

MEETING OF DECEMBER 14, 2004

(The meeting convened at 10:00 a.m.; recessed at 12:30 p.m.; reconvened at 3:19 p.m.; recessed at 3:48 p.m.; reconvened at 5:05 p.m. and adjourned at 5:31 p.m.)

PLEDGE OF ALLEGIANCE was led by Alana Castro Gilliard and Sofia Firma-Paz, Grand Prize winners in the County's 2004 "Our Water World" Poetry/Book Cover Coloring Contest.

MOMENT OF SILENCE In memory of Commissioner Josephus Eggelletion's 99-year old grandmother.

CALL TO ORDER

CONSENT AGENDA

1.

BOARD APPOINTMENTS

- A. MOTION TO APPROVE appointment of Russell W. Schwartz to the Library Advisory Board. (Commissioner Wexler)

ACTION: (T-10:16 AM) Approved.

- B. MOTION TO APPROVE appointment of William G. Crawford, Jr. to the Historical Commission. (Commissioner Wexler)

ACTION: (T-10:16 AM) Approved.

- C. MOTION TO APPROVE appointment of Joy Chajet to the Municipal Services Advisory Board. (Commissioner Wexler)

ACTION: (T-10:16 AM) Approved.

- D. MOTION TO APPROVE appointment of Anitra D. Lanczi to the Multi-Ethnic Advisory Board. (Commissioner Gunzburger)

ACTION: (T-10:16 AM) Approved.

- E. MOTION TO RE-APPOINT Marsha Oster Levy to the Broward Beautiful Committee. (Commissioner Scott)

ACTION: (T-10:16 AM) Approved.

- F. MOTION TO APPOINT Milette Thurston to the Parks and Recreation Advisory Board. (Commissioner Eggelletion)

ACTION: (T-10:16 AM) Approved.



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

- G. MOTION TO APPOINT Allegra Webb Murphy to the Children Services Board. (Commissioner Eggelletion)

ACTION: (T-10:16 AM) Approved.

- H. MOTOIN TO APPOINT Judith Ann to the Commission on the Status of Women. (Commissioner Eggelletion)

ACTION: (T-10:16 AM) Approved.

- I. MOTION TO APPOINT James E. Phillips to the Broward County Planning Council. (Commissioner Eggelletion)

ACTION: (T-10:16 AM) Approved.

- J. MOTION TO RE-APPOINT Bertha Smith to the Homeless Initiative Partnership Advisory Board. (Commissioner Eggelletion)

ACTION: (T-10:16 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Terminal Building Lease Agreement (“TBLA”) between Broward County, Florida and US Airways, Inc. (“US Airways”), with anticipated annual revenues of \$562,735; for the lease of certain premises in Terminal 3 at the Fort Lauderdale-Hollywood International Airport (“FLL”), effective upon Board approval, for a five year term, with a 30-day written notice of termination by either party; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

3. MOTION TO APPROVE Terminal Building Lease Agreement between Broward County, Florida and Air Canada, with anticipated annual revenues of \$4,987; for the lease and use of leased premises in Terminal 4 at the Fort Lauderdale-Hollywood International Airport (“FLL”), effective upon Board approval, for a five year term, with a 30-day written notice of termination by either party; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

4. A. MOTION TO APPROVE Flex Utilization Agreement for the areas in the Consolidated Rental Car Facility between Broward County and Thrifty Rent A Car System, Inc., and DTG Operations, Inc., d/b/a Dollar Rent A Car, Inc., to provide for the cross utilization of the ready return areas or storage and stacking areas or quick turnaround areas in the Consolidated Rental Car Facility, to be effective upon approval by the Board and terminate with a 60 calendar day notice by the County; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

- B. MOTION TO APPROVE Flex Utilization Agreement for the areas in the Consolidated Rental Car Facility between Broward County and National Rental (US), Inc., and Alamo Rental (US), Inc., to provide for the cross utilization of the ready return areas or storage and stacking areas or quick turnaround facility areas in the Consolidated Rental Car Facility to be effective upon approval by the Board and terminate with a 60 calendar day notice by the County; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:25 AM) Approved. (Refer to minutes for full discussion.)

5. MOTION TO APPROVE Terminal Services Permit ("TSP") between Broward County, Florida and Baggage Airline Guest Services, Inc. (Bags), at the Fort Lauderdale-Hollywood International Airport ("FLL") effective upon Board approval for a five-year term, with estimated revenues based on 5% of all gross revenues of the first \$500,000; 4% of all gross revenues of the next \$500,000; and 3% in excess of \$1 million, with a thirty day written termination by either party; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Withdrawn at the request of County Administration; a Terminal Services Permit was issued to the petitioner.

6. MOTION TO APPROVE Change Order 88 to Agreement RLI No. 011501-RB between Broward County and the Managing General Contractor Cummings-Centex Rooney, a joint venture, for the Consolidated Rental Car Facility (CRCF) at the Fort Lauderdale-Hollywood International Airport, for an increase of \$1,667,318; with no change in contract time and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

CONSTRUCTION MANAGEMENT DIVISION

7. MOTION TO APPROVE second amendment to the agreement between Broward County and Singer Architects, to increase optional services in the amount of \$60,000; from \$370,950 (\$80,200.00 in the original contract plus \$290,750 in the first amendment) to \$430,950; and increase reimbursables in the amount of \$20,000 from \$30,000 (\$20,000 in the original contract plus \$10,000 in the first amendment) to \$50,000; which brings the total contract amount from \$1,519,498 to \$1,599,498 for professional services for renovations of the One University Drive Governmental Center Facility; and authorize the Mayor and Clerk to execute same. (BCCMD Project No. 5210) **(Commission District 1)**

ACTION: (T-10:16 AM) Approved.

8. MOTION TO APPROVE first amendment to agreement between Broward County and the Broward County Public Library Foundation, Inc. for the renovation and expansion of the Collier City Library providing for the reimbursement of \$96,135.73, to the JM Group for corrective air conditioning work undertaken on the County's behalf during the renovation and expansion of the Collier City Library, underwritten by a one million dollar charitable commitment from JM Group; and authorize the Mayor and Clerk to execute same. **(Commission District 9)**

ACTION: (T-10:25 AM) Approved. (Refer to minutes for full discussion.)

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

9. MOTION TO APPROVE Corrected and Restated Use and Maintenance of County Property Agreement between Faison-Pompano Citi Centre, LLC, Burdines, Inc. and Broward County relating to the "Pompano Citi Centre Plat" (079-MP-01); and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:16 AM) Approved.

10. MOTION TO ADOPT Resolution 2004-996 accepting a Traffic Control Devices Easement, at a nominal cost of \$1 to the County, executed by Monarch Towne Center, Ltd., for traffic control purposes for Miramar Parkway (north side) located approximately 759 feet west of Flamingo Road. **(Commission District 8)**

ACTION: (T-10:16 AM) Approved.

REAL PROPERTY SECTION

11. **MOTION TO ADOPT** Resolution 2004-997 authorizing the conveyance by quit claim deed of various tax deed properties that are unbuildable and have escheated to Broward County for delinquent real estate taxes to the municipalities in which land is located pursuant to Florida Statutes Chapter 197.592. These particular properties are within the City of Fort Lauderdale, the City of Hallandale Beach, the City of Lauderdale Lakes, the City of Margate and the City of North Lauderdale; authorize the Mayor and Clerk to execute Deeds, and authorize recordation of same. **(Commission Districts 1, 2, 6, 7 and 9)**

ACTION: (T-10:16 AM) Approved.

12. **MOTION TO APPROVE** revocable license agreement with MetroPCS California/Florida, Inc., a Delaware corporation (hereinafter "Licensee"), to permit Licensee to co-locate its telecommunication equipment on the County owned communications tower, commonly known as the "Core Tower", located at 1725 NW 31st Avenue, Fort Lauderdale, for a term of 10 years with Licensee having the option to renew the license for two additional and successive terms of five years each. In consideration of the revocable license agreement, Licensee will upgrade the tower structure enhancing its current load bearing capacity and extending its functional life at a cost of \$173,000 and the payment of rent commencing the fourth month of the seventh year of the term totaling \$122,509.23; see attached Rent Schedule; and authorize the Mayor and Clerk to execute license. **(Commission District 9)**

ACTION: (T-10:16 AM) Approved.

13. **MOTION TO APPROVE** Joint Use and Easement Agreement and Agreement Amending Conditions of Environmental Impact Report between Rohan Kelley, individually, and Rohan Kelley, as Trustee of Shaun's Trust created under Article 9 of the Phyllis F. Kelley Revocable Living Trust, (Owner), and Rookery Park Estates, LLC, a Florida limited liability company (Developer), and Broward County, for the joint use of, and easement over the 0.567 acres (24,697 square feet) of vacant access land for William J. Kelley Park (also known as "The Rookery"); the access easement is located on the east side of NW 31st Avenue, approximately 690 feet north of Commercial Boulevard, in the City of Fort Lauderdale, Florida; authorize the Mayor and Clerk to execute Joint Use and Easement Agreement and Agreement Amending Conditions of Environmental Impact Report, and authorize acceptance and recordation of document. **(Commission District 9)**

ACTION: (T-10:16 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

14. MOTION TO APPROVE the form of a letter from Broward County to The Bank of New York consenting to the trustee the authority to execute and record a Satisfaction of Mortgage related to the Broward County Industrial Development Revenue Bonds (REI Project), Series 1983, and to authorize the Mayor to execute said letter of release.

ACTION: (T-10:16 AM) Approved.

15. A. MOTION TO APPROVE Grant Agreement between Broward County and the Performing Arts Center Authority for \$350,000 in capital grant funding for Fiscal Year 2005; and authorize the Mayor and Clerk to execute same. (Post Approval)

ACTION: (T-10:33 AM) Approved. In the future, the Board asked that staff provide more detailed financials. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE Tri-Party Agreement between Broward County, City of Fort Lauderdale and the Performing Arts Center Authority for Fiscal Year 2005, and authorize the Mayor and Clerk to execute same. (Post Approval)

ACTION: (T-10:33 AM) Approved. In the future, the Board asked that staff provide more detailed financials. (Refer to minutes for full discussion.)

- C. MOTION TO APPROVE Broward Center for the Performing Arts' Fiscal Year 2004-2005 Budget. (Post Approval)

ACTION: (T-10:33 AM) Approved. In the future, the Board asked that staff provide more detailed financials. (Refer to minutes for full discussion.)

COUNTY RECORDS DIVISION

16. A. MOTION TO APPROVE minutes of the 10:00 AM Broward County Board of County Commissioners meeting of October 26, 2004; and the minutes of the 2:00 PM Public Hearing of October 26, 2004.

ACTION: (T-10:16 AM) Approved.

- B. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

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

PUCHASING DIVISION

For Aviation Department

17. MOTION TO APPROVE release of retainage and final payment in the amount of \$98,880.52, to The Jones Company of South Florida for Taxiway “E” Construction at North Perry General Aviation Airport, Bid No. T-2-03-038-CF. **(Commission District 6)**

ACTION: (T-10:16 AM) Approved.

For Public Works and Transportation Department

18. MOTION TO APPROVE release of retainage and final payment in the amount of \$457,381.13, to State Contracting & Engineering Corporation for Broward Boulevard Streetscape from SR 7 to 7 Avenue, Contract Number N-12-97-10-CF. **(Commission Districts 7 and 9)**

ACTION: (T-10:26 AM) Approved. (Refer to minutes for full discussion.)

19. MOTION TO APPROVE release of retainage and final payment in the amount of \$79,860.91, to Nova Casualty Company, the Surety for Newport Builders, Inc., for Building No. 28, Port Everglades, Structural Improvements – Phase I, Bid No. H-7-02-171-CF. **(Commission District 6)**

ACTION: (T-10:16 AM) Approved, as corrected. (Scrivener's error - See County Administrator's memorandum: Please delete the last sentence on the first page and replace it with: “The County will initiate debarment proceedings against the prime contractor.”)

ACTION: (T-10:32 AM) Reconsidered. Transferred to the 2:00 p.m. Public Hearing. (Refer to minutes for full discussion.)

ACTION: (T-5:06 PM) Approved. (Refer to minutes for full discussion.)

20. MOTION TO APPROVE agreement with standardized sole source, sole brand Johnson Controls, Inc. (JCI), for an Equipment Service Contract for various Broward County facilities with planned preventive maintenance service in an amount not to exceed \$5,182,931.24, for the Facilities Maintenance Division. The Contract period shall begin on the first day of the month following the date it is fully executed by both parties and shall end on the last day of the sixtieth month therefrom.

ACTION: (T-10:16 AM) Approved.

21. MOTION TO AWARD open-end contract to single responsive, responsible bidder, General GMC Truck Sales for Trucks, 15,000 GVWR (Gross Vehicle Weight Ratio) (Re-Bid), Bid No. C804166BV in the estimated amount of \$316,350; for the Fleet Services Division. The contract period will start on date of award and end when there are no new model year 2005 vehicles available.

ACTION: (T-10:16 AM) Approved.

HUMAN SERVICES DEPARTMENT

CHILDREN'S SERVICES ADMINISTRATION DIVISION

22. A. MOTION TO APPROVE agreement for professional services between Broward County and ChildNet, Inc. from date of execution through June 30, 2005, in the amount of \$21,008 for the purpose of providing additional supervised visitation services for children who have been estranged from their parents due to allegations of child abuse, domestic violence or custody disputes; and authorize the Mayor to execute same. No match is required.

ACTION: (T-10:16 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2004-998 within the General Fund for the Children's Services Administration Division, Sexual Assault Treatment Center Section, in the amount of \$21,008 for the purpose of providing additional visitation services for children who have been estranged from their parents due to allegations of child abuse, domestic violence or custody disputes.

ACTION: (T-10:16 AM) Approved.

23. A. MOTION TO APPROVE interlocal agreement between Broward County and the Broward County Children's Services Council (CSC) from January 1, 2005 to December 31, 2005, in the amount of \$145,783; for the purpose of providing additional multidisciplinary Child Protection Team services for children with allegations of physical and sexual abuse; and authorize the Mayor and Clerk to execute same prior to execution by the CSC. A 12.5% County match (\$18,223) is required and is being provided through current staff resources.

ACTION: (T-10:16 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-999 for the Children's Services Administration Division, Sexual Assault Treatment Center Section, in the amount of \$145,783 for the purpose of providing additional multidisciplinary Child Protection Team services for children with allegations of physical and sexual abuse.

ACTION: (T-10:16 AM) Approved.

- C. MOTION TO ESTABLISH two grant-funded positions within the Children's Services Administration Division, Sexual Assault Treatment Center Section for the purpose of implementing this CSC funded project. In the event the CSC terminates funding for this program any position funded by the grant will terminate.

ACTION: (T-10:16 AM) Approved.



24. MOTION TO ADOPT Resolution 2004-1000 of the Board of County Commissioners of Broward County, Florida; making a finding and determination that the work and services of certain organizations and individual providers serve a public purpose; authorizing appropriations and disbursements for organizations in the amount of \$295,500; approving funding for non-profit organizations and governmental entities; authorizing the County Administrator to execute previously approved form contracts on behalf of the Board; providing for severability; and providing for an effective date. Funding for these Agreements are available from the Children's Services Administration Division Fiscal Year 2005 budget.

ACTION: (T-10:16 AM) Approved.

COMMUNITY DEVELOPMENT DIVISION

25. A. MOTION TO APPROVE amendment to the Annual Action Plan Fiscal Year 2002-2003 of the Broward County Consolidated Strategic Plan 2000-2005, revising the description and the location of the Broward House, Inc. activity in the amount of \$79,449, from facility acquisition and renovation at 1471 S.W. 9th Avenue, Deerfield Beach, Florida, for a day care center for persons with AIDS/HIV; to renovation of a facility located at 2800 North Andrews Avenue, Wilton Manors, Florida, to be utilized as offices to provide case management services; and,

ACTION: (T-10:16 AM) Approved.

- B. MOTION TO AUTHORIZE County Administrator to execute a Satisfaction of Mortgage in the amount of \$79,449.25, for 1471 S.W. 9th Avenue, Deerfield Beach, Florida, to release funds for reallocation to 2800 North Andrews Avenue, Wilton Manors, Florida; and,

ACTION: (T-10:16 AM) Approved.

- C. MOTION TO APPROVE funding agreement between Broward County and Broward House, Inc. for improvements to the Wilton Manors Service Center located at 2800 North Andrews Avenue, Wilton Manors, Florida 33311, from the date of execution to November 30, 2005, in the amount of \$79,449, utilizing Community Development Block Grant (CDBG) funds, authorizing the Mayor and Clerk to execute same. No additional County funds are required. **(Commission District 4)**

ACTION: (T-10:16 AM) Approved.

NOTE: Please add the following statement to the Background summary: "This item requesting the reallocation of CDBG funds of \$79,449 for Broward House facility improvements has no relation to County's request for payback of Medical Respite services funds of \$81, 500 for contract non-compliance."



26. MOTION TO APPROVE ninth amendment to the HOME Investment Partnership Program (HOME) Funding Agreement between Broward County and Milton Jones Development Corporation for project entitled Homes of Dania in the amount of \$115,492; from June 27, 2000 to March 30, 2005, to revise the household income requirements from 60% to 80% of the Broward County median income to facilitate the development and sale of four affordable single family homes in the City of Dania Beach; and authorize the Mayor and Clerk to execute same. No County funds are required. **(Commission District 7)**

ACTION: (T-10:37 AM) Approved. (Refer to minutes for full discussion.)

OFFICE OF HOUSING FINANCE



27. MOTION TO APPROVE Resolution 2004-1001 of the Board of County Commissioners of Broward County, Florida, approving the form of and authorizing the execution of a quit claim deed by the Housing Finance Authority of Broward County conveying title to certain land located in Coral Springs, Florida to the Broward County Community Development Corporation, Inc., a Florida not-for-profit corporation to be used to provide rental units for the special needs population in Broward County with very low, low or moderate income; approving the form of and authorizing the execution of a declaration of covenants and restrictions to help ensure that the property to be conveyed pursuant to said quit claim deed will be used for the purpose for which it is conveyed; and providing for an effective date. **(Commission District 3)**

ACTION: (T-10:26 AM) Approved subject to an amendment of the Declaration of Restrictive Covenants; namely, Paragraph 2(b) to require that the property remain affordable for a period of at least fifteen (15) years after the date of the Certificate of Occupancy. (See Commission Auditor's memorandum dated December 14, 2004.) (Refer to minutes for full discussion.)

SUBSTANCE ABUSE AND HEALTH CARE ADMINISTRATION DIVISION

28. MOTION TO APPROVE Amendment No. 1 to Agreement No. 04-SAHCS-8488-03 between Broward County and Compass Health Systems, increasing the value of the agreement from \$94,075 to \$260,000; which is a total increase of \$165,925 for the provision of medical services for clients of the Broward Addiction Recovery Center; and authorize Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

29. MOTION TO APPROVE Master Plan for the Helene Klein Pineland Preserve located in the City of Coconut Creek. (**Commission District 2**)

ACTION: (T-10:16 AM) Approved.



30. MOTION TO APPROVE first amendment to the Amended and Restated Facility Lease Agreement between Broward County and Wheelabrator South Broward, Inc., terminating the Lease as to a .2848-acre portion of the leasehold's project site for the County to facilitate development of a boat launch ramp for non-motorized boating access to the South New River Canal; and authorize the Mayor and Clerk to execute same. (**Commission District 7**)

ACTION: (T-10:26 AM) Approved. (Refer to minutes for full discussion.)

ENVIRONMENTAL PROTECTION DEPARTMENT

31. MOTION TO APPROVE settlement agreement in the total amount of \$51,893; between Broward County and Rock Lake, Inc. for a violation of Sections 27-58(c) and 27-27(a)(2) of the Broward County Code of Ordinances for the Environmental Protection Department (EPD); and authorize the Mayor and Clerk to execute same. (**Commission District 2**)

ACTION: (T-10:16 AM) Approved.

AIR QUALITY DIVISION

32. A. MOTION TO APPROVE Florida Department of Environmental Protection Agreement S0160, between the State of Florida Department of Environmental Protection and Broward County Board of County Commissioners, to provide funding for the field operation of Ambient Mercury Speciation Equipment Project, in the amount of \$26,020; beginning November 16, 2004, and ending June 30, 2005, and authorize the Mayor and Clerk to execute the same.

ACTION: (T-10:16 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-1002 within Fund 8300-031-2243 for the Environmental Protection Department in the amount of \$26,020; for the purpose of recognizing the funds received from the Florida Department of Environmental Protection.

ACTION: (T-10:16 AM) Approved.

33. MOTION TO APPROVE first amendment to the agreement between Broward County and South Florida Regional Planning Council (SFRPC) for the Community Transportation Initiative (CTI), a program to promote the use of alternative fuels and alternative fueled vehicles in Broward County, to provide for additional services, to extend the agreement period from December 31, 2004 to July 31, 2005; to increase the compensation to the SFRPC from \$50,000 to \$59,750; and authorize the Mayor and Clerk to execute the agreement.

ACTION: (T-10:16 AM) Approved.

BIOLOGICAL RESOURCES DIVISION

34. MOTION TO APPROVE Revocable License Agreement between Broward County and SeaByte, Inc., authorizing limited use of Broward County's State and Federal artificial reef permits for a contractor to transport rubble generated by the grounding of the freighter MV Federal Pescadores to Broward County's artificial reef sites; providing indemnification from liability to the County related to the contractor's activities under the permits and agreement; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

PORT EVERGLADES DEPARTMENT

35. MOTION TO APPROVE renewal of a lease agreement between Broward County and Lamorte Burns & Co., Inc., for Suites No. 9, 10 and 11 in Building 611 at Port Everglades, consisting of 1,570 square feet of office space, for the period of February 1, 2005 through January 31, 2006, with annual rent in the amount of \$28,260; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

36. MOTION TO APPROVE first amendment to the agreement between Broward County and SS Optical Supply USA, Inc. for Management and Operation of Snack Bar Concessions at Port Everglades to extend the term of the agreement on a month-to-month basis effective January 1, 2005 through April 30, 2005, to allow a new agreement to be executed through an RLI process; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

37. MOTION TO APPROVE new lease agreement between Broward County and Worldwide Ship Supply Co., for 1,744 square feet of office space in Suite No. 303 of the Administration Building at Port Everglades, effective upon Board approval through December 31, 2005, with annual rent in the amount of \$31,828; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved.

38. MOTION TO CANCEL RLI No. 20030102-0-PORT-SPEC, Petroleum Terminal Operator and reject all letters of interest due to circumstances that have changed since the inception of this project.

ACTION: (T-10:39 AM) Approved. Vice Mayor Graber and Commissioners Eggelletion and Rodstrom requested to serve on the Selection/Negotiation Committee when it is reconvened. (Refer to minutes for full discussion.)

OFFICE OF MANAGEMENT AND BUDGET

39. MOTION TO ADOPT unanticipated revenue Resolution 2004-1003 within the Law Enforcement Trust Fund in the amount of \$33,021. Of this amount, \$13,021 will be used to provide grant matching funds for the Local Law Enforcement Block Grants Program (LLEBG) approved by the US Department of Justice Office of Justice Programs (of this amount match amount, \$2,635 is specifically for the City of Oakland Park), \$10,000 to provide funding for Jubilee Center of South Broward, Inc and \$10,000 to provide funding for A Child is Missing Program.

ACTION: (T-10:16 AM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

40. MOTION TO ACCEPT Broward Alliance Fiscal Year 2004 annual performance and financial reports pursuant to the agreement between Broward County and the Broward Alliance.

ACTION: (T-11:20 AM) Deferred to Tuesday, January 11, 2005. (Refer to minutes for full discussion.)

41. MOTION TO ADOPT Resolution recommending that Citrix Systems, Inc. ("Citrix"), be approved as a qualified applicant for participation in the State of Florida Qualified Target Industry Tax Refund Program (QTI) for Fiscal Years 2005 through 2008, based on the creation of the minimum requisite jobs within Broward County. **(Commission District No. 7)**

ACTION: (T-10:16 AM) Withdrawn for further staff review.

SUPERVISOR OF ELECTIONS

42. 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, and September 16, 2003; renaming precincts, adjusting precinct boundaries and creating a new precinct for voting in Broward County as submitted in Exhibit A.

ACTION: (T-10:16 AM) Approved.

COUNTY ADMINISTRATION

43. MOTION TO FILE County Administrator's Response to County Auditor's report on the Review of the Controls over the Use of TECH 21 and Commercial Gas Cards.

ACTION: (T-10:16 AM) Approved.

COUNTY COMMISSION

44. MOTION TO APPOINT Commissioner John E. Rodstrom, Jr. to serve on the Part 150 Selection Negotiation Committee, RLI No. 20040909-0-AV-01. (Commissioner Rodstrom)

ACTION: (T-10:21 AM) Approved, as amended. Vice Mayor Graber and Commissioner Wasserman-Rubin asked to serve on same Selection/Negotiation Committee.

45. MOTION TO APPROVE appointment of Commissioner Lois Wexler. to Selection Negotiation Committee for Part 150 Noise Compatibility Study at Fort Lauderdale/Hollywood International Airport, RLI No. 20040909-0-AV-01. (Commissioner Wexler)

ACTION: (T-10:21 AM) Approved, as amended. Vice Mayor Graber and Commissioner Wasserman-Rubin asked to serve on same Selection/Negotiation Committee.

REQUEST TO SET FOR PUBLIC HEARING

46. MOTION TO ADOPT Resolution 2004-1005 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, January 11, 2005 at 2:00 PM in Room 422 of the Governmental Center, to release a utility easement, lying and being in Broward County, Florida and located on the east side of State Road 7, south of Regency Lakes Boulevard in the City of Coconut Creek. Petitioner: Regency Lakes Village Center Partners LLC (2005-V-03) (Ruden McClosky – Agent) **(Commission District 2)**

ACTION: (T-10:16 AM) Approved.

47. MOTION TO APPROVE Resolution 2004-1006 directing the County Administrator to publish Notices of Public Hearings to be held on January 11, 2005 and January 25, 2005, at 2:00 PM in Room 422 of the Governmental Center, to consider a Marine Terminal Lease and Operating Agreement between Broward County and H.T. Shipping, Inc. With Tropical Shipping and Construction Company Limited and Hybur LTD as Co-Guarantors.

ACTION: (T-10:16 AM) Approved.

48. MOTION TO ADOPT Resolution 2004-1007 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 11, 2005, 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 THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO COUNTY BOARDS, AUTHORITIES, AND AGENCIES; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SECTION 1-233, SUBSECTION (c)(2), TO REFLECT THAT MEMBERS OF THE HIV HEALTH SERVICES PLANNING COUNCIL ARE EXEMPT FROM THE PROHIBITION OF SIMULTANEOUSLY SERVING AS AN APPOINTEE OF ANOTHER BOARD, AUTHORITY, OR AGENCY, IF THE BOARD OF COUNTY COMMISSIONERS IS THE SOLE APPOINTING AUTHORITY; AMENDING SECTION 1-233, SUBSECTION (c)(2) TO REFLECT THAT MEMBERS OF THE HOMELESS INITIATIVE PARTNERSHIP ADVISORY BOARD ARE EXEMPT FROM THE PROHIBITION OF SIMULTANEOUSLY SERVING AS AN APPOINTEE OF ANOTHER BOARD, AUTHORITY, OR AGENCY, IF THE BOARD OF COUNTY COMMISSIONERS IS THE SOLE APPOINTING AUTHORITY; AMENDING SECTION 1-233, SUBSECTION (f) TO REFLECT THAT MEMBERS OF THE WATER ADVISORY BOARD ARE EXEMPT FROM THE AUTOMATIC REMOVAL PROVISION; AND PERFORMING SUCH HOUSEKEEPING TASKS TO ENSURE THAT ALL PORTIONS THEREOF

ARE UP-TO-DATE; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN THE CODE; AND
PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-11:23 AM) Approved, as amended: Page 6, line 5, “members of the HIV Health Services Planning Council or members of the Water Advisory Board who are appointed by other agencies.” (Refer to minutes for full discussion.)

49. MOTION TO ADOPT Resolution 2004-1008 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 11, 2005, 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 THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE BROWARD BEAUTIFUL COMMITTEE, THE COMMISSION ON THE STATUS OF WOMEN, THE HEALTH AND SANITARY CONTROL BOARD, THE MULTI-ETHNIC ADVISORY BOARD, THE UNSAFE STRUCTURES BOARD, AND THE WATER ADVISORY BOARD; AMENDING APPOINTMENTS TO THE BROWARD BEAUTIFUL COMMITTEE TO INCLUDE INTERESTED CITIZENS OF BROWARD COUNTY; AMENDING THE DUTIES OF THE BROWARD BEAUTIFUL COMMITTEE; ENABLING THE BROWARD COUNTY COMMISSION TO ASSIGN OTHER DUTIES TO THE COMMISSION ON THE STATUS OF WOMEN BY ORDINANCE; AMENDING THE DUTIES OF THE COMMISSION ON THE STATUS OF WOMEN TO INCLUDE MONITORING THE COUNTY PAY SCALE TO ENSURE EQUAL PAY FOR WOMEN; AMENDING THE CATEGORIES FOR THE HEALTH AND SANITARY CONTROL BOARD; AMENDING THE REQUIREMENTS FOR FILLING VACANCIES ON THE HEALTH AND SANITARY CONTROL BOARD; CHANGING THE NAME OF THE MULTI-ETHNIC ADVISORY BOARD TO THE DIVERSITY ADVISORY COUNCIL; UPDATING THE NAME OF THE AUTHORITY UNDER WHICH THE UNSAFE STRUCTURES BOARD HEARS CASES; EXEMPTING MEMBERS OF THE WATER ADVISORY BOARD FROM THE AUTOMATIC REMOVAL PROVISION IN SECTION 1-233(f) OF THE BROWARD COUNTY CODE OF ORDINANCES; AND PERFORMING SUCH HOUSEKEEPING TASKS WITHIN THESE ORDINANCES TO ENSURE THAT ALL PORTIONS THEREOF ARE UP-TO-DATE; SUNSETTING VARIOUS BOARDS, INCLUDING THE CONSTRUCTION SERVICES ADVISORY

COMMITTEE AND THE FIRE RESCUE SERVICES ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:16 AM) Approved.

50. MOTION TO ADOPT Resolution 2004-1009 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, January 11, 2005, at 2:00 PM 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 BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE BICYCLING ADVISORY COMMITTEE; THE BROWNFIELDS REDEVELOPMENT TASK FORCE; THE INTERGOVERNMENTAL RELATIONS GROUP; AND THE MULTI-ETHNIC ADVISORY BOARD; CHANGING THE NAME OF THE BICYCLING ADVISORY COMMITTEE TO THE BICYCLING AND PEDESTRIAN ADVISORY COMMITTEE; AMENDING THE PURPOSE AND DUTIES OF THE BICYCLING ADVISORY COMMITTEE TO INCLUDE PEDESTRIAN CONCERNS; ELIMINATING CATEGORIES FOR THE BICYCLING ADVISORY COMMITTEE SO THAT ALL MEMBERS REPRESENT PEDESTRIAN OR BICYCLING INTERESTS; ADJUSTING THE METHOD BY WHICH VACANCIES ARE FILLED FOR THE BROWNFIELDS REDEVELOPMENT TASK FORCE; AMENDING THE DUTIES AND RESPONSIBILITIES OF THE INTERGOVERNMENTAL RELATIONS GROUP SO THAT MEETINGS ARE HELD ONLY AS NEEDED; CHANGING THE NAME OF THE MULTI-ETHNIC ADVISORY BOARD TO THE DIVERSITY ADVISORY COUNCIL; REDEFINING THE PURPOSE OF THE MULTI-ETHNIC ADVISORY BOARD TO MORE ACCURATELY REFLECT ITS FUNCTIONS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:16 AM) Approved.

QUASI-JUDICIAL CONSENT HEARING

DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

DEVELOPMENT MANAGEMENT DIVISION

51. DISCUSSION: of plat entitled "Yong Pine Estates" - **Commission District 1**, (005-MP-04). (Deferred from October 5, 2004).

ACTION: (T-10:16 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

52. DISCUSSION: of plat entitled "Haig & Duke" - **Commission District 2**, (002-MP-04).

ACTION: (T-10:16 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

53. DISCUSSION: of plat entitled "Pembroke Pines City Center" - **Commission District 6**, (067-MP-03).

ACTION: (T-10:16 AM) Deferred to August 16, 2005 or sooner under Section 5-181(j)(2) to study traffic concurrency and conformity with the Land Use Plan.

54. DISCUSSION: of plat entitled "Stirling Suites" - **Commission District 7**, (058-MP-02).

ACTION: (T-10:16 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.

55. DISCUSSION: of plat entitled "Ravenswood Road Business Park" - **Commission District 7**, (082-MP-03).

ACTION: (T-10:16 AM) Approved subject to staff's recommendations.

56. DELEGATION: Regina Bobo-Jackson regarding request to amend the note on the Boulevard Forest Plat - **Commission District 1**, (112-MP-80). (Deferred from September 14, 2004).

ACTION: (T-10:22 AM) Deferred for up to six (6) months under Section 5-181(j)(2) to study access.

57. DELEGATION: Edward P. Ploski regarding request to amend the note on the Neasham Plat - **Commission District 2**, (062-MP-02).
- ACTION: (T-10:16 AM) Deferred to August 16, 2005 or sooner under Section 5-181(j)(2) to study traffic concurrency.***
58. DELEGATION: Doug McIntee regarding request to amend the note on the Pavex Plat - **Commission District 2**, (021-UP-90).
- ACTION: (T-10:16 AM) Deferred to January 11, 2005 for failure to submit required affidavit.***
59. DELEGATION: Jane Storms regarding request to amend the note on the Tamarac Market Place Plat - **Commission District 3**, (060-MP-83). (Deferred from August 10, 2004).
- ACTION: (T-10:16 AM) Approved subject to staff's recommendations.***
60. DELEGATION: Joe Roles regarding request to amend the note on the Sunrise Prospect Plaza Two Plat - **Commission District 3**, (019-MP-02). (Deferred from September 14, 2004).
- ACTION: (T-11:40 AM) Approved subject to staff's recommendations. (Refer to minutes for full discussion.)***
61. DELEGATION: Michael J. Miller regarding request to amend the note on the First United Methodist Church of Coral Springs Plat - **Commission District 3**, (187-MP-86). (Deferred from June 8, 2004).
- ACTION: (T-10:16 AM) Approved subject to staff's recommendations.***
62. DELEGATION Nectaria M. Chakas, representing the City of Fort Lauderdale, regarding request to amend the note on the Barefoot Mailman Plat - **Commission District 7**, (038-MP-91).
- ACTION: (T-10:16 AM) Deferred to January 11, 2005 under Section 5-181(j)(1) at the request of staff and the applicant.***
63. DELEGATION: Leigh R. Kerr, regarding request to amend the note on the Hillsboro Associates Plat - **Commission District 2**, (138-MP-89).
- ACTION: (T-10:16 AM) Deferred to January 11, 2005 under Section 5-181(j)(1) at the applicant's request.***

64. DELEGATION: Scott E. Backman regarding request to amend the non-vehicular access line on the Hillsboro Associates Plat - **Commission District 2**, (138-MP-89).

ACTION: (T-10:16 AM) Approved subject to staff's recommendations.

65. DELEGATION: Cary D. Winningham regarding request to modify conditions of plat approval on the Oakland-Sawgrass Expressway Plat - **Commission District 5**, (106-MP-86). (Deferred from November 9, 2004).

ACTION: (T-10:16 AM) Deferred to June 21, 2005 or sooner under Section 5-181(j)(2) to study sidewalk requirements.

66. DELEGATION: Cary D. Winningham regarding request to modify conditions of plat approval on the Sawgrass Lakes Plat - **Commission District 5**, (034-MP-91). (Deferred from November 9, 2004).

ACTION: (T-10:16 AM) Deferred to June 21, 2005 or sooner under Section 5-181(j)(2) to study sidewalk requirements.

67. MOTION TO ADOPT: Resolution 2004-1010 of the Board of County Commissioners of Broward County, Florida, directing the County Administrator to ensure that road impact fees, road improvement and road concurrency obligations for the Port Everglades Industrial Park Section Three Plat (142-MP-89) are paid and/or constructed as required by the conditions of plat approval; providing for recording; providing for an effective date – **Commission Districts 4 and 6**.

ACTION: (T-11:41 AM) Approved. (Refer to minutes for full discussion.)

END OF QUASI-JUDICIAL CONSENT HEARING

REGULAR AGENDA

PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



- 68. A. MOTION TO APPROVE contract for sale and purchase between Rudolph Herman, an un-remarried widower, and Broward County, in the amount of \$360,000 for the purchase of 0.945 acres (41,170 square feet) known as Open Space Site OS-94 in the Broward County Land Preservation Bond Program Inventory; vacant land located at 1754 SW 29th Avenue, City of Fort Lauderdale, Florida; authorize Real Property Section to acquire this property using Safe Parks and Land Preservation Bond Issue funds; authorize the Mayor and Clerk to execute Contract for Sale and Purchase; and authorize acceptance and recordation of deed. **(Commission District 7)**

ACTION: (T-11:43 AM) Approved. (Refer to minutes for full discussion.)

- B. MOTION TO APPROVE interlocal agreement for the acquisition, improvement, enhancement, operation and management of Open Space Site OS-94, Herman Property, between Broward County and City of Fort Lauderdale, Florida; authorize the Mayor and Clerk to execute Interlocal Agreement; and authorize acceptance and recordation of quit claim deed. **(Commission District 7)**

ACTION: (T-11:43 AM) Approved. (Refer to minutes for full discussion.)

- C. MOTION TO APPROVE Declaration of Restrictive Covenants for Open Space Site OS-94 and authorize the Mayor and Clerk to execute Declaration of Restrictive Covenants. **(Commission District 7)**

ACTION: (T-11:43 AM) Approved. (Refer to minutes for full discussion.)

- D. MOTION TO ADOPT Resolution 2004-1011 approving the conveyance of real property to the City of Fort Lauderdale, Florida, for the operation and management of Open Space Site OS-94 in the Broward County Land Preservation Bond Program Inventory. **(Commission District 7)**

ACTION: (T-11:43 AM) Approved. (Refer to minutes for full discussion.)

END PUBLIC HEARING

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Finance and Administrative Services Department



69. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide a Customer Relationship Management (CRM) Pilot application for the Public Communications Office Call Center, and approve Request for Letters of Interest (RLI) No. 20041022-0-OIT-01.

ACTION: (T-11:43 AM) Approved the following to serve on the Selection/Negotiation Committee: Commissioners Lieberman and Wexler; Chief Information Officer, Office of Information Technology, Finance and Administrative Services Department (Chair); Director, Public Communications Office; Director, Environmental Protection Department and Director, Department of Urban Planning and Redevelopment. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing, Office of Information Technology and the requesting agency. (Refer to minutes for full discussion.)

70. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firms to develop a resource library of Executive Search services, and approve RLI No. 20041206-0-HR-01.

ACTION: (T-11:44 AM/5:14 PM) Approved the following to serve on the Selection/Negotiation Committee: Commissioner Eggelletion; Director, Human Resources Division, Finance and Administrative Services Department (Chair); Deputy Director, Community Services Department and County Administrator's Designee. Plus, administrative support staff from the offices of County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and Human Resources. (Refer to minutes for full discussion.)

NOTE: See Non Agenda Item 84 for additional information.

For Community Services Department

71. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide architectural and/or engineering (a/e) services for Parks and Recreation Division on an as-needed basis for improvements at various parks, and approve Request for Letters of Interest (RLI) No. 20041109-0-PA-01.

ACTION: (T-11:44 AM/5:14 PM) Approved the following to serve on the Selection/Negotiation Committee: Commissioners Eggelletion, Gunzburger, Lieberman, and Rodstrom; Director, Parks and Recreations Division, Community Services Department (Chair); Director, Office of Project Management and Construction, Public Works and Transportation Department; Director, Water and Wastewater Services and Director, Community Development Division, Human Services Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency. (Refer to minutes for full discussion.)

NOTE: See Non Agenda Item 84 for additional information.

For Public Works and Transportation Department

72. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide architectural/engineering (a/e) services for the design of a hangar for the mosquito control airplane for Construction Management Division, and approve Request for Letters of Interest (RLI) No. 20040413-6-CM-01. **(Commission District 6)**

ACTION: (T-11:46 AM) Approved the following to serve on the Selection/Negotiation Committee: Director, Construction Management Division, Public Works and Transportation Department (Chair); Director, Highway and Bridge Maintenance Division, Public Works and Transportation Department and Director, Cultural Division, Community Services Department. Plus, administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the requesting agency.

EMERGENCY MANAGEMENT AGENCY

73. MOTION TO DISCUSS Department of Homeland Security's Urban Area Security Initiative designation.

ACTION: (T-11:46 AM) The Board directed staff to initiate the following: 1) Develop an Interlocal Agreement in order to join the City of Miami/Miami-Dade County Urban Area Security Initiative (UASI), thus allowing Broward County to access \$2.9 million in federal funds. 2) The Board directed staff to draft a "protest letter" accompanied with the interlocal agreement, which will protest the terms and the percentage split of the federal funds and will state the County's opposition to the current methodology used in fund allocation and will advocate for a more needs based, project-driven methodology. 3) Staff will also move forward with an initiative to seek a separate urban area designation with Palm Beach County and seek whatever options necessary to receive urban area allocations. 4) The Board directed staff to meet all deadlines for project submittal in order to receive FY 05 monies as the process progresses. 5) The Board directed staff to research what other states have done to receive urban area allocations. 6) The Board directed staff to research constitutional issues and whether any legal action can be taken. (Refer to minutes for full discussion.)

AVIATION DEPARTMENT

74. MOTION TO APPROVE Guaranteed Maximum Price (GMP) Addendum to Construction Agreement No. 20041013-0-AV-01 for Construction Management at Risk services for Terminal 4, Federal Inspection Services (FIS) Expansion Phase 1A at the Fort Lauderdale-Hollywood International Airport between Broward County and James A. Cummings, Inc., for the negotiated GMP; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:16 AM) Approved. (Transferred to the Consent Agenda.)

ACTION: (T-10:34 AM) Reconsidered. Transferred to the 2:00 p.m. Public Hearing meeting.

ACTION: (T-5:10 PM) Approved. (Refer to minutes for full discussion.)

COUNTY COMMISSION

75. MOTION TO APPROVE funding for Reliance Housing Foundation, non-for-profit affordable housing developer, in the amount of \$3,600,000 to develop 120 elderly affordable rental apartments, 29 workforce targeted affordable rental apartments, 20 market rate for sale townhomes, and two floors of retail/office space which will house 4 non-profit organizations: Stonewall Library, Arts United, Broward House, and Reliance Housing Foundation. This funding will be in the form of an 18 month 3% interest per annum loan. Broward County will hold first lien on the property. (Commissioner Rodstrom)

ACTION: (T-11:55 AM) Approved in concept. Staff will return before the Board with recommendations on Tuesday, January 11, 2005. (Refer to minutes for full discussion.)

76. MOTION TO APPROVE Board of Broward County Commission's participation in the construction of 40 units of affordable housing in partnership with Artspace, a non-for-profit developer, as well as providing a new location for the Broward County Historical Commission in the Sailboat Bend neighborhood. (Commissioner Rodstrom)

ACTION: (T-2:42 PM) Approved in concept. Staff will return before the Board with recommendations on Tuesday, January 11, 2005. (Refer to minutes for full discussion.)

77. MOTION TO DISCUSS Countywide referendum to be held in March 2005 to permit the voters to decide whether to authorize slot machines in Broward County parimutuel facilities, as provided in Article X, Section 19, Florida Constitution. (Commissioner Lieberman)

ACTION: (T-3:19 PM) The Board directed staff to begin to draft a potential ballot question for a countywide referendum to be held in March 2005 to permit the voters to decide whether to authorize slot machines in Broward County parimutuel facilities. The Board directed staff to explore the costs of mail-in election, as well as a regular election prior to the Legislature implementing its legislation.

Further, the Board directed the County Administrator to meet with the representatives of the four pari-mutuel facilities and with the representatives of the three affected cites (Hallandale Beach, Dania Beach and Pompano Beach) to negotiate an agreement to mitigate any costs that Broward County or the cities would incur. Staff will return before the Board with recommendations on Tuesday, January 11, 2005. (Refer to minutes for full discussion.)

78. MOTION TO ESTABLISH salary of Interim County Attorney effective December 14, 2004 (Mayor Jacobs)

ACTION: (T-5:10 PM) The Board established the salary of the Interim County Attorney at \$199,500 to become effective December 14, 2004. (Refer to minutes for full discussion.)

79.

MAYOR'S REPORT

➤ **COMMISSION BOARD APPOINTMENTS**

ACTION: (T-5:11 PM) Mayor Jacobs thanked the commissioners for submitting their board appointments. An item will be placed on the Tuesday, January 11, 2005 Commission meeting. The Mayor wished everyone a very healthy and happy holiday season. (Refer to minutes for full discussion.)

80.

COUNTY COMMISSION LIAISON REPORT

ACTION: (T-5:12 PM) No reports were filed.

81.

COUNTY ADMINISTRATOR'S REPORT

ACTION: (T-5:12 PM) County Administrator Roger J. Desjarlais introduced Pamela Madison, director, Office of Public and Government Relations, who briefed the Board on the Special Legislative Session.

Ms. Madison informed the Board that the DJJ bill will resolve the DJJ deficit this year from the surplus funds and delay the shift until July 1, 2005. The Counties have gone on record as opposing the shifting of the operations of DJJ to counties.

The bills dealing with electrical power have been ruled to be outside of the Call and are now in the Rules Committee for further consideration.

All property tax abatement bills appear to use only state funds. This will not impact the County's properties. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA NO. 1

COUNTY COMMISSION

82. **DISCUSSION:** of plat entitled "Prospect Villas" – **Commission District 9**, (001-UP-04). (Commissioner Eggelletion)

ACTION: (T-5:05 PM) Approved staff's recommendation, as amended. (Transferred to the 2:00 p.m. Public Hearing after Item #28.) (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA NO. 2

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works and Transportation Department

83. **MOTION TO APPROVE** release of retainage and final payment in the amount of \$216,182.34, to Smith & Company, Inc. for Roadway Improvements on Miramar Parkway from Southwest 148th Avenue to east of Flamingo Road, Contract No. Q-5-00-112CF. (Project No. 5042) (**Commission District 8**)

ACTION: (T-5:11 PM) Approved. (Refer to minutes for full discussion.)

NON AGENDA

84. **ITEMS 70 AND 71 – COMMISSIONER EGGELLETON**

ACTION: (T-5:14 PM) Commissioner Eggelletion informed the Board the he filed Form 8B – "Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers" for Items 70 and 71 from this day's meeting in error; he does not have conflicts of interest. He asked that he be reflected as voting in the affirmative on items 70 and 71 and will remain on the subject Selection/Negotiation Committees. Commissioner Eggelletion advised that he will submit a corrected Form 8B deleting items 70 and 71. (Refer to minutes for full discussion.)

85. DECERTIFICATION OF MINORITY VENDORS – COMMISSIONER EGGELLETON

ACTION: (T-5:15 PM) Commissioner Eggelletion explained that SDBE vendors are being decertified as local minority vendors because their corporate headquarters are not located in the tri-county area even though they may have local offices in the tri-county area. Commissioner Eggelletion commented that he believed this was a staff decision and that the Board's policy should be clarified. The Board directed staff to research the issue and return before the Board. (Refer to minutes for full discussion.)

86. CREATE A POLICY DEALING WITH CONTRACTS THAT HAVE A SINGLE VENDOR BIDDING ON A PROJECT – COMMISSION EGGELETON

ACTION: (T-5:21 PM) Commissioner Eggelletion commented that the Board should create a public policy dealing with contracts, particularly at the Port, that have a single vendor bidding on a project. The Board directed appropriate staff to research the issue and return with recommendations to enable the Board to formulate a public policy. (Refer to minutes for full discussion.)

87. THANKS TO BOARD FOR CONDOLENCES ON FAMILY LOSSES - COMMISSIONER EGGELLETON

ACTION: (T-5:27 PM) Commissioner Eggelletion thanked the commissioners and administrative staff for the kindness they have shown during the recent loss of his niece and grandmother. (Refer to minutes for full discussion.)

88. CLARIFICATION OF ITEM 5 – BAGGAGE AIRLINE GUEST SERVICES, INC. (BAGS) - VICE MAYOR GRABER

ACTION: (T-5:28 PM) Vice Mayor Graber clarified that anyone qualifying for a terminal services permit, will receive a permit. The County Administrator confirmed that the Vice Mayor was accurate in his statement. It is an administrative process under the control of the Aviation director according to the County's code. Further, there will be a study with respect to whether or not the County does remote baggage check in at security check points. (Refer to minutes for full discussion.)

89. FUTURE LEADERS PROGRAM – COMMISSIONER LIEBERMAN

ACTION: (T-5:29 PM) Commissioner Lieberman received an e-mail that the County received a Homeless Initiative Partnership Grant, the highest grant award from the state. She was pleased to announce that a student from the Future Leaders program was responsible for gathering all of the backup information which enabled the County to receive an additional \$55,000. (Refer to minutes for full discussion.)

90. THANKS TO COUNTY COMMISSIONERS – SHARON CRUZ

ACTION: (T-5:30 PM) Interim County Attorney Sharon Cruz thanked the commission for their action on agenda item 78 establishing her salary. (Refer to minutes for full discussion.)

91. HAPPY HOLIDAYS TO ALL – COUNTY COMMISSIONERS

ACTION: (T-5:31 PM) The County Commission wished everyone a healthy, happy holiday season.

MEETING/WORKSHOP NOTICES

SELECTION/NEGOTIATION COMMITTEE
AEP MATERIALS TESTING/INSPECTION

RLI No. 20031016-0-AV-02

Tuesday, December 14th, in Room 430 at 9:00 AM

PIER ONE MARINE TERMINAL OPERATOR

RLI No. 20030912-0-PORT-01

Tuesday, December 14th, in Room 430 at 9:30 AM

