

# **Broward County**



## **Action Agenda - Published**

**Tuesday, April 16, 2024**

**10:00 AM**

**Broward County Governmental Center  
Room 422 (Commission Chambers)**

### **County Commission**

**MEETING OF APRIL 16, 2024**

Meeting convened at 10:08 a.m. and adjourned at 12:54 p.m.

**Present:** Commissioner Mark D. Bogen  
Commissioner Lamar P. Fisher  
Vice-Mayor Beam Furr  
Commissioner Steve Geller  
Commissioner Robert McKinzie  
Mayor Nan H. Rich  
Commissioner Hazelle P. Rogers  
Commissioner Tim Ryan  
Commissioner Michael Udine

Mayor Rich participated telephonically for the Consent Agenda and the Regular Agenda.

**CALL TO ORDER**

Call to order was led by Vice-Mayor Furr, District 6.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was led by Broward County Libraries Division Director Allison Grubbs.

**MOMENT OF SILENCE**

In memory of US Navy Sailor Oriola Michael Aregbesola, Miramar.

In memory of Jorge De La Torre, Gwinnett County.

In memory of Bill Gunter, former Congressman and Insurance Commissioner.

In memory of Delores "Cherry" Duncan, East Sunrise Residents Association Founder.

In memory of Buddy Newbold, Sr., Lauderdale Lakes.

In honor of all the brave men and women, who have served and continue to serve in our Armed Forces both here and abroad, thanking them for their service.

**PROCLAMATION(S)**

National 911 Education Month/Tom Gallagher Awards Proclamation presented to Coral Springs Fire Department and Broward Sheriff's Office by Commissioner Udine.

Maternal Health and Rights Awareness Month Proclamation presented to Broward County Community Partnership, Healthy Start Coalition and Status on the Commission of Women by Commissioner Rogers.

Fort Lauderdale Dog Club 75th Anniversary Proclamation presented to Fort Lauderdale Dog Club by Vice-Mayor Furr.

70th Anniversary Zeta Chi Chapter of Omega Psi Phi Fraternity presented to Zeta Chi Chapter of Omega Psi Phi and Zeta Chi Chapter Fraternity by Commissioner McKinzie.

### **TUESDAY MORNING MEMO**

The Tuesday Agenda Memorandum was read by Reading Clerk Kyle Bienkowski.

### **CONSENT AGENDA**

A motion was made by Commissioner Geller, seconded by Commissioner McKinzie and unanimously carried, to approve the Consent Agenda consisting of Items 1 through 55. At the request of the Mayor, Regular Items 62, 67, 68 and 71 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 56 through 59.

Regular Agenda Items consist of Items 60 through 73.

The following Items were withdrawn: 14 and 66.

The following Item was deferred: 18.

The following Items were pulled from the Consent Agenda by the Board and considered separately: 11, 12, 13, 22, 31 and 32.

The following Item was pulled from the Consent Agenda by a member of the public and considered separately: 18.

### **BOARD APPOINTMENTS**

1. MOTION TO APPROVE Board Appointments

- 1A. MOTION TO APPOINT Charles J. Horowitz to the Consumer Protection Board in the category of "registered voter." (Mayor Rich)

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- 1B. MOTION TO APPOINT Miya Burt-Stewart to the Human Rights Board in the category of "Small Business Owner." (Vice-Mayor Furr)

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- 1C. MOTION TO APPOINT Diana Esposito to the Advisory Board for Individuals with Disabilities in the category of "Registered Voter; Dedicated to Advancement of the Disabled." (Vice-Mayor Furr)

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- 1D. MOTION TO APPOINT Joshua L. Agriesti to the Unsafe Structures Board in the at-large category of "Electrical Contractor." (Vice-Mayor Furr)

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- 1E. A. MOTION TO APPOINT Dev Motwani to the Performing Arts Center Authority in the at-large category of the board.

***ACTION: (T-10:44 AM) Approved with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Commissioner Bogen.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan***

*was not present.*

B. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes for Dev Motwani who holds an employment or a contractual relationship with an entity that receives funds from Broward County. (Commissioner Bogen)

***ACTION: (T-10:44 AM) Approved with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Commissioner Bogen.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- 1F. A. MOTION TO APPOINT Lt. Meghan Anderson to the Homeless Continuum of Care (HCOC) Board in the category of the "Corrections/Law Enforcement -Broward Sheriff's Office."

***ACTION: (T-10:44 AM) Approved with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Intergovernmental Affairs/Board Section.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

B. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes, for Lt. Meghan Anderson who holds employment or a contractual relationship with an entity that receives funds from Broward County.

***ACTION: (T-10:44 AM) Approved with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Intergovernmental Affairs/Board Section.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

## **PUBLIC WORKS DEPARTMENT**

### **HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION**

2. MOTION TO ADOPT Resolution accepting a Road Easement executed by Decoral Properties, LLC on a portion of real property located at the southwest corner of NW 39th Street and Coral Ridge Drive in the City of Coral Springs, at no cost to Broward County. (Commission District 3)

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-107.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan***

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*was not present.*

## **REAL PROPERTY AND REAL ESTATE DEVELOPMENT DIVISION**

3. MOTION TO ADOPT Resolution accepting a perpetual non-exclusive drainage easement on, over, across, and through property located at 1698 N Andrews Avenue, Pompano Beach FL 33069 from BREF Andrew's LLC, at no cost to the County; and authorize recordation of same. **(Commission District 8)**

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-108.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

4. MOTION TO APPROVE Revocable License Agreement between Broward County and the Florida Department of Transportation (FDOT) for the nonexclusive access and use of County-owned property located within the City of Hollywood for use as a staging area for the construction of two pump stations at State Road A1A; and authorize Mayor and Clerk to execute same. **(Commission District 6)**

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

5. MOTION TO AUTHORIZE County Administrator, for a limited time period through October 16, 2024, to submit offers, counteroffers, bids, and proposals to acquire real property for a future government purpose if the County Administrator determines (1) that timing or other material circumstances reasonably prevent or preclude prior consultation with or consideration by the Board; (2) that the amount the County would be obligated to pay under the applicable offer, counteroffer, bid, or proposal is at or below the County Administrator's determination of fair market value for the property to be acquired; and (3) that adequate and appropriate funding sources are available to consummate such transaction; including the authority to execute letters of intent, memorandums of understanding, and purchase agreements relating thereto, subject to approval as to legal sufficiency by the Office of the County Attorney of all documents that would bind the County to such acquisition without requiring formal approval or ratification by the Board, and subject to the County Administrator promptly reporting to the Board any action taken pursuant to this delegation; and authorizing the County Administrator to take all necessary administrative and budgetary actions, including transfers of funds from reserves and conducting required due diligence, related thereto.

***ACTION: (T-10:44 AM) Approved.***

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***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

## **WATER AND WASTEWATER ENGINEERING DIVISION**

6. MOTION TO ADOPT five Resolutions accepting utility easements located in the City of Lauderdale Lakes as part of the County's Utility Analysis Zone construction projects to improve local utilities. **(Commission District 9)**

***ACTION: (T-10:44 AM) Approved Resolution Nos. 2024-109 through 2024-113.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

7. MOTION TO ADOPT Resolution accepting a utility easement executed by U-Haul Co. of Florida, located at 1120 NE 48th Street (Parcel ID 484213420010), in the City of Pompano Beach. **(Commission District 4)**

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-114.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

8. MOTION TO ADOPT two Resolutions accepting utility easements located at 1240-1250 NE 48th Street (Parcel ID 484213400020) and 1260-1270 NE 48th Street (Parcel ID 484213400010) in the City of Pompano Beach. **(Commission District 4)**

***ACTION: (T-10:44 AM) Approved Resolution Nos. 2024-115 through 2024-116.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

## **WATER AND WASTEWATER OPERATIONS DIVISION**

9. MOTION TO APPROVE Third Amendment to Agreement between Broward County and Polydyne Inc. for Polymer, Contract No. OPN2118441B1, to provide an additional five one-year renewals through August 19, 2029, increase the unit price for each renewal period, and to increase the maximum not-to-exceed amount by \$8,366,531 for a new maximum not-to-exceed amount of \$14,684,530, authorizing the Mayor and Clerk to execute same. **(Commission District 2)**

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan***

*was not present.*

## **HUMAN SERVICES DEPARTMENT**

### **CRISIS INTERVENTION AND SUPPORT DIVISION**

10. A. MOTION TO APPROVE Contract No. 23FVP27 between Florida Council Against Sexual Violence, Inc. ("FCASV"), and Broward County in the amount of \$130,607, effective December 1, 2023, through June 30, 2025, to support survivors of sexual assault and enhance the delivery of sexual assault recovery services; authorize the Mayor and Clerk to execute same; authorize the County Administrator to execute amendments to the Contract, subject to review for legal sufficiency by the Office of the County Attorney, that do not impose any additional financial obligations on the County; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Contract.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

B. MOTION TO ADOPT budget Resolution within the Crisis Intervention Fund to recognize revenue from FCASV in the amount of \$130,607 to support survivors of sexual assault and enhance the delivery of sexual assault recovery services.

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-117.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

### **ELDERLY AND VETERANS SERVICES DIVISION**

11. A. MOTION TO APPROVE Agreement No. CB00006-15-2024 between the Areawide Council on Aging of Broward County, Inc., and Broward County, in the amount of \$1,082,028, effective from October 1, 2023 through September 30, 2024, for community-based services to eligible seniors; authorize the Mayor and Clerk to execute same; authorize the County Administrator to execute amendments to the Agreement, subject to review for legal sufficiency by the Office of the County Attorney, that do not impose additional financial obligations on the County; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement.

***(Mayor Rich pulled this item from the Consent Agenda.)***

***(Item Numbers 11, 12 and 13 were heard and voted on concurrently.)***



***ACTION: (T-10:45 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 7-0. Mayor Rich abstained from voting. Commissioner Ryan was not present.***

B. MOTION TO ADOPT budget Resolution within the Contract Fund to appropriate revenue in the amount of \$1,094,028 for community-based services to eligible seniors, of which \$1,082,028 is grant funds and \$12,000 is estimated copayment revenue received from clients.

***(Mayor Rich pulled this item from the Consent Agenda.)***

***(Item Numbers 11, 12 and 13 were heard and voted on concurrently.)***

***ACTION: (T-10:45 AM) Approved Resolution No. 2024-118. (Refer to minutes for full discussion.)***

***VOTE: 7-0. Mayor Rich abstained from voting. Commissioner Ryan was not present.***

12. MOTION TO APPROVE Agreement No. 24-EVSD-8210-01 between Broward County and Areawide Council on Aging of Broward County, Inc., in the amount of \$784,920, effective October 1, 2023 through September 30, 2024, providing local match funding for senior services in Broward County and supplemental rollover funds to purchase electronic devices to eligible seniors; authorize the Mayor and Clerk to execute same; and authorize the County Administrator to take any necessary administrative and budgetary actions to implement the Agreement.

***(Mayor Rich pulled this item from the Consent Agenda.)***

***(Item Numbers 11, 12 and 13 were heard and voted on concurrently.)***

***ACTION: (T-10:45 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 7-0. Mayor Rich abstained from voting. Commissioner Ryan was not present.***

13. A. MOTION TO APPROVE Referral Agreement No. VB123-15-2024 between Areawide Council on Aging of Broward County, Inc., and Broward County, in the estimated amount of \$156,000, effective from October 1, 2023, through September 30, 2024, to provide case management services to eligible veterans residing in the county; authorize the Mayor and Clerk to execute same; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement.

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*(Mayor Rich pulled this item from the Consent Agenda.)*

*(Item Numbers 11, 12 and 13 were heard and voted on concurrently.)*

**ACTION: (T-10:45 AM) Approved. (Refer to minutes for full discussion.)**

**VOTE: 7-0. Mayor Rich abstained from voting. Commissioner Ryan was not present.**

B. MOTION TO ADOPT budget Resolution within the Veteran-Directed Care Contract Fund in the estimated amount of \$156,000 to provide case management services to veterans in Broward County.

*(Mayor Rich pulled this item from the Consent Agenda.)*

*(Item Numbers 11, 12 and 13 were heard and voted on concurrently.)*

**ACTION: (T-10:45 AM) Approved Resolution No. 2024-119. (Refer to minutes for full discussion.)**

**VOTE: 7-0. Mayor Rich abstained from voting. Commissioner Ryan was not present.**

14. MOTION TO APPROVE Agreement between Broward County and Areawide Council on Aging of Broward County, Inc., in the amount of \$750,000, effective October 1, 2023 through September 30, 2024, to provide emergency home-delivered meals to eligible Broward County seniors adversely affected by COVID-19; authorize the Mayor and Clerk to execute same; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement.

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

## **FAMILY SUCCESS ADMINISTRATION DIVISION**

15. MOTION TO AUTHORIZE County Administrator to execute Agreements between Broward County and the following agencies: 1) Hispanic Unity of Florida, Inc. (in the amount of \$125,000), 2) Urban League of Broward County, Inc. (in the amount of \$125,000), and 3) Arc Broward, Inc. (in the amount of \$50,000), for a total of \$300,000, for the provision of financial stability services to eligible Broward County residents, beginning October 1, 2023 through September 30, 2024, with two one-year optional renewal terms, subject to review for legal sufficiency by the Office of the County Attorney; authorize the County Administrator to execute amendments to the agreements, subject to review for legal sufficiency by the Office of the County Attorney, that do not impose any additional financial obligations on the County; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreements.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

## **HOUSING OPTIONS SOLUTIONS AND SUPPORTS DIVISION**

16. A. MOTION TO APPROVE Fourth Amendment to Agreement No. 22-CP-HIP-9026-01 between Broward County and The Salvation Army, effective upon execution, to amend Section 15.23, Emergency Conditions, of the Agreement for the provision of mass care and recovery-related services in coordination with the County; authorize the Mayor and Clerk to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the Agreement as amended.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- B. MOTION TO APPROVE Second Amendment to Agreement No. 22-CP-HIP-9026-02 between Broward County and The Salvation Army, effective upon execution, to amend Section 15.23, Emergency Conditions, of the Agreement for the provision of mass care and recovery-related services in coordination with the County; authorize the Mayor and Clerk to execute same; and authorize the County Administrator to take all necessary administrative actions to implement the Agreement as amended.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

## **PORT EVERGLADES DEPARTMENT**

17. MOTION TO APPROVE perpetual Exclusive Underground Cable Easement between Broward County, as Grantor, and Florida Power and Light ("FPL"), as Grantee, for the installation, operation, and maintenance of underground electric utility facilities within the duct bank to be constructed by Broward County within Port Everglades, together with the nonexclusive right to make other uses of the adjacent lands and surface area.

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

***ACTION: (T-10:44 AM) Approved. (See Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Port Everglades.)***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

18. MOTION TO DIRECT County Administrator to return without evaluation an Unsolicited Public Private Partnership Proposal from Hypower, LLC to Design, Build, and Finance Shore Power Infrastructure Development for Port Everglades.

*(Members of the public pulled this item from the Consent Agenda.)*

**ACTION: (T-12:27 PM) The Board voted to defer this item until the May 7, 2024 Commission meeting. (Refer to minutes for full discussion.)**

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

19. MOTION TO APPROVE Change Order No. 5 to Agreement No. X1349802P1 between Broward County and Moss/Kiewit Joint Venture, Managing General Contractor for the Port Everglades Southport Turning Notch Expansion and Southport Crane Rail Infrastructure Improvement Project, to increase the Reconciled Guaranteed Maximum Price in the amount of \$9,573,246, from a total of \$471,031,588 to \$480,604,834; and authorize the Mayor and Clerk to execute same.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

20. A. MOTION TO APPROVE Amendment No. 1 to the Public Transportation Grant Agreement ("PTGA") between the Florida Department of Transportation ("FDOT") and Broward County for the Environmental/Design/Construction phase of the Port Everglades' Southport Upland Cargo Improvements (Phase 9A) Project (Financial Project No. 449838-1-94-01), increasing the estimated total cost of the Project by \$600,000 and increasing FDOT's maximum participation by \$300,000, up to \$4,000,000, but not more than 50% of the total eligible project cost, with the County agreeing to pay the remaining 50% and cover any cost overruns, effective upon execution by FDOT; authorize the Mayor and Clerk to execute the Amendment to the PTGA; authorize the County Administrator to take the necessary administrative and budgetary actions to implement the grant; and authorize the County Administrator to approve any further amendments to the PTGA that do not increase the County's local match percentage (50%), subject to review by the Office of the County Attorney for legal sufficiency.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

B. MOTION TO ADOPT budget Resolution within the Port Everglades Capital Fund to recognize \$300,000 in grant revenues for the Southport Upland Cargo Improvements project.

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-120.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

21. A. MOTION TO APPROVE Public Transportation Grant Agreement ("PTGA") between Broward County and Florida Department of Transportation ("FDOT"), under the Florida Seaport Transportation and Economic Development ("FSTED") Program, PTGA 444884-1-94-04, with FDOT agreeing to grant up to \$40,000 to Broward County, but no more than 75% of the total eligible cost of the Project, and County agreeing to pay \$13,333 and cover any Project cost overruns for Traffic Variable Message Boards, and Addendum thereto modifying the indemnification language of the PTGA; authorize the Mayor and Clerk to execute the PTGA and Addendum; authorize the County Administrator or designee to take the necessary administrative and budgetary actions resulting from approval of the PTGA; and authorize the County Administrator to approve any amendments to the PTGA that do not increase the County's local match percentage (25%), subject to review by the Office of the County Attorney for legal sufficiency.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

B. MOTION TO ADOPT budget Resolution within the Port Everglades Capital Fund to recognize additional grant revenue to support this capital project.

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-121.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

### **TRANSPORTATION DEPARTMENT**

22. A. MOTION TO APPROVE Memorandum of Understanding (MOU) between Broward County (Broward County Transit), Miami Dade County (Miami-Dade Transit), Palm Beach County (PalmTran) and the South Florida Regional Transportation Authority (SFRTA or TriRail), Governing the Development of the Regional Mobile Application for Fare Interoperability among the Participating Transit Agencies; and authorize the Transportation Department Director to execute same.

***(Vice-Mayor Furr pulled this item from the Consent Agenda.)***

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***ACTION: (T-10:46 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

B. MOTION TO AUTHORIZE Transportation Department Director to negotiate, approve, and execute Application Programming Interface (API) License and Services Agreement, and any necessary addenda, between Genfare, LLC and Broward County as provided for in the Memorandum of Understanding with the South Florida Regional Transportation Authority, subject to review of the License and Services Agreement and all addenda by the County Attorney's Office for legal sufficiency.

***(Vice-Mayor Furr pulled this item from the Consent Agenda.)***

***ACTION: (T-10:46 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

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

23. MOTION TO ADOPT budget Resolution transferring funds within the Law Enforcement Trust Fund (LETF) for the Broward Sheriff's Office in the amount of \$75,000 for the purpose of purchasing a heavy-duty vehicle for the Strategic Investigations Division (SID).

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-122.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

### **OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT**

24. MOTION TO AUTHORIZE Office of Economic and Small Business Development (OESBD) to solicit co-sponsorships greater than \$30,000 for the Broward County Florida International Trade and Cultural Expo (FITCE) currently scheduled for Wednesday, October 23, 2024, through Thursday, October 24, 2024 to be held at the Broward County Convention Center; and authorizing the County Administrator, or her designee, to execute FITCE 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-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

25. A. MOTION TO AUTHORIZE Office of Economic and Small Business Development (OESBD) to co-sponsor the Alan B. Levan NSU Broward Center of Innovation (Levan Center) 100 StartUp Project for a total of \$100,000, sponsoring 20 entrepreneurs; and authorize the County Administrator to execute documents and related agreements associated with the 100 StartUp Project co-sponsorship, 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-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

B. MOTION TO APPROVE Broward County's membership in the Alan B. Levan NSU Broward Center of Innovation as a Corporate Partner with the Starship Pass at a cost of \$36,000 per year, subject to annual budget appropriation; and authorize the County Administrator, to execute 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-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

26. A. MOTION TO APPROVE projects identified in Exhibit 1 for a Broward County Strategic Job Creation Incentive pursuant to Section 9½-52, Broward County Code of Ordinances ("Code"), with no change to the previous Board approved award amounts or minimum job creation requirements.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

B. MOTION TO AUTHORIZE County Administrator to execute all necessary documents, including agreements and associated amendments, to effectuate and administer the participation of the projects identified in Exhibit 1 in the Broward County Strategic job creation Incentive Program, subject to review for legal sufficiency by the Office of the County Attorney and, provided there is no increase in the County's total financial commitment.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan***

*was not present.*

**REQUEST TO SET FOR PUBLIC HEARING**

27. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on May 7, 2024, at 10:00 a.m., in Room 422 of Governmental Center East to consider adopting supplemental budgets to recognize changes in revenues and appropriations.

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-123.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

28. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on May 7, 2024, at 10:00 a.m., in Room 422 of Governmental Center East 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 ANTECEDENT GROUNDWATER AND SURFACE WATER STAGES USED TO DESIGN SURFACE WATER MANAGEMENT SYSTEMS; AMENDING SECTION 27-200 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); INCORPORATING A GROUNDWATER ELEVATION MAP REFLECTING THE 2070 FUTURE CONDITIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-124.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

29. A. MOTION TO WAIVE Section 18.5(e)(1) of the Broward County Administrative Code, which requires that the Board first direct the Office of the County Attorney to draft a proposed ordinance.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

B. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on May 7, 2024, at 10:00 a.m., in Room 422 of Governmental Center East 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 LOW-VOLTAGE ELECTRIC FENCES; AMENDING VARIOUS SECTIONS OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-125.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

30. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on May 7, 2024, at 10:00 a.m., in Room 422 of Governmental Center East to consider adoption of a proposed 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 TELEVISION, FILM, AND ENTERTAINMENT INCENTIVE PROGRAMS; AMENDING SECTIONS 13.43 AND 13.45 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

***ACTION: (T-10:44 AM) Approved Resolution No. 2024-126.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

### **RESILIENT ENVIRONMENT DEPARTMENT**

31. MOTION TO APPROVE Ninth Amendment to the Agreement between Broward County and Olsen Associates, Inc. for coastal engineering consultant services for the Port Everglades Sand Bypass Project contract RLI 022100-RB, providing for project administration, pre-construction, construction, and post-construction administration, including reporting and monitoring services, and services pertaining to the first bypass event, increasing the total agreement compensation by up to \$9,998,732 (with \$4,303,641 in withheld tasks) from \$5,220,439 to \$15,219,171; authorize the Mayor and Clerk to execute same; and authorize the Director of Resilient Environment to approve and execute further amendments to the Agreement that do not increase the total cost to the County, subject to review for legal sufficiency by the Office of the County Attorney. **(Commission Districts 4 and 6)**

*(Item Numbers 31 and 32 were heard and voted on concurrently.)*

*(Commissioner Furr pulled this item from the Consent Agenda.)*

*(Per the Tuesday Agenda Memorandum, the Board's consideration of the Ninth Amendment is based on the replacement Exhibit 1 submitted as Additional Material by the Resilient Environment Department.)*

**ACTION:** (T-12:20 PM) Approved as amended with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Resilient Environment Department.

**VOTE:** 7-0. Mayor Rich voted in the affirmative telephonically. Commissioner McKinzie was not present during the vote. Commissioner Bogen was not present.

32. A. MOTION TO AWARD fixed contract to low bidder, Great Lakes Dredge & Dock Company, LLC, for Sand Bypass Dredging Project at Port Everglades, Bid No. PNC2126890C1, for the Resilient Environment Department, in the amount of \$59,799,100; authorize the Mayor and Clerk to execute same, subject to review 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 and administer the contract.

*(Item Numbers 31 and 32 were heard and voted on concurrently.)*

*(Commissioner Furr pulled this item from the Consent Agenda.)*

*(Per the Tuesday Agenda Memorandum, the Board's consideration of Motion A is based on the Motion Statement as amended by the Additional Material submitted by the Resilient Environment Department.)*

**ACTION:** (T-12:20 PM) Approved as amended with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Resilient Environment Department.

**VOTE:** 7-0. Mayor Rich voted in the affirmative telephonically. Commissioner McKinzie was not present during the vote. Commissioner Bogen was not present.

B. MOTION TO ADOPT budget Resolution within the Beach Erosion Capital Outlay Fund to transfer funds from the Beach Renourishment-Segment 3 project to the Port Everglades Inlet Management Plan project, in the amount of \$23,908,407, for the purpose of increasing the funding of the Port Everglades Inlet Management Plan project's revised estimated total cost.

*(Item Numbers 31 and 32 were heard and voted on concurrently.)*

*(Commissioner Furr pulled this item from the Consent Agenda.)*

**ACTION: (T-12:20 PM) Approved Resolution No. 2024-127.**

**VOTE: 7-0. Mayor Rich voted in the affirmative telephonically. Commissioner McKinzie was not present during the vote. Commissioner Bogen was not present.**

## **HOUSING FINANCE DIVISION**

- 33.** MOTION TO AUTHORIZE County Administrator to amend the Broward County HUD Five Year Strategic Consolidated Plans for Fiscal Years 2015 - 2019 and Fiscal Years 2020 - 2024 and the accompanying Annual Action Plans for the U.S. Department of Housing and Urban Development ("HUD") Community Planning and Development Grants; to make necessary project/activity eligibility and programmatic changes; reprogramming funds and revising the Community Development Block Grant ("CDBG"), Community Development Block Grant Coronavirus (CDBG-CV) grants, and Emergency Solutions Grant (ESG), based on the recommendations in (Exhibit 1); authorizing the County Administrator to take all necessary administrative and budgetary actions for implementation of the changes, to submit a copy of the amendment to HUD, and to negotiate and execute agreements, amendments, reinstatements, and interlocal agreements with subrecipients, and/or contractors/developers to implement the programs and allocate funding for the respective programs, subject to the review and approval as to legal sufficiency by the Office of the County Attorney.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

- 34.** MOTION TO APPROVE Consent to Change of Ownership Structures ("Consent"), in substantially the form attached as Exhibit 2, to allow Douglas Gardens IV, LTD. ("Borrower") to change ownership structures of certain entities in connection with Douglas Gardens IV affordable housing project ("Project"); and to authorize the County Administrator to negotiate and execute the Consent, an amendment to the guaranty documents related to the Project, and other documents related to the Consent, that do not impose any additional, material financial impact on the County, subject to review and approval as to legal sufficiency by the Office of the County Attorney. **(Commission District 7)**

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

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**URBAN PLANNING DIVISION**

35. A. MOTION TO APPROVE Release of an Age Restrictive Covenant recorded in the Official Records of Broward County with Instrument number 115751327; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- B. MOTION TO APPROVE Release of an Age Restrictive Covenant recorded in the Official Records of Broward County with Instrument number 116409864; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- C. MOTION TO APPROVE Release of an Affordable Housing Mitigation Covenant recorded in the Official Records of Broward County with Instrument number 115748263; and authorize the Mayor and Clerk to execute same.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- D. MOTION TO APPROVE Release of a Land Use Covenant recorded in the Official Records of Broward County (Book 49011, Page 269). **(Commission District 3)**

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

36. MOTION TO APPROVE Amendment to the Regional Road Concurrency Agreement Construction of Improvements in connection with the Millcreek Ranches (050-MP-02), Diamond Creek (052-MP-02) and Blackstone Creek (053-MP-02) plats; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan***

*was not present.*

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **HUMAN RESOURCES DIVISION**

37. MOTION TO APPROVE creation of new job classifications, title changes, and salary range reallocations of specific job classifications and board-level reclassifications, as reflected in Exhibit 1.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

### **PURCHASING DIVISION**

For Public Works Department

38. MOTION TO APPROVE Agreement between Broward County and F&J Engineering Group Inc., for Consultant Services for CEI Services for Port Everglades By-Pass Road, Request for Proposals (RFP) No. PNC2126367P1, for the Public Works Department, in the total maximum not-to-exceed amount of \$3,188,512, which includes \$2,484,917 for basic services, \$150,000 for optional services, and \$553,595 for reimbursable expenses; and authorize the Mayor and Clerk to execute same. **(Commission Districts 4 and 6)**

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

39. MOTION TO APPROVE increase in the change order allowance for the Construction of Port Everglades By-Pass Road contract, Agreement No. TRN2127156C1, from 5% to 10% of the original contract amount; authorize the Director of the Public Works Department to approve individual change orders in amounts up to \$500,000; and waive the Broward County Procurement Code, Section 21.56, to the extent necessary to effectuate the foregoing. **(Commission Districts 4 and 6)**

***(Per the Tuesday Agenda Memorandum, the Board's consideration is based on the amended Motion Statement submitted by the Finance and Administrative Services Division.)***

***ACTION: (T-10:44 AM) Approved as amended with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Finance and Administrative Services Division.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

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

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

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- B. MOTION TO APPROVE cancellation of warrants from Central Account No. xxxxxxxxx3785, Tax Refund Account No. xxxxxxxxx9850, and Self-Insurance Account No. xxxxxxxxx0518, due to being voided. Checks have been reissued.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

## **BROWARD MUNICIPAL SERVICES DISTRICT**

41. MOTION TO DIRECT Office of the County Attorney to draft an Ordinance for consideration by the Board to Amend Article XL, Garden Park Districts, of the Broward County Code of Ordinances ("Code") to update the Code to address issues that have arisen since the establishment of the Garden Park Districts.

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

42. MOTION TO APPROVE Standard Grant Agreement ("Grant Agreement") between the Florida Department of Environmental Protection ("FDEP") and Broward County for reimbursement of 50% of the construction cost, up to a maximum amount of \$1,000,000, for the North New River Canal Resilience (Broadview Park) Project (the "Project"); authorizing the County Administrator to execute the Grant Agreement, including certifications requested by FDEP, and any subsequent change order(s) and amendment(s) to the Grant Agreement that do not impose additional financial obligations

on the County, subject to review for legal sufficiency by the Office of the County Attorney; and authorizing the County Administrator to take all necessary administrative and budgetary actions to implement and administer the Grant Agreement. **(Commission District 5)**

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

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### **QUASI-JUDICIAL CONSENT HEARING**

### **RESILIENT ENVIRONMENT DEPARTMENT**

### **URBAN PLANNING DIVISION**

43. MOTION TO APPROVE plat entitled Homes at Parkland Royale (026-MP-22).  
(Commission District 3)

***ACTION: (T-10:44 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report for a New Plat.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

44. MOTION TO APPROVE plat note amendment to Dick Lloyd Plat (015-MP-81).  
(Commission District 6)

***ACTION: (T-10:44 AM) Approved the plat note amendment subject to staff's recommendations as outlined in the Development Review Report for a Plat Note Amendment.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

45. MOTION TO APPROVE non-vehicular access line amendment on Dick Lloyd Plat (015-MP-81). (Commission District 6)

***ACTION: (T-10:44 AM) Approved the non-vehicular access line amendment subject to staff's recommendations as outlined in the Development Review Report for a Plat Non-Vehicular Access Line Amendment.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

**46. MOTION TO APPROVE plat entitled IMECA (004-MP-23). (Commission District 8)**

***ACTION: (T-10:44 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report for a New Plat.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

**47. MOTION TO APPROVE plat entitled Pines and 72nd (015-MP-22). (Commission District 7)**

***ACTION: (T-10:44 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report for a New Plat.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

**48. MOTION TO APPROVE plat entitled Shoppes of Wilton (032-MP-22). (Commission District 4)**

***ACTION: (T-10:44 AM) Approved the plat subject to staff's recommendations as outlined in the Development Review Report for a New Plat.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

**END OF QUASI-JUDICIAL CONSENT HEARING**

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**COUNTY AUDITOR**

**49. MOTION TO ACKNOWLEDGE AND FILE Office of the County Auditor's Audit of the Agreement Between Broward County and Sheriff of Broward County for Law Enforcement Services at the Fort Lauderdale-Hollywood International Airport - Report No. 24-15.**

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***



50. MOTION TO ACKNOWLEDGE AND FILE Office of the County Auditor's 2023 Rasier-DC, LLC (Uber) Third-Party Auditor's Agreed-Upon Procedures Report on Pick-up Fees at the Fort Lauderdale-Hollywood International Airport and Port Everglades - Report No. 24-14.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

### **COUNTY ATTORNEY**

51. MOTION TO APPROVE settlement, including costs and attorneys' fees, in the case titled *Broward County vs. Coral Creek Homeowners Association, Inc.*, 17th Judicial Circuit Court Case No. CACE19-014621, and to authorize the Mayor and Clerk to execute the Settlement Agreement between Coral Creek Homeowners Association, Inc., and Broward County.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

52. MOTION TO DIRECT Office of the County Attorney to draft appropriate Ordinances for consideration by the Board to address any recommended amendments to the Broward County Code of Ordinances as a result of the 2024 Session of the Florida Legislature.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

### **COUNTY ADMINISTRATION**

#### **INTERGOVERNMENTAL AFFAIRS/BOARDS SECTION**

53. MOTION TO ACCEPT nominations to appoint or reappoint members to the following boards:
1. Central Examining Board (13 positions)
  2. Broward Housing Council (two positions)
  3. Climate Change Task Force (one position)
  4. Medical Marijuana Advisory Board (one position)

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- 5. Racial Equity Task Force (two positions)
  - 6. Unsafe Structures Board (nine positions)

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

## **LIBRARIES DIVISION**

- 54.** A. MOTION TO INCREASE Director of Purchasing's award authority limit to procure exempted library materials for Fiscal Years 2024 through 2026, up to the budgeted amount in the Libraries Division's applicable budget line item, which is approximately \$7.1 million per Fiscal Year.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

B. MOTION TO AUTHORIZE Director of Purchasing to negotiate and execute Participating Addenda to permit the County to purchase library materials pursuant to Florida Alternate Contract No. 55000000-23-NY-ACS, utilizing the original competitive procurement by the State of New York, Award No. 23260, for specific purchases of exempt library materials, in accordance with Broward County Procurement Code Section 21.5(b), under the Florida Department of Management Services Alternate Contract Source Books, Serials, Databases, and Library Resource Management Products (No. 55000000-23-NY-ACS) ("Florida ACS"), including without limitation with vendors Baker and Taylor, LLC, Ingram Library Services, LLC, and Midwest Tape, to procure library materials and subscriptions, for the duration of the Florida ACS (currently through August 31, 2027, but subject to extensions of up to five years), in an amount not to exceed the allocated budget for exempt library material purchases, and subject to review for legal sufficiency by the Office of the County Attorney.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

C. MOTION TO APPROVE OverDrive Digital Library Reserve Access Agreement and the associated order form with OverDrive, Inc., a digital content provider for libraries and schools, to procure content and services for the Libraries Division, for the period from March 27, 2024, for an initial term of two years and annual renewals through March 26, 2034; and authorize the Director Purchasing to approve purchases under the agreement provided the aggregate purchases each Fiscal Year, together with all like purchases from other sources, are within the applicable budgeted amounts for the Libraries Division for

that Fiscal Year.

*(Per the Tuesday Agenda Memorandum, the Board's consideration of Motion C is based on the Motion Statement amended by the Additional Material submitted by the Libraries Division.)*

**ACTION: (T-10:44 AM) Approved as amended with Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Libraries Division.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

D. MOTION TO AUTHORIZE Purchasing Director to approve, execute, and ratify agreements with suppliers of exempt goods and services for the Libraries Division for terms of up to ten years, provided the total cost to County under each contract individually will not exceed \$1,000,000 over the duration of the contract, provided the total aggregate spend of all similar nonexempt purchases for the Libraries Division does not exceed the then-current Fiscal Year budget for the applicable line item, and subject to review for legal sufficiency by the Office of the County Attorney.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

## **PARKS AND RECREATION DIVISION**

55. A. MOTION TO ADOPT Resolution accepting the donation from Patricia Leazier of velodrome resurfacing goods and services at Brian Piccolo Sports Park with an estimated value of \$111,174.

**ACTION: (T-10:44 AM) Approved Resolution No. 2024-128.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

B. MOTION TO AUTHORIZE County Administrator to negotiate and execute any access and license agreements necessary to permit the referenced velodrome track resurfacing at Brian Piccolo Sports Park at no cost to County, subject to review and approval as to legal sufficiency by the Office of the County Attorney, and to take all necessary administrative and budgetary actions to implement the agreement.

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

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### **PUBLIC HEARING**

56. MOTION TO ADOPT Resolution to levy a land clearance lien against certain described properties resulting from violations of the Property Maintenance regulations contained within Chapter 39 of the Broward County Code of Ordinances, the title of which is as follows: **(Commission Districts 5 and 8)**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, LEVYING A LAND CLEARANCE LIEN AGAINST CERTAIN DESCRIBED PROPERTIES IN UNINCORPORATED BROWARD COUNTY FOR NONPAYMENT OF LAND CLEARANCE COSTS, PURSUANT TO CHAPTER 39, ARTICLE X, OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR THE ACCRUAL OF INTEREST AND CHARGES FOR ADMINISTRATIVE COSTS; PROVIDING FOR RECORDATION IN THE PUBLIC RECORDS OF BROWARD COUNTY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

*(Per the Tuesday Agenda Memorandum, the Board's consideration of the item is based on the Resolution as amended by the Additional Material submitted by RED.)*

**ACTION: (T-12:37 PM) Approved Resolution No. 2024-129 as amended to grant an extension in order to reach resolution prior to the June 18, 2024 Commission meeting, and with *direction to staff to adjust the final total lien amount with Items 10 and 11 deleted*, as recited by County Attorney Andrew J. Meyers. (Refer to minutes for full discussion.) (See Regular Meeting Additional Material, dated April 16, 2024, submitted at the request of Resilient Environment Department.)**

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

57. MOTION TO APPROVE award of a new Class 2 - Advanced Life Support ("ALS") Transfer and a Class 3 - Basic Life Support ("BLS") Transport Certificate of Public Convenience and Necessity to RG Ambulance Service, Inc., d/b/a Century Ambulance Service.

**ACTION: (T-12:49 PM) Approved. (Refer to minutes for full discussion.)**

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

58. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward

County, Florida, consenting to the assignment of a nonexclusive, unrestricted vessel oily waste removal services franchise from Raider Environmental Services of Florida, Inc., to Heritage-Crystal Clean, LLC to provide vessel oily waste removal services at Port Everglades for the remainder of the current five-year franchise term which expires on October 26, 2026; providing for franchise terms and conditions.

**ACTION: (T-12:50 PM) Approved Resolution No. 2024-130. (Refer to minutes for full discussion.)**

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

- 59. MOTION TO ADOPT** Resolution to transmit a proposed amendment to the Broward County Land Use Plan Natural Resource Map Series (PCNRM 24-2), to update the Wetlands Map, as an amendment to the Broward County Comprehensive Plan, to designated State review agencies pursuant to Section 163.3184, Florida Statutes, as amended, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TRANSMITTING TO DESIGNATED STATE AGENCIES A PROPOSED AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; UPDATING THE WETLANDS MAP OF THE NATURAL RESOURCE MAP SERIES OF THE BROWARD COUNTY COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (T-12:51 PM) Approved Resolution No. 2024-131. (Refer to minutes for full discussion.)**

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

### **END PUBLIC HEARING**

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### **REGULAR AGENDA**

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### **AVIATION DEPARTMENT**

- 60. MOTION TO APPROVE** Fourth Amendment between Broward County and Sunshine Cleaning Systems, LLC for Janitorial Services for the Fort Lauderdale-Hollywood

International Airport, Terminals 1, 2, 3 and 4 and the Airport Operations Control Center, to exercise the second Extension Term of the Agreement (Contract Year 5: August 1, 2024 through July 31, 2025), and provide for compensation for Contract Year 5 in the maximum not-to-exceed amount for Services other than Optional Services of \$20,914,350, and the maximum not-to-exceed for Optional Services is \$1,405,683 and authorize the Mayor and Clerk to execute same.

**ACTION: (T-12:23 PM) Approved. (Refer to minutes for full discussion.)**

**VOTE: 7-0. Mayor Rich voted in the affirmative telephonically. Commissioner McKinzie was out of the room during the vote. Commissioner Bogen was not present.**

61. MOTION TO APPROVE Third Amendment between Broward County and SP Plus Curbside Management Joint Venture for Ground Transportation Management Services at Broward County's Fort Lauderdale-Hollywood International Airport to extend the term of the Agreement for one year, authorize the Director of Aviation to renew the Agreement for an additional one year optional term, increase the compensation to an estimated not-to-exceed amount of \$5,147,697 for each extension term, increase the reimbursable costs to a maximum not-to-exceed amount of \$7,348,831 for the term of the Agreement (including the initial term and the extension year(s) in the Third Amendment), and update certain terms and conditions in the Agreement; and authorize the Mayor and Clerk to execute same.

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

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

## **PUBLIC WORKS DEPARTMENT**

### **CONSTRUCTION MANAGEMENT DIVISION**

62. A. MOTION TO APPROVE Third Amendment to the Construction Agreement between Broward County and Stiles Pirtle Joint Venture for Managing General Contractor Services for Judicial Projects in Broward County (PNC2119163P1) to add the Enabling Projects for the 500-Car Secured Parking Garage and Plaza for an Estimated Guaranteed Maximum Price of \$14,708,910; and authorize the Mayor and Clerk to execute same.

**(Transferred to the Consent Agenda.)**

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

B. MOTION TO ADOPT budget Resolution transferring funds within the General Capital Outlay Fund from the Broward County Judicial Complex East Wing Renovation project to the Enabling Projects for the 500-Car Secured Parking Garage and Plaza in the amount of \$12,811,750 for the purpose of funding the project's revised total estimated cost. (Commission District 4)

*(Transferred to the Consent Agenda.)*

**ACTION: (T-10:44 AM) Approved Resolution No. 2024-132.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

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

63. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on May 7, 2024, at 10:00 a.m., in Room 422 of Governmental Center East 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, CREATING THE BROWARD COUNTY HEALTH CARE PLAN ORDINANCE; CREATING ARTICLE VII OF CHAPTER 31½ OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") FOR THE PURPOSE OF LEVYING, SUBJECT TO APPROVAL BY REFERENDUM, A QUARTER-PERCENT (0.25%) HEALTH CARE SURTAX FOR A PERIOD OF TEN YEARS; CREATING A SEGREGATED TRUST FUND INTO WHICH ALL HEALTH CARE SURTAX FUNDS WILL BE DEPOSITED; ESTABLISHING AN OVERSIGHT ADVISORY BOARD; PROVIDING FOR THE USE OF THE HEALTH CARE SURTAX FUNDS IN ACCORDANCE WITH THE BROWARD COUNTY HEALTH CARE PLAN; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Mark D. Bogen)

*(Per the Tuesday Agenda Memorandum, the Board's consideration of the Ordinance is based on the Ordinance as amended by the Additional Material distributed by the item's sponsor.)*

**ACTION: (T-10:47 AM) Following discussion, Commissioner Geller made motion to approve the item as amended with substitute motion contained within Additional Material 63(3). Commissioner McKinzie seconded the motion. (Refer to minutes for full discussion.)**

**ACTION: (T-11:44 AM) Commissioner Geller made motion to amend the substitute motion to reflect *direction to the County Administrator to continue the County***

*Heart Project through calendar year 2026 and authorize the County Administrator to enter into any required contracts or contract amendments in furtherance thereof, subject to review and approval by the Office of the County Attorney, within the \$10 million in funding already provided by the County, and authorizing the County Administrator to take all required administrative action in connection therewith. Commissioner Fisher seconded the motion. (Refer to minutes for full discussion.)*

*VOTE: 7-2. Mayor Rich voted in the affirmative telephonically. Commissioner Rogers and Commissioner Udine voted no.*

*ACTION: (T-12:07 PM) Approved as amended with Regular Meeting Additional Material 63(3), dated April 16, 2024, submitted at the request of Commissioner Geller. (Refer to minutes for full discussion.) (See Regular Meeting Additional Material 63, dated April 16, 2024, submitted at the request of Commissioner Bogen; Regular Meeting Additional Material 63(2), dated April 16, 2024, submitted at the request of County Administration; Regular Meeting Additional Material 63(4), dated April 16, 2024, submitted by Office of the County Auditor; and Regular Meeting Additional Material 63(5), dated April 16, 2024, submitted at the request of Mayor Rich.*

*VOTE: 7-2. Mayor Rich voted in the affirmative telephonically. Commissioner Rogers and Commissioner Udine voted no.*

## **FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**

### **PURCHASING DIVISION**

For Aviation Department

64. MOTION TO RATIFY action taken by the County Administrator and Director of Purchasing, on behalf of Broward County, to authorize the emergency procurement and approve an Agreement between Broward County and Runway Safe Inc, in the amount of \$8,788,033, for Engineered Material Arresting System crushable concrete blocks at Broward County's Fort Lauderdale-Hollywood International Airport.

*ACTION: (T-12:25 PM) Approved. (Refer to minutes for full discussion.)*

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

65. MOTION TO RATIFY action taken by the County Administrator and Director of Purchasing, on behalf of Broward County, to authorize the emergency procurement and approve an Agreement between Broward County and Boland's LLC, in the amount of \$1,641,324, for Engineered Material Arresting System Repairs and Replacement at Broward County's



Fort Lauderdale-Hollywood International Airport.

**ACTION: (T-12:26 PM) Approved. (Refer to minutes for full discussion.)**

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

For Finance and Administrative Services Department

- 66.** MOTION TO APPROVE final ranking of the qualified firms for Request for Proposals (RFP) No. GEN2126551P1, Third Party Administration of Health Savings (HSA), Health Reimbursement (HRA), and Flexible Spending (FSA) Accounts, for the Human Resources Division. The ranked firms are: 1 - Total Administrative Services Corporation; 2 - HSA Bank; 3 - PayFlex Systems USA, Inc.; 4 - Eagles, Benefits by Design, Inc.; and 5 - WEX Health, Inc.

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

For Public Works Department

- 67.** MOTION TO APPROVE Agreement between Broward County and Brown and Caldwell, for Continuing Consultant Services for Engineering Services for Studies and Reports, Request for Proposals (RFP) No. PNC2126774P1, for Water Wastewater Services, in a maximum not-to-exceed amount of \$1,500,000 for the initial three-year term, and authorize the Director of Purchasing to renew the agreement for up to two one-year terms, for a five-year maximum not-to-exceed amount of \$2,500,000, and authorize the Mayor and Clerk to execute same.

**(Transferred to the Consent Agenda.)**

**ACTION: (T-10:44 AM) Approved.**

**VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.**

For Resilient Environment Department

- 68.** MOTION TO APPROVE final ranking of the qualified firms for Request for Proposals (RFP) No. GEN2126632P1, Risk Assessment of Contaminated Sites, for the Resilient Environment Department. The ranked firms are: 1 - NV5, Inc. dba NV5 AQC; 2 - EA Engineering, Science, and Technology, Inc. PBC.

**(Transferred to the Consent Agenda.)**

**ACTION: (T-10:44 AM) Approved.**

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

## **COUNTY ADMINISTRATION**

### **INTERGOVERNMENTAL AFFAIRS/BOARDS SECTION**

- 69.** MOTION TO DISCUSS appointment of Broward County Commissioners to serve on the Board of Directors for the Broward League of Cities in the following categories:
1. Director
  2. Alternate
  3. Second Alternate

***ACTION: (T-12:52 PM) The Board approved retention of the current Board of Directors appointments. (Refer to minutes for full discussion.)***

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

## **COUNTY COMMISSION**

- 70.** MOTION TO DISCUSS status of PFAS testing and recommended treatment options for the County's drinking water system. (Commissioner Bogen)

***ACTION: (T-12:08 PM) The Board discussed the status of PFAS testing and recommended treatment options for the County's drinking water system. (Refer to minutes for full discussion.)***

- 71.** A. MOTION TO APPOINT Alexander Torres to the Broward Regional Emergency Medical Services Council.

***(Transferred to the Consent Agenda.)***

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

- B. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes for Alexander Torres who holds employment or contractual relationships with entities that receive funds from Broward County. (Commissioner Ryan)

***(Transferred to the Consent Agenda.)***

***ACTION: (T-10:44 AM) Approved.***

***VOTE: 8-0. Mayor Rich voted in the affirmative telephonically. Commissioner Ryan was not present.***

**72. MAYOR'S REPORT**

***(No report given.)***

**73. COUNTY ADMINISTRATOR'S REPORT**

***(No report given.)***

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**NON-AGENDA**

**74. PASSOVER - COMMISSIONER FISHER**

***ACTION: (T-12:53 PM) Commissioner Fisher wished everyone of the Jewish faith a happy Passover. (Refer to minutes for full discussion.)***