

MEETING OF AUGUST 12, 2008

(Meeting convened at 10:14 a.m.; recessed at 12:30 p.m.; reconvened at 3:48 p.m.; recessed at 3:49 p.m.; reconvened at 5:33 p.m., and adjourned at 6:25 p.m.)

PLEDGE OF ALLEGIANCE was led by James Tarlton, President and CEO of Broward Alliance.

MOMENT OF SILENCE

In memory of Donald Pettit, U.S. Border and Customs Agent.

In memory of the brave men and women serving our country.

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

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

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Keechl and unanimously carried to approve the Consent Agenda consisting of items 1 through 48. At the request of the Mayor, Regular Agenda items 49, 51, 53, and 54 were transferred to the Consent Agenda.

The following items were pulled by the Board and considered separately: 1, 9, 16, 17, 18, 30, and 34.



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

BOARD APPOINTMENTS

1. MOTION TO APPOINT Martin Rubinstein to the Transit Advisory Board. (Commissioner Lieberman) (Deferred from August 5, 2008 – Item No. 1)

(This item was pulled by Commissioners Keechl, Eggelletion, and Lieberman)

ACTION: (T-10:22 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 6 – 3. Commissioners Eggelletion, Keechl, and Rodstrom voted no.

PUBLIC WORKS DEPARTMENT

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

2. MOTION TO APPROVE amendment to Required Improvements Agreement among Broward County, ABC Times Three, LLC, and Lennar Homes, LLC, establishing two Phases for installation of road improvements on Lyons Road and Wiles Road, related to the Paloma Lakes Plat, located in the City of Coconut Creek; effective upon execution, and at no cost to the County; and authorize the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

3. MOTION TO APPOINT Citigroup, Ramirez & Co., Morgan Stanley, Morgan Keegan, and SBK Brooks as underwriters for upcoming Water and Sewer bonds.

ACTION: (T-10:22 AM) Approved.

HUMAN RESOURCES DIVISION

4. MOTION TO APPROVE proposed new job classifications, title changes, and the elimination of unused job classifications as reflected in Exhibit 1.

ACTION: (T-3:48 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

PURCHASING DIVISION

For Community Services Department

5. **MOTION TO APPROVE** Second Amendment to the Agreement between Broward County and Cartaya and Associates Architects P.A., for Consulting Services for Prototype Buildings for Parks in Broward County, Florida, Request for Letters of Interest (RLI) No. 20011114-10-PA-01, to add an additional two years to the Agreement term, extending the end of the Agreement from September 8, 2008 to September 8, 2010, with no increase to the maximum Agreement payable amount of \$1,151,820; and authorize the Mayor and Clerk to execute same. **(Commission Districts 2,5,6,7,8,9)**

ACTION: (T-10:22 AM) Approved.

For Human Services Department

6. A. **MOTION TO WAIVE** specifications for Item No.'s 92, 106, 122, 123, 141, 143, 169, 223, 245, and 306 regarding Pharmaceutical Strength, Dosage Form, and Size as a minor or non-substantive technicality.

ACTION: (T-10:22 AM) Approved.

- B. **MOTION TO AWARD** open-end contract to single bidder, Springs Park Drug, Inc. d/b/a Romano's Pharmacy (Group 1), for Inpatient Pharmaceutical Services, Bid No. G308078B2, in the estimated two-year amount of \$631,170.84, and authorize the Director of Purchasing to renew the contract for a one-year period, for a total potential contract amount of \$946,756.26 for the Broward Addiction and Recovery Division (BARC). The initial contract period shall begin on August 16, 2008 and shall terminate two years from that date.

ACTION: (T-10:22 AM) Approved.

For Public Works Department

7. MOTION TO AWARD open-end multiple award contracts to the five, lowest responsive, responsible bidders, for Grounds Maintenance, Bid No. Q308102B2 in the estimated two-year amount of \$1,424,616.24, including \$2,000.00 in pass thru amounts, for the Facilities Maintenance Division, and authorize the Director of Purchasing to renew the contracts for an additional one-year period, for a total potential three year amount of \$2,136,924.36. The initial contract period shall begin on October 1, 2008 and shall terminate two years from that date.

Bidders:

The Landscape Company, Inc.
Design Build Engineers and
Contractors
Landscape Service Professionals, Inc.
Green Haven Inc.
JCL Maintenance Services, Inc. d/b/a
U.S. Lawns of East Broward

Contract Items

Central, North, South and West Groups
Central and North Groups
North and West Groups
South and West Groups
Central, North, South and West Groups

ACTION: (T-10:22 AM) Approved.

8. MOTION TO AWARD open-end contract to low bidder, Envirowaste Services Group, Inc., for Sewer Cleaning/Televising/Grouting and Video Capture Services, Bid No. M-4-07-114-B2 in the estimated two-year amount of \$672,150 for Water and Wastewater Services, and authorize the Director of Purchasing to renew the contract for one one-year period for a potential three year-amount of \$1,008,225. The initial contract period shall begin on the date of award and shall terminate two years from that date, subject to the receipt and acceptance of insurance.

ACTION: (T-10:22 AM) Approved.

9. MOTION TO APPROVE release of retainage and final payment in the amount of \$10,249.99 to Edwards Electric Corp., for the MCC/Load Center Replacement, Bid No. N305081CF, for Water and Wastewater Services. (WWS 8945)
(Commission District 2)

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-10:42 AM) Deferred until Tuesday, September 9, 2008, for staff to provide additional information as discussed. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

REVENUE COLLECTION DIVISION

10. MOTION TO FILE Quarterly Investment Report as required by Section 22.93 of the Broward County Administrative Code.

ACTION: (T-10:22 AM) Approved.

HUMAN SERVICES DEPARTMENT

BROWARD ADDICTION RECOVERY DIVISION

11. MOTION TO APPROVE allocation of State of Florida, Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant funding for the period of October 1, 2008 through September 30, 2009, in the amount of \$258,567 as recommended by the Broward County Commission on Substance Abuse; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:22 AM) Approved.

CHILDREN'S SERVICES ADMINISTRATION DIVISION



12. A. MOTION TO APPROVE Accreditation Agreement between Broward County and the National Children's Alliance (NCA) for the purpose of recognizing Broward County on behalf of its Sexual Assault Treatment Center as an Accredited Member of the National Children's Alliance.

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO APPROVE Licensing Agreement between Broward County and the National Children's Alliance for the purpose of fulfilling requirements that Accredited Members use and display certain NCA service marks and logos to increase public awareness and recognition of the mission and activities of NCA.

ACTION: (T-10:22 AM) Approved.

MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION

13. MOTION TO ACCEPT nomination William P. Johnson for appointment to the Broward Regional Emergency Medical Service (EMS) Council.

ACTION: (T-10:22 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

14. MOTION TO ADOPT Resolution 2008-501 of the Board of County Commissioners of Broward County, Florida, amending the non-vehicular access line on the County-owned Vinkemulder Plat; providing for release of the agreement for installation of required improvements related to the Vinkemulder Plat; providing for severability; providing for recording; and providing for an effective date. **(Commission District 2)**

ACTION: (T-10:22 AM) Approved.

PORT EVERGLADES DEPARTMENT

15. MOTION TO RATIFY Port Director's termination of the Daily Passenger Cruise Wharfage Agreement between Broward County and SeaEscape Entertainment, Inc., and to authorize the Port Director to execute a release, in a form approved by the County Attorney, releasing SeaEscape Entertainment, Inc. from County claims relating to the terminated agreement.

ACTION: (T-10:22 AM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

16. MOTION TO APPROVE Broward Alliance fiscal year 2009 Business Plan and Budget pursuant to the agreement between Broward County and the Broward Alliance. The organization serves as Broward County's key private sector partner in economic development complementing the County's broader economic development initiatives coordinated by the Office of Economic Development.

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-11:04 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY AUDITOR

17. MOTION TO FILE County Auditor's Report – *Nova Southeastern University Joint-Use Library Agreement: Review of Reported Public Usage from June 1, 2007 to May 31, 2008.*

(This item was pulled by Commissioners Gunzburger and Lieberman.)

ACTION: (T-11:14 AM) *Approved. (Refer to minutes for full discussion.)*

VOTE: 9 – 0.

COUNTY ATTORNEY

18. MOTION TO AUTHORIZE reimbursement to Commissioner Ilene Lieberman in the amount of \$925.67, regarding representation in Commission on Ethics Complaint No. 05-0125.

(This item was pulled by Commissioner Rodstrom.)

ACTION: (T-11:19 AM) *Approved, including the recommendation made by the County Auditor, as cited in the yellow-sheeted backup material dated August 12, 2008. (Refer to minutes for full discussion.)*

VOTE: 8 – 0. *Commissioner Lieberman abstained from voting.*

REQUEST TO SET FOR PUBLIC HEARING

19. MOTION TO ADOPT Resolution 2008-502 directing the County Administrator to publish Notice of Public Hearing to be held Tuesday, September 9, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider the adoption of a proposed Resolution, the title of which is as follows:

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 37, PART IV AND PART VI, OF THE BROWARD COUNTY ADMINISTRATIVE CODE; PROVIDING A REVISED PARKS SYSTEM FEE SCHEDULE FOR FY2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:22 AM) *Approved.*

20. MOTION TO ADOPT Resolution 2008-503 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 9, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE HIV HEALTH SERVICES PLANNING COUNCIL; AMENDING SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES TO PROVIDE FOR AUTOMATIC REMOVAL OF HIV HEALTH SERVICES PLANNING COUNCIL MEMBERS AFTER NUMEROUS UNEXCUSED ABSENCES; REMOVING THE PROVISION ALLOWING HIV HEALTH SERVICES PLANNING COUNCIL MEMBERS TO SERVE SIMULTANEOUSLY ON ANOTHER BROWARD COUNTY ADVISORY BOARD WHEN THE BOARD OF COUNTY COMMISSIONERS IS THE SOLE APPOINTING AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:22 AM) Approved.

21. MOTION TO ADOPT Resolution 2008-504 directing the County Administrator to publish a Notice of Public Hearing to be held September 9, 2008 at 2:00 P.M. in the County Commissioners' Meeting Room (Room 422), Governmental Center, to consider an application to renew the non-exclusive franchise of Everglades Waste Removal Services, LLC to provide vessel oily waste removal services for a five-year term at Port Everglades.

ACTION: (T-10:22 AM) Approved.

22. MOTION TO ADOPT Resolution 2008-505 directing the County Administrator to publish a Notice of Public Hearing to be held September 9, 2008 at 2:00 P.M. in the County Commissioners' Meeting Room (Room 422), Governmental Center, to consider an application to renew the non-exclusive franchise of Perma-Fix of Fort Lauderdale, Inc. to provide vessel oily waste removal services for a five-year term at Port Everglades.

ACTION: (T-10:22 AM) Approved.

23. MOTION TO ADOPT Resolution 2008-506 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, at 2:00 P.M. to consider enactment of an Ordinance adopting Small Scale land use plan amendment, PC 08-16, in the City of Coconut Creek to the Broward County Comprehensive Plan, **(Commission District 2)** the substance of which is as follows:

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

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:22 AM) Approved.

24. A. MOTION TO ADOPT Resolution 2008-507 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 07-5), establishing a "Transit Oriented Development" in the city of Sunrise, relating to the Amerifirst Tract (Metropica) Development of Regional Impact, pursuant to Section 163.3184(15). **(Commission District 5)**

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO ADOPT Resolution 2008-508 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 07-19), designating a "Transit Oriented Development" in the city of Sunrise, relating to the Amerifirst Tract (Metropica) Development of Regional Impact, pursuant to Chapter 163, Section 163.3184(15), Florida Statutes. **(Commission District 5)**

ACTION: (T-10:22 AM) Approved.

25. MOTION TO ADOPT Resolution 2008-509 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 08-14), located in the City of Pembroke Pines, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan. **(Commission District 8)**

ACTION: (T-10:22 AM) Approved.

26. MOTION TO ADOPT Resolution 2008-510 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan map (PC 08-15), located in the City of Plantation, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan. **(Commission District 9)**

ACTION: (T-10:22 AM) Approved.

27. MOTION TO ADOPT Resolution 2008-511 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-4), regarding "Green/Energy Efficient Land Use Pattern," as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

28. MOTION TO ADOPT Resolution 2008-512 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-5), regarding "Smart Growth" principles, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

29. MOTION TO ADOPT Resolution 2008-513 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-6), regarding updated water supply planning requirements, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

30. MOTION TO ADOPT Resolution 2008-514 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-7), regarding intergovernmental coordination with the School Board regarding large scale mixed land use plan amendments, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-11:20 AM) Approved. The Board directed staff to adjust the wording as discussed to reflect consideration of the Board. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

31. MOTION TO ADOPT Resolution 2008-515 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-8), regarding forums for intergovernmental coordination to address and review comprehensive planning activities, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

32. MOTION TO ADOPT Resolution 2008-516 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-9), regarding mixed-use structures in “Commercial” and “Employment Center” land use categories, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan

ACTION: (T-10:22 AM) Approved.

33. MOTION TO ADOPT Resolution 2008-517 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-10), regarding clarification of gross density calculations for residential development in non-residential areas, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

34. MOTION TO ADOPT Resolution 2008-518 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-11), regarding compatibility of land uses within redevelopment areas, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

(This item was pulled by Commissioner Lieberman.)

ACTION: (T-11:22 AM) Approved, as amended. The Board directed staff to remove the word "significant." (Refer to minutes for full discussion.)

VOTE: 9 – 0.

35. MOTION TO ADOPT Resolution 2008-519 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-12), regarding adding the definitions for "Essential Services Personnel" and "Workforce-Income Person," as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

36. MOTION TO ADOPT Resolution 2008-520 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan text (PCT 08-13), regarding community parks acreage calculations, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

37. MOTION TO ADOPT Resolution 2008-521 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan Natural Resource Map Series (PCNRM 08-1), to incorporate the Geographic Information Systems version of the same, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

38. MOTION TO ADOPT Resolution 2008-522 directing the County Administrator to publish notice of a Public Hearing to be held on September 9, 2008, 2:00 P.M., to consider transmittal to the State of Florida Department of Community Affairs of a proposed amendment to the Broward County Land Use Plan Natural Resource Map Series (PCNRM 08-2), to amend the Broward County Wetlands map, as a part of the second annual proposed 2008 amendments to the Broward County Comprehensive Plan.

ACTION: (T-10:22 AM) Approved.

39. MOTION TO ADOPT Resolution 2008-523 directing the County Administrator to publish Notice of a Public Hearing to be held on Tuesday, September 9, 2008 at 2:00 P.M. in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

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

ACTION: (T-10:22 AM) Approved.

40. MOTION TO ADOPT Resolution 2008-524 directing the County Administrator to publish Notice of a Public Hearing to be held on Tuesday, September 9, 2008 at 2:00 P.M. in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE DRAINAGE AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:22 AM) Approved.

41. MOTION TO ADOPT Resolution 2008-525 directing the County Administrator to publish Notice of a Public Hearing to be held on Tuesday, September 9, 2008 at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE CONSERVATION ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-10:22 AM) Approved.

42. MOTION TO ADOPT Resolution 2008-526 directing the County Administrator to publish Notice of a Public Hearing to be held on Tuesday, September 9, 2008 at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-10:22 AM) Approved.

43. MOTION TO ADOPT Resolution 3008-527 directing the County Administrator to publish Notice of a Public Hearing to be held on Tuesday, September 9, 2008 at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENT ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (T-10:22 AM) Approved.

44. MOTION TO ADOPT Resolution 2008-528 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 9, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING VARIOUS SECTIONS OF CHAPTER 8½ OF THE BROWARD COUNTY CODE OF ORDINANCES, "CODE ENFORCEMENT," PROVIDING FOR CODE ENFORCEMENT PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:22 AM) Approved.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

DEVELOPMENT AND ENVIRONMENTAL REGULATION DIVISION

45. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by Sound Connection Distributors, Inc. as a site for compensatory mitigation for unauthorized mangrove impacts in the City of Hollywood. **(Commission District 6)**

ACTION: (T-10:22 AM) Approved.

46. MOTION TO ACKNOWLEDGE use of the South Dade/Everglades Mitigation Bank by Hector Arana as a site for compensatory mitigation for unauthorized wetland impacts associated with two single family homes in the Town of Southwest Ranches. **(Commission District 8)**

ACTION: (T-10:22 AM) Approved.

47. MOTION TO DIRECT County Attorney to draft an Ordinance amending Section 27-201 of Chapter 27, Article V, Water Resource Management, of the Broward County Code of Ordinances to authorize the assessment of a reinspection fee for surface water management systems.

ACTION: (T-10:22 AM) Approved.

HOUSING AND COMMUNITY DEVELOPMENT DIVISION



48. A. MOTION TO APPROVE Revised Weighting Factors for the evaluation and selection of projects to receive Affordable Housing Program (AHP) funds (Exhibit 2).

ACTION: (T-10:22 AM) Approved.

- B. MOTION TO APPROVE revised procedural mechanisms for administering the Affordable Housing Program: providing for an appeal process regarding the results of the project rating whereby the Director of the Housing Finance and Community Development Division reviews and acts on appeal requests; and providing for the allocation of approximately \$1.5 million in Fiscal Year 2008 funds to projects in the “small-scale” category only.

ACTION: (T-10:22 AM) Approved.

REGULAR AGENDA

COMMUNITY SERVICES DEPARTMENT

CULTURAL DIVISION

- 49. **DELEGATION:** David A. Chodrow, Executive Director and Zammy Migdal, Board President of the Maximum Dance Company, d/b/a-Ballet Gamonet, regarding request for a waiver of deadline for submission of the Fiscal Year 2007 certified audited financial statements. **(Commission District 7)**

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

PUBLIC HEARING

STAFF REQUESTS THAT THE FOLLOWING ITEM BE CONTINUED TO THE SEPTEMBER 9, 2008 MEETING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



- 50. **MOTION TO APPROVE** Contract for Sale and Purchase between Broward County and Parkersquest, LLC, for the County’s acquisition of Safe Parks and Land Preservation Bond Program Open Space Site OS-70.08, containing 0.121 acres, or 5,250 square feet, improved with a residential duplex located at 2840 NW 11th Place in unincorporated Broward County, Florida, at a cost to the County of \$250,000. The site lies adjacent to the north boundary of Roosevelt Gardens Park, and is designated as Open Space Site OS-70.08 under the Safe Parks and Land Preservation Bond Program; 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 9) (Continued from June 24, 2008, Item No. 111)**

ACTION: (T-11:24 AM) The Board continued this item until Tuesday, September 9, 2008. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

END PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



- 51. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Fort Lauderdale for the Acquisition, Improvement, Enhancement, Operation and Management of Conservation Land Site CL-465, also known as Tarpon River Park; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO ADOPT Resolution 2008-529 for the conveyance of real property referred to as Site CL-465, Tarpon River Park, in the Broward County Conservation Land Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 7)**

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works Department

- 52. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide Engineering Services for the District 1A Water Treatment Plant Expansion, and approve Request for Letters of Interest (RLI) No. 20080623-9-EED-1.

ACTION: (T-11:26 AM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Commissioners Eggelton and Keechl; Director, Water and Wastewater Engineering Division, Public Works Department (Chair); Director, Water and Wastewater Operation Division, Public Works Department; Director, Environmental Monitoring Division, Environmental Protection and Growth Management Department, plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Purchasing Division, Risk Management Division, and the requesting agency. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

REVENUE COLLECTION DIVISION

53. MOTION TO EXTEND Agreement with State of Florida, Department of Revenue, from September 1, 2008 to September 30, 2008 to provide Title IV-D Depository services, and authorize the County Administrator to execute same.

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

NATURAL RESOURCES PLANNING AND MANAGEMENT DIVISION



54. MOTION TO ADOPT Resolution 2008-530 of the Board of County Commissioners of Broward County, Florida recognizing the value of the Broward County Water Preserve Area Project of the Comprehensive Everglades Restoration Plan and calling for the United States Congress to reauthorize the Water Preserve Area Project in the Water Resources Development Act of 2009 or other legislative vehicle; and providing for an effective date.

ACTION: (T-10:22 AM) Approved. (Transferred to the Consent Agenda.)

COUNTY ATTORNEY

55. MOTION TO APPROVE proposed Settlement Agreement including costs and attorney's fees, in the case of *Transdyn Controls, Inc. v. Broward County*, 17th Judicial Circuit Court Case No. 05-17307(09).

ACTION: (T-11:27 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

COUNTY COMMISSION

56. MOTION TO CONSIDER nominations for the citizen appointment to the Value Adjustment Board. (Mayor Wexler)

ACTION: (T-11:27 AM) Approved the nomination of Norman Thabit to the Value Adjustment Board. (Refer to minutes for full discussion.)

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

57. MOTION TO DISCUSS County policy for the use of state-certified and other types of mechanical amusement rides in the Broward County Park System. (Mayor Wexler)

ACTION: (T-11:33 AM) The Board directed staff to meet with the vendors and the Parks Advisory Committee for a dialogue before bringing this time back before the Board. (Refer to minutes for full discussion.)

58. COUNTY ADMINISTRATOR'S REPORT

A. AIRPORT REPORT FOR ZERO DISCREPANCIES

ACTION: (T-6:18 PM) Interim County Administrator Bertha Henry referred to a report on the airport for having zero discrepancies for ten consecutive years. (Refer to minutes for full discussion.)

B. GENERATOR READY RETAILERS NOW LISTED ON THE COUNTY WEBSITE

ACTION: (T-6:19 PM) Interim County Administrator Bertha Henry also informed the Board that generator-ready retailers in our community are now listed on the County's website and that this information could be very useful in the event of a hurricane. (Refer to minutes for full discussion.)

59. MAYOR'S REPORT

MILLION FATHER MARCH

ACTION: (T-6:19 PM) Mayor Wexler announced that School Board Member Ben Williams is involved in a "Million Father March" and requested that fathers accompany their young children to the first day of school on Monday, August 18, 2008. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

RISK MANAGEMENT DIVISION

60. MOTION TO AUTHORIZE County contract negotiation representatives to include contract terms which limit the parties' exposure to consequential damages and modify the County's indemnification requirements in (Aviation) construction and design contracts as determined necessary on a case-by-case basis. The

Broward County Board of County Commissioners approved contract form does not establish a cap for Consequential Damages.

ACTION: (T-5:33 PM) Deferred to Tuesday, September 9, 2008. (Refer to minutes for full discussion.)

VOTE: 9 – 0

COUNTY COMMISSION

61. MOTION TO CONSIDER nominations for two at-large appointments to the Climate Change Task Force. (Mayor Wexler)

ACTION: (T-12:25 PM) Deferred to Tuesday, September 9, 2008. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

62. MOTION TO NOMINATE Mr. Alejandro Herrera for appointment to the Tourist Development Council in the category of “tourism industry”. (Commissioner Wasserman-Rubin)

ACTION: (T-12:24 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9 – 0.

NON-AGENDA

63. FAREWELL TO JAMAICAN CONSUL GENERAL – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-6:20 PM) On behalf of the Board of County Commissioners, Commissioner Wasserman-Rubin was on hand at the Performing Arts Center on Monday, August 11, 2008, to say goodbye to the Consul General from Jamaica, Ricardo Allicock. (Refer to minutes for full discussion.)

64. EARLY VOTING – COMMISSIONER WASSERMAN-RUBIN

ACTION: (T-6:21 PM) Commissioner Wasserman-Rubin commented that she has voted early and urged anyone else who will not be here on August 26, 2008, to either vote early or by absenteeism. She reported that there was a technical problem with two of the voting machines and hoped it was an isolated case. (Refer to minutes for full discussion.)

65. CENSUS 2010 COMPLETE COUNT COMMITTEE – COMMISSIONER LIEBERMAN

ACTION: (T-6:22 PM) Commissioner Lieberman informed the Board that the first Census 2010 Complete Count Committee meeting took place on August 11, 2008 and was very successful. Subcommittees were created, and a memo will be forwarded shortly to each Commissioner with the names of the Chairs and the participants. (Refer to minutes for full discussion.)

66. GREEN THURSDAYS INITIATIVE – COMMISSIONER JACOBS

ACTION: (T-6:24 PM) Commissioner Jacobs reminded the Board that Green Thursdays has recently started and that beginning Thursday, August 14, 2008, she will be taking mass transit to work. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

FIRE RESCUE SERVICES COUNCIL WORKSHOP

Tuesday, August 12th, in Room 430 at 12:00 PM

