

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR

1. **CALL TO ORDER:** February 26, 2002, at 9:36 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
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 Joseph Smith

1.B. **INVOCATION** - Commissioner Roberts

1.C. **PLEDGE OF ALLEGIANCE**

2. **AGENDA APPROVAL**

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

County Administrator Weisman noted the agenda changes as follows:

PAGE **ITEM**

16 3E-10

ADD-ON: Staff recommends motion to adopt: Resolution authorizing the County Administrator and/or his designee to execute contracts with eligible provider agencies in accordance with the HIV Emergency Relief Grant Program of the Ryan White Comprehensive AIDS Resources Act of 1996 (CARE Act), when notice of Grant Award is received. **SUMMARY:** The current Ryan White contracts expire on February 28, 2002. New contracts for services cannot be executed until the notice of Grant Award is received which is expected mid February. In order to provide continuing services to Ryan White clients, approval is requested for the County Administrator and/or his designee to execute the contracts when the notice of Grant Award is received. The contracts will be effective March 1, 2002, to insure continuity of services. This authorization is restricted to the contracts on the provider list attached to, and made a part of the Resolution. (Ryan White) Countywide (TKF) (Comm Serv)

35 5A-3

ADD-ON: Staff recommends motion to authorize: County Administrator to authorize Clark Construction to perform work and purchase materials pursuant to revised construction documents on the Convention Center project pending completion of negotiations on the Final Price Adjustment change order for the project. The cost of these changes will be included in the Final Price Adjustment or paid on a time and materials basis in the event of contract termination. **SUMMARY:** Negotiations of the final Price Adjustment change order for the project have taken longer than originally anticipated. In the interim, Clark Construction has been proceeding with the work under the contract. Changes in the work have added costs to the project. These costs will be included in the Final Price Adjustment when it is completed. However, Clark Construction is demanding written assurance that it will be paid for these changes should negotiations break down and the contract be terminated. Countywide (JM)

2.A. B **CONTINUED**

REGULAR FEBRUARY 26, 2002

ADDITIONS, DELETIONS, SUBSTITUTIONS B CONTINUED

PAGE **ITEM**
36 5B-6

REVISED TITLE & SUMMARY: Staff recommends motion to approve on preliminary reading and advertise for public hearing on March 12, 2002 at 9:30 a.m: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida amending Sections 2-181 through 2-187 of the Palm Beach County Code and Replacing Ordinance No. 79-3, as amended by Ordinances 98-53 and 01-016; providing for Title; providing for Creation of Housing Finance Authority; providing for Membership; providing for Conduct of Meetings; providing for Removal of Members; providing for Powers; providing for Contracting Authority; providing for Disclosure of Conflicts of Interest; providing for the Issuance of Bonds; providing for Rules and Regulations; providing for Severability; providing for Applicability; and providing for Effective Date. **SUMMARY:** In its Workshop session on January 29, 2002, the Board directed staff to revise this Ordinance for Board consideration. The proposed changes include a requirement that the total membership represent labor (organized or trade association); financial (banking or similar institution); commerce (business owner or business organization representation); and low income or affordable housing advocates. The declaration of need for housing is revised from housing to affordable housing. A term limit of 2 consecutive 4 year terms is proposed as well as a limit of 2 consecutive one year terms for the Chairperson. All members must file full and public disclosure of their financial interest, substantially in the form of the disclosure required of elected public officials. Other proposed provisions address additional aspects of conflict of interest/disclosures, compliance with the Florida Sunshine Law, grounds for removal of members, conduct of meetings, attendance at meetings and compliance with County purchasing policies. Countywide (TKF) (Co Atty)

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

3. **CONSENT AGENDA** - See pages 2-23.
4. **PUBLIC HEARINGS - 10:30 A.M.** - See pages 27-31.
5. **REGULAR AGENDA** - See pages 24-25, 26-27, and 32-39.
TIME CERTAIN 9:30 A.M. - 5.D.1. - See page 24.
TIME CERTAIN 2:00 P.M. - 5.L.1. - See pages 33-34.
6. **BOARD APPOINTMENTS** - See pages 39-40.
7. **STAFF COMMENTS** - See page 40.
8. **COMMISSIONER COMMENTS** - See pages 40-45.
9. **ADJOURNMENT** - See page 45.

* * * * *

3. **CONSENT AGENDA**

REGULAR FEBRUARY 26, 2002

Items 3.G.1., 3.G.2., and 3.K.1. were pulled from the consent agenda for individual discussion; see page 23.

CONSENT AGENDA B CONTINUED

3.A. ADMINISTRATION

3.A.1.

a. DOCUMENT R-2002-0196

RECEIVE AND FILE EXECUTED STANDARD DEVELOPER AGREEMENT 01-01069-000 WITH JOHN F. CHANFRON, MICHELE M. CHANFRON, DAN R. JONES, AND ELEANOR JONES. APPROVED 2-26-2002

b. DOCUMENT R-2002-0197

RECEIVE AND FILE EXECUTED STANDARD DEVELOPER AGREEMENT 01-01070-000 WITH MALLARD'S LANDING, LLC. APPROVED 2-26-2002

**3.A.2. RESOLUTION R-2002-0198
(AMENDS R-2000-0992)**

RESOLUTION AMENDING RESOLUTION R-2002-0992, SECTION 12, REMOVAL FOR LACK OF ATTENDANCE, FOR THE OVERALL ECONOMIC DEVELOPMENT PROGRAM COMMITTEE. ADOPTED 2-26-2002

3.A.3.

RECEIVE AND FILE PROOF OF PUBLICATION (NO NUMBER) OF CHANGES TO COUNTY COMMISSION DISTRICT BOUNDARIES. APPROVED 2-26-2002

3.A.4.

CHECK PAYABLE TO MARTIN COUNTY FOR \$1,000 FOR OPERATIONAL EXPENSES TOWARD THE COUNTY COALITION FOR THE RESPONSIBLE MANAGEMENT OF LAKE OKEECHOBEE, ST. LUCIE ESTUARY, CALOOSAHATCHEE ESTUARY, AND LAKE WORTH LAGOON. APPROVED 2-26-2002

3.A.5. DOCUMENT R-2002-0199

LETTER OF UNDERSTANDING TO ADDRESS THE COUNTY'S RESPONSIBILITY REGARDING THE MUNICIPAL PUBLIC SAFETY COMMUNICATIONS CONSORTIUM'S AMENDMENT TO THE COUNTY'S INTERGOVERNMENTAL RADIO COMMUNICATIONS PROGRAM. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

3.B. CLERK

3.B.1.

WARRANT LIST DATED FEBRUARY 22, 2002. APPROVED 2-26-2002

| | |
|------------------------|----------------------------|
| Computer checks | \$ 32,813,820.97 |
| Wire transfers | 14,022,391.18 |
| Manual checks | 751,468.58 |
| EFT transfers | <u>3,304,218.88</u> |
| | \$ 50,891,899.61 |

CONSENT AGENDA B CONTINUED

3.B.2.

MINUTES - None

3.B.3.

CONTRACTS AND CLAIMS SETTLEMENTS LIST SIGNED BY THE PURCHASING DIRECTOR, RISK MANAGEMENT DIRECTOR, OR TOURIST DEVELOPMENT DIRECTOR, TOTALING \$26,715,119.64:

a.

INCREASE OF TERM CONTRACT WITH 37 MANUFACTURERS TO SUPPLY CLIENT SERVER EQUIPMENT BY \$6,810,000 (FOR A NEW CONTRACT TOTAL OF \$17,708,275) AND EXTENSION OF CONTRACT FOR NINE MONTHS TO SEPTEMBER 30, 2002, PER STATE OF FLORIDA CONTRACT 250-040-99-1. APPROVED 2-26-2002

b.

TERM CONTRACT WITH DIALOGIC COMMUNICATIONS CORPORATION FOR \$118,750 FOR A CITIZEN EMERGENCY NOTIFICATION SYSTEM, INCLUDING HARDWARE, SOFTWARE, AND ONE-YEAR SUPPORT AND MAINTENANCE, FEBRUARY 26, 2002-MAY 25, 2003, PER BID SS150201. APPROVED 2-26-2002

c.

RENEWAL OF TERM CONTRACT WITH MORTON INTERNATIONAL, DBA MORTON SALT, FOR \$310,200 FOR PURCHASE AND DELIVERY OF SODIUM CHLORIDE AND GRANULAR, SOLAR SALT FOR WATER PURIFICATION PROCESS MARCH 1, 2002-FEBRUARY 28, 2003, PER BID 02-046/VMG. APPROVED 2-26-2002

d.

RENEWAL OF TERM CONTRACT WITH CONTROL TECHNOLOGIES AND WITH TEMPLE, INC., FOR \$550,000 FOR PURCHASE OF LED PEDESTRIAN TRAFFIC CONTROL SIGNALS FEBRUARY 26, 2002-FEBRUARY 25, 2003, PER BID 02-039/KM. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

e.

TERM CONTRACT WITH AMERICAN BUILDING MAINTENANCE, ASSOCIATED CLEANING, SUNSHINE CLEANING SYSTEMS, AND SUPERIOR SERVICE MANAGEMENT FOR \$6,054,617.04 FOR CUSTODIAL SERVICES FOR THE NORTHERN, SOUTHERN, AND WESTERN REGIONS AND FOR THE GOVERNMENTAL CENTER MARCH 9, 2002-MARCH 8, 2004, PER BID 02-051/SS. APPROVED 2-26-2002

f.

DOCUMENT R-2002-0200

PURCHASE ORDER WITH ADEMCO DISTRIBUTORS, INC., AKA ADI, FOR \$120,433.50 FOR PURCHASE OF OEM PARTS AND EQUIPMENT FOR COURTHOUSE SURVEILLANCE REPLACEMENT PROJECT PER PURCHASE ORDER 026CC000003. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

ITEM 3.B.3. B CONTINUED

g.

TERM CONTRACT WITH TROIKA LANDSCAPING; TROY'S LAWN SERVICE; VILA & SON LANDSCAPING; AND, BEGINNING SEPTEMBER 26, 2002, AND REPLACING NEW LOOK LAWN SERVICE, KIM'S FLORIDA GARDEN (BID 01-139/KM) FOR \$108,693 FOR LANDSCAPE MAINTENANCE FOR VARIOUS COUNTY ROAD LOCATIONS SEPTEMBER 25, 2001-SEPTEMBER 24, 2002. APPROVED 2-26-2002

h.

INCREASE OF TERM CONTRACT WITH JADE COMMUNICATIONS, INC., FOR \$1,075,000 FOR INSTALLATION, INTEGRATION, MAINTENANCE, AND SUPPORT SERVICES OF EXISTING ENTERPRISE NETWORK SYSTEMS MARCH 26, 2002-SEPTEMBER 5, 2003, PER BID 02-020/MM. APPROVED 2-26-2002

i.

RENEWAL OF TERM CONTRACT WITH SULPHURIC ACID TRADING COMPANY, INC., AKA SATCO, FOR \$510,151 FOR DELIVERY OF SULPHURIC ACID 93 PERCENT (BULK DELIVERY) TO WATER TREATMENT PLANTS 3 AND 9 FOR THE WATER PURIFICATION PROCESS MARCH 3, 2002-MARCH 2, 2003, PER BID 02-058/VMG. APPROVED 2-26-2002

j.

WORKERS' COMPENSATION SETTLEMENT WITH SHIRLEY CLARK FOR \$150,000, PER CLAIM DATED JANUARY 24, 1992. APPROVED 2-26-2002

k.

DOCUMENT R-2002-0201

TOURIST DEVELOPMENT TAX CATEGORY G 2001-02 GRANT AGREEMENT WITH STADIUM JUMPING, INC., FOR \$7,000 FOR THE 2002 WINTER EQUESTRIAN FESTIVAL JUNE 1, 2001-MARCH 10, 2002. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

I. **DOCUMENT R-2002-0202**

TOURIST DEVELOPMENT TAX CATEGORY G 2001-02 GRANT AGREEMENT WITH CROQUET FOUNDATION OF AMERICA FOR \$2,000 FOR THE 2002 GOLF/CROQUET WORLD CHAMPIONSHIP & INTERNATIONAL CROQUET FESTIVAL AUGUST 1, 2001-FEBRUARY 20, 2002. APPROVED 2-26-2002

3.C. ENGINEERING AND PUBLIC WORKS

3.C.1. RESOLUTION R-2002-0203

RESOLUTION TO ACCEPT MAINTENANCE OF LYONS ROAD FROM BOYNTON BEACH BOULEVARD TO THE LAKE WORTH DRAINAGE DISTRICT L-20 CANAL, INCLUDING THE BRIDGE OVER THE BOYNTON CANAL, APPROXIMATELY 2.04 MILES, AT AN ESTIMATED ANNUAL COST OF \$9,600. ADOPTED 2-26-2002

CONSENT AGENDA - CONTINUED

3.C.2.

a.

BLANKET APPROVAL FOR APPRAISAL AND ACQUISITION OF THE LANDS, RIGHTS-OF-WAY, AND EASEMENTS ON ALL FISCAL YEAR 2002 PROJECTS, AS IDENTIFIED IN THE FIVE-YEAR ROAD PROGRAM ANNUAL UPDATE AND ADOPTED ON DECEMBER 18, 2001. APPROVED 2-26-2002

b.

EMPLOYMENT OF ALL EXPERTS INCLUDING REAL ESTATE APPRAISERS, ENGINEERS, CERTIFIED PUBLIC ACCOUNTANTS AND BUSINESS DAMAGE EXPERTS TO APPRAISE AND ACQUIRE THE ABOVE-MENTIONED LANDS, RIGHTS-OF-WAY, AND EASEMENTS. APPROVED 2-26-2002

3.C.3.

a.

BUDGET TRANSFER 2002-0605

BUDGET TRANSFER OF \$33,398 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DESIGN AND ALIGNMENT FY 2001 TO 10TH AVENUE NORTH/MILITARY TRAIL TO CONGRESS AVENUE. APPROVED 2-26-2002

b.

DOCUMENT R-2002-0204

MENDS R-95-1671-D)

(A

SUPPLEMENTAL AGREEMENT 3 WITH CROSSROADS ENGINEERING & SURVEYING, INC., FOR \$19,198.78 TO PROVIDE ADDITIONAL PLAN PROFILE SHEETS, TYPICAL SECTIONS, TOPOGRAPHIC SURVEYS, AND RELATED ENGINEERING SERVICES FOR THE ULTIMATE INTERSECTION AT 10TH AVENUE NORTH AND KIRK ROAD. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

3.C.4. **DOCUMENT R-2002-0205**
SUBORDINATION OF UTILITY INTERESTS RECEIVED FROM FLORIDA POWER & LIGHT COMPANY FOR THE WIDENING OF THE NORTHLAKE RELIEVER BETWEEN MILITARY TRAIL AND GARDEN ROAD. APPROVED 2-26-2002

3.C.5. **RESOLUTION R-2002-0206**
RESOLUTION DECLARING THE ACQUISITION OF PROPERTIES KNOWN AS PARCELS 200, 201, 202, AND 203 FOR TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF MELALEUCA LANE FROM JOG ROAD TO HAVERHILL ROAD; TOTAL ESTIMATED VALUE \$17,705. ADOPTED 2-26-2002

3.C.6.
a. **DOCUMENT R-2002-0207**
FUNDING AGREEMENT WITH INDIAN TRAIL IMPROVEMENT DISTRICT FOR CONSTRUCTION OF ROAD SURFACING IMPROVEMENTS IN THE M2 AREA FOR AN AMOUNT UP TO \$55,000. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.C.6. B CONTINUED
b. **BUDGET TRANSFER 2002-0606**
BUDGET TRANSFER OF \$55,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 6 TO THE INDIAN TRAIL IMPROVEMENT DISTRICT FOR ROAD SURFACING IN THE M-2 AREA. APPROVED 2-26-2002

3.C.7.
a. **DOCUMENT R-2002-0208**
FUNDING AGREEMENT WITH THE TOWN OF JUPITER FOR REPLACEMENT OF THE OLD SIDEWALK ALONG NORTH OCEAN BOULEVARD/AIA FOR AN AMOUNT UP TO \$18,000. APPROVED 2-26-2002

b. **BUDGET TRANSFER 2002-0656**
BUDGET TRANSFER OF \$18,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 1 TO THE TOWN OF JUNO BEACH FOR THE SIDEWALK REPLACEMENT PROJECT ALONG NORTH OCEAN BOULEVARD/AIA. APPROVED 2-26-2002

3.C.8. DELETED

3.C.9. **DOCUMENT R-2002-0209**
(AMENDS R-2000-1737)
SUPPLEMENTAL AGREEMENT 2 WITH GREENHORNE & OMARA, INC., FOR \$168,538.34 TO COORDINATE WITH RELATED SUB-CONSULTANTS THE GATHERING OF BASE INFORMATION (SURVEY DATA, GEOTECHNICAL DATA,

REGULAR FEBRUARY 26, 2002

AND AERIALS) REQUIRED FOR THE DESIGN OF THE OKEECHOBEE BOULEVARD FROM WEST OF STATE ROAD 7 (U.S. 441) TO EAST OF JOG ROAD. APPROVED 2-26-2002

3.C.10.

- a. **DOCUMENT R-2002-0210
(AMENDS R-2000-0034)**

REVISED PUBLIC FACILITIES AGREEMENT WITH MINTO COMMUNITIES, INC., FOR FOREST HILL-WELLINGTON EAST, A 477-ACRE COMMUNITY EAST OF STATE ROAD 7 (U.S. 441) AND NORTH/SOUTH OF FOREST HILL BOULEVARD FOR IMPROVEMENTS TO ROADS IDENTIFIED IN EXHIBITS B AND C. APPROVED 2-26-2002

- b. **DOCUMENT R-2002-0211
(AMENDS R-2000-0035)**

REVISED PUBLIC FACILITIES AGREEMENT WITH MINTO COMMUNITIES, INC., FOR FOREST HILL-WELLINGTON WEST, AN 891-ACRE COMMUNITY EAST OF STATE ROAD 7 (U.S. 441) AND NORTH/SOUTH OF FOREST HILL BOULEVARD FOR IMPROVEMENTS TO ROADS IDENTIFIED IN EXHIBITS B AND C. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.C.10. B CONTINUED

- c. **DOCUMENT R-2002-0212
(AMENDS R-2000-0036)**

REVISED PUBLIC FACILITIES AGREEMENT WITH MINTO COMMUNITIES, INC., FOR FORESTHILL-WELLINGTON NORTH, A 252-ACRE COMMUNITY EAST OF STATE ROAD 7 (U.S. 441) AND NORTH/SOUTH OF FOREST HILL BOULEVARD FOR IMPROVEMENTS TO ROADS IDENTIFIED IN EXHIBITS B AND C. APPROVED 2-26-2002

- 3.C.11. DOCUMENT R-2002-0213
(AMENDS R-2001-1596)**

TASK AUTHORIZATION TO THE ANNUAL INTERSECTION IMPROVEMENTS AGREEMENT WITH LAWSON, NOBLE & WEBB, INC., FOR \$104,573.53 TO PROVIDE DESIGN AND CONSTRUCTION PLANS FOR THE FOREST HILL BOULEVARD AND JOG ROAD INTERSECTION IMPROVEMENT PROJECT. APPROVED 2-26-2002

3.C.12.

- a. **BUDGET TRANSFER 2002-0607**

BUDGET TRANSFER OF \$13,800 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 3 TO LAKE BASS CHANNEL DREDGING

REGULAR FEBRUARY 26, 2008

DISTRICT 3 FOR DREDGING OF THE CHANNEL AT ITS OUTFALL INTO LAKE OSBORNE. APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0608

BUDGET TRANSFER OF \$10,000 IN THE GENERAL FUND FROM COUNTYWIDE IMPROVEMENTS TO LAKE BASS CHANNEL DREDGING-DISTRICT 3 FOR DREDGING OF THE CHANNEL AT ITS OUTFALL INTO LAKE OSBORNE. APPROVED 2-26-2002

3.C.13.

a. BUDGET TRANSFER 2002-0609

BUDGET TRANSFER OF \$60,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 3 TO PALM ISLES DRIVE TRAFFIC SIGNAL-DISTRICT 3 FOR A TRAFFIC SIGNAL AT BOYNTON BEACH BOULEVARD AND PALM ISLES DRIVE. APPROVED 2-26-2002

b. BUDGET AMENDMENT 2002-0667

BUDGET AMENDMENT OF \$60,000 IN THE TRANSPORTATION IMPROVEMENT FUND FOR THE PALM ISLES DRIVE TRAFFIC SIGNAL DISTRICT 5 PROJECT FOR A TRAFFIC SIGNAL AT BOYNTON BEACH BOULEVARD AND PALM ISLES DRIVE. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

**3.C.14. DOCUMENT R-2002-0214
(AMENDS R-2001-0832)**

CHANGE ORDER 5 FOR \$37,680, TOGETHER WITH A FOUR-DAY TIME EXTENSION, TO THE CONTRACT WITH B & B PROPERTIES, INC., FOR ASPHALT OVERBUILD FOR CONSTRUCTION OF THE INTERSECTION OF CLINT MOORE ROAD AND BROKEN SOUND PARKWAY, WHICH IS PART OF THE CLINT MOORE ROAD FROM MILITARY TRAIL TO CONGRESS AVENUE PROJECT. APPROVED 2-26-2002

3.C.15. BUDGET AMENDMENT 2002-0610

BUDGET AMENDMENT OF \$48,278 IN THE TRANSPORTATION IMPROVEMENT FUND TO RECOGNIZE CONTRIBUTIONS FOR THE LYONS ROAD FROM MELROSE PARK TO LAKE WORTH DRAINAGE DISTRICT L-19 CANAL PROJECT. APPROVED 2-26-2002

3.C.16. RESOLUTION R-2002-0215

RESOLUTION VACATING CERTAIN UTILITY EASEMENTS WITHIN COLONY PARK PLANNED UNIT DEVELOPMENT LOCATED 400 FEET EAST OF BENOIST

REGULAR FEBRUARY 26, 2002

FARMS ROAD ON THE NORTH SIDE OF BELVEDERE ROAD. ADOPTED 2-26-2002

3.C.17.

ACCEPT A WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT FROM LAKE SIDE ASSOCIATES AND APPROVE PAYMENT OF \$85,000 FOR PARCELS 104, 105, 304, AND 205 REQUIRED FOR CONSTRUCTION AND IMPROVEMENT OF THE NORTHLAKE RELIEVER FROM MILITARY TRAIL TO GARDEN ROAD. APPROVED 2-26-2002

3.C.18.

DOCUMENT R-2002-0216

CONTRACT WITH WEEKLEY ASPHALT PAVING, INC., FOR \$389,601.50 FOR CONSTRUCTION OF BLUE HERON BOULEVARD AND CONGRESS AVENUE INTERSECTION IMPROVEMENTS. APPROVED 2-26-2002

3.C.19.

a.

DOCUMENT R-2002-0217

CONTRACT WITH RANGER CONSTRUCTION INDUSTRIES, INC., FOR \$1,277,538.75 FOR CONSTRUCTION OF SUMMIT BOULEVARD AND HAVERHILL ROAD INTERSECTION IMPROVEMENTS. APPROVED 2-26-2002

b.

BUDGET AMENDMENT 2002-0644

BUDGET AMENDMENT OF \$5,378 IN THE ROAD IMPACT FEE ZONE 2 FUND TO RECOGNIZE UTILITY RELOCATION REIMBURSEMENTS FOR THE CONSTRUCTION OF SUMMIT BOULEVARD AND HARVERHILL ROAD INTERSECTION IMPROVEMENTS. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.C.20.

BUDGET TRANSFER 2002-0641

BUDGET TRANSFER OF \$133,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 7 TO PATHWAY PROJECT FOR MINER ROAD FOR CONSTRUCTION OF AN ASPHALT PATHWAY ON THE NORTH SIDE OF MINER ROAD FROM FEDERAL HIGHWAY TO 100 FEET WEST OF OCEAN PARKWAY. APPROVED 2-26-2002

3.C.21.

a.

DOCUMENT R-2002-0218

FUNDING AGREEMENT WITH THE CITY OF PAHOKEE FOR \$70,000 FOR CONSTRUCTION OF WATER PLANT IMPROVEMENTS. APPROVED 2-26-2002

b.

BUDGET TRANSFER 2002-0611

BUDGET TRANSFER OF \$70,000 IN THE CAPITAL OUTLAY FUND FROM BROWNS FARM ROAD TO PAHOKEE/WATER PLANT IMPROVEMENTS DISTRICT 6. APPROVED 2-26-2002

c. BUDGET TRANSFER 2002-0612

BUDGET TRANSFER OF \$70,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 6 TO BROWNS FARM ROAD PAVING. APPROVED 2-26-2002

3.C.22. RESOLUTION R-2002-0219

RESOLUTION DECLARING THE ACQUISITION OF PARCELS 134A, 139A, AND 140A IN FEE SIMPLE FOR THE RIGHT-OF-WAY NECESSARY FOR CONSTRUCTION OF HAGEN RANCH ROAD FROM WEST ATLANTIC AVENUE TO LAKE IDA ROAD; TOTAL ESTIMATED APPRAISED VALUES, \$12,000. APPROVED 2-26-2002

3.C.23. BUDGET TRANSFER 2002-0717

BUDGET TRANSFER OF \$3,500 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 6 IMPROVEMENTS TO THE FRONTIER ELEMENTARY SCHOOL STRIPING PROJECT FOR THE FOLLOWING INTERSECTIONS: (1) ORANGE BOULEVARD AND 180TH AVENUE; AND (2) TANGERINE BOULEVARD AND MANDARIN AVENUE. APPROVED 2-26-2002

3.D. COUNTY ATTORNEY - None

CONSENT AGENDA B CONTINUED

3.E. COMMUNITY SERVICES

**3.E.1. DOCUMENT R-2002-0220
(AMENDS R-2001-1018)**

AMENDMENT 2 TO THE CONTRACT WITH THE DEPARTMENT OF CHILDREN AND FAMILIES FOR A GRANT-IN-AID PROGRAM TO: (1) INCREASE BY \$13,599 TO AN AMOUNT NOT TO EXCEED \$68,530 (TO SERVE A MINIMUM OF 85 HOUSEHOLDS); AND (2) REVISE EXHIBIT B (TO IDENTIFY ADDITIONAL WAGES OPTIONS), FOR JULY 1, 2001-JUNE 30, 2002. THE GRANT PROVIDES FOR RENT/MORTGAGE, UTILITY ASSISTANCE, FOOD, OR CLOTHING TO HOUSEHOLDS AT RISK OF BECOMING HOMELESS. A REQUIRED 25 PERCENT MATCH IS MET THROUGH IN-KIND CONTRIBUTIONS. APPROVED 2-26-2002

3.E.2. DOCUMENT R-2002-0221

REGULAR FEBRUARY 26, 2002

CONTRACT WITH AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC., IN AN AMOUNT NOT TO EXCEED \$25,519 TO SPONSOR THE RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP) FOR JANUARY 1 SEPTEMBER 30, 2002. THE UNITED WAY WILL DISCONTINUE ITS RSVP CONTRACT WITH THE COUNTY DECEMBER 31, 2001. APPROVED 2-26-2002

3.E.3.

**a. DOCUMENT R-2002-0222
(AMENDS R-2001-1136)**

AMENDMENT 2 TO CONTRACT IC011-1 WITH AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC., FOR THE COMMUNITY CARE FOR THE ELDERLY PROGRAM, DECREASING THE CONTRACT AMOUNT BY \$129,716.55 TO \$909,868.45. THE REDUCED FUNDS WERE TRANSFERRED TO THE MEDICAID SPENDING AUTHORITY. APPROVED 2-26-2002

**b. DOCUMENT R-2002-0223
(AMENDS R-2001-1137)**

AMENDMENT 1 TO CONTRACT IH011-1 WITH AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC., FOR THE HOME CARE FOR THE ELDERLY PROGRAM, DECREASING THE CONTRACT AMOUNT BY \$64,654.33 TO \$283,559.67. THE REDUCED FUNDS WERE TRANSFERRED TO THE MEDICAID SPENDING AUTHORITY. APPROVED 2-26-2002

**3.E.4. DOCUMENT R-2002-0224
(AMENDS R-2000-1632)**

RATIFICATION OF CHAIR'S SIGNATURE ON AMENDMENT 2 TO U.S. DEPARTMENT OF AGRICULTURE MASTER AGREEMENT IU 011-1 WITH THE AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC., FOR THE CONGREGATE AND HOME DELIVERED MEALS PROGRAM, DECREASING THE NUMBER OF UNITS FROM 476,474 TO 460,965 AND INCREASING THE MAXIMUM REIMBURSEMENT FROM \$257,487 TO \$278,223 FOR OCTOBER 1, 2000-SEPTEMBER 30, 2001. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

**3.E.5. DOCUMENT R-2002-0225
(AMENDS R-2001-1135)**

AMENDMENT 2 TO MEDICAID WAIVER SPENDING AUTHORITY CONTRACT IS011-1 WITH THE AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC., TO INCREASE HOME AND COMMUNITY-BASED MEDICAID WAIVER SPENDING AUTHORITY BY \$1,074,869 FOR A NEW TOTAL OF \$2,989,907 FOR SENIOR SERVICES AND TO AMEND ATTACHMENT 1, SECTION 4, PARAGRAPH 1A (ASSESSMENT AND PRIORITIZATION FOR SERVICE DELIVERY TO NEW CONSUMERS), TO INCLUDE NEW PRIORITY CRITERIA FOR SERVICE DELIVERY FOR JULY 1, 2001-SEPTEMBER 30, 2002. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

3.E.6.

**DOCUMENT R-2002-0226
(AMENDS R-2001-0635)**

AMENDMENT 2 TO CONTRACT WITH HAITIAN CENTER FOR FAMILY SERVICES, INC., UNDER THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT, TO INCREASE THE BUDGET FOR CASE MANAGEMENT SERVICES BY \$50,000 FOR A NEW TOTAL OF \$269,706 AND INCREASE THE NUMBER OF UNITS OF SERVICE TO 5,704.5 FOR MARCH 1, 2001-FEBRUARY 28, 2002

3.E.7.

DOCUMENT R-2002-0227

GRANT AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR PHASE 20 OF THE EMERGENCY FOOD AND SHELTER PROGRAM TO PROVIDE SHELTER TO HOMELESS PERSONS IN A NOT-TO-EXCEED AMOUNT OF \$80,000 FOR JANUARY 1-DECEMBER 31, 2002. NO COUNTY FUNDS REQUIRED. APPROVED 2-26-2002

3.E.8.

a.

DOCUMENT R-2002-0228

MASTER AGREEMENT M002-1 WITH AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC., PROVIDING FOR SENIOR SERVICES. APPROVED 2-26-2002

b.

DOCUMENT R-2002-0229

STANDARD CONTRACT A002-1 WITH AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC., PROVIDING FOR FEDERAL FUNDS UP TO \$1,914,336 FOR JANUARY 1-DECEMBER 31, 2002. (COUNTY CONTRIBUTION AN ADDITIONAL \$941,047.) APPROVED 2-26-2002

3.E.9.

a.

**DOCUMENT R-2002-0230
(AMENDS R-2001-0635)**

AMENDMENT 3 TO THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT CONTRACT WITH HAITIAN CENTER FOR FAMILY SERVICES, INC., TO INCREASE CASE MANAGEMENT BY \$70,000 FOR A NEW TOTAL NOT TO EXCEED \$339,706. NO COUNTY FUNDS REQUIRED. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

ITEM 3.E.9. B CONTINUED

b.

**DOCUMENT R-2002-0231
(AMENDS R-2001-0640)**

AMENDMENT 2 TO THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT CONTRACT WITH PALM BEACH COUNTY HEALTH CARE DISTRICT TO DECREASE DRUGS-LOCAL SUPPLEMENT BY \$105,000 FOR A NEW TOTAL NOT TO EXCEED \$623,430. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

**c. DOCUMENT R-2002-0232
(AMENDS R-2001-0631)**

AMENDMENT 3 TO THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT CONTRACT WITH COMPREHENSIVE AIDS PROGRAM OF PALM BEACH COUNTY, INC., TO INCREASE CASE MANAGEMENT BY \$105,000 FOR A TOTAL NOT TO EXCEED \$2,364,098. NO COUNTY FUNDS REQUIRED. APPROVED 2-26-2002

**d. DOCUMENT R-2002-0233
(AMENDS R-2001-0647)**

AMENDMENT 1 TO THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT CONTRACT WITH COMPREHENSIVE ALCOHOLISM REHABILITATION PROGRAM, INC., TO DECREASE SUBSTANCE ABUSE/RESIDENTIAL BY \$10,000 AND TO DECREASE SUBSTANCE ABUSE/OUTPATIENT BY \$12,000 FOR A NEW TOTAL NOT TO EXCEED \$109,719. APPROVED 2-26-2002

**e. DOCUMENT R-2002-0234
(AMENDS R-2001-0641)**

AMENDMENT 1 TO THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT CONTRACT WITH CARE RESOURCE TO DECREASE CLINICAL TRIALS OUTREACH/COORDINATION BY \$56,000 FOR A NEW TOTAL NOT TO EXCEED \$54,806. APPROVED 2-26-2002

**f. DOCUMENT R-2002-0235
(AMENDS R-2001-0642)**

AMENDMENT 2 TO THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT CONTRACT WITH ST. GEORGE CENTER, INC., TO DECREASE TREATMENT EDUCATION BY \$12,000 FOR A NEW TOTAL NOT TO EXCEED \$109,651. APPROVED 2-26-2002

**g. DOCUMENT R-2002-0236
(AMENDS R-2001-0632)**

AMENDMENT 2 TO THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT CONTRACT WITH PALM BEACH COUNTY HEALTH DEPARTMENT TO INCREASE AMBULATORY OUTPATIENT/ PRIMARY MEDICAL SERVICES BY \$20,000 FOR A NEW TOTAL NOT TO EXCEED \$1,387,048. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.E.10. RESOLUTION R-2002-0237

RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR AND/OR HIS DESIGNEE TO EXECUTE CONTRACTS WITH PROVIDER AGENCIES IN ACCORDANCE WITH THE HIV EMERGENCY RELIEF GRANT PROGRAM OF THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT WHEN NOTICE OF GRANT AWARD IS RECEIVED. ADOPTED 2-26-2002

3.F. AIRPORTS

3.F.1. DOCUMENT R-2002-0238

(AMENDS R-2001-0194)

AMENDMENT 1 TO THE GENERAL AIRPORT PLANNING AND DESIGN CONTRACT WITH PBS&J, INC., FOR \$397,000 FOR PROJECTS OUTLINED IN THE GENERAL SCOPE OF SERVICES. APPROVED 2-26-2002

3.F.2.

a.

DOCUMENT R-2002-0239

AGREEMENT TO PURCHASE THE PROPERTY DESIGNATED AS PARCEL W-129, LOCATED AT 4566 WALLIS ROAD, WEST PALM BEACH, FROM IXORA PROPERTY MANAGEMENT, INC., FOR A SALES PRICE OF \$87,000 AND NO REPLACEMENT HOUSING COST FOR THE PALM BEACH INTERNATIONAL AIRPORT (PBIA) PART 150 NOISE COMPATIBILITY STUDY. THE PARCEL IS LOCATED WEST OF RUNWAY 9A AT PBIA. APPROVED 2-26-2002

b.

DOCUMENT R-2002-0240

AGREEMENT TO PURCHASE THE PROPERTY DESIGNATED AS PARCEL W-194, LOCATED AT 234 ANITA COURT, WEST PALM BEACH, FROM ILIANA RAMOS AND ANGEL VAZQUEZ (AKA ANGEL V. SANTIAGO) FOR A SALES PRICE OF \$110,000 AND A REPLACEMENT HOUSING COST OF \$19,000 FOR THE PALM BEACH INTERNATIONAL AIRPORT (PBIA) PART 150 NOISE COMPATIBILITY STUDY. THE PARCEL IS LOCATED WEST OF RUNWAY 9A AT PBIA. APPROVED 2-26-2002

3.F.3.

PAYMENT OF \$10,000 TO THE CITY OF ATLANTIS TO HELP DEFRAY THE COST OF THE CONGRESS AVENUE BEAUTIFICATION PROJECT (MEDIANS ON CONGRESS AVENUE ADJACENT PALM BEACH COUNTY PARK AIRPORT [LANTANA]). APPROVED 2-26-2002

3.F.4.

PREPAYMENT OF FINGERPRINTING SERVICES AS REQUIRED BY THE AVIATION SECURITY CLEARINGHOUSE. THE SERVICES ARE MANDATED BY THE FEDERAL AVIATION ADMINISTRATION (FAA) AND WILL BE PERFORMED BY THE FEDERAL BUREAU OF INVESTIGATION (FBI). EACH SET OF FINGERPRINTS WILL BE CHARGED \$31 FOR FBI AND CLEARINGHOUSE PROCESSING FEES, MADE PAYABLE TO THE CLEARINGHOUSE. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

3.G.1. See page 25.

3.G.2. See page 25.

3.G.3.

COMMISSION STAFF BONUS PPM BCC-F-006, WHICH GOVERNS THE PROCEDURE FOR CALCULATING FISCAL YEAREND COMMISSION STAFF BONUSES IN ACCORDANCE WITH SECTION 125.01(1)(BB), FLORIDA STATUTES. APPROVED 2-26-2002

3.G.4.

a. **DOCUMENT R-2002-0241**
EVOKES R-2000-1299) (R)

CANCELLATION OF AGREEMENT WITH LAURA MOUNT, PROPERTY OWNER, AND ALL AIR CONDITIONED SELF STORAGE, INC., SUBSEQUENT PROPERTY OWNER, WHICH HAD APPROVED A SETTLEMENT OF \$25,000 FOR SATISFACTION OF A CODE ENFORCEMENT LIEN ENTERED AGAINST PROPERTY LOCATED AT 2745 LAKE WORTH ROAD. APPROVED 2-26-2002

b.

FULL RELEASE OF THE CODE ENFORCEMENT LIEN THAT WAS PLACED AGAINST LAURA MOUNT FOR A CODE VIOLATION ON PROPERTY LOCATED AT 2745 LAKE WORTH ROAD. APPROVED 2-26-2002

3.G.5.

NEGOTIATED SETTLEMENT OFFER IN THE AMOUNT OF \$8,000 FOR FULL SATISFACTION OF A CODE ENFORCEMENT LIEN THAT WAS ENTERED AGAINST CATHERINE WERNER FOR FAILURE TO OBTAIN A FINAL INSPECTION AND CERTIFICATE OF COMPLETION ON THE INSTALLATION OF A NEW WATER HEATER. THE ACCUMULATED FINES, INTEREST, AND BOARD COSTS THROUGH NOVEMBER 15, 2001, THE MONTH IN WHICH SETTLEMENT DISCUSSIONS BEGAN, TOTALED \$48,028.29, OF WHICH MS. WERNER HAS AGREED TO PAY \$8,000.00 FOR FULL SETTLEMENT OF THE LIEN. APPROVED 2-26-2002

3.G.6.

NEGOTIATED SETTLEMENT OFFER IN THE AMOUNT OF \$7,500 FOR FULL SATISFACTION OF A CODE ENFORCEMENT LIEN THAT WAS ENTERED AGAINST CHARLES W. MCCARROLL AND MARION MCCARROLL FOR OPEN STORAGE OF TRASH, DEBRIS, AND BUILDING MATERIALS; THE ENCLOSURE OF A SCREENED ROOM ADDITION WITHOUT PROPER PERMITS AND INSPECTIONS, INCLUDING ELECTRICAL SERVICE INSTALLATION; AND THE CONSTRUCTION OF A POOL AND FENCE WITHOUT AN ACTIVE PERMIT. THE CORRECTIONS WERE MADE BY BANK OF AMERICA, MORTGAGOR. THE ACCUMULATED FINES, INTEREST, AND BOARD COSTS THROUGH OCTOBER 1, 2001, TOTALED \$29,030.80, OF WHICH THE MCCARROLLS HAVE AGREED TO PAY \$7,500.00 FOR FULL SETTLEMENT OF THE LIEN. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

REGULAR FEBRUARY 26, 2002

3.G.7.

RECORDING OF THE FISCAL YEAR 2001 RETIREMENT OF TANGIBLE PERSONAL PROPERTY IN THE OFFICIAL MINUTES OF THE BOARD OF COUNTY COMMISSIONERS MEETING AS PRESCRIBED BY CHAPTER 274, FLORIDA STATUTES. DISPOSAL, RETIREMENT, AND RECONCILIATION ADJUSTMENTS TOTAL \$35,374,691.05, INCLUDING 165 ITEMS UNACCOUNTED FOR BUT NOT WRITTEN OFF IN FISCAL YEAR 2001, AMOUNTING TO \$274,867.77 (DEPRECIATED VALUE OF \$13,787.38). APPROVED 2-26-2002

3.H. FACILITIES DEVELOPMENT AND OPERATIONS - None

3.I. HOUSING AND COMMUNITY DEVELOPMENT

**3.I.1. DOCUMENT R-2002-0242
(AMENDS R-2000-0384)**

AMENDMENT 2 TO AN AGREEMENT WITH THE CITY OF BELLE GLADE, EXTENDING THE EXPIRATION DATE FROM DECEMBER 31, 2001, TO APRIL 30, 2002, FOR THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$500,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR PHASE I SITE IMPROVEMENTS OF A 50-ACRE BUSINESS PARK IN THE CITY. NO LOCAL MATCH REQUIRED. APPROVED 2-26-2002

3.I.2.

RELOCATION BENEFIT IN THE AMOUNT OF \$40,350 AND DEMOLITION PAYMENT IN THE AMOUNT OF \$5,000 FOR LOIS JOHNSON OF SOUTH BAY. NO LOCAL MATCH REQUIRED. APPROVED 2-26-2002

3.I.3.

RECEIVE AND FILE SUMMARY OF DELEGATED FUNDING AWARDS MADE TO PROPERTY OWNERS FOR REHABILITATION PROJECTS TOTALING \$176,164, AND APPROVED OCTOBER 1-DECEMBER 31, 2001. APPROVED 2-26-2002

3.I.4. DOCUMENT R-2002-0243

AGREEMENT WITH SICKLE CELL FOUNDATION OF PALM BEACH COUNTY, INC., TO PROVIDE UP TO \$40,425 UNDER THE FISCAL YEAR 2001-02 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR DECEMBER 12, 2001-SEPTEMBER 30, 2002. THE FUNDS WILL BE USED TO ESTABLISH A PERMANENT PRESENCE IN THE LAKE REGION AND PROVIDE PUBLIC CASE MANAGEMENT SERVICES. NO LOCAL MATCH REQUIRED. APPROVED 2-26-2002

**3.I.5. DOCUMENT R-2002-0244 (A)
MENDS R-2001-2184)**

AMENDMENT 1 TO A LOAN AGREEMENT WITH IN THE PINES, INC., TO CORRECT THE LEGAL DESCRIPTION AND TO EXTEND THE LOAN CLOSING TO APRIL 1, 2002. THE AGREEMENT IS FOR THE REHABILITATION OF 40 AFFORDABLE HOUSING UNITS TO BE MADE AVAILABLE TO MIGRANT HOUSEHOLDS. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

CONSENT AGENDA B CONTINUED

3.I.6.

DOCUMENT R-2002-0245

AGREEMENT WITH BARRY A. FRANKEL AND ASSOCIATES, P.A., FOR \$50,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO PURCHASE OPTOMETRIC EQUIPMENT FOR THE EXPANSION OF THE COMPANY'S BUSINESS OPERATION IN BOYNTON BEACH DECEMBER 18, 2001-SEPTEMBER 30, 2002. NO LOCAL MATCH REQUIRED. APPROVED 2-26-2002

3.J. PLANNING, ZONING AND BUILDING

3.J.1.

a.

RESOLUTION R-2002-0246

RESOLUTION ASSESSING COSTS FOR ABATEMENT OF NUISANCE AGAINST SAMUEL VANDERBUILT OF CANAL POINT. ADOPTED 2-26-2002

b.

RESOLUTION R-2002-0247

RESOLUTION ASSESSING COSTS FOR ABATEMENT OF NUISANCE AGAINST SANTIAGO MARTINEZ AND ANNE J. MARTINEZ OF LAKE WORTH. ADOPTED 2-26-2002

3.K. WATER UTILITIES

3.K.1. See page 23.

3.K.2. DOCUMENT R-2002-0248

(AMENDS R-99-0833-D)

AUTHORIZATION 13 TO A CONTRACT WITH HAZEN AND SAWYER, P.C., FOR CONSTRUCTION ADMINISTRATION AND MISCELLANEOUS DESIGN SERVICES FOR THE NORTHERN REGION OPERATIONS CENTER TO BE CONSTRUCTED ON THE EAST SIDE OF THE FLORIDA TURNPIKE ON THE SOUTH SIDE OF FOREST HILL BOULEVARD IN THE AMOUNT OF \$259,988. APPROVED 2-26-2002

3.K.3. DOCUMENT R-2002-0249

(AMENDS R-2001-0120)

SUPPLEMENT 4 TO WORK AUTHORIZATION 4 FOR FOSTER MARINE CONTRACTORS, INC., FOR THE ROYAL PALM ESTATES SUBDIVISION WATER MAIN EXTENSION, DECREASING THE CONTRACT PRICE BY \$29,337.62, FOR A NEW CONTRACT AMOUNT OF \$1,585,007.19, WITH NO CHANGE IN CONTRACT TIME. THE SUPPLEMENT AUTHORIZES UPGRADES TO THE WATER SERVICE CONTROL VALVES RESULTING FROM REVISIONS TO THE WATER UTILITIES DEPARTMENT'S CONSTRUCTION STANDARDS AND PROVIDES FOR A FINAL ADJUSTMENT OF CONTRACT QUANTITIES TO MATCH THE ACTUAL QUANTITIES INSTALLED ON THE PROJECT. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.K.4. DOCUMENT R-2002-0250

PARTIAL RELEASE OF UTILITY EASEMENT ON LAND OWNED BY SECURITY FIRST STORAGE ENTERPRISES, INC., NECESSARY BECAUSE A PORTION OF THE EASEMENT OVERLAPS A LAKE WORTH DRAINAGE DISTRICT EASEMENT. APPROVED 2-26-2002

3.L. ENVIRONMENTAL RESOURCES MANAGEMENT

3.L.1. DOCUMENT R-2002-0251

AGREEMENT FOR PURCHASE AND SALE WITH MELISSA V. PHILLIPS, PERSONAL REPRESENTATIVE FOR THE ESTATE OF DONALD PHILLIPS, SR., AND VIRGINIA PHILLIPS, FOR \$5,578 TO PURCHASE ONE 1.31-ACRE PARCEL OF LAND IN UNIT 11, USING MITIGATION FUNDS. APPROVED 2-26-2002

**3.L.2. DOCUMENT R-2002-0252
(AMENDS R-2000-0178)**

AMENDMENT 1 TO A CONTRACT WITH MORGAN & EKLUND, INC., EXTENDING THE CONTRACT FROM JANUARY 31, 2002, TO JANUARY 31, 2003. AUTHORIZATIONS ARE ON A TASK ORDER BASIS. APPROVED 2-26-2002

3.L.3. BUDGET TRANSFER 2002-0625

BUDGET TRANSFER OF \$60,000 IN THE \$75 MILLION GENERAL OBLIGATION CONSERVATION LAND 2001 BOND FUND FROM RESERVES TO A NEW CYPRESS CREEK PROJECT ACCOUNT TO COVER THE COSTS FOR A STUDY OF POTENTIAL SITE DEVELOPMENT, STAFF ANALYSIS OF THE STUDY'S IMPACT ON THE TRACT'S APPRAISED VALUE, AND ADDITIONAL STAFF TIME TO REVIEW AND ADMINISTER THE STUDY AND TO REVIEW AND POTENTIALLY ADJUST THE COUNTY'S CURRENT TRACT APPRAISALS. APPROVED 2-26-2002

3.L.4.

a. BUDGET TRANSFER 2002-0655

BUDGET TRANSFER OF \$51,000 IN THE \$75 MILLION GENERAL OBLIGATION CONSERVATION LAND 2001 BOND FUND FROM RESERVES TO THE SOLID WASTE AUTHORITY BUFFER PROJECT TO COVER INCREASED COSTS FOR THE ACQUISITION OF FOUR ADDITIONAL ACRES. APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0654

BUDGET TRANSFER OF \$19,000 IN THE \$75 MILLION GENERAL OBLIGATION CONSERVATION LAND 1999 BOND FUND FROM RESERVES TO THE JUPITER RIDGE PROJECT TO COVER INCREASED COSTS FOR STAFF TIME NEEDED

REGULAR FEBRUARY 26, 2002

FOR ONGOING NEGOTIATIONS TO ACQUIRE FOUR ADDITIONAL ACRES.
APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.L.4. B CONTINUED

c. BUDGET TRANSFER 2002-0653

BUDGET TRANSFER OF \$243,000 IN THE \$50 MILLION ENVIRONMENTALLY SENSITIVE LANDS 94 ACQUISITION FUND FROM RESERVES TO FRENCHMANS FOREST, JUNO DUNES, AND YAMATO SCRUB PROJECT ACCOUNTS, FOR INCREASED FENCING COSTS FOR FRENCHMANS FOREST NATURAL AREA AND INCREASED CONSTRUCTION, RESTORATION, AND ENHANCEMENT FOR JUNO DUNES AND YAMATO SCRUB NATURAL AREAS. APPROVED 2-26-2002

3.L.5. DOCUMENT R-2002-0253

CONCEPTUAL APPROVAL AGREEMENT WITH FLORIDA COMMUNITIES TRUST FOR USE OF FLORIDA FOREVER REVENUE BOND PROCEEDS AS A GRANT AWARD FOR THE REIMBURSEMENT OF PROJECT COSTS EXPENDED FOR ACQUISITION OF THE ACREAGE PINES NATURAL AREA AND SITE RESTRICTIONS IMPOSED SUBSEQUENT TO RECEIPT OF THE GRANT. THE MAXIMUM THAT CAN BE AWARDED UNDER THE GRANT IS THE LESSER OF 50 PERCENT OF THE TOTAL PROJECT COSTS OF \$462,576. THE COUNTY ADMINISTRATOR OR HIS DESIGNEE IS HEREBY AUTHORIZED TO SIGN ANY TIME EXTENSIONS. APPROVED 2-26-2002

3.L.6. DOCUMENT R-2002-0254

CONCEPTUAL APPROVAL AGREEMENT WITH FLORIDA COMMUNITIES TRUST AND THE TOWN OF HYPOLUXO FOR USE OF FLORIDA FOREVER REVENUE BOND PROCEEDS AS A GRANT AWARD FOR THE REIMBURSEMENT OF PROJECT COSTS EXPENDED FOR ACQUISITION OF THE OVERLOOK SCRUB NATURAL AREA AND SITE RESTRICTIONS IMPOSED SUBSEQUENT TO RECEIPT OF THE GRANT. THE MAXIMUM THAT CAN BE AWARDED UNDER THE GRANT IS THE LESSER OF 40 PERCENT OF THE TOTAL PROJECT COSTS OF \$1,711,770. THE COUNTY ADMINISTRATOR OR HIS DESIGNEE IS HEREBY AUTHORIZED TO SIGN ANY TIME EXTENSIONS. APPROVED 2-26-2002

3.M. PARKS AND RECREATION

3.M.1.

a. DOCUMENT R-2002-0255

AGREEMENT WITH THE PALM BEACH COUNTY SPORTS INSTITUTE, INC., FOR FUNDING, NOT TO EXCEED \$50,000, OF SPORTS INSTITUTE YOUTH PROGRAMS OCTOBER 1, 2001-SEPTEMBER 30, 2002. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

b. BUDGET TRANSFER 2002-0640

BUDGET TRANSFER OF \$50,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 1 TO SPORTS INSTITUTE/YOUTH PROGRAMS. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.M.2.

a. DOCUMENT R-2002-0256

AGREEMENT WITH PALM BEACH COMMUNITY COLLEGE FOR FUNDING, NOT TO EXCEED \$9,600, OF CANOES AND ACCESSORIES FOR ENVIRONMENTAL EDUCATION PROGRAMS FEBRUARY 26, 2002-FEBRUARY 25, 2003. APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0639

BUDGET TRANSFER OF \$9,600 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 3 TO PALM BEACH COMMUNITY COLLEGE/ CANOES. APPROVED 2-26-2002

3.M.3.

a. DOCUMENT R-2002-0257

AGREEMENT WITH THE JUVENILE TRANSITION CENTER, FOR FUNDING, NOT TO EXCEED \$25,000, OF THE ESTEEM PROGRAM RECREATION COMPONENT OCTOBER 1, 2001-JUNE 30, 2002. APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0638

BUDGET TRANSFER OF \$25,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO JUVENILE TRANSITION CENTER/ESTEEM PROGRAM RECREATION COMPONENT. APPROVED 2-26-2002

3.M.4.

a. DOCUMENT R-2002-0258

AGREEMENT WITH ROOT CULTURAL FESTIVAL II, INC., FOR FUNDING, NOT TO EXCEED \$16,000, OF SPECIAL EVENTS JUNE 1, 2001-JUNE 30, 2002. APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0637

BUDGET TRANSFER OF \$16,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO ROOT CULTURAL FESTIVAL/EVENTS. APPROVED 2-26-2002

3.M.5.

REGULAR FEBRUARY 26, 2002

a. **DOCUMENT R-2002-0259**

AGREEMENT WITH CITY OF BOYNTON BEACH FOR FUNDING, NOT TO EXCEED \$15,000, OF BOYNTON BEACH HERITAGEFEST 2002 NOVEMBER 15, 2001-AUGUST 25, 2002. APPROVED 2-26-2002

b. **BUDGET TRANSFER 2002-0636**

BUDGET TRANSFER OF \$15,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO BOYNTON BEACH/HERITAGEFEST. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.N. **LIBRARY** - None

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

3.Q. **CRIMINAL JUSTICE COMMISSION**

3.Q.1.

a. **BUDGET TRANSFER 2002-0615**

BUDGET TRANSFER OF \$239,988 IN THE DRUG ABUSE TRUST FUND FROM CONTINGENCY RESERVES TO GENERAL FUND FOR THE DRUG COURT-S TREATMENT COMPONENT ADMINISTERED BY THE SHERIFFS OFFICE THROUGH THE SUBSTANCE ABUSE AWARENESS PROGRAM. APPROVED 2-26-2002

b. **BUDGET AMENDMENT 2002-0614**

BUDGET AMENDMENT OF \$239,988 IN THE GENERAL FUND FOR THE DRUG COURT-S TREATMENT COMPONENT ADMINISTERED BY THE SHERIFFS OFFICE THROUGH THE SUBSTANCE ABUSE AWARENESS PROGRAM. APPROVED 2-26-2002

c. **BUDGET AMENDMENT 2002-0613**

BUDGET AMENDMENT OF \$239,988 IN THE SHERIFFS GRANT FUND FOR THE DRUG COURT-S TREATMENT COMPONENT ADMINISTERED BY THE SHERIFFS OFFICE THROUGH THE SUBSTANCE ABUSE AWARENESS PROGRAM. APPROVED 2-26-2002

3.Q.2. **DOCUMENT R-2002-0260**

GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT IN THE AMOUNT OF \$39,007 IN FEDERAL BYRNE GRANT FUNDS FOR THE LAKE WORTH HIGH SCHOOL AND BELLE GLADE CENTRAL HIGH SCHOOL CRIMINAL JUSTICE ACADEMIES OCTOBER 1, 2001-SEPTEMBER 30, 2002. AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE ALL NECESSARY FORMS AND DOCUMENTS. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

3.Q.3.

RESOLUTION R-2002-0261

RESOLUTION APPROVING THE SUBMITTAL OF FOUR PROPOSALS TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR THE DRUG CONTROL AND SYSTEM IMPROVEMENT GRANT PROGRAM, FOR APRIL 1-SEPTEMBER 30, 2002, TOTALING \$200,000 IN FEDERAL FUNDS AS FOLLOWS: (1) PALM BEACH COUNTY/WORKFORCE DEVELOPMENT BOARD FOR THE REBUILD PROJECT FOR \$41,333 (FEDERAL, \$31,000; MATCH, \$10,333); (2) CITY OF BOCA RATON FOR THE WEAPONS AGAINST MASS DESTRUCTION PROJECT FOR \$99,753 (FEDERAL, \$74,815; MATCH, \$24,938); (3) CITY OF RIVIERA BEACH FOR THE CIVIL DRUG COURT PROJECT FOR \$59,740 (FEDERAL, \$44,805; MATCH, \$14,935); AND (4) CITY OF WEST PALM BEACH FOR THE RADAR PROJECT FOR \$65,841 (FEDERAL, \$49,380; MATCH, \$16,461). AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE ALL NECESSARY FORMS AND DOCUMENTS. ADOPTED 2-26-2002

CONSENT AGENDA B CONTINUED

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 INFORMATION OFFICE - None

3.X. PUBLIC SAFETY - None

3.Y. PURCHASING - None

3.Z. RISK MANAGEMENT - None

3.AA. PALM TRAN

3.AA.1.

TRANSFER OF COUNTY ASSET G1454, A SURPLUS 30-FOOT PALM TRAN BUS, TO THE SHERIFF-S OFFICE. APPROVED 2-26-2002

3.BB. COURT ADMINISTRATION

3.BB.1. BUDGET AMENDMENT 2002-0592

BUDGET AMENDMENT OF \$17,129 IN THE GENERAL FUND TO RECOGNIZE A DONATION FROM FOSTER CARE CITIZEN REVIEW OF PALM BEACH COUNTY, INC., TO THE 15TH JUDICIAL CIRCUIT-S GUARDIAN AD LITEM PROGRAM. APPROVED 2-26-2002

3.CC. SHERIFF

REGULAR FEBRUARY 26, 2002

3.CC.1. BUDGET AMENDMENT 2002-0620

BUDGET AMENDMENT OF \$238,851 IN THE GENERAL FUND FOR THE CONTRACT WITH THE SHERIFFS OFFICE TO PATROL CONSERVATION LANDS AND NATURAL AREAS IN FISCAL YEAR 2002 OF THE DECEMBER 1, 2001-SEPTEMBER 30, 2004, CONTRACT PERIOD. APPROVED 2-26-2002

3.CC.2.

a. DOCUMENT R-2002-0262

GRANT WITH FLORIDA DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY FOR \$100,200 FOR THE SHERIFFS OFFICE DUI ENFORCEMENT JANUARY 15-SEPTEMBER 30, 2002. APPROVED 2-26-2002

b. BUDGET AMENDMENT 2002-0657

BUDGET AMENDMENT OF \$100,200 INCREASING THE SHERIFFS GRANT FUND FOR DUI ENFORCEMENT JANUARY 15-SEPTEMBER 30, 2002. APPROVED 2-26-2002

CONSENT AGENDA B CONTINUED

3.CC.3. BUDGET AMENDMENT 2002-0647

BUDGET AMENDMENT OF \$10,000 IN THE SHERIFFS GRANT FUND TO RECOGNIZE THE SHERIFFS PORTION OF THE OKEECHOBEE DIKE EVACUATION PLAN ADMINISTERED BY THE COUNTY DEPARTMENT OF PUBLIC SAFETY, EMERGENCY MANAGEMENT DIVISION. APPROVED 2-26-2002

3.DD. TOURIST DEVELOPMENT COUNCIL

3.DD.1. DOCUMENT R-2002-0263

AGREEMENT WITH THE PALM BEACH COUNTY HOTEL/MOTEL ASSOCIATION FOR \$25,000 TO PROVIDE EDUCATIONAL AND TRAINING SERVICES NEEDED TO ASSIST THE TOURIST DEVELOPMENT COUNCIL IN CARRYING OUT ITS HOSPITALITY WORKFORCE PROGRAM OBJECTIVE DECEMBER 1, 2001-SEPTEMBER 30, 2002. APPROVED 2-26-2002

3.DD.2. DOCUMENT R-2002-0264

AGREEMENT WITH PALM BEACH INTERNATIONAL FILM FESTIVAL, INC., FOR \$54,000 TO MARKET, PUBLICIZE, AND COORDINATE WITH THE 2002 PALM BEACH INTERNATIONAL FILM FESTIVAL JANUARY 1-MAY 31, 2002. APPROVED 2-26-2002

MOTION to approve the consent agenda as amended. Motion by Commissioner Marcus, seconded by Commissioner Roberts, and carried 7-0.

ITEMS PULLED FROM CONSENT AGENDA

3.G.1. See page 25.

REGULAR FEBRUARY 26, 2002

3.G.2. See pages 25-26.

3.K.1. **DOCUMENT R-2002-0277**

AGREEMENT WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR THE 2001-2002 ALTERNATE WATER SUPPLY FUNDING PROGRAM, PROVIDING FOR A \$300,000 COOPERATIVE COST-SHARING GRANT TO PARTIALLY FUND THE EXTENSION OF RECLAIMED WATER TRANSMISSION MAINS ALONG HAGEN RANCH ROAD. THE BALANCE OF AN ESTIMATED TOTAL PROJECT COST OF \$1,286,347 WILL BE FUNDED THROUGH THE WATER UTILITIES DEPARTMENT CAPITAL IMPROVEMENT PROGRAM.

Patrick Gleason, governing board member of South Florida Water Management District (SFWMD), presented a ceremonial check for \$300,000 to the board as part of the grants program. He congratulated the board on the county's participation in the annual competition for outstanding water conservation projects. The county's reuse project proposal extended the reuse pipeline about 1.7 miles into its mandatory reuse zone in central county, which will bring six million gallons of reclaimed water a day to the central area. A brief discussion on the McMurrin property ensued.

(CLERK-S NOTE: The motion to approve this item was made later in the meeting; see page 32.)

5. REGULAR AGENDA

5.D. EMPLOYEE RELATIONS AND PERSONNEL

TIME CERTAIN 9:30 A.M.

5.D.1.

PRESENTATION OF ANNUAL SERVICE AWARDS TO 407 COUNTY EMPLOYEES WITH 15, 20, 25, 30, 35, AND 40 YEARS OF SERVICE. PRESENTED 2-26-2002

(CLERK-S NOTE: Commissioner Masilotti left the meeting)

5.A. ADMINISTRATION

5.A.1.

a. DOCUMENT R-2002-0265

ACCEPTANCE OF A \$100,000 GRANT AWARD FROM THE FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION TOWARD COMPLETION OF THE PLANNING ASSISTANCE BUSINESS MITIGATION PROJECT. APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0623

BUDGET TRANSFER OF \$100,000 IN THE GENERAL FUND FROM CONTINGENCY RESERVES TO THE PLANNING ASSISTANCE BUSINESS MITIGATION PROJECT FOR THE REQUIRED LOCAL MATCH. APPROVED 2-26-2002

c. BUDGET AMENDMENT 2002-0624

REGULAR FEBRUARY 26, 2002

BUDGET AMENDMENT OF \$200,000 IN THE EMERGENCY MANAGEMENT GRANT FUND TO ESTABLISH THE GRANT BUDGET FOR THE PLANNING ASSISTANCE BUSINESS MITIGATION PROJECT. APPROVED 2-26-2002

d. DOCUMENT R-2002-0266

AGREEMENT WITH ALAN CAMPBELL, NOT TO EXCEED \$88,400, TO PROVIDE RESEARCH AND CONSULTING SERVICES IN SUPPORT OF THE PLANNING ASSISTANCE BUSINESS MITIGATION PROJECT. THE CONTRACT BEGINS MARCH 1, 2002, AND ENDS WITH COMPLETION OF THE FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION GRANT. (SEE R-2002-0265.) APPROVED 2-26-2002

e.

AUTHORIZATION OF THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO APPROVE FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION GRANT MODIFICATIONS WITH NO FISCAL IMPACT AND TO APPROVE OTHER PROJECT-RELATED SERVICE CONTRACTS CONSISTENT WITH THE SCOPE OF THE WORK STATEMENT FOR THE PLANNING ASSISTANCE BUSINESS MITIGATION PROJECT. APPROVED 2-26-2002

MOTION to approve the item. Approved by Commissioner McCarty, seconded by Commissioner Marcus, and carried 6-0. Commissioner Masilotti absent.

REGULAR AGENDA B CONTINUED

5.A.2. RESOLUTION R-2002-0267

RESOLUTION SUPPORTING U.S. SENATE BILL 556, KNOWN AS THE CLEAN POWER ACT. ADOPTED 2-26-2002

MOTION to adopt the resolution. Motion by Commissioner Roberts, seconded by Commissioner Greene, and carried 6-0. Commissioner Masilotti absent.

5.A.3.

AUTHORIZATION OF THE COUNTY ADMINISTRATOR TO AUTHORIZE CLARK CONSTRUCTION TO PERFORM WORK AND PURCHASE MATERIALS PURSUANT TO REVISED CONSTRUCTION DOCUMENTS ON THE CONVENTION CENTER PROJECT PENDING COMPLETION OF NEGOTIATIONS ON THE FINAL PRICE ADJUSTMENT CHANGE ORDER FOR THE PROJECT. THE COST OF THESE CHANGES WILL BE INCLUDED IN THE FINAL PRICE ADJUSTMENT OR PAID ON A TIME AND MATERIALS BASIS IN THE EVENT OF CONTRACT TERMINATION. APPROVED 2-26-2002

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

ITEMS PULLED FROM CONSENT AGENDA - CONTINUED

(CLERK-S NOTE: Items 3.G.1. and 3.G.2. were considered together.)

3.G.1.

REGULAR FEBRUARY 26, 2002

a. **DOCUMENT R-2002-0268**

MEMORANDUM OF AGREEMENT WITH THE FLORIDA DIVISION OF ELECTIONS PROVIDING FOR THE DISBURSEMENT OF \$446,366.40 TO BE USED FOR VOTER EDUCATION AND POLL WORKER RECRUITMENT AND TRAINING FOR THE 2002 ELECTION CYCLE. APPROVED 2-26-2002

b. **BUDGET AMENDMENT 2002-0632**

BUDGET AMENDMENT IN THE SUPERVISOR OF ELECTIONS FUND TO RECOGNIZE \$446,367 IN FLORIDA DIVISION OF ELECTIONS GRANT PROCEEDS. APPROVED 2-26-2002

3.G.2.

a. **DOCUMENT R-2002-0269**

MEMORANDUM OF AGREEMENT WITH THE FLORIDA DIVISION OF ELECTIONS PROVIDING FOR THE DISBURSEMENT OF \$1,991,250 TO BE USED FOR VOTING SYSTEMS ASSISTANCE. APPROVED 2-26-2002

b. **BUDGET AMENDMENT 2002-0633**

BUDGET AMENDMENT IN THE SUPERVISOR OF ELECTIONS FUND TO RECOGNIZE \$1,991,250 IN FLORIDA DIVISION OF ELECTIONS GRANT PROCEEDS. APPROVED 2-26-2002

ITEMS PULLED FROM CONSENT AGENDA - CONTINUED

3.G.2. B CONTINUED

c. **BUDGET TRANSFER 2002-0634**

BUDGET TRANSFER IN THE \$14 MILLION SUNSHINE VOTING MACHINE DEBT SERVICE FUND TO RECOGNIZE \$1,991,250 IN FUNDING FROM THE SUPERVISOR OF ELECTIONS FUND. APPROVED 2-26-2002

Commissioner Aaronson disclosed that the county could be shortchanged approximately \$991,000 as funding for a second year state allocation for the county's new voting equipment had not yet been appropriated. He said it was time for the board to express its displeasure over the matter and have the county's lobbyists working on it. Supervisor of Elections Theresa LePore noted that the allocation funding affects all counties in the state.

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

MOTION to ask Ms. LePore to request that her lobbyist contact state legislators about the \$991,000 shortfall, ask Commissioner Newell to write or telephone the county's lobbyist to do the same, and ask Commissioner Marcus to request the Florida Association of Counties to pursue the matter and to request that other counties write their legislators expressing their displeasure. Motion by Commissioner Aaronson and seconded by Commissioner Roberts.

REGULAR FEBRUARY 26, 2002

The board recommended municipal involvement as well. Commissioner Newell asked Assistant County Administrator Brad Merriman to see to the necessary paperwork and telephone calls with the Palm Beach County League of Cities.

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

MOTION to approve item 3.G.1. Motion by Commissioner Roberts, seconded by Commissioner Masilotti, and carried 7-0.

MOTION to approve item 3.G.2. Motion by Commissioner Roberts, seconded by Commissioner Masilotti, and carried 7-0.

REGULAR AGENDA - CONTINUED

5.B. COUNTY ATTORNEY

5.B.1. RESOLUTION R-2002-0270

RESOLUTION APPROVING THE ISSUANCE OF NOT EXCEEDING \$2,000,000 HOUSING FINANCE AUTHORITY TAX EXEMPT MULTIFAMILY HOUSING REVENUE BONDS (AZALEA PLACE APARTMENTS PROJECT). NEITHER THE TAXING POWER NOR THE FAITH AND CREDIT OF THE COUNTY, NOR ANY OF THE COUNTY FUNDS SHALL BE PLEDGED TO PAY PRINCIPAL OR REDEMPTION PREMIUMS, IF ANY, OR INTEREST ON THE BONDS. ADOPTED 2-26-2002

MOTION to adopt the resolution. Motion by Commissioner Roberts, seconded by Commissioner Marcus, and carried 7-0.

REGULAR AGENDA B CONTINUED

5.B.2. RESOLUTION R-2002-0271

RESOLUTION APPROVING THE ISSUANCE OF NOT EXCEEDING \$19,270,000 HOUSING FINANCE AUTHORITY TAX EXEMPT MULTIFAMILY HOUSING REVENUE BONDS (INDIAN TRACE APARTMENTS PROJECT). NEITHER THE TAXING POWER NOR THE FAITH AND CREDIT OF THE COUNTY, NOR ANY OF THE COUNTY FUNDS SHALL BE PLEDGED TO PAY PRINCIPAL OR REDEMPTION PREMIUMS, IF ANY, OR INTEREST ON THE BONDS. ADOPTED 2-26-2002

MOTION to adopt the resolution. Motion by Commissioner Roberts, seconded by Commissioner Greene, and carried 7-0.

5.B.3.

APPROVE ON PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON APRIL 16, 2002, AT 9:30 A.M., AN ORDINANCE AMENDING ORDINANCE 83-10; AMENDING PROVISIONS GOVERNING THE FIXED MONTHLY AUTOMOBILE ALLOWANCE PAYABLE TO ELIGIBLE MEMBERS AND EMPLOYEES OF THE BOARD OF COUNTY COMMISSIONERS. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

MOTION to approve the ordinance on preliminary reading and to advertise it for public hearing on April 16, 2002, at 9:30 a.m. Motion by Commissioner Roberts, seconded by Commissioner Masilotti, and carried 7-0.

5.B.4. RESOLUTION R-2002-0272

RESOLUTION AMENDING SECTION 305.08, SETTLEMENT OF CLAIMS AGAINST THE COUNTY, OF THE COUNTY'S ADMINISTRATIVE CODE, TO EXPAND THE AUTHORITY GRANTED TO THE COUNTY ADMINISTRATOR TO RESOLVE CLAIMS WHOSE VALUE IS \$50,000 OR LESS TO INCLUDE CLAIMS BY THE COUNTY AS WELL AS CLAIMS AGAINST THE COUNTY. THE CONCURRENCE OF THE COUNTY ATTORNEY MUST BE OBTAINED FOR SUCH CLAIMS TO BE SETTLED BY THE COUNTY ADMINISTRATOR UNDER THE AUTHORITY GRANTED IN THIS SECTION. ADOPTED 2-26-2002

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

4. PUBLIC HEARINGS

MOTION to receive and file proofs of publication 380609, 380623, 6043640, 6044471, and 6069096. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 7-0.

4.A.

a. RESOLUTION R-2002-0273

RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT PROCESS TO HERBERTZ ROAD (LAKE WORTH ROAD SOUTH TO DEAD END) PAVING AND DRAINAGE PROJECT UNDER THE MUNICIPAL SERVICE TAXING UNIT (MSTU) DISTRICT C STREET IMPROVEMENT PROGRAM. (P.O.P. 6069096) ADOPTED WITH DIRECTION 2-26-2002

PUBLIC HEARINGS B CONTINUED

b. BUDGET TRANSFER 2002-0650

BUDGET TRANSFER OF \$21,924 IN THE CAPITAL OUTLAY FUND FROM THE COUNTYWIDE COMMUNITY REVITALIZATION TEAM (CCRT) ENGINEERING LAKE WORTH CORRIDOR PROJECTS TO HERNDEN PARK SUBDIVISION MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR THE HERBERTZ ROAD PROJECT. (P.O.P. 6069096) APPROVED 2-26-2002

c. BUDGET TRANSFER 2002-0651

BUDGET TRANSFER OF \$59,937 IN THE MUNICIPAL SERVICE TAXING UNIT (MSTU) DISTRICT C FUND FROM RESERVES TO HERNDEN PARK SUBDIVISION MSTU FOR THE HERBERTZ ROAD PROJECT. (P.O.P. 6069096) APPROVED 2-26-2002

d. BUDGET TRANSFER 2002-0652

BUDGET TRANSFER OF \$11,331 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 3 TO HERNDEN PARK SUBDIVISION

REGULAR FEBRUARY 26, 2002

MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR THE HERBERTZ ROAD PROJECT. (P.O.P. 6069096) APPROVED 2-26-2002

e. **DOCUMENT R-2002-0274
(AMENDS R-2001-1824)**

CHANGE ORDER 1 TO CONTRACT WITH WYNN & SONS ENVIRONMENTAL CONSTRUCTION COMPANY, INC., FOR HERNDEN PARK SUBDIVISION (UNRECORDED) PAVING AND DRAINAGE PROJECT 97136, WHICH ADDS TO THE PROJECT ALL THE ITEMS ASSOCIATED WITH THE HERBERTZ ROAD STREET IMPROVEMENT PROJECT. (P.O.P. 6069096) APPROVED 2-26-2002

PUBLIC COMMENT: None

MOTION to approve item 4.A. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.

Commissioner Newell asked staff to provide the board with an update on all the roads that have been done in the last few years on this Countywide Community Revitalization Team (CCRT) project.

4.B.

RESOLUTION ABANDONING A PORTION OF THE UNIMPROVED 30-FOOT RIGHT-OF-WAY IN PALM BEACH FARMS PLAT 3 LOCATED NORTH OF BELVEDERE ROAD AND EAST OF BENOIST FARMS ROAD. (P.O.P. 6044471) CONTINUED TO MARCH 12, 2002, at 9:30 A.M. DISCUSSED WITH DIRECTION 2-26-2002

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

Staff explained that the abandonment was required for the approval of the Colony Park planned unit development (PUD) but that the adjacent property owner, Palm Beach Apartments, Ltd., opposed the abandonment.

PUBLIC HEARINGS B CONTINUED

4.B. B CONTINUED

Commissioner Roberts expressed concern that the abandonment would keep residents in the area of Lake Susan Drive from having ingress or egress.

PUBLIC COMMENT:

Jeffrey Bartel, representing Palm Beach Apartments, Ltd., part of the Summer Creek PUD, claimed the abandonment was illegal without the consent of all abutting property owners as well as for other procedural reasons. He presented three documents to the board regarding the abandonment.

MOTION to receive and file documents. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.

REGULAR FEBRUARY 26, 2002

Also objecting to the abandonment were Craig Bachove and Terry Brennon, representing the Arbor Apartments, on the grounds that the abandonment could negatively impact access to the property.

Robert A. Bentz, representing Colony Park, said the abandonment would not affect the project as long as it received its certificates of occupancy.

SUBSTITUTE MOTION to POSTPONE the item to April 16, 2002, at 9:30 a.m. Motion by Commissioner Marcus and seconded by Commissioner Masilotti.

Planning Building and Zoning Executive Director Barbara Alterman noted that the Colony Park certificates of occupancy were currently contingent on the abandonment.

STAFF WAS DIRECTED TO:

Work with Colony Park representatives to help modify the abandonment as a condition, to further investigate the matter, and bring it back at a regular board meeting.

AMENDED MOTION to POSTPONE the item to March 12, 2002, at 9:30 a.m. The maker and seconder agreed. Upon call for a vote, the motion carried 7-0.

4.C. RESOLUTION R-2002-0275

RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT PROCESS FOR THE MARTIN AVENUE WATER MAIN EXTENSION. INDIVIDUAL ASSESSMENTS ARE BASED ON 100 PERCENT OF THE ASSESSABLE COST AND MAY BE PAID OVER 20 YEARS WITH EQUAL ANNUAL PAYMENTS OF PRINCIPAL AND 6.5 PERCENT INTEREST. THE TOTAL PROJECT COST IS \$67,645.76, AND INCLUDES THE COSTS OF SURVEYING, DESIGN, DRAFTING, PERMITTING, CONSTRUCTION, INSPECTION, ADMINISTRATION, AND CONSTRUCTION CONTINGENCY. (P.O.P. 380609) ADOPTED 2-26-2002

PUBLIC COMMENT: None

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

PUBLIC HEARINGS B CONTINUED

4.D.

a. BUDGET AMENDMENT 2002-0621

BUDGET AMENDMENT OF \$4,248,102 IN THE GENERAL FUND TO ADJUST THE BALANCE BROUGHT FORWARD FROM THE PREVIOUS FISCAL YEAR AND INCREASE THE SHERIFF-S FISCAL YEAR 2002 BUDGET. (P.O.P. 380623) APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0622

REGULAR FEBRUARY 26, 2002

BUDGET TRANSFER OF \$1,500,000 FROM RESERVE FOR PALM BEACH COUNTY SHERIFFS OFFICE (PBSO)-EXCESS FEES TO THE SHERIFFS FISCAL YEAR 2002 BUDGET. (P.O.P. 380623) APPROVED 2-26-2002

PUBLIC COMMENT: None

MOTION to approve item 4.D. Motion by Commissioner Aaronson, seconded by Commissioner Masilotti, and carried 7-0.

Commissioner Newell expressed concern over the amount of the money that was not used that could have been appropriated earlier for other purposes. He also directed staff to determine the status of federal revenue sharing funds that had been granted under Sheriff Neumann but apparently never had been spent.

4.E. ORDINANCE 2002-003 (A)

MENDS ORDINANCE 93-5)

ORDINANCE AMENDING CHAPTER 26, ARTICLE III, DIVISION 2 OF THE COUNTY CODE (ORDINANCE 93-5) RELATING TO THE MUNICIPAL SERVICE BENEFIT UNIT (MSBU) FOR FIRE HYDRANT MAINTENANCE AND RENTAL - BOCA RATON AND TO THE MSBU FOR FIRE HYDRANT MAINTENANCE AND RENTAL - RIVIERA BEACH; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING THAT THE SPECIAL ASSESSMENT SHALL NOT BE SEPARATELY ACCESSED AGAINST CERTAIN COMMON AREAS AND COMMON ELEMENTS WITHIN CERTAIN ASSOCIATION COMMUNITIES; AND CLARIFYING CERTAIN PUBLIC HEARING REQUIREMENTS. (P.O.P. 6044471) ADOPTED 2-26-2002

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

4.F. ORDINANCE 2002-004 (AMENDS ORDINANCE 89-17; REPEALS ORDINANCE 2001-050)

ORDINANCE AMENDING THE 1989 COMPREHENSIVE PLAN (ORDINANCE 8917) AND REPEALING ORDINANCE 2001-050, WHICH AMENDED THE TRANSPORTATION ELEMENT (ADDING LANGUAGE IN POLICY 1.2D, ALLOWING A LOWER TRAFFIC LEVEL OF SERVICE FOR A SEGMENT OF STATE ROAD 7 [U.S. 441] IN ORDER TO FACILITATE CONSTRUCTION OF A HIGH SCHOOL); AND AMENDING ALL ELEMENTS AS NECESSARY. (P.O.P. 6043640) ADOPTED 2-26-2002

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

PUBLIC HEARINGS B CONTINUED

4.G. a. RESOLUTION R-2002-0276

RESOLUTION DETERMINING NEED TO STRENGTHEN FLORIDA BUILDING CODE 2001 EDITION BASED ON REVIEW OF LOCAL CONDITIONS AND FISCAL IMPACT. ADOPTED WITH DIRECTION 2-26-2002

REGULAR FEBRUARY 26, 2002

**b. ORDINANCE 2002-005
(REPEALS ORDINANCE 99-009)**

ORDINANCE REPEALING ORDINANCE 99-9, COUNTY AMENDMENTS TO THE STANDARD BUILDING, GAS AND MECHANICAL CODES, 1997 EDITION, AND SECOND AMENDMENTS TO THE STANDARD PLUMBING CODE, 1994 EDITION; AND ADOPTING COUNTY AMENDMENTS TO THE FLORIDA BUILDING CODE, 2001 EDITION. (P.O.P. 6044471) ADOPTED WITH DIRECTION 2-26-2002

Staff explained that the state legislature had mandated a statewide Florida Building Code, which allows local governments to adopt certain amendments. Staff recommended adoption of the county amendments developed by the county Building Code Advisory Board (BCAB) as the statewide code goes into effect March 1.

Discussion included:

- c Concern that the new code could weaken the existing county electrical code. Staff conceded the possibility, since some amendments to the county code were eliminated and any amendments the county might add to the code now would have to be justified by local conditions.
- c Concern that the new code could compromise the safety of county residents, particularly in the areas of electrical and windstorm standards.
- c Concern that lessened standards could cause insurance premiums to rise.

PUBLIC COMMENT:

Speaking in favor of the code changes were Don Johnson, Robert Lecky, who read a letter of support from the City of West Palm Beach, and Len Tylka.

(CLERK-S NOTE: Commissioner Newell left the meeting.)

MOTION to adopt the resolution and ordinance, to be brought back before the board within six months to consider additional amendments, and directing staff to explore the possibility of a lawsuit challenging the Florida Building Code. Motion by Commissioner Aaronson, seconded by Commissioner Greene, and carried 6-0. Commissioner Newell absent.

RECESS

At 12:05 p.m., the chair declared a recess.

RECONVENE

At 2:05 p.m., the board reconvened with Commissioners Aaronson, Greene, McCarty, Marcus, and Newell present.

REGULAR FEBRUARY 26, 2002

ITEMS PULLED FROM THE CONSENT AGENDA B CONTINUED

(CLERK-S NOTE: For earlier discussion of the following item, see page 23.)

3.K.1. DOCUMENT R-2002-0277

AGREEMENT WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR THE 2001-2002 ALTERNATE WATER SUPPLY FUNDING PROGRAM, PROVIDING FOR A \$300,000 COOPERATIVE COST-SHARING GRANT TO PARTIALLY FUND THE EXTENSION OF RECLAIMED WATER TRANSMISSION MAINS ALONG HAGEN RANCH ROAD. THE BALANCE OF AN ESTIMATED TOTAL PROJECT COST OF \$1,286,347 WILL BE FUNDED THROUGH THE WATER UTILITIES DEPARTMENT CAPITAL IMPROVEMENT PROGRAM. APPROVED 2-26-2002

MOTION to approve the agreement. Motion by Commissioner McCarty, seconded by Commissioner Greene, and carried 5-0. Commissioners Masilotti and Roberts absent.

REGULAR AGENDA - CONTINUED

5.B.5.

a. DOCUMENT R-2002-0278

AGREEMENT WITH WHELAN, DEMAIO & KISZKIEL, P.A., FOR LEGAL SERVICES, PURSUANT TO WHICH DAVID M. DEMAIO WILL REPRESENT THE INTEREST OF THE COUNTY, MAURICE ROSENSTOCK, AND DANIEL HYNDMAN IN THE CASE OF JAMES MCCARTY V. PALM BEACH COUNTY ET AL., CASE CA 01-13485AO, AT THE RATE OF \$165, AN HOUR, IN AN AMOUNT NOT TO EXCEED \$130,000, AND COSTS NOT TO EXCEED \$25,000. APPROVED 2-26-2002

b. BUDGET TRANSFER 2002-0710

BUDGET TRANSFER OF \$155,000 IN THE GENERAL FUND FROM CONTINGENCY TO FUND THE AGREEMENT WITH WHELAN, DEMAIO & KISZKIEL, P.A., FOR LEGAL SERVICES IN THE MATTER OF JAMES MCCARTHY V. PALM BEACH COUNTY ET AL., CASE 01-13485AO. APPROVED 2-26-2002

MOTION to approve the agreement and budget transfer. Motion by Commissioner Marcus, seconded by Commissioner Greene, and carried 5-0. Commissioners Masilotti and Roberts absent.

(CLERK-S NOTE: Commissioner Masilotti joined the meeting.)

REGULAR AGENDA B CONTINUED

5.L. PLANNING, ZONING AND BUILDING

REGULAR FEBRUARY 26, 2002

(CLERK-S NOTE: Commissioner Roberts joined the meeting.)

TIME CERTAIN 2:00 P.M.

5.L.1.

a.

RECEIVE AND FILE THE GLADES TOWN HALL MEETINGS PROJECT REPORT.
APPROVED 2-26-2002

b.

APPROVE THE TOP THREE PRIORITIES (REGIONAL WATER TREATMENT PLANT, ECONOMIC DEVELOPMENT, AND COMMUNITY CENTERS) FOR THE GLADES TIER, AND DIRECT STAFF TO DEVELOP A CONCEPTUAL CAPITAL PLAN CONTINGENT ON THE AVAILABILITY OF FUNDING. APPROVED WITH DIRECTION 2-26-2002

Staff explained that the Glades Town Hall Meeting Project Report was the result of a mutual effort between the county and the Glades Community Development Corporation (GCDC). Town hall meetings in Belle Glade, Pahokee and South Bay helped identify community needs and priorities.

Discussion included:

- c An expression of thanks from Commissioner Masilotti to those involved in the town hall meetings and in developing the report. He stressed the importance of the priorities developed through it.
- c That both Glades and county officials needed to be aggressive in marketing the area for business and tourism.
- c That the Glades area was being promoted as the Lake Region for tourism purposes. GCDC officials said they expected input from area residents to decide on a preferred name for the area.
- c A contention by Commissioner McCarty that the county needs to use legal means to rectify water quality problems in the area caused by the Everglades restoration project.

STAFF WAS DIRECTED TO:

- c Begin a study for a Glades area water plant. Commissioner Masilotti said that the South Florida Water Management District had agreed to provide 50 percent of the study cost. County Administrator Weisman said that paperwork for the water project remained to be completed, but the matter would come back to the board on a consent agenda.

MOTION to receive and file the project report, approve the top three priorities, and direct staff to develop the conceptual capital plan and prepare it for the agenda in near future. Motion by Commissioner Masilotti and seconded by Commissioner Greene.

REGULAR FEBRUARY 26, 2002

REGULAR AGENDA B CONTINUED

ITEM 5.L.1. B CONTINUED

PUBLIC COMMENT:

Richard Harris, Cynthia Laramore and Dennis White urged support for upgraded water facilities in the Glades area.

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

5.B.6.

APPROVE ON PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON MARCH 12, 2002, AT 9:30 A.M., AN ORDINANCE AMENDING SECTIONS 2-181 THROUGH 2-187 OF THE COUNTY CODE AND REPLACING ORDINANCE 79-3, AS AMENDED BY ORDINANCES 98-53 AND 2001-016, PROVIDING FOR CREATION OF THE HOUSING FINANCE AUTHORITY (HFA). ABOLISHED HFA WITH COUNTY TO ASSUME ITS RESPONSIBILITIES, ACTIONS, AND DUTIES WITH DIRECTION [ORDINANCE TO BE PREPARED] 2-26-2002

The board held a lengthy discussion on changing the Housing Finance Authority ordinance, focusing largely on requirements for members of the Housing Finance Authority and other county boards in general.

Commissioner Marcus asked about previous board discussion regarding a prohibition of family members serving on the same board and if such a policy should apply to all county boards. Commissioners Aaronson and Roberts asked if financial disclosure should be required for all county boards.

Commissioner Marcus said she had a way to solve all these problems and that was by doing away with the authority.

MOTION to abolish the Housing Finance Authority board and have the county apply for HFA housing allocation dollars. Motion by Commissioner Marcus and seconded by Commissioner McCarty.

Commissioner Roberts contended that some people on the board wanted to get rid of low-income housing in Palm Beach County and that she would never vote for that. She said she was concerned that the county would receive a lesser allocation if the board did away with the HFA.

Staff disclosed, however, that the county could apply directly for the HFA allocation and applicants could apply for funds directly through the county.

REGULAR AGENDA B CONTINUED

5.B.6. B CONTINUED

Commissioner Aaronson said he was unwilling to take on another board. He said he felt there was another way to keep the board and make it more responsible to the county.

SUBSTITUTE MOTION to keep the Housing Finance Authority, with a county attorney to serve as its attorney, for the county internal auditor to serve as its auditor and for the executive director to continue as a county employee while adhering to other statutory guidelines. Motion by Commissioner Aaronson and seconded by Commissioner Roberts.

AMENDED MOTION to include allowing no immediate family members to serve on any one board. The maker agreed.

SECOND WITHDRAWN.

Commissioner Roberts speculated that people might not marry for fear of being ousted from a board.

SECOND TO MOTION by Commissioner Greene.

Commissioner Masilotti observed that the issue was the result of the inappropriate action of one HFA board member and he said he hoped the board would not have to revisit the issue.

After consulting with staff, Commissioner Newell stressed that there would be no difference in the allocation the county would receive whether it was administered under the Housing Finance Authority or the county.

UPON CALL FOR A VOTE, the motion FAILED 2-5. Commissioners McCarty, Marcus, Masilotti, Newell, and Roberts opposed.

MOTION to abolish the Housing Finance Authority and have the county assume its responsibilities, actions, and duties. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-2. Commissioners Masilotti and Roberts opposed.

Commissioner Newell stated that staff would need to come back with a new ordinance in accordance with the board's action.

5.C. ENGINEERING AND PUBLIC WORKS

5.C.1.

a.

STREET LIGHTING SCHEDULE FOR 2001-2002. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

b.

(1) **RESOLUTION R-2002-0279**

RESOLUTION APPROVING AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LIGHTING ON STATE ROAD 80 FROM CONGRESS AVENUE TO HAVERHILL ROAD. ADOPTED 2-26-2002

REGULAR AGENDA B CONTINUED

5.C.1. B CONTINUED

(2) **RESOLUTION R-2002-0280**

RESOLUTION APPROVING AN OPERATION AND MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LIGHTING ON STATE ROAD 80 FROM HAVERHILL ROAD TO THE FLORIDA TURNPIKE. ADOPTED 2-26-2002

(3) **RESOLUTION R-2002-0281**

RESOLUTION APPROVING AN OPERATION AND MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LIGHTING ON STATE ROAD 80 FROM THE FLORIDA TURNPIKE TO STATE ROAD 7 (U.S. 441). ADOPTED 2-26-2002

MOTION to approve item 5.C.1. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 7-0.

5.D. EMPLOYEE RELATIONS AND PERSONNEL

5.D.1. See page 24.

5.D.2. **RESOLUTION R-2002-0282**

RESOLUTION AMENDING RULE 1.06(B) OF THE COUNTY'S MERIT RULES AND RELATIONS, PROVIDING FOR TWO-YEAR TERMS FOR THE MEMBERS OF THE PERSONNEL APPEALS BOARD. ADOPTED 2-26-2002

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

5.E. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

5.E.1.

a. **DOCUMENT R-2002-0283
(AMENDS R-99-0421-D)**

SERVICES AUTHORIZATION 9 TO THE CONTRACT WITH ERNST & YOUNG LLP FOR \$33,750 FOR THE EXTERNAL AUDITING SERVICES TO BE PERFORMED UNDER THE NEW FLORIDA SINGLE AUDIT ACT, SECTION 215.97, FLORIDA STATUTES. APPROVED 2-26-2002

b. **BUDGET TRANSFER 2002-0616**

REGULAR FEBRUARY 26, 2002

BUDGET TRANSFER OF \$33,750 IN THE GENERAL FUND FROM CONTINGENCY RESERVES TO AUDIT SERVICES FOR THE EXTERNAL AUDITING SERVICES OF ERNST & YOUNG LLP. APPROVED 2-26-2002

MOTION to approve the contract authorization and budget transfer. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 7-0.

REGULAR AGENDA B CONTINUED

5.F. COOPERATIVE EXTENSION SERVICE

5.F.1.

a.

CREATION OF A TIME-LIMITED, NON-MERIT POSITION OF SPECIAL PROJECTS COORDINATOR TO DEVELOP A TECHNOLOGY-RELATED MANAGEMENT AND EDUCATIONAL ENHANCEMENT SYSTEM FOR THE MOUNTS BOTANICAL GARDEN FEBRUARY 26, 2002-FEBRUARY 25, 2004. APPROVED 2-26-2002

b.

**DOCUMENT R-2002-0284
(AMENDS R-92-81-D)**

AMENDMENT 7 TO AN AGREEMENT WITH MOUNTS BOTANICAL GARDEN, PROVIDING A GRANT OF \$75,000 TO FUND THE SPECIAL PROJECTS COORDINATOR POSITION. APPROVED 2-26-2002

c.

BUDGET AMENDMENT 2002- 0643

BUDGET AMENDMENT OF \$75,000 IN THE GENERAL FUND TO FUND THE SPECIAL PROJECTS COORDINATOR POSITION AT MOUNTS BOTANICAL GARDEN. APPROVED 2-26-2002

MOTION to approve item 5.F.1. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 7-0.

5.G. FIRE- RESCUE

5.G.1.

APPROVE ON PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON MARCH 12, 2002, AT 9:30 A.M., AN ORDINANCE AMENDING THE FIRE- RESCUE EMERGENCY TRANSPORT FEE ORDINANCE; CLARIFYING THE DEFINITION OF BASIC LIFE SUPPORT; PROVIDING CLASSIFICATIONS OF ADVANCED LIFE SUPPORT (ALS) SERVICES; PROVIDING FOR AN INCREASE IN EMERGENCY TRANSPORT FEES; AND ESTABLISHING A FEE FOR ALS TRANSPORTS. APPROVED 2-26-2002

MOTION to approve the ordinance on preliminary reading and advertise for public hearing on March 12, 2002, at 9:30 a.m. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 7-0.

5.H. PALM TRAN

5.H.1.

a.

RECEIVE AND FILE THE AMERICAN PUBLIC TRANSPORTATION FOUNDATION'S 2001 SCHOLARSHIP AWARD PRESENTED TO LILI AGEJE OF PALM TRAN. APPROVED 2-26-2002

REGULAR FEBRUARY 26, 2002

REGULAR AGENDA B CONTINUED

5.H.1. B CONTINUED

b.

RECEIVE AND FILE FLORIDA PUBLIC TRANSPORTATION FOUNDATION AWARDS, ONE EACH TO PALM TRANS OPERATION DIVISION, DAVID HEMMING, AND PALM TRANS MARKETING GROUP, AND TWO AWARDS TO PALM TRANS MARKETING DEPARTMENT APPROVED 2-26-2002

MOTION to approve item 5.H. Motion by Commissioner Marcus, seconded by Commissioner Msilotti, and carried 7-0.

5I CRIMINAL JUSTICE COMMISSION

5I1

DOCUMENT R-2002-0285
(SEE R-2001-088)

CONTRACT WITH THE STATE ATTORNEY-S OFFICE (SAO) FOR \$151,000 FOR THE OPERATION OF THE COUNTYWIDE TRUANCY INTERDICTION PROGRAM AND THE FISCAL MANAGEMENT OF THE BYRNE GRANT FUNDS FEBRUARY 1, 2001-SEPTEMBER 30, 2002. APPROVED 2-26-2002

MOTION to approve the contract. Motion by Commissioner Marcus, seconded by Commissioner Msilotti, and carried 7-0.

5J. PUBLIC SAFETY

5J.1.

a.

APPROVE ON PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON MARCH 12, 2002, AN ORDINANCE AMENDING CODE CHAPTER 19, ARTICLE VIII (ORDINANCE 94-2); PROVIDING FOR REGULATION OF THE MAXIMUM RATES FOR NONCONSENSUAL TOWING AND STORING OF MOTOR VEHICLES. APPROVED 2-26-2002

b.

RESOLUTION R-2002-0286

RESOLUTION ESTABLISHING MAXIMUM RATES FOR NONCONSENSUAL TOWING OF MOTOR VEHICLES. ADOPTED 2-26-1002

After lengthy discussion among board members, staff and towing industry representatives, the commission established a proposed towing fee schedule that included a maximum \$100 for standard private impound tows and \$110 for police-directed tows.

PUBLIC COMMENT

Ken Duwall, Beth Heber, Paul Lobsinger, Harold Murphy, and Crystal Sheehan spoke on behalf of the towing industry.

MOTION to approve item 5.J.1. Motion by Commissioner Msilotti, seconded by Commissioner Roberts, and carried 7-0.

(CLERK-S NOTE: Commissioner Marcus left the meeting.)

REGULAR AGENDA B CONTINUED

5.K HOUSING AND COMMUNITY DEVELOPMENT

5K1

REGULAR FEBRUARY 26, 2002

AMENDMENT 5 TO THE PROPERTY REHABILITATION PROGRAM POLICIES, INCREASING THE NET WORTH LIMIT FOR ALL APPLICANTS FROM \$25,000 TO \$35,000 AND ESTABLISHING A NET WORTH LIMIT OF \$85,000 FOR THOSE APPLICANTS WHOSE NET WORTH EXCEEDS \$35,000, WHOSE HOME EQUITY CONTRIBUTES TO AT LEAST 75 PERCENT OF THEIR NET WORTH AND WHO DO NOT DEMONSTRATE THE ABILITY OF OR SHOW THE LIKELIHOOD OF REPAYING A HOME EQUITY REHABILITATION LOAN FROM A CONVENTIONAL LENDING SOURCE. APPROVED 2-26-2002

MOTION to approve the amendment. Motion by Commissioner Roberts, seconded by Commissioner Msilotti, and carried 6-0. Commissioner Marcus absent.

5K2.

RESOLUTION R-2002-0287

RESOLUTION TO INCREASE THE LOCAL MAXIMUM PURCHASE PRICES FOR HOUSING ACQUIRED OR IMPROVED THROUGH THE COUNTY-S STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) AFFORDABLE HOUSING PROGRAMS. THE COMMISSION ON AFFORDABLE HOUSING COMMITTEE RECOMMENDED AN INCREASE IN THE PURCHASE PRICE LIMIT FOR EXISTING HOMES FROM \$107,950 TO \$130,000 AND FOR NEWLY CONSTRUCTED HOMES FROM \$134,000 TO \$145,000. ADOPTED 2-26-2002

MOTION to adopt the resolution. Motion by Commissioner Roberts, seconded by Commissioner Msilotti, and carried 6-0. Commissioner Marcus absent.

(CLERK-S NOTE: Commissioner Marcus joined the meeting.)

5L. PLANNING, ZONING AND BUILDING

5L1. See pages 33-34.

6. BOARD APPOINTMENTS

6A. COMMUNITY SERVICES

6A.1.

APPOINTMENT OF ROBERT ARRIEUX, DENISE BROWN, IVETE FERNANDES, JEFFREY A. FERRARO, MYTHALA GRIFFIN, LAURENCE OSBAND, OLAYEM OSIYEM, NORMA PRYCE-BROWN, AND BRIDGE WILBURN, AND REAPPOINTMENT OF GRETA CHIN, HENRIETTA JOHNSON, GLENN KRABEC, AND THOMAS MEKISSACK TO THE HIV COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) COUNCIL. APPROVED 2-26-2002

MOTION to approve the appointments and reappointments. Motion by Commissioner Msilotti, seconded by Commissioner Greene, and carried 7-0.

BOARD APPOINTMENTS B CONTINUED

6B. COMMISSION DISTRICT APPOINTMENTS

(CLERK-S NOTE: The following appointment was made later in the meeting; see page 42.)

6B.1.

REAPPOINTMENT OF SHELDON FARBER TO THE WATER UTILITIES BOARD. APPROVED 2-26-2002

MOTION to reappoint Sheldon Farber to the Water Utilities Board. Motion by Commissioner McCarty, seconded by Commissioner Msilotti, and carried 7-0.

No backup provided.

7. STAFF COMMENTS

7A. ADMINISTRATION

7A.1.

AMBULETTES SERVICE. DISCUSSED 2-26-2002

County Administrator Weisman said that Ambulettes is no longer providing service in the first seven days following a recent change. No complaints had been received concerning 14,000 trips, he reported.

REGULAR FEBRUARY 26, 2002

No backup provided.

7B COUNTY ATTORNEY - None

8 COMMISSIONER COMMENTS

(CLERK'S NOTE: Commissioner Masilotti's comments were asked for at this time but given later in the meeting; see page 45.)

8A COMMISSIONER TONY MASILOTTI

8A.1

RESPONSE TIME OF FLORIDA POWER & LIGHT COMPANY TO A FIRE OR OTHER EMERGENCY. DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Masilotti asked the board to direct staff to send a letter to Florida Power & Light Company (FPL) requesting them to be more specific with regard to their response time in the event of a fire or other emergency. FPL's standard response is within 30 minutes whereas they have the ability to be more specific. Firefighters and paramedics need to know a specific time for their own decision-making, he said.

The board informally agreed.

No backup provided.

COMMISSIONER COMMENTS B CONTINUED

8A.2

ROOM IN A SOUTH BAY BUILDING TO BE NAMED IN HONOR OF HATTIE FIELDS. APPROVED 2-26-2002

Commissioner Masilotti asked the board to agree to the City of South Bays request that the county name a room in a Head Start facility to be built in the city after Hattie Fields.

The board informally agreed.

No backup provided.

8A.3

FEDERAL EMERGENCY MANAGEMENT AGENCY GRANTS FOR FLOOD-DAMAGED BUILDINGS. DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Masilotti reported that the Federal Emergency Management Agency (FEMA) allows grants to municipalities and now individuals for flood-caused problems. The federal government pays up to 75 percent of the cost, he said, and the state government pays 12.5 percent. He suggested that County Administrator Weisman look into the matter of obtaining these funds for the county's flood-damaged buildings it would like to repair or demolish.

No backup provided.

8B COMMISSIONER ADDIE L. GREENE

8B.1

BLACK HISTORY MONTH LUNCHEON DISCUSSED 2-26-2002

Commissioner Greene invited her colleagues to a Black History Month luncheon on Thursday, February 28, 2002, in the supervisor of elections' old office in the Governmental Center.

REGULAR FEBRUARY 26, 2002

No backup provided.

8C. COMMISSIONER CAROL A. ROBERTS

8C1.

HOMELAND SECURITY ACADEMY. DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Roberts said she had spoken yesterday with Dennis Gallon, president of Palm Beach Community College (PBCC), about starting a homeland security academy, which would basically use the Federal Emergency Management Agency (FEMA) curriculum but make available to police personnel and college students the ability to handle natural disasters and emergencies. Dr. Gallon's idea was to involve the entire community under the aegis of the county, rather than PBCCs, in order to avoid possible turf disputes. Ms. Roberts asked if the board would endorse the concept of a community response (CR) team that would be trained by PBCC and, if it was necessary, allow the county lobbyist to work with PBCC and herself in obtaining FEMA money for the college.

COMMISSIONER COMMENTS B CONTINUED

8C1 B CONTINUED

Commissioner Marcus proposed considering this program and the county's CRT program together, possibly combining them under Dr. Gallon's auspices.

Assistant County Attorney Vince Bonvento stated that staff was working with Fire-Rescue, Emergency Management, and the Criminal Justice Commission to set up a process for moving forward with homeland security grants and said they could work with PBCC also. Commissioner Aaronson suggested putting Dr. Gallon in touch with staff.

No backup provided.

8C2.

PROCLAMATION DECLARING MARCH 5, 2002, AS PETER NERO DAY. APPROVED 2-26-2002

MOTION to approve a proclamation declaring March 5, 2002, as Peter Nero day. Motion by Commissioner Roberts, seconded by Commissioner McCarty, and carried 7-0.

No backup provided.

8C3.

BELLSOUTH'S PRINTING OF THE TELEPHONE GUIDE TO COUNTY SERVICES. DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Roberts initiated discussion on the contract with BellSouth Telecommunications to print the county's Telephone Guide to County Services, which staff contended, in a memorandum to the board, had become cost prohibitive. Staff informed Ms. Roberts that BellSouth wanted \$40,000 for one year. Fifty thousand copies of the guide were printed at a cost of \$22,000. A second run of 50,000 copies would cost another \$22,000. Ms. Roberts observed that were no additional copies printed, 50,000 copies for a population of 1,500,000 was not cost effective. Staff noted that the guide was accessible on the internet.

Commissioner Masilotti proposed doing both a hard copy and an internet guide and printing more than 50,000 copies. Commissioner Roberts agreed.

Commissioner Roberts suggested that staff negotiate a better price with BellSouth.

Commissioner Marcus suggested that either Commissioner Newell or County Administrator Weisman speak with BellSouth's upper management on how the company was not living up to its agreement. Commissioner Newell requested staff to make arrangements for a meeting.

No backup provided.

8D. COMMISSIONER MARY McCARTY - None

(CLERK'S NOTE: Commissioner McCarty made a commission district appointment at this time; see page 40.)

REGULAR FEBRUARY 26, 2002

COMMISSIONER COMMENTS B CONTINUED

8E COMMISSIONER BURT AARONSON

8E1

BRIDGE TO B/E AEROSPACE INDUSTRIES FROM LAKE IDA PARK OVER L-30 CANAL. DISCUSSED 2-26-2002

Commissioner Aaronson recalled that two years previously, the county had allocated \$1 million to construct a bridge to B/E Aerospace Industries. The company was now closing down, he said.

County Administrator Weisman stated that staff was working on determining the status of the contract and bringing a suggestion back to the board to terminate the contract.

No backup provided.

8E2

STATE RESTAURANTS INSPECTION PROGRAM IN FINANCIAL STRAITS. DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Aaronson cited a newspaper article reporting that the state's program of restaurant inspection was \$4,000,000 in debt and recommended that the chair write a letter to the state asking them to increase their fees to restaurants and not cut back on inspectors. Palm Beach County was a tourist destination with numerous restaurants, he said, and would be affected by the lack of good inspection.

Commissioner Newell asked staff to bring back information on the matter.

County Administrator Weisman added that a letter would be prepared.

Commissioner Marcus suggested that the chair send a letter to the governor as well.

No backup provided.

8E COMMISSIONER KAREN T. MARCUS

8E1

RESOLUTION R-2002-0288

RESOLUTION IN SUPPORT OF THE PRESERVATION 2000 (P-2000) FUND. ADOPTED 2-26-2002

MOTION to adopt a resolution in support of the P-2000 Fund. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 7-0

8E2

RESOLUTION R-2002-0289

RESOLUTION IN SUPPORT OF THE REORGANIZATION OF THE WINDSTORM INSURANCE PROTECTION BUSINESS. ADOPTED 2-26-2002

MOTION to adopt a resolution in support of the reorganization of the windstorm insurance protection business. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 7-0.

COMMISSIONER COMMENTS - CONTINUED

8E.3

DEDICATION OF A ROOM AT THE WEST JUPITER COMMUNICATION CENTER IN HONOR OF HELMA PITTMAN APPROVED 2-26-2002

MOTION to approve naming a room at the West Jupiter Communication Center in honor of Helma Pittman. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 7-0.

No backup provided.

8E4

REGULAR FEBRUARY 26, 2002

FLORIDA ASSOCIATION OF COUNTIES VIDEOTAPE ON TAX REFORM DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Marcus requested that the board authorize staff to contact Linda Parrish at the Florida Association of Counties for a videotape of John McKay, president of the Florida Senate, speaking on tax reform and that this be played on Channel 20.

The board informally agreed.

No backup provided.

8E.5.

FLORIDA HOUSE OF REPRESENTATIVES PROPOSED \$48 MILLION COST SHIFT ON MEDICAID. DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Marcus reported that on March 1, 2002, the Florida House of Representatives would adopt their budget, which included a \$48,000,000 cost shift on Medicaid with \$2 million of the shift targeted for Palm Beach County. She said that the board needed to call the local delegation and urge them to vote against the budget. A two-thirds vote would be needed to not support the budget, she said.

Commissioner Newell asked that staff prepare a memorandum so that the commissioners could make necessary telephone calls tomorrow.

Commissioner Marcus said she would distribute a copy of the Florida Association of Counties e-mail on the matter.

No backup provided.

8G. COMMISSIONER WARREN H. NEWELL

8G.1.

RESOLUTION SUPPORTING SENATE BILL 124 (SECURED FIREARMS/ MINDS). APPROVED 2-26-2002

Commissioner Newell requested that the board approve a resolution supporting senate bill 124, which would require all households with children throughout the state to have guns trigger locked or secured.

MOTION to approve a resolution supporting the bill. Motion by Commissioner Msilotti, seconded by Commissioner McCarty, and carried 7-0.

COMMISSIONER COMMENTS - CONTINUED

8G.2.

SENATE BILL 1614 (MANATEE PROTECTION SPEED ZONES). DISCUSSED WITH DIRECTION 2-26-2002

Commissioner Newell said the manatee protection speed zone bill was modified again today. It will require the county to create a new board to review all new speed zones as well as adopt public hearing processes for those zones. He asked staff to provide the board with all necessary information on the issue and bring it back at the next board meeting.

No backup provided.

(CLERK'S NOTE: Commissioner Msilotti's comments were made at this time; see page 40.)

9. ADJOURNMENT

The chair declared the meeting adjourned at 6:15 p.m.

ATTESTED:

APPROVED:

Clerk

Chair

REGULAR FEBRUARY 26, 2002