

**MEETING OF MARCH 16, 2004**

(The meeting convened at 10:00 a.m. and adjourned at ~~\*\*\*\*\*~~ 1:03 p.m.)

PLEDGE OF ALLEGIANCE was led by ~~\*\*\*\*\*~~ Broward County Commissioner John E. Rodstrom, Jr., District 7.

CALL TO ORDER

**CONSENT AGENDA**

**BOARD APPOINTMENTS**

1. A. MOTION TO APPROVE appointment of Judge Marcia Beach to the Alcohol and Drug Abuse Advisory Board. Judge Beach fills a vacancy. (Commissioner Gunzburger)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

- B. MOTION TO APPOINT Joseph M. Cobo to the Broward Regional EMS Council. (Commissioner Wasserman-Rubin)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

- C. MOTION TO APPOINT Allen M. Burrows to the Broward County Marine Advisory Committee.

**ACTION: (T-10:05 AM) Approved.**

**AVIATION DEPARTMENT**

2. MOTION TO APPROVE terminal building lease agreement between Broward County, Florida and Integrated Airlines Services Alliance, LLC, with anticipated annual revenues of \$6,000; for the lease and use of 162 square feet of space in Terminal 4 at the Fort Lauderdale-Hollywood International Airport, 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-~~XXX~~10:05 AM) Approved.**

3. MOTION TO APPROVE release, consent, subordination, attornment and nondisturbance agreement between Broward County, Florida; North Perry Aviation, Inc., and Peters Communications for T-Hangar Unit 18 located at North Perry Airport; and authorize the Mayor and Clerk to execute same.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

4. MOTION TO APPROVE Work Authorization D-04-OP4-1 between Broward County and DMJM Harris for In line baggage screening consulting services at the Fort Lauderdale-Hollywood International Airport (General Engineering Consultant's Agreement), for the Total Maximum Not-to-Exceed amount of \$561,261.05, for a period of 90 days from issuance of Notice to Proceed by the Contract Administrator, and authorize the Mayor and Clerk to execute same.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

5. MOTION TO APPROVE Change Order 46 to the Agreement RLI No. 011501-RB between Broward County and Cummings-Centex Rooney, a Joint Venture, for the construction of the Consolidated Rental Car Facility at the Fort Lauderdale-Hollywood International Airport for an increase of \$1,820,537; from \$158,782,780.88, to \$160,603,317.88, with no increase in the performance period, time remaining at 1,146 days, and authorize the Mayor and Clerk to execute same.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

**PUBLIC WORKS DEPARTMENT**

**OFFICE OF GENERAL SERVICES**

**REAL PROPERTY SECTION**

6. A. MOTION TO APPROVE third amendment to business lease agreement between Broward County and Arline Sterling Norman, Trustee for property located at 218 SW First Avenue, Fort Lauderdale, Florida and currently utilized as office and laboratory facility for the Department of Planning and Environmental Protection; extending the termination date an additional five months, from March 31, 2004 to August 31, 2004. The extended rent effective April 1, 2004, remains at its current level of \$13.37, per square foot, \$46,795 monthly; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

- B. MOTION TO ADOPT budget Resolution 2004-239 transferring from the General Fund Reserves (Fund 0010) the amount of \$193,565 for the purpose of extending the business lease agreement between Broward

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County and Arline Sterling Norman, Trustee for property located at 218 SW First Avenue, Fort Lauderdale, Florida.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

7. MOTION TO ADOPT Resolution 2004-240 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 Statute 197.592. These particular properties are within the City of Coral Springs, the City of Fort Lauderdale, the City of North Lauderdale, the City of Pembroke Pines and the City of Tamarac; authorize the Mayor and Clerk to execute deeds and authorize recordation of same. **(Commission Districts 1,3,5,7)**

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**ACTION: (T-~~XXX~~10:05 AM) Approved, as amended, with the deletion of the three (3) parcels in North Lauderdale identified in Exhibit 4 for further staff review. (See County Administrators memorandum dated March 15, 2004.)**

#### OFFICE OF TRANSPORTATION

##### STREETS AND HIGHWAYS DIVISION

8. MOTION TO ADOPT budget Resolution 2004-241 transferring funds within the Streets and Highways Capital Outlay Fund, as part of the Capital Improvement Program for Fiscal Year 2004 in the amount of \$176,000 for repairs of settling pavement in five locations on County Road, SW and NW 27<sup>th</sup> Avenue in Fort Lauderdale and Unincorporated Fort Lauderdale. **(Commission District 7)**

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

#### FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

##### ACCOUNTING DIVISION

9. MOTION TO FILE Supervisor of Elections' Office, Broward County, Florida, Audited Special-Purpose Financial Statements, for the year ended September 30, 2003, pursuant to Florida Statute 11.45, and acknowledgment that the Fiscal 2003 surplus was used to reduce the prior year's deficit.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

##### PURCHASING DIVISION

For Aviation Department

10. MOTION TO APPROVE final reconciliation deductive Change Order No. 7 to Contract No. Q-2-01-032-CF between Broward County and Pavex Corporation, 03/16/04

Inc. for terminal apron taxi lane rehabilitation at the Ft. Lauderdale/Hollywood International Airport for a decrease of \$474,942.37; from \$5,254,524.09, to \$4,779,581.72, with no change in time for performance; and authorize the Mayor to execute same.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

For Public Works Department

11. A. MOTION TO APPROVE City of Hollywood's corrected second amendment to the May 14, 2002 interlocal agreement for construction of the Hollywood Community Library, increasing the City's contribution by \$442,000; and authorize the Mayor and Clerk to execute same.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-242 within the Library Bond Capital Outlay Fund in the amount of \$2,093,820 pursuant to the interlocal agreement with the City of Hollywood (2<sup>nd</sup> amendment, January 20, 2004).

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**ACTION: (T-~~XXX~~10:05 AM) Approved.**

- C. MOTION TO ADOPT budget Resolution 2004-243 transferring within the Library Bond Capital Outlay Fund (3180) the amount of \$956,998 from the Library Bond Fund Reserve for the Hollywood Community Library.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

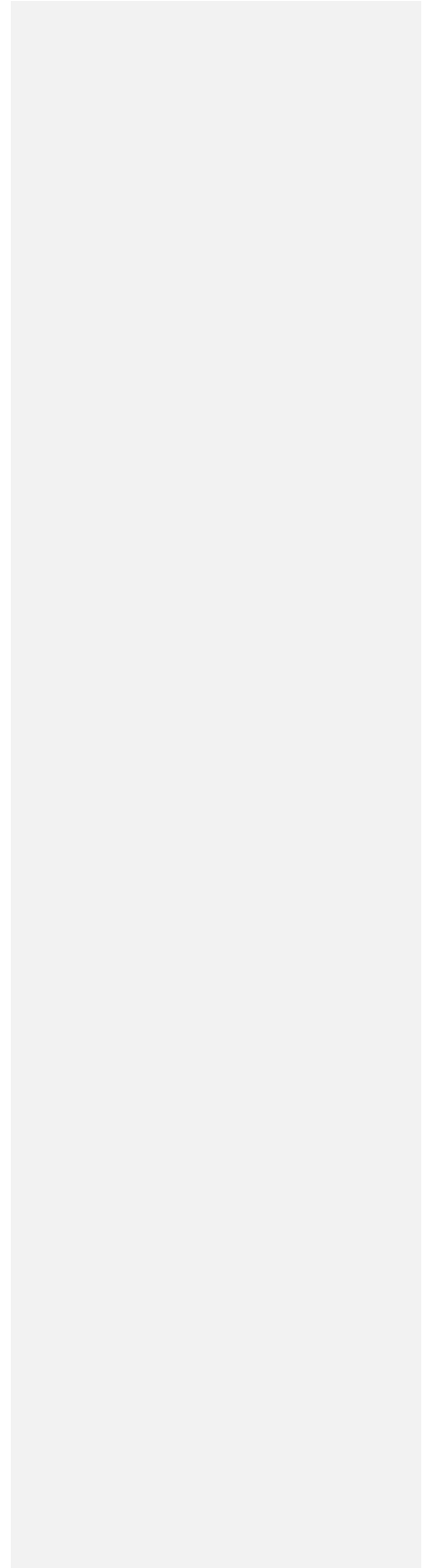
- D. MOTION TO APPROVE agreement between Broward County and Centex Rooney Construction Co., Inc., for Managing General Contractor (Phase II) construction services for the Hollywood Community Library (RLI 041700-RB) for a guaranteed maximum price (GMP) of \$6,575,792; with a contract time of 425 calendar days subject to receipt and approval of performance and payment guaranty; and authorize the Mayor and Clerk to execute same. (Project No. 60X01-99-01) **(Commission District 6)**

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

**REVENUE COLLECTION DIVISION**

12. MOTION TO ADOPT three Resolutions 2004-244 thru 2004-246 authorizing cancellation of warrants from Central Account No. 2079940003785, Court Trustee No. 2090002760550, Self-Insurance No. 2090002760518, Tax and License No. 2090002760916 and Payroll No. 2079940003798.

| **ACTION:** (~~T-XXX~~10:05 AM) *Approved.*



## HUMAN SERVICES DEPARTMENT

### COMMUNITY DEVELOPMENT DIVISION

13. MOTION TO APPROVE and execute subordination agreement for Laguna Pointe Apartments, located at I-95 and Mc Nab Road in the City of Pompano Beach, to subordinate the Broward County HOME Investment Partnerships (HOME) Loan in the amount of \$209,362 to the Florida Housing Finance Corporation State Apartment Incentive Loan Program (SAIL) loan which is in the amount of \$2,000,000. **(Commission District 2)**

**ACTION: (T-~~XXX~~10:11) Approved. See Page \*\*\*\*\***

14. MOTION TO APPROVE and execute subordination agreement for St. Croix Apartments, located at State Road 7 and NE 36<sup>th</sup> Street in the City of Lauderdale Lakes, to subordinate the Broward County HOME Investment Partnerships (HOME) Loan in the amount of \$222,138 to the Florida Housing Finance Corporation State Apartment Incentive Loan Program (SAIL) loan which is in the amount of \$2,000,000. **(Commission District 9)**

**ACTION: (T-~~XXX~~10:11) Approved. See Page \*\*\*\*\***

### ELDERLY AND VETERANS SERVICES DIVISION

15. MOTION TO ADOPT Resolution 2004-247 of the Board of County Commissioners of Broward County, Florida, authorizing the acceptance of \$2,500 from the Eli Lilly Company for benefit of the Broward County Elderly and Veterans Services Division; authorizing the County Administrator to take all administrative actions to implement same.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

### SUBSTANCE ABUSE AND HEALTH CARE SERVICES DIVISION

16. A. MOTION TO ACCEPT Grant Award No. 2003-DD-BX-0380 from the U.S. Department of Justice, Office of Justice Programs in the amount of \$149,999 for the project period of September 01, 2003 through August 31, 2005 for the purpose of expanding the existing Felony Mental Health Probation (FMHP) program to include a Felony Mental Health Court (FMHC); and authorize the County Administrator to execute same.

**ACTION: (T-~~XXX~~10:05 AM) Approved. with the following findings: 1) The Board of County Commissioners deems this grant for the Mental Health Court to be a local option, which it is accepting at its sole discretion. 2) The Board of County Commissioners acknowledges that the grant is for a limited time, and that it will not fund any further administrative costs once the grant expires in August 2005. 3) Broward County will not reimburse Court Administration pursuant**

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to the grant with County funds, but will only reimburse Court Administration once funds are received from the Department of Justice. (See County Attorney's memorandum dated March 15, 2004, which was incorporated in to the item.)

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-248 within the Substance Abuse and Health Care Services Division=s Myers Act Fund (9754) in the amount of \$149,999 for the purpose of funding a Felony Mental Health Court (FMHC) Program.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

#### **COMMUNITY SERVICES DEPARTMENT**

##### **CULTURAL DIVISION**

17. MOTION TO APPROVE grant agreement between Broward County and the Sample-McDougald House Preservation Society, Inc. (Contractor), in an amount not to exceed \$55,000 for the purpose of a matching grant for capital improvements to the Sample-McDougald House, a National Historic Registered Landmark, for a period of two years from the date of execution; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

##### **LIBRARIES DIVISION**

18. A. MOTION TO APPROVE grant agreement from the Florida Department of State, Division of Library and Information Services, funded by Library Services and Technology Act, in the amount of \$10,000 for participation in the State's Summer Library Reading Partnership Pilot project at the African American Research Library and Cultural Center (AARLCC); authorizing the County Administrator to execute any additional assurances, certifications, and administrative documents, and to take all necessary administrative and budgetary actions to execute the grant and providing for an effective date; and authorize the Mayor and Clerk to execute same. (No County match required) **(Commission District 7)**

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

- B. MOTION TO ADOPT unanticipated revenue Resolution 2004-249 –for \$10,000 within Libraries’ Summer Library Reading Partnership Pilot Project fund 9367-025-7653-3170, for implementing the project.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

19. MOTION TO ADOPT Resolution 2004-250 of the Broward County Board of County Commissioners authorizing the execution and submission of a grant application to the State of Florida, Department of State, Division of Library and Information Services, for grant funding in the amount of \$500,000 for the construction of the Miramar Branch Library; authorizing the County Administrator to execute any additional assurances, certifications, and administrative documents, and to take all necessary administrative and budgetary actions to execute the grant; and providing for an effective date; and authorize the Mayor and Clerk to execute same. (Requires a County cash match in the amount of \$500,000.) **(Commission District 8)**

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

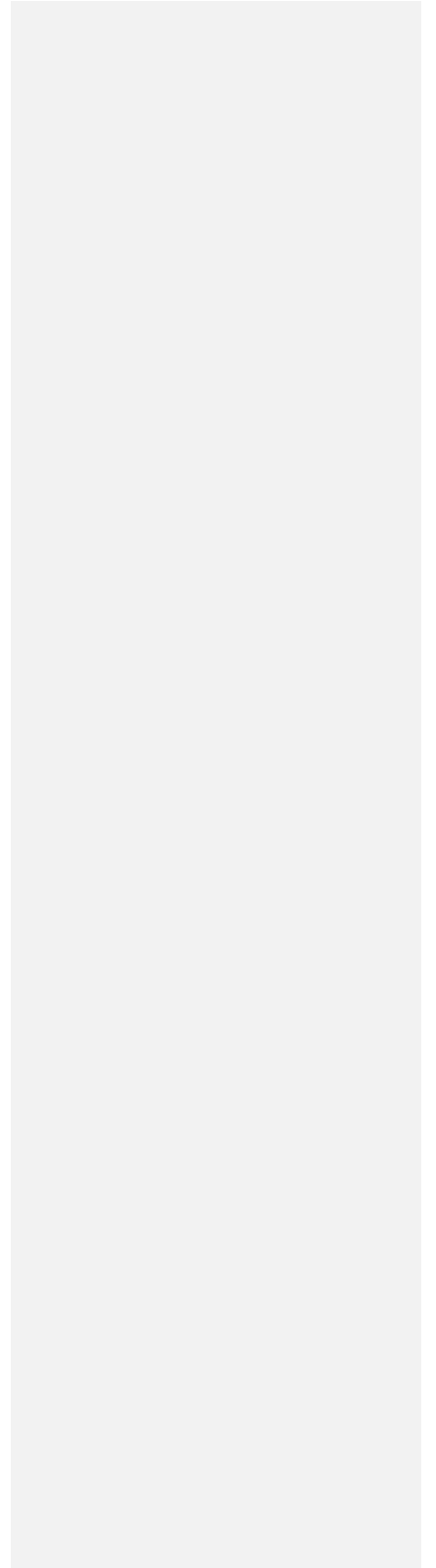
20. MOTION TO ADOPT Resolution 2004-251 of the Broward County Board of County Commissioners authorizing the execution and submission of a grant application to the State of Florida, Department of State, Division of Library and Information Services, for grant funding in the amount of \$500,000 for the construction of the Lauderdale Lakes Branch Library; authorizing the County Administrator to execute any additional assurances, certifications, and administrative documents and to take all necessary administrative and budgetary actions to execute the grant; and to provide an effective date; and authorize the Mayor and Clerk to execute the same. (Requires a County cash match in the amount of \$500,000.) **(Commission District 9)**

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

**PARKS AND RECREATION DIVISION**

21. MOTION TO ADOPT Resolution 2004-252 —of the Board of County Commissioners of Broward County, Florida, supporting an application for a \$501,418 (County Match of \$278,150 is required) grant under the Florida Inland Navigation District (FIND) Waterways Assistance Program for a project entitled @Shoreline Protection at West Lake Park - Phase I,@ in Hollywood and Dania Beach, Florida; providing for an effective date; and authorizing the County Administrator to take the necessary administrative and budgetary actions to execute the grant. **(Commission District 6)**

| **ACTION:** (~~T-XXX~~10:05 AM) *Approved.*



**GREATER FORT LAUDERDALE CONVENTION AND VISITOR'S BUREAU**

22. MOTION TO APPROVE first amendment to a sole source agreement between Broward County and Jeffrey Gassaway, an independent contractor for convention and meeting sales at the Broward County Convention Center in the annual amount not to exceed \$95,000; and annual reimbursable expenses not to exceed \$47,000; for a total amount not to exceed \$142,000; for the Greater Fort Lauderdale Convention and Visitors Bureau, and authorize the Contract Administrator to extend the amended agreement to September 30, 2004, with one, one-year option; and authorize the Mayor and Clerk to execute same.

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

**COUNTY COMMISSION**

23. MOTION TO FILE City of Coconut Creek Resolution 2004-13, dated February 12, 2004, supporting the adoption of a local bill amending Chapter 75-350, Laws of Florida, to give municipalities in Broward County the option of conducting general elections in November of even numbered calendar years, and requiring the Broward County Supervisor of Elections to provide to all Broward municipalities a schedule of fees and charges for election services; providing an effective date. (Mayor Lieberman)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

24. MOTION TO FILE City of Coconut Creek Resolution 2004-24, dated February 26, 2004, supporting the City of Pembroke Pines' request to the Florida Legislature to adopt legislation permitting the installation and utilization of traffic infraction detection devices at intersections; providing an effective date. (Mayor Lieberman)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

25. MOTION TO FILE City of Cooper City Resolution 2004-02-04, dated February 24, 2004, reaffirming its commitment to growth management and environmental protection through local and regional planning. (Mayor Lieberman)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

26. MOTION TO FILE City of Hollywood Resolution R-2004-055, dated February 4, 2004, requesting that the Broward County Board of County Commissioners install noise monitors in all areas in proximity to the Fort Lauderdale/Hollywood International Airport that are impacted by aircraft noise, including the Hollywood communities of Hollywood Oaks, Mapleridge, North Beach and Oakridge. (Mayor Lieberman)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

27. MOTION TO FILE City of Lauderhill Resolution 04R-02-30, dated February 23, 2004, opposing the Florida Department of Transportation, District 4, from granting to Bell South and FP&L a utility design exemption development order for that portion of North State Road 7 within the boundaries of the City of Lauderhill; requesting that other affected municipalities oppose the proposed utility exemption; requesting that FP&L and Bell South bury at least 2,000 linear feet of utility lines north of Sunrise Boulevard; requesting that other local governments, FP&L, Bell South and other utility companies support legislation allowing local governments to impose a monthly surcharge on utility bills to fund the underground placement of utilities; providing for an effective date. (Mayor Lieberman)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

28. MOTION TO FILE City of Margate Resolution 9992, dated February 18, 2004, expressing support for revisions to Broward County's Evaluation and Appraisal Report and subsequent changes to the Broward County Countywide Land Use Plan, as outlined in the attached "Exhibit A"; to protect the ability to redevelop and the home rule authority of municipalities in Broward County; providing for distribution of Resolution, providing for an effective date.. (Mayor Lieberman)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

29. MOTION TO FILE City of Pompano Beach Resolution 2004-125, dated February 10, 2004, expressing support for revisions to Broward County's Evaluation and Appraisal Report and subsequent changes to the Broward County Countywide land use plan, as outlined in the attached exhibit "A," to protect the ability to redevelop and the home rule authority of municipalities in Broward County; providing for distribution of resolution; providing for an effective date. (Mayor Lieberman)

**ACTION: (T-~~XXX~~10:05 AM) Approved.**

30. MOTION TO FILE City of Pompano Beach Resolution 2004-126, dated February 10, 2004, relating to confirmation of payment of impact fees imposed by Broward County on plats in the areas of public school facilities, regional parks, and roads or transit, prior to the issuance of any building permits; providing for conflicts; providing an effective date. (Mayor Lieberman)

**ACTION:** (~~T-XXX~~10:05 AM) **Approved.**

31. MOTION TO FILE City of Pompano Beach Resolution 2004-134, dated February 24, 2004, supporting legislation to permit the installation of traffic infraction detection devices at intersections; directing the City Clerk to transmit a copy of this resolution to the Governor of the State of Florida, other elected officials, the Florida League of Cities and the Broward League of Cities; providing an effective date. (Mayor Lieberman)

**ACTION:** ~~(T-XXX10:05 AM)~~ **Approved.**

32. MOTION TO FILE City of Weston Resolution 2004-22, dated March 1, 2004, supporting the Town of Southwest Ranches submission of an application for the purchase of rural public open space or green space from grants made available from Broward County's Land Preservation Program Open Space Grants No. VI, and if necessary to the State of Florida's Communities Trust to acquire open space in the Town of Southwest Ranches. (Mayor Lieberman)

**ACTION:** ~~(T-XXX10:05 AM)~~ **Approved.**

33. MOTION TO FILE Fair Labor Policy adopted by the Board of Directors of the Broward Coalition for the Homeless on February 11, 2004. (Mayor Lieberman)

**ACTION:** ~~(T-XXX10:05 AM)~~ **Approved. Withdrawn at the request of the Mayor.**

#### **DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

##### **BIOLOGICAL RESOURCES DIVISION**

34. MOTION TO ACCEPT Deed of Conservation Easement and agreement from Landmark Custom Ranches, Inc. for preservation of a mitigation area of 12.89 acres of real property in the Town of Southwest Ranches. **(Commission District 8)**

**ACTION:** ~~(T-XXX10:05 AM)~~ **Approved.**

##### **TRANSPORTATION PLANNING DIVISION**

35. MOTION TO ADOPT Resolution 2004-253 of the Board of County Commissioners of Broward County, Florida, authorizing the County Administrator to execute a contract in the amount of \$3,500 on behalf of the County with

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Rebuilding Together Broward, Inc. for funding under the Broward Beautiful program; and providing for an effective date. **(Commission District 9)**

**ACTION:** ~~(T-XXX10:05 AM)~~ **Approved.**

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**QUASI-JUDICIAL CONSENT HEARING**

**DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

**DEVELOPMENT MANAGEMENT DIVISION**

36. **DISCUSSION:** of plat entitled "Church of Christ Griffin Road First Addition" - **Commission District 5, (036-MP-01).**

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**ACTION:** ~~(T-XXX10:05 AM)~~ **Deferred to April 13, 2004 at the applicant's request.**

37. **DISCUSSION:** of plat entitled "Lovy's Acres" - **Commission District 5, (074-MP-02).**

**ACTION:** ~~(T-XXX10:05 AM)~~ **Approved the plat subject to staff's recommendations as outlined in the Development Review Report.**

38. **DISCUSSION:** of plat entitled "Sheridan House No. 3" - **Commission District 5, (021-MP-03).**

**ACTION:** ~~(T-10:12 AMXXX)~~ **Approved the plat subject to staff's recommendations as outlined in the Development Review Report. Deferred to Tuesday, March 23, 2004. The Board directed Development Management Director Elliot Auerhahn to meet with the residents and to answer questions addressed in various e-mails. See Page \*\*\*\*\***

39. **DISCUSSION:** of plat entitled "Lincoln Street Homes" - **Commission District 6, (032-MP-03).**

**ACTION:** ~~(T-XXX10:05 AM)~~ **Approved the plat subject to staff's recommendations as outlined in the Development Review Report.**

40. **DISCUSSION:** of plat entitled "Forest View Estates Plat" - **Commission District 7, (087-MP-02).**

| **ACTION:** (~~T-XXX10:05~~ AM) *Approved the plat subject to staff's recommendations as outlined in the Development Review Report.*

41. DISCUSSION: of plat entitled "Thunderbird Park" - **Commission District 7**, (022-MP-03). (Deferred from January 20, 2004).

| **ACTION:** (~~T-XXX10:05~~ AM) *Approved the plat subject to staff's recommendations as outlined in the Development Review Report.*  
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42. DISCUSSION: of plat entitled "Pines 200 East Plat" - **Commission District 8**, (063-MP-02).

**ACTION: (T-XXX10:05 AM) Approved the plat, as amended, and subject to staff's recommendations as outlined in the Development Review Report. The traffic concurrency agreement for this item has been approved by the County Attorney's Office.**

43. DISCUSSION: of plat entitled "Silver Falls Pod B" - **Commission District 8**, (064-MP-03).

**ACTION: (T-XXX10:05 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.**

44. DISCUSSION: of plat entitled "Pompano Springs Replat" - **Commission District 9**, (081-MP-03).

**ACTION: (T-XXX10:05 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report.**

45. DISCUSSION: of New Findings of Adequacy for plat entitled "L'Reserve Residences At Plantation" - **Commission District 5**, (018-MP-98).

**ACTION: (T-XXX10:05 AM) Approved New Findings of Adequacy for the plat subject to staff's recommendations as outlined in the Development Review Report.**

46. DELEGATION: Gerald L. Knight regarding request to amend the note on the Whispering Woods Plaza Plat- **Commission District 1**, (136-MP-89). (Deferred from February 17, 2004).

**ACTION: (T-XXX10:05 AM) ~~Approved plat subject to staff's recommendations.~~ Deferred to September 28, 2004 or sooner under Section 5-181(j) to study conformity with the Land Use Plan.**

47. DELEGATION: Gerald L. Knight regarding request to amend the note on the Martin/Marangos Plat - **Commission District 9**, (059-MP-88). (Deferred from February 17, 2004).

**ACTION: (T-XXX10:05 AM) Approved plat subject to staff's recommendations.**

48. DELEGATION: Bonnie Miskel regarding request to amend the note on the Marble Head Subdivision – Section 1 Plat- **Commission District 2**, (001-UP-96).

**ACTION: (T-10:34 AM) Approved, as amended, subject to staff's recommendations. The applicant voluntarily agreed to enter into a**

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*restrictive covenant to restrict the property consistent with the conditions of their site plan in order to buffer the surrounding neighborhood from the impact of the development. See Page \*\*\*\*\**

***ACTION: (T-XXX) Approved plat subject to staff's recommendations.***

- 49. DELEGATION: Bonnie Miskel regarding request to modify conditions of plat approval for the Marble Head Subdivision – Section 1 Plat- **Commission District 2**, (001-UP-96).

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***ACTION: (T-XXX10:37 AM) Approved plat subject to staff's recommendations. See Page \*\*\*\*\****

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**REGULAR AGENDA**

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**SAFE PARKS AND LAND PRESERVATION BOND PROGRAM**

- 50. A. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held at 10:00 AM on Tuesday, April 20, 2004 in Room 422 of the Governmental Center, to consider the purchase of GOB Safe Parks and Land Preservation Bond Program Conservation Site 447 (0.54± acres; 23,710 square feet), beachfront land located between Greene Street and Cody Street on the east side of North Surf Road, Hollywood, Florida.

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***ACTION: (T-10:40 AM)– Approved. The Board directed staff to provide an update of the appraisal, if possible, prior to the Public Hearing and that staff prepare a response to the issues raised by the County Auditor as cited in his memorandum of Monday, March 15, 2004. See Page \*\*\*\*\****

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- B. MOTION TO ACKNOWLEDGE to Broward County Board of County Commissioners that the Office of General Services, Real Property Section intends to present for consideration on or after April 20, 2004, a contract for sale and purchase for Site 447 at a total purchase price of \$3,700,000. (Commission District 6)

***ACTION: (T-10:40 AM) Approved.***

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**FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

**PURCHASING DIVISION**

For Aviation Department

- 51. MOTION TO APPOINT Selection/Negotiation Committee (S/NC) to recommend the most qualified firm to provide design, system upgrade, project management, and preparation of plans and specifications for replacement of a cooling tower and two chillers at the Fort Lauderdale/Hollywood International Airport, and approve Request for Letters of Interest (RLI) No. 20031215-0-AV-01

***ACTION: (T-10:47 AM) Approved the following to serve on the Selection Negotiation Committee: ~~Commissioners \*\*\*\*\*~~, Director, Planning and Development Division, Aviation Department (Chair); Director, Maintenance Division, Aviation Department, and Director, Office of General Services, Public Works Department. Plus, administrative support staff from the offices of County Attorney, County Auditor, Equal Opportunity, Risk Management, Purchasing and the using agency.***

For Finance and Administrative Services Department

52. A. MOTION TO DIRECT County Administrator and the County Attorney to prepare revisions to the Administrative Code and related administrative regulations to place in effect the changes reflected in Section 1 of the agenda report, which identifies those items as having received consensus at the Board's January workshop on procurement.

**ACTION: (T-10:47 AM) Approved, as amended. (Items 1, 3 and 5 as discussed and amended have been incorporated into Section 1 from Section 2.) In addition, the Board deferred to the Tuesday, March 23, 2004 commission meeting discussion on the following items: 1) Item 9, Section 1 – Training for all members of the Selection/Negotiation Committee, rolled over due to a tie vote. 2) Item 12, Section 1, to allow the impacted community to give input on the issue. 3) Discussion relating to violations of the Cone of Silence. 4) Review the core policy of the entire purchasing program for SDBE businesses. See Page \*\*\*\*\***

~~**ACTION: (T-) Approved. See Page \*\*\*\*\***~~

- B. MOTION TO DIRECT staff to include, exclude or modify those recommendations contained in Section 2, which did not receive consensus at the workshop.

**ACTION: (T-10:47 AM) Approved, as amended. See Page \*\*\*\*\***

#### OFFICE OF EQUAL OPPORTUNITY

#### SMALL BUSINESS DEVELOPMENT DIVISION

53. MOTION TO APPROVE policy and programmatic changes for the Small Business Development Division as outlined in its Business Plan. These changes further implement the recommendations of the County's Disparity Study and other policy recommendations, as adopted by the Commission.

**ACTION: (T-12:12 PM) Approved/Deferred to Tuesday, March 23, 2004 for further staff review.-**

**(Scrivener's error - See County Administrators memorandum: Page 5, paragraph 4, the second sentence: change to "Under the new program, Small Minority, and Women-owned Businesses may be certified up to the time of S/NC contract award and in all cases prior to final approval." Pages 3 (11<sup>th</sup> bullet) and 10 (section G, 1<sup>st</sup> paragraph, 3<sup>rd</sup> sentence), the word "merging" should be replaced with: "emerging." See Page \*\*\*\*\***

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**COUNTY ATTORNEY**

54. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, April 13, 2004, 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 BUSINESS ENTERPRISES; REPEALING EXISTING SECTION OF THE BROWARD COUNTY CODE RELATING TO BROWARD COUNTY'S SMALL DISADVANTAGED BUSINESS ENTERPRISE PROGRAM; CREATING SECTION 20-275, BROWARD COUNTY CODE; CREATING THE BROWARD COUNTY BUSINESS OPPORTUNITY ACT OF 2004; CREATING SECTION 20-276, BROWARD COUNTY CODE; PROVIDING FOR A STATEMENT OF POLICY AND LEGISLATIVE FINDINGS; CREATING SECTION 20-277, BROWARD COUNTY CODE; PROVIDING FOR DEFINITIONS; CREATING SECTION 20-278, BROWARD COUNTY CODE; PROVIDING FOR RESPONSIBILITIES OF THE SMALL BUSINESS DEVELOPMENT DIVISION AND ITS DIRECTOR; CREATING SECTION 20-279, BROWARD COUNTY CODE; PROVIDING FOR ANNUAL GOALS FOR DBE, SBE, MBE, AND WBE UTILIZATION; PROVIDING FOR CONTRACT GOALS UNDER CERTAIN CIRCUMSTANCES; AUTHORIZING SBE, MBE, AND WBE PROGRAMS; ESTABLISHING THRESHOLD AMOUNTS; PROVIDING A SMALL BUSINESS ENTERPRISE SHELTERED MARKET PROGRAM; AND PROVIDING A BUSINESS DEVELOPMENT PROGRAM; CREATING SECTION 20-280, BROWARD COUNTY CODE; AUTHORIZING STANDARDS WHICH MAY BE IMPLEMENTED TO SATISFY ESTABLISHED GOALS FOR CONSTRUCTION, ARCHITECTURAL, ENGINEERING, PROFESSIONAL, AND BUSINESS SERVICES, COMMODITIES, AND CONCESSION CONTRACTS; CREATING SECTION 20-281, BROWARD COUNTY CODE; MANDATING THE INCLUSION OF CERTAIN CONTRACTUAL PROVISIONS IN COUNTY CONTRACTS; PROVIDING REMEDIES FOR FAILURE TO SATISFY CONTRACT GOALS; AUTHORIZING THE CERTIFICATION AND RECERTIFICATION BUSINESS ENTERPRISES; AUTHORIZING REGULATIONS; PROVIDING FOR **APPLICABILITY;**

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

**ACTION: (T-12:12 PM) ~~Approved.~~ Deferred to Tuesday, March 23, 2004.**  
**See Page \*\*\*\*\***

**OFFICE OF URBAN PLANNING AND REDEVELOPMENT**

**PLANNING SERVICES DIVISION**

- 55. MOTION TO FIND application 04-RF-02 for the allocation of 20 residential flexibility units, 34 residential reserve units, and the rearrangement of 234 units currently designated on the BCLUP (within the subject site) in the City of Dania Beach compatible with adjacent uses, and that impacts upon public school facilities have been adequately considered. **(Commission District 4)**

**ACTION: (T-12:13 PM) Approved.**

**OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS**

- 56. DISCUSSION: Legislative Issues – 2004 Legislative Session.

A. MOTION TO ADD support for Water Tax funding request to both the state and federal legislative programs.

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**ACTION: (T-12:13 PM) Approved.**

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B. MOTION TO APPROVE Tri-County Commission's 2004 Federal Legislative Program.

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**ACTION: (T-12:13 PM) ~~See Page \*\*\*\*\*~~ Approved.**

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C. COUNTY'S POLICY FOR CONFLICT OF INTEREST FOR LOBBYISTS – MAYOR LIEBERMAN

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**ACTION: (T-12:13 PM) The Board reaffirmed its policy regarding conflicts of interests for the County's lobbyists, that all of the lobbyists who are employed by Broward County would be expected to lobby in favor of the County's position, unless the position is waived. See Page \*\*\*\*\***

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D. DISCUSSION - INITIATIVE TO PASS HOMETOWN DEMOCRACY REFERENDUM – COMMISSIONER PARRISH

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**ACTION: (T-12:17 PM) The Board members encouraged Commissioner Scott to use funds set aside by the County Commission to add additional lobbyists if needed. An item would be placed on the commission agenda expeditiously for the Board's approval. See Page \*\*\*\*\***

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**Without objection, the Board directed staff to research and prepare an agenda item for the first meeting in April or sooner, setting the process to hold a special election in May 2004, including the cost of the election and an educational component to enlighten the community. See Page \*\*\*\*\***

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E. VISIT TO TALLAHASSEE – COMMISSIONER GRABER

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**ACTION: (T-12:22 PM) No Board action was taken. See Page \*\*\*\*\***

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F. COMMENTS – RECENT SUN-SENTINEL NEWS ARTICLE/VISIT WITH EDITORIAL BOARD – BOARD MEMBERS

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**ACTION: (T-12:24 PM) No Board action was taken.**

G. WATER POLICY AMENDMENTS – COMMISSIONER JACOBS

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**ACTION: (T-12:29 PM) Commissioner Jacobs asked staff for clarification regarding various water policy amendments. See Page \*\*\*\*\***

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57. MOTION TO APPOINT five members to the fifteen member School Oversight Committee responsible for monitoring the implementation of the interlocal agreement for Public School Facility Planning.

**ACTION: (T-12:49 PM) Deferred to Tuesday, March 23, 2004. See Page \*\*\*\*\***

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~~Approved the following appointments to the School Oversight Committee: Debbie Eisinger, Commissioner, Cooper City; Peggy Noland, Commissioner, Deerfield Beach; Beam Furr, Commissioner, Hollywood; Frank Ortis, Commissioner, Pembroke Pines, and Joe Schreiber, Mayor, Tamarac.~~

**COUNTY COMMISSION**

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58. A. MOTION TO APPROVE creation of the Future Government Leaders Program housed in the office of the County Administrator providing high school seniors with hands-on experience and exposure to potential government careers during a semester-long program at an estimated cost to the County of \$35,000. (Mayor Lieberman)

**ACTION: (T-12:49 PM) ~~Approved~~Deferred to Tuesday, March 23, 2004.**

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**~~(Scrivener's error - See County Administrators memorandum: Section 201.6A of the Administrative Code should be Section 20.16A.)~~**

- B. MOTION TO ADOPT budget Resolution transferring funds within the General Fund from the Commission Reserve in the amount of \$35,000 for the implementation of the Future Government Leaders Program.

**ACTION: (T-12:49 PM) ~~Deferred to Tuesday, March 23, 2004.~~**

**~~(Scrivener's error - See County Administrators memorandum: Section 201.6A of the Administrative Code should be Section 20.16A.)~~**

**ACTION: (T-) ~~Approved.~~**

59. MOTION TO APPROVE transmitting the results of the March 9<sup>th</sup>, 2004 Straw Ballot in Pine Island Ridge to the Town of Davie and to the Broward County Legislative Delegation. (Commissioner Rodstrom)

**ACTION: (T-12:54 PM) ~~Approved.~~**

60. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, supporting Broward County Metropolitan Planning Organization Resolution 2003-12, opposing the widening of the Florida Turnpike; and providing for an effective date. (Deferred from March 9, 2004 – Item No. 45) (Mayor Lieberman)

**ACTION: (T-12:53 PM) ~~Approved.~~Withdrawn. –See Page \*\*\*\*\***

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**The Board of County Commissioners voted to support the widening of the Florida Turnpike based on the letter received from the Florida Department of Transportation, dated March 15, 2004, due to the position now taken by FDOT, which would average the cost of the noise walls over the limits of the project.**

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**-The Mayor, on behalf of the Board, will forward a copy of the letter from James L. Ely, Executive Director and Chief Executive Officer, Florida Department of Transportation, dated March 15, 2004, to the Broward County Metropolitan Planning Organization, advising the MPO that the County now supports the widening of the Florida Turnpike, based on said letter and the position taken from FDOT. See Page \*\*\*\*\***

- 61. MOTION TO AUTHORIZE County Administrator to sign local commitment form in the amount of \$250,000 for Reliance Housing Foundation to accommodate competitive universal application for affordable housing to be submitted to the Florida Housing Finance Corporation. **(Commission District 7)** (Commissioner Rodstrom)

**ACTION: (T-12:53 PM) Approved. See Page \*\*\*\*\***

- 62. MOTION TO DISCUSS: Broward League of Cities' position on land use authority. (Mayor Lieberman)

**ACTION: (T-12:53 PM) The Mayor confirmed with the Board that the only issue not open for discussion is RACs on the beach.- See Page \*\*\*\*\***

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63. **MAYOR'S REPORT**

- A. **KICK OFF – WOMEN'S HISTORY MONTH**

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**ACTION: (T-12:58 PM) The Mayor urged everyone to visit the Governmental Center lobby to view the exhibits- and essays of the winners of the Commission on the Status of Women essay contest. See Page \*\*\*\*\***

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- B. **CELEBRATING IRISH HISTORY MONTH**

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**ACTION: (T-12:58 PM) The Irish American Club is working with Fitzer's Irish & Scottish Gifts to have -Irish artifacts in display cases in the Governmental Center lobby. The Irish Cultural Institute of Florida and the Irish American Unity Conference are working in conjunction to put up historic displays and work by local Irish artists to display prints. A harpist and singer will be performing in the lobby on St. Patrick's Day. See Page \*\*\*\*\***

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~~C.~~

~~**ACTION: (T) See Page \*\*\*\*\***~~

~~D.~~

~~**ACTION: (T) See Page \*\*\*\*\***~~

64. **COUNTY COMMISSION LIAISON REPORT**

~~A.~~

~~**ACTION: (T-12:59 PM) No reports were filed. See Page \*\*\*\*\***~~

~~B.~~

~~**ACTION: (T) See Page \*\*\*\*\***~~

65. **COUNTY ADMINISTRATOR'S REPORT**

***ACTION: (T-1:00 PM) County Administrator Roger J. Desjarlais informed the Board there was nothing to report.***

**SUPPLEMENTAL AGENDA**

~~66. MOTION TO DIRECT staff to take necessary action to place on the Open Space inventory, the 61.5 acre parcel of property (Folio No. 494123010120) of the Safe Parks and Land Preservation Bond. (Mayor Lieberman)~~

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~~***ACTION: (T-12:54 PM) Deferred to Tuesday, March 23, 2004.***~~

~~67. MOTION TO ADOPT Resolution supporting the repeal of the provision in the Constitution of the State of Florida requiring the development of a Statewide High Speed Rail System. (Commissioner Parrish)~~

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**ACTION: (T-12:54 PM) - ~~Approved~~ Deferred to Tuesday, March 23, 2004.**  
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**ACTION: (T) - ~~Approved~~**

**NON AGENDA**

**68. CONGRATULATIONS TO MAYOR LIEBERMAN ON THE BIRTH OF A GRANDSON**

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**ACTION: (T-10:04 AM) The Board congratulated the Mayor and her family on the birth of her grandson, Justin Michael Lieberman, born on Friday, March 12, 2004; he weighed 6 lbs., 12 oz. and was 20 inches long.**  
**-See Page \*\*\*\*\***

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**68-69. BROWARD COUNTY COMMISSION COMPLIMENTED BY MIAMI-DADE COUNTY REPRESENTATIVES – COMMISSIONER GRABER**

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**ACTION: (T-12:58 PM) Commissioner Graber informed the Board that while representing the County in Tallahassee, representatives from Miami-Dade County complimented Broward County on the way the County conducts its business. See Page \*\*\*\*\***

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**69-70. COMMISSIONERS REPRESENTING THE COUNTY IN TALLAHASSEE – COMMISSIONER SCOTT**

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**ACTION: (T-12:59 PM) Commissioner Scott thanked the Board members for visiting Tallahassee on behalf of the County; he appreciates each board member's visit and support during the Legislative Session.**  
**See Page \*\*\*\*\***

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**70-71. TOWN OF PEMBROKE PARK OFFERED TO VOLUNTARILY DEANNEX A PORTION OF THEIR CITY INTO THE NEW CITY OF WEST PARK – COMMISSIONER WASSERMAN-RUBIN**

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**ACTION: (T-1:00 PM) ————— The Mayor asked staff to advise the County's lobbyists of the Board's position in supporting this issue (HB 1491).**  
**-See Page \*\*\*\*\***

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**74.72. PURCHASE OF SHOOSTER PROPERTY IN MARGATE – COMMISSIONER JACOBS**

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**ACTION: (T-1:00 PM) Commissioner Jacobs advised the Board that an issue has arisen in the agreement. She asked staff to resolve the issue; closing of the property is Friday, March 19, 2004. Acquisition of this property is very important. See Page \*\*\*\*\***

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**MEETING/WORKSHOP NOTICES**

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**SELECTION/NEGOTIATION COMMITTEE**  
**AEP MATERIALS TESTING/INSPECTION**  
**RLI No. 20031016-0-AV-02**

Tuesday, March 16, 2004 in Room 430 at 9:00 AM

**SELECTION/NEGOTIATION COMMITTEE**  
**ADA COMPLIANCE AT BUS STOPS**  
**RLI No. 20030516-0-MT-01**

Tuesday, March 16, 2004 in Room 302A at 9:00 AM

**SELECTION/NEGOTIATION COMMITTEE**  
**SECURITY SERVICES**  
**RLI No. 20030902-0-FC-01**

Tuesday, March 16, 2004 in Room 430 at 9:30 AM

**SELECTION/NEGOTIATION COMMITTEE**  
**FINANCIAL ADVISOR FOR AIRPORT SYSTEM**  
Tuesday, March 16, 2004 in Room 430 at 2:00 PM

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