

MEETING OF SEPTEMBER 16, 2008

(Meeting convened at 10:18 a.m.; recessed at 12:07p.m.; reconvened at 2:45p.m.; and adjourned at 2:53 p.m.)

PLEDGE OF ALLEGIANCE was led by Commissioner Wasserman-Rubin.

MOMENT OF SILENCE

In memory of the victims of Hurricane Ike.

In memory of Estelle Ernstoff, longtime civil activist and past member of the South Broward Hospital Board.

Prayers for the victims of the train collision in California on Friday, September 12, 2008, between a freight train and Metro-Link .

Prayers for the families of our troops serving proudly in Iraq and Afghanistan.

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	Absent
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 Lieberman and unanimously carried to approve the Consent Agenda consisting of items 1 through 27. At the request of the Mayor, Regular Agenda Items 29, 32, and Supplemental Agenda Item 41 were transferred to the Consent Agenda.

The following item was withdrawn: 8. Item 28 was continued until Tuesday, September 23, 2008.

The following item was pulled by a member of the Board and considered separately: 13.



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

1.

BOARD APPOINTMENTS

- A. MOTION TO APPOINT Ms. Lori Parrish to serve on the Alcohol and Drug Abuse (B.A.R.C.) Advisory Board. (Commissioner Rodstrom.)

ACTION: (T-10:31 AM) Approved.

- B. MOTION TO RE-APPOINT Guithele Ruiz-Nicolas to the Commission on the Status of Women. (Commissioner Lieberman.)

ACTION: (T-10:31 AM) Approved.

PUBLIC WORKS DEPARTMENT

REAL PROPERTY SECTION

2. MOTION TO ADOPT Resolution 2008-609 authorizing conveyance by Quit Claim Deed of a 50-foot wide by 300-foot long, unimproved, portion of right-of-way, located at approximately 18800 Pines Boulevard to Waterman Pines, LLC, pursuant to Florida Statutes Section 255.22, located in the City of Pembroke Pines; at no cost to the County. **(Commission District 8)**

ACTION: (T-10:31 AM) Approved.

WASTE AND RECYCLING SERVICES

RECYCLING AND CONTRACT ADMINISTRATION DIVISION

3. MOTION TO APPROVE Fourth Amendment to Agreement between Broward County and the Broward Sheriff's Office for Waste Tire Removal and Suppression, extending the term to September 30, 2009 and adding two one-year renewal options with an annual not-to-exceed amount of \$172,200; and authorize the Mayor and Clerk to executive same.

ACTION: (T-10:31 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

4. **MOTION TO APPROVE** Fifth Amendment to the Agreement between Broward County and Harris Miller Miller & Hanson, Inc. (HMMH) for acoustical consulting services at the Fort Lauderdale-Hollywood International Airport (FLL), Request for Letters of Interest (RLI) No. 20021015-0-AV-01, for the Aviation Department, extending the agreement through December 31, 2008, with no increase in funds; provide for one option to renew for a three-month period under the award authority of the Director of Purchasing, and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:31 AM) Approved. (Scrivener's error – See County Administrator's Report: Summary Explanation/Background Section, Paragraph 2, DBE goal reads 20% should read 15%. Exhibit 1, Agreement Summary, Equity Program Participation Summary, Total County established reads 20% should read 15% and Total Contractor committed reads 20% should read 25.30%.)

5. **MOTION TO APPROVE** release of retainage and final payment in the amount of \$60,864.81, to Clean Airport Partnership (CAP), Inc., for Consultant Services for Environmental Quality and Enhancement Initiatives at the Fort Lauderdale-Hollywood International Airport, Request for Letters of Interest (RLI) No. 20040225-0-AV-01.

ACTION: (T-10:31 AM) Approved.

6. **MOTION TO APPROVE** Third Amendment to the Agreement with Jacobs Consultancy, Incorporated (Inc.) for Airport Planning Consultant Services at the Fort Lauderdale-Hollywood International Airport (FLL) and the North Perry Airport (HWO), Request for Letters of Interest (RLI) No. 20050422-0-AV-01EB, to exercise the two one-year options in the agreement for the Aviation Department, beginning on the date of execution and extending the agreement from September 30, 2008 to September 30, 2010, in the amount of \$1,750,000 increasing the total agreement amount to \$2,513,810; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:31 AM) Approved.

7. MOTION TO APPROVE Third Amendment to the Agreement with Landrum & Brown, Incorporated (Inc.) for Airport Planning Consultant Services at the Fort Lauderdale-Hollywood International Airport (FLL) and the North Perry Airport (HWO), Request for Letters of Interest (RLI) No. 20050422-0-AV-01EB to exercise the two one-year options of the agreement for the Aviation Department, beginning on the date of execution and extending the agreement from September 30, 2008 to September 30, 2010, in the amount of \$1,750,000, increasing the total agreement amount to \$2,738,814; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:31 AM) Approved. Per the yellow-sheeted additional material, replace two Exhibits B-1 in the Amendment attached as Exhibit 2 to Item 7 on today's agenda.

For Finance and Administrative Services Department

8. MOTION TO AWARD open-end contract to low responsive, responsible bidder, Marsh USA, Inc., Item 4, for Excess Workers' Compensation and Employers' Liability Coverage, Bid No. D408128B1, in the estimated annual amount of \$1,583,801; and authorize the Director of Purchasing to renew the contract for two, one-year periods, for a total potential estimated contract amount of \$4,751,403 for the Risk Management Division. The initial contract period shall begin on September 30, 2008 and shall terminate one year from that date.

ACTION: (T-10:31 AM) Withdrawn for further staff review.

For Public Works Department

9. MOTION TO APPROVE Fourth Amendment to the Agreement between Broward County and Miller, Legg & Associates, Inc., for the Continuation of Construction Site Service Administration and Reallocation of Construction Administration Task 13C to Additional Services Task 16S for the North Andrews Gardens Neighborhood Improvement Project (NAGNIP) for the Public Works Department, Request for Letters of Interest (RLI) No. 0117952-RB in the amount of \$705,863.00, increasing the total agreement amount from \$15,460,003.44, to \$16,165,866.44; and authorize the Mayor and Clerk to execute same. (Project No.1146) **(Commission District 4)**

ACTION: (T-10:31 AM) Approved.

10. MOTION TO AWARD fixed contract to low bidder, Grace & Naeem Uddin, Inc. for Port Everglades Terminal No. 25 Elevator Addition, Bid No. Q308069CAF, for the total amount of \$428,301 for all items, for the Seaport Engineering and Construction Division, subject to the receipt and acceptance of insurance/performance and payment guarantee, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:31 AM) Approved.

11. A. MOTION TO APPOINT Director, Community Services Department, as a member of the Selection Committee (SC) for Request for Letters of Interest (RLI) No. 20070416-7-CM-01A, Architect/Engineering Services for the New South Animal Care Facility replacing Director, Animal Care and Regulation Division.

ACTION: (T-10:31 AM) Approved. (Scrivener's error – See County Administrator's Report: Motion B, reads (RLI) No. 20070924-8-CM-01, should read (RLI) No. 20070924-7-CM-01.)

- B. MOTION TO APPOINT Director, Community Services Department as a member of the Selection Committee (SC) for Request for Letters of Interest (RLI) No. 20070924-8-CM-01, Managing General Contractor Services for the New South Animal Care Facility replacing Acting Director, Animal Care and Regulation Division.

ACTION: (T-10:31 AM) Approved. (Scrivener's error – See County Administrator's Report: Motion B, reads (RLI) No. 20070924-8-CM-01, should read (RLI) No. 20070924-7-CM-01.)

For Transportation Department

12. MOTION TO AWARD open-end contract to single responsive, responsible bidder, The Goodyear Tire and Rubber Company (Goodyear), for Bus Tire Leasing, Bid No. C807279B2, for Group 1, in the estimated two-year amount of \$2,315,407.20, for the Transportation Department, and authorize the Director of Purchasing to renew the contract for three, one-year periods for a potential five-year contract amount of \$6,340,644.00. The initial contract period shall begin on the date of the award, subject to the receipt and acceptance of insurance, and shall terminate two years from that date.

ACTION: (T-10:31 AM) Approved.

HUMAN SERVICES DEPARTMENT

13. MOTION TO ADOPT Resolution 2008-610 of the Board of County Commissioners of Broward County, Florida; making a finding and determination that the work and services of certain nonprofit organizations which are state-funded community mental health service providers serve a public purpose; authorizing appropriations and disbursements for those providers in the amount of \$2,395,000 for Fiscal Year 2009; prescribing requirements and conditions for disbursement of appropriated funds; approving funding for nonprofit organizations; approving standard form contracts for execution by the Broward County Administrator.

(This item was pulled by Commissioner Gunzburger.)

ACTION: (T-10:32 AM) Approved. *The Board asked Interim County Administrator Bertha Henry to follow up on the potential opportunity to bring forward additional dollars for AHCA, and to provide an answer to the Board today. (Refer to minutes for full discussion.)*

VOTE: 8-0.

ACTION: (T-11:35 AM) Without objection, the Board consented to Ms. Henry signing the grant agreement allowing the deadline to be met by Wednesday, September 17, 2008. (Refer to minutes for full discussion.)

14. MOTION TO APPROVE Agreement No. 09-HSD-8263-01 between Broward County and Henderson Mental Health Center, Inc, in the amount of \$772,990 for the period of October 1, 2008 through September 30, 2009 for the purpose of providing crisis stabilization services for adults in mental health crisis; authorizing the Mayor and Clerk to execute same.

ACTION: (T-10:31 AM) Approved.

ELDERLY AND VETERANS SERVICES DIVISION

15. MOTION TO APPROVE Agreement No. 09-EVSD-8209-01 between Broward County and the Areawide Council on Aging of Broward County, Inc. from October 1, 2008 to September 30, 2009 in the amount of \$684,920 for the purpose of providing local match funding of senior services; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:31 AM) Approved.

FAMILY SUCCESS ADMINISTRATION DIVISION

16. A. MOTION TO APPROVE Agreement LK923 between State of Florida Department of Children and Families and Broward County from October 1, 2008, through September 30, 2009, in the amount of \$862,132 for the purpose of providing employment and career ladder services to refugees, asylees and Cuban/Haitian entrants, and authorize the Mayor to execute same and attached certifications. No County match is required.

ACTION: (T-10:31 AM) Approved.

- B. MOTION TO ADOPT unanticipated revenue Resolution 2008-611 in the amount of \$862,132 within the Targeted Assistance for Refugees Fund (7680) for the purpose of providing employment and career ladder services to refugees, asylees, and Cuban/Haitian entrants.

ACTION: (T-10:31 AM) Approved.

OFFICE OF MANAGEMENT AND BUDGET

17. MOTION TO APPROVE interlocal agreement between Broward County and the City of Tamarac to implement the annexation of Continental Plaza and West Commercial Blvd/31st Avenue areas into the City. **(Commissioner District 9)**

ACTION: (T-10:31 AM) Approved.

OFFICE OF ECONOMIC DEVELOPMENT

18. MOTION TO APPROVE Amendment to the payment terms of the current agreement for Economic Development Services between Broward County and The Broward Alliance.

ACTION: (T-10:31 AM) Approved.

19. MOTION TO APPROVE Resolution 2008-612 of the Board of County Commissioners of Broward County Florida, certifying that the programs of Broward County Community Development Corporation, Inc. (DBA Broward Housing Solutions) are consistent with the Broward County Comprehensive Plan and regulations for the Construction and Renovations of Housing for low-income persons.

ACTION: (T-10:31 AM) Approved.

HISTORICAL COMMISSION

20. MOTION TO APPROVE Agreement between Broward County and Matthew DeFelice to serve as County Archaeologist on behalf of the Broward County Historical Commission from October 1, 2008 through September 30, 2009 for a total compensation not to exceed \$49,000.

ACTION: (T-10:31 AM) Approved.

21. MOTION TO APPROVE Agreement between Broward County and Helen Landers for services as County Historian for the period October 1, 2008 through September 30, 2009 for a total compensation not to exceed \$28,470.24.

ACTION: (T-10:31 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

22. MOTION TO ADOPT Resolution 2008-613 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 14, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 40, PART V, OF THE BROWARD COUNTY ADMINISTRATIVE CODE REGARDING HAZARDOUS MATERIAL FEES; REVISING THE FEE SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-10:31 AM) Approved.

23. MOTION TO ADOPT Resolution 2008-614 directing the Interim County Administrator to publish Notices of Public Hearings to be held at 2:00 p.m. on October 14, 2008 and October 28, 2008 in the County Commissioners' Meeting Room (Room 422), Governmental Center to consider approval of the First Amendment to Marine Terminal Lease and Operating Agreement between Broward County and Florida International Terminal, LLC and Compania Sud Americana De Vapores S.A. at Port Everglades.

ACTION: (T-10:31 AM) Approved.

24. MOTION TO ADOPT Resolution 2008-615 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 14, 2008, at 2:00 P.M., in Room 422 of the Governmental Center, to vacate two 5-foot wide platted utility easements, one lying within, over and across the north 25 feet of Lot 1, and the second, lying within, over and across Lot 2, Block 23, Lauderdale Beach Extension Unit B Plat, located at the southeast corner of NE 30th Street and NE 33rd Avenue, in the City of Fort Lauderdale; at no cost to the County. Petitioners: Miceal J. O'Leary and Preste Corporation (Craven Thompson & Associates, Inc., Agent) (2006-V-16) **(Commission District 4)**

ACTION: (T-10:31 AM) Approved.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION

25. MOTION TO APPROVE first amendment to contract 3600000735 (formerly ML060545) between Broward County and the South Florida Water Management District to collect Everglades water quality samples and field measurements at 26 stations in Broward County to revise the Statement of Work, decrease funding by \$3,127; revise the payment and deliverable schedule, and amend Agreement numbers; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:31 AM) Approved.

HOUSING FINANCE AND COMMUNITY DEVELOPMENT DIVISION

26. MOTION TO APPROVE HOME Investment Partnerships (HOME) Program Consortium Cooperation Agreement for Fiscal Years 2009, 2010, and 2011 between Broward County and the City of Coconut Creek, for the purpose of increasing the HOME allocation received by the Broward HOME Consortium and expanding the resources available to further affordable housing throughout Broward County; authorizing the Mayor and Clerk to execute same. **(Commission District 2)**

ACTION: (T-10:31 AM) Approved.

NATURAL RESOURCES PLANNING AND MANAGEMENT DIVISION

27. MOTION TO ADOPT Resolution 2008-616 of the Broward County Board of County Commissioners amending Resolution 2008-442 to waive the residency requirement of Section 1-233 Broward County Code of Ordinances for the selection of members to the Climate Change Task Force; increase the number of at-large members from two members to five members; and provide for all future vacancies to be filled in the at-large category with proper consideration for maintaining the original balance of categorical representations.

ACTION: (T-10:31 AM) Approved. Per the yellow sheeted additional material, this is a replacement agenda item and resolution.

REGULAR AGENDA

**THE FOLLOWING ITEM IS CONTINUED FROM
THE SEPTEMBER 9, 2008 PUBLIC HEARING, ITEM NO. 40**

PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

- 28. 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 \$215,000. 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 August 12, 2008 – Item No. 50)**

ACTION: (T-10:37 AM) The Board continued this item until Tuesday, September 23, 2008. (Refer to minutes for full discussion.)

VOTE: 8-0.

END PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

29. A. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Deerfield Beach for the Acquisition, Improvement, Enhancement, Operation And Management of Open Space Site OS-10, Melrose Property; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:31 AM) Approved. (Transferred to the Consent Agenda.)

- B. MOTION TO APPROVE transfer of funds to the City of Deerfield Beach in the amount of \$310,000 as reimbursement for the acquisition of real property referred to as Melrose Property (Site OS-10) in the Broward County Open Space Inventory under the Safe Parks and Land Preservation Bond program. **(Commission District 4)**

ACTION: (T-10:31 AM) Approved. (Transferred to the Consent Agenda.)

AVIATION DEPARTMENT

30. A. MOTION TO APPROVE Amendment No. 3 to Lease Agreement dated September 30, 2005, between Broward County and Sheltair Aviation Northside, LLC (Northside Lease), for approximately 14 acres for the purpose of a fixed base operation on the north side of the Fort Lauderdale-Hollywood International Airport (FLL), to eliminate Section 34(a), early termination of the Northside Lease; and authorize the Mayor and the Clerk to execute same, subject to execution of the Amendment by the Lessee, and subject to the consent and agreement of City National Bank of Florida to the amendment.

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

VOTE: 7-0. Commissioner Eggelletion was out of the room during the vote.

ACTION: (T-10:51 AM) Commissioner Eggelletion requested being shown voting in the affirmative.

VOTE: 8-0.

- B. MOTION TO APPROVE Amendment No. 5 to Lease Agreement dated September 30, 2005, between Broward County and Sheltair Aviation Center, LLC (Fueling Facility Lease), for approximately one acre for the operation of an aircraft fuel farm at FLL; to extend the construction completion deadline and the expiration date by one year; and authorize the Mayor and the Clerk to execute same, subject to execution of the Amendment by the Lessee, and subject to the consent and agreement of Bank of America to the amendment and to remove the encumbrance of its leasehold mortgage from leased areas being returned to the County.

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

VOTE: 7-0. Commissioner Eggelletion was out of the room during the vote.

ACTION: (T-10:51 AM) Commissioner Eggelletion requested being shown voting in the affirmative.

VOTE: 8-0.

- C. MOTION TO APPROVE Amendment No. 5 to Lease Agreement dated September 30, 2005, between Broward County and Sheltair Aviation Center, LLC (Westside Lease), for approximately 43 acres for the purpose of a fixed based operation on the west side of FLL; to extend certain time periods and dates in the Agreement; to extend the time periods for Additional Rent for Extended Reversion; to impose interest at the rate of five percent (5%) on the reversion amount beginning October 1, 2008; to adjust the area of the Tower Lot and Expanded Tower Lot; to adjust the area of the Option Parcel; to remove the GSE Maintenance Parcel; to grant the Lessee a credit for the Removed Property; to add the North Expanded Road Section; and authorize the Mayor and the Clerk to execute same, subject to execution of the Amendment by the Lessee, and subject to the consent and agreement of Bank of America to the amendment and to remove the encumbrance of its leasehold mortgage from leased areas being returned to the County.

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

VOTE: 7-0. Commissioner Eggelletion was out of the room during the vote.

ACTION: (T-10:51 AM) Commissioner Eggelletion requested being shown voting in the affirmative.

VOTE: 8-0.

- D. MOTION TO DISCUSS proposed rent credit of \$284,071.24, for the period of July, 2006, through September, 2008, for the Revised Tower Lot parcel due to previous uncertainty surrounding a potential new runway or runway expansion.

ACTION: (T-10:37 AM) Board discussion took place. The Board approved, as amended, the authorization of a rent credit in the amount of \$284,071.24 for the period of July 2006 through September 2008, for the Revised Tower Lot parcel due to a standstill agreement, and Broward County's position of awaiting a decision from the FAA from processing any site plan whatsoever, or any development of any portion of the property because of the uncertainties surrounding the potential new runway, and to authorize staff to include and draft the appropriate provision in Amendment 5 to the Westside Lease. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Eggelton was out of the room during the vote.

ACTION: (T-10:51 AM) Commissioner Eggelton requested being shown voting in the affirmative.

VOTE: 8-0.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Aviation Department

31. MOTION TO APPROVE Agreement between Broward County and Sunshine Cleaning Systems, Inc. for Janitorial Services at the Fort Lauderdale-Hollywood International Airport, Request for Letters of Interest (RLI) No. 20070522-0-AV-2, for a three-year term with two one-year renewals, for a total potential five-year cost of \$62,831,458.00, and authorize the Mayor and Clerk to execute same. The Agreement shall begin on October 1, 2008 and end three years from that date.

ACTION: (T-10:51 AM) Approved. (Scrivener's error – See County Administrator's Report: Summary Explanation/Background section, page 2, last paragraph, reads "...through August 20, 2008," should read through August 25, 2008.) Exhibit 2, Page 5 of 118, Section 4.1, 2nd paragraph, 2nd sentence, reads "personal," should read "personnel."

VOTE: 8-0.

HUMAN SERVICES DEPARTMENT

FAMILY SUCCESS ADMINISTRATION DIVISION

32. MOTION TO APPROVE Amendment to the Agreement between Broward County and the Broward County Housing Authority (BCHA) to increase funding in the amount of \$173,400 from \$160,000 to \$333,400 to provide rental subsidies for an additional seventeen foster care children aging out of the foster care system and authorize the Mayor to execute same and authorize the County Administrator to execute future amendments.

ACTION: (T-10:31 AM) Approved. (Transferred to the Consent Agenda.)

OFFICE OF PUBLIC AND GOVERNMENTAL RELATIONS

33. MOTION TO APPOINT Selection Committee (SC) to recommend not more than four qualified firms to provide the County with state legislative and executive branch lobbying services during the 2008-2009 Fiscal Year, including the 2009 Legislative Session, and to approve Request for Letters of Interest (RLI) No. 20080909-0-GR-01.

ACTION: (T-11:02 AM) Approved, as amended. (Scrivener's error – See County Administrator's Report: The Presentation Meeting will be held on October 21st from 1:00 p.m. – 3:00 p.m. instead of on October 16th due to scheduling conflicts.) The Board approved the following to serve on the Selection Committee (S/C) Commissioners Eggelletion, Keechl, Lieberman, Rodstrom, Mayor Wexler, Pamela L. Madison, Assistant County Administrator (Chair): Beth Chavez, Director, Community Services Department; and Phillip C. Allen, Director, Port Everglades. Additionally, staff from the offices of the County Attorney, County Auditor, Public and Governmental Relations, Risk Management and Purchasing Divisions will provide administrative support as necessary. The Board requested that the alternative language on page 4 of 7 of the yellow-sheeted additional material be accepted. The Board requested a modification of the RLI language to recommend "one or more qualified firms," with a stipulation as to Tony Carvalho's RLI amount and a non-advancement of Mr. Carvalho's contract. Additionally, the Board asked Ms. Henry to provide the minutes of the Tuesday, September 9, 2008, Commission meeting as it relates to this item. (Refer to minutes for full discussion.)

VOTE: 8-0.

COUNTY AUDITOR

34. A. MOTION TO FILE the County Auditor’s Report – *Report on Tasks Performed at the Request of the County Attorney’s Office Regarding Broward County’s Disadvantaged Business Enterprise (DBE) Program.*

ACTION: (T-11:22 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0.

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

ACTION: (T-11:22 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0.

COUNTY COMMISSION

35. MOTION TO DISCUSS request by the Animal Rights Foundation of Florida to have the Broward County Commission adopt a Board resolution expressing concerns over the large population of green iguanas in Broward County and South Florida and encouraging the Florida Fish and Wildlife Conservation Commission to officially designate iguanas as “Reptiles of Concern” and enact regulations and promulgate rules governing the possession, distribution, and release of green iguanas the State of Florida. (Mayor Wexler)

ACTION: (T-11:24 AM) Board discussion took place. The Board requested that this item be sponsored by the Board of Broward County Commissioners. Additionally, the Board requested that the County Attorney draft a similar resolution to Monroe County’s resolution. (Refer to minutes for full discussion.)

SHADE MEETING

The following item will be addressed at 2:00 p.m. or immediately following the morning meeting. As this is a Shade Meeting, it is not open to the public.

(Scrivener’s error – See County Administrator’s Report: On the Meeting Agenda above Item 36 relating to the Shade Meeting it should read immediately following the workshop instead of immediately following the morning meeting.)

COUNTY ATTORNEY

- 36. ATTORNEY-CLIENT MEETING Commencement of attorney-client session pursuant to Subsection 286.011 (8), Florida Statutes, to discuss settlement negotiations or strategy related to litigation expenditures in *National Beverage Corp. v. Broward County*, 17th Circuit Court Case No. 02-10896(07); *Broward County v. National Beverage Corp.*, 17th Circuit Court Case No. 08-27424(07); *Broward County v. National Beverage Corp.*, 17th Circuit Court Case No. 08-25548(12); and *National Beverage Corporation v. Broward County*, 4th DCA Case No. 4D08-3212.

ACTION: (T-11:33 AM) Mayor Wexler announced the attorney-client meeting relating to Item 36. (Refer to minutes for full discussion.)

END SHADE MEETING

COUNTY ATTORNEY

- 37. MOTION TO APPROVE Settlement Agreement regarding *National Beverage Corp. v. Broward County*, 17th Circuit Court Case No. 02-10896(07); *Broward County v. National Beverage Corp.*, 17th Circuit Court Case No. 08-27424(07); *Broward County v. National Beverage Corp.*, 17th Circuit Court Case No. 08-25548(12); *National Beverage Corporation v. Broward County*, 4th DCA Case No. 4D08-3212, *Broward County v. National Beverage Corp.*, 17th Circuit Court Case No. 05-10735(03); *Broward County v. National Beverage Corp.*, 17th Circuit Court Case No. 06-08784(12); and *Broward County v. National Beverage Corp.*, 4th DCA Case No. 4D07-2701.

ACTION: (T-2:45 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0.

38. COUNTY ADMINISTRATOR'S REPORT

A. (No report given.)

39. MAYOR'S REPORT

A. HIV CONFERENCE

ACTION: (T-11:36 AM) Mayor Wexler announced that she will be attending the HIV Conference and will be bringing a resolution in support of issues. (Refer to minutes for full discussion.)

B. BROWARD COUNTY GOVERNMENTAL CENTER WELLNESS CENTER

ACTION: (T-11:37 AM) Mayor Wexler informed the Board of the positive feedback that has been received as to the new Wellness Center at the Broward County Governmental Center. Potentially a grand opening of the Wellness Center will take place within the next two weeks. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

COUNTY ADMINISTRATION

40. MOTION TO AMEND 2008 Broward County Board of Commissioners' meeting schedule to reflect changes to the September and October schedule.

ACTION: (T-12:06 PM) Approved. (Refer to minutes for full discussion.)
The Board asked that staff meet individually with Commissioner Lieberman to brief her as to the issues of the Convention Center Hotel Workshop scheduled for Tuesday, October 7, 2008, as Commissioner Lieberman will be out of town. (Refer to minutes for full discussion.)

VOTE: 8-0.

41. MOTION TO APPROVE scheduling of an Executive Session ("Shade Meeting") for September 23, 2008, beginning at 12:00 pm or following the conclusion of the morning meeting, relative to collective bargaining with the County's Bargaining Units, pursuant to Section 447.605, Florida Statutes, and authorize County Administrator to post the appropriate notice.

ACTION: (T-10:31 AM) Approved. (Transferred to the Consent Agenda.)

NON-AGENDA

42. LACK OF FUNDING FOR ROADS AND RIGHT-OF-WAYS-COMMISSIONER RODSTROM, EGGELLETON, GUNZBURGER, AND MAYOR WEXLER

ACTION: (T-11:38 AM) Commissioner Rodstrom referenced a City of Fort Lauderdale Budgetary Item on the City of Fort Lauderdale's Agenda tonight that relates to hiring a design team to design the 7th and 9th connector. Commissioner Rodstrom raised questions as to why roads are built with no funding, and asked for Board support in sending a letter to the City of Fort Lauderdale stating Broward County's position. Commissioner Eggelletion suggested that a clear understanding from the MPO should come forward as to the source of funding. Mayor Wexler explained that there is a "disconnect," as it relates to funding new road design and right-of-ways. Mayor Wexler asked that information be brought back to the Board prior to the adjournment of this day's meeting. Commissioner Gunzburger stated that FDOT's design of Hollywood Boulevard to Young Circle, to the Intracoastal, is detrimental for residents of the neighborhood. (Refer to minutes for full discussion.)

ACTION: (T-2:47 PM) Interim Deputy County Administrator Dick Brossard provided information to the Board as it relates to funding for roads and right-of-ways. (Refer to minutes for full discussion.)

ACTION: (T-2:50 PM) Without objection, the Board supported writing a letter to the City of Fort Lauderdale as to the concerns of the Board of Broward County Commissioners as it relates to lack of funding for roads and right-of-ways. On Tuesday, September 23rd, 2008, an item will come forward surrounding the lack of funding for roads and right-of-ways. (Refer to minutes for full discussion.)

43. THE NAMING OF SMOKER PARK-COMMISSIONER RODSTROM

ACTION: (T-11:48 AM) Commissioner Rodstrom asked for Board support in officially naming Smoker Park. (Refer to minutes for full discussion.)

44. ARBITRATION LOST DUE TO PRIOR ACTIONS-COMMISSIONER LIEBERMAN AND COUNTY ATTORNEY JEFFREY NEWTON

ACTION: (T-11:51 AM) Commissioner Lieberman made inquiry as to a dollar impact relating to arbitration and the potential impact to the Fiscal Year 2009 Budget. Broward County Attorney Jeffrey Newton stated that he does not recall a dollar impact, as rulings required that bonuses be considered, but not necessarily given. (Refer to minutes for full discussion.)

45. ACQUIRING OF MERRIL LYNCH BY BANK OF AMERICA-COMMISSIONER LIEBERMAN

ACTION: (T-11:52 AM) Commissioner Lieberman made inquires as to Bank of America and the underwriting team, and asked staff to study the issues. Interim County Administrator Bertha Henry will provide an update as to the underwriting team and issues. (Refer to minutes for full discussion.)

46. RELIEF EFFORTS FOR HAITI-COMMISSIONER EGGELLETON, AND MAYOR WEXLER

ACTION: (T-11:53 AM) Commissioner Eggelletion asked for an update as it relates to relief aid for Haiti. Commissioner Eggelletion suggested that a relief team be put together, and that staff works closely with the Office of Congressman Hastings. Ms. Henry explained the present and current relief aid efforts made by Broward County. Commissioner Eggelletion and Mayor Wexler asked that Ms. Henry provide information to the local media as to the need for relief aid to Haiti, and asked that drop off sites in Broward County be made available for aid, and be promoted within the next 24 to 36 hours. (Refer to minutes for full discussion.)

47. FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT RUNWAY EXPANSION-VICE MAYOR RITTER, AND COMMISSIONER RODSTROM

ACTION: (T-12:01 PM) Vice Mayor Ritter announced that it has come to her attention that anti-airport expansion persons traveled to Washington DC to lobby the FAA against the runway at Fort Lauderdale-Hollywood International Airport, and that persons encouraged northern runway expansion. (Refer to minutes for full discussion.)

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE

**PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES
AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT**

RLI No. 20071014-0-AV-01A

Tuesday, September 16th, in Room 430 at 9:00 AM

PRE-TRIAL ORDINANCE BOARD WORKSHOP

Tuesday, September 16th, in Room 430 at 12:00 PM,

Or immediately following the morning Commission meeting

