

**MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR**

1. **CALL TO ORDER:** March 21, 2000, at 9:34 a.m., in the Palm Beach County Governmental Center, West Palm Beach, Florida.

1.A. **ROLL CALL**

MEMBERS AND OFFICERS PRESENT:

Chair Maude Ford Lee  
Vice-Chair Warren H. Newell  
Commissioner Burt Aaronson  
Commissioner Mary McCarty  
Commissioner Karen T. Marcus  
Commissioner Tony Masilotti  
Commissioner Carol A. Roberts  
County Administrator Robert Weisman  
County Attorney Denise Dytrych  
Chief Deputy Clerk John W. Dame  
Deputy Clerk Judith Crosbie

1.B. **INVOCATION**

Commissioner Lee requested a moment of silence in memory of state representative Ed Healey.

1.C. **PLEDGE OF ALLEGIANCE**

2. **AGENDA APPROVAL**

2.A. **ADDITIONS, DELETIONS, SUBSTITUTIONS**

County Administrator Weisman noted the Agenda changes as follows:

<u>PAGE</u>	<u>ITEM</u>	
25	4D	<b><u>REVISED MOTION, TITLE &amp; SUMMARY:</u></b> Staff recommends any northern alignment for Hood Road (Alternate A1A to Prosperity Farms Road) that connects to the existing Flamingo Road west of Prosperity Farms Road and that meets the design standards for a two-lane thoroughfare road. <b>SUMMARY:</b> The existing alignment, set in 1990, extends east and south from the intersection of Hood Road and Alt A1A to Prosperity Farms Road, where it intersects north of the intersection with Carib Circle. The future road would be within the city limits of Palm Beach Gardens. This alignment places Hood Road through the southern part of a preserve area that was acquired by Palm Beach County, in 1995, after the road alignment had been set. Staff believes that a better alignment would be to shift the road to the north, tying in to the existing Flamingo Road. There are numerous options and alignments that could meet the thoroughfare criteria and staff could accept any that meet the criteria. If this general concept (tying in to Flamingo Road) is accepted, the issues are straightforward - placing the road to the north puts it closer to existing residences and maximizes site planning options for the developer and the City. Placing the road away from the existing residents reduces the number of "feasible" site planning options for the developer. The existing communities along the recommended northern alignment(s) prefer the existing southerly alignment, as they do not want the additional traffic adjacent to their communities and would prefer the new road to be built through the preserve area. <u>District 1</u> (Eng)

## 2.A. - CONTINUED

- 28 5B-1 **DELETED:** a Change in the posted speed limit on El Clair Ranch Road ...(Eng) (Further staff review)
- 28 5B-2 **ADD-ON: Staff recommends motion to approve:** Budget Transfer of \$10,000 in the Transportation Improvement Fund from the Reserve for District 6 to the Windmill Road/196 Trail North Maintenance - District 6 Improvement Project. **SUMMARY:** This action will initiate a Budget Transfer of \$10,000 required to fund the one (1) time improvement of Windmill Road/196 Trail North in Loxahatchee Groves in District 6. District 6 (ME) (Eng)
- 28 5B-3 **ADD-ON: A) Staff recommends the Board adopt:** the following policy pertaining to signal warrants: Intersections that redirect traffic from hospital drives, or intersections that are the hospital driveways themselves, should be evaluated considering all traffic from the side street - without using any reductions for side street right turns, and such evaluation should address all signal warrants contained in the Manual of Uniform Traffic Control Devices (MUTCD); and
- B) Staff requests Board direction:** on the methodology used by Palm Beach County in determining the warranting criteria for signal installations on County roads.
- SUMMARY:** The new policy would require that the MUTCD warrant standards for locations that are hospital driveways or would redirect traffic from hospital driveways and entrances be evaluated as follows. As part of the warrant analysis for these locations, all side street traffic would be considered - there would be no reduction in side street volumes by eliminating all or a portion of right turning vehicles. Our current policy eliminates right turn vehicles from the warrant analysis where there is a right turn lane. However, some right turns (50%) are considered if a majority of the vehicles on the side street are driven by drivers that are considered to be "seniors". This policy changes would consider 100% of the right turns in the warrant analysis for these specific locations. The remaining discussion related to methodology should focus on the flexibility currently present within the MUTCD. The Board should discuss if it wants to allow more locations to qualify for traffic signals. It could do this and still stay within the guidelines of the MUTD. Countywide (Eng)
- 28 5C-1 **REVISED MOTION: Staff recommends motion to conceptually approve:** (HCD)
- 32 5H-1 **ADD-ON: Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, sponsoring the Agriplex Project at the South Florida Fairgrounds and agreeing to administer any state funds received for the agriplex. **SUMMARY:** Development cost for the Agriplex is estimated at \$7.5 million. Of this estimate, the South Florida Fair and Palm Beach County Expositions, Inc. ("Fair") is seeking \$3.5 million in State support and will contribute and raise the remaining \$4 million through donations and direct funding. The Fair has requested the County serve as a sponsor of the Agriplex project and its efforts to secure \$3.5 million in matching funds. Countywide (GPS) (Admin)

## 2.A. - CONTINUED

- |    |      |  |
|----|------|--|
| 32 | 5I-1 | <p><b><u>ADD-ON:</u></b> Staff recommends a motion to adopt: a Resolution requesting Congressional financial support in the amount of \$110.5 million dollars of major capital investment funds necessary for the Federal Transit Administration (FTA) to enter into a Full Funding Agreement (FFGA) with the Tri-County Commuter Rail Authority for construction of Segment 5 of the South Florida Rail Corridor Double Track Improvement Program. Segment 5 represents the final 44.3 miles of the double tracking project. <b>SUMMARY</b> The Tri-County Commuter Rail Authority (Tri-Rail) is responsible for the operation of commuter rail service along a 71.7 mile rail corridor extending north from the Miami, Florida airport station to the Mangonia Park Station in Palm Beach County. The South Florida Rail Corridor is currently operating at capacity and in order to ensure on-time performance and improve future commuter service in the corridor, it is necessary to complete double-tracking of the entire 71.7 mile rail corridor. The Federal Transit Administration has notified Tri-Rail of its intent of execute a Full Funding Agreement for funding of Segment 5 (which represents the final 44.3 miles) of the Double Track Corridor Improvement Program in the amount of \$ 110.5 million subject to appropriation from the Congress of major capital investment funds in that amount. Subject to funding, construction on Segment 5 is anticipated to begin later this year with completion in 2005. Staff believes that completion of the double-tracking of the corridor is essential to the current and future operation of the Tri-Rail system and requests to BCC to adopt this Resolution requesting Congressional support for the project. <u>Countywide</u> (DR) (MPO) (Requested by Commissioner Roberts)</p> |
| 37 | 9G-1 | <p><b><u>ADD-ON:</u></b> Proclamation honoring Felicia Wallace Cleveland</p>   |
| 37 | 9G-2 | <p><b><u>ADD-ON:</u></b> Proclamation declaring the week of March 19 - 26, 2000 as "Palm Beach County Sports Hall of Fame Week" in Palm Beach County.</p>  |

## 2.B. ADOPT ON

**MOTION to adopt the Agenda as amended. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 7-0.**

## 2.C. UNSCHEDULED ITEMS- None

3. **CONSENT AGENDA** See Page 17 for approval.

4. **PUBLIC HEARINGS- 9:30 A.M.** See Pages 17-24.

5. **REGULAR AGENDA** See Pages 24-35 and 38-40.

**BCC SITTING AS THE CHILD CARE ADVISORY BOARD (ITEMS 5.G.1. AND 5.G.2.)** See separate meeting of this date.

6. **BOARD APPOINTMENTS** See Pages 40-42.

7. **MATTERS BY THE PUBLIC- 2:00 P.M** -See Pages 35-37.

8. **STAFF COMMENTS** None

9. **COMMISSIONER COMMENTS** See Pages 42-48.

10. **ADJOURNMENT** See Page 48.

\*\*\*\*\* CONSENT AGENDA APPROVAL \*\*\*\*\*

**3.A. ADMINISTRATION**

**3.A.1. DOCUMENT R-2000-0351**

AWARD/CONTRACT (CHARGE RESOLUTION CONTRACT) WITH THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION IN PAYMENT OF \$65,500 FOR PROCESSING AND RESOLVING EMPLOYMENT DISCRIMINATION COMPLAINTS BY THE OFFICE OF EQUAL OPPORTUNITY FOR FISCAL YEAR 1999-2000. APPROVED 3-21-2000

**3.A.2.**

RECEIVE AND FILE RESOLUTION 537 OF THE TOWN OF SEWALL'S POINT SUPPORTING THE RESTUDY OF THE CENTRAL AND SOUTHERN FLORIDA PROJECT, OPPOSING THE CURRENT FUNDING PROPOSALS WHICH PLACE INEQUITABLE BURDENS ON THE RESIDENTS LIVING IN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, SUPPORTING EQUAL COST-SHARING THROUGHOUT THE STATE, AND SUPPORTING BONDING AS A VIABLE FUNDING OPTION. APPROVED 3-21-2000

**3.A.3. DOCUMENT R-2000-0352**

RECEIVE AND FILE NORTH COUNTY GENERAL AVIATION T-HANGAR LEASE AGREEMENT WITH BARRY AVIATION, INC., FOR \$275 MONTHLY PLUS ANY APPLICABLE SALES TAXES FOR 1,126,24 SQUARE FEET IN UNIT 19, BUILDING 11300, FROM FEBRUARY 1, 2000, TO JANUARY 31, 2001. APPROVED 3-21-2000

**3.A.4. DOCUMENT R-2000-0353**

REINSTATEMENT AND FIRST AMENDMENT TO THE JOB GROWTH INCENTIVE GRANT AGREEMENT WITH DATABASE TECHNOLOGIES. INC., FOR \$82,500 TO PROVIDE AN ADDITIONAL 90 DAYS TO SUBMIT THE PERFORMANCE AUDIT AND REIMBURSEMENT DOCUMENT TO THE COUNTY, AS REQUIRED UNDER THE AGREEMENT. (AMENDS R-97-1998) APPROVED 3-21-2000

**3.A.5.**

**a. DOCUMENT R-2000-0354**

RECEIVE AND FILE AMENDMENT 2 TO CONTRACT WITH DIANA L. ALEXANDER, D.V.M., FOR PAYMENT NOT TO EXCEED \$21,000 FOR RELIEF VETERINARY SERVICES FOR AN ADDITIONAL YEAR TO SEPTEMBER 30, 2000. (AMENDS R-98-1556-D) APPROVED 3-21-2000

**b. DOCUMENT R-2000-0355**

RECEIVE AND FILE AMENDMENT 2 TO CONTRACT WITH LINDA BOONE, D.V.M., FOR PAYMENT NOT TO EXCEED \$21,000 FOR RELIEF VETERINARY SERVICES FOR AN ADDITIONAL YEAR TO SEPTEMBER 30, 2000. (AMENDS R-98-1555-D) APPROVED 3-21-2000

**c. DOCUMENT R-2000-0356**

RECEIVE AND FILE AMENDMENT 2 TO CONTRACT WITH HORACIO KLEIN,  
D.V.M., FOR PAYMENT NOT TO EXCEED \$21,000 FOR RELIEF  
VETERINARY SERVICES FOR AN ADDITIONAL YEAR TO SEPTEMBER 30,  
2000. (AMENDS R-98-1918-D) APPROVED 3-21-2000

**CONSENT AGENDA - CONTINUED**

**3.A.6. DOCUMENT R-2000-0357**

RECEIVE AND FILE AN ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT WITH C&A CONTRACTING INC., FOR \$65,756 FOR KIRK ROAD SOUTH OF MELALEUCA LANE WATERMAIN EXTENSION SPECIAL ASSESSMENT PROJECT FOR THE WATER UTILITIES DEPARTMENT. APPROVED 3-21-2000

**3.B. CLERK**

**3.B.1.**

WARRANT LIST DATED MARCH 20, 2000. APPROVED 3-21-2000

COMPUTER CHECKS	\$17,390,292.56
WIRE TRANSFERS	42,706,930.84
MANUAL CHECKS	1,295.00
TRUSTEE DISBURSEMENTS	<u>0.00</u>
	\$60,098,518.40

**3.B.2.**

MINUTES OF THE REGULAR MEETING OF AUGUST 24, 1999; CHILD CARE FACILITIES BOARD, REGULAR, AND WORKSHOP MEETINGS OF SEPTEMBER 21, 1999; BUDGET HEARING OF SEPTEMBER 23, 1999; REGULAR MEETING OF SEPTEMBER 28, 1999; REGULAR MEETING OF OCTOBER 5, 1999; REGULAR MEETING OF OCTOBER 19, 1999; WORKSHOP OF OCTOBER 26, 1999; ZONING MEETING OF OCTOBER 28, 1999; REGULAR MEETING OF NOVEMBER 2, 1999; REGULAR MEETING OF NOVEMBER 16, 1999; WORKSHOP OF NOVEMBER 23, 1999; ZONING MEETING OF DECEMBER 2, 1999; REGULAR MEETING OF DECEMBER 7, 1999; COMPREHENSIVE PLAN MEETING OF DECEMBER 13, 1999; WORKSHOP OF DECEMBER 14, 1999; ZONING MEETING OF JANUARY 6, 2000; AND ZONING MEETING OF JANUARY 27, 2000. APPROVED 3-21-2000

**3.B.3.**

THE FOLLOWING CLAIM SETTLEMENTS ON THE CONTRACT LIST WERE EXECUTED BY THE RISK MANAGEMENT OR PURCHASING DIRECTOR:

**a.**

RENEWAL OF TERM CONTRACT WITH 39 PRE-QUALIFIED VENDORS AND FUTURE PRE-QUALIFIED VENDORS FOR THE PURCHASE OF TRANSIT COACH PARTS ON AN AS-NEEDED BASIS FOR \$650,000 FROM JUNE 24, 2000, THROUGH JUNE 23, 2001. APPROVED 3-21-2000

**b.**

TERM CONTRACT WITH LEWIS GRAHAM LANDSCAPE, B & J LAWN & LANDSCAPING, POWELL LANDSCAPING, AND EFREM Z. HARRELL FOR \$750,000 FOR GROUND MAINTENANCE FOR COUNTY-OWNED BUILDINGS LOCATED IN THE NORTH, SOUTH, AND WEST COUNTY REGIONS FROM APRIL 1, 2000, THROUGH MARCH 31, 2001. APPROVED 3-21-2000

## **CONSENT AGENDA - CONTINUED**

### **3.B.3. - CONTINUED**

**c.**

TERM CONTRACT WITH EBSCO SUBSCRIPTION SERVICES FOR \$700,000 FOR SUBSCRIPTION SERVICES AND STANDING ORDER TITLES FROM JUNE 1, 2000, THROUGH MAY 31, 2001. APPROVED 3-21-2000

**d.**

WORKER'S COMPENSATION CLAIM SETTLEMENT WITH PATRICIA DUNBAR FOR \$346,194.45 FOR A CLAIM FILED JULY 28, 1980, FOR LUMBAR SPRAIN/STRAIN RESULTING IN SEVERE AGGRAVATION TO UNDERLYING RHEUMATOID ARTHRITIS. APPROVED 3-21-2000

**e.**

WORKER'S COMPENSATION CLAIM SETTLEMENT TO LAWRENCE TIPPETT FOR \$175,716.06 FOR CLAIM FILED JULY 18, 1996 FOR HERNIATED CERVICAL DISC WITH FUSION SURGERY C5-6 AND C6-7. APPROVED 3-21-2000

### **3.C. ENGINEERING AND PUBLIC WORKS**

#### **3.C.1. RESOLUTION R-2000-0358**

RESOLUTION VACATING A PORTION OF A 20-FOOT DRAINAGE EASEMENT WITHIN LOT 14, WINSTON TRAILS, PLANNED UNIT DEVELOPMENT, PARCEL 5, LOCATED EAST OF JOG ROAD AND NORTH OF HYPOLUXO ROAD ON WEDGEWOOD VILLAGE CIRCLE. ADOPTED 3-21-2000

#### **3.C.2. DOCUMENT R-2000-0359**

COUNTY DEED TO THE LAKE WORTH DRAINAGE DISTRICT (LWDD) FOR CONVEYANCE OF A TRIANGULAR PIECE OF PROPERTY LOCATED AT THE WEST END OF ARPEGE PLACE, ADJACENT TO THE LWDD L-13 CANAL, NEEDED FOR ROADWAY PURPOSES TO SATISFY A CONDITION OF ZONING PETITION 97-31. APPROVED 3-21-2000

#### **3.C.3.**

**a.**

APPRAISAL AND ACQUISITION OF RIGHTS-OF-WAY AND EASEMENTS ON ALL FISCAL YEAR 2000 PROJECTS IDENTIFIED ON THE FIVE YEAR ROAD PROGRAM ANNUAL UPDATE, AS ADOPTED JANUARY 11, 2000. APPROVED 3-21-2000

**b.**

EMPLOYMENT OF ALL EXPERTS, INCLUDING BUT NOT LIMITED TO REAL ESTATE APPRAISERS, ENGINEERS, CERTIFIED PUBLIC ACCOUNTANTS, AND BUSINESS DAMAGE EXPERTS DEEMED NECESSARY TO APPRAISE AND ACQUIRE RIGHTS-OF-WAY AND EASEMENTS ON ALL FISCAL YEAR

2000 PROJECTS IDENTIFIED ON THE FIVE-YEAR ROAD PROGRAM  
ANNUAL UPDATE AS ADOPTED JANUARY 11, 2000. APPROVED 3-21-2000



## **CONSENT AGENDA - CONTINUED**

### **3.C.4. DOCUMENT R-2000-0360**

AMENDMENT 3 TO AN INTERLOCAL AGREEMENT WITH THE TOWN OF JUPITER FOR AN ANNUAL AMOUNT NOT TO EXCEED \$14,000 TO PROVIDE FOR MOWING OF THE SWALE ON MILITARY TRAIL FROM FREDERICK SMALL ROAD TO INDIANTOWN ROAD; CENTER STREET; CENTRAL BOULEVARD FROM INDIANTOWN ROAD TO INDIAN CREEK PARKWAY; AND OLD DIXIE HIGHWAY FROM JUPITER LAKES BOULEVARD TO THE TEQUESTA LINE FROM APRIL 2, 2000, TO APRIL 2, 2001. (AMENDS R-96-423-D) APPROVED 3-21-2000

### **3.C.5. DOCUMENT R-2000-0361**

CONTRACT WITH RANGER CONSTRUCTION INDUSTRIES, INC., FOR \$1,388,286.85 FOR CONSTRUCTION OF ADDITIONAL LEFT-TURN LANES FOR THE NORTH AND SOUTH APPROACHES AND A RIGHT-TURN LANE ON THE SOUTH APPROACH AT BELVEDERE ROAD AND MILITARY TRAIL INTERSECTION. APPROVED 3-21-2000

### **3.C.6. RESOLUTION R-2000-0362**

RESOLUTION AMENDING THE ASSESSMENT ROLL TO CONFIRM THE ASSESSMENT PROCESS FOR THE HIBISCUS ROAD AND LIMESTONE ROAD (LOXAHATCHEE GARDENS) PAVING, DRAINAGE AND WATER DISTRIBUTION SYSTEM PROJECT, SECTION 35, TOWNSHIP 40 SOUTH, RANGE 42 EAST. (AMENDS R-99-1400) ADOPTED 3-21-2000

### **3.C.7. DOCUMENT R-2000-0363**

AGREEMENT WITH CROSSROADS ENGINEERING & SURVEYING, INC., FOR \$245,274.59 FOR PROFESSIONAL DESIGN SERVICES FOR SEMINOLE PRATT WHITNEY ROAD FROM STATE ROAD 80 TO SOUTH OF OKEECHOBEE BOULEVARD. APPROVED 3-21-2000

### **3.C.8. DELETED**

### **3.C.9. RESOLUTION R-2000-0364**

RESOLUTION INITIATING SPECIAL ASSESSMENT FOR LAURETTE LANE AND NARCISSUS AVENUE, GARDENIA AVENUE, AND APRIL AVENUE (LAKEWOOD GARDENS), IN SECTION 24, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PAVING AND DRAINAGE IMPROVEMENT PROJECT UNDER THE MUNICIPAL SERVICE TAXING UNIT C STREET IMPROVEMENT PROGRAM. ADOPTED 3-21-2000

### **3.C.10. BUDGET TRANSFER 2000-0542**

BUDGET TRANSFER IN THE MUNICIPAL SERVICE TAXING UNIT DISTRICT F FUND FOR \$21,673 FROM DISTRICT F RESERVES TO THE WILSON ROAD STREET IMPROVEMENT PROJECT FOR REMOVAL AND DISPOSAL OF BOULDERS IN ROAD PREPARATION. APPROVED 3-21-2000

### **3.D. COUNTY ATTORNEY - None**

## **CONSENT AGENDA - CONTINUED**

### **3.E. COMMUNITY SERVICES**

#### **3.E.1.**

TRAVEL REQUEST FOR \$3,277 FOR HEAD START POLICY COUNCIL MEMBERS BRENDA BRUNO-GASTON AND NERLENDE GUERRIE TO ATTEND THE NATIONAL HEAD START ASSOCIATION'S ANNUAL TRAINING CONFERENCE IN WASHINGTON, D.C., ON APRIL 23-29, 2000. APPROVED 3-21-2000

#### **3.E.2. DOCUMENT R-2000-0365**

GRANT AWARD NOT TO EXCEED \$124,000 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR PHASE 18 OF THE EMERGENCY FOOD AND SHELTER PROGRAM EFFECTIVE JANUARY 1, 2000, THROUGH DECEMBER 31, 2000. APPROVED 3-21-2000

#### **3.E.3.**

APPROVAL OF LARRY V. BISHINS AS CHAIR OF THE PALM BEACH COUNTY HOUSING FINANCE AUTHORITY FOR A TWO-YEAR TERM COMMENCING JANUARY 2000. APPROVED 3-21-2000

#### **3.E.4. DOCUMENT R-2000-0366**

DELEGATE AGENCY AGREEMENT WITH THE CENTER FOR INFORMATION AND CRISIS SERVICES, INC., FOR AN AMOUNT NOT TO EXCEED \$78,958 FOR CRISIS LINE INFORMATION AND REFERRAL SERVICES FROM OCTOBER 1, 1999, THROUGH SEPTEMBER 30, 2000. THIS COUNTY FUNDING OF 6.18 PERCENT OF THE AGENCY TOTAL FUNDING OF \$1,277,734 WILL BE USED FOR EMPLOYEE SALARIES AND FRINGE BENEFITS. APPROVED 3-21-2000

#### **3.E.5. DELETED**

#### **3.E.6.**

##### **a. DOCUMENT R-2000-0367**

GRANT APPLICATION TO STATE DEPARTMENT OF EDUCATION FOR \$55,562 FOR A YOUTH OPPORTUNITY PROGRAM UNDER WORKFORCE INVESTMENT ACT TITLE I, SECTION 167, TO PROVIDE EDUCATIONAL OPPORTUNITIES, EMPLOYMENT SKILLS, AND LIFE ENHANCEMENT ACTIVITIES TO 25 AT-RISK AND OUT-OF-SCHOOL MIGRANT AND SEASONAL FARMWORKER YOUTH, AGES 14-21 YEARS, FROM FEBRUARY 1, 2000, THROUGH JANUARY 31, 2001. APPROVED 3-21-2000

##### **b. BUDGET AMENDMENT 2000-0580**

BUDGET AMENDMENT OF \$55,562 IN THE JOB TRAINING PARTNERSHIP ACT FUND TO RECOGNIZE FUNDING FOR EDUCATIONAL OPPORTUNITIES, EMPLOYMENT SKILLS, AND LIFE ENHANCEMENT ACTIVITIES TO 25 AT-RISK AND OUT-OF-SCHOOL MIGRANT AND SEASONAL FARMWORKER YOUTH, AGES 14-21 YEARS. (SEE R-2000-0367) APPROVED 3-21-2000



## **CONSENT AGENDA - CONTINUED**

### **3.F. AIRPORTS**

#### **3.F.1.**

##### **a. DOCUMENT R-2000-0368**

AGREEMENT WITH WAYNE A. MANUEL AND ANITA E. MANUEL FOR THE SALES PRICE OF \$76,000 AND REPLACEMENT HOUSING COST OF \$18,043 FOR PARCEL W-76, 4830 ELIZABETH STREET, LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 3-21-2000

##### **b. DOCUMENT R-2000-0369**

AGREEMENT WITH SAMUEL R. HAWES, JR., AND JACQUELYN M. HAWES FOR THE SALES PRICE OF \$116,950 AND NO REPLACEMENT HOUSING COST FOR PARCEL W-115, 4783 WALLIS ROAD, LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 3-21-2000

##### **c. DOCUMENT R-2000-0370**

AGREEMENT WITH SAMUEL R HAWES, JR., AND JOHN CURTIS HAWES FOR THE SALES PRICE OF \$10,850 AND NO REPLACEMENT HOUSING COST FOR PARCEL W-116, QUEENS LANE (VACANT LOT), LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 3-21-2000

##### **d. DOCUMENT R-2000-0371**

AGREEMENT WITH SAMUEL R HAWES, JR., JOHN C. HAWES, MARY HAWES, AND MARY LOU HAWES FOR THE SALES PRICE OF \$148,300 AND NO REPLACEMENT HOUSING COST FOR PARCEL W-117, 4781 WALLIS ROAD, LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT IN ACCORDANCE THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 3-21-2000

#### **3.F.2.**

##### **a.**

RECEIVE AND FILE THE PALM BEACH INTERNATIONAL AIRPORT DEVELOPMENT OF REGIONAL IMPACT ANNUAL REPORT. APPROVED 3-21-2000

##### **b.**

TRANSMISSION OF THE PALM BEACH INTERNATIONAL AIRPORT DEVELOPMENT OF REGIONAL IMPACT ANNUAL REPORT TO THE TREASURE COAST REGIONAL PLANNING COUNCIL AND ALL AFFECTED PERMIT AGENCIES. APPROVED 3-21-2000

**3.F.3.**

**a.**

RECEIVE AND FILE THE NORTH PALM BEACH COUNTY GENERAL  
AVIATION AIRPORT DEVELOPMENT REGIONAL IMPACT ANNUAL REPORT.  
APPROVED 3-21-2000

## **CONSENT AGENDA - CONTINUED**

### **3.F.3. - CONTINUED**

**b.**

DISTRIBUTION OF THE NORTH PALM BEACH COUNTY GENERAL AVIATION AIRPORT DEVELOPMENT REGIONAL IMPACT ANNUAL REPORT IN ACCORDANCE WITH SECTION 380.06(18) OF THE FLORIDA STATUTES. APPROVED 3-21-2000

### **3.F.4.**

AIRPORT MASTER PLAN UPDATE FOR THE PALM BEACH COUNTY PARK GENERAL AVIATION AIRPORT (LANTANA) WHICH RECOMMENDED 5-, 10-, AND 25-YEAR DEVELOPMENTS FOR THE AIRPORT TO ACCOMMODATE ITS FUTURE AVIATION DEMAND AND TO INCREASE ITS OPERATIONAL SAFETY AND EFFICIENCY. APPROVED 3-21-2000

### **3.F.5.**

#### **a. DOCUMENT R-2000-0372**

CHANGE ORDER 5 WITH RANGER CONSTRUCTION INDUSTRIES, INC., FOR \$421,003.60 FOR THE RUNWAY IMPROVEMENTS PROGRAM AT THE PALM BEACH INTERNATIONAL AIRPORT TO ESTABLISH A LAND AND HOLD SHORT OPERATIONS (LASHO) SYSTEM FOR RUNWAY 9L, RUNWAY 27R, AND RUNWAY 13; REPLACEMENT OF A VASI APPROACH LIGHTING SYSTEM WITH A MODERN PRECISION APPROACH PATH INDICATOR (PAPI) SYSTEM; REPLACEMENT OF AN INTERLEAVING RUNWAY LIGHTING CIRCUIT WITH A SERIES RUNWAY LIGHTING CIRCUIT; ADDITIONAL TAXIWAY SIGNAGE; AND REPLACEMENT OF AN AIR HANDLER AND COMPRESSOR WITHIN THE MAIN AIRFIELD ELECTRICAL VAULT; AND TO ADD 75 DAYS TO THE CONTRACT TIME. TOTAL CONTRACT AMOUNT \$9,038,972.90, INCLUDING THIS CONTRACT. (AMENDS R-99-736-D) APPROVED 3-21-2000

#### **b. BUDGET TRANSFER 2000-0577**

BUDGET TRANSFER IN THE AIRPORTS IMPROVEMENT AND DEVELOPMENT FUND FOR \$421,003.60 FOR THE RUNWAY IMPROVEMENTS PROGRAM AT PALM BEACH INTERNATIONAL AIRPORT. (SEE R-2000-0372) APPROVED 3-21-2000

### **3.G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET**

#### **3.G.1.**

NEGOTIATED SETTLEMENT OFFER IN THE AMOUNT OF \$5,000 FOR FULL SATISFACTION OF A CODE ENFORCEMENT LIEN ENTERED AGAINST TIMOTHY P. FAJCIK ON MARCH 27, 1997, FOR VIOLATIONS INVOLVING HOUSE NUMBERS NOT VISIBLE FROM STREET, OPEN STORAGE OF TRASH AND DEBRIS, AND OVERGROWTH. APPROVED 3-21-2000

#### **3.G.2. DOCUMENT R-2000-0373**

INTERLOCAL AGREEMENT WITH THE CITY OF WEST PALM BEACH FOR

AN ESTIMATED AMOUNT FOR DISPOSITION OF THE CITY'S SURPLUS ASSETS THROUGH THE COUNTY'S SURPLUS RETAIL THRIFT STORE OPERATION AND FOR CITY PARTICIPATION IN THE COUNTY'S PUBLIC AUCTIONS WITH THE COST DISTRIBUTED ON A PRO-RATA BASIS AMONG PARTICIPANTS. THE COUNTY ANNUAL COMMISSION ON SALES WILL BE 20 PERCENT ON THE FIRST \$50,000; 15 PERCENT OF THE NEXT \$100,000; AND 10 PERCENT ON SALES OF \$150,000 AND OVER. ESTIMATED ANNUAL REVENUE OVER \$250,000. COST OF GENERATING SEALED BIDS WILL BE REIMBURSED IN ADDITION TO THE COMMISSION. AGREEMENT EFFECTIVE UNTIL TERMINATED BY EITHER PARTY. APPROVED 3-21-2000

**CONSENT AGENDA - CONTINUED**

**3.G.3.**

**a. BUDGET AMENDMENT 2000-0547**

BUDGET AMENDMENT IN THE SCHOOL IMPACT FEE ZONE 1 FUND FOR \$2,311,225 TO REFLECT DIFFERENCES BETWEEN ACTUAL AND ESTIMATED REVENUES AND EXPENDITURES. APPROVED 3-21-2000

**b. BUDGET AMENDMENT 2000-0546**

BUDGET AMENDMENT IN THE SCHOOL IMPACT FEE ZONE 2 FUND FOR \$1,772,625 TO REFLECT DIFFERENCES BETWEEN ACTUAL AND ESTIMATED REVENUES AND EXPENDITURES. APPROVED 3-21-2000

**c. BUDGET AMENDMENT 2000-0545**

BUDGET AMENDMENT IN THE SCHOOL IMPACT FEE ZONE 3 FUND FOR \$964,401 TO REFLECT DIFFERENCES BETWEEN ACTUAL AND ESTIMATED REVENUES AND EXPENDITURES. APPROVED 3-21-2000

**d. BUDGET AMENDMENT 2000-0548**

BUDGET AMENDMENT IN THE SCHOOL IMPACT FEE ZONE 4 FUND FOR \$1,043,870 TO REFLECT DIFFERENCES BETWEEN ACTUAL AND ESTIMATED REVENUES AND EXPENDITURES. APPROVED 3-21-2000

**3.G.4.**

**a. DOCUMENT R-2000-0374**

AMENDMENT 1 TO CONTRACT WITH ERNST & YOUNG, LLP. TO EXPAND THE SCOPE OF EXTERNAL AUDIT SERVICES TO PERMIT MANAGEMENT STUDIES, RATE STUDIES, COST ANALYSES AND COMPARABLES IN RELATION TO BILLINGS FOR COUNTY SERVICES, AND ANALYSES OF BILLING METHODOLOGIES FOR COUNTY SERVICES. (AMENDS R-99-421-D) APPROVED 3-21-2000

**b. DOCUMENT R-2000-0375**

ADDITIONAL SERVICES AUTHORIZATION 1 WITH ERNST & YOUNG, LLP, FOR \$26,000 FOR AN INDEPENDENT REVIEW OF THE WATER UTILITIES DEPARTMENT'S NEW COMPUTERIZED BILLING SYSTEM. (SEE R-2000-0374) APPROVED 3-21-2000

**3.H. FACILITIES DEVELOPMENT AND OPERATIONS**

**3.H.1. DOCUMENT R-2000-0376**

AMENDMENT 1 TO AGREEMENT WITH THOMAS B. CUSHING DEMOLITION TO IMPLEMENT THE FIRST RENEWAL OF AN ANNUAL DEMOLITION CONTRACT. THE RENEWAL TERM IS 12 MONTHS OR UNTIL \$300,000 IN WORK ORDERS ARE ISSUED. (AMENDS R-99-740-D) APPROVED 3-21-2000

**3.H.2. DOCUMENT R-2000-0377**

JOB ORDER CONTRACT WORK ORDER 00-062 WITH H.A. CONTRACTING CORPORATION FOR \$199,449.15 FOR CONSTRUCTION OF A REST ROOM BUILDING, TWO FISHING PLATFORMS, AND MINOR IMPROVEMENTS AT THE LAKE IDA 9TH STREET PARK. (AMENDS R-98-1207-D) APPROVED 3-21-2000



## **CONSENT AGENDA - CONTINUED**

### **3.H.3. DOCUMENT R-2000-0378**

CONTRACT WITH THERMA SEAL ROOFS, INC., FOR \$188,561 FOR WEST COUNTY COURTHOUSE REROOFING, AND PAHOKEE MOTOR POOL METAL BUILDING ROOF RESTORATION. APPROVED 3-21-2000

### **3.H.4. DOCUMENT R-2000-0379**

CONTRACT WITH THERMA SEAL ROOFS, INC., FOR \$160,488 FOR FOUR POINTS BUILDING REROOFING AND TRUSS REPAIR WITH 120 DAYS FOR SUBSTANTIAL COMPLETION. APPROVED 3-21-2000

### **3.H.5.**

WEST BOYNTON BRANCH LIBRARY PLAT, A 2.2919-ACRE PARCEL LOCATED ON JOG ROAD SOUTH OF GATEWAY BOULEVARD, TO COMPLY WITH THE SUBDIVISION REQUIREMENTS OF THE UNIFIED LAND DEVELOPMENT CODE. APPROVED 3-21-2000

### **3.H.6. DELETED**

### **3.H.7. DELETED**

### **3.H.8. DOCUMENT R-2000-0380**

CONTRACT WITH NEC BUSINESS NETWORK SOLUTION, INC., FOR \$263,404.32 TO PROVIDE AN ELECTRONIC TELEPHONE SYSTEM, VOICE MAIL/AUTOMATED ATTENDANT SYSTEM, AUTOMATIC CALL DISTRIBUTION SYSTEM, AND AN INTERACTIVE VOICE RESPONSE SYSTEM FOR THE WATER UTILITIES DEPARTMENT TO COINCIDE WITH THE OPENING OF THE NEW CUSTOMER SERVICE CENTER ON JOG ROAD, WEST BOYNTON BEACH. APPROVED 3-21-2000

### **3.H.9. DOCUMENT R-2000-0381**

AMENDMENT 1 TO THE MASTER SERVICES AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC., FOR A 93-DAY EXTENSION TO CONCLUDE RE-NEGOTIATIONS. (AMENDS R-97-358-D) APPROVED 3-21-2000

### **3.H.10. DOCUMENT R-2000-0382**

UTILITY EASEMENT OF 20 FEET BY 20 FEET, IN FAVOR OF BELLSOUTH TELECOMMUNICATIONS, INC., FOR \$500, AT THE NORTHWEST CORNER OF FIRE STATION 54 ON STATE ROAD 7 IN WEST BOCA RATON FOR BELLSOUTH TO CONSTRUCT AND MAINTAIN NEW FIBER OPTIC TELECOMMUNICATION EQUIPMENT TO IMPROVE SERVICE IN THE AREA. APPROVED 3-21-2000

## **3.I. HOUSING AND COMMUNITY DEVELOPMENT**

### **3.I.1. DOCUMENT R-2000-0383**

PARTIAL RELEASE OF DECLARATION OF RESTRICTIONS ON PROPERTIES LOCATED AT 421 19TH STREET AND 425 19TH STREET IN

WEST PALM BEACH AND AT 3375 AVENUE J IN RIVIERA BEACH, OWNED BY WEST PALM BEACH HOUSING DEVELOPMENT, INC., WHICH HAS PAID \$8,869.13 AS FULL SATISFACTION OF THE CONDITIONS IMPOSED ON THESE PROPERTIES. RESTRICTIONS REMAIN ON OTHER PROPERTIES ON WHICH FINANCIAL ASSISTANCE THROUGH THE COUNTY'S AFFORDABLE HOUSING TRUST FUND ARE NOT YET SATISFIED. (AMENDS R-93-541-D) APPROVED 3-21-2000

## **CONSENT AGENDA - CONTINUED**

### **3.I.2. DOCUMENT R-2000-0384**

AGREEMENT WITH THE CITY OF BELLE GLADE FOR \$500,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR SITE IMPROVEMENTS AT A 50-ACRE PROPOSED BUSINESS PARK LOCATED AT THE SOUTHEAST CORNER OF STATE ROAD 80 AND CURLEE ROAD, FROM MARCH 21, 2000, THROUGH DECEMBER 31, 2000. NO LOCAL MATCH. APPROVED 3-21-2000

### **3.I.3. DOCUMENT R-2000-0385**

AGREEMENT WITH THE CITY OF BELLE GLADE FOR \$45,200 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR CONSTRUCTION OF A BASKETBALL COURT AND PURCHASE OF A BICYCLE RACK IN HAND PARK AND FOR THE PURCHASE AND INSTALLATION OF A SWING SET AND OTHER PLAYGROUND EQUIPMENT AT LAKESHORE PARK, FROM MARCH 21, 2000, TO SEPTEMBER 30, 2000. NO LOCAL MATCH. APPROVED 3-21-2000

## **3.J. PLANNING, ZONING, AND BUILDING**

### **3.J.1. RESOLUTION R-2000-0386**

RESOLUTION ASSESSING COSTS OF \$15,077.36 FOR ABATEMENT OF NUISANCES TO DEMOLISH UNSAFE STRUCTURE AGAINST DENVER D. HAYES OF 1157 MELALEUCA AVENUE, WEST PALM BEACH. ADOPTED 3-21-2000

### **3.J.2. RESOLUTION R-2000-0387**

RESOLUTION ASSESSING COSTS OF \$12,462.60 FOR ABATEMENT OF NUISANCES TO DEMOLISH UNSAFE STRUCTURE AGAINST L. C. ROBERTSON AND KAROL S. ROBERTSON OF 442 SAGO COURT, PAHOKEE. ADOPTED 3-21-2000

### **3.J.3.**

#### **a. RESOLUTION R-2000-0388**

RESOLUTION ASSESSING COSTS OF \$3,309.75 FOR ABATEMENT OF NUISANCES TO CONDEMN UNSAFE STRUCTURE AGAINST FLORIDA CHILDCARE PROPERTIES I, LC, CARE OF TUTOR TIME CHILD CARE SYSTEM, 4517 NORTHWEST 31ST AVENUE, FORT LAUDERDALE. ADOPTED 3-21-2000

#### **b. RESOLUTION R-2000-0389**

RESOLUTION ASSESSING COSTS OF \$4,032.05 FOR ABATEMENT OF NUISANCES TO DEMOLISH UNSAFE PROPERTY, AGAINST V.H.W. PROPERTIES, INC., 7912 SOUTHLAKE DRIVE, LAKE CLARKE SHORES. ADOPTED 3-21-2000

### **3.J.4. RESOLUTION R-2000-0390**

RESOLUTION AND RESTRICTIVE COVENANT GRANTING A TAX

EXEMPTION FOR HISTORIC PROPERTY AT ONE 5TH AVENUE SOUTH,  
LAKE WORTH, AND OWNED BY FAROUK, ZEINAB & MANAL HAMMAD. THE  
RESTRICTIVE COVENANT REQUIRES QUALIFYING IMPROVEMENTS BE  
MAINTAINED FOR 10 YEARS FROM JANUARY 1, 2000, TO DECEMBER 31,  
2009. (AMENDS R-98-170-D) ADOPTED 3-21-2000

## **CONSENT AGENDA - CONTINUED**

### **3.K. WATER UTILITIES**

#### **3.K.1. DOCUMENT R-2000-0391**

CHANGE ORDER 7 WITH R. J. SULLIVAN CORPORATION FOR \$182,813.45 FOR WATER TREATMENT PLANT 8 IMPROVEMENTS CONSISTING OF MISCELLANEOUS ELECTRICAL, CIVIL, MECHANICAL, LANDSCAPING, INSTRUMENTATION, AND CONTROL WORK NECESSARY TO COMPLETE THE PROJECT WITH NO ADDITIONAL TIME EXTENSION. (AMENDS R-98-79-D) APPROVED 3-21-2000

### **3.L. ENVIRONMENTAL RESOURCES MANAGEMENT**

#### **3.L.1.**

##### **a. DOCUMENT R-2000-0392**

ACCEPT ASSIGNMENT FROM THE NATURE CONSERVANCY OF AN AGREEMENT FOR SALE AND PURCHASE FOR A PACKAGE ACQUISITION OF APPROXIMATELY 952.42 ACRES OF LAND FROM COMMUNITIES FINANCE COMPANIES, A SUBSIDIARY OF WATERMARK COMMUNITIES, INC., THAT INCLUDES THE PURCHASE OF APPROXIMATELY 850.42 ACRES IN THE PAL-MAR AND LOXAHATCHEE SLOUGH ECOLOGICAL SITES; AND THE DONATION OF APPROXIMATELY 102 ACRES IN THE C-18 TRIANGLE ECOLOGICAL SITE; SUBJECT TO SATISFACTORY RESULTS OF PRE-CLOSING DUE DILIGENCE. APPROVED 3-21-2000

##### **b.**

EXPENDITURE OF \$445.035 FROM ENVIRONMENTALLY SENSITIVE LANDS ACQUISITION BOND FUNDS AND \$1,389,900 FROM COUNTY CONSERVATION LANDS ACQUISITION BOND FUNDS FOR THE PURCHASE OF CERTAIN LANDS UPON THE TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT WITH THE COUNTY. (SEE R-2000-0392) APPROVED 3-21-2000

##### **c.**

APPROVE THE NATURE CONSERVANCY FEE OF \$18,349 FOR THE PACKAGE ACQUISITION, PURSUANT TO THE AGREEMENT WITH THE COUNTY. (SEE R-2000-0392) APPROVED 3-21-2000

##### **d. BUDGET TRANSFER 2000-0543**

BUDGET TRANSFER IN THE \$50 MILLION ENVIRONMENTALLY SENSITIVE LANDS 94 ACQUISITION FUND FOR \$469,485 FROM RESERVES TO THE CORBETT BUFFER (PAL-MAR) PROJECT ACCOUNT TO PROVIDE FOR THE PURCHASE OF THE COMMUNITIES FINANCE COMPANY PAL-MAR OUTPARCELS, THE NATURE CONSERVATION FEE FOR ACQUISITION, AND FOR ADDITIONAL TITLE WORK AND REAL ESTATE STAFF SERVICES FOR OTHER TRACTS IN THE PAL-MAR SITE FOR WHICH NEGOTIATIONS ARE IN PROGRESS. (SEE R-2000-0392) APPROVED 3-21-2000

##### **e. BUDGET TRANSFER 2000-0544**

BUDGET TRANSFER IN THE \$75 MILLION GENERAL OBLIGATION  
CONSERVATION LAND 1999 CTF FUND FOR \$1,403,799 FROM RESERVES  
TO THE LOXAHATCHEE SLOUGH PROJECT ACCOUNT TO PROVIDE FOR  
THE ACQUISITION OF THE LOXAHATCHEE SLOUGH OUTPARCELS AND  
THE NATURE CONSERVANCY FEE FOR ACQUISITION. (SEE R-2000-0392)  
APPROVED 3-21-2000

**CONSENT AGENDA - CONTINUED**

**3.M. PARKS AND RECREATION**

**3.M.1.**

**a. DOCUMENT R-2000-0393**

AGREEMENT WITH THE VILLAGE OF NORTH PALM BEACH IN AN AMOUNT NOT TO EXCEED \$10,000 FOR THE PURCHASE AND INSTALLATION OF A DOUBLE BATTING CAGE AT THE NORTH PALM BEACH COMMUNITY CENTER FROM DECEMBER 1, 1999, TO SEPTEMBER 20, 2000. APPROVED 3-21-2000

**b. BUDGET TRANSFER 2000-0541**

BUDGET TRANSFER FOR \$10,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT I TO NORTH PALM BEACH/COMMUNITY CENTER BATTING CAGES FOR PURCHASE AND INSTALLATION OF A DOUBLE BATTING CAGE. (SEE R-2000-0393) APPROVED 3-21-2000

**3.M.2.**

**a. DOCUMENT R-2000-0394**

AGREEMENT WITH THE CITY OF RIVIERA BEACH IN AN AMOUNT NOT TO EXCEED \$25,000 FOR THE REPAIR AND REPLACEMENT OF EXISTING SIDEWALKS, WHICH PROVIDE ACCESS TO THE BEACH, FROM APRIL 20, 1999, TO SEPTEMBER 20, 2000. APPROVED 3-21-2000

**b. BUDGET TRANSFER 2000-0540**

BUDGET TRANSFER FOR \$25,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 1 TO RIVIERA BEACH/MUNICIPAL BEACH IMPROVEMENTS FOR REPAIR AND REPLACEMENT OF SIDEWALKS ACCESSING THE BEACH. (SEE R-2000-0394) APPROVED 3-21-2000

**3.M.3.**

**a. DOCUMENT R-2000-0395**

AGREEMENT WITH THE CITY OF LAKE WORTH IN AN AMOUNT NOT TO EXCEED \$20,000 FOR THE FUNDING OF THE LAKE WORTH CULTURAL PLAZA FROM JANUARY 3, 2000, TO SEPTEMBER 20, 2000. APPROVED 3-21-2000

**b. BUDGET TRANSFER 2000-0539**

BUDGET TRANSFER FOR \$20,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 3 TO LAKE WORTH CULTURAL PLAZA. (SEE R-2000-0295) APPROVED 3-21-2000

**3.M.4.**

**a. DOCUMENT R-2000-0396**

AGREEMENT WITH THE CITY OF BOCA RATON IN AN AMOUNT NOT TO

EXCEED \$100,000 FOR THE DEVELOPMENT OF GOLDEN FIG PARK FROM  
MARCH 21, 2000, TO SEPTEMBER 20, 2000. APPROVED 3-21-2000



**CONSENT AGENDA - CONTINUED**

**3.M.4. - CONTINUED**

**b. BUDGET TRANSFER 2000-0538**

BUDGET TRANSFER FOR \$100,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO BOCA RATON/GOLDEN FIG PARK. (SEE R-2000-0396) APPROVED 3-21-2000

**3.M.5.**

**a. DOCUMENT R-2000-0397**

AGREEMENT WITH THE TOWN OF SOUTH PALM BEACH IN AN AMOUNT NOT TO EXCEED \$10,000 TO FUND SENIOR CITIZEN PROGRAMS FROM JANUARY 2, 2000, TO DECEMBER 31, 2000. APPROVED 3-21-2000

**b. BUDGET TRANSFER 2000-0537**

BUDGET TRANSFER FOR \$10,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO SOUTH PALM BEACH/SENIOR CITIZEN PROGRAMS. (SEE R-2000-0397) APPROVED 3-21-2000

**3.N. LIBRARY - None**

**3.P. COOPERATIVE EXTENSION SERVICE - None**

**3.Q. CRIMINAL JUSTICE COMMISSION - None**

**3.R. EMPLOYEE RELATIONS AND PERSONNEL - None**

**3.S. FIRE-RESCUE**

**3.S.1. DOCUMENT R-2000-0398**

SIDE AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH PROFESSIONAL FIREFIGHTERS/PARAMEDICS OF PALM BEACH COUNTY, LOCAL 2928, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), INC., MODIFYING THE ROYAL PALM BEACH EMPLOYEES ADDENDUM WHICH ESTABLISHES A METHOD FOR FORMER VILLAGE PERSONNEL, TRANSFERRED TO COUNTY FIRE-RESCUE EFFECTIVE MARCH 13, 1999, TO PARTICIPATE IN THE BID PROCESS FOR STATION AND UNIT ASSIGNMENTS. (AMENDS R-96-2112-D) APPROVED 3-21-2000

**3.S.2. DOCUMENT R-2000-0399**

INTERLOCAL AGREEMENT WITH THE TOWN OF LAKE PARK FOR \$11,250 FROM FIRE-RESCUE MUNICIPAL SERVICE TAXING UNIT FUND TO COMPENSATE FOR THE DISCONTINUED USE OF RADIO FREQUENCY 154.190 FOR FIVE YEARS. COMPENSATION AMOUNT WILL ASSIST THE TOWN TO PURCHASE NEEDED EQUIPMENT TO MIGRATE ITS FIRE DEPARTMENT TO ANOTHER FREQUENCY CURRENTLY USED BY OTHER TOWNS. APPROVED 3-21-2000

**3.T. HEALTH DEPARTMENT - None**

- 3.U. INFORMATION SYSTEMS SERVICES - None**
- 3.V. METROPOLITAN PLANNING ORGANIZATION - None**
- 3.W. PUBLIC AFFAIRS - None**

**CONSENT AGENDA - CONTINUED**

**3.X. PUBLIC SAFETY - None**

**3.Y. PURCHASING - None**

**3.Z. RISK MANAGEMENT - None**

**3.AA. PALM TRAN - None**

**MOTION to approve the Consent Agenda as amended. Motion by Commissioner Marcus, seconded by Commissioner Roberts, and carried 7-0.**

**\*\*\*\*\* THIS CONCLUDES THE CONSENT AGENDA \*\*\*\*\***

**4. PUBLIC HEARINGS - 9:30 A.M.**

**MOTION to receive and file Proofs of Publication Numbers 657856, 699930, 699933, 699952, 700815, 700887, and 700891. Motion by Commissioner McCarty, seconded by Commissioner Masilotti, and carried 7-0.**

**4.A.**

ORDINANCE AMENDING ORDINANCE 92-20, KNOWN AS THE UNIFIED LAND DEVELOPMENT CODE, AS FOLLOWS: ARTICLE 3, DEFINITIONS; ARTICLE 4, DECISION MAKING, ADMINISTRATIVE AND ENFORCEMENT BODIES; ARTICLE 5, DEVELOPMENT REVIEW PROCEDURES; ARTICLE 6, ZONING DISTRICTS; ARTICLE 7, SITE DEVELOPMENT STANDARDS; ARTICLE 8, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; ARTICLE 10, IMPACT FEES; ARTICLE 11, ADEQUATE PUBLIC FACILITIES; ARTICLE 15, TRAFFIC PERFORMANCE STANDARDS; AND ARTICLE 17, PARKS AND RECREATION STANDARDS. (P.O.P. 700891 AND 657856) CONTINUED TO APRIL 4, 2000, WITH DIRECTION -- 3-21-2000

Commissioner McCarty confirmed with staff that the amendments pertained to communication cell sites on wheels (COWs), the movable towers for special events and emergencies.

**MOTION to adopt the ordinance. Motion by Commissioner McCarty and seconded by Commissioner Newell.**

Zoning Director William C. Whiteford stated that staff had made changes to the ordinance in compliance with the Board's direction of February 15, 2000, which was to increase setbacks in non-residential and residential districts consistent with the tower ordinance.

**PUBLIC COMMENT:**

Geoffrey Sluggett, representing AT&T Wireless Services, contended that because COWs were visually unlike regular towers, they should be treated differently. He requested that the Board:

C Exempt structures under 50 feet, which would be an incentive for providers to use the new technology.

C Utilize only district setbacks.

- C Reinstated the 300 percent setback instead of 600 percent for COWs so that the capacity needed to provide adequate coverage at special events and in emergencies could be met.

## **PUBLIC HEARINGS - CONTINUED**

### **4.A. - CONTINUED**

- C Lower the minimum attendance for special events at which COWs might be used from 75,000 to 50,000 to cover startup events.

Mr. Whiteford told Commissioner Lee that he had not had an opportunity to review Mr. Sluggett's proposal. He said staff had followed the Board's direction and arrived at the 75,000 figure by talking with organizers of large events.

Commissioner Roberts said:

- C Exceptions should be made for special events.
- C Minimum attendance should be set at 50,000.
- C Towers less than 50 feet in height should be exempt.
- C Permits, with specified limits, should be valid for special events.
- C The COWs sites should be enclosed, probably by a six-foot-high fence, to prevent unauthorized persons from entering the trucks.
- C COWs located in non-residential districts should be subject to the district setback or 110 percent of unit's height, whichever is greater. Those that are less than 50 feet in height should either be exempt or be subject to established setbacks for that district.
- C In residential districts, towers 50 feet or less in height should be subject to established district setbacks. Those which are higher than 50 feet should meet a setback of 150 percent of the height, and the truck should be separated by a minimum of 300 percent of its height from any residence on an adjacent parcel.
- C A removal agreement should be executed, and a \$50,000 bond should be posted, subject to approval by the County attorney.

Commissioner Aaronson contended that no event in the County, including golf tournaments, would attract 50,000 people in one day. He said the COWs were designed to be used at special events, affording people the opportunity to use cellular telephones. He suggested staff identify events to be attended by 50,000 or more people and limit the number of days, possibly to five, for which a permit would be valid. Mr. Aaronson pointed out that the South Florida Fair was a unique event because it runs for three weeks and did not impact any residential area. He said he did not want the exemptions used as a way to avoid compliance with the cellular ordinance.

Mr. Sluggett requested seven days be allowed for the life of the permit. He said a day each was needed for equipment setup and breakdown. He also requested language be added to the ordinance to allow the Zoning Director to approve a special request for events which would be held for longer than seven days.

## **PUBLIC HEARINGS - CONTINUED**

### **4.A. - CONTINUED**

Mr. Sluggett told Commissioner Masilotti that COWs cannot be located at just any special event's site but must be in proximity to land telephone lines. He also agreed that County emergency personnel determine the length of the COWs' stay and that there was a full exemption for carriers in emergency cases.

Ronda Gluck, agent for Bell, Smith, & Associates, supported the proposed Animal Care and Control amendments to the code, which she had worked on with Animal Care and Control and the Health Department staff.

Commissioner McCarty suggested the ordinance be continued, giving staff time to review and make changes as necessary.

**SUBSTITUTE MOTION to CONTINUE the ordinance to April 4, 2000, at 9:30 a.m. Motion by Commissioner McCarty and seconded by Commissioner Masilotti.**

Commissioner Marcus endorsed the seven-day limit and the 50,000 attendees at events. She suggested requirements for more than seven days be sent to the Board through an Administrative Inquiry. If the event would require an even longer period, the item should be taken to the Board.

Richard W. ("Chip") Carlson, Jr., thanked Commissioner Aaronson for his participation in the work for real estate sales offices.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

### **4.B. ORDINANCE 2000-013**

ORDINANCE AMENDING ORDINANCE 92-20, KNOWN AS THE UNIFIED LAND DEVELOPMENT CODE, AS FOLLOWS: ARTICLE 4, DECISION MAKING, ADMINISTRATIVE AND ENFORCEMENT BODIES; AND ARTICLE 6, ZONING DISTRICTS. (P.O.P. 700891 AND 657856) ADOPTED 3-21-2000

Zoning Director Whiteford explained that the item related to the second reading and adoption of amendments to the Unified Land Development Code (ULDC) and the Transfer of Development Rights (TDR).

**MOTION to adopt the ordinance. Motion by Commissioner McCarty and seconded by Commissioner Aaronson.**

PUBLIC COMMENT: None

Staff informed the Board that 8,000 TDR units were in the bank, about 300 had been sold, 67 units had been requested, and an application for the same number was anticipated.

## **PUBLIC HEARINGS - CONTINUED**

### **4.B. - CONTINUED**

Commissioner Roberts raised a question about Paragraph C on Page 3. Staff explained that the paragraph concerned the section in the code used to convert units into Congregate Living Facility (CLF) beds based on the average population. Ms. Roberts said the need may be greater for a CLF in some areas than in others. She asked staff to research where the needs for CLFs were and whether TDRs would be beneficial by restricting the transfer only to certain areas. Staff responded that although the information was not readily available, requests for bigger CLFs were taken to the Board.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

### **4.C. RESOLUTION R-2000-0400**

RESOLUTION ABANDONING A PORTION OF AN UNIMPROVED ROAD KNOWN AS SHATTUCK AVENUE IN THE PLAT OF KENWOOD, LOCATED SOUTH OF 10TH AVENUE NORTH, BETWEEN HAVERHILL ROAD AND MILITARY TRAIL, ON THE SOUTH SIDE OF CARVER STREET. (P.O.P. 699952) ADOPTED 3-21-2000

**MOTION to adopt the resolution. Motion by Commissioner McCarty and seconded by Commissioner Marcus.**

PUBLIC COMMENT: None

**UPON CALL FOR A VOTE, the motion carried 7-0.**

### **4.D.**

ANY NORTHERN ALIGNMENT FOR HOOD ROAD (ALTERNATE A1A TO PROSPERITY FARMS ROAD) THAT CONNECTS TO THE EXISTING FLAMINGO ROAD WEST OF PROSPERITY FARMS ROAD AND MEETS THE DESIGN STANDARDS FOR A TWO-LANE THOROUGHFARE ROAD. (P.O.P. 699930) CONTINUED TO APRIL 18, 2000, WITH DIRECTION -- 3-21-2000

Commissioner Aaronson suggested postponing the item in order to give the residents an opportunity to discuss the developer their concerns and opposition to a southern alignment.

**MOTION to CONTINUE the item for two weeks. Motion by Commissioner Aaronson and seconded by Commissioner McCarty.**

Commissioner McCarty said that it was unanimously agreed by the Board in September 1990 that the northerly alignment would not involve Hood Road. She said that a sanctuary had since been built and that the issue now at hand challenged the credibility of the Board and County government. She said she could not support an action that ran counter to what residents had been led to believe they could rely on.

## **PUBLIC HEARINGS - CONTINUED**

### **4.D. - CONTINUED**

Commissioner McCarty said everyone involved understood that the alignment would track through Frenchman's Forest and the middle of the proposed development. The County had since purchased Frenchman's Forest. The needs of the environment should prevail over the alignment, she said, even though it may require spending a few minutes longer at the intersections. The alignment should not happen; the environment and the credibility of the County Commission should become the overriding issues, she concluded.

### **SECOND WITHDRAWN**

#### **MOTION seconded by Commissioner Marcus.**

Commissioner Masilotti stated that residents have the right to expect the Board to uphold decisions made by earlier Commissions. He said he believed people had the right to develop their property in a reasonable fashion without fear of adverse impacts in the neighborhood. He questioned the effect of response time for Fire-Rescue.

Commissioner Lee pointed out that comments would be entertained only on the continuation.

County Engineer George T. Webb said the analysis had not been done but staff could explore the ramifications of road versus no road. He said the road's capacity was about three-quarters' full with some 11,000 cars a day long-term.

Commissioner Marcus suggested the Board direct their questions to the County Engineer and to the residents. She said decisions made for additional roads impact other communities as well. She asked the Board to be aware that the City of Palm Beach Gardens was requesting further Constructed Roadways at a Lower Level of Service (CRALLS) designation for PGA Boulevard. She said the continuation would allow time for the questions to be answered.

#### **PUBLIC COMMENT:**

James Bickel; Ben DeVries, president of Sanctuary Homeowners Association; Ed Lunsford, agent for residents east of Prosperity Farms Road; and Nick Terzis, a member of the Lone Pine Property Owners' Association, said a two-week delay was inadequate. They requested a 60-day delay and asked the Board to direct staff to work with their communities. They presented a letter and petitions in support of the delay.

**SUBSTITUTE MOTION to CONTINUE the item to April 18, 2000. Motion by Commissioner Aaronson and seconded by Commissioner Marcus.**



## **PUBLIC HEARINGS - CONTINUED**

### **4.D. - CONTINUED**

Ray Royce, agent for Toll Brothers, said that the options were well laid out and that two weeks would be sufficient time in which to determine a final option. He stated that the road was unnecessary for the needs of his client. While Toll Brothers would like to see an end to the process, his client would become more active if a northerly alignment was decided on.

Commissioner McCarty suggested that staff consider all the options, including no road, instead of looking only at realignments.

Mr. Webb stated that residents were looking for relief from traffic by a future Hood Road.

Commissioner Marcus pointed out that other communities had concerns too and that those communities would spend the next 30 days to make staff aware of their concerns. She explained that, in 1990, the Board had decided not to delete the Hood Road link.

Mr. Lunsford reminded staff to consider the proposed four-lane road to be built behind the Gardens Mall to Alternate A1A and Prosperity Farms Road during the review process. He contended that the proposed road could satisfy some of the traffic requirements in the area.

Commissioner Marcus urged staff to set up meetings with the communities and to exchange information.

### **UPON CALL FOR A VOTE, the motion carried 6-1. Commissioner McCarty opposed.**

Commissioner Newell requested the County Engineer find out the status of Prosperity Farms Road widening process. He said it probably would be affected by the issue being discussed.

(CLERK'S NOTE: The following motion for 4.D. was made following consideration of Item 4.E. and after the recess. See Page 23.)

**MOTION to receive and file a letter and petitions from the homeowners' associations. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 7-0.**

(CLERK'S NOTE: Commissioner Aaronson left the meeting.)

**PUBLIC HEARINGS - CONTINUED**

**4.E.**

**a.**

CONDUCT A TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) PUBLIC HEARING CONCERNING THE ISSUANCE OF UP TO \$6 MILLION IN TAX-EXEMPT ADJUSTMENT MODE REVENUE BONDS, SERIES 2000, FOR THE COMPREHENSIVE ALCOHOLISM REHABILITATION PROGRAMS, INC., PROJECT. (P.O.P. 700815) APPROVED 3-21-2000

**b. RESOLUTION R-2000-0401**

RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$6 MILLION TAX-EXEMPT ADJUSTMENT MODE REVENUE BONDS, SERIES 2000, FOR THE COMPREHENSIVE ALCOHOLISM REHABILITATION PROGRAMS, INC., PROJECT. THE BOND WILL BE PAYABLE SOLELY FROM REVENUES DERIVED FROM THE CORPORATION, AND NEITHER THE TAXING POWER NOR THE FAITH AND CREDIT OF THE COUNTY NOR ANY COUNTY FUNDS ARE PLEDGED TO PAY THE BONDS. (P.O.P. 700815) ADOPTED 3-21-2000

**MOTION to conduct the public hearing and to adopt the resolution. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.**

PUBLIC COMMENT: None.

**UPON CALL FOR A VOTE, the motion carried 6-0. Commissioner Aaronson absent.**

**RECESS**

**At 10:37 a.m., the Chair declared a recess.**

**RECONVENE**

**At 10:46 a.m., the Board reconvened with Commissioners Aaronson, Lee, McCarty, Marcus, Masilotti, Newell, and Roberts present.**

(CLERK'S NOTE: At this time, the Board voted to receive and file a letter and petitions for Item 4.D. See Page 22.)

**4.F.**

CONDUCT A TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) PUBLIC HEARING CONCERNING THE ISSUANCE OF UP TO \$33 MILLION PALM BEACH COUNTY AIRPORT FACILITIES REVENUE BONDS FOR THE FLIGHT-SAFETY PROJECT. (P.O.P. 700887) APPROVED 3-21-2000

**MOTION to conduct the public hearing. Motion by Commissioner Masilotti and seconded by Commissioner Roberts.**

PUBLIC COMMENT: None.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

**PUBLIC HEARINGS - CONTINUED**

**4.G. ORDINANCE 98-014**

ORDINANCE AMENDING ORDINANCE 95-10 ENTITLED THE SURPLUS PROPERTY ORDINANCE, AMENDING SECTION 7, RECORDATION AND INVENTORY OF CERTAIN PROPERTY, BY INCREASING THE CAPITALIZATION LEVEL FOR TANGIBLE PERSONAL PROPERTY ASSETS FROM \$500 TO \$750. (P.O.P. 687856) ADOPTED 3-21-2000

**MOTION to adopt the ordinance. Motion by Commissioner Roberts and seconded by Commissioner Marcus.**

PUBLIC COMMENT: None

**UPON CALL FOR A VOTE, the motion carried 7-0.**

**4.H.**

ORDINANCE PERTAINING TO HOSPITAL LIENS; PROVIDING FOR ENFORCEMENT BY LIENS, PERFECTION OF LIENS, RECORDING OF LIENS, VALIDITY OF RELEASES AND SATISFACTIONS, AND PREREQUISITE TO RECOVERY OF DAMAGES. (P.O.P. 699933) CONTINUED TO APRIL 18, 2000 -- 3-21-2000

**MOTION to CONTINUE the public hearing to April 18, 2000, at 9:30 a.m. Motion by Commissioner Roberts and seconded by Commissioner Masilotti.**

PUBLIC COMMENT: None.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

**5. REGULAR AGENDA**

**5.A. COUNTY ATTORNEY**

**5.A.1. DOCUMENT R-2000-0402**

AMENDMENT 3 TO CONTRACT WITH COUNTY ATTORNEY DENISE DISTEL DYTRYCH, PROVIDING FOR HER SERVICES THROUGH MARCH 25, 2005, INCLUDING LEGAL REPRESENTATION OF THE SOLID WASTE AUTHORITY AS AN ADDITIONAL RESPONSIBILITY, AT A SALARY FOR THE PERIOD ENDING MARCH 25, 2001, OF \$110,042.40, AND NEGOTIATED FOR SUBSEQUENT YEARS, A MONTHLY AUTOMOBILE ALLOWANCE OF \$400, AND A CONTINUING ANNUAL CONTRIBUTION INTO THE NACO DEFERRED COMPENSATION PROGRAM OF \$8,000. (AMENDS R-96-714-D) APPROVED WITH INCREASE OF 5 PERCENT OF BASE SALARY 3-21-2000

**MOTION to approve the amendment with a 5 percent increase in base salary, with half the increase paid as a lump sum and half added to the monthly salary. Motion by Commissioner Newell and seconded by Commissioner Roberts.**

**SUBSTITUTE MOTION to approve the amendment with a 5 percent increase in base salary. Motion by Commissioner McCarty and seconded by Commissioner Roberts.**

Commissioner McCarty remarked that salary increases should be administered equally to demonstrate fairness. Commissioner Masilotti observed that applying the total increase to base salary would ultimately be more beneficial because of its effect on calculation of total final compensation.

**UPON CALL FOR A VOTE, motion carried 7-0.**

## **REGULAR AGENDA - CONTINUED**

### **5.A.2. DOCUMENT R-2000-0403**

MEDIATION SETTLEMENT AGREEMENT, INCLUSIVE OF ATTORNEY FEES AND COSTS, IN THE TOTAL AMOUNT OF \$72,500 IN THE PERSONAL INJURY CASE OF JEAN NEVES AND CHRIS NEVES V. PALM BEACH COUNTY, CASE CL-99-004566-AB. THE PLAINTIFF ALLEGES THAT WHILE WALKING IN A COUNTY PARK, SHE TRIPPED IN A DRAINAGE CULVERT WHICH CAUSED HER TO FALL AND SUSTAIN INJURIES. APPROVED 3-21-2000

**MOTION to approve the agreement. Motion by Commissioner Marcus, seconded by Commissioner Newell, and carried 7-0.**

### **5.A.3. DOCUMENT R-2000-0404**

AMENDED AGREEMENT WITH DANIELSON, CLARKE, CHARBONNEAU & PLATT, P.A., FOR A FLAT FEE OF \$343,125 FOR THE REMAINDER OF FISCAL YEAR 1999-2000 WITH COSTS NOT TO EXCEED \$13,725, AND \$457,500 FOR FISCAL YEAR 2000-2001 WITH COSTS NOT TO EXCEED \$18,300, TO PROVIDE WORKER'S COMPENSATION LITIGATION SERVICES FOR THE COUNTY AND PALM TRAN. (AMENDS R-96-1349-D) APPROVED 3-21-2000

**MOTION to approve the agreement. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 7-0.**

### **5.A.4.**

SETTLEMENT FOR \$40,000, INCLUSIVE OF ALL FEES AND COSTS, IN THE REVERSE CONDEMNATION ACTION STYLED LINDA SHOEMAKER AND FRANK SHOEMAKER V. STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND PALM BEACH COUNTY, CASE CL-98-002539-AI. THE PLAINTIFFS ALLEGE THEIR ACCESS EASEMENT TO PROPERTY LOCATED NORTH OF BELVEDERE ROAD (STATE ROAD 7 TO JOG ROAD) WAS TAKEN WHEN BELVEDERE ROAD WAS WIDENED. FDOT WILL CONTRIBUTE \$15,000 TO THE SETTLEMENT; THE COUNTY WILL CONTRIBUTE \$25,000, PLUS THE CLERK'S REGISTRY DEPOSIT FEE OF \$100, FOR A TOTAL OF \$25,100. APPROVED 3-21-2000

**MOTION to approve the settlement. Motion by Commissioner Marcus, seconded by Commissioner Roberts, and carried 7-0.**

## **5.B. ENGINEERING AND PUBLIC WORKS**

### **5.B.1. DELETED**

### **5.B.2. BUDGET TRANSFER 2000-0607**

BUDGET TRANSFER FOR \$10,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 6 TO THE WINDMILL ROAD/196 TRAIL NORTH MAINTENANCE - DISTRICT 6 IMPROVEMENT PROJECT. APPROVED 3-21-2000

**MOTION to approve the budget transfer. Motion by Commissioner Roberts, seconded by Commissioner Marcus, and carried 7-0.**

## REGULAR AGENDA - CONTINUED

### 5.B.3.

#### a.

POLICY PERTAINING TO SIGNAL WARRANTS: INTERSECTIONS THAT REDIRECT TRAFFIC FROM HOSPITAL DRIVES, OR INTERSECTIONS THAT ARE THE HOSPITAL DRIVEWAYS THEMSELVES, SHOULD BE EVALUATED CONSIDERING ALL TRAFFIC FROM THE SIDE STREET, WITHOUT USING ANY REDUCTIONS FOR SIDE STREET RIGHT TURNS, AND SUCH EVALUATION SHOULD ADDRESS ALL SIGNAL WARRANTS CONTAINED IN THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). APPROVED 3-21-2000

#### b.

DIRECTION ON THE METHODOLOGY USED BY THE COUNTY IN DETERMINING THE WARRANTING CRITERIA FOR SIGNAL INSTALLATIONS ON COUNTY ROADS. DISCUSSED 3-21-2000

**MOTION to adopt the policy pertaining to signal warrants. Motion by Commissioner Aaronson and seconded by Commissioner McCarty.**

Commissioner Aaronson said the roads associated with hospitals should be addressed separately from other roads. He said the Delray Community Hospital was the focus at this time but, eventually, attention would shift to Saint Mary's and Palms West hospitals.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

Commissioner Masilotti informed the Board that during discussions with staff, they located information which allowed for deviations in the state's standards regarding alternate ways to address traffic warrants. He said one deviation addressed areas of higher speeds, recognizing the increased intensity of accidents with fatality or serious injury.

**MOTION to approve warranting criteria for traffic signal installation on higher-speed County roads where 70 percent speed reduction is applied and 50 percent of the right turns are considered. Motion by Commissioner Masilotti.**

**MOTION DIED FOR LACK OF A SECOND.**

Assistant County Attorney Barbara Alterman explained that Commissioner Masilotti's suggestion was within the state's standard and the flexibility he referred to was also available although it might not have been used by all jurisdictions.

County Engineer Webb remarked that Commissioner Masilotti's recommendation would warrant 32 new traffic signals at an estimated cost of \$1.5 million, although the amount would probably be reduced because some locations were at private drives or at shopping centers. Mr. Webb pointed out that Board policy required property owners and developers to pay for lights located on private property.

Commissioner Newell asked whether the 32 signals installed as a result of this policy change would result in a 3 percent reduction in traffic volume. Mr. Webb

conceded that staff had not calculated the reduction in traffic volume on those roadways associated with the change in policy.



## REGULAR AGENDA - CONTINUED

### 5.B.3. - CONTINUED

What would happen, Commissioner Newell continued, if a 3 percent reduction in traffic volume resulted on a roadway that was only at 3 percent of capacity. Mr. Webb answered that those roads would be addressed through the development approvals. If such roads required widening in the future, they would move up the priority list with respect to capacity, Mr. Webb said. Commissioner Newell asked whether adding these 32 lights would require the widening of a significant number of roads. Mr. Webb said the number requiring widening would be insignificant.

Commissioner Marcus inquired if another method, such as the delay factor, might not be used in determining traffic signal installation and whether this method might not result in fewer than 32 new signals. Mr. Webb explained that using the delay criterion would probably reduce the number of signals by 50 to 75 percent, although delay was not typically applied in these situations. Ms. Marcus asked whether applying the delay factor would give staff the flexibility necessary to consider the actual problems residents might experience in entering and leaving their developments, and Mr. Webb answered that it would.

Commissioner Masilotti pointed out that of the 32 lights staff recommended, the majority were already on the list of warranted installations and that the Orange Boulevard and Coconut Boulevard intersection was identified as the first. He said his main concern was speed because that was the major factor contributing to fatalities. Would a 70 percent reduction in speed without factoring in right turns be an acceptable criterion, he asked. Mr. Webb said that a 70 percent reduction without the consideration of right turns would not only reduce the 32 signals to 11 but it would also reduce the County's exposure because the majority of the 11 lights would be funded privately.

**MOTION to approve warranting criteria for signal installations on County roads where 70 percent speed reduction is applied without the consideration of right turns. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.**

Commissioner Marcus asked whether the delay factor would be included in the motion, and Commissioner Masilotti answered that he would include that criterion if staff thought it would be useful. Mr. Webb recommended applying the delay factor.

Commissioner Roberts asked whether Engineering could complete a delay study of these intersections before the end of the current season, and Mr. Webb answered that he thought it could be accomplished. He said staff would ask each Commissioner to prioritize the projects within his or her district.

Commissioner Roberts requested the delay study be done in peak season, but Mr. Webb stated that some would not be affected by seasonal volume.

## REGULAR AGENDA - CONTINUED

### 5.B.3. - CONTINUED

Commissioner Newell requested a list of the 11 qualifying projects along with who would pay for each. He also requested an assessment of the 11 signals with the eight-hour peak requirement for left turns reduced to a four-hour peak.

**AMENDED MOTION to include allowing staff the ability to use its discretion regarding the delay factor. The maker and seconder agreed.**

#### PUBLIC COMMENT:

Lester Kelson, a resident of Wycliffe, said the community faced difficulty exiting the development since the extension of Lake Worth Road from State Road 7 to the Village Wellington. He pointed out that Lake Worth Road bisects Wycliffe and that the speed and volume of traffic typically required two cycles of the signal to cross from the north section of the community to the south. He requested activation of the existing flashing signal as a permanent light.

In response to Commissioner Newell, Mr. Webb said he anticipated private funding for most of the improvements. He stated that the remainder could be paid for with monies from County budget. He also pointed out that the projects would not be built immediately, and the design process would allow time for funding to be considered. Mr. Webb said Wycliffe would be qualified for a light under the new standard.

Commissioner Roberts suggested the staff look into the statute of limitations regarding zoning petitions to find out if responsibilities fall to the homeowners' association when the developer rights expire.

Commissioner Aaronson said the developers had been committing monies to escrow for up to five years for such things as signalization. He suggested the Board make such deposits a policy on all new developments. He also suggested that some older communities, which qualify and wish prompt installation of a traffic signal, would probably become partners with the County in paying for the light.

Responding to Commissioner Newell, Mr. Webb said only about 15 projects on the original list and about two out of the 11 were Department of Transportation (DOT) signals. He agreed to add the DOT projects to his review for the Board.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

## REGULAR AGENDA - CONTINUED

### 5.C. HOUSING AND COMMUNITY DEVELOPMENT

#### 5.C.1.

CONCEPTUALLY APPROVAL OF COMMISSION ON AFFORDABLE HOUSING CYCLE V COMPETITIVE RENTAL PROGRAM AWARD FOR \$106,425 TO THE 99-UNIT PRESIDENTIAL APARTMENTS. CONCEPTUALLY APPROVED 3-21-2000

**MOTION to conceptually approve the award. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.**

Commissioner Newell informed the Board that he had recently visited some of the affordable housing projects in his district and found the quality and maintenance were not in alignment with other projects in the area. He said projects which were approved within the past eight years were not being maintained at a satisfactory level in some areas. He mentioned having requested a memorandum from County Administrator Weisman directing all concerned agencies to monitor maintenance and rent schedules annually. He expressed concern about the County facing problems in the next four or five years when the financing programs are depleted.

Assistant County Attorney Tammy Fields responded to Board inquiries on enforcement. She said there were provisions within the contracts regarding the upkeep of the property and insurance requirements. On some projects, she said, the County was in the second- or third-mortgage position, and it was difficult to declare default on those projects because the first mortgage lender had priority.

Commissioner Aaronson sought a way to prevent new affordable housing projects from becoming blighted areas over a period of time. Ms. Fields pointed out that provisions had been added to the competitive rental application at Commissioner Newell's request, asking for tenant screening with regard to arrest records and drug abuse history. She said most of the applicants recommended for funding had such a policy in place.

Commissioner Masilotti suggested staff determine whether, under condition of approval, certain maintenance minimums above and beyond those of Code Enforcement could be required of the management.

Staff agreed it could monitor the area more closely by working with Code Enforcement staff and with the owners of the properties, beginning with the new projects.

Ms. Fields informed the Board that a committee had been meeting with the Commission on Affordable Housing to develop Request for Proposal (RFP) standards for the next cycle of funding. She agreed to share the concerns with the group which could then improve the application to address those concerns. She said the RFP document would get the Board's approval before it was issued.

Staff noted that a workshop was scheduled with the Board and the Commission on Affordable Housing in April 2000.

## REGULAR AGENDA - CONTINUED

### 5.C.1. - CONTINUED

Commissioner Roberts recommended a more vigorous use of Code Enforcement in the case of affordable housing projects.

Commissioner Lee contended that before developers were given additional projects, reports should be given to the Board on their existing projects.

### 5.D. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

#### 5.D.1.

##### a. RESOLUTION R-2000-0405

RESOLUTION AUTHORIZING THE CONSTRUCTION OF A FACILITY FOR THE SUPERVISOR OF ELECTIONS; INCREASING THE AMOUNT OF THE BONDS AUTHORIZED TO \$22 MILLION; AMENDING THE NAME OF THE BONDS AUTHORIZED; MAKING CERTAIN OTHER AMENDMENTS AND PROVIDING FOR CERTAIN OTHER MATTERS. (AMENDS R-98-2027) ADOPTED 3-21-2000

##### b. BUDGET AMENDMENT 2000-0536

BUDGET AMENDMENT FOR \$4,710,000 IN THE 2000 REVENUE IMPROVEMENT BOND FUND TO RECOGNIZE BOND PROCEEDS AND ESTABLISH FUNDING FOR THE SUPERVISOR OF ELECTIONS FACILITY PROJECT. (SEE R-2000-0405) APPROVED 3-21-2000

**MOTION to adopt the resolution and approve the budget amendment. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 7-0.**

### 5.E. COMMUNITY SERVICES

#### 5.E.1.

##### a.

SERVICE PRIORITIES AND ALLOCATION RECOMMENDATION OF THE CITIZENS' ADVISORY COMMITTEE ON HEALTH AND HUMAN SERVICES (CAC) FOR THE FINANCIALLY ASSISTED AGENCIES FUNDING PROCESS. APPROVED 3-21-2000

##### b.

CHANGES IN THE REQUEST FOR PROPOSALS PROCESS ADDING NEW REQUIREMENTS, PROPOSAL EVALUATION PROCESS, APPLICANT MONITORING, AND PRIORITIES AND TARGETS FOR ALLOCATIONS. APPROVED 3-21-2000

**MOTION to approve the service priorities, allocation recommendations, and the changes in the Request for Proposals process. Motion by Commissioner McCarty, seconded by Commissioner Masilotti, and carried 7-0.**

On behalf of the Board, Commissioner Roberts commended the Citizens' Advisory Committee for their work on this project.



## REGULAR AGENDA - CONTINUED

### 5.E.1. - CONTINUED

Edward Rich, director of the Department of Community Services, stated that service priorities and funding allocations for community capacity or organizational development of local resources to serve health and human service needs in the western communities (the Glades) was 29 percent instead of the 5 percent mentioned in the backup.

### 5.E.2.

DIRECTION FOR DONATION OF A 1996 FORD 21-SEAT PASSENGER BUS, ASSET 10103216, TO THE COUNTY HEALTH CARE DISTRICT FOR USE BY THE COUNTY HOME AND GENERAL CARE FACILITY. THE CURRENT ESTIMATED VALUE IS \$45,000. APPROVED 3-21-2000

**MOTION to approve the donation. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 7-0.**

### 5.F. FACILITIES DEVELOPMENT AND OPERATIONS

#### 5.F.1.

##### a. DOCUMENT R-2000-0406

TERMINATE THE LEASE AGREEMENT WITH THE HISTORICAL SOCIETY OF PALM BEACH COUNTY FOR THE RESTORATION AND USE OF THE OLD COUNTY COURTHOUSE. (RESCINDS R-96-806-D) APPROVED 3-21-2000

##### b.

DIRECTION ON WHETHER TO PROCEED WITH DEMOLITION OF THE OLD COUNTY COURTHOUSE OR TO PREPARE A REQUEST FOR PROPOSAL (RFP) FOR THE RESTORATION AND/OR REPLICATION OF THE STRUCTURE. APPROVED PREPARATION OF RFP -- 3-21-2000

##### c.

DIRECTION ON THE HISTORICAL SOCIETY OF PALM BEACH COUNTY'S CONTINUED OCCUPANCY OF THE COUNTY-OWNED BUILDING AT 3<sup>RD</sup> STREET AND SOUTH DIXIE HIGHWAY AS OFFICE SPACE. APPROVED 3-1-2000

**MOTION to terminate the lease agreement and direct staff to prepare a Request for Proposal. Motion by Commissioner Marcus and seconded by Commissioner Masilotti.**

Commissioner Masilotti inquired if the RFP would include not only restoration of the Old Courthouse as a historical building but also as County office space and as other facilities or for public interest. Director of Facilities Development and Operations Audrey Wolf said the Board had to determine the RFP's structure and terms.

## REGULAR AGENDA - CONTINUED

### 5.F.1. - CONTINUED

Commissioner Masilotti said he would like consideration to be given to restoration of the original Courthouse, but if it was cost-prohibitive for any private industry or 501(c)3 entity within the County, the opportunity should be left open to bidders in private enterprise to restore or replicate the building.

Commissioner Newell endorsed replication for at least a part of the building.

Commissioner Roberts opposed replication. She suggested instead that other County properties within the downtown area be used for office space if necessary. She contended that the County, someday, may want to build on the Old Courthouse property and opposed funding a private effort to replicate an old building on that site. She said she was not opposed to restoration but said she questioned funding for the restoration and the ownership if the private sector should perform the work.

Commissioner McCarty reminded the Board of the Boston consultant's finding that the building was not worth restoring from either a historical or an economic standpoint. She said she was not opposed to restoration, but if the building was replicated, a piece of the County's history, at least, would be preserved. She said ownership would be part of the RFP process.

Commissioner Masilotti recommended keeping the terms of the RFP as open as possible, so as not to limit the responses of the private sector. Commissioner Marcus said the Board should focus on restoration and the RFP should be crafted to allow for a percentage of restoration as a "value added" element of the cost. She said the County has little history preserved and the Old Courthouse was an important part. She said she had not mentioned replication in the motion but she was not opposed if only a percentage of the project was devoted to replication.

Commissioner Newell suggested that during the RFP selection process, additional consideration could be given to the person or team who offered the highest level of restoration.

Commissioner Aaronson added that some law firms were interested in moving their offices to the downtown location because of the proximity to the new Courthouse. He said the land could become a tax revenue source for the County and that the estimated \$36 million project may represent a reasonable amount to some firms who had been paying high rents elsewhere. He suggested the RFP be issued and if favorable responses were not received, then the building could be demolished and the property used for a plaza, as previously proposed.

## REGULAR AGENDA - CONTINUED

### 5.F.1. - CONTINUED

#### PUBLIC COMMENT:

Bonnie Weaver, first vice-president of The Historical Society of Palm Beach County, requested continued occupancy of the Tishman Building for up to three years. She said her society was willing to negotiate a rent agreement and was also in the process of locating space to house its collections.

Commissioner McCarty said she was unopposed to the society's occupancy of the building as long as rent was being paid.

Commissioner Aaronson said if the space was given free, the practice would set a precedent for other groups and organizations. He suggested the Board consider negotiating a lease at fair market value.

James Knight, a representative of Searcy, Denney, Scarola, Barnhart & Shipley, P.A., said the firm was interested in the Courthouse transaction because of convenience. He presented a letter to the Board and noted that the firm's history and activities in the community proved that the firm was better able to donate a portion of the property to public use than would a private developer who would need to make a profit. He said the firm was working with the Historical Foundation in trying to do the best thing for the County, the public, and the firm.

Mike Bornstein, president of the Historical Foundation, said his group's mission was to restore the old building. He said the group was interested in the development of its proposal with Mr. Knight to arrive at a proposal that would address Commissioner Roberts's concerns as well.

**AMENDED MOTION to terminate the lease agreement with The Historical Society; to direct staff to develop an RFP for restoration, requiring applicants to delineate anything other than restoration in their proposal; to direct staff to negotiate a rental agreement with The Historical Society for the Tishman building; and to direct staff to bring the RFP back to the Board before putting it out for bid. The maker and seconder agreed.**

Ms. Wolf said the structure of the RFP had to be determined in order to establish the cost of preparing a response. She explained the structure, pointing out that a single-phase RFP would probably cost the applicant between \$50,000 and \$150,000; without any guarantee of selection, it would give a fast response. She also explained a two-phase which would allow more applicants to respond but would be more time-consuming. She said the two-phase RFP would take some six months longer to complete than the one-phase, from start to completion.



## REGULAR AGENDA - CONTINUED

### 5.F.1. - CONTINUED

Commissioner Roberts asked why the City of West Palm Beach was required to approve either the restoration or the replication of the Courthouse, as the Agenda item stated. Ms. Wolf pointed out that the County had a standing development order for a plaza, which The Historical Society was to have applied to change to a restoration but failed to do. She said the City would have to give its approval of whatever is determined.

Commissioner Newell suggested the Chair send a letter to West Palm, Beach Mayor Joel T. Daves.

Ms. Wolf said the RFP would also address the following issues: lease versus ownership; use restriction, if any; plaza development; County's cash contribution, and revenue.

Commissioner Newell suggested a letter to those interested in restoring the Old Courthouse instead of the long process outlined.

Commissioner Aaronson said although he liked the ideas discussed, they were useless without the City's approval. He said the County should seek the city's approval before going any further.

**SUBSTITUTE MOTION 1 to POSTPONE the item for 60 days and direct staff to come back with a resolution adopted by the City of West Palm Beach supporting the opportunities that exist. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.**

Ms. Wolf pointed out that the resolution may not be binding nor would it be a substitute for a site plan approval.

Commissioner Marcus offered to take a personal interest in obtaining approval from the city. She said she did not want to lose any interested parties. She suggested the RFP and approval from the city could be done simultaneously within 45 days.

**SUBSTITUTE MOTION 2 to terminate the lease agreement, to direct staff to negotiate a rental agreement with The Historical Society for the Tishman Building, and to direct staff to send out an open RFP while Commissioner Marcus obtains a conceptual approval from the Mayor and the City Commission of West Palm Beach on restoration of the Old Courthouse. Motion by Commissioner Marcus and seconded by Commissioner Masilotti.**

Commissioner McCarty explained to staff that the RFP should be in the form of a notice, sufficient to attract interest and cover the County legally, informing the community of this process. She said the RFP should emphasize restoration and require the applicant to state a proposed use for the property.

Ms. McCarty suggested the lease-versus-ownership clause should be left open for the applicant to address.

**UPON CALL FOR A VOTE, the motion carried 6-1. Commissioner Roberts opposed.**

**REGULAR AGENDA - CONTINUED**

**5.F.2.**

**a. RESOLUTION R-2000-0407**

RESOLUTION PROVIDING FOR THE ALLOCATION OF FUNDS COLLECTED PURSUANT TO SECTION 318.21(10), FLORIDA STATUTES, ON EACH MOVING TRAFFIC VIOLATION, WHICH ARE TO BE UTILIZED TO FUND THE COUNTY'S PARTICIPATION IN THE INTERGOVERNMENTAL RADIO COMMUNICATIONS PROGRAM. THE CLERK WILL ASSIGN \$12.50 FROM EACH MOVING VIOLATION TO THE BOARD OF COUNTY COMMISSIONERS. (RESCINDS R-92-1187) ADOPTED 3-21-2000

**b.**

DIRECT THE CLERK TO TRANSFER \$1.00 FROM THE COUNTY ORGANIZATION TO THE MUNICIPAL ORGANIZATION FOR EACH MOVING VIOLATION WRITTEN BY A MUNICIPAL LAW ENFORCEMENT AGENCY FROM JANUARY 1, 2000, THROUGH FEBRUARY 29, 2000. (SEE R-99-2343 AND R-2000-0407) APPROVED 3-21-2000

**MOTION to adopt the resolution and to direct the Clerk to transfer the funds as stated. Motion by Commissioner McCarty, seconded by Commissioner Masilotti, and carried 7-0.**

**5.F.3.**

RELOCATION OF THE PROPOSED SUPERVISOR OF ELECTIONS' OFFICE AND WAREHOUSE FROM THE 58-ACRE GUN CLUB ROAD SITE TO FOUR POINTS AT MILITARY TRAIL. APPROVED 3-21-2000

**MOTION to authorize the relocation. Motion by Commissioner Aaronson and seconded by Commissioner Masilotti.**

Supervisor of Elections Theresa LePore said the location was acceptable. She was in desperate need of space, she said, and needed to relocate within the next 18 months.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

**RECESS**

**At 12:16 p.m., the Chair declared a recess.**

**RECONVENE**

**At 2:01 p.m., the Board reconvened with Commissioners Aaronson, Lee, McCarty, Marcus, Masilotti, Newell, and Roberts present.**

**7. MATTERS BY THE PUBLIC - 2:00 P.M.**

**7.A.**

FEATURES OF THE NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE (NAMAC) AND THE ENVIRONMENTALLY SENSITIVE LANDS ACQUISITION SELECTION COMMITTEE (ESLASC). DISCUSSED 3-21-2000

Barbara Susco complained about being unable to make public comments except at the end of meetings of the Natural Areas Management Advisory Committee (NAMEC) and the Conservation Lands Acquisition Selection Committee (CLASC). She said the practice was undemocratic and unfair because comments could not contribute to the votes.

## MATTERS BY THE PUBLIC - CONTINUED

### 7.A. - CONTINUED

Ms. Susco alleged arrogance among the committees' members. She said Herbert Zebuth, a member of both committees, stated that he was disturbed to think that committee members feel that they need approval from the public to fence the Overlook Scrub Property. Ms. Susco contended that residents in that area should be allowed input.

She said she had spoken at both the NAMEC and CLASC meetings in objection to members who were seated on the boards and whose service represented a conflict of interest. She named Elizabeth Hoffman, JoAnn Davis, and Rosa Durando as violators. She mentioned that Assistant County Attorney Heidi Juhl invited members to communicate with her if they think they indeed were in violation.

Ms. Susco questioned members' ability to make decisions on the acquisition of properties when they were not available to attend field trips.

Commissioner McCarty pointed out that the advisory committees' recommendations were conveyed to the Board. She stated that it would be to the benefit of the advisory committees to listen to all comments and address the issues before submitting their recommendations to the Board. She suggested staff visit the meetings and express the importance of having all concerns addressed before the Board discussed the items.

Ms. McCarty explained that conflict of interest was when monies were personally gained in exchange for votes. She said members serving on more than one board did not constitute a conflict of interest. She suggested Ms. Susco inquire of the Ethics Committee; if a ruling was supportive of her argument, then the Board could take appropriate action.

Commissioner Masilotti agreed that the committees should be taking public comments into consideration.

### 7.B.

#### PORNOGRAPHY IN LIBRARIES. DISCUSSED 3-21-2000

Barbara Susco informed the Board that she was leaving material about pornography in libraries for their review.

### 7.C.

#### INTERNET PORNOGRAPHY IN COUNTY LIBRARIES. DISCUSSED 3-21-2000

John Brooks requested the Board's help in dealing with Internet pornography. He stated that current library policy provided no protection from Internet pornography and that no plans were being made to add protection. He said the controlling influence on issues of this type was the Library Bill of Rights produced by the American Library Association (ALA), which gives everyone the right to access everything.

## **MATTERS BY THE PUBLIC - CONTINUED**

### **7.C. - CONTINUED**

Mr. Brooks asked the Board to help taxpayers have some influence on library policy. He contended that children had viewed explicit sexual acts on library computers and that women and children had been offended and even sexually abused within libraries because of Internet pornography.

Commissioner Masilotti asked if Jerry Brownlee, the director of the Library Department, could come back with suggestions on how to monitor Internet usage in libraries. He suggested the systems be placed near the librarians who could monitor improper uses. County Administrator Weisman and Commissioner McCarty agreed that a policy statement was made available about two years ago. Mr. Weisman said the First Amendment and the law prohibit the Board from doing much because the law states that free access must be provided. He said the library staff had taken steps to screen websites and to locate computers in places where abuse is less likely to happen, but that there were limitations.

Commissioner McCarty said staff had been asked to research the use of filters similar to those being used by the City of Boynton Beach.

Assistant County Administrator Jean Creamer said that the policies of Boynton Beach and the County were similar. She said filters were installed on the computers in the children's areas but difficulties were met in the adult areas because of First Amendment rights. She said the Library Department had been following the issue nationwide. She cited a case in which a governmental entity had been sued for installing filters on computers used by both children and adults.

Ms. Creamer said the library staff had been trained to ask an adult to position the monitor away from other users and the public. She promised to provide the Board with the County's policy. Parents were asked to fill out a form acknowledging responsibility for each child's access, she added.

Commissioner Aaronson suggested the viewing area be sectioned into screened and unscreened areas where the monitor could be seen by attendants. He said another solution was to put security personnel in the library system to monitor the computers, but he warned that the practice would be costly.

Ms. Creamer agreed with Commissioner Marcus that all possible precautions were taken in the County libraries but that the County had no control over other library systems. She also agreed that library staff was taking the practice of monitoring the usage seriously in an attempt to prevent children and certain adult users from being exposed.

Mr. Brooks pointed out that in Orlando and other parts of the state, total filtering was done on all computers.

### **5.G. CHILD CARE ADVISORY BOARD - See separate meeting of this date.**

## **RECESS**

**At 2:45 p.m, the Chair declared a recess.**

## RECONVENE

At 2:51 p.m., the Board reconvened with Commissioners Aaronson, Lee, McCarty, Marcus, Masilotti, Newell, and Roberts present.

## REGULAR AGENDA - CONTINUED

### 5.H. ADMINISTRATION

#### 5.H.1. RESOLUTION R-2000-0408

RESOLUTION SPONSORING THE AGRIPLEX PROJECT AT THE SOUTH FLORIDA FAIRGROUNDS AND AGREEING TO ADMINISTER ANY STATE FUNDS RECEIVED FOR THE AGRIPLEX. THE SOUTH FLORIDA FAIR AND PALM BEACH COUNTY EXPOSITIONS, INC., IS SEEKING \$3.5 MILLION IN STATE SUPPORT OF THE ESTIMATED DEVELOPMENT COST OF \$7.5 MILLION AND WILL CONTRIBUTE AND RAISE THE REMAINDER. ADOPTED 3-21-2000

**MOTION to adopt the resolution. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.**

Commissioner Roberts suggested the Board obtain a seat on the South Florida Fair and Palm Beach County Expositions (Fair) Board of Trustees. She also suggested each Commissioner appoint a member to the South Florida Fair Board of Directors. She commented that the County donates heavily to the cause and should be represented.

John Foster, a representative of the Fair, confirmed that Commissioner Aaronson was the County's representative of the Fair Board of Trustees.

Commissioner Aaronson said there was no need for an additional appointment to the Board of Directors.

#### PUBLIC COMMENT:

Nanci Alexander, Lynne Brenes, community relations coordinator for Congressman Robert Wexler, and Joe Taksel, a representative of the Animal Rights Foundation of Florida, opposed the request for support by the County of state funding for the Fair. Ms. Alexander presented an e-mail from the Animal Care and Control Board. The speakers stated:

- C Opposition to County support for the Fair should continue as long as it holds circuses and continues to expand its scope of acts that involve animal abuse and exploitation.
- C Mr. Wexler currently was sponsoring the Circus Elephant Accident Prevention Act with enforcement beginning at the local level.
- C The message was being conveyed to children that animals can be taken from their natural surroundings and denied freedom for human exploitation, which does not reflect positively on the County's image.

Commissioner Aaronson said he supported Mr. Wexler on most issues but could not support him on this one. He asked if they were willing to close down the race tracks as well. He contended more damage was done to race horses than to animals at the Fair. He commented that most young people enjoy the circus and probably would not attend if animals were not there. He said the concern should

be addressed on a broader scale than just with Fair animals.

## **REGULAR AGENDA - CONTINUED**

### **5.H.1. - CONTINUED**

In response to Commissioner Masilotti, Ms. Brenes said zoos were not included in the petition. Commissioner Masilotti pointed out that agencies were in place to restrict or deny permits to groups that abuse animals. He suggested the federal government provide more funding to these agencies to enforce the law instead of denying children access to a circus. He said the issue at hand was an enforcement problem and suggested the federal government should enforce the laws instead of creating new ones.

Commissioner Marcus stated that the flier Mr. Taksel sent out to his membership was not factual because it mentioned the Fair was requesting \$25 million of the County over the next five years for an expansion that includes the new Agriplex. She said although the money was taxpayers', it would come from the state legislature instead of the County. She said Mr. Taksel's purpose would have been better served if he had checked the facts with the Fair before getting the public involved. She suggested Mr. Taksel meet with the Fair's boards of directors and trustees in an attempt to resolve concerns.

Commissioner Masilotti suggested Mr. Taksel contact County administration for clarification on future Agenda items.

County Administrator Weisman informed the Board that representatives of the Fair would be making a presentation to the Board at a workshop session on March 28, 2000, at 10:30 a.m.

Ms. Alexander, in response to Commissioner Marcus, said the Animal Care and Control Advisory Board would be represented at the workshop meeting.

Commissioner Aaronson extended an invitation to the group to meet with the Fair representative and work on the issues.

Barbara Susco, commented that relief was needed from the present gas tax instead of new projects which were not necessary.

Mr. Foster said the Fair would consider any new director and would welcome Board interest on the Board of Trustees as well. He explained that the Fair was asking for the Board to sponsor the Agriplex project and to be a receiving vehicle for the money. He said the Agriplex brochure presented to the state legislature endorsed agricultural promotion and education. He said the Fair contracted with different acts, but the Fair did not own and present these acts. The contracts had to be in compliance with all rules and regulations. He requested adoption of the resolution.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

**REGULAR AGENDA - CONTINUED**

**5.I. PALM TRAN**

**5.I.1. RESOLUTION R-2000-0409**

RESOLUTION SUPPORTING TRI-RAIL'S DOUBLE TRACK CORRIDOR IMPROVEMENT PROGRAM AND REQUESTING THE CONGRESS TO APPROPRIATE \$110.5 MILLION OF MAJOR CAPITAL INVESTMENT FUNDS FOR CONSTRUCTION OF SEGMENT 5, WHICH REPRESENTS THE FINAL 44.3 MILES OF THE DOUBLE TRACKING PROJECT. ADOPTED 3-21-2000

**MOTION to adopt the resolution. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 7-0.**

**6. BOARD APPOINTMENTS**

**6.A. ENGINEERING AND PUBLIC WORKS**

**6.A.1.**

REAPPOINTMENT OF JOHN CORBETT, LEN SHEPPARD, AND MIKE SLADE THE APPOINTMENT OF REBEL COOK TO THE INDEPENDENT FIVE-YEAR ROAD PROGRAM OVERSIGHT AND ADVISORY COUNCIL FOR A TWO-YEAR TERM EXPIRING IN FEBRUARY 2002. APPROVED 3-21-2000

**MOTION to approve the reappointments and appointment. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 7-0.**

**6.B. COMMUNITY SERVICES**

**6.B.1.**

APPOINTMENT OF BRENDA K. BRUNO-GASTON, ANAX E. POMPILUS, AND CLAIRE VALIER TO THE HEAD START POLICY COUNCIL FOR A THREE-YEAR TERM EFFECTIVE MARCH 21, 2000. APPROVED 3-21-2000

**MOTION to approve the appointments. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 7-0.**

**6.C. PUBLIC SAFETY**

**6.C.1.**

REAPPOINT AND/OR APPOINT THREE FROM THE LIST OF FOUR CITIZEN/RESIDENT CATEGORY NOMINEES THAT INCLUDES RUBIN FELDERMAN, INCUMBENT, AND ROBERT EISENBERG, SAM HERSHKOWITZ, AND BRENDA B. MONTAGUE; APPOINT DAVID BAATELAN; REAPPOINT HAL VALECHE, MARJORIE ISADORE, AND STAN WEST. APPROVED 3-21-2000

**MOTION to appoint Rubin Felderman, Sam Hershkowitz, Brenda Montague, David Baatelan, Hal Valeche, Marjorie Isadore, and Stan West. Motion by Commissioner Roberts.**

**MOTION DIED FOR LACK OF A SECOND.**



Commissioner Aaronson said he also had nominated Robert Eisenberg.

**MOTION to appoint Robert Eisenberg, Sam Hershkowitz, and Brenda Montague; also David Baatelan, Hal Valeche, Marjorie Isadore and Stan West. Motion by Commissioner Newell and seconded by Commissioner Aaronson.**

## **BOARD APPOINTMENTS - CONTINUED**

### **6.C.1. - CONTINUED**

Commissioner Roberts commented that the Board had never denied an incumbent the opportunity to serve again.

**SUBSTITUTE MOTION 1 to appoint Rubin Felderman, Sam Hershkowitz, Brenda Montague, David Baatelan, Hal Valeche, Marjorie Isadore, and Stan West. Motion by Commissioner Roberts and seconded by Commissioner Newell.**

In response to Commissioner Aaronson, Commissioner Roberts said she had only adhered to staff's request on the nominations.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

**MOTION to direct staff to place Robert Eisenberg's name on the reserve list and to seat Mr. Eisenberg in the event of a vacancy. Motion by Commissioner Marcus and seconded by Commissioner Masilotti.**

Commissioner Aaronson said a rule should be set to allow Commissioners to nominate only one person to a Board at any given time.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

### **6.D. HOUSING AND COMMUNITY DEVELOPMENT**

#### **6.D.1.**

APPOINTMENT OF SANDRA J. BROWN, SANDY DUNCAN, AND HARRIET ROWE HILL TO THE EMERGENCY SHELTER GRANTS PROGRAM ADVISORY BOARD FOR THREE-YEAR TERMS EXPIRING SEPTEMBER 30, 2001.  
APPROVED 3-21-2000

**MOTION to approve the appointments. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 7-0.**

### **6.E. COMMISSION DISTRICT APPOINTMENTS**

#### **6.E.1.**

REAPPOINTMENT OF ANITA MITCHELL TO THE SPORTS COMMISSION ADVISORY BOARD. APPROVED 3-21-2000

**MOTION to approve the appointment. Motion by Commissioner Roberts, seconded by Commissioner Masilotti, and carried 7-0.**

(CLERK'S NOTE: Commissioner Masilotti left the meeting.)

#### **6.E.2.**

DESIGNATION OF COMMISSIONER MCCARTY AS THE COUNTY REPRESENTATIVE TO THE COMMUNITY ALLIANCE FOR HEALTH CARE.  
APPROVED 3-21-2000

**MOTION to approve the designation. Motion by Commissioner Roberts (on behalf of Commissioner Lee), seconded by Commissioner Marcus, and**

**carried 6-0. Commissioner Masilotti absent.**

No backup submitted.

## COMMISSION DISTRICT APPOINTMENTS - CONTINUED

### 6.E.3.

APPOINTMENT OF JEFF PERLMAN TO THE TOURIST DEVELOPMENT COUNCIL, REPLACING JAY ALPERIN. APPROVED 3-21-2000

No backup submitted.

**MOTION to approve the appointment. Motion by Commissioner Aaronson, seconded by Commissioner Roberts, and carried 6-0. Commissioner Masilotti absent.**

### 6.E.4.

APPOINTMENT OF JEFF KOONS TO THE METROPOLITAN PLANNING ORGANIZATION. APPROVED 3-21-2000

**MOTION to approve the appointment. Motion by Commissioner Aaronson, seconded by Commissioner Roberts, and carried 6-0. Commissioner Masilotti absent.**

No backup submitted.

7. **MATTERS BY THE PUBLIC** - See Pages 35-37.

8. **STAFF COMMENTS**

8.A. **ADMINISTRATOR COMMENTS** - None

8.B. **COUNTY ATTORNEY** - None

9. **COMMISSIONER COMMENTS**

9.A. **COMMISSIONER KAREN T. MARCUS**

9.A.1.

FLORIDA LEGISLATURE UPDATE AND REQUEST THAT THE BOARD COMMUNICATE WITH REPRESENTATIVES ABOUT THE INTANGIBLES TAX. DISCUSSED WITH DIRECTION 3-21-2000

Commissioner Marcus informed the Board that she had asked Richard Roberts, director of the Office of Financial Management and Budget, for a financial analysis of the intangibles taxes lost to the County budget this year because of the legislature's action. She said the cost to the County within the next fiscal year would be \$22.7 million. She explained that the County would have to absorb that amount if it was not held harmless over the loss of intangibles. The budgets produced to date did not hold the County harmless and did not replace money out of the General Revenue Fund. She said there was an amendment filed on a bill by some bond companies requesting that any shortfall in debt services be taken care of but that the amendment does not reference the rest of the money the County would be losing. She encouraged her colleagues visiting Tallahassee to address the concern with legislators. She also requested that the Chair send a letter to the Governor, the Speaker of the House, and the President of the Senate, informing them of the shortfall that will result if the County is not held harmless.

Commissioner Lee asked staff to prepare the letter.

No backup submitted.

## COMMISSIONER COMMENTS - CONTINUED

### 9.A.2.

#### UPDATE ON EVERGLADES FUNDING. DISCUSSED 3-21-2000

Commissioner Marcus informed the Board that the Everglades funding was not progressing. She said it seemed as though South Florida would end up paying the bill because the Governor and Cabinet were considering the South Florida Water Management District (SFWMD) would assume the bill. She said 16 counties had endorsed the documentary stamp tax as the desired source of funding but no one was responding at the state level, even though SFWMD had announced that it was unable to fund the project.

Ms. Marcus asked County Administrator Weisman to direct staff to do an analysis. She pointed out that the water plans for the southeast and the northern Basins, which SFWMD had completed, were put on hold because there was no money to implement the programs.

Ms. Marcus asked her colleagues to assist in whatever way possible to support the documentary stamp proposal. She suggested the delegation to the Florida Association of Counties meeting use the opportunity to talk to the leadership about the issue.

Commissioner Roberts said she questioned SFWMD at the past planning Council meeting regarding the water plans implementation funds. She contended that the response suggested that south Florida would be overburdened with the cost of Everglades restoration. She stated that the Everglades was not only a South Florida treasure but also a greater Florida treasure and, even more so, a national treasure.

Commissioner Marcus stated that the \$22.7 million intangibles tax was not a tax saving to the County because residents will be asked to pay more taxes to fund the Everglades restoration. Ms. Marcus stated that the public should be made aware of this funding problem in writing. She commented that the County caught the attention of the legislators about the unfunded mandates when the tax bill flyer was developed.

Ms. Marcus informed the Board that the previous Senate bill supported the documentary stamp tax as the funding source for Everglades restoration. She said the bill had since been changed and Senator Burt Saunders had backed off. The bill was now called the Vanilla Bill, which supports Governor Jeb Bush's proposal in general, saying the money will come from south Florida but it is not specific about an exact source.

Commissioner McCarty offered to meet with Senator Toni Jennings, but Commissioner Marcus said she already had a meeting scheduled with her the following week.

No backup submitted.

## **COMMISSIONER COMMENTS - CONTINUED**

### **9.B. COMMISSIONER BURT AARONSON**

#### **9.B.1.**

##### **COMMISSIONER AARONSON'S WASHINGTON TRIP IN SEARCH OF FUNDING FOR THE AGRICULTURAL RESERVE. DISCUSSED 3-21-2000**

Commissioner Aaronson said his trip to Washington on March 2, 2000, for the purpose of acquiring funds for the Agricultural Reserve and his meeting with the President's Counsel on Environmental Quality, George Frampton, were fruitful. He said he was informed by a follow-up letter that representatives from the U.S. Department of Agriculture, the Natural Resources and Conservation Service, and the U.S. Fish and Wildlife Service would visit the County on March 28, 2000, to explore federal matching programs for the County's Agriculture Reserve Acquisition Program. He reported that the wetland reserve, conservation reserve, and farmland protection were the three federal programs to be studied.

Mr. Aaronson said County Administrator Weisman was informed and staff would be present to assist with the studies. He concluded that he was hopeful of getting funding for the Ag Reserve.

No backup submitted.

#### **9.B.2.**

##### **POSSIBLE STATE PARK TO BE LOCATED IN SOUTH COUNTY. DISCUSSED 3-21-2000**

Commissioner Aaronson reported that, during his visit to Tallahassee on Palm Beach County Day, he had reviewed the County's accomplishments and its desire for a state park in the southern part of the County with the Deputy Director of Environmental Protection Bob Ballard.

Mr. Aaronson said Mr. Ballard immediately assigned his staff to research the possibility and promised a timely response to the request. He expressed confidence that the County would soon have a state park, possibly without any monetary contribution from the County.

Commissioner McCarty clarified that the discussion was about obtaining the land for the park but that she was unsure if monies would be available for building and operating the park. She said building of the park might require partnership with the County.

Commissioner Aaronson pointed out that two departments were involved. The first department agreed to build the park and the other addressed purchase of land. He said he was hopeful that the entire project would be done but a partnership would also be welcomed.

No backup submitted.

## COMMISSIONER COMMENTS - CONTINUED

### 9.C. COMMISSIONER MARY MCCARTY

#### 9.C.1.

SUSPENSION OF SIX CENT GAS TAX FOR 60 DAYS. DISCUSSED 3-21-2000

Commissioner McCarty suggested the gas tax be suspended for 60 days and suggested that County Administrator Weisman review the issue. She added that the state did it for 30 days and suggested the County not ignore the issue of bringing relief to residents.

Commissioner Marcus clarified that the state had only talked about suspending the tax for 30 days at saving of \$75 million. The Senate had not yet embraced the idea, however. She expressed concern about not being able to guarantee that residents would realize savings at the gas pump. She said she would hope that the state would share that concern.

Commissioner Aaronson pointed out that the \$75 million savings would be absorbed by the elimination of some other programs though no one was certain which state funding would be affected. He said Republicans and Democrats alike were hesitant about rolling the tax back. He suggested the Board delay making a decision until after the March 27, 2000, Organization of Petroleum Exporting Countries (OPEC) meeting.

Mr. Aaronson said if the tax was reduced, monies would be taken from the Five Year Road Program. He suggested County staff monitor the prices throughout the County and give a listing to the newspapers and to Channel 20 for publication in an attempt to educate the public on the more economical prices. He said the practice had already worked. He suggested the discussion be tabled until April 1, 2000.

Commissioner McCarty said if the County could ensure that the savings would be passed on to the consumer, the County should consider suspension of the tax. She requested Mr. Weisman review the possibility of savings going to the consumers.

Commissioner Aaronson said the gas industry was playing a pricing game and that consumers were considered the "cash cows." He pointed out that 75 percent of the stations in the County were owned by oil companies and the remainder by private proprietors.

Commissioner Marcus requested staff to explore with the House and Attorney General Bob Butterworth the possibility of a guarantee that consumers would benefit from a price reduction and that staff also develop a process of monitoring such savings.

No backup submitted.



## COMMISSIONER COMMENTS - CONTINUED

### 9.D. COMMISSIONER CAROL A. ROBERTS

#### 9.D.1.

RESOLUTION TO RENAME ROYAL PARK BRIDGE THE ED HEALEY MEMORIAL BRIDGE. APPROVED 3-21-2000

Commissioner Roberts informed the Board that the City of West Palm Beach had adopted a resolution to be forwarded to the State House of Representatives requesting the Royal Park Bridge be renamed the Ed Healey Memorial Bridge. She requested the Board's support to authorize a similar resolution. She said the Speaker of the House agreed to accommodate the issue.

**MOTION to support the resolution. Motion by Commissioner Roberts, seconded by Commissioner Newell, and carried 6-0. Commissioner Masilotti absent.**

No backup submitted .

### 9.E. COMMISSIONER MAUDE FORD LEE

#### 9.E.1.

REPLACEMENT OF ELLEN CAPITAL WITH M. R. BEAL AND COMPANY AS THE ROTATION BOND COMPANY. APPROVED 3-21-2000

**MOTION to replace Ellen Capital with M. R. Beal and Company as Commissioner Lee's Bond rotation replacement. Motion by Commissioner Marcus (on behalf of Commissioner Lee), seconded by Commissioner McCarty, and carried 6-0. Commissioner Masilotti absent.**

No backup submitted.

#### 9.E.2.

HOUSING FINANCE AUTHORITY PURCHASING PRACTICES. DISCUSSED WITH DIRECTION 3-21-2000

Commissioner Lee said she had received numerous calls regarding the Housing Finance Authority (HFA). She said she contacted the County Attorney's office to review the Board's responsibilities. She said although the ordinance required Board approval for contracts in excess of \$10,000 for the purchase of goods, it did not address services. She pointed out there was concern about the same vendors being used repeatedly while other vendors were being denied the opportunity to bid. Ms. Lee suggested revision be made to the ordinance to allow Board input regarding services.

Commissioner Newell recalled that the statute that establishes the HFA also permits an option for the Board to assume the HFA's responsibilities. He requested staff review that option. He also asked staff to explore the practices of the HFA in other counties.

## COMMISSIONER COMMENTS - CONTINUED

### 9.E.2. - CONTINUED

Commissioner McCarty said the County's HFA, compared to other counties, including Broward, did the bare minimum. She said the authority was less active than those of other counties and could take on a more active role in the community. The job needed to get done, and if the present body was unwilling to perform to its fullest potential, she was unopposed to reviewing alternatives.

Commissioner Marcus recalled a workshop held recently with the HFA. She said that before any action was taken, she would like staff to do a written report on comparisons with other counties, how the ordinance could be amended, and a review of the statutes.

Commissioner Lee said monitoring seemed to be a factor because of inadequate staffing.

The Board directed staff to research the question in other counties of similar size to determine who handles the responsibilities and what are the functions of the governing body.

County Attorney Dytrych agreed to compile a report within 60 days.

Commissioner Lee sought a way to revise the ordinance to include services, but the Board decided to wait until the report was submitted. Commissioner Aaronson suggested the Board notify the HFA to not sign any contract with a lasting effect until the requested information was in hand.

Ms. Dytrych said the Board did not have the legal authority to forbid the HFA to sign their contracts. The Board directed staff to make the request.

No backup submitted.

(CLERK'S NOTE: Commissioners McCarty and Newell left the meeting.)

### 9.E.3.

PROCLAMATION HONORING FELICIA WALLACE CLEVELAND FOR SERVICES TO THE COMMUNITY. APPROVED 3-21-2000

**MOTION to approve the proclamation. Motion by Commissioner Marcus, seconded by Commissioner Roberts, and carried 4-0. Commissioners McCarty, Masilotti, and Newell absent.**

No backup submitted.

### 9.E.4.

PROCLAMATION PROCLAIMING MARCH 19-25, 2000, AS SPORTS HALL OF FAME WEEK. APPROVED 3-21-2000

**MOTION to approve the proclamation. Motion by Commissioner Marcus, seconded by Commissioner Roberts, and carried 4-0. Commissioners McCarty, Masilotti, and Newell absent.**

**COMMISSIONER COMMENTS - CONTINUED**

**9.F. COMMISSIONER TONY MASILOTTI - None**

**9.G. COMMISSIONER WARREN H. NEWELL - None**

**10. ADJOURNMENT**

**The Chair declared the meeting adjourned at 3:52 p.m.**

ATTESTED:

APPROVED:

Clerk

Chair