

**MEETING OF OCTOBER 18, 2016**

(Meeting will convene at 10 a.m.)

**PLEDGE OF ALLEGIANCE****CALL TO ORDER****"BROWARD GOOD NEWS" MOMENT****PRESENTATION: STATUS ON MAJOR AVIATION PROJECTS  
MARK GALE, AVIATION DIRECTOR****CONSENT AGENDA****BOARD APPOINTMENTS**

1. **MOTION TO APPROVE** Board Appointments
  - A. **MOTION TO APPOINT** Heidi Siegel to the Bicycling and Pedestrian Advisory Committee. (Commissioner Furr)
  - B. **MOTION TO APPOINT** Tamara A. Ayon to the Commission On The Status of Women. (Commissioner Furr)
  - C. **MOTION TO APPOINT** Mark Douglas to the Consumer Protection Board. (Commissioner Holness)

**AVIATION DEPARTMENT**

2.
  - A. **MOTION TO AUTHORIZE** transfer of certain County-owned property, including the improvements located thereon, from the Broward County Aviation Department to the County to be used for the new Animal Care Facility, in exchange for a payment of \$3,321,450; and authorize the County Administrator to take the necessary administrative and budgetary actions to implement same.
  - B. **MOTION TO ADOPT** Resolution of the Board of County Commissioners of Broward County, Florida, authorizing the disposal of certain County-owned property from the Airport System pursuant to Section 712 of Resolution No. 2012-320, pertaining to Airport System Revenue Bonds; making a determination that the disposal of said property, which constitutes a part of the Airport System, will not impair the operating efficiency of the Airport System or reduce the revenue-producing capability of the Airport System; and providing for severability and an effective date.
  - C. **MOTION TO APPROVE** Declaration of Covenants, Restrictions, and Easements ("Declaration") to be recorded against the property; and authorize the Mayor and Clerk to execute same.

**3.**

MOTION TO APPROVE Cargo Building Lease Agreement between Broward County and Cargo Airport Services USA, LLC., at Broward County's Fort Lauderdale-Hollywood International Airport for 5,000 square feet of air cargo building space in the Broward County owned air cargo facility, effective upon Board approval and terminating on the last day of the fifth lease year; and authorize Mayor and Clerk to execute same.

4. MOTION TO APPROVE License Agreement between Broward County and New Cingular Wireless PCS, LLC for the installation, operation and maintenance of wireless personal communications service facilities at Broward County's Fort Lauderdale-Hollywood International Airport, with an effective date upon Board approval, and terminating on the fifth annual anniversary of the effective date; and authorize the Mayor and Clerk to execute same.

5. MOTION TO ADOPT Resolution authorizing the sale of certain parcels of real property pursuant to Section 125.35, Florida Statutes; approving a form deed and form declaration of covenants, restrictions, and easements for such sales, and authorizing the Mayor or Vice Mayor and the Clerk to execute same; approving a form contract for sale and purchase, and authorizing the County Administrator to execute same; authorizing the Director of the Aviation Department or his Designee to take actions as may be desirable in furtherance of the sale of the parcels; authorizing remittance to the Federal Aviation Administration and the Florida Department of Transportation of a portion of the proceeds of the sales, if applicable; and providing for severability and an effective date. The parcels included in this Board action are not needed for operational efficiency at the Airport, and will satisfy the requirements of the Interlocal Agreement between the County and Dania Beach.

## PUBLIC WORKS DEPARTMENT

### HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

6. MOTION TO ADOPT Resolution accepting a warranty deed executed by Value Store It Hollywood, LLC for right-of-way located along the east side of N 21st Avenue north of Taft Street in the City of Hollywood, at a nominal cost of \$10 to Broward County. **(Commission District 6)**
7. MOTION TO ADOPT Resolution accepting a road easement executed by Rag Davie, LLC located at the northeast corner of Davie Road and SW 35th Street in the Town of Davie, at a nominal cost of \$1 to Broward County. **(Commission District 7)**

### REAL PROPERTY SECTION

8. MOTION TO ADOPT Resolution authorizing conveyance to the City of Fort Lauderdale by quit claim deeds seven vacant parcels of land not suitable for further development that escheated to Broward County for delinquent real estate taxes; and authorize Mayor and Clerk to execute quit claim deeds and recordation of same. **(Commission Districts 7 and 9).**

## HUMAN SERVICES DEPARTMENT

### COMMUNITY PARTNERSHIPS DIVISION

9. MOTION TO APPROVE Agreement between Broward County and Barry University, Inc. (Barry) for the purpose of sharing de-identified client level information for academic evaluation of the Housing, Empowerment, Achievement, Recovery, Triumph (HEART) Program funded by the U.S. Department of Health and Human Services' Children's Bureau; authorizing the County Administrator to take necessary actions to execute the Agreement; and authorizing the Mayor and Clerk to execute same.



Established Commission Goal

## **ELDERLY AND VETERANS SERVICES DIVISION**

### **OFFICE OF MANAGEMENT AND BUDGET**

10. A. MOTION TO ADOPT budget Resolution within the Law Enforcement Trust Fund (LETF) for the Broward Sheriff's Office (BSO) in the amount of \$1,163,741 for the purpose of supporting the Forfeiture Unit for Fiscal Year 2017.
- B. MOTION TO ADOPT budget Resolution within the Law Enforcement Trust Fund (LETF) for the Broward Sheriff's Office (BSO) in the amount of \$293,455 for the purpose of supporting the Juvenile Firesetters Intervention Program for Fiscal Year 2017.

### **REQUEST TO SET FOR PUBLIC HEARING**

11. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held Tuesday, October 25, 2016, at 2:00 p.m. in Room 422 of the Governmental Center to consider issuance of a new License to provide Nonemergency Medical Transportation Services (NEMTS) to Secure Transportation Company of Florida, LLC.
12. MOTION TO DIRECT County Administrator to publish Notice of Public Hearing to be held Tuesday, October 25, 2016, at 2:00 p.m. in Room 422 of the Governmental Center to consider issuance of renewal Nonemergency Medical Transportation Services (NEMTS) Licenses to ED Transportation, Inc.; Promed Transportation Corporation; South Florida Heart Transportation Corp.; and Trinity Assistance Group, LLC dba Trinity.
13. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, directing the County Administrator to publish a Notice of Public Hearing to be held on Tuesday, November 29, 2016, at 2:00 p.m., in Room 422, Broward County Governmental Center, for the purpose of receiving public input on authorizing the Director of the Transportation Department to submit a grant application to the Florida Department of Transportation, for Federal Grant Program funds pursuant to 49 U.S.C. Section 5310 to purchase MV-1 purpose built special needs vehicles, each valued at the amount of \$50,428; authorizing the County Administrator to accept the Grant funding if it is awarded, and providing for an effective date.
14. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, November 1, 2016, at 10:00 a.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, RELATING TO THE CHARTER COUNTY AND REGIONAL**

TRANSPORTATION SYSTEM SALES SURTAX ("TRANSPORTATION SURTAX"); AMENDING BROWARD COUNTY ORDINANCE NO. 2016-14 RELATING TO ARTICLE V OF CHAPTER 31½ OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), FOR THE PURPOSE OF CONFORMING THE RATE AND DURATION OF THE TRANSPORTATION SURTAX TO THE TERMS OF THE TRANSPORTATION SYSTEM AND INFRASTRUCTURE SURTAXES INTERLOCAL AGREEMENT AND TRANSPORTATION SURTAX RESOLUTION NO. 2016-347; LEVYING, SUBJECT TO APPROVAL BY REFERENDUM, A ONE-HALF PERCENT (0.5%) TRANSPORTATION SURTAX FOR A PERIOD OF THIRTY (30) YEARS; PROVIDING FOR THE TRANSPORTATION SURTAX OVERSIGHT BOARD TO OVERSEE THE USE OF TRANSPORTATION SURTAX PROCEEDS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(Please note that standard Board procedures require public hearings to be held at 2:00 p.m. on the second Tuesday of each month. Approval of this item will enable the Board to consider enactment of the Ordinance prior to the November 8, 2016, General Election.)

## ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

### ANIMAL CARE AND ADOPTION DIVISION

15. A. MOTION TO APPROVE Grant Investment Agreement in the amount of \$150,000 from the Petco Foundation for the purpose of lifesaving efforts by the Animal Care and Adoption Division of the Environmental Protection and Growth Management Department; delegating authority to the County Administrator to accept and execute the Grant Investment agreement, to accept and execute any non-substantive amendments, and to take any other administrative and budgetary actions necessary to implement the grant.
- B. MOTION TO ADOPT budget Resolution within the Animal Care Grant Fund in the amount of \$150,000 for the purpose of lifesaving efforts.

### ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION

16. MOTION TO ACCEPT Deed of Conservation Easement and Agreement from the City of Parkland, over an on-site wetland mitigation area comprising 0.48 acres of real property located at the northeast corner of Trails End Road and Nob Hill Road, in the City of Parkland, and authorize the Mayor and Clerk to execute same. **(Commission District 3)**



Established Commission Goal

17. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from The Oceanage Association, Inc. over an on-site mangrove wetland mitigation area comprising 0.0344 acre of real property located at 1650 South Ocean Drive, in the City of Fort Lauderdale, and authorize the Mayor and Clerk to execute same. **(Commission District 4)**



Established Commission Goal

18. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from Kennedy Homes, LLC over an on-site wetland mitigation area comprising 1.67 acres of real property located on Davie Road approximately 0.67 mile south of Griffin Road, in the Town of Davie and authorize the Mayor and Clerk to execute same. **(Commission District 7)**



Established Commission Goal

19. MOTION TO APPROVE Cash Bond Agreement between Broward County and Mirabella 26, LLC in the amount of \$10,000, to be held as security for the continuation of the monitoring and maintenance 9.51 acres of off-site wetland mitigation located west of SW 156th Avenue and south of Pines Boulevard (Exhibit 3), in the Town of Davie, and authorize the Mayor and Clerk to execute same. **(Commission District 8)**



Established Commission Goal

## **POLLUTION PREVENTION DIVISION**

20. A. MOTION TO RETROACTIVELY APPROVE Modified Cooperative Agreement between Broward County and the U.S. Department of Energy (DOE) for the Rooftop Solar Challenge II Agreement (Go SOLAR Florida); updating the project objectives to add a rooftop solar bulk purchase program and reflect progress made on the Agreement to date; extending the Period of Performance to April 30, 2017; and authorizing the County Administrator to take any necessary administrative and budgetary actions to implement the grant. The term of this grant is from September 12, 2013 to April 30, 2017 and the total amount of the grant is \$2,275,777 (\$743,577 in-kind match and \$1,532,200 federal dollars).

B. MOTION TO APPROVE Third Amendment to the Agreement between Broward County and participating Go SOLAR Florida partner Florida Solar Energy Center (FSEC) for Go SOLAR Florida related services; extending the Agreement to July 30, 2017; authorize the County Administrator to execute same, or in substantially the same form; and authorize the County Administrator to execute all administrative and budgetary actions and amendments related to the agreement, subject to review by the Office of the County Attorney.



Established Commission Goal

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **RECORDS, TAXES, AND TREASURY DIVISION**

21. A. MOTION TO APPROVE cancellation of warrants from Central Account No. xxxxxxxxx3785, Tax Refund Account No. xxxxxxxxx9850, Tax Redemption Account No. xxxxxxxxx0916, Self Insurance Account No. xxxxxxxxx0518, and Payroll Account No. xxxxxxxxx3798, due to having a stale date, being unclaimed, or not being negotiated.

B. MOTION TO APPROVE cancellation of warrants from Central Account No. xxxxxxxxx3785, and Tax Redemption Account No. xxxxxxxxx0916, due to being lost or stolen. Checks have been reissued.

**RISK MANAGEMENT DIVISION**

- 22. MOTION TO APPROVE settlement of Claim 0730133623 and to authorize County Administration and the Office of the County Attorney to prepare applicable settlement documents.
- 23. MOTION TO APPROVE settlement of Claim 100902 and to authorize County Administration and the Office of the County Attorney to prepare applicable settlement documents.

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**QUASI-JUDICIAL CONSENT HEARING**

**ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT**

**PLANNING AND DEVELOPMENT MANAGEMENT DIVISION**

- 24. MOTION TO CONSIDER APPROVAL of a plat entitled Hillcrest Country Club North (006-MP-16). **(Commission District 6)**
- 25. MOTION TO CONSIDER APPROVAL of a plat entitled 3080 Sheridan Warehouse (012-MP-16). **(Commission District 6)**
- 26. MOTION TO CONSIDER APPROVAL of a plat entitled VPE Estates Replat (018-MP-16). **(Commission District 5)**
- 27. MOTION TO CONSIDER APPROVAL of a plat entitled 27 at Taft Industrial (021-MP-16). **(Commission District 8)**
- 28. MOTION TO CONSIDER APPROVAL of New Findings of Adequacy for a plat entitled Covenant Parcel Plat (071-MP-00). **(Commission District 1)**
- 29. MOTION TO CONSIDER APPROVAL of New Findings of Adequacy for a plat entitled E.K. Investment Plat (093-MP-01). **(Commission District 1)**
- 30. MOTION TO CONSIDER APPROVAL of a plat note amendment to the Atlantech Plaza (023-MP-10). **(Commission District 4)**
- 31. MOTION TO CONSIDER APPROVAL of a plat note amendment to the Pathways (015-MP-91). **(Commission District 6)**

- 32. MOTION TO CONSIDER APPROVAL of a plat note amendment to the Griffin Pointe (004-MP-07). **(Commission District 7)**
- 33. MOTION TO CONSIDER APPROVAL of a non-vehicular access line amendment on the Alpha 250 North (007-MP-08). **(Commission District 4)**

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**COUNTY ADMINISTRATION**

- 34. MOTION TO FILE Memorandum granting signature authority to Assistant County Administrators Monica Cepero and Alphonso Jefferson.
- 35. MOTION TO AMEND Broward County Board of County Commissioners' meeting schedule to reflect changes to the December schedule.

**PARKS AND RECREATION DIVISION**

- 36. MOTION TO ADOPT budget Resolution to reallocate funds within the Parks and Land Preservation Bond Fund for capital improvement projects, including \$300,000 for Miramar Pineland Improvements and \$57,700 for Quiet Waters Cabins, for a total of \$357,700. **(Commission Districts 2 and 8)**



Established Commission Goal

**COUNTY ATTORNEY**

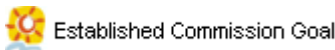
- 37. MOTION TO APPROVE settlement providing for payment of \$50,000 to Broward County, including costs and attorney's fees, in the case of Broward County v. Sandra Ayala and Dely Vincente, 17th Judicial Circuit Court Case No. 14-004617.09 (Broward County's Counter Claim and Third Party Complaint Only).
- 38. MOTION TO APPROVE settlement, including costs and attorney's fees, in the case of Lisa Butts v. Broward County, 17th Judicial Circuit Court Case No. 14-008055(25).
- 39. MOTION TO AUTHORIZE Office of the County Attorney to execute and file a Joint Motion for Amended Final Order in the administrative proceeding of Broward County v. Tocasna Investment LLC, CIT10-0046, to resolve tree preservation violations of Chapter 27 of the Broward County Code of Ordinances.
- 40. MOTION TO AUTHORIZE Office of the County Attorney to take any legal action reasonably necessary, including filing suit, to recover unpaid Tourist Development Tax, and ensure future payment of such tax, from Internet companies that are required by state law and County Ordinance to collect and remit such tax but have failed to do so.

**COUNTY COMMISSION**

**REGULAR AGENDA**

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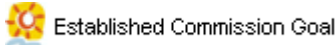
- 41. MOTION TO APPROVE allocation of up to \$326,350 in County Commission District 5 Discretionary Bond funds from the 2000 Safe Parks and Land Preservation Bond Issue (i.e. \$218,350 from the remaining balance of the District 5 Commissioner Discretionary Bond Funds, plus reallocation of \$50,000 from the expired Broward County Police Memorial Wall of Honor Agreement, plus \$58,000 from the additional funds allocated to each Commission District per Board direction provided at the August 16, 2016 County Commission meeting) for use in support of a splash pad, a recreational amenity, within Vista View Park and authorize the County Administrator to take all necessary administrative and budget actions to implement the same. **(Commission District 5)** (Commissioner Wexler)



**ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT**

**ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION**

- 42. MOTION TO ADOPT Resolution opposing the policies underlying Amendment 1, "Rights of Electricity Consumers Regarding Solar Energy Choice," which will be presented to Florida voters at the November 8, 2016 election, and expressing opposition to efforts to diminish access, reduce the competitiveness, or otherwise create disincentives for solar investments.



**OFFICE OF MANAGEMENT AND BUDGET**

- 43. MOTION TO AMEND Fiscal Year 2016 Broward Sheriff's Office (BSO) Budget to provide additional funds for actual expenses up to \$464,000 for leave cash-out payments to Dispatch employees leaving BSO employment, to reallocate funds within the existing BSO budget, should it be necessary, and to authorize the County Administrator to execute all administrative and budgetary actions necessary to implement these changes.

**OFFICE OF MEDICAL EXAMINER AND TRAUMA SERVICES**

- 44. A. MOTION TO DISCUSS Non-Governmental Emergency Medical Service Providers desiring to obtain new Certificates of Public Convenience and Necessity (COPCNs).
- B. MOTION TO RECEIVE Board direction on how to proceed with the process to issue COPCNs to entities desiring to provide emergency ambulance back-up services, and routine and interfacility transports within Broward County.

**REQUEST TO SET FOR PUBLIC HEARING**

- 45. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, November 29, 2016, 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 NONEMERGENCY MEDICAL TRANSPORTATION SERVICES ("NEMTS"); AMENDING SECTIONS 3½-8 AND 3½-15 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO ENABLE THE TRAUMA MANAGEMENT AGENCY TO REVIEW AND ADMINISTRATIVELY APPROVE NEMTS APPLICATIONS FOR RENEWAL LICENSES THAT HAVE NOT RECEIVED A COMPLAINT; AMENDING SECTIONS 3½-6 THROUGH 3½-8 OF THE CODE TO RECONCILE CERTAIN PROVISIONS AND ESTABLISH ADDITIONAL STANDARDS; AMENDING SECTION 3½-17 OF THE CODE TO INCREASE THE MINIMUM LIMITS FOR AUTOMOBILE INSURANCE COVERAGE REQUIRED OF NONGOVERNMENTAL EMERGENCY MEDICAL SERVICES AND NEMTS PROVIDERS; AMENDING SECTION 3½-19 OF THE CODE TO ESTABLISH REPORTING REQUIREMENTS FOR EMS PROVIDERS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

### **COUNTY COMMISSION**

46. A. MOTION TO DIRECT County Administrator to suspend negotiations with Young At Art of Broward, Inc. ("YAA") to amend the February 17, 2014 Agreement between Broward County and Young At Art of Broward, Inc., for Lease of Real Property for Young At Art Children's Museum (the "Agreement"), until YAA comes into compliance with the existing financial obligations under the Agreement.
- B. MOTION TO DISCUSS potential for the Broward County Cultural Division to assume responsibility for operation and maintenance of the YAA Children's Museum.
- C. MOTION TO DISCUSS options to assume operations of the pre-school operating at the YAA Children's Museum Facility. (Commissioner Wexler)

### **COUNTY ADMINISTRATION**

47. MOTION TO DISCUSS "All Aboard Florida (AAF)'s" request to acquire or enter into a long term lease with Broward County's Aviation Department (BCAD) for a .47 acre parcel of land for the placement of railroad tracks adjacent to Perimeter Road, as outlined in Exhibit 1.

### **48. MAYOR'S REPORT**

### **49. COUNTY ADMINISTRATOR'S REPORT**