

Broward County



Action Agenda - Published

Tuesday, November 16, 2021

10:00 AM

Broward County Governmental Center
Room 422 (Commission Chambers)

County Commission

MEETING OF NOVEMBER 16, 2021

(Meeting convened at 10:04 a.m., recessed at 11:04 a.m., reconvened at 11:41 a.m. and adjourned at 12:18 p.m.)

PLEDGE OF ALLEGIANCE was led by Vice-Mayor Michael Udine, District 3.

CALL TO ORDER was led by Mayor Steve Geller, District 5.

MOMENT OF SILENCE

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.

In memory of our First Responders in appreciation for their service.

Present: Commissioner Mark D. Bogen
Commissioner Lamar P. Fisher
Commissioner Beam Furr
Mayor Steve Geller
Commissioner Dale V.C. Holness
Commissioner Nan H. Rich
Commissioner Tim Ryan
Commissioner Barbara Sharief
Vice-Mayor Michael Udine

STATE OF THE COUNTY MESSAGE

ACTION: (T-10:09 AM) Mayor Steve Geller delivered the State of the County Message. (Refer to minutes for full discussion.)

COMMISSION ELECTION OF MAYOR

ACTION: (T-10:35 AM) Vice-Mayor Michael Udine was nominated and elected Mayor of Broward County for a one-year term. (Refer to minutes for full discussion.)

VOTE: 9-0.

COMMISSION ELECTION OF VICE-MAYOR

ACTION: (T-11:52 AM) Commissioner Lamar P. Fisher was nominated and elected Vice-Mayor of Broward County for a one-year term. (Refer to minutes for full discussion.)

VOTE: 5-4. Commissioners Furr, Holness, Rich and Mayor Udine voted no.

CONSENT AGENDA

A motion was made by Commissioner Geller, seconded by Commissioner Sharief and unanimously carried, to approve the Consent Agenda consisting of Items 1 and 2. At the request of the Mayor, Supplemental Item 5 was 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.

BOARD APPOINTMENTS

- 1. MOTION TO APPROVE Board Appointments

OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT

- 2. MOTION TO AUTHORIZE Office of Economic and Small Business Development (OESBD) to solicit co-sponsorships greater than \$30,000 for the “Broward and Beyond Business Conference,” scheduled for May 6, 2022 (“BBBC”); and authorizing the County Administrator, or her designee, to execute BBBC co-sponsorship and related agreements, 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-11:44 AM) Approved.

VOTE: 9-0.

REGULAR AGENDA

- 3. **MAYOR'S REPORT**

A. BOARD APPOINTMENTS

ACTION: (T-12:16 PM) Mayor Udine requested the Board provide Intergovernmental Affairs Boards Section Manager Marty Cassini information with respect to board nominations and appointments, noting an inclination to keep appointments as previously assigned. (Refer to minutes for full discussion.) (See Regular Meeting Non-Agenda Additional Material, dated November 16, 2021,

submitted at the request of Intergovernmental Affairs Boards Section.)

B. COVID-19 STATISTICS

ACTION: (T-12:17 PM) Mayor Udine reported a positive trend in COVID-19 positivity and vaccination rates and advised of his request for County Administration to relax facial covering requirements in correlation to the positive trend in cases. (Refer to minutes for full discussion.)

C. FORT LAUDERDALE PRIDE PARADE

ACTION: (T-12:18 PM) Mayor Udine announced that he will be marching with Mayor Trantalis in the City of Fort Lauderdale Pride Parade, on November 20, 2021. (Refer to minutes for full discussion.)

D. BROWARD COUNTY NIGHT AT PANTHER ARENA

ACTION: (T-12:18 PM) Mayor Udine relayed that he will be dropping the puck at 6:55 p.m. tonight for Broward County Night at Panther Arena. (Refer to minutes for full discussion.)

4. COUNTY ADMINISTRATOR'S REPORT

COURTROOM DEDICATION

ACTION: (T-12:16 PM) County Administrator Bertha Henry announced the courtroom dedication on the 17th floor of the courthouse complex, on November 19, 2021. (Refer to minutes for full discussion.)

In response to County Administrator Bertha Henry, Mayor Udine thanked Commissioner Bogen for agreeing to emcee the event. (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA**FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

5. MOTION TO ADOPT Resolution No. 2021-521 of the Board of County Commissioners of Broward County, Florida authorizing issuance of Broward County, Florida Tourist Development Tax Revenue Bonds, Series 2021 (Convention Center Expansion Project), in the aggregate principal amount of not to exceed \$575,000,000, for the principal purposes of prepaying the Broward County, Florida Bond Anticipation Note, Series 2020A (Convention Center Expansion Project), and paying the costs of design, development, construction and equipping of the Convention Center Expansion; determining the form and certain details of the Series 2021 Bonds; delegating to the County Administrator the determination of certain matters and details concerning said Bonds, including whether the Series 2021 Bonds shall be secured by the reserve account; authorizing the negotiated sale of the Series 2021 Bonds and the execution and delivery of a purchase contract; authorizing the distribution and use of a Preliminary Official Statement, and authorizing the execution and delivery of an Official Statement; approving uncertificated, book-entry only registration of the Series 2021 Bonds with the Depository Trust Company; delegating to the County Administrator authority to negotiate and obtain a credit facility to insure all or a portion of the Series 2021 Bonds and to execute and deliver any related agreements; delegating to the County Administrator authority to negotiate and obtain a reserve account credit facility and to execute and deliver any related agreements; authorizing the execution and delivery of a Disclosure Dissemination Agent Agreement; providing for the application of bond proceeds; appointing a registrar and paying agent, a dissemination agent and, if necessary, an escrow agent; providing for the appointment of a financial printer for the Preliminary Official Statement and the Official Statement; authorizing proper officials to do all things deemed necessary in connection with the issuance, sale and delivery of the Series 2021 Bonds and the prepayment of the note; providing for the issuance of additional bonds and refunding bonds; providing for credit facilities, reserve account credit facilities and hedge agreements with respect to the Bonds as determined by the County; authorizing all necessary administrative and budgetary actions related to the Bonds; providing for severability and an effective date.

(Per the Tuesday Agenda Memorandum, the Board's consideration of the resolution, attached as Exhibit 1, includes the exhibits to the resolution distributed as Additional Material.)

(Transferred to the Consent Agenda.)

ACTION: (T-11:44 AM) Approved as amended with Regular Meeting Additional Material, dated November 16, 2021, submitted at the request of Finance and Administrative Services Department.

VOTE: 9-0.

6. A. MOTION TO AUTHORIZE County Administrator to approve and execute GMP Contract Amendment No. 4 to the Master Development Agreement (MDA) between Broward County and Matthews Holdings Southwest, Inc., (MSW) for the Convention Center Expansion and Headquarters Hotel Project (Project) in substantially the form provided to the Board (to be distributed Monday), in an amount not to exceed \$329.8 million for the Guaranteed Maximum Price 4 (GMP 4), for the vertical construction costs of the Eastern Expansion of the Convention Center, the CVB Building and the Public Plaza and other aspects of the project (Exhibit 1-GMP Proposal), to include a CBE goal reduction from 30% to 25%, provided it has been reviewed and approved as to legal sufficiency by the Office of the County Attorney.

(Per the Tuesday Agenda Memorandum, the Board's consideration of this item is based on the updates to Exhibits 1 and 2 and draft contract amendments distributed by Additional Material Item 6, and on the revised Summary of Terms to the Third Amendment and GMP Amendment No. 4, which deletes a paragraph inadvertently included in that amendment, distributed as Additional Material Item 6(2). FGMP Contract Amendment No. 5 is unchanged.)

ACTION: (T-11:45 AM) Approved as amended with Regular Meeting Additional Material 6 and 6(2), dated November 16, 2021, submitted at the request of County Administration.

VOTE: 9-0.

- B. MOTION TO AUTHORIZE County Administrator to approve and execute GMP Contract Amendment No. 5 to the MDA Between Broward County and MSW for the Project in substantially the form provided to the Board (to be distributed Monday), in an amount not to exceed \$571 million for the Guaranteed Maximum Price 5 (GMP 5), for the vertical construction costs of the Headquarters Hotel and other aspects of the Project (Exhibit 2-GMP Proposal), to include a CBE goal reduction from 30% to 25%, provided it has been reviewed and approved as to legal sufficiency by the Office of the County Attorney; and authorize the County Administrator to take all necessary budgetary and administrative actions needed to effectuate and implement GMP 5.

(Per the Tuesday Agenda Memorandum, the Board's consideration of this item is based on the updates to Exhibits 1 and 2 and draft contract amendments distributed by Additional Material Item 6, and on the revised Summary of Terms to the Third Amendment and GMP Amendment No. 4, which deletes a paragraph inadvertently included in that amendment, distributed as Additional Material Item 6(2). FGMP Contract Amendment No. 5 is unchanged.)

ACTION: (T-11:45 AM) Approved as amended with Regular Meeting Additional Material 6 and 6(2), dated November 16, 2021, submitted at the request of County Administration.

VOTE: 9-0.

C. MOTION TO AUTHORIZE County Administrator to approve a Third Amendment to the MDA Between Broward County and Matthews Holdings Southwest, Inc., (MSW) for the Convention Center Expansion and Headquarters Hotel Project (Project) to address requirements of the bond indenture, consistent with the summary of terms provided to the Board (to be distributed November 15, 2021), provided it has been reviewed and approved as to legal sufficiency by the Office of the County Attorney.

(Per the Tuesday Agenda Memorandum, the Board's consideration of this item is based on the updates to Exhibits 1 and 2 and draft contract amendments distributed by Additional Material Item 6, and on the revised Summary of Terms to the Third Amendment and GMP Amendment No. 4, which deletes a paragraph inadvertently included in that amendment, distributed as Additional Material Item 6(2). FGMP Contract Amendment No. 5 is unchanged.)

ACTION: (T-11:45 AM) *Approved as amended with Regular Meeting Additional Material 6 and 6(2), dated November 16, 2021, submitted at the request of County Administration.*

VOTE: 9-0.

COUNTY ADMINISTRATION

NON-AGENDA

7. HOLIDAY WISHES - THE BOARD

ACTION: (T-12:04 PM) *The Board wished everyone happy holidays. (Refer to minutes for full discussion.)*

8. PROSPERITY PARTNERSHIP - COMMISSIONER FURR

ACTION: (T-12:04 PM) *Commissioner Furr noted his participation in Prosperity Partnership with Broward Alliance and thanked AV Program Manager Michael Jorgensen for video production assistance. (Refer to minutes for full discussion.)*

9. CONGRATULATIONS - THE BOARD

ACTION: (T-12:05 PM) *The Board congratulated Michael Udine and Lamar P. Fisher in being elected as the new Mayor and Vice-Mayor of Broward County. (Refer to minutes for full discussion.)*

10. NEW RIVER CROSSING WORKSHOP - VICE-MAYOR FISHER

ACTION: (T-12:06 PM) Vice-Mayor Fisher announced that the Broward Commuter Rail New River Crossing Workshop will be held on November 18, 2021, at 6:00 p.m., and directed anyone with an interest in the stakeholder's meeting to visit: <https://www.browardcommuterrailstudy.com> for more information. (Refer to minutes for full discussion.)

11. LABOR WORKING GROUP MEETING - COMMISSIONER GELLER

ACTION: (T-12:06 PM) Commissioner Geller announced that the Labor Working Group meeting has been Sunshined and scheduled for November 18, 2021, at 9:00 a.m., at the Levan Center at Nova Southeastern University, and invited everyone to attend. (Refer to minutes for full discussion.)

12. WORLD CUP CRICKET - COMMISSIONER HOLNESS

ACTION: (T-12:09 PM) Commissioner Holness informed that the Central Broward Regional Park Stadium has been sanctioned by the International Cricket Council as a professional cricket pitch for World Cup cricket in North America and thanked staff for their work in partnership with Worldwide Sports. (Refer to minutes for full discussion.)

13. FITCE - COMMISSIONER HOLNESS

ACTION: (T-12:11 PM) Commissioner Holness announced that the Florida International Trade & Cultural Expo (FITCE) will be held November 17~18, 2021, at the Broward County Convention Center, 1950 Eisenhower Boulevard, Fort Lauderdale. For more information, visit: <http://fitcexpo.com> or contact the Office of Economic and Small Business Development: 954-357-6400. (Refer to minutes for full discussion.)

14. BOARD INVITATIONS - COUNTY ATTORNEY

ACTION: (T-12:15 PM) County Attorney Andrew J. Meyers requested the Board inform the County Attorney's Office as to event or meeting invitations received to ensure proper vetting in order to avoid Sunshine issues. (Refer to minutes for full discussion.)