

Broward County



Action Agenda

Thursday, September 10, 2020

10:00 AM

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

County Commission

MEETING OF SEPTEMBER 10, 2020

(Meeting convened at 10:02 a.m., recessed at 1:32 p.m., reconvened at 2:46 p.m., recessed at 4:15 p.m., reconvened at 6:26 p.m. and adjourned at 6:33 p.m.)

PLEDGE OF ALLEGIANCE was led by Commissioner Michael Udine, District 3.

CALL TO ORDER was led by Mayor Dale V.C. Holness, District 9.

MOMENT OF SILENCE

In memory of the victims of 9/11.

In memory of Jack Lieberman, Broward County Civil Rights Activist.

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

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

Commissioner Rich and Vice-Mayor Geller participated telephonically for the entirety of the Consent Agenda.

CONSENT AGENDA

A motion was made by Commissioner Sharief, seconded by Commissioner Udine and unanimously carried, to approve the Consent Agenda consisting of Items 1 through 32. At the request of the Mayor, Regular Items 50, 51, 52, 53, 54, and Supplemental Items 59, 60 and 61 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 33 through 48.

The following Public Hearing Item was continued: 41.

The following Items were deferred: 55, 56, 62 and 63.

The following Items were withdrawn: 10, 23, 49 and 64.

BOARD APPOINTMENTS

1. MOTION TO APPROVE Board Appointments

**1A. MOTION TO APPOINT Damian A. Brink to the Historic Preservation Board.
(Commissioner Fisher)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

**1B. MOTION TO APPOINT Michelle Brown to the Parks and Recreation Advisory.
(Commissioner Udine)**

ACTION: (T-10:57 AM) Approved with Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Commissioner Michael Udine.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

1C. MOTION TO APPOINT Jonathan Frasher to the Broward Regional Emergency Medical Services Council. (Commissioner Holness)

ACTION: (T-10:57 AM) Approved with Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Mayor Dale V.C. Holness.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

1D. A. MOTION TO APPOINT Sherry Rini to the Commission on the Status of Women.

ACTION: (T-10:57 AM) Approved with Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Vice-Mayor Geller.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes for Sherry Rini who holds an employment or contractual relationship with an entity who receives funds from Broward County. (Vice-Mayor Geller)

ACTION: (T-10:57 AM) *Approved with Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Vice-Mayor Geller.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

- 1E. MOTION TO APPOINT Commissioner Angelo Castillo to the Broward County Planning Council. (Commissioner Furr)

ACTION: (T-10:57 AM) *Approved with Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Commissioner Beam Furr.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

AVIATION DEPARTMENT

2. A. MOTION TO WAIVE Section 39.3, Non-Terminal Rates and Charges - Fort Lauderdale-Hollywood International Airport and North Perry Airport, Broward County Administrative Code to extend the term of the Agreement of Lease between Broward County and Van Wagner Aerial Media, LLC, at the same monthly rate in effect for the prior 12-month period.

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

B. MOTION TO APPROVE Fifth Amendment to the Agreement of Lease between Broward County and Van Wagner Aerial Media, LLC, extending the term of the Agreement on a month-to-month basis for a period not-to-exceed 12 months; and authorize the Mayor and Clerk to execute.

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

3. MOTION TO APPROVE Consent to Security Agreement between Broward County and Fort Lauderdale Fuel Facilities, LLC, to enter into a security and collateral agreement for a petroleum products terminaling agreement for a jet fuel terminal facility at Port Everglades, effective upon approval by the Broward County Board of County Commissioners; and

authorize the Mayor and Clerk to execute.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

PUBLIC WORKS DEPARTMENT**CONSTRUCTION MANAGEMENT DIVISION**

4. A. MOTION TO AUTHORIZE Office of the County Attorney to commence litigation and/or take all related necessary and appropriate actions against Catalfumo Construction, LLC d/b/a Seawood Builders and any other parties deemed appropriate by the County Attorney to recover damages resulting from deficient, defective and/or nonconforming design and construction (design-build) services provided for the parking garage at the Edgar P. Mills Multi-Purpose Center located at 900 NW 31st Avenue, Fort Lauderdale, Florida 33311. **(Commission District 9)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT budget Resolution No. 2020-404 within the General Capital Outlay Fund transferring \$500,000 from the contingency reserve to partially fund emergency structural repairs at the parking garage of the Edgar P. Mills Multi-Purpose Center.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

5. MOTION TO APPROVE Agreement between Broward County and the City of Coral Springs for trafficway beautification on Wiles Road from University Drive to Riverside Drive, at an estimated cost of \$800,000 to the County; and authorize Mayor and Clerk to execute same. **(Commission Districts 2 and 3)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

6. MOTION TO ADOPT Resolution No. 2020-405 accepting a road easement executed by Culver's of Margate, LLC, located at the southwest corner of West Copans Road and NW 55th Avenue in the City of Margate, at a nominal cost of \$1 to Broward County. **(Commission District 2)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

TRANSPORTATION DEPARTMENT**TRANSIT DIVISION**

7. A. MOTION TO ADOPT Resolution No. 2020-406 of the Board of County Commissioners of Broward County, Florida, authorizing the filing of an amended application for federal assistance for Fiscal Year 2019 with the Federal Transit Administration (FTA) pursuant to 49 U.S.C., Section 5307, Urbanized Area Formula Grants, increasing it by \$116,178 for a new total amount up to \$27,092,107, under the Federal Transit Act as amended; authorizing the Director of the Transportation Department to furnish FTA with additional information which may be required; authorizing the County Administrator to take any necessary administrative or budgetary actions to accept the grant funding; and providing for an effective date.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- B. MOTION TO ADOPT Resolution No. 2020-407 of the Board of County Commissioners of Broward County, Florida, authorizing the filing of an application for federal assistance for Fiscal Year 2019 with the Federal Transit Administration (FTA) pursuant to 49 U.S.C., Section 5339, Bus and Bus Facilities Formula Grants, increasing it by \$15,021 for a new total amount up to \$3,394,433, under the Federal Transit Act as amended; authorizing the Director of the Transportation Department to furnish FTA with additional information which may be required; authorizing the County Administrator to take any necessary administrative or budgetary actions to accept the grant funding; and providing for an effective date.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- C. MOTION TO ADOPT Resolution No. 2020-408 of the Board of County Commissioners of Broward County, Florida, authorizing the filing of an amended application for federal assistance for Fiscal Year 2020 with the Federal Transit Administration (FTA) pursuant to 49 U.S.C., Section 5307, Urbanized Area Formula Grants, increasing it by \$400,732 for a new total amount up to \$27,939,129, under the Federal Transit Act as amended; authorizing the Director of the Transportation Department to furnish FTA with additional information which may be required; authorizing the County Administrator to take any necessary administrative or budgetary actions to accept the grant funding; and providing for an effective date.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

D. MOTION TO ADOPT Resolution No. 2020-409 of the Board of County Commissioners of Broward County, Florida, authorizing the filing of an application for federal assistance for Fiscal Year 2020 with the Federal Transit Administration (FTA) pursuant to 49 U.S.C., Section 5339, Bus and Bus Facilities Formula Grants, increasing it by \$49,097 for a new total amount up to \$3,581,091, under the Federal Transit Act as amended; authorizing the Director of the Transportation Department to furnish FTA with additional information which may be required; authorizing the County Administrator to take any necessary administrative or budgetary actions to accept the grant funding; and providing for an effective date.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

E. MOTION TO ADOPT budget Resolution No. 2020-410 within the Fiscal Year 2019 Transit Capital Grant Fund for the Transit Division, in the amount of \$116,178.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

F. MOTION TO ADOPT budget Resolution No. 2020-411 within the Fiscal Year 2020 Transit Capital Grant Fund for the Transit Division, in the amount of \$400,732.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

G. MOTION TO ADOPT budget Resolution No. 2020-412 within the Fiscal Year 2019 Transit Capital Grant Fund for the Transit Division, in the amount of \$15,021.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

H. MOTION TO ADOPT budget Resolution No. 2020-413 within the Fiscal Year 2020 Transit Capital Grant Fund for the Transit Division, in the amount of \$49,097.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

8. MOTION TO ADOPT Resolution No. 2020-414 of the Board of County Commissioners of Broward County, Florida, approving the Broward County Transit Public Transportation Agency Safety Plan (PTASP); authorizing the Transportation Department Director to file the PTASP with the U.S. Department of Transportation (FTA), Federal Transit Administration; and providing for an effective date.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

OFFICE OF MANAGEMENT AND BUDGET

9. A. MOTION TO ADOPT budget Resolution No. 2020-415 transferring funds within the Law Enforcement Trust Fund (LETf) for the Broward Sheriff's Office (BSO) in the amount of \$205,000 to implement a wide-area outdoor acoustic gunshot surveillance system, known as ShotSpotter, in a one square-mile area in unincorporated Central Broward for a three-year period.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT budget Resolution No. 2020-416 transferring funds within the Law Enforcement Trust Fund (LETf) for BSO in the amount of \$7,782 to provide matching funds for a grant from the Florida Department of Children and Families.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

REQUEST TO SET FOR PUBLIC HEARING

10. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of a Public Hearing to be held on October 6, 2020, at 10:00 a.m., to consider transmittal to designated State review agencies of a proposed amendment to the Broward County Land Use Plan map (PC 20-2), in the City of Tamarac, as an amendment to the Broward County Comprehensive Plan. **(Commission District 1)**

(Per the Thursday Morning Memorandum, this item is being withdrawn because the Board had previously approved setting it for public hearing, which was expected to occur on March 31, 2020, as Item No. 44. The item was opened and continued to a future date based on appropriate republication of notice. Thus, this item authorizing the setting of a new public hearing date is not required.)

11. MOTION TO ADOPT Resolution No. 2020-417 directing the County Administrator to

publish Notice of Public Hearing to be held on Tuesday, October 6, 2020, at 10:00 a.m. in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida to vacate a 40-foot drainage easement lying within Track B, Block 1 of Diplomat Golf Estates, as recorded in Plat Book 46, Page 24 of the Public Records of Broward County and is located at 501 Diplomat Parkway in the City of Hallandale Beach; Petitioners: Maltese Diplomat Owner, LLC; Agent: Linda C. Strutt, Linda Strutt Consulting, Inc.; Application for Vacation and Abandonment: 2019-V-06. **(Commission District 6)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

12. MOTION TO ADOPT Resolution No. 2020-418 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 6, 2020, at 10:00 a.m. in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida to vacate a ten-foot utility easement lying within Parcel A of Park Plaza Shoppes, according to the Plat thereof as recorded in Plat Book 166, Page 30 of the Public Records of Broward County and is generally located at northwest corner of Miramar Parkway and Flamingo Road in the City of Miramar; Petitioners: Miramar Investment Partners, LLC; Agent: Leigh R. Kerr, Leigh Robinson Kerr & Associates, Inc.; Application for Vacation and Abandonment: 2018-V-28. **(Commission District 8)**

ACTION: (T-10:57 AM) Approved. (Scrivener's Error - See County Administrator's Report: Exhibit 3 Title Currently reads: "...Vacating and Abandoning A 10-Foot Drainage Easement" Should read "...Vacating and Abandoning A 10-Foot Utility Easement")

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

13. MOTION TO ADOPT Resolution No. 2020-419 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 6, 2020, at 10:00 a.m. in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida to vacate two ten-foot utility easements on the perimeter of Parcel A of the Workingman's Nursery Plat, as recorded in Plat Book 126, Page 22 of the Public Records of Broward County, located at 4161 West Hillsboro Boulevard in the City of Coconut Creek; Petitioners: 4161 Hillsboro, LLC Agent: James Kahn, Keith Team; Application for Vacation and Abandonment: 2019-V-19. **(Commission District 2)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

14. MOTION TO ADOPT Resolution No. 2020-420 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, October 6, 2020, at 10:00 a.m. in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida to vacate portions of Southwest 76 Avenue and Southwest 36 Street rights-of-way

lying within Parcel B of Young World Plat, as recorded in Plat Book 124, Page 43; Parcel A of Nova University No. 1, as recorded in Plat Book 146, Page 49; Parcel D of Nova South, as recorded in Plat Book 182, Page 144; and Tract 68 of Everglades Land Sales Company's Subdivision, as recorded in Plat Book 2, Page 34, all of the Public Records of Broward County and located at 3301 College Avenue in the Town of Davie; Petitioners: Nova Southeastern University, Inc.; Agent: Craven Thompson & Associates, Inc.; Application for Vacation and Abandonment: 2018-V-22. **(Commission District 7)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

15. MOTION TO ADOPT Resolution No. 2020-421 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 22, 2020, at 10:00 a.m. in the County Commissioners' Meeting Room (Room 422), Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, to consider the application of Kirby Inland Marine, LP, for the granting of the renewal of a nonexclusive franchise for a five-year term, from October 13, 2020, through October 12, 2025, to provide vessel bunkering services at Port Everglades.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

16. MOTION TO ADOPT Resolution No. 2020-422 directing the County Administrator to publish a Notice of Public Hearing to be held on September 22, 2020, at 10:00 a.m., in Room 422 of the Governmental Center 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 RATES, FEES, AND CHARGES AT BROWARD COUNTY'S FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; AMENDING SECTION 39.2 AND EXHIBIT 39.A OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), TO REFLECT CHANGES TO RATES, FEES, AND CHARGES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

17. MOTION TO ADOPT Resolution No. 2020-423 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 22, 2020, at 10:00 a.m., in Room 422 of the Governmental Center 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 WASTEWATER SERVICES; AMENDING PART XV AND SECTIONS 6.72 AND 6.73 OF CHAPTER 6 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), TO UPDATE THE NAME OF THE WATER AND WASTEWATER BUSINESS OPERATIONS DIVISION; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

18. MOTION TO ADOPT Resolution No. 2020-424 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 22, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO TREE TRIMMING CONTRACTORS; AMENDING VARIOUS SECTIONS OF CHAPTER 9, ARTICLE XI, OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING DEFINITIONS; PROVIDING FOR LICENSURE OF TREE TRIMMING CONTRACTORS; ESTABLISHING LICENSURE, APPLICATION, AND TRAINING REQUIREMENTS; REQUIRING MAINTENANCE OF QUALIFICATIONS; PROVIDING FOR ENFORCEMENT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

ANIMAL CARE AND ADOPTION DIVISION

19. A. MOTION TO ADOPT Resolution No. 2020-425 of the Board of County Commissioners of Broward County, Florida, accepting donation in the amount of \$20,000 from the Petco Foundation 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-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT budget Resolution No. 2020-426 within the Animal Care Adoption Trust Fund to appropriate revenue in the amount of \$20,000 for Fiscal Year 2020 for the purpose of recognizing a donation received from The Petco Foundation to be used for the funding of lifesaving programs.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION

20. A. MOTION TO APPROVE retroactively Grant Agreement No. TV013 between Florida Department of Environmental Protection (FDEP) and the Broward County Board of County Commissioners, to provide funding for the Title V Air Quality Permitting and Compliance program in the amount of \$69,757 from July 1, 2020 to June 30, 2021, and authorize the County Administrator to execute administrative and budgetary actions to implement the grant.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT budget Resolution No. 2020-427 in the amount of \$69,757 within the Pollution Prevention Fund for the purpose of recognizing Title V funds received from FDEP.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION

21. A. MOTION TO APPROVE Cooperation Agreement with the U.S. Army Corps of Engineers for the post-storm Segment III Rehabilitation Project, in substantially the form

attached as Exhibit 2, and authorize the County Administrator to execute and take all necessary administrative and budgetary actions required for execution subject to final review and approval as to form by the Office of County Attorney. **(Commission Districts 6 and 7)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO APPROVE Certification of Lands with the U.S. Army Corps of Engineers for the post-storm Segment III Rehabilitation, in substantially the form attached as Exhibit 4, and authorize the County Administrator to execute and take all necessary administrative and budgetary actions required for execution, subject to final review and approval as to form by the Office of County Attorney. **(Commission Districts 6 and 7)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

HOUSING FINANCE AND COMMUNITY REDEVELOPMENT DIVISION

22. A. MOTION TO ADOPT Resolution No. 2020-428 of the Board of County Commissioners of Broward County, Florida, approving an amendment to the State Housing Initiatives Partnership ("SHIP") Local Housing Assistance Plan ("LHAP") for Fiscal Years 2017, 2018 and 2019, to add the City of Coconut Creek, Florida ("City"), for implementation of the City's SHIP Program for Fiscal Years 2017, 2018 and 2019; directing the County Administrator to submit the amended LHAP to the Florida Housing Finance Corporation for review and approval; authorizing the County Administrator to execute any necessary documents related to the amended LHAP; authorizing the County Administrator to approve and submit a revenue resolution to recognize the transfer of the City's SHIP Program funds to the County; and providing for severability and an effective date.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- B. MOTION TO ADOPT Resolution No. 2020-429 of the Board of County Commissioners of Broward County, Florida, approving an amendment to the State Housing Initiatives Partnership ("SHIP") Local Housing Assistance Plan ("LHAP") for Fiscal Years 2020, 2021 and 2022, to add the City of Coconut Creek, Florida ("City"), for implementation of the City's SHIP Program for Fiscal Years 2020, 2021 and 2022; directing the County Administrator to submit the amended LHAP to the Florida Housing Finance Corporation for review and approval; authorizing the County Administrator to execute any necessary documents related to the amended LHAP; authorizing the County Administrator to approve and submit a revenue resolution to recognize the transfer of the City's SHIP Program funds to the County; and providing for severability and an effective date.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- C. MOTION TO APPROVE Interlocal Agreement between Broward County and the City of Coconut Creek for the purpose of establishing and implementing joint local housing assistance programs, contingent upon the Local Housing Assistance Plan (LHAP) as provided in Motion A and Motion B; for the term to commence upon execution and run concurrently with the term of the LHAP; authorizing the County Administrator to take any necessary administrative and/or budgetary actions for submission of the Interlocal Agreements to the Florida Housing Finance Corporation for review and approval; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative

telephonically.

D. MOTION TO AUTHORIZE County Administrator to execute the Agreement between Broward County and the City of Coconut Creek (City) for Administration by Broward County of the City's Coronavirus Relief Funds; authorizing the County Administrator to execute any necessary documents to administer the City's Coronavirus Relief Funds; authorizing the County Administrator to approve and submit a revenue resolution to recognize receipt of the funds, and take all necessary administrative and budgetary actions to include execution and implementation of amendments, reinstatements, project/activity priorities and budgetary changes; subject to final review and approval of form by the Office of the County Attorney.

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT**PURCHASING DIVISION**

For Greater Fort Lauderdale Convention And Visitors Bureau

- 23.** MOTION TO AWARD open-end contract to low responsive, responsible bidder, Fort Lauderdale Transportation, Inc. dba USA Transportation, for Transportation Services for Airports, Convention Center, and Tri-County Destinations, Bid No. GEN2120154B1, for the Greater Fort Lauderdale Convention & Visitors Bureau and other various County agencies, in the initial estimated term amount of \$472,900, and authorize the Director of Purchasing to renew the contract for two one-year periods, for an actual two-year-three-month term, for a potential estimated amount of \$1,945,975. The initial contract period begins on October 1, 2020 and terminates on December 31, 2020.

(Per the Thursday Morning Memorandum, this item was withdrawn for further staff review.)

RECORDS, TAXES, AND TREASURY DIVISION

- 24.** A. MOTION TO APPROVE minutes of the 10 a.m. Broward County Board of County Commissioners meetings of November 5, November 19, December 3, and December 10, 2019; and January 7, January 28, February 11, and February 25, 2020.

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

- B. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

- C. MOTION TO APPROVE destruction of Board of County Commission minutes and supporting documents, which have been imaged and have met retention requirements consistent with the General Records Schedule GS1-SL, established by the Division of Library and Information Services of the State of Florida for local government agencies.

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

D. MOTION TO FILE quarterly report, January 2020 through March 2020, of all Ordinances and Resolutions filed by cities and outside agencies.

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

QUASI-JUDICIAL CONSENT HEARING

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT **DEPARTMENT**

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

25. MOTION TO APPROVE plat entitled Aviara East Pompano (019-MP-19). (Commission District 4)

ACTION: (T-10:57 AM) *Approved the plat subject to staff's recommendations as outlined in the Development Review Report.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

26. MOTION TO APPROVE non-vehicular access line amendment on the Palm Aire Cypress Course Estates 4th Section (126-MP-81). (Commission District 2)

ACTION: (T-10:57 AM) *Approved the plat subject to staff's recommendations as outlined in the Development Review Report.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

END OF QUASI-JUDICIAL CONSENT HEARING

COUNTY ADMINISTRATION

27. MOTION TO APPROVE extension of the appointment of Mr. Lindy "Steve" Hammond to the position of Acting Director of Public Works Department until February 11, 2021.

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

INTERGOVERNMENTAL AFFAIRS/BOARDS SECTION

28. MOTION TO ACCEPT nominations to appoint or reappoint members to various boards (three positions).

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

REAL PROPERTY SECTION

29. MOTION TO ADOPT Resolution No. 2020-430 authorizing the conveyance of a portion of County-owned property measuring 3,936 square feet, located at 2600 NE 16th Avenue in Pompano Beach, in exchange for an adjacent 2,637 square feet of the property located at NE 16th Avenue in Pompano Beach; authorize the Mayor and Clerk to execute all required documents to effectuate the exchange; and authorize recordation of the deeds. (Commission District 4)

ACTION: (T-10:57 AM) *Approved.*

VOTE: 9-0. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.*

30. MOTION TO APPROVE Corrective Quit Claim Deed for property located at the intersection of West Commercial Boulevard and North State Road 7 in the City of Tamarac conveyed from Broward County (Grantor) to the Florida Department of

Transportation (Grantee); correcting scrivener's errors in the property's legal description; authorize the Mayor and Clerk to execute the Corrective Quit Claim Deed and authorize recordation of same. **(Commission District 9)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 31.** MOTION TO RATIFY action taken by the County Administrator to execute a revocable License Agreement between Broward County and the Florida Department of Health for the Florida Department of Health's use of County property located at 1801 NW 49th Street in Fort Lauderdale. On March 10, 2020 (Item No. 62), the Board of County Commissioner's authorized the County Administrator to take such action. **(Commission District 9)**

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

COUNTY ATTORNEY

- 32.** MOTION TO APPROVE Interlocal Agreement Between Broward County and The School Board of Broward County Related to School Impact Fee Monies ("Agreement"); and authorize the Mayor to execute the Agreement in substantially the form as attached Exhibit 2.

(Per the Thursday Morning Memorandum, executed signature pages have been received.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

PUBLIC HEARING

33. MOTION TO ADOPT supplemental budget Resolution No. 2020-431 within the General Fund in the amount of \$977,584 to amend revenues and appropriations prior to the close of the Fiscal Year.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

34. A. MOTION TO ADOPT supplemental budget Resolution Nos. 2020-432 through 2020-441 s within the Special Purpose and Trust Funds in the amount of <\$9,104,086> to amend revenues and appropriations prior to the close of the Fiscal Year.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT supplemental budget Resolution No. 2020-442 within the Building Code Services Special Purpose Fund transferring \$10,807,878 from the reserve to provide a rebate to the Aviation Department (\$5,409,548) and as unearned revenue for active permits (\$5,398,330) to comply with 2019 HB 447.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

C. MOTION TO ADOPT supplemental budget Resolution No. 2020-443 within the Court Facilities Fee Fund transferring \$1,755,405 from capital projects to the reserve for project commitments.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Scrivener's Error - See County Administrator's

Report: Line 2, Motion C, Currently reads: ...Fund transferring \$1,755,405... Should read: ...Fund transferring \$1,775,405...) (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

35. A. MOTION TO ADOPT supplemental budget Resolution Nos. 2020-444 through 2020-450 within the Special Revenue Funds in the amount of <\$44,217,519> to amend revenues and appropriations prior to the close of the Fiscal Year.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- B. MOTION TO ADOPT supplemental budget Resolution No. 2020-451 within the Convention Center and Visitors Bureau Fund transferring funds in the amount of \$8,091,670 to adjust budgeted transfers from debt service to special revenue fund.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- C. MOTION TO ADOPT supplemental budget Resolution No. 2020-452 within the Convention Center Fund transferring funds in the amount of \$25,000 to mitigate for decrease to tourist tax revenue transfer.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- D. MOTION TO ADOPT supplemental budget Resolution No. 2020-453 within the Transportation Surtax Fund transferring funds in the amount of \$49,120 to fund one Assistant County Attorney position in the General Fund.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 36.** MOTION TO ADOPT supplemental budget Resolution No. 2020-454 within the Debt Service Funds in the amount of <\$8,086,670> to amend revenues and appropriations prior to the close of the Fiscal Year.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 37.** A. MOTION TO ADOPT supplemental budget Resolution Nos. 2020-455 through 2020-457 within the Capital Funds in the amount of <\$23,139,627> to amend revenues and appropriations prior to the close of the Fiscal Year.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

B. MOTION TO ADOPT supplemental budget Resolution No. 2020-458 transferring funds within the Convention Center Hotel Capital Fund transferring funds in the amount of \$467,187,343 to transfer expense budget to reserve.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

C. MOTION TO ADOPT supplemental budget Resolution No. 2020-459 transferring funds within the Beach Renourishment Capital Fund transferring funds in the amount of \$978,950 to mitigate for decrease to tourist tax revenue transfer.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative

telephonically.

D. MOTION TO ADOPT supplemental budget Resolution No. 2020-460 transferring funds within the Parks and Land Bond Preservation Capital Fund transferring funds in the amount of \$4,187,623 to increase the Tradewinds Park Improvements project budget.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

E. MOTION TO ADOPT supplemental budget Resolution Nos. 2020-461 through 2020-462 transferring funds within the Transit Capital Non-Grant Fund transferring funds in the amount of \$13,333 to transfer to the Transit Capital Grant Fund.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

38. MOTION TO ADOPT supplemental budget Resolution Nos. 2020-463 through 2020-466 within the Enterprise Funds in the amount of <\$2,622,776> to amend revenues and appropriations prior to the close of the Fiscal Year.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Scrivener's Error - See County Administrator's Report: Missing the A. and B. in front of the Motions.) (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

MOTION TO ADOPT supplemental budget Resolution No. 2020-467 transferring funds within the Passenger Facility Charge (PFC) Capital Fund in the amount of \$4,926,606 due to reduction in the transfer amount to debt service and allocation to reserves.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved. (Scrivener's Error - See County Administrator's Report: Missing the A. and B. in front of the Motions.) (Refer to minutes for full

discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 39.** A. MOTION TO ADOPT supplemental budget Resolution No. 2020-468 within the Internal Service Funds in the amount of \$8,750,000 to amend revenues and appropriations prior to the close of the Fiscal Year.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- B. MOTION TO ADOPT budget Resolution No. 2020-469 within the Owner-Controlled Insurance Fund in the amount of \$439,600 to transfer funds from the reserve to cover run-out claims costs.

(Item Numbers 33, 34, 35, 36, 37, 38 and 39 were taken up and voted on together.)

ACTION: (T-3:39 PM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN TEXT RELATED TO THE CAPITAL IMPROVEMENTS ELEMENT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

ACTION: (T-3:39 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 41. MOTION TO ENACT** Ordinance adopting Broward County Land Use Plan text amendment (PCT 20-2), regarding the Pompano Beach Downtown Activity Center, as an amendment to the Broward County Comprehensive Plan pursuant to Section 163.3184, Florida Statutes, as amended (**Commission Districts 2 and 4**), the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE BROWARD COUNTY LAND USE PLAN TEXT REGARDING THE POMPAÑO BEACH DOWNTOWN ACTIVITY CENTER; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

ACTION: (T-3:46 PM) *Following discussion, the Board tabled this item until later in the meeting. (Refer to minutes for full discussion.)*

ACTION: (T-4:02 PM) *Following discussion, the Board continued this item until, Tuesday, September 22, 2020. (Refer to minutes for full discussion.) (See Purple-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Planning Council.)*

VOTE: 7-2. *Vice-Mayor Geller voted in the affirmative telephonically. Commissioner Rich voted against the item telephonically. Commissioner Sharief voted against the item.*

- 42. MOTION TO ADOPT** Resolution No. 2020-470 to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 20-3), to revise Policy 2.16.3 regarding bonus density formulas, as an amendment to the Broward County Comprehensive Plan, to designated State review agencies pursuant to Section 163.3184, Florida Statutes, as amended, the substance of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TRANSMITTING A PROPOSED AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO REVISE POLICY 2.16.3 REGARDING BONUS DENSITY FORMULAS; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-3:50 PM) *Approved. (Refer to minutes for full discussion.)*

VOTE: 8-1. *Commissioner Rich voted in the affirmative telephonically. Vice-Mayor Geller voted no.*

ACTION: (T-3:52 PM) *Vice-Mayor Geller requested being shown voting in the affirmative. (Refer to minutes for full discussion.)*

VOTE: 9-0.

- 43. MOTION TO ADOPT** Resolution No. 2020-471 to transmit a proposed amendment to the

Broward County Land Use Plan text (PCT 20-4), to add Policy 2.16.4 to permit additional residential density on parcels designated "Commerce" and "Activity Center," as an amendment to the Broward County Comprehensive Plan, to designated State review agencies pursuant to Section 163.3184, Florida Statutes, as amended, the substance of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TRANSMITTING A PROPOSED AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO ADD POLICY 2.16.4 TO PERMIT ADDITIONAL RESIDENTIAL DENSITY ON PARCELS DESIGNATED "COMMERCE" AND "ACTIVITY CENTER;" AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-3:53 PM) Approved as amended with Purple-Sheeted Additional Material 43 and 43(2), dated September 10, 2020, submitted at the request of Vice-Mayor Geller. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 44.** MOTION TO ADOPT Resolution No. 2020-472 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 COUNTY ADMINISTRATOR'S AUTHORITY TO ACCEPT DONATIONS; AMENDING SECTION 18.63 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-3:55 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 45.** MOTION TO ADOPT Resolution No. 2020-473 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 CRITERIA FOR BREAKING TIES IN RESPONSES TO COMPETITIVE SOLICITATIONS; AMENDING SECTION 21.31 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-3:55 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 46.** MOTION TO ENACT Ordinance, the title of which is as follows (this is the first of two (2) required public hearings; the second public hearing will be held on Tuesday, September 22, 2020, at 10:00 a.m.):

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO ZONING; AMENDING VARIOUS SECTIONS OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR DEFINITIONS, BUILDING AND STRUCTURE HEIGHTS, NOTICE OF PUBLIC HEARING REQUIREMENTS, AND REGULATIONS RELATED TO SIGNAGE AND NONCONFORMING BUILDINGS, USES, AND STRUCTURES; INCORPORATING STORM AND HURRICANE PROTECTION REGULATIONS OF THE FLORIDA BUILDING CODE; PROVIDING GENERAL UPDATING AMENDMENTS; AMENDING SECTION 8½-16 OF THE CODE REGARDING THE SCHEDULE OF CIVIL PENALTIES FOR ZONING-RELATED VIOLATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(No Board action taken.) (Refer to minutes for full discussion.)

47. MOTION TO ADOPT Resolution No. 2020-474 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 FEE STRUCTURE FOR LABORATORY SERVICES; AMENDING SECTION 40.23 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), PROVIDING FOR AMENDED ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT FEES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-4:00 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

48. 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 CODE ENFORCEMENT APPEALS; AMENDING SECTIONS 3½-15, 8½-14, 9-29, 9-124, 9-176, 16½-35.6, 27-42, AND 39-136 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR APPEAL OF CODE ENFORCEMENT ACTIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:01 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

END PUBLIC HEARING

REGULAR AGENDA

COUNTY ATTORNEY

- 49. MOTION TO AUTHORIZE** County Administrator to approve and execute a Separation Agreement and Mutual Release ("Separation Agreement") between Broward County (the "County") and Young At Art of Broward, Inc. ("YAA"), provided the Separation Agreement is approved as to legal sufficiency by the Office of the County Attorney, includes the terms set forth in the Term Sheet (attached hereto as Exhibit 1), and is executed by YAA and the County by September 15, 2020; or, if the County and YAA are unable to agree upon and execute a Separation Agreement consistent with the Term Sheet by September 15, 2020, to (i) authorize the County Administrator to immediately terminate the Revised Lease Agreement between County and YAA ("Revised Lease") pursuant to Section 3.4 thereof, and (ii) upon such termination, to authorize the Office of the County Attorney to pursue all available rights and remedies under the Revised Lease including, if determined appropriate, through the commencement of litigation.

ACTION: (T-10:48 AM) Following discussion, the Board tabled this item until later in the meeting. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material 49 and 49(2) dated September 10, 2020, submitted at the request of County Administration; 49(3), dated September 10, 2020, submitted at the request of the Office of the County Auditor; 49(4) dated September 10, 2020, submitted at the request of the Office of the County Attorney; 49(5), dated September 10, 2020, submitted at the request of County Administration; and 49(6) dated September 10, 2020, submitted at the request of Young At Art.)

ACTION: (T-3:18 PM) Following discussion, Commissioner Ryan made motion to defer this item to the next meeting. The motion was seconded by Commissioner Bogen. (Refer to minutes for full discussion.)

The motion failed.

VOTE: 4-4. Vice-Mayor Geller voted in the affirmative telephonically. Commissioner Rich telephonically voted against deferring this item to the next meeting. Commissioners Fisher, Sharief and Udine voted against deferring this item to the next meeting. Commissioner Furr abstained from voting and was out of the room during the vote.

ACTION: (T-3:31 PM) The Board tabled this item until after the 5:01 p.m. Public Hearing. (Refer to minutes for full discussion.)

VOTE: 7-1. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically. Commissioner Ryan voted against tabling this item until after the

5:01 p.m., Public Hearing. Commissioner Furr abstained from voting and was out of the room during the vote.

ACTION: (T-3:34 PM) Following further discussion, County Attorney Andrew J. Meyers withdrew this item and noted that he will bring the item back to the Board on Tuesday, September 22, 2020. (Refer to minutes for full discussion.)

- 50. MOTION TO AUTHORIZE** Office of the County Attorney to file an action to determine title to personal property abandoned by former tenant and bankruptcy debtor Advantage/EZ Rent A Car at the Rental Car Center at Fort Lauderdale-Hollywood International Airport and for other appropriate relief.

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 51. MOTION TO APPROVE** settlement, including costs and attorney's fees, in the case of Luis Santiago vs. Broward County, 17th Judicial Circuit Court Case No. CACE 18-019002 (14).

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

- 52. MOTION TO APPROVE** initiation of an amendment to the Deepwater Port Component of the Broward County Comprehensive Plan, BrowardNEXT2.0, amending policies for consistency with the Port Everglades Master/Vision Plan update, adopted June 16, 2020.

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

REQUEST TO SET FOR PUBLIC HEARING

- 53.** MOTION TO ADOPT Resolution No. 2020-475 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 22, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows (**deferred from August 25, 2020 - Item No. 23**):

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE LAND DEVELOPMENT CODE; AMENDING SECTION 5-182.9 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), PROVIDING FOR ADEQUACY OF SCHOOL FACILITIES AS PART OF DEVELOPMENT REVIEW; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 54.** MOTION TO ADOPT Resolution No. 2020-476 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 22, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY BIDDING PREFERENCE FOR LOCAL VENDORS; AMENDING SECTIONS 1-74 AND 1-75 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR EVALUATION OF PRINCIPAL PLACE OF BUSINESS FOR SUBSIDIARIES OF NONLOCAL ENTITIES; MODIFYING TIEBREAKER REFERENCES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Beam Furr)

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

- 55.** MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September, 22, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CREATING A POLICE AND CRIMINAL JUSTICE REVIEW BOARD; CREATING SECTION 18-7 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Mayor Dale V.C. Holness)

(Per the Thursday Morning Memorandum, the Board's consideration of this item is based on the Substitute Motion distributed as additional material.)

ACTION: (T-12:49 PM) *Following discussion, the Board tabled this item until later in the meeting. (Refer to minutes for full discussion.)*

ACTION: (T-2:48 PM) *Following further discussion, the Board deferred this item for two weeks, and requested that the County Attorney's Office draft amendments and bring them back to the Board. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material 55, dated September 10, 2020, submitted at the request of Mayor Dale V.C. Holness and Yellow-Sheeted Additional Material 55(2), dated September 10, 2020, submitted at the request of Office of the County Attorney.)*

VOTE: 8-1. *Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically. Mayor Holness voted against deferring this item.*

COUNTY COMMISSION

56. MOTION TO DISCUSS Broward County Board of County Commissioners' "Parking Garage" (Commissioner Bogen)

ACTION: (T-6:28 PM) Following discussion, the Board deferred this item to the next meeting. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Commissioner Mark Bogen.)

VOTE: 8-1. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically. Commissioner Ryan voted against deferring this item.

57. MAYOR'S REPORT

A. UPCOMING EVENTS

ACTION: (T-6:30 PM) Mayor Holness commented that he will be a panelist in an upcoming infrastructure webinar. In addition, Mayor Holness noted that he will be participating in Broward Days & the Greater Fort Lauderdale Chamber of Commerce virtual session. (Refer to minutes for full discussion.)

B. HAPPY BIRTHDAY

ACTION: (T-6:30 PM) Mayor Holness wished Yashoda Lochan a Happy Birthday. (Refer to minutes for full discussion.)

58. COUNTY ADMINISTRATOR'S REPORT

(No report given.)

MEETING/WORKSHOP NOTICES

BUDGET HEARING NO. 1

Thursday, September 10th, in Room 422 at 5:01 p.m.

SUPPLEMENTAL AGENDA**PUBLIC WORKS DEPARTMENT****CONSTRUCTION MANAGEMENT DIVISION**

59. MOTION TO AUTHORIZE County Administrator to negotiate and execute a Managing General Contractor Agreement for Broward County Judicial Projects with Stiles Pirtle Joint Venture, Bid/Contract No.: PNC2119163P1 ("Agreement"), in substantially the form attached as Exhibit 1, subject to review by the Office of the County Attorney as to legal sufficiency. **(Commission District 6 and 7)**

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved. (See Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Public Works Department.)

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

REQUEST TO SET FOR PUBLIC HEARING

60. MOTION TO ADOPT Resolution No. 2020-477 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, September 22, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CREATING THE "BROWARD COUNTY LOCKSMITH ACT"; CREATING DIVISION 8 OF ARTICLE VII OF CHAPTER 20 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR LICENSING OF LOCKSMITHS AND REGISTRATION OF LOCKSMITH BUSINESSES; PROVIDING FOR ENFORCEMENT AND PENALTIES; AMENDING SECTION 8½-16 OF THE CODE RELATING TO FINES FOR VIOLATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Mark D. Bogen)

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

COUNTY ATTORNEY

61. MOTION TO AUTHORIZE County Administrator to negotiate and execute a Second Amendment to the Transportation Surtax Interlocal Agreement among the County, Broward Metropolitan Planning Organization (MPO), and participating Municipalities

(Transportation Surtax ILA), addressing the matters stated on Exhibit 1 and any materially related matters, provided the amendment does not create any new financial obligation for the County and subject to review for legal sufficiency by the Office of the County Attorney; and to authorize the County Administrator to negotiate and execute any associated amendment to the Interlocal Agreement for Transportation Surtax Services between the County and the MPO (MPO ILA) to ensure consistency between the MPO ILA and the Transportation Surtax ILA, subject to review for legal sufficiency by the Office of the County Attorney.

(Transferred to the Consent Agenda.)

ACTION: (T-10:57 AM) Approved.

VOTE: 9-0. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically.

COUNTY COMMISSION

62. MOTION TO DISCUSS status of buildout of 17th Floor of the Broward County 17th Judicial Circuit Courthouse and receive an explanation about project delays. (Commissioner Bogen)

ACTION: (T-6:28 PM) Following discussion, the Board deferred this item to the next meeting. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of the Public Works Department.)

VOTE: 8-1. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically. Commissioner Ryan voted against deferring this item.

63. MOTION TO DISCUSS Broward County Auditor's Interim Audit Report of the Broward County Animal Shelter and Broward County Animal Care and Adoption Division's response. (Commissioner Bogen)

ACTION: (T-6:28 PM) Following discussion, the Board deferred this item to the next meeting. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated September 10, 2020, submitted at the request of Environmental Protection and Growth Management Department.)

VOTE: 8-1. Commissioner Rich and Vice-Mayor Geller voted in the affirmative telephonically. Commissioner Ryan voted against deferring this item.

64. MOTION TO DISCUSS bridge scholarship program. (Commissioner Bogen)

(Per the Thursday Morning Memorandum, this item was withdrawn per Commissioner Mark Bogen.)

65. MOTION TO DISCUSS and update from Broward County Supervisor of Elections (SOE) regarding, November 3 General Election and Vote-By-Mail (VBM) ballot request forms, Vote-By-Mail (VBM) ballot drop box locations, early voting locations and other pertinent information. (Mayor Holness)

ACTION: (T-10:59 AM) The Board discussed proposals and processes surrounding the November 3, 2020 General Election, including but not limited to additional drop off box locations, and a subcommittee to review ballots, as well as televised public service announcements with pertinent information. (Refer to minutes for full discussion.)

66. MOTION TO DISCUSS whether the Fort Lauderdale International Boat Show should be permitted to operate this year pursuant to an operational plan the organizers have submitted to the Broward County Administrator in accordance with the applicable Broward County Emergency Orders. (Commissioner Fisher)

ACTION: (T-11:56 AM) *Following discussion, the Board expressed approval for the operation of the Fort Lauderdale International Boat Show this year, with County Administrator Bertha Henry being given authority to negotiate with organizers in regard to enforcement of public health and safety protocols. (Refer to minutes for full discussion.)*

NON-AGENDA

67. WELCOME GABRIELLA LASSO - COMMISSIONER SHARIEF

ACTION: (T-6:31 PM) *Commissioner Sharief welcomed volunteer intern Gabriella Lasso to Commissioner Sharief's office. (Refer to minutes for full discussion.)*

68. UNITED STATES CENSUS - COMMISSIONER RICH

ACTION: (T-6:31 PM) *Commissioner Rich noted a slight increase in participation in the United States Census. Commissioner Rich requested that a banner be displayed in the commission chambers to help promote participation in the Census. (Refer to minutes for full discussion.)*

69. INSPECTIONS - COMMISSIONER UDINE

ACTION: (T-6:32 PM) *Commissioner Udine commented that new businesses are experiencing difficulty with inspections related to the P25 Communications System transferring to the new system. Commissioner Udine asked if temporary company officers would work with the fire chiefs to expedite the inspection process. (Refer to minutes for full discussion.)*