

Broward County



Action Agenda - Published

Tuesday, May 10, 2022

10:00 AM

Broward County Governmental Center
Room 422 (Commission Chambers)

County Commission

MEETING OF MAY 10, 2022

(Meeting convened at 10:03 a.m., recessed at 12:36 p.m., reconvened at 1:51 p.m. and adjourned at 4:33 p.m.)

PLEDGE OF ALLEGIANCE was led by Port Everglades Director Jonathan Daniels.

CALL TO ORDER was led by Mayor Michael Udine, District 3.

MOMENT OF SILENCE

In memory of Martha Jane Furman, Pompano Beach.

In memory of Pompano Beach Historian Don Downie.

In memory of Substance Abuse Recovery Advocate Rocky Rodriguez.

In memory of our past and present brave men and women of the United States Armed Forces, who have served our country and continue to serve our country, at home and abroad.

THOUGHTS AND PRAYERS

Thoughts and prayers for the Furman and Downie families.

Thoughts and prayers for our First Responders and Public Safety Professionals, thanking them for their service.

Present: Commissioner Mark D. Bogen
Vice-Mayor Lamar P. Fisher
Commissioner Beam Furr
Commissioner Torey Alston
Commissioner Nan H. Rich
Commissioner Tim Ryan
Commissioner Jared E. Moskowitz
Mayor Michael Udine

Absent: Commissioner Steve Geller

Commissioner Bogen participated telephonically for the entirety of the Consent and a portion of the Regular Agenda.

CONSENT AGENDA

A motion was made by Vice-Mayor Fisher, seconded by Commissioner Alston and unanimously carried, to approve the Consent Agenda consisting of Items 1 through 27. At the request of the Mayor, Regular Item 47 and Supplemental Item 52 were transferred to the Consent Agenda.

Each item voted on the Consent Agenda was passed by unanimous vote of the Commission unless otherwise indicated by record vote.

Public Hearing Items consist of Items 28 through 42.

The following Items were withdrawn: 9 and 24.

The following Items were deferred: 43 and 44.

The following Item was continued: 42.

The following Items were pulled from the Consent Agenda by members of the public and considered separately: 2 and 15.

BOARD APPOINTMENTS

1. MOTION TO APPROVE Board Appointments

1A. MOTION TO APPOINT John R. Fiore to the Marine Advisory Committee. (Vice-Mayor Fisher)

ACTION: (T-10:35 AM) Approved with Regular Meeting Additional Material, dated May 10, 2022, submitted at the request of Vice-Mayor Fisher.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

1B. MOTION TO REAPPOINT Hugh Chakler to the Bicycling and Pedestrian Advisory Committee. (Commissioner Moskowitz)

ACTION: (T-10:35 AM) Approved with Regular Meeting Additional Material, dated

May 10, 2022, submitted at the request of Commissioner Moskowitz.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

- 1C.** MOTION TO APPOINT Tracy Stafford to the Advisory Board for Individuals with Disabilities (ABID). (Commissioner Ryan)

ACTION: (T-10:35 AM) Approved with Regular Meeting Additional Material, dated May 10, 2022, submitted at the request of Commissioner Ryan.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

- 1D.** MOTION TO APPOINT Ram N. Tewari to the Consumer Protection Board. (Commissioner Furr)

ACTION: (T-10:35 AM) Approved with Regular Meeting Additional Material, dated May 10, 2022, submitted at the request of Commissioner Furr.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

PORT EVERGLADES DEPARTMENT

- 2.** MOTION TO APPROVE Performance Based Milestone Funding Agreement between Broward County and the Florida Department of Environmental Protection to provide up to \$27,500,000 in funding to Broward County for site rehabilitation of petroleum contaminated areas at Port Everglades as part of the Port Everglades Slip 1 Expansion Project; and authorize the Mayor and Clerk to execute same.

(A member of the public pulled this item from the Consent Agenda.)

ACTION: (T-10:36 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

OFFICE OF MANAGEMENT AND BUDGET

- 3.** MOTION TO ADOPT budget Resolution within the General Fund transferring \$1,003,250 from the Broward Sheriff's Office (BSO) Department of Detention reserve to the Department of Detention operating budget to pay invoices for inmate inpatient care costs.

ACTION: (T-10:35 AM) Approved Resolution No. 2022-159.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT

4. MOTION TO APPROVE Broward County's participation in the South Florida Anchor Alliance (SFAA) Regional Marketplace Pilot Project ("Project") beginning 2022 through 2025; and authorize the County Administrator or designee to negotiate and execute agreements and associated amendments related to County's participation in the Project that are at a net zero cost to the County, including accepting a grant from the Health Foundation of South Florida, Inc., to fund expenses related to the Project, subject to review for legal sufficiency by the Office of the County Attorney, and to take all other administrative and budgetary actions associated therewith.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

5. A. MOTION TO ADOPT Resolution approving Project Starfish for a Broward County Direct Cash/Job Creation Incentive Grant pursuant to Section 9½-52, Broward County Code of Ordinances ("Code"), in the total amount of \$80,500 for Fiscal Years 2022 through 2029, based on the creation of 115 new, high-wage/high-skill jobs.

ACTION: (T-10:35 AM) Approved Resolution No. 2022-160.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

B. MOTION TO AUTHORIZE County Administrator, or designee, to execute all necessary documents to effectuate and administer Project Starfish's participation in the Broward County Direct Cash/Job Creation Incentive Grant Program pursuant to Section 9½-52 of the Code, for Fiscal Years 2022 through 2029, and to effectuate any future nonmonetary changes to the job creation schedule for Project Starfish, subject to review for legal sufficiency by the Office of the County Attorney and provided there is no increase in Broward County's total financial commitment.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

6. MOTION TO APPROVE one-year extension to the duration of the job creation schedule for Project Boost, a project previously recommended for approval by the Broward County Board of County Commissioners on November 18, 2014 (Item No. 3) as a qualified applicant for participation in the State of Florida Qualified Targeted Industry Tax Refund Program (“QTI”); and authorize the County Administrator to take all necessary administrative and budgetary actions to effectuate the extension.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

OFFICE OF PUBLIC COMMUNICATIONS

7. MOTION TO AUTHORIZE County Administrator to negotiate and execute a license agreement with First Call for Help, Broward, Inc., d/b/a 2-1-1 Broward (“2-1-1 Broward”), for up to five years at no cost to County, to permit the nonprofit entity to utilize certain space in the County’s Emergency Operations Center during activations to ensure continuity of the 2-1-1 service to the public, subject to review of the agreement for legal sufficiency by the Office of the County Attorney.

(Per the Tuesday Agenda Memorandum, the Board's consideration of Item 7 is based on the substitute motion statement distributed as Additional Material.)

ACTION: (T-10:35 AM) Approved as amended with Regular Meeting Additional Material, dated May 10, 2022, submitted at the request of Office of Public Communications.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

REGIONAL EMERGENCY SERVICES AND COMMUNICATIONS

OFFICE OF REGIONAL COMMUNICATIONS AND TECHNOLOGY

8. A. MOTION TO APPROVE Only Reasonable Source designation of Kirms Communications, LLC, to provide continued maintenance and repair services for Broward County public safety radio towers and shelters.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

B. MOTION TO APPROVE First Amendment to the Agreement between Broward County and Kirms Communications, LLC for Hardware and Maintenance Services for County's public safety radio towers and shelters; to extend the Agreement for up to five one-year optional renewal terms, through May 22, 2027, for a not-to-exceed amount of \$2,900,000, thereby increasing the total not-to-exceed amount from \$2,960,000 to \$5,860,000; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

COUNTY ATTORNEY

9. MOTION TO ADOPT Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE ESTABLISHMENT OF NEW VOTING PRECINCTS; MODIFYING VOTING PRECINCT BOUNDARIES PURSUANT TO SECTION 101.001, FLORIDA STATUTES; DIRECTING THE COUNTY ADMINISTRATOR TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE SUPERVISOR OF ELECTIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Per the Tuesday Agenda Memorandum, this item is being withdrawn by the County Attorney's Office for further review by the Supervisor of Elections. The item is anticipated to be placed on the May 24, 2022 County Commission agenda.)

10. MOTION TO APPROVE Participation Agreements regarding opioids litigation in substantially the form of Exhibits 1, 2, and 3; and to authorize the County Administrator to execute the Participation Agreements with any required modifications, provided such modifications do not impose any additional, material financial risk on the County, and subject to review and approval as to legal sufficiency by the Office of the County Attorney.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

TRANSPORTATION DEPARTMENT

11. MOTION TO APPROVE Trip & Equipment Grant Application and authorize the County Administrator to execute the Application and Agreement with the Florida Commission for

the Transportation Disadvantaged (FCTD) for State Fiscal Year 2023, subject to review for legal sufficiency by the Office of the County Attorney, in the total grant amount of \$5,831,148, which includes State funding to the County in the amount of \$5,248,034; authorizing County Matching funds (10%) in the amount of \$583,114; authorizing the County Administrator to provide additional information as requested, and to take any necessary administrative and budgetary actions to implement the Agreement.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

RESILIENT ENVIRONMENT DEPARTMENT

ANIMAL CARE DIVISION

12. A. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, accepting donation in the amount of \$500,000 from the Stuart B. Reese Living Trust to be deposited in the Animal Care Adoption Trust Fund for the funding of Lifesaving Programs; authorizing the County Administrator to take all administrative and budgetary actions to implement acceptance; and providing for severability and an effective date.

ACTION: (T-10:35 AM) Approved Resolution No. 2022-161.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

B. MOTION TO ADOPT budget Resolution within the Animal Care Adoption Trust Fund to appropriate revenue in the amount of \$500,000 for Fiscal Year 2022 for the purpose of recognizing a donation received from the Stuart B. Reese Living Trust to be used for the funding of lifesaving programs.

ACTION: (T-10:35 AM) Approved Resolution No. 2022-162.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

BUILDING CODE DIVISION

13. MOTION TO ADOPT Resolution to place a proposed amendment to the Broward County Charter on the ballot for the November 8, 2022, General Election, amending Section 9.01 of the Broward County Charter relating to the Central Examining Boards for construction trades, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 8, 2022, TO DETERMINE WHETHER TO AMEND SECTION 9.01 OF THE BROWARD COUNTY CHARTER RELATING TO CENTRAL EXAMINING BOARDS FOR CONSTRUCTION TRADES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

ACTION: (T-10:35 AM) Approved Resolution No. 2022-163.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

HOUSING FINANCE DIVISION

14. A. MOTION TO AUTHORIZE County Administrator to take all necessary administrative and budgetary actions to appropriate, recognize and implement unanticipated State Housing Initiatives Partnership Program (“SHIP Program”) revenue in the Local Housing Assistance Trust Fund generated during Fiscal Year 2020-2021 in the amount of \$373,836 (“SHIP Program Income”).

(Per the Tuesday Agenda Memorandum, signature pages have been received.)

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

B. MOTION TO AUTHORIZE Broward County Administrator to execute an amendment to an agreement with Center for Independent Living of Broward, Inc. (CIL) to implement the Broward County Special Needs Program (“CIL Agreement”), for the purpose of increasing the SHIP funding by \$112,043 and extending the term through June 30, 2023; and authorizing the County Administrator to execute amendments to the CIL Agreement, subject to approval as to form by the Office of the County Attorney.

(Per the Tuesday Agenda Memorandum, signature pages have been received.)

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

C. MOTION TO AUTHORIZE Broward County Administrator to execute an amendment to an agreement with Broward County Minority Builders Coalition, Inc. (BCMBC) to implement the Broward County Home Repair Program (“BCMBC Agreement”) and to execute an amendment to an agreement with the Habitat of Humanity of Broward, Inc. (HABITAT) to implement the Broward County Home Repair Program (“HABITAT

Agreement”), for the purpose of increasing the SHIP funding by \$100,000 in each agreement and extending the term through June 30, 2023 for both agreements; authorizing the County Administrator to execute amendments to the BCMBC Agreement and the HABITAT Agreement, subject to approval as to form by the Office of the County Attorney.

(Per the Tuesday Agenda Memorandum, signature pages have been received.)

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

- 15. MOTION TO APPROVE** gap financing for three affordable housing projects and associated amounts as follows: 1) Housing Opportunities Mortgage Assistance & Effective Neighborhood Solutions, Inc. (H.O.M.E.S., Inc.) or its affiliate (Scholars Village) at \$2,500,000 (30 units); 2) Habitat for Humanity of Broward, Inc. or its affiliate (Village at Middle River) at \$2,500,000 (24 units); and 3) Broward County Community Development Corp., Inc. or its affiliate (Senior Solutions) at \$655,315 (six units); authorizing the County Administrator to execute all agreements related to the listed gap financing projects, subject to approval as to legal sufficiency by the Office of the County Attorney; and authorizing the County Administrator to take the necessary administrative and budgetary actions. **(Commission Districts 4 and 8)**

(A member of the public pulled this item from the Consent Agenda.)

ACTION: (T-10:43 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

- 16. MOTION TO AUTHORIZE** County Administrator to amend Broward County's Five Year Strategic Consolidated Plan for Fiscal Years 2015-2019 and 2020-2024 and the accompanying Annual Action Plans for the U.S. Department of Housing and Urban Development ("HUD") Community Planning and Development Grants; reprogramming funds and revising Emergency Solutions Grant Coronavirus (ESG-CV2) funds, received through the Coronavirus Aid, Relief, and Economic Security (CARES) Act; authorizing the County Administrator to take all necessary administrative and budgetary actions for implementation of the changes, to submit the amendment to HUD, and to execute agreements, amendments, and reinstatements with subrecipient(s) of funding for the respective ESG-CV2 Program, subject to approval as to form by the Office of the County Attorney.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

17. MOTION TO FILE Quarterly Investment Report as required by Section 218.415(15), Florida Statutes and Section 22.93 of the Broward County Administrative Code.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

18. MOTION TO APPOINT RBC Capital Markets, LLC as Senior Manager (book-runner) with J.P. Morgan Securities LLC as the Co-Manager for the upcoming issuance of Port Everglades revenue bonds.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

PURCHASING DIVISION

For Port Everglades Department

19. MOTION TO APPROVE sole source, sole brand standardization of Low Profile Super Post Panamax Container Handling Gantry Cranes, parts, materials, and maintenance services from the manufacturer, Shanghai Zhenhua Heavy Industries Co., Ltd. Inc. DBA ZPMC NA East Coast Inc, for the Port Everglades Department.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

QUASI-JUDICIAL CONSENT HEARING

RESILIENT ENVIRONMENT DEPARTMENT

URBAN PLANNING DIVISION

20. MOTION TO APPROVE plat entitled Luckey’s (021-MP-21). (Commission District 6)

ACTION: (T-10:35 AM) Approved the plat subject to staff’s recommendations as outlined in the Development Review Report for a New Plat.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

END OF QUASI-JUDICIAL CONSENT HEARING

COUNTY ADMINISTRATION

CULTURAL DIVISION

21. A. MOTION TO APPROVE artwork design proposal for the Greater Fort Lauderdale Broward County Convention Center in an amount not to exceed \$692,500 (estimated amount of \$650,000 for art, \$37,500 for contingency, and \$5,000 for an allied artist). (Commission District 4)

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

B. MOTION TO ADOPT budget Resolution within the Tourist Development Capital Fund in the amount of \$692,500 from the Convention Center East Expansion project’s future capital outlay Reserve for the purpose of funding the artwork design proposal.

ACTION: (T-10:35 AM) Approved Resolution No. 2022-164.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

22. A. MOTION TO AUTHORIZE County Administrator to approve and execute the First Amendment to the Fiscal 2021 Grant Agreement between Broward County and The School Board of Broward County, Florida to retroactively reinstate and extend the term of the Grant Agreement through July 1, 2022, subject to review for legal sufficiency by the Office of the County Attorney. (Commission District 4)

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

B. MOTION TO AUTHORIZE County Administrator to approve and execute a Fiscal Year 2022 Grant Agreement, between Broward County and The School Board of Broward County, Florida in the amount of \$15,000, for a one-year contract term, subject to review for legal sufficiency by the Office of the County Attorney. **(Commission District 4)**

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

C. MOTION TO AUTHORIZE County Administrator to approve and execute a Fiscal Year 2022 Grant Agreement, between Broward County and The Fort Lauderdale Children's Theatre, Inc. D/B/A Florida Children's Theatre, in the amount of \$40,000, for a one-year contract term, subject to review for legal sufficiency by the Office of the County Attorney. **(Commission District 5)**

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

- 23.** MOTION TO AUTHORIZE County Administrator to approve and execute a Second Amendment to the Software as a Service Agreement between Broward County and Blackbaud, Inc., for a comprehensive grants management system, retroactively extending the initial term of the agreement through May 24, 2023, and providing for one optional extension term, for a total maximum amount not-to-exceed \$165,000, subject to review of the Second Amendment for legal sufficiency by the Office of the County Attorney; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Second Amendment.

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

PARKS AND RECREATION DIVISION

- 24.** A. MOTION TO APPROVE acceptance of \$5,000 in funding from the Florida Fish and Wildlife Conservation Commission (FWC), as part of its Gopher Tortoise Habitat Management Assistance Funding Program, for the use and benefit of Broward County

Parks and Recreation Division at Deerfield Island Park, to remove invasive trees within the gopher tortoise habitat; and authorize the County Administrator to execute any necessary documents subject to review for legal sufficiency by the Office of the County Attorney, and to take all necessary administrative action. **(Commission District 2)**

(Per the Tuesday Agenda Memorandum, withdrawn for further staff review.)

B. MOTION TO ADOPT budget Resolution within the General Capital Outlay Fund to appropriate revenue of \$5,000 for the removal of invasive plants within Deerfield Island Park. **(Commission District 2)**

(Per the Tuesday Agenda Memorandum, withdrawn for further staff review.)

REAL PROPERTY SECTION

25. MOTION TO APPROVE Easement granting Florida Power & Light Company a perpetual, non-exclusive underground and overhead utility easement on a portion of County-owned property located at 7201 South Airport Road in Pembroke Pines, Florida; authorize the Mayor and Clerk to execute the easement; and authorize recordation of same. **(Commission District 7)**

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

26. MOTION TO ADOPT Resolution accepting a groundwater monitoring well easement located at 1650 NE 50th Court in Pompano Beach from the City of Pompano Beach at no cost to the County; authorize the Mayor and Clerk to execute same and authorize recordation of same. **(Commission District 4)**

ACTION: (T-10:35 AM) Approved Resolution No. 2022-165.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

27. MOTION TO APPROVE Second Amendment to Purchase and Sale Agreement ("Second Amendment") between Broward County (Seller) and Mark and Angela Gasch (Purchaser) for the sale of surplus real property located at NW 38th Court in the Town of Davie ("Parcel") at a purchase price of \$24,995, plus closing costs, authorize Mayor and Clerk to execute the Second Amendment and Quit Claim Deed and authorize recordation of the Quit Claim Deed; and authorize the Director of Real Estate Development to execute and process normal and customary title closing documents. **(Commission District 5)**

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

PUBLIC HEARING

28. A. MOTION TO ADOPT supplemental budget Resolution within the General Fund and the Broward Municipal Services District Fund in the amount of \$52,323,491 to adjust the fund balance and other budgeted revenues and to appropriate funds for other commitments.

(Per the Tuesday Agenda Memorandum, the Board’s consideration of item will be based on the substitute resolution distributed as Additional Material.)

ACTION: (T-10:47 AM) Approved Resolution Nos. 2022-166 to 2022-167 as amended with Public Hearing Additional Material 28-A, dated May 10, 2022, submitted at the request of Office of Management and Budget. Commissioner Furr suggested an explanatory narrative be provided for budget transfer items. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

B. MOTION TO ADOPT supplemental budget Resolution within the County Transportation Trust Fund in the amount of \$12,528,904 to adjust the fund balance and other budgeted revenues and to appropriate funds for other commitments.

ACTION: (T-10:47 AM) Approved Resolution Nos. 2022-168 to 2022-172. Commissioner Furr suggested an explanatory narrative be provided for budget transfer items. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

29. MOTION TO ADOPT supplemental budget Resolution within the Special Revenue Funds in the amount of \$121,964,082 to adjust the fund balance and other budgeted revenues and appropriate funds to reserves and other commitments.

ACTION: (T-10:49 AM) Approved Resolution Nos. 2022-173 to 2022-229. Commissioner Furr suggested an explanatory narrative be provided for budget transfer items. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

30. MOTION TO ADOPT supplemental budget Resolution within the Capital Funds in the amount of <\$38,278,767> to adjust fund balance and other budgeted revenues and appropriate funds to reserves and other project commitments.

ACTION: (T-10:50 AM) Approved Resolution Nos. 2022-230 to 2022-233 and 2022-235 to 2022-241. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

31. MOTION TO ADOPT supplemental budget Resolution within the Enterprise Funds in the amount of \$212,397,255 to adjust the fund balance and other budgeted revenues and to appropriate funds to reserves and other commitments.

ACTION: (T-10:51 AM) Approved Resolution Nos. 2022-242 to 2022-253. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

32. A. MOTION TO ADOPT supplemental budget Resolution within the Debt Service Funds in the amount of \$80,108,905, primarily to adjust fund balances and to appropriate funds to reserves.

ACTION: (T-10:51 AM) Approved Resolution Nos. 2022-254 to 2022-260. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

- B. MOTION TO ADOPT supplemental budget Resolution within the Internal Service Funds in the amount of \$9,689,595, primarily to adjust fund balances and other budgeted revenues and to appropriate funds to reserves and other commitments.

ACTION: (T-10:51 AM) Approved Resolution Nos. 2022-261 to 2022-267. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

33. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Everglades Waste Removal Services, LLC, for a five-year term to provide vessel sanitary waste water removal services at Port Everglades; providing for franchise terms and conditions; and providing for severability and an effective date.

ACTION: (T-10:52 AM) Approved Resolution No. 2022-268. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

34. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Port Contractors - Southeast, LLC, for a five-year term to provide steamship agent services at Port Everglades; providing for franchise terms and conditions; and providing for severability and an effective date.

ACTION: (T-12:28 PM) Approved Resolution No. 2022-269. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

35. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Port Contractors - Southeast, LLC, for a ten-year term to provide cargo handler services at Port Everglades; providing for franchise terms and conditions; and providing for severability and an effective date.

ACTION: (T-12:29 PM) Approved Resolution No. 2022-270. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

36. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, granting renewal of a nonexclusive franchise to Port Contractors - Southeast, LLC, for a ten-year term to provide stevedore services at Port Everglades; providing for franchise terms and conditions; and providing for severability and an effective date.

ACTION: (T-12:29 PM) Approved Resolution No. 2022-271. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

37. MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE REORGANIZATION OF THE LAND DEVELOPMENT CODE AND THE ZONING CODE; AMENDING AND RENUMBERING VARIOUS SECTIONS OF CHAPTERS 5 AND 39 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO TRANSFER SITE PLANNING REQUIREMENTS AND FUNCTIONS FROM CHAPTER 5, ARTICLE IX ("LAND DEVELOPMENT CODE") TO CHAPTER 39 ("ZONING CODE"); AMENDING VARIOUS SECTIONS OF THE ZONING CODE TO REFLECT NEW DEPARTMENT AND DIVISION NAMES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-12:30 PM) Filed proof of publication and enacted Ordinance No. 2022-22 to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

38. MOTION TO ADOPT Resolution Amending the Broward County Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE REORGANIZATION OF THE LAND DEVELOPMENT CODE AND THE ZONING CODE; AMENDING EXHIBIT 25.A, EXHIBIT 25.D, AND SECTION 27.143 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-12:30 PM) Approved Resolution No. 2022-272. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

39. MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD

COUNTY, FLORIDA, PERTAINING TO THE STATEWIDE MEDICAID MANAGED CARE HOSPITAL DIRECTED PAYMENT PROGRAM; CREATING ARTICLE V OF CHAPTER 16 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR THE IMPOSITION, LEVY, COLLECTION, AND ENFORCEMENT OF A NON-AD VALOREM SPECIAL ASSESSMENT TO FUND THE NON-FEDERAL SHARE OF MEDICAID AND MEDICAID MANAGED CARE PAYMENTS TO BENEFIT EXISTING AND NEWLY LICENSED HOSPITAL PROPERTIES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Mayor Michael Udine)

ACTION: (T-12:26 PM) Filed proof of publication and enacted Ordinance No. 2022-23 to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

40. MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE LAND DEVELOPMENT CODE; AMENDING SECTION 5-180 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), PROVIDING FOR ADMINISTRATIVE APPROVAL OF TEMPORARY USES AND TEMPORARY NONVEHICULAR ACCESS LINE OPENINGS; AMENDING SECTION 5-201, ESTABLISHING THE DEFINITION OF TEMPORARY USE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-12:31 PM) Filed proof of publication and enacted Ordinance No. 2022-24 to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

41. MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO INSTITUTIONAL VANDALISM AND BIAS-MOTIVATED CRIMES; AMENDING ARTICLE IV OF CHAPTER 21 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); ESTABLISHING DIVISIONS; PROVIDING FOR APPLICABILITY AND DEFINITIONS; ESTABLISHING A BASIS FOR A CIVIL ACTION AND REPORTING OBLIGATIONS ARISING FROM INCIDENTS OF INSTITUTIONAL VANDALISM OR BIAS-MOTIVATED CRIMES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Senator Nan H. Rich)

(Per the Tuesday Agenda Memorandum, the Board's consideration of this item is based on the Ordinance as amended by the substitute page 3 that was distributed as Additional Material.)

ACTION: (T-12:31 PM) Filed proof of publication and enacted Ordinance No. 2022-25 to become effective as provided by law as amended with Public Hearing Additional Material, dated May 10, 2022, submitted at the request of Office of the County Attorney. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

42. MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO PRIVATE PARKING TICKETS; REPEALING SECTION 20-164.2 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AMENDING SECTION 8½-16 OF THE CODE REGARDING CIVIL PENALTIES FOR VIOLATIONS OF SECTION 20-164.2; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-12:34 PM) The Board continued this item to the June 7, 2022 Commission meeting. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.

END PUBLIC HEARING

REGULAR AGENDA

PUBLIC WORKS DEPARTMENT

TRAFFIC ENGINEERING DIVISION

43. A. MOTION TO APPROVE general guidelines to be used by cities and local, state, and federal law enforcement agencies for the installation and operation of law enforcement surveillance (LES) systems within Broward County ("County") right-of-way and/or attached to County-maintained traffic signal infrastructure, which sets forth installation and operational parameters of such systems. **(Deferred from April 26, 2022 - Item No. 3)**

(Per the Tuesday Agenda Memorandum, please note that Senator Geller will not be able to be present at the Commission Meeting on 05/10/22 because he is representing a client that is under Federal Court Order to appear tomorrow in Puerto Rico for an all-day settlement conference. For this reason, he is requesting that Item 43 be deferred until the next Commission meeting.)

B. MOTION TO APPROVE standard form Revocable License Agreement (RLA) for use between Broward County and cities and local, state, and federal law enforcement agencies for the installation, operation, and maintenance of Law Enforcement Surveillance (LES) systems within Broward County rights-of-way and/or attached to County-maintained traffic signal infrastructure, which provides for a description of the revocable license area/signalization equipment for the LES system installation (Exhibit A of the RLA), provides for a description of the LES system equipment, installation, operation and maintenance procedures (Exhibit B of the RLA), sets forth the conditions of use (Exhibit C of the RLA), and sets forth special technical provisions (Exhibit D of the RLA); authorize the County Administrator, or designee, to execute RLAs based on the approved standard form agreement and any amendments to the standard form agreement and exhibits, including amendments to RLAs, as may be necessary and provided the amendment does not impose any additional financial obligation on the County, each subject to review for legal sufficiency by the Office of the County Attorney; and authorize the County Administrator to take all necessary administrative actions to implement the resulting agreements. **(Deferred from April 26, 2022 - Item No. 3)**

(Per the Tuesday Agenda Memorandum, please note that Senator Geller will not be able to be present at the Commission Meeting on 05/10/22 because he is representing a client that is under Federal Court Order to appear tomorrow in Puerto Rico for an all-day settlement conference. For this reason, he is requesting that Item 43 be deferred until the next Commission meeting.)

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Public Works Department

44. MOTION TO APPROVE Request for Qualifications (RFQ) No. TRN2123529R1, Design-Build Sheridan Street Expansion Project, as Step One of a Two-Step (RFQ/RFP) procurement process, for the Highway Construction and Engineering Division. **(Commission Districts 1, 5 and 7)**

(Per the Tuesday Agenda Memorandum, deferred to the May 24, 2022 Commission meeting.)

COUNTY ATTORNEY

45. MOTION TO ADOPT Resolution to place a referendum on the ballot for the August 23, 2022, Primary Election, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD DURING THE 2022 PRIMARY ELECTION TO DETERMINE WHETHER THE SCHOOL BOARD OF BROWARD COUNTY MAY LEVY AN ADDITIONAL AD VALOREM TAX OF ONE MILL; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

ACTION: (T-11:02 AM) Following discussion, Mayor Udine made motion to place a referendum on the ballot for the November 8, 2022 General Election. Commissioner Alston seconded the motion. (Refer to minutes for full discussion.)

The vote failed.

VOTE: 2-6. Commissioner Bogen voted no telephonically. Commissioners Furr, Moskowitz, Rich, Ryan and Vice-Mayor Fisher voted no. Commissioner Geller was not present.

ACTION: (T-11:02 AM) Following discussion, the Board approved Resolution No. 2022-273. (Refer to minutes for full discussion.) (See Regular Meeting Additional Material, dated May 10, 2022, submitted at the request of County Administration.)

VOTE: 7-1. Commissioner Bogen voted in the affirmative telephonically. Commissioner Alston voted no. Commissioner Geller was not present.

COUNTY COMMISSION

46. MOTION TO DIRECT Office of the County Attorney to draft an Ordinance pertaining to a Tenant's Bill of Rights. (Commissioner Rich)

ACTION: (T-1:51 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not audible telephonically. Commissioners Geller and Moskowitz were not present.

47. MOTION TO APPOINT NOMINEE Morgan McCall for appointment at-large to the Climate Change Task Force in the category "Florida Power and Light." (Commissioner Rich)

(Transferred to the Consent Agenda.)

ACTION: *(T-10:35 AM) Approved.*

VOTE: *8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.*

48. MAYOR'S REPORT

(No report given.)

49. COUNTY ADMINISTRATOR'S REPORT

(No report given.)

MEETING/WORKSHOP NOTICES

BUDGET WORKSHOP

Tuesday, May 10, 2022, Room 422 at 12:30PM or immediately following
Commission Meeting

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

50. MOTION TO ADOPT Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, URGING GOVERNOR DESANTIS, THE FLORIDA DEPARTMENT OF EDUCATION, AND THE STATE BOARD OF EDUCATION TO READMINISTER THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM; DIRECTING TRANSMISSION OF THIS RESOLUTION TO THE OFFICIALS DESIGNATED HEREIN; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by Senator Nan H. Rich)

ACTION: *(T-1:53PM) The voted failed. (Refer to minutes for full discussion.) (Scrivener's Error - See County Administrator's Memorandum:*

Line 4 currently reads: ...STATE BOARD OF EDUCATION TO READMINISTER THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM;...

Should read: STATE BOARD OF EDUCATION TO REINSTATE THE ADMINISTRATION OF THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM;...)

VOTE: 4-1. Commissioner Alston voted no. Commissioners Bogen, Geller, Moskowitz and Vice-Mayor Fisher were not present.

ACTION: (T-2:09 PM) Following discussion, the Board tabled this item.

SECOND SUPPLEMENTAL AGENDA

COUNTY ADMINISTRATION

- 51. MOTION TO DISCUSS Broward County Sheriff's presentation on 911 call taking and dispatch services.**

ACTION: (T-2:09 PM) Following discussion, the Board directed the County Attorney's Office to bring an item back at the next Commission meeting in relation to an appropriate mid-term reconciliation reflecting numbers in the approximate range discussed by the Board. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioners Geller and Ryan were not present.

THIRD SUPPLEMENTAL AGENDA

COUNTY ADMINISTRATION

- 52. MOTION TO AMEND Broward County Board of County Commissioners' meeting calendar to reflect changes to the May Schedule.**

(Transferred to the Consent Agenda.)

ACTION: (T-10:35 AM) Approved.

VOTE: 8-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Geller was not present.