

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR

1. **CALL TO ORDER:** January 9, 2001, 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 Warren H. Newell - Absent
 Vice-Chair Carol A. Roberts
 Commissioner Burt Aaronson
 Commissioner Addie L. Greene
 Commissioner Mary McCarty
 Commissioner Karen T. Marcus
 Commissioner Tony Masilotti
 County Administrator Robert Weisman
 County Attorney Denise Dytrych
 Chief Deputy Clerk John W. Dame
 Deputy Clerk Judith Crosbie

1.B. **INVOCATION** - Commissioner Masilotti

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>	
9	3C-2 **	DELETED: Budget Transfer of \$200,000 within the County Transportation Trust Fund from Contingency Reserves ... (Eng) (Further staff review)
27	3M-6	DELETED: Interlocal Agreement with the Indian Trail Improvement District in an amount not-to-exceed \$100,000 for funding of the Indian Trail Improvement District Equestrian Trail System - Phase 1 for the period October 1, 1999 to September 30, 2001. (Parks) (Further staff review)
28	3Q-1	DELETED: A) Budget Transfer of \$2,257 in the Drug Abuse Trust Fund (DATF); B) Budget Amendment of \$5,165 in the General Fund; and C) the first amendment to the contract with L. Robert Kimball & Associates (R2000-0635) to expand the scope of work and increase the contractual amount from \$188,500 to \$231,905. (CJC) (Further staff review)
34	4D	ADD-ON: Proclamation acknowledging the battles of the Second Seminole War which took place in Palm Beach County during January, 1838. (Sponsored by Commissioner Marcus)
34	4E	ADD-ON: Proclamation honoring the Glades Central Raiders Football Team of Glades Central High School. (Sponsored by Commissioner Masilotti)
34	4F	ADD-ON: Proclamation declaring the days of January 5 - 15, 2001 as the "Countywide Martin Luther King, Jr. Celebration" in Palm Beach County. (Sponsored by Commissioner Greene)

2.A. - CONTINUED

PAGE ITEM
40-41 6B-3

REVISED TITLE & SUMMARY: Staff recommends motion to:

A) accept assignment from The Nature Conservancy (TNC) of an Agreement for Sale and Purchase for acquisition of approximately 131.55 acres known as the Hoag property (Acreage Pines Natural Area), for a total purchase price of \$936,650 subject to satisfactory results of pre-closing due diligence;

B) approve an Interlocal Agreement with the Indian Trails Improvement District (ITID) which provides that ITID will convey to Palm Beach County 41.47 acres located immediately north of the Hoag property and includes the existing Acreage Community Park and undeveloped environmentally sensitive lands that will be incorporated into the proposed County natural area, in exchange for the County providing a long-term lease to ITID for the Acreage Community Park and its associated 7.255 acre conservation area, as well as an a portion of the Hoag property approximately 28.9 acres in size portion of the Hoag property to be used for expansion of the existing park;

C) approve payment for the purchase of the Hoag Property, upon the terms and conditions set forth in the Agreement for Sale and Purchase (Attachment 1, Exhibit A). Of the purchase price, a proportionate share of the acquisition costs, including costs for the land, commissions, appraisals, surveys, and environmental audits (currently estimated at \$212,253 ~~\$210,000~~) shall be paid using funds from the \$30M Park Bond Fund Acreage Community Park project account (P106) for approximately 28.0 acres (located south of the existing Acreage Community Park) to be used for a future park. The remaining acquisition costs (currently estimated at \$573,852 ~~\$754,025~~) for approximately 102.6 ~~103~~ acres to be used as a County-owned natural area known as the Acreage Pines Natural Area will be paid using County Conservation Land Acquisition bond funds;

~~**D) approve** TNC's fee of \$9,367 for the acquisition, pursuant to TNC's agreement with the County,~~

~~**D)E)** approve~~ Budget Transfer of \$864,824 from Reserves (9900) of the \$75M General Obligation Conservation Land 1999 CTF Fund (307), to the Acreage Pines Account (E438), which includes the expenditure of \$110,972 ~~\$124,120~~ for site preparation and clean-up work, fencing, initial signage, and associated staff activities.

SUMMARY: The Hoag property (Acreage Pines Natural Area) is approximately 131.55 acres lying between 140th Avenue North and 143rd Avenue North, south of Orange Boulevard and north of the "M" Canal. To further the goals of the County and ITID, the two agencies have negotiated an Interlocal Agreement related to the purchase of the property. Under the Interlocal Agreement, the County will acquire the 131 acre Hoag property using funds from both the \$75M General Obligation Conservation Land 1999 CTF Fund and the \$30M Parks Bond Fund. ITID will convey to the County title to 41.47 acres located immediately north of the Hoag property and comprised of the 18-acre Acreage Community Park, a 7.25-acre preserve, and 16.215 acres of undeveloped land. In addition, ITID will assist the County by providing hydrological manipulations on the Hoag property in order to restore the on-site wetlands.

2.A. - CONTINUED

PAGE	ITEM	
40-41	6B-3	<p>In exchange for the land and services, the County will grant a long-term lease to ITID for the Acreage Community Park, the 7.25-acre preserve, and for approximately 28 acres of the Hoag property for future expansion of the existing park. The lands leased to ITID will be used for active parks and a preserve, while the remaining 103 acres of the Hoag property and the 16.215 acres of undeveloped land given to the County by ITID will be preserved as a natural area which provides only passive recreational activities. The County will obtain an environmental audit and a current survey. The purchase price is \$936,650, which is 0.53% below the average of the County's appraisals. Pursuant to Exhibit B of the Contract for Consulting/Professional Services (Contract) between TNC and the County (R99-956D), TNC is to receive up to one percent (1%) of the County's purchase price, provided the payment to TNC does not exceed the difference between the purchase price and the average of the appraisals conducted on a parcel, except when the County approves an acquisition at or near appraised value because of factors not typically part of the acquisition program, in which case the payment to TNC shall not exceed one percent (1%) of the purchase price. <u>Because TNC has brought forward this option contract at less than 1% discount off the appraised value, TNC has notified the County they will not be seeking reimbursement for overhead and expenses relative to this negotiation.</u> Because this negotiation involved some rather difficult and complex negotiations for acquisition, as well as satisfying the needs of all parties concerned, staff recommends TNC receive the 1% payment. Board approval of TNC's fee is required under item 10 of the Responsibilities Section of Exhibit A to the Contract. District 6 (HJ) (ERM)</p>
41	6B-4	<p>REVISED TITLE: A) approve a Settlement Agreement between Palm Beach County, and Minto Communities, Inc., <u>and H and J Contracting, Inc.</u>, for damage done to native vegetation on the Royal Palm Beach Pines Natural Area; and</p> <p>B) <u>authorize acceptance of Accept</u> a deed <u>when executed</u> from the Village of Royal Palm Beach for <u>111+</u> acres of land to be added to the Royal Palm Beach Pines Natural Area following appropriate staff due diligence. (Eng)</p>
43	6G-1	<p>ADD-ON: Staff recommends motion to authorize: an offer of business damages in the amount of \$90,000, a renewed offer of compensation for the property acquired of \$140,000, and an offer of judgment encompassing the aforementioned offers in the total amount of \$230,000, plus the Clerk's registry deposit fee of \$100, for the sum total of \$230,100 in the eminent domain action styled Palm Beach County v. Goffe et al., Case No. CL 00-6234 AM (Parcels 18 and 18T) for the improvement of Haverhill Road between Lantana Road and Melaleuca Drive (Project No. 98503). SUMMARY: The County acquired Parcels 18 and 18T for the improvement of Haverhill Road between Lantana Road and Melaleuca Drive. This action would authorize an offer of business damages in the amount of \$90,000, and a renewed offer of compensation for the property of \$140,000. These two offers would be combined in an offer of judgment in the total amount of \$230,000, plus the Clerk's registry deposit fees of \$100, for a sum total of \$230,100. Under the Florida Statutes, Palm Beach County can reduce the cost of the acquisition of the property for road projects by limiting property and business owners' attorneys' and experts' fees and costs if it makes offers of business damages and offers of judgment. <u>District 7 (AJM)</u></p>

2.A. - CONTINUED

<u>PAGE</u>	<u>ITEM</u>	
43	6H-1	<p>ADD-ON: Staff seeks direction regarding a Code Enforcement lien against Donald Borovy. SUMMARY: The BCC requested background information regarding the Code Enforcement lien filed against property owned by Donald and Malveretta Borovy, 14270 Tripp Rd., Loxahatchee, FL., and what options are available in dealing with the Code Enforcement lien. The BCC has the following options regarding any Code Enforcement lien brought before them for consideration:</p> <p>A) take no action to reduce the fine amount or interest;</p> <p>B) determine that circumstance exist which warrant a reduction in the fine amount and/or the accumulated interest. As part of a reduction, the Board could allow payment of a reduced amount as a lump sum, or approve a reasonable payment plan. Mr. Borovy indicated at the December 5th meeting that he was going to sell the property. Should the Board determine a reduced amount is appropriate, an agreement may be reached whereby Mr. Borovy pays the reduced amount at the time of sale. The County would then release the Code Enforcement lien; or</p> <p>C) determine that circumstances exist which would warrant waiving the fines and interest. <u>District 6</u> (KS/GB) (PZ&B)</p>

2.B. ADOPTION

Commissioner Masilotti stated that staff had reviewed item 3.M.6, which was listed for deletion. The commissioner said he preferred the item not be deleted at this time. He requested it be discussed on the regular agenda. (For discussion, see page 44.)

MOTION to adopt the agenda as amended. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 6-0. Commissioner Newell absent.

County Administrator Weisman introduced the new medical examiner, Dr. Lisa Flanagan.

Commissioner Masilotti offered congratulations to Assistant County Administrator Vince Bonvento for being out of his wheelchair.

3. **CONSENT AGENDA** - See pages 5-26.
4. **SPECIAL PRESENTATIONS - 9:30 A.M.** - See page 26.
5. **PUBLIC HEARINGS - 9:30 A.M.** - See pages 27-33.
6. **REGULAR AGENDA** - See pages 33-44.
TIME CERTAIN 11:00 A.M. (Item 6.E.1.) - See pages 41-42.
7. **BOARD APPOINTMENTS** - See pages 47-48.
8. **STAFF COMMENTS** - See page 48.
9. **COMMISSIONER COMMENTS** - See pages 49-50.
10. **ADJOURNMENT** - See page 50.

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

INFORMATION: Items 3.H.1, 3.I.11 and 3.M.6. were pulled from the consent agenda for individual discussion at the request of Commissioners Greene, McCarty and Masilotti. For discussion of these items, see pages 44-45, 45-47, and 4 and 44, respectively.

3. CONSENT AGENDA

3.A. ADMINISTRATION

3.A.1. DOCUMENT R-2001-0011

AGREEMENT WITH PALM BEACH COMMUNITY COLLEGE FOUNDATION, INC., TO PROVIDE \$50,000 IN FUNDING FOR SALARY/OPERATING COSTS TO CONTINUE THE FILMS SKILLS EDUCATIONAL PROGRAM FROM JANUARY 1, 2001, THROUGH DECEMBER 31, 2001. (SEE R-2000-0709) APPROVED 1-9-2001

3.A.2. DOCUMENT R-2001-0012

AGREEMENT WITH MARINE INDUSTRIES EDUCATIONAL FOUNDATION, INC., TO PROVIDE \$50,000 IN FUNDING FOR THIS APPLIED EDUCATIONAL PROGRAM'S FOURTH YEAR OF OPERATION FROM JANUARY 1, 2001, THROUGH DECEMBER 31, 2001. (SEE R-99-2355) APPROVED 1-9-2001

3.A.3.

a. DOCUMENT R-2001-0013

RECEIVE AND FILE ORIGINAL EXECUTED GENERAL AERONAUTICAL SERVICES AGREEMENT WITH UNIVERSAL BUSINESS ENTERPRISES AND TECHNOLOGIES, L.L.C., DBA FORT LAUDERDALE AVIATION SERVICES. APPROVED 1-9-2001

b. DOCUMENT R-2001-0014

RECEIVE AND FILE ORIGINAL EXECUTED AIR FREIGHT BUILDING LEASE WITH JETSTREAM GROUND SERVICES, INC. APPROVED 1-9-2001

c. DOCUMENT R-2001-0015

RECEIVE AND FILE ORIGINAL EXECUTED AIR FREIGHT BUILDING LEASE WITH WORLDWIDE FLIGHT SERVICES, INC. APPROVED 1-9-2001

d. DOCUMENT R-2001-0016

RECEIVE AND FILE ORIGINAL EXECUTED AIRLINE-AIRPORT USE AND LEASE AGREEMENT WITH SPIRIT AIRLINES, INC. APPROVED 1-9-2001

3.A.4.

a. DOCUMENT R-2001-0017

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 02-01027-000 FOR THE WATER UTILITIES DEPARTMENT WITH THE SCHOOL BOARD. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.A.4. - CONTINUED

b. DOCUMENT R-2001-0018

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 03-01007-000 FOR THE WATER UTILITIES DEPARTMENT WITH WESTCHESTER GOLF AND COUNTRY CLUB ASSOCIATES. APPROVED 1-9-2001

c. DOCUMENT R-2001-0019

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 05-010023-000 FOR THE WATER UTILITIES DEPARTMENT WITH ALLAN MURRAY NURSERY, INC. APPROVED 1-9-2001

3.B. CLERK

3.B.1.

WARRANT LIST DATED JANUARY 5, 2001. APPROVED 1-9-2001

COMPUTER CHECKS	\$ 32,016,934.75
WIRE TRANSFERS	75,833,246.52
MANUAL CHECKS	1,194,661.20
ELECTRONIC FUND TRANSFERS	5,551,339.65
TRUSTEE DISBURSEMENTS	<u>0.00</u>
	\$114,596,182.12

3.B.2.

RECEIVE AND FILE MINUTES FOR THE FOLLOWING YEAR-2000 MEETINGS: REGULAR JUNE 6, ZONING AUGUST 24, REGULAR/WORKSHOP AUGUST 29, BUDGET PUBLIC HEARING SEPTEMBER 5, REGULAR SEPTEMBER 12, COMPREHENSIVE PLAN SEPTEMBER 18, AND WORKSHOP OCTOBER 24. APPROVED 1-9-2001

3.B.3.

CONTRACTS ON THE CONTRACT LIST EXECUTED BY THE PURCHASING DIRECTOR:

a.

TERM CONTRACT WITH UNIFORMS MANUFACTURING, INC.; J/R MANNO UNIFORMS; EARWOOD LAURA DBA SWEET IDEAS COMPANY; MARTIN LAMAR UNIFORMS; GOLD NUGGET, INC., DBA ARGO UNIFORM CO.; MONARK MONOGRAMS; AND BIG ALS PIN HIGH APPAREL FOR \$272,000 TO PURCHASE UNIFORMS/CLOTHING ON AN AS-NEEDED BASIS FROM JANUARY 9, 2001, THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.B.3. - CONTINUED

b.

TERM CONTRACT WITH CAPITAL TECHNOGRAPHICS OF FLORIDA, DIGILOT, INC., T-SQUARE, INC., AND MARTIN ASSOCIATES OF SOUTH FLORIDA FOR \$152,000 FOR BLUE PRINT SERVICES AND SUPPLIES FROM JANUARY 19, 2001, THROUGH JANUARY 18, 2002. APPROVED 1-9-2001

c.

DOCUMENT R-2001-0020

CONTRACT WITH EMPLOYER AND OCCUPATIONAL SERVICES GROUP, INC., FOR \$181,907.50 TO PROVIDE WORKER'S COMPENSATION MANAGED CARE ADMINISTRATION FROM JANUARY 2, 2001 TO JANUARY 1, 2002. APPROVED 1-9-2001

3.B.4.

a.

DOCUMENT R-2001-0021

BOND OF THE REELECTED CLERK, DOROTHY H. WILKEN, WITH HARTFORD FIRE INSURANCE COMPANY. APPROVED 1-9-2001

b.

DOCUMENT R-2001-0022

BOND OF THE REELECTED SUPERVISOR OF ELECTIONS, THERESA LEPORE, WITH WESTERN SURETY COMPANY. APPROVED 1-9-2001

c.

DOCUMENT R-2001-0023

BOND OF THE REELECTED PROPERTY APPRAISER, GARY NIKOLITS, WITH FIDELITY AND DEPOSIT COMPANY OF MARYLAND. APPROVED 1-9-2001

d.

DOCUMENT R-2001-0024

BOND OF THE NEWLY ELECTED SHERIFF, EDWARD W. BIELUCH, WITH WESTERN SURETY COMPANY. APPROVED 1-9-2001

3.B.5.

REVIEW FOR SUFFICIENCY AND RECEIVE AND FILE: REPORT OF COUNTY OFFICIALS' BONDS FOR EXAMINATION AS TO THE SUFFICIENCY OF THEIR SURETIES, DATED JANUARY 2001. APPROVED 1-9-2001

3.C. ENGINEERING AND PUBLIC WORKS

3.C.1.

a.

ACCEPT AN EMBANKMENT EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF 2ND AVENUE NORTH AT THE E-4 CANAL. APPROVED 1-9-2001

b.

APPROVE PAYMENT OF \$5,298 FOR PARCELS 14 AND 15 REQUIRED FOR CONSTRUCTION OF 2ND AVENUE NORTH AT E-4 CANAL. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.C.2. DELETED

3.C.3. DELETED

3.C.4. **RESOLUTION R-2001-0025**

RESOLUTION DECLARING THE ACQUISITION OF PROPERTIES DESIGNATED AS PARCELS 100, 101, 102, AND 103 AS FEE SIMPLE RIGHTS-OF-WAY AND PARCELS 202 AND 203 AS TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENTS OF THE SUMMIT BOULEVARD-HAVERHILL ROAD INTERSECTION. THIS ACTION INITIATES EMINENT DOMAIN PROCEEDINGS AGAINST THESE PARCELS HAVING A TOTAL APPRAISED VALUE OF \$141,233. ADOPTED 1-9-2001

3.C.5.

a. **DOCUMENT R-2001-0026**

INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD CONCERNING THE DESIGN OF INTERSECTION IMPROVEMENTS FOR THE OKEECHOBEE BOULEVARD AND ROYAL PALM BEACH HIGH SCHOOL ENTRANCE PROJECT. APPROVED 1-9-2001

b. **BUDGET AMENDMENT 2001-0332**

BUDGET AMENDMENT OF \$200,000 IN THE ROAD IMPACT FEE AREA G FUND TO RECOGNIZE A CONTRIBUTION FROM THE SCHOOL BOARD FOR THE OKEECHOBEE BOULEVARD AND ROYAL PALM BEACH HIGH SCHOOL ENTRANCE PROJECT. (SEE R-2001-0026) APPROVED 1-9-2001

3.C.6. **RESOLUTION R-2001-0027**

RESOLUTION VACATING A PORTION OF THE LAKE MAINTENANCE EASEMENT DESCRIBED AS THE SOUTH 20 FEET OF TRACT D, ATLANTIC SQUARE, LOCATED ON THE SOUTH SIDE OF WEST ATLANTIC AVENUE AND WEST OF JOG ROAD. THE PETITIONER IS REQUESTING THE VACATION TO ACCOMMODATE THE CONSTRUCTION OF A BERM AND WALL IN ACCORDANCE WITH SITE PLAN APPROVAL. ADOPTED 1-9-2001

3.C.7.

a. **DOCUMENT R-2001-0028**

AGREEMENT WITH AMES APPRAISAL SERVICES, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

b. **DOCUMENT R-2001-0029**

AGREEMENT WITH ANDERSON AND CARR, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

c. **DOCUMENT R-2001-0030**

AGREEMENT WITH ATLANTIC COAST REALTY ENTERPRISES, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.C.7. - CONTINUED

d. DOCUMENT R-2001-0031

AGREEMENT WITH CALLAWAY AND PRICE, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

e. DOCUMENT R-2001-0032

AGREEMENT WITH M. R. FORD AND ASSOCIATES, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

f. DOCUMENT R-2001-0033

AGREEMENT WITH S. F. HOLDEN, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 2002. APPROVED 1-9-2001

g. DOCUMENT R-2001-0034

AGREEMENT WITH JENKINS APPRAISAL SERVICES, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

h. DOCUMENT R-2001-0035

AGREEMENT WITH JOHNSON, PARRISH AND EDWARDS, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

i. DOCUMENT R-2001-0036

AGREEMENT WITH LAWSON VALUATION GROUP, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

j. DOCUMENT R-2001-0037

AGREEMENT WITH MILLER REALTY, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

k. DOCUMENT R-2001-0038

AGREEMENT WITH DONALD MUNCY, P.A., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

l. DOCUMENT R-2001-0039

AGREEMENT WITH RPA OF SOUTH FLORIDA, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

m. DOCUMENT R-2001-0040

AGREEMENT WITH WOOLSLAIR AND ASSOCIATES, INC., TO PROVIDE APPRAISAL SERVICES FOR RIGHT-OF-WAY ACQUISITION PURPOSES THROUGH JANUARY 8, 2002. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.C.8. DOCUMENT R-2001-0041

AGREEMENT WITH MCMAHON ASSOCIATES, INC. (MAI), TO PROVIDE CIVIL ENGINEERING SERVICES ON AN AS-NEEDED BASIS FOR VARIOUS PROJECTS FOR MUNICIPAL SERVICE TAXING UNIT (MSTU) DISTRICTS A, B, C, D, AND E. AT THE OPTION OF THE COUNTY, THE AGREEMENT WILL BE RENEWED ANNUALLY FOR ONE YEAR WITH A MAXIMUM OF TWO RENEWALS. APPROVED 1-9-2001

3.C.9.

a. DOCUMENT R-2001-0042

AGREEMENT WITH THE VILLAGE OF PALM SPRINGS FOR UTILITY CONSTRUCTION TO BE INCORPORATED INTO THE COUNTY'S SIERRA DRIVE STREET IMPROVEMENT PROJECT. THE PARTIES AGREE TO JOINTLY PARTICIPATE IN THE UTILITY ADJUSTMENTS TO THE SEWAGE TRANSMISSION SYSTEMS AND OTHER IMPROVEMENTS ALONG THE RIGHT-OF-WAY. THE VILLAGE AGREES TO REIMBURSE THE COUNTY FOR THE COST OF THESE ADJUSTMENTS AND OTHER IMPROVEMENTS AND TO PERFORM ALL CONSTRUCTION INSPECTION OF THEIR WORK. THE TOTAL ESTIMATED COSTS FOR THE UTILITY CONSTRUCTION ARE \$3,125. APPROVED 1-9-2001

b. BUDGET AMENDMENT 2001-0291

BUDGET AMENDMENT OF \$3,125 IN THE MUNICIPAL SERVICE TAXING UNIT DISTRICT C FUND TO APPROPRIATE UTILITY REIMBURSEMENT FUNDING FROM THE VILLAGE OF PALM SPRINGS FOR THE SIERRA DRIVE STREET IMPROVEMENT PROJECT. (SEE R-2001-0042) APPROVED 1-9-2001

3.C.10. DELETED

3.C.11. BUDGET AMENDMENT 2001-0282

BUDGET AMENDMENT OF \$5,000 IN THE ROAD IMPACT FEES AREA L FUND TO APPROPRIATE BELLSOUTH UTILITY FUNDING FOR CONGRESS AVENUE FROM YAMATO ROAD TO LINTON BOULEVARD. THIS FUNDING REPRESENTS THE COST OF TWO NEW DRAINAGE STRUCTURES NECESSARY TO AVOID CONFLICT WITH BELLSOUTH FACILITIES. APPROVED 1-9-2001

3.C.12. DOCUMENT R-2001-0043

CHANGE ORDER 4 TO THE CONTRACT WITH COMMUNITY ASPHALT CORPORATION FOR A 60-DAY TIME EXTENSION FOR THE CONSTRUCTION OF CONGRESS AVENUE FROM YAMATO ROAD TO LINTON BOULEVARD. (AMENDS R-2000-0499) APPROVED 1-9-2001

3.C.13. RESOLUTION R-2001-0044

RESOLUTION DECLARING THE ACQUISITION OF PROPERTIES KNOWN AS PARCELS 101, 102, 103, 104, 107A, 107B, AND 109 IN FEE SIMPLE FOR THE RIGHT-OF-WAY, AND PROPERTIES KNOWN AS PARCELS 201, 202A, 202B, 203A, 203B, 204A, 204B, 205A, 205B, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 220, AND 221 NEEDED AS TEMPORARY CONSTRUCTION EASEMENTS FOR THE CONSTRUCTION OF LAKE IDA ROAD FROM MILITARY TRAIL TO CONGRESS AVENUE. THIS ACTION WITH AUTHORIZE THE FILING OF EMINENT DOMAIN PROCEEDINGS AGAINST THESE PARCELS WHOSE TOTAL ESTIMATED APPRAISAL VALUES TOTAL \$67,930. ADOPTED 1-9-2001

CONSENT AGENDA - CONTINUED

3.D. COUNTY ATTORNEY

3.D.1. DOCUMENT R-2001-0045

AGREEMENT WITH MULLER, MINTZ, KORNREICH, CALDWELL, CASEY, CROSLAND & BRAMNIK, P.A., TO PROVIDE SERVICES ON AN AS-NEEDED BASIS IN THE AREA OF LABOR AND EMPLOYMENT LAW REQUIRING SPECIAL LEGAL EXPERTISE FOR CALENDAR YEAR 2001 IN A NOT-TO-EXCEED AMOUNT OF \$46,000 PLUS A NOT-TO-EXCEED AMOUNT OF \$1,230 FOR REIMBURSABLE EXPENSES AND COSTS, EXCLUDING EXPERT WITNESS FEES. APPROVED 1-9-2001

3.D.2. DOCUMENT R-2001-0046

AGREEMENT WITH WHELAN, DEMAIO & KISZKIEL, PA., FKA WHELAN & DEMAIO, P.A., TO PROVIDE SERVICES ON AN AS-NEEDED BASIS IN THE AREA OF LABOR AND EMPLOYMENT LAW, PARTICULARLY IN THE AREA OF COLLECTIVE BARGAINING AND LABOR ISSUES, REQUIRING SPECIAL LEGAL EXPERTISE FOR CALENDAR YEAR 2001 IN A NOT-TO-EXCEED AMOUNT OF \$22,000 PLUS A NOT-TO-EXCEED AMOUNT OF \$660 FOR REIMBURSABLE EXPENSES AND COSTS, EXCLUDING EXPERT WITNESS FEES. APPROVED 1-9-2001

3.D.3.

OFFER OF BUSINESS DAMAGES AND OFFER OF JUDGMENT IN THE AMOUNT OF \$80,000 PLUS THE CLERK'S REGISTRY DEPOSIT FEES OF \$100 IN THE EMINENT DOMAIN PROCEEDING ENTITLED PALM BEACH COUNTY V. JOHN P. SCRUGGS, TRUSTEE, FOR IMPROVEMENT OF THE BELVEDERE ROAD-MILITARY TRAIL INTERSECTION (PARCELS 13, 13A, 14, 14A, 15, AND 15A). APPROVED 1-9-2001

3.E. COMMUNITY SERVICES

3.E.1. DOCUMENT R-2001-0047

AMENDMENT 1 TO CONTRACT IR001-1 WITH THE AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST INC., INCREASING THE RESPITE FOR ELDERLY LIVING IN EVERYDAY FAMILIES (RELIEF) PROGRAM FROM \$76,944 TO \$85,710 FROM JULY 1, 2000, THROUGH JUNE 30, 2001. RESPITE UNITS ARE INCREASED FROM 12,824 TO 14,285, AND CURRENTLY AVAILABLE SERVICES ARE EXPANDED. (AMENDS R-2000-0931) APPROVED 1-9-2001

3.E.2. DOCUMENT R-2001-0048

AMENDMENT 2 TO THE AGREEMENT WITH JEWISH COMMUNITY CENTER OF THE GREATER PALM BEACHES, INC., FOR USE, STAFFING, AND MANAGEMENT OF A SENIOR SERVICES CONGREGATE DINING SITE FOR THE SENIOR JEWISH POPULATION IN A NOT-TO-EXCEED AMOUNT OF \$11,335 FROM JANUARY 3, 2001, THROUGH DECEMBER 31, 2001. THE PROGRAM IS FUNDED BY \$10,202 IN FEDERAL FUNDS AND \$1,133 IN COUNTY MATCH. (AMENDS R-98-1985-D) APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.F. AIRPORTS

3.F.1.

a. RESOLUTION R-2001-0049

RESOLUTION ACCEPTING FUNDING ASSISTANCE AND AUTHORIZING THE CHAIR TO APPROVE A JOINT PARTICIPATING AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$100,000, OR 12.5 PERCENT OF THE ELIGIBLE PROJECT COSTS, WHICHEVER IS LESS, TO DEVELOP A DIGITAL INTERACTIVE AUTOMATED PLANNING SYSTEM (DIAPS) AT PALM BEACH INTERNATIONAL AIRPORT. ADOPTED 1-9-2001

b. BUDGET AMENDMENT 2001-0275

BUDGET AMENDMENT OF \$100,000 TO THE AIRPORTS IMPROVEMENT AND DEVELOPMENT FUND TO ESTABLISH BUDGET FOR THE RECEIPT OF GRANT FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION AND INCREASE THE AVAILABLE DIGITAL INTERACTIVE AUTOMATED PLANNING SYSTEM PROJECT BUDGET AT PALM BEACH INTERNATIONAL AIRPORT. (SEE R-2001-0049) APPROVED 1-9-2001

3.F.2.

a. DOCUMENT R-2001-0050

AGREEMENT WITH FERNANDO GUERRERO TO PURCHASE PARCEL W-140 LOCATED AT 4661 JULES STREET, WEST PALM BEACH, FOR A SALES PRICE OF \$63,500 AND NO REPLACEMENT HOUSING COST. THE PROPERTY IS LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

b. DOCUMENT R-2001-0051

AGREEMENT WITH STEPHEN B. POSTON AND ROBERTA N. POSTON TO PURCHASE PARCEL W-147 LOCATED AT 4565 JULES STREET, WEST PALM BEACH, FOR A SALES PRICE OF \$81,500 AND A REPLACEMENT HOUSING COST OF \$15,550. THE PROPERTY IS LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

c. DOCUMENT R-2001-0052

AGREEMENT WITH ANTHONY S. CHUCKAREE AND INDRA CHUCKAREE TO PURCHASE PARCEL W-142 LOCATED AT 4637 JULES STREET, WEST PALM BEACH, FOR A SALES PRICE OF \$61,000 AND A REPLACEMENT HOUSING COST OF \$17,954. THE PROPERTY IS LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.F.3.

a. DOCUMENT R-2001-0053

AGREEMENT WITH ROYAL F. SMITH AND PHYLLIS SMITH TO PURCHASE PARCEL E-1 LOCATED AT 3020 MERRILL AVENUE, WEST PALM BEACH, FOR A SALES PRICE OF \$75,500 AND A REPLACEMENT HOUSING COST OF \$16,883. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

b. DOCUMENT R-2001-0054

AGREEMENT WITH ALICE S. RAYSIDE, TRUSTEE, TO PURCHASE PARCEL E-2 LOCATED AT 3024 MERRILL AVENUE, WEST PALM BEACH, FOR A SALES PRICE OF \$80,000 AND A REPLACEMENT HOUSING COST OF \$15,145. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

c. DOCUMENT R-2001-0055

AGREEMENT WITH SARAH E. WEAVER TO PURCHASE PARCEL E-3 LOCATED AT 3028 MERRILL AVENUE, WEST PALM BEACH, FOR A SALES PRICE OF \$69,000 AND A REPLACEMENT HOUSING COST OF \$16,621. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

d. DOCUMENT R-2001-0056

AGREEMENT WITH KERMIT J. SESSIONS AND JOANNE M. SESSIONS TO PURCHASE PARCEL E-4 LOCATED AT 3032 MERRILL AVENUE, WEST PALM BEACH, FOR A SALES PRICE OF \$98,000 AND A REPLACEMENT HOUSING COST OF \$16,193. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

e. DOCUMENT R-2001-0057

AGREEMENT WITH DAVID T. WILLIAMS, JR., BETTY JEAN WILLIAMS, AND INA DELL ROSS TO PURCHASE PARCEL E-5 LOCATED AT 3100 MERRILL AVENUE, WEST PALM BEACH, FOR A SALES PRICE OF \$83,000 AND A REPLACEMENT HOUSING COST OF \$17,383. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.F.3. - CONTINUED

f. DOCUMENT R-2001-0058

AGREEMENT WITH ALMA T. MCCREERY TO PURCHASE PARCEL E-6 LOCATED AT 3104 MERRILL AVENUE, WEST PALM BEACH, FOR A SALES PRICE OF \$74,500 AND A REPLACEMENT HOUSING COST OF \$16,169. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

g. DOCUMENT R-2001-0059

AGREEMENT WITH DOROTHY P. ROTH TO PURCHASE PARCEL E-7 LOCATED AT 3108 MERRILL AVENUE, WEST PALM BEACH, FOR A SALES PRICE OF \$80,000 AND A REPLACEMENT HOUSING COST OF \$19,907. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

h. DOCUMENT R-2001-0060

AGREEMENT WITH ROLANDO MEZQUITA AND ESTRELLA MEZQUITA TO PURCHASE PARCEL E-8 LOCATED AT 1025 HAMPTON ROAD, WEST PALM BEACH, FOR A SALES PRICE OF \$91,000 AND A REPLACEMENT HOUSING COST OF \$17,479. THE PROPERTY IS LOCATED IN THE HILLCREST AREA OF WEST PALM BEACH IN THE VICINITY OF THE PALM BEACH INTERNATIONAL AIRPORT AND IS BEING ACQUIRED IN ACCORDANCE WITH THE AIRPORT'S APPROVED PART 150 NOISE COMPATIBILITY STUDY. APPROVED 1-9-2001

3.F.4. DOCUMENT R-2001-0061

CONTRACT WITH ARBOR TREE & LAND, INC., IN THE AMOUNT OF \$727,121.40 FOR THE DEMOLITION OF RESIDENTIAL HOMES PROJECT NEAR PALM BEACH INTERNATIONAL AIRPORT. APPROVED 1-9-2001

3.F.5.

APPROVAL OF INCREASED TAXI RATES AT PALM BEACH INTERNATIONAL AIRPORT BY \$0.25 CENTS PER MILE TO \$2.00 PER MILE, EFFECTIVE JANUARY 10, 2001, FOR TRIPS IN THE UNINCORPORATED COUNTY, NON-REGULATED MUNICIPALITIES, AND OTHER COUNTIES. APPROVED 1-9-2001

3.G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET - None

3.H. FACILITIES DEVELOPMENT AND OPERATIONS

3.H.1. See pages 44-45.

CONSENT AGENDA - CONTINUED

3.H.2.

a. DOCUMENT R-2001-0062

CONTRACT WITH AHRENS ENTERPRISE, INC., DBA AHRENS COMPANIES, IN THE AMOUNT OF \$1,075,799 FOR CONSTRUCTION OF THE ABACOA FIRE STATION (FIRE STATION 15). APPROVED 1-9-2001

b. BUDGET TRANSFER 2001-0328

BUDGET TRANSFER OF \$154,300 IN THE FIRE-RESCUE IMPROVEMENT FUND TO INCREASE FROM \$1,437,500 TO \$1,591,800 THE TOTAL PROJECT FUNDING OF ABACOA FIRE STATION (FIRE STATION 16). (SEE R-2001-0062) APPROVED 1-9-2001

3.H.3.

DOCUMENT R-2001-0063

AGREEMENT WITH STH ARCHITECTURAL GROUP, INC., IN THE AMOUNT OF \$125,000 FOR ARCHITECTURAL SERVICES FOR EAST CENTRAL REGIONAL GOVERNMENT CENTER (AIRPORT CENTER COMPLEX) AT THE INTERSECTION OF SOUTHERN BOULEVARD AND AUSTRALIAN AVENUE. APPROVED 1-9-2001

3.H.4.

DOCUMENT R-2001-0064

CONSULTANT SERVICES AUTHORIZATION 13 TO THE CONTRACT WITH HELLER-WEAVER & SHEREMETA, INC., IN THE NOT-TO-EXCEED AMOUNT OF \$23,000 TO PROVIDE CONTINUING CONSTRUCTION ADMINISTRATION FOR SEMINOLE PALMS PARK AQUATIC CENTER. (AMENDS R-94-809-D) APPROVED 1-9-2001

3.H.5.

DOCUMENT R-2001-0065

CHANGE ORDER 3 TO THE CONTRACT WITH WEST CONSTRUCTION, INC., FOR \$135,234 FOR OCEAN CAY PARK, SPECIFICALLY TO PROVIDE FOR CONSTRUCTION OF A 1,200-SQUARE-FOOT MAINTENANCE BUILDING AND ENTRANCE DRIVEWAY TO PROVIDE REPAIR FACILITIES FOR LIFEGUARD RESCUE EQUIPMENT IN THE AREA. (AMENDS R-2000-0646) APPROVED 1-9-2001

3.H.6.

DOCUMENT R-2001-0066

UTILITY EASEMENT IN FAVOR OF BELLSOUTH FOR TELEPHONE SERVICE TO THE COUNTY'S 20 MILE BEND COMMUNICATIONS TOWER AT SOUTHERN BOULEVARD AND OLD STATE ROAD 80. THE EASEMENT IS GRANTED WITHOUT CHARGE AS THE TELEPHONE LINES PROVIDE SERVICE TO THE COUNTY'S 800 MEGAHERTZ COMMUNICATIONS SYSTEM. APPROVED 1-9-2001

3.H.7.

DOCUMENT R-2001-0067

AGREEMENT WITH ARMANDO GONZALEZ AND ANNA GONZALEZ FOR \$20,000 FOR THE COUNTY'S PURCHASE OF 0.31 ACRE OF VACANT LAND LOCATED ON CLINTON BOULEVARD IN THE CITY OF LAKE WORTH. THE PROPERTY LIES WITHIN THE LAKE WORTH ROAD CORRIDOR STUDY AND WILL BE USED FOR A POCKET PARK. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.H.8.

DOCUMENT R-2001-0068

COUNTY DEED CONVEYING THE SURPLUS WATER UTILITIES DEPARTMENT ABERDEEN SYSTEM 5 PROPERTY WITHOUT RESERVATION OF MINERAL RIGHTS. THE PROPERTY, WHICH WAS PREVIOUSLY USED FOR THE ABERDEEN WATER/SEWER TREATMENT PLANT, IS LOCATED AT THE SOUTHWEST CORNER OF GATEWAY BOULEVARD AND JOG ROAD IN THE CITY OF BOYNTON BEACH. (AMENDS R-2000-0498) APPROVED 1-9-2001

3.I. HOUSING AND COMMUNITY DEVELOPMENT

3.I.1.

DOCUMENT R-2001-0069

AGREEMENT WITH WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY FOR \$50,000 IN COMMUNITY DEVELOPMENT BLOCK GRAND FUNDS FOR JANUARY 9-DECEMBER 31, 2001, WHICH WILL PROVIDE FUNDING FOR INFRASTRUCTURE IMPROVEMENTS IN THE NORTH SECTION OF THE WESTGATE/BELVEDERE HOMES NEIGHBORHOOD AREA BOUNDED ON THE NORTH BY THE E3-1/2 B CANAL AND ON THE WEST BY THE L2-B CANAL. LOCAL MATCHING FUNDS NOT REQUIRED. APPROVED 1-9-2001

3.I.2.

DOCUMENT R-2001-0070

AMENDMENT 1 TO AN AGREEMENT WITH THE CITY OF BELLE GLADE TO EXTEND THE EXPIRATION DATE FROM DECEMBER 31, 2000, TO DECEMBER 31, 2001, FOR THE EXPENDITURE OF A NOT-TO-EXCEED AMOUNT OF \$500,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS. THE FUNDS WILL BE USED FOR SITE IMPROVEMENTS COMPRISING PHASE 1 OF THE DEVELOPMENT OF A BUSINESS PARK ON 50 ACRES OF VACANT LAND IN BELLE GLADE. LOCAL MATCHING FUNDS NOT REQUIRED. (AMENDS R-2000-0384) APPROVED 1-9-2001

3.I.3.

DOCUMENT R-2001-0071

AMENDMENT 4 TO THE AGREEMENT WITH WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY TO EXTEND THE EXPIRATION DATE FROM DECEMBER 31, 2000, TO DECEMBER 31, 2001, FOR THE EXPENDITURE OF \$500,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS. LOCAL MATCHING FUNDS NOT REQUIRED. (AMENDS R-96-212-D) APPROVED 1-9-2001

3.I.4.

a.

VOID AGENDA ITEM 3.I.6. APPROVED ON MAY 2, 2000, FOR GUILLERMO BAEZ AND VINNIE RUTH ANDERSON RESIDING IN CANAL POINT. (THE ITEM APPROVED A RELOCATION BENEFIT OF \$61,275 AND A DEMOLITION PAYMENT OF \$6,000.) (SEE 3.I.4.B. BELOW.) APPROVED 1-9-2001

b.

RELOCATION BENEFIT IN THE AMOUNT OF \$63,975 AND A DEMOLITION PAYMENT IN THE AMOUNT OF \$5,700 FOR GUILLERMO BAEZ AND VINNIE RUTH ANDERSON RESIDING IN CANAL POINT. ALL FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. (SEE 3.I.4.A. ABOVE.) APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.I.5.

DOCUMENT R-2001-0072

SATISFACTION OF MORTGAGE FOR MARILIA VAZ OF JUPITER IN THE AMOUNT OF \$3,258.75 (CONDITIONAL GRANT). APPROVED 1-9-2001

3.I.6.

a.

DOCUMENT R-2001-0073

SATISFACTION OF MORTGAGE FOR BOBBY HUNTER OF BOYNTON BEACH IN THE AMOUNT OF \$19,500 (LOW-INTEREST LOAN). APPROVED 1-9-2001

b.

DOCUMENT R-2001-0074

SATISFACTION OF MORTGAGE FOR BILLIE J. SANDERS OF BOYNTON BEACH IN THE AMOUNT OF \$16,450 (LOW-INTEREST LOAN). APPROVED 1-9-2001

c.

DOCUMENT R-2001-0075

SATISFACTION OF MORTGAGE FOR DOROTHY BATTLE OF RIVIERA BEACH IN THE AMOUNT OF \$12,500 (CONDITIONAL GRANT). APPROVED 1-9-2001

d.

DOCUMENT R-2001-0076

SATISFACTION OF MORTGAGE FOR LENNIE BLACKSHIRE OF RIVIERA BEACH IN THE AMOUNT OF \$17,300 (CONDITIONAL GRANT). APPROVED 1-9-2001

e.

DOCUMENT R-2001-0077

SATISFACTION OF MORTGAGE FOR WILLIE GRIMES AND JOHNNIE GRIMES OF BOYNTON BEACH IN THE AMOUNT OF \$12,375 (CONDITIONAL GRANT). APPROVED 1-9-2001

f.

DOCUMENT R-2001-0078

SATISFACTION OF MORTGAGE FOR FRED WILBON AND BARBARA WILBON OF PAHOKEE IN THE AMOUNT OF \$19,500 (CONDITIONAL GRANT). APPROVED 1-9-2001

g.

DOCUMENT R-2001-0079

SATISFACTION OF MORTGAGE FOR FRANK WILLIAMS AND DRUCILLA WILLIAMS OF PAHOKEE IN THE AMOUNT OF \$14,100 (CONDITIONAL GRANT). APPROVED 1-9-2001

3.I.7.

a.

DOCUMENT R-2001-0080

SATISFACTION OF MORTGAGE FOR ROBERSON AUGUSTIN OF BOYNTON BEACH IN THE AMOUNT OF \$15,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.1.7. - CONTINUED

b. DOCUMENT R-2001-0081

SATISFACTION OF MORTGAGE FOR WILLIE FRANK BARNES AND WILLIE MAE BARNES OF SOUTH BAY IN THE AMOUNT OF \$7,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

c. DOCUMENT R-2001-0082

SATISFACTION OF MORTGAGE FOR CYNTHIA D. BEDFORD AND WILLIE M. BEDFORD OF RIVIERA BEACH IN THE AMOUNT OF \$7,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

d. DOCUMENT R-2001-0083

SATISFACTION OF MORTGAGE FOR BRENDA P. CLAY OF BOYNTON BEACH IN THE AMOUNT OF \$30,500 (CONDITIONAL GRANT). APPROVED 1-9-2001

e. DOCUMENT R-2001-0084

SATISFACTION OF MORTGAGE FOR FELICIA W. CLEVELAND OF WEST PALM BEACH IN THE AMOUNT OF \$15,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

f. DOCUMENT R-2001-0085

SATISFACTION OF MORTGAGE FOR MARGIE A. HARRIS OF PAHOKEE IN THE AMOUNT OF \$14,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

g. DOCUMENT R-2001-0086

SATISFACTION OF MORTGAGE FOR DIANE MITCHELL OF BELLE GLADE IN THE AMOUNT OF \$16,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

h. DOCUMENT R-2001-0087

SATISFACTION OF MORTGAGE FOR ARDEAN D. MORGAN OF BOYNTON BEACH IN THE AMOUNT OF \$14,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

i. DOCUMENT R-2001-0088

SATISFACTION OF MORTGAGE FOR PATRICK OWEN OF BELLE GLADE IN THE AMOUNT OF \$12,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

j. DOCUMENT R-2001-0089

SATISFACTION OF MORTGAGE FOR BARBARA POTTS OF LAKE WORTH IN THE AMOUNT OF \$9,500 (CONDITIONAL GRANT). APPROVED 1-9-2001

k. DOCUMENT R-2001-0090

SATISFACTION OF MORTGAGE FOR BENOIT ST. GERARD AND ZETHAMAE ST. GERARD OF BELLE GLADE IN THE AMOUNT OF \$12,500 (CONDITIONAL GRANT). APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.I.7. - CONTINUED

1. DOCUMENT R-2001-0091

SATISFACTION OF MORTGAGE FOR MICHELLE L. STEVENS OF BOYNTON BEACH IN THE AMOUNT OF \$7,500 (CONDITIONAL GRANT). APPROVED 1-9-2001

m. DOCUMENT R-2001-0092

SATISFACTION OF MORTGAGE FOR BEVERLY A. WRIGHT OF BOYNTON BEACH IN THE AMOUNT OF \$3,500 (CONDITIONAL GRANT). APPROVED 1-9-2001

n. DOCUMENT R-2001-0093

SATISFACTION OF MORTGAGE FOR ALICE FELDER WRIGHT OF WEST PALM BEACH IN THE AMOUNT OF \$15,000 (CONDITIONAL GRANT). APPROVED 1-9-2001

3.I.8. DOCUMENT R-2001-0094

AGREEMENT WITH FAIR HOUSING CENTER OF THE GREATER PALM BEACHES, INC., TO PROVIDE UP TO \$20,000 FROM OCTOBER 31, 2000, THROUGH SEPTEMBER 30, 2001, UNDER THE FY 2000-01 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO PROVIDE COMPLAINT-BASED FAIR HOUSING TESTING ACTIVITIES IN ALL PROTECTED CLASSES COUNTYWIDE. FUNDS WILL BE USED TO COVER ALL COSTS INCURRED BY THE AGENCY TO INVESTIGATE ALLEGATIONS OF FAIR HOUSING DISCRIMINATION BY PAYING A FLAT RATE OF \$600 PER TEST FOR UP TO 34 TESTS. NO LOCAL MATCHING FUNDS REQUIRED. APPROVED 1-9-2001

3.I.9. DOCUMENT R-2001-0095

AMENDMENT 1 TO THE AGREEMENT WITH IN THE PINES, INC., TO EXTEND THE EXPIRATION DATE FROM DECEMBER 31, 2000, TO JUNE 30, 2001, AND TO AMEND THE SCOPE OF THE PROJECT. THE PROJECT CONSISTS OF ELIMINATING SEPTIC TANKS, CONSTRUCTION OF SEWER LINES, AND INSTALLATION OF A LIFT STATION AND A FORCE MAIN AT IN THE PINES, AN APARTMENT COMPLEX ON HAGEN RANCH ROAD IN UNINCORPORATED BOYNTON BEACH. THE SCOPE OF THE PROJECT IS BEING AMENDED TO ALLOW THE PROJECT TO PROCEED INDEPENDENTLY RATHER THAN AS A JOINT PROJECT WITH THE COUNTY WATER UTILITIES DEPARTMENT, AND THE PROJECT IS BEING PROVIDED ADDITIONAL TIME BECAUSE OF DELAYS IN THE PREPARATION OF ENGINEERING DRAWINGS. (AMENDS R-99-2313-D) APPROVED 1-9-2001

3.I.10. DOCUMENT R-2001-0096

AGREEMENT WITH SU CASA COMMUNITY DEVELOPMENT CORPORATION TO PROVIDE \$126,200 IN FEDERAL HOME FUNDS FOR JANUARY 1-DECEMBER 31, 2001, TO ASSIST FIRST-TIME INCOME-ELIGIBLE HOMEBUYERS THROUGH ACQUISITION, REHABILITATION, AND NEW CONSTRUCTION, AND TO PROVIDE THE CORPORATION WITH COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) OPERATING FUNDS. THE FUNDING AMOUNT FOR THE HOME-OWNERSHIP PROGRAM IS \$92,150 IN HOME FUNDS; CHDO OPERATING EXPENSES WILL BE FUNDED IN THE AMOUNT OF \$34,050 IN HOME FUNDS. LOCAL MATCHING FUND REQUIREMENTS ARE ADDRESSED THROUGH SHIP FUNDS. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.I.11. See pages 45-47.

3.J. PLANNING, ZONING AND BUILDING

3.J.1. RESOLUTION R-2001-0097

RESOLUTION CHANGING THE STREET NAME OF ARNIE'S WAY TO MIRA VISTA LANE LOCATED IN SECTIONS 20 AND 29, TOWNSHIP 46, RANGE 42. ADOPTED 1-9-2001

3.J.2. DOCUMENT R-2001-0098

INTERLOCAL AGREEMENT WITH THE VILLAGE OF PALM SPRINGS PROVIDING FOR THE ANNEXATION OF FIVE ENCLAVES GENERALLY LOCATED IN AREAS OFF SEMINOLE ROAD, SOUTH CONGRESS AVENUE, AND BERMUDA ROAD. THESE ENCLAVES, EACH OF WHICH IS LESS THAN 10 ACRES IN SIZE, ARE IDENTIFIED IN THE AGREEMENT AS EXHIBITS A THROUGH E. APPROVED 1-9-2001

3.K. WATER UTILITIES

3.K.1. DOCUMENT R-2001-0099

CONTRACT WITH THE HASKELL COMPANY FOR \$2,773,680 TO CONSTRUCT PLANT 9 EASTERN HILLSBORO CANAL AQUIFER STORAGE AND RECOVERY WELL SYSTEM. (SEE R-99-0839-D AND R-99-1287-D) APPROVED 1-9-2001

3.L. ENVIRONMENTAL RESOURCES MANAGEMENT

3.L.1. BUDGET TRANSFER 2001-0278

BUDGET TRANSFER OF \$19,000 IN THE \$75 MILLION CONSERVATION LANDS 1999 FUND FROM RESERVES TO ESTABLISH A PROJECT ACCOUNT FOR THE LIMESTONE CREEK GREENWAY. APPROVED 1-9-2001

3.L.2. RESOLUTION R-2001-0100

RESOLUTION AMENDING A RESOLUTION AUTHORIZING THE ISSUANCE OF A WRITTEN FINAL OFFER TO THE REMAINING PROPERTY OWNERS IN ZONES 2 THROUGH 8 AND THE OVERLAPPING ZONE 9 OF UNIT 11 PRIOR TO INITIATION OF EMINENT DOMAIN PROCEEDINGS, SUCH OFFER TO BE 25 PERCENT ABOVE THE CURRENT BATCH APPRAISAL; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO ACCEPT OFFERS AND EXECUTE SETTLEMENT AGREEMENTS TO ACQUIRE UNIT 11 PROPERTY THAT IS THE SUBJECT OF COUNTY EMINENT DOMAIN PROCEEDINGS, PROVIDED THAT THE PURCHASE PRICE DOES NOT EXCEED THE WRITTEN FINAL OFFER AUTHORIZED BY THE RESOLUTION AS AMENDED. (AMENDS R-2000-0108) ADOPTED 1-9-2001

3.L.3.

a. DOCUMENT R-2001-0101

AGREEMENT WITH ARCHIE LIN FOR \$6,468.75 FOR THE PURCHASE OF 1.15 ACRES OF LAND IN ZONE 2 OF UNIT 11. APPROVED 1-9-2001

b. DOCUMENT R-2001-0102

AGREEMENT WITH DONNA R. YOCKEY FOR \$5,895 FOR THE PURCHASE OF 1.31 ACRES OF LAND IN ZONE 7 OF UNIT 11. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.L.3. - CONTINUED

c. DOCUMENT R-2001-0103

AGREEMENT WITH ANTONIO OTERO AND CAROLINA OTERO FOR \$5,805 FOR THE PURCHASE OF 1.29 ACRES OF LAND IN ZONE 8 OF UNIT 11. APPROVED 1-9-2001

3.M. PARKS AND RECREATION

3.M.1.

a. DOCUMENT R-2001-0104

INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD IN A NOT-TO-EXCEED AMOUNT OF \$25,000 FOR RENOVATION OF THE BOCA RATON COMMUNITY HIGH SCHOOL GYMNASIUM STAGE FOR MAY 16,2000-JANUARY 8, 2002. APPROVED 1-9-2001

b. BUDGET TRANSFER 2001-0287

BUDGET TRANSFER OF \$25,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO SCHOOL BOARD/BOCA RATON HIGH SCHOOL STAGE [BOCA RATON COMMUNITY HIGH SCHOOL GYMNASIUM STAGE]. (SEE R-2001-0104) APPROVED 1-9-2001

3.M.2.

a. DOCUMENT R-2001-0105

INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD IN AN AMOUNT NOT TO EXCEED \$50,000 FOR LOGGERS RUN COMMUNITY MIDDLE SCHOOL RECREATIONAL IMPROVEMENTS FROM JUNE 1, 2000, TO JULY 8, 2002. PROJECT ELEMENTS CONSIST OF REPAIR AND SURFACING OF THE OUTDOOR BASKETBALL COURT, RE-SODDING OF THE SOCCER AND SOFTBALL FIELDS, AND THE PURCHASE AND INSTALLATION OF BACKBOARDS AND LIFT EQUIPMENT FOR THE GYMNASIUM. APPROVED 1-9-2001

b. BUDGET TRANSFER 2001-0286

BUDGET TRANSFER OF \$50,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 5 TO SCHOOL BOARD/LOGGERS RUN COMMUNITY MIDDLE SCHOOL RECREATIONAL IMPROVEMENTS. (SEE R-2001-0105) APPROVED 1-9-2001

3.M.3.

a. DOCUMENT R-2001-0106

INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD IN AN AMOUNT NOT TO EXCEED \$10,000 FOR DIGITAL FILM-MAKING EQUIPMENT FOR OLYMPIC HEIGHTS COMMUNITY HIGH SCHOOL FROM JANUARY 9, 2001, THROUGH JANUARY 8, 2002. PROJECT ELEMENTS INCLUDE A NON-LINEAR EDITING MACHINE, TWO DIGITAL CAMCORDERS, AND MISCELLANEOUS CABLES AND ADAPTERS. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.M.3. - CONTINUED

b. BUDGET TRANSFER 2001-0286

BUDGET TRANSFER OF \$10,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 5 TO SCHOOL BOARD/OLYMPIC HEIGHTS COMMUNITY HIGH SCHOOL FILM EQUIPMENT. (SEE R-2001-0106) APPROVED 1-9-2001

3.M.4.

a. DOCUMENT R-2001-0107

INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD IN AN AMOUNT NOT TO EXCEED \$220,000 FOR FUNDING OF RECREATION FIELD IMPROVEMENTS AT HAGEN RANCH ELEMENTARY SCHOOL FROM MARCH 9, 1999, TO JANUARY 8, 2003. PROJECT ELEMENTS CONSIST OF CONSTRUCTION OF A LITTLE LEAGUE BASEBALL FIELD WITH A 200-FOOT OUTFIELD, A 300-FOOT-BY-120-FOOT JUNIOR ATHLETIC FIELD, AND A 30-FOOT-BY-60-FOOT VOLLEYBALL COURT. APPROVED 1-9-2001

b. BUDGET TRANSFER 2001-0284

BUDGET TRANSFER OF \$220,000 IN THE \$25 MILLION GO REC/CUL 1999 CTF FROM DISTRICT 5 BALLFIELD IMPROVEMENTS TO HAGEN RANCH ELEMENTARY SCHOOL RECREATIONAL FIELDS. THE FUNDING IS BEING PROVIDED FROM THE 1999 \$25 MILLION RECREATIONAL AND CULTURAL FACILITIES BOND. (SEE R-2001-0107) APPROVED 1-9-2001

3.M.5.

a. DOCUMENT R-2001-0108

PROJECT COOPERATION AGREEMENT WITH THE U.S. ARMY CORPS OF ENGINEERS FOR MODIFICATION OF THE PALM BEACH HARBOR PROJECT AND THE INTRACOASTAL WATERWAY PROJECT, JACKSONVILLE TO MIAMI (PEANUT ISLAND). TOTAL PROJECT MODIFICATION COSTS ARE PROJECTED TO BE \$6,015,000 (PROJECTED FEDERAL CONTRIBUTION \$4,414,000 AND PROJECTED NON-FEDERAL CONTRIBUTION \$1,601,000. APPROVED 1-9-2001

b. BUDGET TRANSFER 2001-0333

BUDGET TRANSFER OF \$217,007 IN THE BOATING IMPROVEMENT PROGRAM FROM RESERVES TO PEANUT ISLAND DESIGN AND DEVELOPMENT. (SEE R-2001-0108) APPROVED 1-9-2001

3.M.6. See page 44.

3.N. LIBRARY - None

3.P. COOPERATIVE EXTENSION SERVICE - None

CONSENT AGENDA - CONTINUED

3.Q. CRIMINAL JUSTICE COMMISSION

3.Q.1. DELETED

3.R. EMPLOYEE RELATIONS AND PERSONNEL - None

3.S. FIRE-RESCUE - None

3.T. HEALTH DEPARTMENT - None

3.U. INFORMATION SYSTEMS SERVICES - None

3.V. METROPOLITAN PLANNING ORGANIZATION - None

3.W. PUBLIC AFFAIRS - None

3.X. PUBLIC SAFETY

3.X.1. DOCUMENT R-2001-0109

CONTRACT WITH FLORIDA INTERNATIONAL UNIVERSITY/INTERNATIONAL HURRICANE CENTER TO ACQUIRE COASTAL SURGE VULNERABLE ELEVATION DATA TO UPDATE THE COUNTY HURRICANE EVACUATION ZONES. TERM OF CONTRACT IS THREE YEARS ENDING SEPTEMBER 30, 2003. APPROVED 1-9-2001

3.Y. PURCHASING - None

3.Z. RISK MANAGEMENT - None

3.AA. PALM TRAN

3.AA.1. DOCUMENT R-2001-0110

AGREEMENT WITH LAKES OF DELRAY, INC., FOR PROVISION OF TRANSPORTATION SERVICE (VIA PALM TRAN ROUTES 70 AND 81) TO RESIDENTS OF LAKES OF DELRAY AT THE PER DWELLING UNIT RATE OF \$3.62 PER MONTH FOR FEBRUARY 1, 2001-JANUARY 31, 2002, AND \$3.80 PER MONTH FOR FEBRUARY 1, 2002-JANUARY 31, 2003. APPROVED 1-9-2001

3.AA.2. DOCUMENT R-2001-0111

INTERLOCAL AGREEMENT WITH THE VILLAGE OF WELLINGTON FOR THE DELIVERY OF DOOR-TO-DOOR TRANSPORTATION SERVICE TO WELLINGTON RESIDENTS WITH DISABILITIES FROM AUGUST 16, 2000, THROUGH AUGUST 15, 2001, IN AN AMOUNT NOT TO EXCEED \$40,000. THE AGREEMENT CONTINUES AMERICANS WITH DISABILITIES ACT (ADA) COMPLEMENTARY PARATRANSIT SERVICES. APPROVED 1-9-2001

3.AA.3. DOCUMENT R-2001-0112

LICENSE AGREEMENT WITH THE SOUTH PALM BEACH COUNTY JEWISH FEDERATION TITLE HOLDING CORPORATION GRANTING A LICENSE TO CONSTRUCT A BUS SHELTER ON THE EAST SIDE OF NORTHWEST 95TH AVENUE, BOCA RATON, AT THE SITE OF THE WINEBURG HOUSE ASSISTED CARE LIVING FACILITY OWNED BY THE FOUNDATION. APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.BB. SHERIFF

3.BB.1. BUDGET AMENDMENT 2001-0281

BUDGET AMENDMENT OF \$5,761 IN THE LAW ENFORCEMENT TRUST FUND TO ADJUST LAW ENFORCEMENT TRUST FUND PROCEEDS DOWNWARD. THIS AMENDMENT DECREASES THE ORIGINAL ESTIMATE TO AGREE WITH THE FLORIDA CONTRABAND FORFEITURE SEMIANNUAL REPORT FILED BY THE SHERIFF'S OFFICE. THE \$5,761 DECREASE WILL LEAVE \$1,995,678 FOR FUTURE PROJECTS. APPROVED 1-9-2001

3.BB.2. BUDGET TRANSFER 2001-0304

BUDGET TRANSFER OF \$69,173 FROM THE LAW ENFORCEMENT TRUST FUND TO THE SHERIFF'S OFFICE FOR DONATIONS TO ORGANIZATIONS TO BE USED FOR CRIME PREVENTION: CENTER FOR INFORMATION AND CRISIS SERVICES, INC., \$25,000; MIDDLE SCHOOL OF CHOICE (LAKE WORTH), \$2,000; LAKE WORTH HIGH SCHOOL CRIMINAL JUSTICE ACADEMY, \$23,839; CRIMINAL JUSTICE ACADEMY AT GLADES CENTRAL HIGH SCHOOL, \$10,000; AND SOUTH COUNTY MENTAL HEALTH CENTER, \$8,334. APPROVED 1-9-2001

3.BB.3. BUDGET TRANSFER 2001-0325

BUDGET TRANSFER OF \$11,000 FROM THE LAW ENFORCEMENT TRUST FUND TO THE SHERIFF'S OFFICE FOR DONATION TO ORGANIZATIONS TO BE USED FOR CRIME PREVENTION. THE FUNDS WILL ADD THE PROBATIONERS' EDUCATIONAL GROWTH PROGRAM IN ASSISTING FELONY PROBATIONERS TO MEET ACADEMIC GOALS, SUCH AS LITERACY AND EARNING A GENERAL EDUCATION DIPLOMA, AS WELL AS PROVIDING JOB SKILLS TRAINING OPPORTUNITIES. APPROVED 1-9-2001

3.BB.4. BUDGET TRANSFER 2001-0288

BUDGET TRANSFER OF \$1,285 FROM THE LAW ENFORCEMENT TRUST FUND TO THE SHERIFF'S OFFICE FOR THE PURCHASE OF EQUIPMENT NEEDED FOR 4X4 PICKUP TRUCKS WHICH ARE USED TO PATROL AND ENFORCE LAWS ON ENVIRONMENTALLY SENSITIVE LAND THROUGHOUT THE COUNTY. APPROVED 1-9-2001

3.BB.5.

a. DOCUMENT R-2001-0113

AMENDMENT 2 TO THE CONTRACT WITH THE FLORIDA DEPARTMENT OF JUVENILE JUSTICE FOR THE EAGLE ACADEMY EXPANSION, EXTENDING THE COMPLETION DATE OF JANUARY 31, 2001. NO COUNTY FUNDS REQUIRED. (AMENDS R-2000-0066) APPROVED 1-9-2001

b. BUDGET AMENDMENT 2001-0327

BUDGET AMENDMENT OF \$25,579 IN THE SHERIFF'S GRANTS FUND TO RECOGNIZE THE EXTENSION OF THE EAGLE ACADEMY EXPANSION TO JANUARY 31, 2001. (SEE R-2001-0113) APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.BB.6.

a. DOCUMENT R-2001-0114

ACCEPTANCE OF THE FISCAL YEAR 2001 AUTO THEFT TASK FORCE GRANT FROM THE FLORIDA MOTOR VEHICLE THEFT PREVENTION AUTHORITY IN THE AMOUNT OF \$143,644 FOR OCTOBER 1, 2000-SEPTEMBER 30, 2001. THE GRANT WILL PARTIALLY FUND THREE POSITIONS IN THE PALM BEACH COUNTY MULTI-AGENCY AUTO THEFT TASK FORCE PROGRAM. APPROVED 1-9-2001

b. BUDGET AMENDMENT 2001-0326

BUDGET AMENDMENT OF \$6,356 TO REDUCE THE BUDGET IN THE SHERIFF'S GRANT FUND TO REFLECT THE ACTUAL AWARD AMOUNT OF \$143,644 TO THE PALM BEACH COUNTY MULTI-AGENCY AUTO THEFT TASK FORCE PROGRAM. (SEE R-2001-0114) APPROVED 1-9-2001

3.CC. COURT ADMINISTRATION

3.CC.1. DOCUMENT R-2001-0115

RATIFY THE CHAIR'S SIGNATURE ON A COURT REPORTING GRANT IN AID AGREEMENT WITH THE OFFICE OF THE STATE COURTS ADMINISTRATOR IN THE AMOUNT OF \$208,814 TO PROVIDE FUNDING FOR COURT REPORTING SERVICES FOR THE PERIOD COMMENCING WITH THE EXECUTION OF THE AGREEMENT THROUGH JUNE 30, 2001; AND RECEIVE AND FILE THE AGREEMENT. NO MATCHING FUNDS REQUIRED. APPROVED 1-9-2001

3.CC.2. DOCUMENT R-2001-0116

RATIFY THE CHAIR'S SIGNATURE ON AN ARTICLE V GRANT IN AID AGREEMENT WITH THE OFFICE OF THE STATE COURTS ADMINISTRATOR IN THE AMOUNT OF \$295,064 FOR COURT-APPOINTED ATTORNEY COSTS FOR THE PERIOD COMMENCING WITH THE EXECUTION OF THE AGREEMENT THROUGH JUNE 30, 2001; AND RECEIVE AND FILE THE AGREEMENT. APPROVED 1-9-2001

3.CC.3.

a. DOCUMENT R-2001-0117

ACCEPT A FLORIDA DEPARTMENT OF LAW ENFORCEMENT BYRNE GRANT IN THE AMOUNT OF \$42,533 FOR OCTOBER 1, 2000-SEPTEMBER 30, 2001, FOR A JUVENILE DOMESTIC VIOLENCE MEDIATION PROGRAM. (SEE R-2000-0794) APPROVED 1-9-2001

b.

APPROVE THE CREATION OF TWO FULL-TIME GRANT-FUNDED POSITIONS IN THE JUVENILE DOMESTIC VIOLENCE PROGRAM. (SEE R-2000-0117) APPROVED 1-9-2001

c.

APPROVE A GRANT MATCH IN THE AMOUNT OF \$34,337 TO MATCH THE \$42,533 DEPARTMENT OF LAW ENFORCEMENT BYRNE GRANT FOR A JUVENILE DOMESTIC VIOLENCE MEDIATION PROGRAM, OCTOBER 1, 2000-SEPTEMBER 30, 2001. (SEE R-2001-0117) APPROVED 1-9-2001

CONSENT AGENDA - CONTINUED

3.CC.3. - CONTINUED

d. BUDGET AMENDMENT 2001-0331

BUDGET AMENDMENT OF \$42,533 IN THE GENERAL FUND RECOGNIZING THE \$42,533 FLORIDA DEPARTMENT OF LAW ENFORCEMENT BYRNE GRANT FOR A JUVENILE DOMESTIC VIOLENCE MEDIATION PROGRAM, OCTOBER 1, 2000-SEPTEMBER 30, 2001. (SEE R-2001-0117) APPROVED 1-9-2001

3.DD. MEDICAL EXAMINER

3.DD.1. RESOLUTION R-2000-0118

RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO ENTER INTO INTERIM AGREEMENTS WITH ASSOCIATE MEDICAL EXAMINERS FOR A PERIOD NOT TO EXCEED SIX MONTHS IN ORDER TO ASSURE THE CONTINUITY OF MEDICAL EXAMINER OFFICE COVERAGE. ADOPTED 1-9-2001

MOTION to approve the consent agenda as amended. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 6-0. Commissioner Newell absent.

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

4. SPECIAL PRESENTATIONS - 9:30 A.M.

4.A.

PROCLAMATION DECLARING JANUARY 12-28, 2001, AS SOUTH FLORIDA FAIR DAYS. PRESENTED 1-9-2001

4.B.

PROCLAMATION DECLARING JANUARY 22-27, 2001, AS SCOTTISH-AMERICAN WEEK. PRESENTED 1-9-2001

4.C.

PROCLAMATION DECLARING MONDAY, FEBRUARY 5, 2001, AS EDGAR DEAN MITCHELL DAY. PRESENTED 1-9-2001

4.D.

PROCLAMATION ACKNOWLEDGING THE BATTLES OF THE SECOND SEMINOLE WAR DURING JANUARY 1838 IN THE COUNTY. PRESENTED 1-9-2001

4.E.

PROCLAMATION HONORING THE GLADES CENTRAL RAIDERS FOOTBALL TEAM OF GLADES CENTRAL HIGH SCHOOL. TO BE PRESENTED LATER - 1-9-2001

4.F.

PROCLAMATION DECLARING JANUARY 5-15, 2001, AS THE COUNTYWIDE MARTIN LUTHER KING, JR., CELEBRATION IN THE COUNTY. PRESENTED 1-9-2001

5. PUBLIC HEARINGS - 9:30 A.M.

MOTION to receive and file proofs of publication 765983, 766310, 766353, 766403, 766428, and 766445. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 6-0. Commissioner Newell absent.

5.A.

FIRST PUBLIC HEARING AND ADVERTISE FOR SECOND PUBLIC HEARING ON FEBRUARY 27, 2001, AT 9:30 A.M., AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 92-20 AS AMENDED, BY AMENDING THE WELLFIELD ZONES OF INFLUENCE MAPS AS SET FORTH IN SECTION 9.3E. (P.O.P. 766310 AND 766428) APPROVED 1-9-2001

MOTION to approve first public hearing and advertise for second public hearing on February 27, 2001, at 9:30 a.m. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.

Allen Trefry, environmental director of the Resources Protection Division of Environmental Resources Management (ERM), stated that:

- Wellfield maps had been presented to the board eight times, including when the ordinance was first adopted about 13 years ago.
- Map changes are warranted by additions, deletions, and relocation of wells by individual utilities.
- The county currently had 488 public water supply wells modeled, an amount greater than any other county in Florida.
- The recommended map changes were for 53 new well locations, the deletion of 18 wells, and the relocation of 14 wells, totaling 85 well modifications for 17 utilities. The Seminole Water Control District was included along with two new wellfields for two existing utilities.
- Approximately 1,500 properties were included in the notification process that covered about 94 square miles.

In response to Commissioner Greene, Mr. Trefry stated that the ordinance required map changes when adjustments were made to the wellfields. He said the formula for the model remained unchanged but staff added or deleted wells as was appropriate.

Commissioner Roberts said the Wellfield Protection Ordinance was a positive step for the county and state, but it was also a complex issue. She suggested to staff that a review of the history may be helpful to the newly elected commissioner.

PUBLIC COMMENT:

Mark Perry said he was representing five property owners who were affected by the amendment. He met with staff but was not up to date on the issue and he would reserve comment until the final reading, he said. He offered to continue discussion with staff, and he said that he did not anticipate any problems at final reading.

PUBLIC HEARINGS - CONTINUED

5.A. - CONTINUED

Bruce Pearson, owner of Tropical World Nursery, said he had experienced nothing but problems during the past five years. He said his taxes were raised five times since the project began and that he recently had paid another concurrency agreement fee. He said issues had been raised regarding a septic tank on his property as he made room to accommodate wellfield improvements. He claimed the county was driving agriculture out of business. He concluded by saying that he was financially devastated as were others.

Commissioner Masilotti stated that the county was trying to do all it could to help the agricultural industry. He informed Mr. Pearson that his taxes should not have been increased unless his property value changed. He said the board had not changed the ad valorem tax rate in about six years. Mr. Pearson interjected that he traded his 5 acres for a 17-acre parcel as an even exchange. The commissioner urged Mr. Pearson to work with staff regarding the permitting problems in an attempt to reach a resolution to the problems.

Mr. Pearson informed the board that, after all the time and monies they spent on permitting, the farmers became aware of the Florida Right To Farm Act (FRTFA), which exempted them from the requirements. He said upon obtaining the new information, staff just dropped the issue.

Commissioner Masilotti stated that the farmers should be reimbursed, if they were wrongly charged. Commissioner Roberts added that this was not the first time the FRTFA was mentioned and that staff and perhaps the constituents should be made aware of it. She said, as a matter of policy, when the county was dealing with agriculture, staff should be certain to determine FRTFA eligibility.

Commissioner Marcus pointed out that the South Florida Water Management District (SFWMD) approves wellfields. She said the county approves only the protection zones through an ordinance. She suggested staff meet with Mr. Pearson before the next meeting and address his concerns.

Steven Hack, representing Logus Microwave, said his company had complied with regulations. He claimed the maps were unclear and that he had been told that his company may be switched from zone 2 to zone 1 which would prohibit it from using chemical substances. He said that proposed requirements would threaten the livelihood of the company at its existing location by eliminating 35 jobs valued at \$1.5 million in payroll. He said the company did not have a clear understanding of which zone it would be placed in and that he was opposed to the suggestion that the company would be switched to zone 1.

Commissioner Roberts suggested Mr. Heck discuss the issue with staff.

PUBLIC HEARINGS - CONTINUED

5.A. - CONTINUED

Jonathan Shaw, a hydrogeologist representing Frenchman's Marina, said he was a member of the Wellfield Protection Technical Advisory Committee, which helped to develop the ordinance in 1997. He said he sat on the Groundwater and Natural Resources Protection Board and was an advocate of protecting groundwater resources. He voiced opposition to the amendments, after which Commissioner Roberts suggested he express his concerns to staff.

Commissioner McCarty requested staff's response to Mr. Shaw's comments before the final reading of the ordinance.

Bonnie Miskel said she also represented Frenchman's Marina. She said her client was opposed to being included because the proposed well would be of no direct benefit. She requested that Frenchman's Marina be removed from the zone 4 map change.

Commissioner Marcus asked Mr. Trefry to schedule a meeting with Frenchman's Marina and to include her office.

Commissioner McCarty said she had been told the wellfields would affect 1,500 businesses. If those businesses would be subjected to more regulations, she cautioned staff to be certain the wellfields were absolutely necessary.

Mr. Trefry informed the board that of the 1,500 notifications sent to businesses, staff was anticipating about 100-150 of those to be affected by the ordinance. He said the notifications were sent to every property owner that may be in the wellfield zone, and other announcements were hand-delivered to all the businesses in the zone as well.

Commissioner Aaronson said he, too, was interested in staff's rebuttal to the comments. Commissioner Masilotti added that the county should restrict the ordinance to the amount that the wells were permitted to draw. He said it would be inappropriate to set an amount exceeding the pumpage volume permitted by SFWMD. He asked staff to review the issue.

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

5.B.

a. RESOLUTION R-2001-0119

RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT PROCESS FOR THE ROYAL PALM ESTATES WATER MAIN EXTENSION. (P.O.P. 765983) ADOPTED 1-9-2001

b. DOCUMENT R-2001-0120

WORK AUTHORIZATION TO FOSTER MARINE CONTRACTORS UNDER THE SPECIAL ASSESSMENT PROGRAM CONTINUING CONSTRUCTION CONTRACT FOR ROYAL PALM ESTATES IN THE AMOUNT OF \$1,542,828.30. (SEE R-2001-0119) APPROVED 1-9-2001

MOTION to adopt the resolution and to approve the work authorization. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.

PUBLIC HEARINGS - CONTINUED

5.B. - CONTINUED

PUBLIC COMMENT:

Commissioner Roberts read the comments of Steve McCammon, which were in support of the project.

Water Utility Department Director Gary Derlan reported that currently 58 percent of the property owners supported the project, 17 percent opposed, and 25 percent were undecided.

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

5.C.

ORDINANCE 2001-001

ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 92-20 AS AMENDED, BY AMENDING ARTICLE 3, RULES OF CONSTRUCTION AND DEFINITIONS, TO AMEND AND ADD DEFINITIONS; ARTICLE 5, DEVELOPMENT REVIEW PROCEDURES, TO REVISE APPROVAL PROCESSES, APPEAL PROCEDURES, VARIANCE STANDARDS, AND COMPLIANCE REQUIREMENTS; ARTICLE 6, ZONING DISTRICTS, TO REVISE AND ADD ZONING AND OVERLAY DISTRICTS, AND TO REVISE ZONING DISTRICT PURPOSES AND USES, USE REGULATIONS AND DEFINITIONS, PROPERTY DEVELOPMENT STANDARDS, AND SUPPLEMENTARY REGULATIONS; ARTICLE 7, SITE DEVELOPMENT STANDARDS, TO REVISE PARKING, LANDSCAPING, SIGNAGE, AND MISCELLANEOUS STANDARDS; ARTICLE 8, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS, TO REVISE SUBDIVISION, PLATTING, DRAINAGE, AND LAND DEVELOPMENT STANDARDS; AND ARTICLE 11, ADEQUATE PUBLIC FACILITY STANDARDS, TO REVISE ADEQUATE PUBLIC FACILITY STANDARDS. (AMENDS ORDINANCE 92-20) (P.O.P. 766403 AND 766428) ADOPTED AS AMENDED 1-9-2001

MOTION to adopt the ordinance as amended. Motion by Commissioner McCarty and seconded by Commissioner Masilotti.

Zoning Director William C. Whiteford informed the board that his handout included brief amendments in response to items discussed at the previous hearing, in addition to minor errors staff discovered upon final review. He said the affected parties had been involved and agreed with the changes.

PUBLIC COMMENT: None

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

5.D.

a.

DOCUMENT R-2001-0121

FILING OF FISCAL YEAR 2001 SECTION 5307 FEDERAL TRANSIT ADMINISTRATION GRANT APPLICATION FOR APPORTIONED CAPITAL AND OPERATING FUNDS IN THE AMOUNT OF \$10,790,453. (P.O.P. 766445) APPROVED 1-9-2001

PUBLIC HEARINGS - CONTINUED

5.D. - CONTINUED

b.

FEDERAL FISCAL YEAR 2001 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE. (P.O.P. 766445) APPROVED 1-9-2001

c.

AUTHORIZATION FOR STAFF TO EXECUTE, ON BEHALF OF THE BOARD, AND TO TRANSMIT ELECTRONICALLY THE BOARD'S APPROVAL OF THE SECTION 5307 GRANT APPLICATION AND CERTIFICATIONS AND ASSURANCES. (P.O.P. 766445) APPROVED 1-9-2001

d.

TRANSFER TO THE FISCAL YEAR 2001 5307 GRANT IN THE AMOUNT OF \$575,201 IN CAPITAL FUNDS TO THE COUNTY FROM THE TRI-COUNTY COMMUTER RAIL AUTHORITY (TCRA OR TRI-RAIL) (P.O.P. 766445) APPROVED 1-9-2001

e.

BUDGET AMENDMENT 2001-0302

BUDGET AMENDMENT IN THE MASS TRANSIT FUND IN THE AMOUNT OF \$821,453 TO ADJUST THE ESTIMATED BUDGET AMOUNT TO THE ACTUAL GRANT AWARD AMOUNT INCLUDING AN APPROPRIATION OF OPERATING FUNDS TO THE TRI-COUNTY COMMUTER RAIL AUTHORITY (TCRA OR TRI-RAIL). (P.O.P. 766445) (SEE R-2001-0121) APPROVED 1-9-2001

MOTION to approve the item. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.

PUBLIC COMMENT: None

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

5.E.

a.

DOCUMENT R-2001-0122

FILING AND EXECUTION OF A GRANT AMENDMENT TO FEDERAL TRANSIT ADMINISTRATION FISCAL YEAR 2000 SECTION 5307 CAPITAL AND OPERATING ASSISTANCE GRANT (FL-90-X386-01) IN THE AMOUNT OF \$532,234 FOR FUND REDIRECTED TO THE COUNTY FROM THE TRI-COUNTY COMMUTER RAIL AUTHORITY (TCRA OR TRI-RAIL). (AMENDS R-99-1076-D) (P.O.P. 766445) APPROVED 1-9-2001

b.

BUDGET AMENDMENT 2001-0303

BUDGET AMENDMENT OF \$532,234 IN THE MASS TRANSPORTATION FUND (PALM TRAN, INC.), RECOGNIZING THE INCREASE OF REVENUE AND AUTHORIZING APPROPRIATION OF OPERATING FUNDS TO THE TRI-COUNTY COMMUTER RAIL AUTHORITY (TCRA OR TRI-RAIL). (SEE R-2001-0122) APPROVED 1-9-2001

MOTION to approve the filing and execution of a grant amendment and the budget amendment. Motion by Commissioner Aaronson and seconded by Commissioner Masilotti.

PUBLIC HEARINGS - CONTINUED

5.E. - CONTINUED

Commissioner Roberts pointed out that the agenda's rendition of the title differed from the agenda item summary attached to the document. She said the agenda listed the title in two parts, a. and b., but the summary had c. as well. Assistant County Attorney Donna Raney explained that the title was renumbered to accommodate only a. and b. with the request to authorize staff to execute, on behalf of the board, the grant amendment and to electronically transmit it to the Federal Transit Administration (FTA).

AMENDED MOTION to include authorization to staff to electronically transmit the approval to the FTA. The maker and seconder agreed.

PUBLIC COMMENT: None

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

(CLERK'S NOTE: Number R-2001-0123 was voided.)

5.F.

a.

CONDUCT A TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) PUBLIC HEARING CONCERNING THE ISSUANCE OF PALM BEACH COUNTY INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BONDS, SERIES 2001 B (EASTERN METAL SUPPLY, INC. PROJECT) IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$5,000,000 WITHIN THE MEANING OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED. (P.O.P. 766353) APPROVED 1-9-2001

b.

RESOLUTION R-2001-0124

RESOLUTION APPROVING THE ISSUANCE OF NOT EXCEEDING \$5,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF THE PALM BEACH COUNTY INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BONDS, SERIES 2001 B (EASTERN METAL SUPPLY, INC., PROJECT) WITHIN THE MEANING OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED. (P.O.P. 766353) ADOPTED 1-9-2001

MOTION to conduct a TEFRA hearing and to adopt the resolution. Motion by Commissioner Masilotti and seconded by Commissioner McCarty.

PUBLIC COMMENT: None

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

PUBLIC HEARINGS - CONTINUED

5.G.

ORDINANCE 2001-002

ORDINANCE AMENDING CHAPTER 17, ARTICLE IV OF THE PALM BEACH COUNTY CODE, (ORDINANCE 92-19), PERTAINING TO SECONDHAND DEALERS; PROVIDING FOR DEFINITIONS AND EXCEPTIONS; PROVIDING FOR RECORDS OF TRANSACTION; PROVIDING FOR RETENTION OF RECORDS; PROVIDING FOR INSPECTION OF RECORDS AND PREMISES; PROVIDING FOR HOLDING PERIOD (SALE TRANSACTIONS); PROVIDING FOR DUTY TO REPORT; PROVIDING FOR STOLEN GOODS; PROVIDING FOR PETITION FOR RETURN; PROVIDING FOR CERTAIN ACTS AND PRACTICES PROHIBITED; PROVIDING FOR PERMIT REQUIRED; PROVIDING FOR APPLICATION; PROVIDING FOR FEE; PROVIDING FOR RENEWAL; PROVIDING FOR SECONDHAND DEALERS; PROVIDING FOR DISPOSAL OF PROPERTY; PROVIDING FOR DENIAL; PROVIDING FOR REVOCATION OR SUSPENSION OF PERMIT; PROVIDING FOR PENALTY; AND PROVIDING FOR APPLICABILITY. (AMENDS ORDINANCE 92-19) (P.O.P. 766428) ADOPTED 1-9-2001

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

PUBLIC COMMENT: None

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

6. REGULAR AGENDA

6.A. ENGINEERING AND PUBLIC WORKS

6.A.1.

a.

STREET LIGHTING SCHEDULE FOR 2000-2001. APPROVED 1-9-2001

b.

RESOLUTION R-2001-0125

RESOLUTION APPROVING AN OPERATION AND MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LIGHTING ON STATE ROAD 710 FROM THE BEELINE HIGHWAY APPROACH TO SEMINOLE PRATT WHITNEY ROAD TO THE MAIN ENTRANCE TO SEMINOLE PRATT WHITNEY ROAD. ADOPTED 1-9-2001

MOTION to approve the schedule and adopt the resolution. Motion by Commissioner Marcus and seconded by Commissioner Aaronson.

Commissioner Masilotti said lights were requested of Florida Power and Light Company (FP&L) to be installed on Canal Street, commonly known as Riderville, located between South Bay and Belle Glade. He said although the Sheriff's Office and the Engineering Department requested the lighting, FP&L had not yet complied because the location was considered a high-risk area. The commissioner asked for the board's support as the request was being made again.

REGULAR AGENDA - CONTINUED

6.A.1. - CONTINUED

Commissioner Aaronson offered his support and suggested the name of a person to be contacted at FP&L. The name of that person is Tony Newbold, who the commissioner said, had been cooperative on other projects. Commissioner Aaronson pointed out that the board had no jurisdiction over FP&L but that the company and the county had developed a good working relationship in some areas.

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

6.B. ENVIRONMENTAL RESOURCES MANAGEMENT

6.B.1.

a. DOCUMENT R-2001-0126

GRANT AGREEMENT WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR \$7,716 TO REIMBURSE THE COUNTY FOR THE REMOVAL OF DERELICT VESSELS FROM COUNTY WATERS. APPROVED 1-9-2001

b. BUDGET AMENDMENT 2001-0283

BUDGET AMENDMENT OF \$7,716 IN THE GENERAL FUND TO ESTABLISH THE REVENUE AND APPROPRIATIONS BUDGET FOR THE GRANT TO THE DERELICT VESSEL REMOVAL PROGRAM. (SEE R-2001-0126) APPROVED 1-9-2001

c.

AUTHORIZATION FOR THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN ALL FUTURE TIME EXTENSIONS, TASK ASSIGNMENTS, CERTIFICATIONS, AND OTHER FORMS ASSOCIATED WITH THE AGREEMENT WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION REGARDING REMOVAL OF DERELICT VESSELS FROM COUNTY WATERS, AND NECESSARY MINOR AMENDMENTS THAT DO NOT CHANGE THE SCOPE OF WORK OR TERMS AND CONDITIONS OF THE AGREEMENT. (SEE R-2001-0126) APPROVED 1-9-2001

MOTION to approve the agreement, the budget amendment, and the authorization. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.

Department of Environmental Resources Management (ERM) Director Richard Walesky informed the board, in response to Commissioner Marcus's inquiry, that criteria had not been set for how to list vessels for removal. Mr. Walesky clarified that the item was associated with a grant the county receives annually for the Derelict Vessel Program. Four vessels were listed over the summer but were already removed. The grant agreement, upon approval, would be modified to redirect the monies to an existing derelict, Mr. Walesky said.

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

REGULAR AGENDA - CONTINUED

6.B.2.

a.

PROCESS WHEREBY THE COUNTY REMOVES ABANDONED AND DERELICT VESSELS FROM COUNTY WATERS. APPROVED 1-9-2001

b.

REQUEST TO SEEK DELEGATION FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO REMOVE DERELICT VESSELS FROM COUNTY WATERS AS THEY ARE IDENTIFIED. APPROVED 1-9-2001

c.

BUDGET TRANSFER 2001-0297

BUDGET TRANSFER OF \$60,000 FROM THE GENERAL FUND CONTINGENCY RESERVE TO THE DERELICT VESSEL REMOVAL PROGRAM TO PROVIDE FUNDING FOR REMOVAL OF ABANDONED AND DERELICT VESSELS FROM COUNTY WATERS

Environmental Resources Management Director Walesky informed the board that:

- The item dealt with the derelict and abandoned vessel processes, which required considerable legal activity in terms of public notice.
- The \$60,000 earmarked in contingency was sufficient to handle the needs.
- The process would work as follows: As soon as staff discovered abandoned property and proceed through the process, as money became available through fees and fines, it would be spent to remove existing vessels.
- There was no need at present to rank vessels because there was not a surplus list that had been subjected to the lengthy process.
- Staff had a list of about five vessels. The vessel which was next to the Blue Heron Bridge had disappeared, but staff was aware of a few others around the Peanut Island area that had to be declared either abandoned or derelict.

Staff informed Commissioner Roberts that the vessel she questioned near the bridge at the Sailfish Marina had been removed under the October contract. Staff said a change order would be done to correct the list.

MOTION to approve the item. Motion by Commissioner McCarty and seconded by Commissioner Marcus.

Commissioner Greene suggested the existing law governing the issue be changed, and Commissioner Aaronson suggested the topic be added to the legislative package. Mr. Walesky informed the board that the item was already included in the package and was scheduled for discussion at the January 16, 2001, meeting. He said staff was actively making suggestions to remedy existing law. Commissioner Roberts suggested staff meet with Commissioner Greene who was more familiar with the legislative process.

REGULAR AGENDA - CONTINUED

6.B.2. - CONTINUED

In response to Commissioner Marcus's question, Mr. Walesky stated that staff would pursue both the derelict vessel and the abandoned vessel processes. Although the abandoned vehicle program was the simpler and easier of the two, the notification periods were similar. He said staff would use the abandoned vessel process primarily but did not want to refuse derelict vessel grant monies once they were approved.

Mr. Walesky said vessels would be removed within 60 days once notifications were completed. Staff would not have to return to the board once funding was authorized. He agreed to inform the board if any problems were encountered.

UPON CALL FOR A VOTE. the motion carried 6-0. Commissioner Newell absent.

6.B.3.

a. DOCUMENT R-2001-0127

ACCEPT ASSIGNMENT FROM THE NATURE CONSERVANCY (TNC) OF AN AGREEMENT FOR SALE AND PURCHASE FOR ACQUISITION OF APPROXIMATELY 131.55 ACRES KNOWN AS HOAG PROPERTY (ACREAGE PINES NATURAL AREA), FOR A TOTAL PURCHASE PRICE OF \$936,650 SUBJECT TO SATISFACTORY RESULTS OF PRE-CLOSING DUE DILIGENCE. (SEE R-2001-0128) APPROVED 1-9-2001

b. DOCUMENT R-2001-0128

INTERLOCAL AGREEMENT WITH THE INDIAN TRAIL IMPROVEMENT DISTRICT (ITID) WHICH PROVIDES THAT ITID CONVEY TO THE COUNTY 41.47 ACRES LOCATED IMMEDIATELY NORTH OF THE HOAG PROPERTY AND INCLUDES THE EXISTING ACREAGE COMMUNITY PARK AND UNDEVELOPED ENVIRONMENTALLY SENSITIVE LANDS THAT WILL BE INCORPORATED INTO THE PROPOSED COUNTY NATURAL AREA, IN EXCHANGE FOR THE COUNTY PROVIDING A LONG-TERM LEASE TO ITID FOR THE ACREAGE COMMUNITY PARK AND ITS ASSOCIATED 7.255-ACRE CONSERVATION AREA, AS WELL AS AN APPROXIMATE 28.9-ACRE PORTION OF THE HOAG PROPERTY TO BE USED FOR EXPANSION OF THE EXISTING PARK. (SEE R-2001-0127) APPROVED 1-9-2001

c.

PAYMENT FOR THE PURCHASE OF THE HOAG PROPERTY ON TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT FOR SALE AND PURCHASE. OF THE PURCHASE PRICE, A PROPORTIONATE SHARE OF THE ACQUISITION COSTS, INCLUDING COSTS FOR THE LAND, COMMISSIONS, APPRAISALS, SURVEYS, AND ENVIRONMENTAL AUDITS (CURRENTLY ESTIMATED AT \$212,253) SHALL BE PAID USING FUNDS FROM THE \$30 MILLION PARK BOND FUND ACREAGE COMMUNITY PARK PROJECT ACCOUNT FOR APPROXIMATELY 28 ACRES, LOCATED SOUTH OF THE EXISTING ACREAGE COMMUNITY PARK, TO BE USED FOR A FUTURE PARK. THE REMAINING ACQUISITION COSTS (CURRENTLY ESTIMATED AT \$573,852 FOR APPROXIMATELY 102.6 ACRES TO BE USED AS A COUNTY-OWNED NATURAL AREA KNOWN AS THE ACREAGE PINES NATURAL AREA WILL BE PAID USING COUNTY CONSERVATION LAND ACQUISITION BOND FUNDS. (SEE R-2001-0127 AND R-2001-0128) APPROVED 1-9-2001

REGULAR AGENDA - CONTINUED

6.B.3. - CONTINUED

d. BUDGET TRANSFER 2001-0351

BUDGET TRANSFER OF \$864,824 FROM RESERVE OF THE \$75 MILLION GENERAL OBLIGATION CONSERVATION LAND 1999 CONSERVANCY TRUST FUND TO THE ACREAGE PINES ACCOUNT FOR SITE PREPARATION AND CLEAN-UP WORK, FENCING, INITIAL SIGNAGE, AND ASSOCIATED STAFF ACTIVITIES. (SEE R-2001-0127 AND R-2001-0128) APPROVED 1-9-2001

MOTION to accept the assignment and to approve the agreement, payment for the purchase, and the budget transfer. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.

Commissioner Masilotti thanked the Environmental Resources Management and the Parks and Recreation staffs for bringing the issue to fruition. He said the acquisition involved a nature preserve that linked three elementary schools to outdoor classrooms and to active parks. He said the acquisition would be an asset to the area.

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

6.B.4.

a. DOCUMENT R-2001-0129

SETTLEMENT AGREEMENT WITH MINTO COMMUNITIES, INC., AND H AND J CONTRACTING, INC., FOR DAMAGE DONE TO NATIVE VEGETATION ON THE ROYAL PALM BEACH PINES NATURAL AREA. THE SETTLEMENT INCLUDES PAYMENT OF \$11,934.98 TO THE COUNTY, A DONATION OF \$563,158 TO THE NATURAL AREAS FUND, THE FACILITATION OF THE TRANSFER OF APPROXIMATELY 111 ACRES FROM THE VILLAGE OF ROYAL PALM BEACH TO THE COUNTY TO INCREASE THE ROYAL PALM BEACH PINES NATURAL AREA, AND PROVISION OF 1,200 THREE-GALLON POTS OF NATIVE PLANTS TO BE PLANTED IN THE NATURAL AREA. APPROVED 1-9-2001

b.

AUTHORIZE ACCEPTANCE OF A DEED, WHEN EXECUTED, FROM THE VILLAGE OF ROYAL PALM BEACH FOR APPROXIMATELY 111 ACRES TO BE ADDED TO THE ROYAL PALM BEACH PINES NATURAL AREA FOLLOWING APPROPRIATE STAFF DUE DILIGENCE. (SEE R-2001-0129) APPROVED 1-9-2001

Environmental Resources Management Director Walesky informed the board that the item involved a notice of violations issued by his department for unauthorized removal of native vegetation at the Royal Palm Beach Pines site. He explained that Minto Communities through H and J Contracting, inadvertently removed native vegetation in their efforts to remove exotic non-native vegetation under a requirement from the South Florida Water Management District (SFWMD). The county reached a settlement agreement, the Village of Royal Palm Beach had acted on its issue with the company, and the water management district would follow suit next week, Mr. Walesky stated.

MOTION to approve the agreement and to authorize acceptance of the deed. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.

REGULAR AGENDA - CONTINUED

6.B.4. - CONTINUED

Commissioner Masilotti thanked the Environmental Resources Management staff and the City of Royal Palm Beach staff as well. He explained the terms of the agreement and added that the village would have the Minto group build the athletic field for a new elementary school, which would then allow the School Board to build a new school and to capitalize on House Bill 2121. The village was also getting a four-acre park as part of the settlement, he added. He said he believed the settlement was the largest ever realized in the county for the wrongful removal of vegetation. He added that the violators were cooperative in the remediation effort.

In response to Commissioner Marcus, Mr. Walesky answered that not all settlements of similar violations were presented to the board. He said this issue was unique because it was a violation on county-owned property.

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

6.C. COMMUNITY SERVICES

6.C.1.

a. BUDGET TRANSFER 2001-0334

BUDGET TRANSFER FOR \$100,000 IN THE GENERAL FUND FROM CONTINGENCY TO CONTRIBUTIONS FROM OTHER GOVERNMENTAL AGENCIES FOR THE SCHOOL DISTRICT TO PROVIDE CHILD CARE SERVICES TO THE CHILDREN OF WORKING POOR PARENTS. (SEE R-2001-0130) APPROVED 1-9-2001

b. DOCUMENT R-2001-0130

COMMITMENT TO CASH CONTRIBUTION TO THE SCHOOL DISTRICT IN AN AMOUNT NOT TO EXCEED \$300,000 FOR CHILD DAY CARE SERVICES FOR THE PERIOD OCTOBER 1, 2000, THROUGH SEPTEMBER 30, 2001. APPROVED 1-9-2001

MOTION to approve the budget transfer and the commitment of cash contribution. Motion by Commissioner Marcus, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Newell absent.

6.D. FIRE-RESCUE

6.D.1.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON FEBRUARY 27, 2001, AT 9:30 A.M., AN ORDINANCE AMENDING CHAPTER 26, ARTICLE II, DIVISION 3, OF THE PALM BEACH COUNTY CODE (ORDINANCE 83-23, AS AMENDED) TO INCREASE THE MILLAGE CAP ON AD VALOREM TAXES LEVIED BY THE FIRE-RESCUE MUNICIPAL SERVICES TAXING UNIT (MSTU); CLARIFYING THAT SAID MILLAGE CAP IS APPLICABLE ONLY IN THE FIRE-RESCUE MSTU. APPROVED AS AMENDED 1-9-2001

MOTION to approve the ordinance on preliminary reading and to advertise for public hearing on February 27, 2001, at 9:30 a.m. Motion by Commissioner Aaronson and seconded by Commissioner Marcus.

REGULAR AGENDA - CONTINUED

6.D.1. - CONTINUED

Commissioner Masilotti inquired if other opportunities or options had been investigated, including early buyouts of some senior employees in the attempt to reduce overall Fire-Rescue service costs. He also asked if a way was sought to contain costs while still improving fire services. He commented that an increase from three to five mils was excessive.

Fire-Rescue Department Administrator Herman W. Brice stated that:

- His department had been successful in its advanced life support (ALS) collection. The 80 percent collected had been a major revenue source.
- His staff had looked at the early buyout but the Deferred Retirement Option Program(DROP) plan that the state established had been working in reverse. It was keeping people in the system longer, allowing them to enroll in DROP at retirement age and work an additional five years.
- The department had been successful with some grants that enhanced the ability to provide for hazardous material.
- There were collection rates for false alarms, and other types of alternative funding had been very successful. The department worked diligently to look for other revenue sources, but the MSTU was funded predominantly by ad valorem taxes.
- The department anticipated going to about 3.2 mils by next year.
- For 16 years, the department had been working under a three-mil cap. Requesting five mils would allow for a longer period before coming back to the board to consider another increase. Five mils simply would provide a cap within which to work.

Commissioner Masilotti said he was supportive of Fire-Rescue, but a 60 percent increase had raised his concern even if that amount would be spread over 10 years. He said he wanted to be certain all avenues were explored.

Commissioner Marcus pointed out that the three-mil cap established in 1993 was not based on a build-out master plan, but was done more as a political situation. She said the intent at the time was to unify 10 Fire-Rescue districts. She said the increase would allow the county to deliver a top-rate professional fire service. She said the department needed to continue to look at other revenue sources from which it could benefit. She suggested a long-term budget be explored. Chief Brice interjected that a six-year projection had been done and would be brought to the board's attention.

Commissioner Aaronson suggested the department use some of its innovative ideas such as having communities pay for their own services as Boca West had been doing.

REGULAR AGENDA - CONTINUED

6.D.1. - CONTINUED

Commissioner Roberts argued that, although there was a need for an increase, five mils were excessive. She said if five mils were approved, the board would not be as vigilant as it needed to be in finding other funding sources. She suggested a four-mil cap.

Commissioner Aaronson said regulation of the increase would be at the board's discretion. Commissioner Roberts said the current members would not sit on the board in the future, and future boards might not enjoy the current spirit of cooperation. Commissioner Aaronson said the prerogative lay with future boards, which could bring back and address the issue at any time.

Commissioner Masilotti said in time the change in property values may dictate a decrease in millage rate.

Commissioner Marcus directed Chief Brice to bring back a 10-year budget between now and final adoption and to show realistically what the projection would be. The board could then have an incentive to determine funding alternatives, she stated.

Commissioner Roberts suggested the ordinance be advertised for both a four-mil cap and a five-mil cap.

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

Assistant County Attorney Sharon Burrows informed the board that the suggested millage increase did not have to be listed in the advertisement.

Chief Brice suggested increasing impact fees so that they would cover the costs for new construction.

Commissioner McCarty suggested the option of no cap. She said discussion of increased millage sent the wrong message to the community because that concept suggested the board was increasing taxes. She said she would like to eliminate any such discussion in the future by not setting any cap but by addressing increases as they are proposed. The board would then determine if those increases were justified, she concluded.

Commissioner Masilotti agreed that increases should be addressed on the annual budgetary cycle. He also recommended using an update building cost figure to determine revenue projections. Commissioners Aaronson and Marcus spoke in support of Commissioner McCarty's comment as well. Commissioner Marcus mentioned the governor's Commission on Growth Management priorities and commented that it should be interesting to see whether, with full-cost accounting, the area would pay for itself.

AMENDED MOTION to also advertise a title to eliminate the millage rate cap on ad valorem taxes levied by the Fire-Rescue MSTU. The maker and seconder agreed.

REGULAR AGENDA - CONTINUED

6.D.1. - CONTINUED

Commissioner McCarty suggested the board approve the no cap title since a majority of the commissioners was in agreement. Commissioner Aaronson suggested both titles be advertised to allow for public comments.

UPON CALL FOR A VOTE, the motion carried 5-0. Commissioners Greene and Newell absent.

RECESS

At 11:09 a.m., the chair declared a recess.

RECONVENE

At 11:16 a.m., the board reconvened with Commissioners Aaronson, Greene, McCarty, Marcus, Masilotti, and Roberts present.

TIME CERTAIN 11:00 A.M.

6.E. CRIMINAL JUSTICE COMMISSION

6.E.1.

RECEIVE AND FILE THE 2000 ANNUAL REPORT OF THE CRIMINAL JUSTICE COMMISSION. APPROVED 1-9-2001

Criminal Justice Commission (CJC) Chairman Richard Lubin, accompanied by, Diana Cunningham, executive director of the CJC, thanked the board for the opportunity to present the annual report. He then highlighted some projects as follows:

- The first county drug court was opened on November 6, 2000, at the Gun Club Road facilities. The court prioritized treatment over incarceration for first-time drug offenders with the goal of reducing recidivism. The program, like others, was being used to help reduce the crime rate in the county.
- Having a drug court gave the commission the opportunity to apply for and receive more federal funding for the program.
- A national crime mapping training center, the third in the country, was also established in the county. This center was put together under a partnership of the National Law Enforcement and Corrections Technology Center and Florida Atlantic University. It was being used to allocate police resources efficiently.
- The first year of community court was celebrated in August 2000. The pilot project, held in the City of West Palm Beach, helped over 1,000 people, of whom over 400 were walk-ins asking for assistance in social services.
- CJC also offered the Citizen's Criminal Justice Academy, which was an 11-week program taught by judges, lawyers, and law enforcement and correction's personnel. It was a road program which assisted in educating the public about the criminal justice system. The program had been well received. The CJC was looking into using graduates from this program as mentors to assist at-risk youths.

REGULAR AGENDA - CONTINUED

6.E.1. TIME CERTAIN 11:00 A.M. - CONTINUED

- A formula for funding security was developed for the Juvenile Assessment Center.
- Thirty municipalities had joined in on the Municipal Public Safety Communications Consortium, which would work at making their radio systems interoperable.
- The commission adopted eight gun-safety recommendations that were endorsed by the board.
- The Community Addressing Responsible Gun Ownership Program was underway and was being presented at various schools.
- The Locks to Cops program will be introduced on February 10, 2001, in the Governmental Center courtyard. Fifteen thousand gun locks would be given to about 2,000 law enforcement officers to be distributed to anyone who desired them.
- The commission appreciated the continued support of the board.

Commissioner Roberts recognized Commissioner Newell as a member of the CJC Task Force and stated that the county was privileged to have an entity that worked as efficiently and effectively as the group did.

MOTION to receive and file the report. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Newell absent.

6.F. ADMINISTRATION

6.F.1.

AUTHORIZATION FOR ADMINISTRATION AND THE COUNTY ATTORNEY'S OFFICE TO PROVIDE NON-FINANCIAL SUPPORT TO WILLIAM SIEBENROCK AND AUGUSTIN HERNANDEZ IN REGARD TO DEFENSE OF THEIR RIGHTS UNDER FLORIDA LAW TO ASSURE DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE PALM BEACH GARDENS MALL EXPANSION SAFEGUARD ADJACENT, PROPERTY OWNERS. POSTPONED 1-9-2001

MOTION to POSTPONE the item for two weeks. Motion by Commissioner Marcus, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Newell absent.

REGULAR AGENDA - CONTINUED

6.G. COUNTY ATTORNEY

6.G.1.

AUTHORIZATION OF AN OFFER OF BUSINESS DAMAGES IN THE AMOUNT OF \$90,000, A RENEWED OFFER OF COMPENSATION FOR THE PROPERTY ACQUIRED OF \$140,000, AND AN OFFER OF JUDGMENT ENCOMPASSING THE AFOREMENTIONED OFFERS IN THE TOTAL AMOUNT OF \$230,000, PLUS CLERK'S REGISTRY DEPOSIT FEE OF \$100, FOR THE SUM TOTAL OF \$230,100 IN THE EMINENT DOMAIN ACTION WITH GOFFE ET AL., CASE CL 00-6234 AM, (PARCELS 18 AND 18T) FOR IMPROVEMENT OF HAVERHILL ROAD BETWEEN LANTANA ROAD AND MELALEUCA DRIVE. APPROVED 1-9-2001

MOTION to approve the authorization. Motion by Commissioner Aaronson, seconded by Commissioner Masilotti, and carried 6-0. Commissioner Newell absent.

6.H. PLANNING, ZONING AND BUILDING

6.H.1.

DIRECTION REGARDING A CODE ENFORCEMENT LIEN FILED AGAINST PROPERTY OWNED BY DONALD BOROBY AND MELVERETTA BOROBY. DISCUSSED 1-9-2001

Staff recommended that the board:

- Take no action to reduce the fines or interest;
- Determine that circumstances exist that warrant a reduction in the fine and/or accumulated interest; and accept payment as a lump sum when property was sold, or approve a reasonable payment plan; and
- Determine that circumstances exist that would warrant waiving the fines and interest.

Commissioner Masilotti informed the board that a complaint for code enforcement violations had been filed in 1996 against Mr. Bovory, a resident of the western communities. The county code enforcement staff found Mr. Bovory in non-compliance in several areas. Since then, the violations had been cleared and the violator had appeared before the board. The commissioner requested the fines against Mr. Bovory be waived because he was financially unable to comply. He said Mr. Bovory had offered to work off the fines and had made good-faith efforts but that staff was concerned about liability issues. Commissioner Masilotti suggested that it be determined that circumstances exist that would warrant waiving the fines and interest.

Responding to Commissioner Greene's inquiry, Code Enforcement Director Terry Verner said the fine currently was \$140,402.71. He said of the total, \$42,402.71 was accumulated interest. Deputy County Administrator Verdenia C. Baker added that the excessive amount had been accruing from the beginning of the violation in 1996. She said compliance was not documented until February 2000. Commissioner Masilotti noted that the fine accumulated at \$250 daily.

REGULAR AGENDA - CONTINUED

6.H.1. - CONTINUED

Commissioner Aaronson suggested the Code Enforcement Board, with the aid of the special master, be allowed to determine the outcome. He recommended that no money be taken from Mr. Borovy until his property was sold, however. He said by so doing, the board would not be setting a precedent against its procedures.

In response to Commissioner Roberts, Mr. Verner stated that staff had already stopped accumulating the fines. He said the violation was noted as having been corrected on February 3, 2000, and that the lien had been referred to the Office of Financial Management and Budget for collection purposes. He named Collections Coordinator Glenn Meeder as the collection contact.

Ms. Baker asked the board's permission for staff to work with Mr. Borovy at reaching a resolution. She said staff was aware that he was in the process of selling his home, and they would take into consideration all the factors Commissioner Masilotti outlined.

MOTION to refer the item to staff to settle rapidly. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.

Commissioner Marcus said the board was sympathetic after hearing Mr. Borovy's comments of December 2000. She said because of a similar situation with Heron Cay Bed and Breakfast establishment, to maintain the county's precedent, the motion was the better way to go.

Donald Borovy attempted to give a history of the incident, but the board advised him to share his information with Mr. Meeder when they meet.

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

ITEMS PULLED FROM CONSENT AGENDA

3.M.6.

INTERLOCAL AGREEMENT WITH INDIAN TRAIL IMPROVEMENT DISTRICT (ITID) IN AN AMOUNT NOT TO EXCEED \$100,000 TO FUND THE ITID EQUESTRIAN TRAIL SYSTEM - PHASE 1 FROM OCTOBER 1, 1999, THROUGH SEPTEMBER 30, 2001. PROJECT ELEMENTS CONSIST OF GRADING AND FILL, CULVERT EXTENSIONS, SOD, SIGNAGE, AND GUARDRAIL. POSTPONED TO 1-23-2001 -- 1-9-2001

Commissioner Masilotti informed the board that staff had indicated that issues involving this item had been resolved.

MOTION to POSTPONE the item until the January 23, 2001, meeting. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 6-0. Commissioner Newell absent.

ITEMS PULLED FROM CONSENT AGENDA - CONTINUED

3.H.1.

DOCUMENT R-2001-0131

JOB ORDER CONTRACT WORK ORDER 2000-168 WITH H.A. CONTRACTING CORPORATION FOR \$48,776.42 TO PROVIDE A COMPLETE RENOVATION OF THE BOARD OF COUNTY COMMISSION CHAMBERS (JANE M. THOMPSON MEMORIAL CHAMBERS) AT THE GOVERNMENTAL CENTER. TOTAL CONSTRUCTION DURATION IS 100 DAYS, DURING WHICH TIME THE CHAMBERS WILL BE FUNCTIONAL FOR ALL REGULARLY SCHEDULED BOARD MEETINGS. (AMENDS R-2000-0939) APPROVED 1-9-2001

Commissioner McCarty said her question regarding lighting had been answered.

MOTION to approve the work order. Motion by Commissioner McCarty and seconded by Commissioner Masilotti.

Audrey Wolf, Facilities Planning and Development director, told the board that the project entailed removing the wall-paper, painting the room, and replacing the acoustical wall panels, carpet, blinds, and audience seats. The overall color scheme would remain blue, though some earth tones would be used. As a separate project, the lighting would be upgraded for energy reasons. The upgrade would allow for some lighting changes as well as changes in paint color. She is coordinating with Channel 20 to alleviate conflicting issues. Work will be done over two two-week periods in April and May.

Commissioner McCarty said because the chambers had aged, some of the fixtures could no longer be maintained. Ms. Wolf added that 20 percent of the chairs were non-functional. To recover them would be costly and would not address the broken ones.

Commissioner McCarty suggested the lighting be made adaptable to a more television-friendly atmosphere.

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

3.I.11.

a.

RESOLUTION R-2001-0132

RESOLUTION TO AMEND A RESOLUTION RELATING TO THE 1998-1999, 1999-2000, AND 2000-2001 LOCAL HOUSING ASSISTANCE PLAN, WHICH ESTABLISHES THE FUNDING PROGRAMS AND ALLOCATION LEVELS OF THE ROBERT E. PINCHUCK MEMORIAL HOUSING TRUST FUND. (AMENDS R-2000-0620) ADOPTED WITH DIRECTION 1-9-2001

b.

REVISIONS TO THE FISCAL YEAR 2000-2001 FUNDING ALLOCATION LEVELS OF THE COMPETITIVE RENTAL PROGRAM (REFLECTING AN INCREASE FROM \$500,000 TO \$879,878) AND OF THE HARDSHIP B PROGRAM (REFLECTING AN INCREASE FROM \$3,500,000 TO \$4,000,000). THESE ARE STATE SHIP FUNDS AND REQUIRE NO MATCHING FUNDS. (SEE R-2001-0132) APPROVED WITH DIRECTION 1-9-2001

Commissioner Greene said her questions had been resolved, but Commissioner McCarty commented that the board supports home ownership while staff had been entertaining rentals. She said she was concerned.

ITEMS PULLED FROM CONSENT AGENDA - CONTINUED

3.I.11. - CONTINUED

Remar M. Harvin, director of Housing and Community Development (HCD), said although the board's direction was to emphasize single-family homes, it had not said whether that should be done exclusively. He said the Commission on Affordable Housing (CAH) thought that monies earmarked for developers who pledged to cater to low- and moderate-income multi-family dwellings would be easier to track than money provided to developers of low-income single-family homes. He said \$50,000 was transferred to the Hardship B program, bringing the total to \$4 million. The staff of the State Housing Initiative Partnership (SHIP) Program was averaging about 70 closings a month.

Commissioner Roberts said the CAH recognized that, as the county promotes a diverse job base, the need was not only for single-family homes but also for multi-family in low- and moderate-income areas. She said the CAH was responding to those needs.

Commissioner Aaronson said he previously had suggested the possibility of transforming multi-family units into condominiums or cooperatives. He said dwellers would be given the chance to own their apartments. He contended that staff had not yet responded.

Mr. Harvin said staff had looked into the possibility and was in agreement, but the program would have to be amended to incorporate the commissioner's suggestion. He said because the program was market-driven, the developer had to be convinced about buying in to the idea. Commissioner Aaronson suggested the idea be presented to developers, but Commissioner Roberts stated that the item should be assigned to the Affordable Housing Task Force.

Commissioner Greene said she had learned that some developers were not using funds to develop in blighted communities. She said the task force needed to address this issue. She said in Mangonia Park in her district there was no landscaping provided by developers of multi-family dwellings. She said multi-family dwellings located in Districts 7 and 84 were built differently from those in other areas of the county.

Deputy County Administrator Verdenia C. Baker, stated that staff had been working with the task force and with Commissioner Newell to ensure that landscaping was planted and maintained throughout the agreement period of 20 to 25 years. She shared the information that staff had teamed up with code enforcement and HCD to be certain that the functions were carried out.

Commissioner Roberts suggested the county work with the cities and offer incentives for them to work with developers. Commissioner Masilotti also commented that the board had developed standards for all multi-family developments to make the buildings desirable places in which to live. He suggested efforts be made to encourage builders to concentrate on some single bed-room units specifically designed for seniors.

ITEMS PULLED FROM CONSENT AGENDA - CONTINUED

3.I.11. - CONTINUED

In response to Commissioner Marcus, Mr. Harvin said a quorum was present when the CAH voted on this issue. Ms. Marcus informed her colleagues about her conversation with the chairman of the CAH about city programs. She said some cities with existing home ownership lacked the ability to offer incentives for upkeep and repairs. The residents should be made aware of funds that they could apply for that can be used to renovate their houses.

In response to Commissioner McCarty, Mr. Harvin said the board would determine projects to be funded. The commissioner praised a redevelopment project at the Lakes of Delray and suggested some of those standards be used for other projects as well.

Commissioner Aaronson requested staff to bring back a response to his inquiry within 90 days.

MOTION to adopt the resolution and approve revisions to the fiscal year 2000-2001 funding allocation levels and direct staff to bring back the allocation to the board before it was expended. Motion by Commissioner Masilotti, seconded by Commissioner Green, and carried 6-0. Commissioner Newell absent.

7. BOARD APPOINTMENTS

7.A. COMMUNITY SERVICES

7.A.1.

APPOINTMENT OF THE FOLLOWING PERSONS TO THE COUNTY HIV COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) COUNCIL FOR A TERM OF TWO YEARS FROM JANUARY 9, 2001, THROUGH JANUARY 8, 2003: DAVID J. BEGLEY, CHARLENE KAY BOWMAN, JAMES DENNIS GILBERT, JAMES H. HALL, MARY JANE HOLLIS, COULLIOUS IVY, COULLIOUS IVY, CYNTHIA POSEY, DOUGLAS W. RANDOLPH, KIMBERLY ROMMEL-ENRIGHT, CECIL SMITH, MARY MCDERMOTT SMITH, DESMOND A. THOMAS, SR., LUIS VAZQUEZ, AND CARALINE JEAN WEDGES. APPROVED 1-9-2001

MOTION to approve the appointments. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 6-0. Commissioner Newell absent.

7.B. PLANNING, ZONING AND BUILDING

7.B.1.

REAPPOINTMENT OF LARRY M. SEHRES TO THE BUILDING CODE ADVISORY BOARD FOR A TERM OF THREE YEARS. APPROVED 1-9-2001

MOTION to approve the reappointment. Motion by Commissioner Aaronson, seconded by Commissioner McCarty, and carried 6-0. Commissioner Newell absent.

BOARD APPOINTMENTS - CONTINUED

7.B.2.

REAPPOINTMENT OF RON DIXON AND MARC WEINER TO THE CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS FROM JANUARY 1, 2001, TO JANUARY 1, 2004. APPROVED 1-9-2001

MOTION to approve the reappointments. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson and carried 6-0. Commissioner Newell absent.

7.B.3.

APPOINTMENT OF EDWARD CURY TO THE CONSTRUCTION INDUSTRY LICENSING BOARD OF THE COUNTY FROM JANUARY 9, 2001, THROUGH SEPTEMBER 30, 2003. APPROVED 1-9-2001

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

7.C. ADMINISTRATION

7.C.1.

REAPPOINTMENT OF SUZANNE CARLSON, DON W. CHESTER, MAX DAVIS, DENNIS GALLON, PH.D., WILLIAM B. HOWDEN, JEAN MARIE MALECKI, M.D., AND WILLIAM J. WOOD; AND THE APPOINTMENT OF HAROLD M. MCLEOD III TO THE COUNTY WORKFORCE DEVELOPMENT BOARD. APPROVED 1-9-2001

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

7.D. COMMISSION DISTRICT APPOINTMENTS

7.D.1.

REAPPOINTMENT OF JOHN C. SANSBURY TO THE HOUSING FINANCE AUTHORITY. APPROVED 1-9-2001

MOTION to approve the reappointment. Motion by Commissioner McCarty, seconded by Commissioner Masilotti, and carried 6-0. Commissioner Newell absent.

8. STAFF COMMENTS

8.A. ADMINISTRATION

8.A.1.

HOMELESS PROGRAM DID NOT REQUIRE A WORKSHOP. DISCUSSED 1-9-2001

County Administrator Weisman recalled that Allen Levine addressed the board previously regarding the county homeless program. He said staff in turn provided the board with a package of information regarding the subject. Mr. Weisman noted that Mr. Levine's comments about the Broward and Palm Beach counties' programs were inaccurate and that this county was operating appropriately. Mr. Weisman inquired if the board wanted staff to schedule a workshop for further discussion on the issue.

STAFF COMMENTS - CONTINUED

8.A.1. - CONTINUED

Commissioner Roberts stated, and the board agreed, that the information provided was adequate and that the questions were answered. She said a workshop was not needed.

No backup provided.

8.B. COUNTY ATTORNEY - None

9. COMMISSIONER COMMENTS

9.A. COMMISSIONER KAREN T. MARCUS

9.A.1.

CONCERNS ABOUT HERON CAY BED AND BREAKFAST VIOLATIONS. DISCUSSED WITH DIRECTION 1-9-2001

Commissioner Marcus said she was concerned that the proprietor of Heron Cay Bed and Breakfast establishment continued to book events without making the public aware of violations. She asked the county attorney to determine action that could be taken to prevent patrons from becoming victims.

County Attorney Dytrych suggested, and the board concurred, that the issue be brought to Judge Pucillo's attention. Commissioner Marcus suggested that Ms. Dytrych also seek a way to alleviate future problems with the public. Commissioner Roberts suggested the ordinance be amended to address such issues.

No backup provided.

9.B. COMMISSIONER BURT AARONSON

9.B.1.

VOTING MACHINE SALES. DISCUSSED WITH DIRECTION 1-9-2001

Commissioner Aaronson said he was interested in the sale of the punch-card voting machines and in the revenue the county could derive.

County Administrator Weisman said he was contacted by Yahoo! and that another company had contacted various board members. He said a meeting was scheduled with Supervisor of Elections Theresa LePore to discuss the issue. A governor's committee was also making recommendations, he added, but the current machines had to be kept until replacement was certain.

Commissioner Aaronson said indications show that there should be replacement by 2002.

Commissioner McCarty said the state and federal governments were interested in helping with the costs.

Commissioner Roberts explained that by the 2002 elections, the county would have acquired a new voting system regardless of how the issue was addressed.

COMMISSIONER COMMENTS - CONTINUED

9.B.1. - CONTINUED

After a brief discussion, Commissioner Aaronson suggested that Mr. Weisman inform companies of the county's intent to sell. Commissioner Greene added that help would be easily obtained from the state if the county had some money of its own for the project.

No backup provided.

9.C. COMMISSIONER MARY MCCARTY - None

9.D. COMMISSIONER ADDIE L. GREENE - None

9.E. COMMISSIONER TONY MASILOTTI

9.E.1.

BUSINESS LOAN FUND OF THE PALM BEACHES TO HELP INITIATE NEW JOBS AND TO OFFER INCENTIVES TO SMALL BUSINESSES WAS EXCESSIVE. DISCUSSED WITH DIRECTION 1-9-2001

Commissioner Masilotti said the prevailing interest rate was up to about 14-15 percent for the business loan fund and that it was difficult for the owners of small businesses to pay those rates. He encouraged support for the owners of small businesses and asked staff to be certain the county rates remain competitive with those of other counties.

Commissioner Greene suggested Commissioner Masilotti meet with John Brown, executive director of the Business Loan Fund of the Palm Beaches.

No backup provided.

9.F. COMMISSIONER CAROL A. ROBERTS - None

9.G. COMMISSIONER WARREN H. NEWELL - None

10. ADJOURNMENT

The chair declared the meeting adjourned at 12:16 p.m.

ATTESTED:

APPROVED:

Clerk

Chair