subject to staff's recommendations.

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

AVIATION DEPARTMENT

- 75. MOTION TO APPROVE agreement between Broward County and USA Parking Associates III, a joint venture (USA Parking), for the management of airport public and employee parking facilities at the Fort Lauderdale-Hollywood International Airport (FLL); for a five year term ending December 14, 2012; annual management fee of \$560,000; plus annual CPI adjustments not to exceed 3%; and authorize the Mayor and Clerk to execute same. (Deferred from December 4, 2007 – Item No. 2)

ACTION: (T-11:43 AM) Approved, including the recommendations made by the County Auditor, as cited in his memorandum dated December 10, 2007.

VOTE: 8-0. Commissioner Keechl was out of the room during the vote.

ACTION: (T-12:12 PM) Commissioner Keechl requested being shown voting in the affirmative on Item 75.

VOTE: 9-0.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

CONSTRUCTION MANAGEMENT DIVISION

- 76. MOTION TO APPROVE third amendment to the agreement between Broward County and Spillis Candela & Partners/Heery/Cartaya Joint Venture for consultant services for Court Facility, increasing the total contract cost by \$49,500; from \$1,131,921 to \$ 1,181,421; to conduct cost and site analysis for additional alternative courthouse sites, RLI 20030904-0-CM-01; and authorize the Mayor and Clerk to execute same. (Project No. 5211) **(Commission District 7)**

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.) (Scrivener’s error – See County Administrator’s Report: The Agreement Summary Sheet should coincide with the Agenda Report and read: Established Goal 20%, Committed Goal 22% and attainment to date: 8.20%.)

FACILITIES MAINTENANCE DIVISION

77. MOTION TO DISCUSS long-term plan for roof repair at the Property Appraiser's Office.

ACTION: (T-12:56 PM) Approved, as amended. The Board authorized staff to enter into lease negotiations, and bring a lease back to the Board on January 15, 2008, for the relocation of the Property Appraiser's Office to the Museum Plaza on an interim basis. Additionally, the Board is permitting staff to pursue multiple opportunities, including options for lease negotiations and purchasing as well as survey updating. Furthermore, future lease language is to be changed to reflect a four percent profit to Broward County versus a four percent profit to any landlord. (Refer to minutes for full discussion.)

VOTE: 7 – 2. Commissioners EGGLETON and LIEBERMAN voted no.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

78. MOTION TO AWARD fixed contract to low bidder, National Roofing South Florida, Inc., for roof replacement at Terminals 2 and 3, and for roof repairs at Terminal 4 at Fort Lauderdale/Hollywood International Airport, Bid No. N807267CAF (Re-bid), Bid Schedule B – single ply thermo plastic membrane roofing and Alternate Bid, in the amount of \$5,806,730 for the Aviation Department, subject to receipt and acceptance of insurance/performance and payment guarantee; and authorize Mayor and Clerk to execute same.

ACTION: (T-12:12 PM) Tabled until the 2:00 p.m. Public Hearing for further consideration. (Refer to minutes for full discussion.)

ACTION: (T-4:12 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

For Finance and Administrative Services Department

79. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firms to provide Emergency Records Recovery and Restoration Services for Broward County Commission agencies and to approve Request for Letters of Interest, No. 20071023-0-CR-01.

ACTION: (T-4:42 PM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Commissioner Eggelton; Director, County Records Division (Chair); Director, Revenue Collection Division; Director, Pollution Prevention and Remediation Division, plus administrative support staff from the offices of the County Attorney, County Auditor, Office of Equal Opportunity, Risk Management Division, and Purchasing Division. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

For Port Everglades Department

80. A. MOTION TO WAIVE timely submittal of a Disadvantaged Business Enterprise Letter of Intent as required in Section 00320 of Bid. No. H907302CAF. (Deferred from December 4, 2007 – Item No. 48)

ACTION: (T-4:43 PM) Approved.

VOTE: 9 – 0.

- B. MOTION TO AWARD fixed contract to low bidder, Hewett-Kier Construction, Inc., for construction of Port Everglades Terminal No. 18, Baggage Claim Area Expansion – Phase 1, Bid No. H907302CAF, in the amount of \$6,121,388 for the Seaport Engineering and Construction Division, subject to the receipt and acceptance of insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same.

ACTION: (T-4:43 PM) Approved.

VOTE: 9 – 0.

For Public Works and Transportation Department

81. MOTION TO NOTE FOR THE RECORD Request for Proposals (RFP) 20070712-0-WRS-01, Disaster Debris Monitoring Services, that has not been presented to the Board and has not been evaluated, for which Commissioners may choose to join the Evaluation Committee (EC).

ACTION: (T-4:12 PM) The Board noted for the record RFP 20070712-0-WRS-01 and approved the following to serve on the Evaluation Committee (EC): Commissioners Eggelton, Keechl, Gunzburger, and Lieberman; Assistant Director, Waste and Recycling Services Division (Chair); Director, Solid Waste Operations Division; director, Parks and Recreation Division, plus administrative support staff from the County Attorney, Commission Auditor, Small Business Development Division, Risk Management Division, Purchasing Division, and the using agencies. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

REVENUE COLLECTION DIVISION

82. MOTION TO DISCUSS increasing the minimum tax bill levied from \$1 to \$30.

ACTION: (T-1:01 PM) The Board directed the County Attorney to prepare necessary resolutions to allow a vote to be taken by the Board, and to forward information to the League of Cities Executive Director Rhonda Calhoun for dissemination to the League of Cities. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

RISK MANAGEMENT DIVISION

83. MOTION TO APPROVE full and final settlement of Claim 1028046746, Claim 0419059752, and Claim 0222064557 in the total amount of \$335,000.

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.) (Refer to minutes for full discussion.)

84. A. MOTION TO APPROVE final net settlement in the amount of \$16,250,000 from the County's property insurance company, Factory Mutual Global, regarding Hurricane Wilma damages to Broward County facilities for structural and contents damage, limited debris removal and limited business interruption.


ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE final net settlement in the amount of \$72,479.14, from Broward Aviation's tenant insurance company, Crawford Global, regarding Hurricane Wilma damages to County located at North Perry Airport.

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

-  85. MOTION TO APPROVE agreement between Broward County (County) and the Urban League of Broward County, Inc. (ULBC), for the construction and operation of an approximately 25,000 square foot Community Empowerment Center (CEC) on approximately 2.5 acres of County-owned land adjacent to the County's Reverend Samuel Delevoe Memorial Park (Delevoe Park) and the African-American Research Library and Cultural Center (AARLCC) in unincorporated Fort Lauderdale, at no cost to the County, for a 20-year term, with two 10-year renewal options, effective upon execution by the County, providing for commencement of construction within 24 months and construction completion within 48 months following execution by County; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.) (Refer to minutes for full discussion.)

OFFICE OF TRANSPORTATION

86. A. MOTION TO TERMINATE FOR CAUSE Agreement entered into between Broward County and Street Furniture Advertising Group, Inc. (Street Furniture) for Bus Passenger Shelter Design, Installation and Maintenance (RLI#052200-RB), dated June 26, 2001, and as amended by an Amendment dated October 26, 2004, collectively referred to as the "Agreement."

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO AUTHORIZE Contract Administrator and Office of the County Attorney to take all necessary administrative and legal action to protect the interests of the County.

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

PORT EVERGLADES DEPARTMENT

87. MOTION TO TERMINATE agreement between Broward County and Jerk Machine, Inc. for failure of Jerk Machine, Inc. to fully perform its obligations to Broward County under the Agreement by failing to provide the required Performance Bond or Letter of Credit and Minimum Annual Guarantee payments; and authorize the County Attorney's Office to take all legal action deemed necessary in connection with such termination.

ACTION: (T-4:43 PM) Approved as amended to terminate the agreement between Broward County and Jerk Machine, Inc., and to give Phil Allen, Port Everglades Director, the authority to renegotiate a settlement of 12% of the gross sales going back for one year, and with no penalties accrued.

VOTE: 9 – 0.

OFFICE OF ECONOMIC DEVELOPMENT

88. MOTION TO APPROVE amendment to the payment terms to reduce the amount of funds allocated to the Broward Alliance by \$270,000 from the base of Fiscal Year 2008 funding for Economic Development Services between Broward County and the Broward Alliance. (Deferred from December 4, 2007 – Item No. 26)

ACTION: (T-5:13 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7 – 0. Commissioner Jacobs was out of the meeting room at the time of the vote and Commissioner Gunzburger voted no.

ACTION: (T-5:20 PM) Commissioner Jacobs returned to the meeting room and requested that she be shown voting in the affirmative.

VOTE: 8 – 0.

89. MOTION TO APPROVE Broward Alliance fiscal year 2008 Business Plan and Budget pursuant to the agreement between Broward County and the Broward Alliance. The organization serves as Broward County's key private sector partner in economic development complementing the County's broader economic development initiatives coordinated by the Office of Economic Development.

ACTION: (T-5:18 PM) Approved. (Scrivener's error – See County Administrator's report: Exhibit 1, pages 7 and 15, the FY 2008 Goal should read "...Domestic Leads 130 and International Leads 100." The pages now read "...Domestic Leads 110 and International Leads 60." Refer to minutes for full discussion.)

VOTE: 8 – 0. Commissioner Jacobs was out of the meeting room at the time of the vote.

ACTION: (T-5:20 PM) Commissioner Jacobs returned to the meeting room and requested that she be shown voting in the affirmative.

VOTE: 9 – 0.

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

90. MOTION TO NOMINATE Stephen Abel, Jay McLaughlin, Yolanda Reed, Bennie Harvey, and Monica Coscarelli for appointment to the Broward County HIV Health Services Planning Council.

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

COUNTY COMMISSION

91. MOTION TO NOMINATE Shelly Spivack to the Health Facilities Authority. Ms. Spivack will serve a four-year term. (Commissioner Gunzburger)

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

92. MOTION TO APPROVE Broward County Board of County Commissioners' Meeting and Workshop Schedule for December 2007 through December 2008. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

12:00 PM or following the conclusion of the morning Commission meeting

EXECUTIVE SESSION (Room 430)

(CLOSED TO THE PUBLIC)

93. EXECUTIVE SESSION: Commencement of Executive Session (“Shade Meeting”) pursuant to Section 447.605, Florida Statutes, relative to upcoming collective bargaining with the County’s Bargaining Units.

94. **COUNTY ADMINISTRATOR’S REPORT**

A. BROWARD-BY-THE-NUMBERS

ACTION: (T-5:23 PM) Interim County Administrator, Bertha Henry, stated that the statistics for Broward-By-the-Numbers have been released for 2007 and are online now for review. (Refer to minutes for full discussion.)

B. SEMINOLE HARD ROCK WINTERFEST BOAT PARADE

ACTION: (T-5:23 PM) Interim County Administrator, Bertha Henry, announced that the County is a contributing sponsor of the Seminole Hard Rock Winterfest Boat Parade which will set sail on December 15, 2007, at 6:30 p.m. from downtown on the Intercoastal. (Refer to minutes for full discussion.)

C. BROWARD COUNTY’S TRANSIT (BCT) COOPERATIVE REGISTER & RIDE EVENT WITH SUPERVISOR OF ELECTIONS

ACTION: (T-5:23 PM) Interim County Administrator, Bertha Henry, reported that the BCT’s Cooperative Register and Ride Event with the Supervisor of Elections was very successful. (Refer to minutes for full discussion.)

95.

MAYOR'S REPORT

A. **COMMISSION GOAL WORKSHOP**

ACTION: (T-5:24 PM) Mayor Wexler reported on the Goal Setting Workshop scheduled for Thursday, December 13, 2007, at the Central Broward Regional Park and stated that after speaking with Deputy County Administrator Bertha Henry regarding the facilitator, she feels optimistic that the Board will come away with a useable work product.

The Interim County Administrator noted that this was the first opportunity that the entire management team will have to witness the goal-setting process with the Board, and added that it's staff's' desire to implement programs consistent with the Board's policies. (Refer to minutes for full discussion.)

B. **CANVASSING BOARD**

ACTION: (T-5:27 PM) Mayor Wexler referenced her yellow-sheeted handout and reported that she received notice from the Supervisor of Elections regarding the Presidential Preference Primary and Municipal Elections and stated that although she will be available for the Canvass of Election Results on January 29, 2008, she will not be available for the Logic and Accuracy Test on January 9, 2008, nor the Certification of Election Results on February 8, 2008. She asked the members to consider making themselves available for these dates and to inform her Aide, Marilyn DeCosta, if they are interested. (Refer to minutes for full discussion.)

C. **BROWARD EAST-WEST SERVICE (BEWE)**

ACTION: (T-5:28 PM) Mayor Wexler discussed the history of the BEWE and funding from the Transportation Management Association (TMA) as well as the service it provides and reported that she will be discussing this again at the Metropolitan Planning Organization (MPO) meeting on Thursday, December 13, 2008, and also at the Goal Setting Workshop to be held later that same day. (Refer to minutes for full discussion.)

D. **HAPPY HOLIDAYS TO ALL**

ACTION: (5:47 PM) Mayor Wexler and the members of the Board wished everyone Happy Holidays! Commissioner Gunzburger added that she hoped 2008 would be a year of peace.

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

96. A. MOTION TO APPOINT County Commissioners to Boards/ Authorities/Agencies for a one-year term expiring November 18, 2008 as detailed in Exhibit 1. (Mayor Wexler)

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPOINT a County Commissioner to serve as the Mayor's designee to Boards/Authorities/Agencies for a one-year term expiring November 18, 2008 as detailed in Exhibit 2.

ACTION: (T-10:17 AM) Approved. (Transferred to the Consent Agenda.)

NON-AGENDA

97. TOYS FOR TOTS DRIVE – COMMISSIONERS WASSERMAN-RUBIN AND JACOBS

ACTION: (T-5:31 PM) Commissioner Wasserman-Rubin commented on the Toys for Tots Drive which took place last Saturday, December 8, 2007, and stated how exciting it was to watch and how pleased she was to observe others treating each other with kindness and doing nice things.

Commissioner Jacobs stated that it was her first time riding in the Toys for Tots parade and concurred with Commissioner Wasserman-Rubin that it was a great event. (Refer to minutes for full discussion.)

98. FINAL PEDIATRIC AUTOPSY PROJECT REPORT – COMMISSIONER LIEBERMAN

ACTION: (T-5:33 PM) Commissioner Lieberman discussed the findings from the final Pediatric Autopsy Project Report regarding the disproportionate number of deaths in the census tract that surrounds the old land fill and requested that in January, staff provide information regarding what plans are being made in Social Services to deal with the issues identified in the report to reduce infant deaths. Marlene Wilson, Human Services Director, commented that federal funding is being sought as well as other initiatives. Commissioner Lieberman requested staff to contact Congressman Hastings' Office due to his interest with this issue. (Refer to minutes for full discussion.)

99. EMBRY AIR CORPORATE HEADQUARTERS – COMMISSIONER EGGELETION

ACTION: (T-5:37 PM) Commissioner Eggeletion reported on the trade mission he went on with Governor Crist in November and discussed the lease agreement which was negotiated with Embry Air for the north part of Fort Lauderdale-Hollywood International Airport, displaying models of the aircraft which will be manufactured. (Refer to minutes for full discussion.)

100. CENTRAL BROWARD REGIONAL PARK – COMMISSIONER EGGELETION

ACTION: (T-5:41 PM) Commissioner Eggeletion stated that he was looking forward to the Goal Setting Workshop at Central Broward Regional Park and commented that the park is supposed to be completed December 12, 2007. He requested that staff provide an update regarding the deadline for completion.

Commissioner Eggeletion briefly talked about the toy giveaway to be held at the Central Broward Regional Park in conjunction with the Broward County School Board, and stated that this will be announced at the Goal Setting Workshop.

Commissioner Eggeletion additionally spoke on the revenue collected from Broward County parks and asked the other members to review this, noting that the parks almost pay for themselves. (Refer to minutes for full discussion.)

101. SPORTS HALL OF FAME – COMMISSIONER KEECHL

ACTION: (T- 5:43 PM) Commissioner Keechl announced the names of the individuals to be inducted into the Sports Hall of Fame that same evening.

Commissioner Rodstrom added that George Smith, the coach of St. Thomas Aquinas High School, is being acknowledged as the “Coach of the Decade” in Florida and will be taking the Raiders to the State Championship on December 14, 2007. (Refer to minutes for full discussion.)

102. MINNET DECISION – COMMISSIONER RODSTROM

ACTION: (T-5:44 PM) Upon Commissioner Rodstrom’s inquiry regarding the memorandum regarding the Minnet decision, the County Attorney stated the County could charge municipalities for housing individuals who are charged with a municipal ordinance violation only.

Following discussion, Commissioner Rodstrom requested that the County Attorney bring back an interlocal agreement creating an ILA with the cities for compensation on January 8, 2008.

Commissioner Rodstrom added that he hopes the cities would not arrest indigents over the holiday and the County Attorney and the Interim County Administrator stated they would work together to communicate that to the municipalities. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE

WATER AND SEWER IMPROVEMENTS UAZ 303, 314, 316, 318

RLI No. 20060808-7-EED-2

Tuesday, December 11th, in Room 430 at 9:00 AM

SELECTION COMMITTEE

**CM@RISK SERVICES FOR TERMINAL ONE INTERIM BAGGAGE SOLUTION
AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

RLI No. 20061201-0-AV-01A

Thursday, December 13th, in Room 430 at 9:30 AM

GOAL SETTING WORKSHOP

Thursday, December 13th at 12:00 PM

Central Broward Regional Park

1st Floor Conference Room

3700 NW 11th Place, Lauderhill

