

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR

1. **CALL TO ORDER:** April 2, 2002, at 9:41 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 - Arrived later
Commissioner Karen T. Marcus
Commissioner Tony Masilotti
Chief Assistant County Attorney Maureen E. Cullen
Deputy County Administrator Verdenia C. Baker
Chief Deputy Clerk John W. Dame
Recording Clerk Donna Atwood
Condensing Clerk Joan Haverly

1.B. **INVOCATION** - Commissioner Greene

1.C. **PLEDGE OF ALLEGIANCE**

2. **AGENDA APPROVAL**

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

Deputy County Administrator Baker noted the agenda changes as follows:

<u>PAGE</u>	<u>ITEM</u>
28	3BB-2

REVISED SUMMARY: Effective October 1, 2001, the PBCSO has been retained as an independent contractor to provide police and ancillary services to the Town of Lake Park. The 4-year contract extends from October 1, 2001 through September 30, ~~2004~~ 2005. The Town of Lake Park will pay \$1,450,000 as consideration for the services provided by PBCSO during the first year of the contract. An additional \$130,447 will be paid for leave time accrued by Lake Park employees who have been subsequently hired by the PBCSO. The consideration for the services provided and for the accrued leave time will be paid in 12 equal installments of \$120,833 and \$10,871, respectively. In addition, the Town of Lake Park will pay \$75,204 to upgrade its current radio and telecommunications services and equipment, including startup and expansion contributions, to allow for use within the County's 800 MHz trunked radio system. These costs will be paid as they are invoiced from the county. Countywide (Sheriff)

28	3BB-3
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REVISED TITLE:

A) receive and file an Agreement in the amount of \$50,000 between the palm Beach County Sheriffs Office (PBSO) and the Broward County Sheriffs Office (BSO) to operate the Southeast Florida Gang Activity Prevention Program (GAP) for the period of November 1, ~~2002~~ 2001 through June 30, 2002; and

B) approve a Budget Amendment increasing the Sheriff's Grant fund by \$50,000 (Fund 104).

2.A. - CONTINUED

29 3BB-4

REVISED TITLE: **A)** Acceptance of the Florida Department of Law Enforcement's Drug Farm Phase II Enhancement award of \$112,500 for the period of June 1, 2002 through May 31, 2003; ~~and~~

B) Budget Amendment of \$37,500 in the Sheriff's Grant fund (104) to recognize the FY2002 portion of the award; and

C) Ratify the Chairman's signature on this award. (Sheriff)

30 4P

ADD-ON: Proclamation declaring Friday, April 26, 2002 as "Arbor Day" in Palm Beach County. (Sponsored by Commissioner Newell)

30 4Q

ADD-ON: Proclamation declaring the week of April 7 - 13, 2002, as "OWL Foundation Week" in Palm Beach County. (Sponsored by Commissioner Greene)

REORDER AGENDA

HEAR ITEM 5A (Public Hearing - Env. Ordinance) AFTER ITEM 6E-3 (Old Courthouse)

35 6D-2

DELETED: the County Administrator, or his designee, to sign a Florida Department of Transportation (FDOT) General Use Permit Application for placement of "United We Stand" banners. (Public Info) (Further staff review)

37 6F-1

REVISED TITLE & SUMMARY: **A)** **ratify** 34 Change Orders, previously approved by the JIS Policy Board, totaling \$606,366 to the software development contract with Affiliated Computer Systems (ACS), Inc. for the juvenile and civil court systems;

B) **approve** 5 Change Orders totaling \$173,485 for payment;

C) **increase** the Project Contingency by \$200,000; and

D) **receive and file** Status Report on the Justice Information System (JIS) projects.

E) **adopt** a Resolution amending Resolution No. R98-1541 to add the word "cumulative" to paragraph 1.B and to increase the authorization limit from \$100,000 to \$200,000.

SUMMARY: All change orders to the ACS contracts have been duly authorized by the JIS Policy Board. It was intended that change orders exceeding the cumulative amount of \$100,000 be referred to the Board of County Commissioners, following approval by the JIS Policy Board, but the governing resolution (R98-1541) does not reflect this intent. This agenda item requests retroactive approval for all previously processed change orders, an increase in the project contingency account, and the increase of the authorization limit from \$100,000 to \$200,000. Adequate funding is available within the current project budget. Staff will provide an overview of past and present JIS projects. This presentation will focus on the currently active development projects involving Jury Management, Juvenile Court, and Civil Court systems. Countywide (PK) (ISS)

2.A. - CONTINUED

38 6G-2

ADD-ON: Staff recommends motion to adopt: a Resolution amending Resolution R2001-2241, which created the Palm Tran Services Board (PTSB), replacing the seven (7) district appointments with seven (7) at-large appointments and extending the sunset date from December 31, 2002 to September 30, 2003. **SUMMARY:** On December 18, 2001, the BCC approved Resolution R-2001-2241 which created the Palm Tran Services Board (PTSB). When staff attempted to coordinate the district appointments utilizing seven (7) specific categories: transportation experience, disability advocate, environmental advocate, municipal representative, business community representative, representative with multi-cultural experience, and senior citizen; it became apparent that the commissioners may not want to be restricted to a specific category. In order for this service board to succeed and be effective, it is necessary to maintain these categories in order to have a cross representation of the transit community. The seven (7) district appointments would be replaced by seven (7) at-large appointments with the specific category requirements. The original four (4) at-large appointments will remain unchanged, making a total of eleven (11) members. Countywide (DR) (PalmTran)

39 6I-2

ADD-ON: Staff recommends motion to approve:

A) a Financial Assistance Agreement in the amount of \$198,831.94 with the Delray Beach Community Development Corporation for construction of off-site related streetscape improvements as part of the Atlantic Grove Project; and

B) Budget Transfer of \$198,832 in the Transportation Improvement Fund from Reserve for District 7 to Atlantic Grove Project - District 7.

SUMMARY: This agreement and Budget Transfer provide funding up to \$198,831.94 to the Delray Beach Community development corporation for construction of off-site related streetscape elements as part of the Atlantic Grove Project District 7 (MRE) (Eng)

42 7C-1

DELETED: Staff recommends motion to approve: appointment of the following At-Large nominees to the Palm Tran Citizens Services Board. (Palm Tran) (Further staff review)

43 7D-1

REVISED TITLE: Staff recommends motion to approve: appointment of one (1) new member and reappointment of four (4) members to the countywide Consumer Affairs Hearing Board for a term of two (2) years expiring December 31, 2003 as follows:

<u>New Appointment:</u>	<u>Requirement</u>	<u>Nominated by:</u>
Harold Murphy	Business Management	Commissioner Roberts
<u>Reappointments:</u>		
Rubin Felderman	Citizen interested in consumer protection	Commissioner Roberts
Marjorie Isadore	Special Technical	Commissioner Roberts
Brenda Montague	Citizen interested in consumer protection	<u>Self Commissioner McCarty</u>
Daniel Pikula	Chamber of Commerce	Chamber of Commerce representative - WPB

2.A. - CONTINUED

43 7E-1

REVISED TITLE: Staff recommends motion to approve: the reappointment of the following members to the Conservation Land Acquisition Selection Committee:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated by</u>
William Bowman	Agriculture	10	Commissioners Marcus, Masilotti, Roberts and Aaronson <u>McCarty</u>
Charles Walsey	Agriculture	11	Commissioners Marcus, Masilotti, Roberts and Aaronson <u>McCarty</u>
Victor Connor	Agriculture	12	Commissioners Marcus, Masilotti, Roberts and Aaronson (ERM)

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

3. **CONSENT AGENDA** - See pages 4-21.
4. **SPECIAL PRESENTATIONS - 9:30 A.M.** - See pages 21-22.
5. **PUBLIC HEARING - 9:30 A.M.** - See pages 27-30.
6. **REGULAR AGENDA** - See pages 22-27 and 34-41.
TIME CERTAIN 10:00 A.M. - ITEM 6.E.3. - See page 22-25.
7. **BOARD APPOINTMENTS** - See pages 41-43.
8. **MATTERS BY THE PUBLIC** - See pages 30-33.
9. **STAFF COMMENTS** - None.
10. **COMMISSIONER COMMENTS** - See pages 45-46.
11. **ADJOURNMENT** - See page 46.

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3. CONSENT AGENDA

INFORMATION: Commissioner Newell pulled items 3.C.11., 3.C.12., 3.C.13., and 3.L.2. from the consent agenda for individual discussion; see page 44.

3.A. ADMINISTRATION

3.A.1. DOCUMENT R-2002-0408 (AMENDS R-2001-0450)

MEMORANDUM OF AWARD/CONTRACT (CHARGE RESOLUTION CONTRACT 1/5010/0168) WITH THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ALLOWING THE OFFICE OF EQUAL OPPORTUNITY TO RECEIVE \$135,250 FOR PROCESSING AND RESOLVING EMPLOYMENT DISCRIMINATION COMPLAINTS. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.A.2.

DOCUMENT R-2002-0409

MEETING CONFIRMATION AGREEMENT WITH THE CONFERENCE CENTER AT DODGERTOWN TO PROVIDE FOOD SERVICE FOR THE HUMAN RELATIONS CAMP TO BE HELD APRIL 19-21, 2002, AND TO AUTHORIZE A TOTAL PAYMENT OF \$3,685.40 FOR SERVICES PROVIDED. APPROVED 4-2-2002

3.A.3.

DOCUMENT R-2002-0410

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD AIRLINE-AIRPORT USE AND LEASE AGREEMENT FOR THE DEPARTMENT OF AIRPORTS WITH US AIRWAYS, INC. APPROVED 4-2-2002

3.A.4.

a.

DOCUMENT R-2002-0411

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 05-01046-000 WITH DESARROLLOS XENEBAL, LIMITADA. APPROVED 4-2-2002

b.

DOCUMENT R-2002-0412

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 05-00007-000 WITH HOME DEVCO/TIVOLI LLC. APPROVED 4-2-2002

c.

DOCUMENT R-2002-0413

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 01-01073-000 WITH TIDAL WAVE INVESTMENT CORPORATION. APPROVED 4-2-2002

d.

DOCUMENT R-2002-0414

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 01-01074-000 WITH AMPROP DEVELOPMENT CORPORATION. APPROVED 4-2-2002

e.

DOCUMENT R-2002-0415

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 02-01045-000 WITH BSC. APPROVED 4-2-2002

f.

DOCUMENT R-2002-0416

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 02-01046-000 WITH ZAHRA Y. MOGHADAM AND MOHAMAD MEHDI MIRZADEH. APPROVED 4-2-2002

g.

DOCUMENT R-2002-0417

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 01-01071-000 WITH DAVID L. KEENER AND JUDY G. KEENER. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.A.4. - CONTINUED

h. DOCUMENT R-2002-0418

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 03-01013-000 WITH BETHESDA MEMORIAL HOSPITAL, INC., AND MAC MILLAN INVESTMENT. APPROVED 4-2-2002

i. DOCUMENT R-2002-419

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 03-01011-000 WITH BETHESDA MEMORIAL HOSPITAL, INC., AND MAC MILLAN INVESTMENT. APPROVED 4-2-2002

**j. DOCUMENT R-2002-0420
(AMENDS R-96-411-D)**

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT AMENDMENT 09-00557-001 WITH TBI PALM BEACH LTD PARTNERSHIP. APPROVED 4-2-2002

3.B. CLERK

3.B.1.

WARRANT LIST DATED MARCH 29, 2002. APPROVED 4-2-2002

COMPUTER CHECKS	\$12,944,622.24
WIRE TRANSFERS	21,466,204.20
MANUAL CHECKS	.00
EFT TRANSFER	<u>3,060,058.56</u>
	\$37,470,885.00

3.B.2.

MINUTES FOR THE BCC REGULAR MEETING OF FEBRUARY 27, 2001; BUDGET WORKSHOP OF MAY 30, 2001; BCC REGULAR MEETING OF JULY 10, 2001; BCC REGULAR MEETING OF JULY 24, 2001; CHILD CARE ADVISORY BOARD MEETING OF JULY 24, 2001; BCC REGULAR MEETING OF AUGUST 21, 2001; CHILD CARE ADVISORY BOARD MEETING OF AUGUST 21, 2001; BUDGET PUBLIC HEARING OF SEPTEMBER 6, 2001; BCC REGULAR MEETING OF SEPTEMBER 11, 2001; ZONING MEETING OF OCTOBER 2, 2001; BCC REGULAR MEETING OF OCTOBER 16, 2001; REGULAR/WORKSHOP MEETING OF OCTOBER 23, 2001; ZONING MEETING OF OCTOBER 25, 2001; BCC REGULAR MEETING OF NOVEMBER 6, 2001; BCC REGULAR MEETING OF NOVEMBER 20, 2001; REGULAR/WORKSHOP MEETING OF NOVEMBER 27, 2001; ZONING MEETING OF NOVEMBER 29, 2001; AND BCC REGULAR MEETING OF DECEMBER 4, 2001. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.B.3.

DOCUMENT R-2002-0421

TOURIST DEVELOPMENT TAX CATEGORY A 2001/02 GRANT AGREEMENT WITH PICK OF PALM BEACH, INC., NOT TO EXCEED \$40,000, FOR CERTAIN ADVERTISING AND MARKETING EXPENSES INCURRED IN ITS TOURISM PROJECT FOR DECEMBER 1-31, 2001, AND MAY 1-SEPTEMBER 15, 2002. (CONTRACT ON CONTRACT LIST) APPROVED 4-2-2002

3.B.4.

**DOCUMENT R-2002-0422
(AMENDS R-93-1549-D)**

AMENDMENT 6 TO AN AGREEMENT WITH INTEGRAL SYSTEMS, INC., NOT TO EXCEED \$153,701, FOR ACQUISITION OF THE I-TRUST WEB MODULE (SOFTWARE) AND AN ADDITIONAL YEAR OF SOFTWARE MAINTENANCE FOR PERSONNEL/PAYROLL SYSTEM DECEMBER 7, 2000-DECEMBER 6, 2002. THIS AMENDMENT ALSO PROVIDES FOR AN ADDITIONAL YEAR OF SOFTWARE MAINTENANCE FOR THE COUNTY'S PERSONNEL/PAYROLL SYSTEM, CHECKWRITE, AND I-TRUST WEB MODULES AT A COST OF \$119,500 FOR DECEMBER 7, 2002-DECEMBER 6, 2003. APPROVED 4-2-2002

3.C. ENGINEERING AND PUBLIC WORKS

3.C.1.

a.

DOCUMENT R-2002-0423

AGREEMENT WITH THE SCHOOL DISTRICT FOR REIMBURSEMENT OF UP TO \$100,000 FOR BEAUTIFICATION IMPROVEMENTS TO ENHANCE THE BUFFER LANDSCAPING FOR THE ODYSSEY MIDDLE SCHOOL. APPROVED 4-2-2002

b.

BUDGET TRANSFER 2002-0742

BUDGET TRANSFER OF \$100,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 5 TO ODYSSEY MIDDLE SCHOOL ROAD BUFFER BEAUTIFICATION-DISTRICT 5. APPROVED 4-2-2002

3.C.2.

a.

DOCUMENT R-2002-0424

AGREEMENT WITH WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR \$500,000 TO SHARE THE COST OF PROVIDING SANITARY SEWER, DRAINAGE, AND ROAD PAVING IMPROVEMENTS TO A PORTION OF THE NORTH WESTGATE ESTATES DIVISION. APPROVED 4-2-2002

b.

BUDGET TRANSFER 2002-0740

BUDGET TRANSFER OF \$500,000 IN THE UNINCORPORATED IMPROVEMENT FUND FROM RESERVES TO THE NORTH WESTGATE ESTATES IMPROVEMENT PROJECT. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.C.3.

BUDGET TRANSFER 2002-0741

BUDGET TRANSFER OF \$3,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 3 TO CARAMBOLA ROAD SPEED HUMPS, DISTRICT 3. APPROVED 4-2-2002

3.C.4.

DOCUMENT R-2002-0425

CONTRACT NOT TO EXCEED \$2,130,000 FOR TASK ORDERS THAT MAY BE ISSUED FOR THE ANNUAL PAVEMENT MARKING CONTRACT WITH UNITED RENTALS HIGHWAY TECHNOLOGIES, INC., THE PRIMARY CONTRACTOR, AND TRANSMARK, INC., THE SECONDARY CONTRACTOR. APPROVED 4-2-2002

3.C.5.

**DOCUMENT R-2002-0426
(AMENDS R-2000-1847)**

AMENDMENT TO THE ANNUAL MICRO SURFACING CONTRACT WITH FLORIDA HIGHWAY PRODUCTS, INC., TO EXTEND THE CONTRACT EXPIRATION DATE FOR 12 MONTHS TO NOVEMBER 21, 2002, AND FOR A NOT-TO-EXCEED CONTRACT AMOUNT OF \$50,000 WHICH, TOGETHER WITH THE PREVIOUS YEAR'S REMAINING FUNDS, TOTAL A NOT-TO-EXCEED TWO-YEAR CONTRACT AMOUNT OF \$295,094. APPROVED 4-2-2002

3.C.6.

DOCUMENT R-2002-0427

CONTRACT WITH CHAZ EQUIPMENT CO., INC., FOR \$197,393 FOR THE LAKE WORTH ROAD CORRIDOR, SUB-AREA 1, PHASE D WATER MAIN IMPROVEMENTS. NEW WATER MAINS WILL BE CONSTRUCTED FOR 42ND AVENUE, 43RD DRIVE, LAURETTE LANE, PATIO COURT NORTH, AND PATIO COURT SOUTH AS AN ALTERNATE BID IN THE LAKE WORTH ROAD CORRIDOR. APPROVED 4-2-2002

3.C.7.

DOCUMENT R-2002-0428

CONTRACT NOT TO EXCEED \$100,000 FOR TASK ORDERS THAT MAY BE ISSUED TO FLORIDA HIGHWAY PRODUCTS, INC., FOR THE ANNUAL OPEN GRADED ASPHALT PAVEMENT CONTRACT. APPROVED 4-2-2002

3.C.8.

a.

DOCUMENT R-2002-0429

INTERGOVERNMENTAL AGREEMENT WITH THE VILLAGE OF WELLINGTON TO PROVIDE UP TO \$101,000 FOR TRANSPORTATION IMPROVEMENTS, PARTICULARLY ROAD RESURFACING PROJECTS. APPROVED 4-2-2002

b.

BUDGET TRANSFER 2002-0746

BUDGET TRANSFER OF \$101,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 6 TO THE VILLAGE OF WELLINGTON ROAD RESURFACING-DISTRICT 6. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.C.9. BUDGET TRANSFER 2002-0745

BUDGET TRANSFER OF \$36,868 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO COLE LANE/MARSHALL DRIVE ROAD SURFACING PROJECT. APPROVED 4-2-2002

3.C.10. BUDGET TRANSFER 2002-0744

BUDGET TRANSFER OF \$27,900 IN THE MUNICIPAL SERVICE TAXING UNIT (MSTU) DISTRICT A FUND FROM RESERVES TO NORTH WALLEN DRIVE AND SOUTH WALLEN DRIVE GRAVITY SANITARY SEWER IMPROVEMENTS. APPROVED 4-2-2002

3.C.11. See page 44.

3.C.12. See page 44.

3.C.13. See page 44.

3.C.14. DOCUMENT R-2002-0430

AGREEMENT WITH THE CITY OF GREENACRES FOR REIMBURSEMENT OF UP TO \$12,589 FOR BEAUTIFICATION IMPROVEMENTS ON THE COUNTY'S 10TH AVENUE NORTH RIGHT-OF-WAY FROM SHERWOOD FOREST BOULEVARD TO 57TH AVENUE. APPROVED 4-2-2002

3.C.15. DOCUMENT R-2002-0431

AGREEMENT WITH THE CITY OF GREENACRES FOR REIMBURSEMENT OF UP TO \$39,054 FOR BEAUTIFICATION IMPROVEMENTS ON THE COUNTY'S SHERWOOD FOREST BOULEVARD FROM 10TH AVENUE NORTH TO LAKE WORTH DRAINAGE DISTRICT CANAL L-9. APPROVED 4-2-2002

3.C.16.

a. BUDGET TRANSFER 2002-0743

BUDGET TRANSFER OF \$127,150 IN THE UNINCORPORATED IMPROVEMENT FUND FROM RESERVES TO THE AVONDALE PINES WATER DISTRIBUTION SYSTEM PROJECT. APPROVED 4-2-2002

**b. DOCUMENT R-2002-0432
(AMENDS R-2000-1852)**

CONSULTANT SERVICES TASK AUTHORIZATION WITH KESHAVARZ AND ASSOCIATES, INC., FOR \$113,000 FOR THE AVONDALE PINES WATER DISTRIBUTION SYSTEM PROJECT. APPROVED 4-2-2002

3.C.17. DELETED

CONSENT AGENDA - CONTINUED

3.C.18.

RESOLUTION R-2002-0433

RESOLUTION VACATING A PORTION OF CERTAIN DRAINAGE AND UTILITY EASEMENTS LYING WITHIN TRACT BT-2; TRACT BT-4; A PORTION OF TRACT A (BRIDGEBROOK DRIVE, A PRIVATE ROAD); A PORTION OF TRACT C (SOUTHBROOK CIRCLE, A PRIVATE ROAD); A PORTION OF TRACT D (MIDDLEBROOK WAY, A PRIVATE ROAD); TRACTS L-3, L-4, L-5, AND L-6 (DRAINAGE TRACTS), AND VARIOUS UTILITY EASEMENTS WITHIN FOX HILL ESTATES AT BOCA RATON, RAINBOW PROPERTY PLANNED UNIT DEVELOPMENT, LOCATED AT THE NORTHEAST CORNER OF CLINT MOORE ROAD AND STATE ROAD 7 (U.S. 441). APPROVED 4-2-2002

3.D. COUNTY ATTORNEY

3.D.1.

SETTLEMENT OF \$302,985, INCLUDING ATTORNEY FEES AND COSTS, IN THE EMINENT DOMAIN ACTION STYLED PALM BEACH COUNTY V. EMMA ANN WILSON, AKA EMMA H. WILSON, ET AL., CASE CL 99-12233 AJ (PARCEL 60) FOR EXPANSION OF THE PALM BEACH INTERNATIONAL AIRPORT. APPROVED 4-2-2002

3.E. COMMUNITY SERVICES

3.E.1.

**DOCUMENT R-2002-0434
(AMENDS R-2001-1466)**

AMENDMENT 1 TO THE DELEGATE AGENCY AGREEMENT WITH THE SCHOOL DISTRICT (DELRAY FULL SERVICE CENTER) INCREASING THE HEAD START CONTRACT BY \$88,276 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$974,938 FOR OCTOBER 1, 2001-SEPTEMBER 30, 2002. FUNDING CONSISTS OF \$70,621 IN FEDERAL FUNDS WITH A \$17,655 COUNTY MATCH. THE COUNTY'S PORTION IS INCLUDED IN THE FY 2002 BUDGET. APPROVED 4-2-2002

3.E.2.

DOCUMENT R-2002-0435

DELEGATE AGENCY CONTRACT WITH EDUCATION DEVELOPMENT CENTER, INC., DBA MY FIRST STEPS PRESCHOOL, TO PROVIDE EARLY HEAD START SERVICES IN AN AMOUNT NOT TO EXCEED \$49,682.24 FOR APRIL 2, 2002-AUGUST 31, 2002. FUNDING CONSISTS OF \$39,745.80 IN FEDERAL FUNDS WITH A \$9,936.44 COUNTY MATCH. THE COUNTY'S PORTION IS INCLUDED IN THE FY 2002 BUDGET. APPROVED 4-2-2002

3.F. AIRPORTS

3.F.1.

a.

DOCUMENT R-2002-0436

AGREEMENT WITH KENCO, LTD., TO PURCHASE PARCEL W-202, 133-135 ANITA COURT, WEST PALM BEACH, FOR A SALES PRICE OF \$80,000 AND NO REPLACEMENT HOUSING COST. THE PROPERTY IS LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT (PBI) AND IS BEING ACQUIRED IN ACCORDANCE WITH PBI'S PART 150 NOISE COMPATIBILITY STUDY. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.F.1. - CONTINUED

b.

DOCUMENT R-2002-0437

AGREEMENT WITH KENCO, LTD., TO PURCHASE PARCEL W-206, 187-189 ANITA COURT, WEST PALM BEACH, FOR A SALES PRICE OF \$80,000 AND NO REPLACEMENT HOUSING COST. THE PROPERTY IS LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT (PBI) AND IS BEING ACQUIRED IN ACCORDANCE WITH PBI'S PART 150 NOISE COMPATIBILITY STUDY. APPROVED 4-2-2002

3.G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

3.G.1.

NEGOTIATED SETTLEMENT WITH RICHARD BROWN AND LINDA BROWN FOR \$27,500 AS FULL SATISFACTION OF A CODE ENFORCEMENT LIEN INVOLVING AN EXPIRED MOBILE HOME PERMIT, NO PERMITS OR INSPECTIONS ON A ROOFED STABLE, AND NO PERMITS FOR EXCAVATION OR VEGETATION REMOVAL. ACCUMULATED FINES AND INTEREST THROUGH MAY 22, 1997, THE DATE ON WHICH SETTLEMENT DISCUSSIONS BEGAN, TOTALED \$139,793 OF WHICH MR. BROWN AGREED TO PAY 20 PERCENT AS FULL SATISFACTION OF THE LIEN. APPROVED 4-2-2002

3.G.2.

DELEGATION OF AUTHORITY TO THE OFFICE OF FINANCIAL MANAGEMENT AND BUDGET (OFMB) DIRECTOR TO APPROVE BUDGET TRANSFERS AND AMENDMENTS AS NECESSARY TO ESTABLISH THE COUNTYWIDE COMMUNITY REVITALIZATION TEAM (CCRT) PROGRAM PROJECTS IN THE AMOUNTS APPROVED BY THE BOARD AT THE WORKSHOP ON MARCH 26, 2002. APPROVED 4-2-2002

3.H. FACILITIES DEVELOPMENT AND OPERATIONS

3.H.1.

**DOCUMENT R-2002-0438
(AMENDS R-2000-0940)**

JOB ORDER CONTRACT (JOC) WORK ORDER 2002-092 WITH HOLT CONTRACTORS, INC., FOR \$11,678.30 TO PROVIDE INTERIOR BUILDING MODIFICATIONS ASSOCIATED WITH THE CONCESSIONS MODULAR BEING INSTALLED AT THE CALYPSO BAY AQUATIC CENTER AT SEMINOLE PALMS PARK. APPROVED 4-2-2002

3.H.2.

**DOCUMENT R-2002-0439
(AMENDS R-2000-0454)**

AMENDMENT 2 TO THE AGREEMENT WITH GEE & JENSON, E-A-P, INC., FOR THE SECOND ONE-YEAR RENEWAL OF THE AGREEMENT TO PROVIDE ENGINEERING SERVICES FOR THE PARKS AND RECREATION DEPARTMENT'S CAPITAL IMPROVEMENT PROJECTS. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.H.3.

**DOCUMENT R-2002-0440
(AMENDS R-99-567-D)**

AMENDMENT 1 TO THE AGREEMENT WITH STEPHEN BORUFF, AIA, ARCHITECTS AND PLANNERS, INC., FOR THE FIRST ONE-YEAR RENEWAL OF THE AGREEMENT TO PROVIDE ENGINEERING SERVICES FOR THE FIRE-RESCUE DEPARTMENT'S STATION PROJECTS. APPROVED 4-2-2002

3.H.4.

**DOCUMENT R-2002-0441
(AMENDS R-99-566-D)**

AMENDMENT 1 TO THE AGREEMENT WITH GEE & JENSON, E-A-P, INC., FOR THE FIRST ONE-YEAR RENEWAL OF THE AGREEMENT TO PROVIDE ENGINEERING SERVICES FOR THE PARKS AND RECREATION DEPARTMENT'S STATION PROJECTS. APPROVED 4-2-2002

3.H.5.

**DOCUMENT R-2002-0442
(AMENDS R-99-568-D)**

AMENDMENT 1 TO THE AGREEMENT WITH SONG + ASSOCIATES, INC., FOR THE SECOND ONE-YEAR RENEWAL OF THE AGREEMENT TO PROVIDE ENGINEERING SERVICES FOR THE FIRE-RESCUE DEPARTMENT'S STATION PROJECTS. APPROVED 4-2-2002

3.H.6.

a.

DOCUMENT R-2002-0443

CONTRACT WITH EDENS CONSTRUCTION COMPANY, INC., FOR \$748,425 FOR THE SITE PREPARATION FOR THE TEMPORARY AND PERMANENT SOUTH BAY HEAD START FACILITY. APPROVED 4-2-2002

b.

BUDGET AMENDMENT 2002-0780

BUDGET AMENDMENT OF \$617,638 IN THE CAPITAL OUTLAY FUND TO RECOGNIZE GRANT FUNDING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND INCREASE THE PROJECT BUDGET LINE FOR THE TEMPORARY AND PERMANENT SOUTH BAY HEAD START FACILITY. APPROVED 4-2-2002

3.H.7.

DOCUMENT R-2002-0444

INTERLOCAL AGREEMENT WITH ATLANTIC/PALM BEACH AMBULANCE, DBA AMR, ALLOWING FOR INTEROPERABLE COMMUNICATIONS THROUGH THE COUNTYWIDE COMMON GROUPS OF THE COUNTY'S 800 MEGAHERTZ RADIO SYSTEM. APPROVED 4-2-2002

3.H.8.

a.

DOCUMENT R-2002-0445

AGREEMENT WITH PROFESSIONAL COMMUNICATIONS CONSULTANTS, INC. (PCCI), FOR REVIEW OF COMMUNICATION TOWER APPLICATIONS TO PLANNING, ZONING AND BUILDING. THE TERM OF THIS AGREEMENT IS TWO YEARS AND CAN BE RENEWED FOR ONE ADDITIONAL TWO-YEAR PERIOD. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.H.8. - CONTINUED

b.

AUTHORIZATION OF COUNTY STAFF TO MAKE DETERMINATIONS OF CONFLICT OF INTEREST BETWEEN THE CONSULTANT (PROFESSIONAL COMMUNICATIONS CONSULTANTS, INC. [PCCI]) AND THE APPLICANT ON A TASK AUTHORIZATION BASIS IN THE REVIEW OF APPLICATIONS TO PLANNING, ZONING AND BUILDING FOR COMMUNICATIONS TOWERS. APPROVED 4-2-2002

3.H.9.

DOCUMENT R-2002-0446

INTERLOCAL AGREEMENT WITH THE CITY OF BELLE GLADE ALLOWING FOR DIRECT ACCESS TO THE COUNTY'S 800 MEGAHERTZ RADIO SYSTEM AND REQUIRING THE CITY TO PAY ANNUAL FEES OF \$211.42/UNIT TOWARD THE RENEWAL AND REPLACEMENT FUND AND \$140.94/UNIT TOWARD MAINTENANCE AND OPERATION OF THE SYSTEM INFRASTRUCTURE. THE AGREEMENT IS FOR FOUR YEARS AND HAS TWO FOUR-YEAR RENEWALS. APPROVED 4-2-2002

3.H.10.

**DOCUMENT R-2002-0447
(AMENDS R-2000-0454)**

CONSULTANT SERVICES AUTHORIZATION 19 TO THE CONTRACT WITH GEE & JENSON, E-A-P, INC., TO PROVIDE ENGINEERING SERVICES FOR REST ROOM REPLACEMENTS IN THE AMOUNT OF \$59,934. APPROVED 4-2-2002

3.H.11.

**DOCUMENT R-2002-0448
(TERMINATES R-2001-2104)**

AGREEMENT WITH THE TOWN OF JUPITER INLET COLONY ALLOWING FOR TEMPORARY DIRECT ACCESS TO THE COUNTY'S 800 MEGAHERTZ RADIO SYSTEM. AT ANY TIME DURING THE TEMPORARY PERIOD, THE TOWN MAY OPT TO PAY THE COUNTY THE ONE-TIME ACCESS CHARGE OF \$2,089.00/UNIT AND PAY THE \$211.42/UNIT ANNUAL REPLACEMENT AND RENEWAL CHARGE (RETROACTIVE TO THE DATE OF TEMPORARY CONNECTION) AT WHICH TIME THE UNITS WILL BE CONSIDERED PERMANENTLY CONNECTED. APPROVED 4-2-2002

3.I. HOUSING AND COMMUNITY DEVELOPMENT

3.I.1.

**DOCUMENT R-2002-0449
(AMENDS R-2001-2023)**

AMENDMENT 1 TO AN AGREEMENT WITH 415 GATOR DRIVE, INC., AND THE CENTER FOR INFORMATION AND CRISIS SERVICES, INC., TO PROVIDE AN ADDITIONAL \$11,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE RENOVATION OF THEIR FACILITY LOCATED AT 415 GATOR DRIVE, LANTANA. NO LOCAL MATCH REQUIRED. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.1.2.

**DOCUMENT R-2002-0450
(AMENDS R-2000-2067)**

AMENDMENT 2 TO AN AGREEMENT WITH ARGENTINA ARTS ASSOCIATION TO EXTEND THE EXPIRATION DATE THREE MONTHS TO DECEMBER 31, 2002, INCREASE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING BY \$177,000, AND MODIFY THE TERMS OF AGREEMENT. NO LOCAL MATCH REQUIRED. APPROVED 4-2-2002

3.1.3.

DOCUMENT R-2002-0451

MORTGAGE AND NOTE MODIFICATION AGREEMENT WITH MYRTLE M. GRANT TO ADJUST THE TERMS OF THE INDEBTEDNESS CREATED IN CONNECTION WITH THE PROPERTY REHABILITATION PROGRAM. THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING OF \$23,526 REQUIRES NO LOCAL MATCH. APPROVED 4-2-2002

3.1.4.

EXCEPTION TO THE FISCAL YEAR 2000-2001 STATE HOUSING INITIATIVE PARTNERSHIP'S (SHIP) PROGRAM LOCAL HOUSING ASSISTANCE PLAN ALLOWING AN ADDITIONAL \$12,900 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR LEONARD MYRICK UNDER THE SPECIAL NEEDS REPLACEMENT HOUSING PROGRAM. NO LOCAL MATCH REQUIRED. APPROVED 4-2-2002

3.1.5.

DOCUMENT R-2002-0452

REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION FORM (HUD 7015.15) TO COMPLY WITH ENVIRONMENTAL GRANT CONDITIONS FOR THE FOLLOWING PROJECT FUNDED UNDER THE ECONOMIC DEVELOPMENT INITIATIVE (EDI)-SPECIAL PROJECT GRANT FOR FISCAL YEAR 2001-2002: MID-COUNTY SENIOR CENTER, WITH \$386,149 FOR ACQUISITION OF 8.34 ACRES OF PROPERTY IN THE LAKE WORTH CORRIDOR AREA FOR A JOINT SENIOR CENTER-HEAD START CENTER. APPROVED 4-2-2002

3.1.6.

DOCUMENT R-2002-0453

SUBORDINATION AGREEMENT WITH ARCS COMMERCIAL MORTGAGE COMPANY IN CONNECTION WITH A MORTGAGE GRANTED TO CREATIVE CHOICE HOMES, IX, LTD, ON MYSTIC WOODS, THEIR 70-UNIT AFFORDABLE RENTAL HOUSING PROJECT LOCATED ON LEO LANE IN RIVIERA BEACH, WHICH RECEIVED LOAN ASSISTANCE THROUGH THE COUNTY'S AFFORDABLE HOUSING TRUST FUND. THE AGREEMENT WILL ALLOW CREATIVE CHOICE TO ACQUIRE A NEW FIRST MORTGAGE OF \$1,800,000 TO PAY OFF THE ORIGINAL FIRST MORTGAGE OF \$1,600,043 AND \$199,957 IN CLOSING AND RELATED COSTS. THE RESULTING NEW FIRST MORTGAGE WITH ARCS WILL BE SOLD AND ASSIGNED TO FANNIE MAE. AS CURRENT SUBORDINATE LENDER, THE COUNTY AGREES TO SUBORDINATE ITS \$70,000 LOAN, MORTGAGE, AND RIGHTS OF SUBORDINATE LENDER IN ALL RESPECTS TO THE LIEN OF THE NEW FIRST MORTGAGE. APPROVED 4-2-2002

3.J.

PLANNING, ZONING AND BUILDING - None

CONSENT AGENDA - CONTINUED

3.K. WATER UTILITIES

**3.K.1. DOCUMENT R-2002-0454
(AMENDS R-2000-2082)**

CHANGE ORDER 3 TO THE CONTRACT WITH SOUTHEAST DRILLING SERVICES, INC., FOR THE WATER TREATMENT PLANT 9 WELLFIELD REHABILITATION, INCREASING THE CONTRACT PRICE BY \$66,443 AND PROVIDING FOR A 146-DAY TIME EXTENSION. APPROVED 4-2-2002

**3.K.2. RESOLUTION R-2002-0455
(AMENDS R-2001-0791)**

RESOLUTION FOR THE TOWN OF CLOUD LAKE WATER MAIN EXTENSION IMPROVEMENT PROJECT, REDUCING THE INDIVIDUAL ASSESSMENTS FROM \$5,817.17 PER PARCEL TO \$5,305.15 PER PARCEL, UPDATING THE PROPERTY CONTROL NUMBERS, AND DELETING A PARCEL BECAUSE OF UNIFICATION OF TITLE. ADOPTED 4-2-2002

**3.K.3. DOCUMENT R-2002-0456
(AMENDS R-99-834-D)**

CONSULTANT SERVICES AUTHORIZATION 34 TO THE CONTRACT WITH HELLER-WEAVER & SHEREMETA, INC., FOR \$70,150 TO PREPARE PLANS FOR THE LAKE WORTH CORRIDOR WATER MAIN SPECIAL ASSESSMENT PROJECT. APPROVED 4-2-2002

3.L. ENVIRONMENTAL RESOURCES MANAGEMENT

**3.L.1. DOCUMENT R-2002-0457
(AMENDS R-2001-1729)**

AMENDMENT 1 TO THE CONTRACT WITH SUBAQUEOUS SERVICES, INC., FOR CONSTRUCTION OF THE SOUTH LAKE WORTH INLET MAINTENANCE DREDGING AND ROCK REMOVAL PROJECT (PROJECT 2002053) TO INCREASE THE AMOUNT PAID PER CUBIC YARD FOR DREDGING REMAINING MATERIAL IN THE INTRACOASTAL WATERWAY AND THE BOYNTON BEACH BOAT CLUB NAVIGATION ACCESS CHANNEL BECAUSE OF CHANGE IN SITE CONDITIONS; TO INCREASE THE QUANTITY OF CONCRETE TILES TO BE REPLACED; AND EXTEND THE CONSTRUCTION TIME BY 30 DAYS. APPROVED 4-2-2002

3.L.2. See page 44.

3.M. PARKS AND RECREATION

3.M.1. BUDGET TRANSFER 2002-0750

BUDGET TRANSFER OF \$124,000 IN THE \$30 MILLION PARK BOND FUND FROM RESERVES TO CARLIN PARK BRIDGE AND WEIR REPLACEMENT. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.M.2.

a. DOCUMENT R-2002-0458

AGREEMENT WITH THE VILLAGE OF WELLINGTON, NOT TO EXCEED \$3,000, FOR THE WELLINGTON ART FESTIVAL OCTOBER 1, 2001-OCTOBER 1, 2002. APPROVED 4-2-2002

b. BUDGET TRANSFER 2002-0751

BUDGET TRANSFER OF \$3,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO WELLINGTON/ART FESTIVAL. APPROVED 4-2-2002

3.M.3.

a. DOCUMENT R-2002-0459

AGREEMENT WITH WELLINGTON WRESTLING CLUB, INC., NOT TO EXCEED \$7,500, FOR THE PURCHASE OF WRESTLING EQUIPMENT OCTOBER 1, 2001-SEPTEMBER 30, 2002. APPROVED 4-2-2002

b. BUDGET TRANSFER 2002-0752

BUDGET TRANSFER OF \$7,500 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO WELLINGTON WRESTLING CLUB, INC./EQUIPMENT. APPROVED 4-2-2002

3.M.4.

a. DOCUMENT R-2002-0460

AGREEMENT WITH THE CITY OF BOYNTON BEACH, NOT TO EXCEED \$2,500, FOR THE CHENANIAH PRAISE DANCERS' TRIP TO WASHINGTON, D.C., JUNE 1, 2001-APRIL 30, 2002. APPROVED 4-2-2002

b. BUDGET TRANSFER 2002-0754

BUDGET TRANSFER OF \$2,500 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO BOYNTON BEACH/CHENANIAH PRAISE DANCERS. APPROVED 4-2-2002

3.M.5.

a. DOCUMENT R-2002-0461

AGREEMENT WITH ARTISTS SHOWCASE OF THE PALM BEACHES, INC., NOT TO EXCEED \$10,000, FOR THE TWO CENTURIES OF AFRICAN AMERICAN ART: OUR PERSONAL HERITAGE PROGRAM OCTOBER 1, 2001-SEPTEMBER 30, 2002. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.M.5. - CONTINUED

b. BUDGET TRANSFER 2002-0753

BUDGET TRANSFER OF \$10,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO ARTISTS SHOWCASE/AFRICAN AMERICAN ART PROGRAM. APPROVED 4-2-2002

3.N. LIBRARY - None

3.P. COOPERATIVE EXTENSION SERVICE - None

3.Q. CRIMINAL JUSTICE COMMISSION

3.Q.1.

a. DOCUMENT R-2002-0462

CONTRACT WITH COMPREHENSIVE ALCOHOLISM REHABILITATION PROGRAM FOR \$56,678 FOR SUBSTANCE ABUSE TREATMENT SERVICES APRIL 2, 2002-APRIL 1, 2003. APPROVED 4-2-2002

b. BUDGET TRANSFER 2002-0791

BUDGET TRANSFER OF \$56,678 IN THE DRUG ABUSE TRUST FUND FROM RESERVES TO THE GENERAL FUND FOR THE COMPREHENSIVE ALCOHOLISM REHABILITATION PROGRAM'S SUBSTANCE ABUSE TREATMENT SERVICES. APPROVED 4-2-2002

c. BUDGET AMENDMENT 2002-0792

BUDGET AMENDMENT OF \$56,678 IN THE GENERAL FUND FOR THE COMPREHENSIVE ALCOHOLISM REHABILITATION PROGRAM'S SUBSTANCE ABUSE TREATMENT SERVICES. APPROVED 4-2-2002

3.R. EMPLOYEE RELATIONS AND PERSONNEL

3.R.1. DOCUMENT R-2002-0463

CONTRACT WITH ENTERPRISE HEALTH SYSTEMS, INC., TO PROVIDE SERVICES FOR THE DRUG TESTING PROGRAM AS A COLLECTION SITE AND TO CONDUCT BREATH TESTING FOR ALCOHOL FOR ALL SAFETY-SENSITIVE AND PRE-EMPLOYMENT SAFETY-SENSITIVE EMPLOYEES AT AN ANNUAL COST OF \$11,550. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.S. FIRE-RESCUE

**3.S.1. DOCUMENT R-2002-0464
(AMENDS R-99-1581-D)**

AMENDMENT 5 TO THE AGREEMENT WITH WHELAN, DEMAIO & KISZKEL, P.A., FOR LEGAL SERVICES IN THE AREA OF LABOR NEGOTIATIONS TO EXTEND THE AGREEMENT THROUGH SEPTEMBER 30, 2003, RETROACTIVELY FROM FEBRUARY 28, 2002, AND INCREASE THE NOT-TO-EXCEED AMOUNTS TO \$231,000 FOR FEES AND \$7,120 FOR REIMBURSABLE EXPENSES AND COSTS, EXCLUDING EXPERT WITNESS FEES. THIS REPRESENTS AN INCREASE OF \$127,000 FOR FEES AND \$4,000 FOR EXPENSES. APPROVED 4-2-2002

3.T. HEALTH DEPARTMENT - None

3.U. INFORMATION SYSTEMS SERVICES

3.U.1.

a. DOCUMENT R-2002-0465

INTERLOCAL AGREEMENT WITH THE SHERIFF'S OFFICE FOR GEOGRAPHIC DATA SHARING FOR A TERM OF FIVE YEARS FROM OCTOBER 23, 2001. NO FISCAL IMPACT. APPROVED 4-2-2002

b. DOCUMENT R-2002-0466

INTERLOCAL AGREEMENT WITH THE TOWN OF HIGHLAND BEACH FOR GEOGRAPHIC DATA SHARING FOR A TERM OF FIVE YEARS FROM JANUARY 2, 2002. NO FISCAL IMPACT. APPROVED 4-2-2002

c. DOCUMENT R-2002-0467

INTERLOCAL AGREEMENT WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR GEOGRAPHIC DATA SHARING FOR A TERM OF FIVE YEARS FROM JANUARY 28, 2002. NO FISCAL IMPACT. APPROVED 4-2-2002

**d. DOCUMENT R-2002-0468
(AMENDS R-96-223-D)**

AMENDMENT 8 TO THE COOPERATIVE AGREEMENT WITH THE PROPERTY APPRAISER (TO DEVELOP A LIMITED FEATURE PLANIMETRIC MAP FOR THE COUNTY) TO EXTEND THE TERM OF THE AGREEMENT UNTIL DECEMBER 31, 2004, AT NO ADDITIONAL COST TO THE COUNTY. APPROVED 4-2-2002

3.V. METROPOLITAN PLANNING ORGANIZATION - None

3.W. PUBLIC INFORMATION OFFICE - None

CONSENT AGENDA - CONTINUED

3.X. PUBLIC SAFETY

3.X.1.

a. DOCUMENT R-2002-0469

ACCEPTANCE OF A GRANT AWARD OF \$6,500 FROM THE FLORIDA COUNCIL AGAINST SEXUAL VIOLENCE TO INCREASE AWARENESS OF SEXUAL VIOLENCE DURING APRIL, SEXUAL ASSAULT AWARENESS MONTH. APPROVED 4-2-2002

b. BUDGET AMENDMENT 2002-0778

BUDGET AMENDMENT OF \$6,500 IN THE PUBLIC SAFETY GRANT FUND TO ESTABLISH A BUDGET FOR THE GRANT AWARD FROM THE FLORIDA COUNCIL AGAINST SEXUAL VIOLENCE. APPROVED 4-2-2002

3.Y. PURCHASING - None

3.Z. RISK MANAGEMENT - None

3.AA. PALM TRAN

3.AA.1.

**a. RESOLUTION R-2002-0470
(AMENDS R-2001-1528)**

RESOLUTION AUTHORIZING: (1) JOINT PARTICIPATION AGREEMENT FM 41309718401 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR \$50,000 TO OFFSET THE COST OF CONDUCTING TWO SURVEYS TO MEASURE PUBLIC AWARENESS OF PUBLIC TRANSPORTATION SERVICES IN THE COUNTY; AND (2) SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT FM 40718018401 (AMENDS R-2001-1528) WITH FDOT FOR \$20,536 TO OFFSET THE COSTS OF PRODUCING A PUBLIC AFFAIRS TELEVISION SHOW TO PROMOTE PUBLIC AWARENESS AND SUPPORT OF PALM TRAN'S FIXED ROUTE AND PARATRANSIT SERVICES. ADOPTED 4-2-2002

c. BUDGET AMENDMENT 2002-0747

BUDGET AMENDMENT OF \$31,148 IN THE PALM TRAN GRANTS FUND TO ADJUST THE ESTIMATED BUDGET TO THE ACTUAL AGREEMENT AMOUNTS. APPROVED 4-2-2002

d. BUDGET AMENDMENT 2002-0748

BUDGET AMENDMENT OF \$31,148 IN THE PALM TRAN OPERATING FUND. APPROVED 4-2-2002

CONSENT AGENDA - CONTINUED

3.BB. SHERIFF

3.BB.1. BUDGET TRANSFER 2002-0794

BUDGET TRANSFER OF \$3,000 FROM THE LAW ENFORCEMENT TRUST FUND TO THE PALM BEACH COUNTY SHERIFF'S OFFICE FOR DONATIONS TO ORGANIZATIONS TO BE USED FOR CRIME AND DRUG PREVENTION, SPECIFICALLY, LAKE WORTH COMMUNITY HIGH SCHOOL/CRIMINAL JUSTICE ACADEMY. APPROVED 4-2-2002

3.BB.2. BUDGET AMENDMENT 2002-0803

BUDGET AMENDMENT OF \$1,655,651 IN THE GENERAL FUND FOR THE POLICE SERVICES CONTRACT ENTERED INTO BY THE TOWN OF LAKE PARK AND THE PALM BEACH COUNTY SHERIFF'S OFFICE FOR OCTOBER 1, 2001-SEPTEMBER 30, 2005. APPROVED 4-2-2002

3.BB.3.

a. DOCUMENT R-2002-0471

RECEIVE AND FILE AN AGREEMENT BETWEEN THE PALM BEACH COUNTY SHERIFF'S OFFICE AND THE BROWARD COUNTY SHERIFF'S OFFICE FOR \$50,000 TO OPERATE THE SOUTHEAST FLORIDA GANG ACTIVITY PREVENTION PROGRAM NOVEMBER 1, 2001-JUNE 30, 2002. APPROVED 4-2-2002

b. BUDGET AMENDMENT 2002-0815

BUDGET AMENDMENT OF \$50,000 IN THE SHERIFF'S GRANT FUND TO OPERATE THE SOUTHEAST FLORIDA GANG ACTIVITY PREVENTION PROGRAM. APPROVED 4-2-2002

3.BB.4.

a. DOCUMENT R-2002-0472

ACCEPTANCE OF A FLORIDA DEPARTMENT OF LAW ENFORCEMENT DRUG FARM PHASE II ENHANCEMENT AWARD OF \$112,500 FOR JUNE 1, 2002-MAY 31, 2003; AND RATIFICATION OF THE CHAIR'S SIGNATURE ON THIS AWARD. THE INMATE WELFARE FUND (MAINTAINED BY THE SHERIFF) WILL PROVIDE THE 25 PERCENT MATCH OF \$37,500. NO COUNTY FUNDS ARE REQUIRED. APPROVED 4-2-2002

b. BUDGET AMENDMENT 2002-0816

BUDGET AMENDMENT OF \$37,500 IN THE SHERIFF'S GRANT FUND TO RECOGNIZE THE FISCAL YEAR 2002 PORTION OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT DRUG FARM PHASE II ENHANCEMENT AWARD OF \$112,500. APPROVED 4-2-2002

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

CONSENT AGENDA - CONTINUED

Commissioner Newell pulled items 3.C.11., 3.C.12., 3.C.13., and 3.L.2.; see page 44 for discussion.

MOTION to pull items 3.C.11., 3.C.12., 3.C.13., and 3.L.2. from the consent agenda. Motion by Commissioner Marcus, seconded by Commissioner Greene, and carried 6-0. Commissioner McCarty absent.

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

4.A.

PROCLAMATION DECLARING APRIL 2002 AS READ TOGETHER PALM BEACH COUNTY MONTH. PRESENTED 4-2-2002

4.B.

PROCLAMATION DECLARING APRIL 1-7, 2002, AS COMMUNITY DEVELOPMENT WEEK. PRESENTED 4-2-2002

4.C.

PROCLAMATION DECLARING APRIL 14-20, 2002, AS DAYS OF REMEMBRANCE OF THE VICTIMS OF THE NAZI HOLOCAUST. DISCUSSED 4-2-2002

4.D.

PROCLAMATION DECLARING APRIL 14-20, 2002, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK. DISCUSSED 4-2-2002

4.E.

PROCLAMATION DECLARING APRIL 20-27, 2002, AS DROWNING PREVENTION AWARENESS WEEK. PRESENTED 4-2-2002

4.F.

PROCLAMATION DECLARING APRIL 20-28, 2002, AS NATIONAL LANDSCAPE ARCHITECTURE WEEK. PRESENTED 4-2-2002

4.G.

PROCLAMATION DECLARING APRIL 3, 2002, AS KICK BUTTS DAY. PRESENTED 4-2-2002

4.H.

PROCLAMATION DECLARING APRIL 14, 2002, AS TOWN OF LAKE CLARKE SHORES DAY. DISCUSSED 4-2-2002

4.I.

PROCLAMATION DECLARING MAY 2002 AS OLDER AMERICANS MONTH. PRESENTED 4-2-2002

SPECIAL PRESENTATIONS - CONTINUED

4.J.

PROCLAMATION DECLARING THE WEEK OF MAY 6, 2002, AS NATIONAL TOURISM WEEK. PRESENTED 4-2-2002

4.K.

PROCLAMATION DECLARING APRIL 21-27, 2002, AS VICTIMS RIGHTS WEEK. PRESENTED 4-2-2002

4.L.

PROCLAMATION DECLARING APRIL 2002 AS PETS ARE WONDERFUL MONTH. PRESENTED 4-2-2002

4.M.

PROCLAMATION DECLARING APRIL 7-13, 2002, AS NATIONAL COUNTY GOVERNMENT WEEK. PRESENTED 4-2-2002

4.N.

PROCLAMATION DECLARING APRIL 2002 AS SEXUAL ASSAULT AWARENESS MONTH. PRESENTED 4-2-2002

4.P.

PROCLAMATION DECLARING APRIL 26, 2002, AS ARBOR DAY. PRESENTED 4-2-2002

4.Q.

PROCLAMATION DECLARING APRIL 7-13, 2002, AS OWL FOUNDATION WEEK. DISCUSSED 4-2-2002

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

5.A. See pages 27-30.

REGULAR AGENDA - CONTINUED

TIME CERTAIN 10:00 A.M.

6.E.3.

DIRECTION ON THE RESTORATION/RECONSTRUCTION OF THE OLD 1916 COURTHOUSE FOR BETWEEN \$15.46 MILLION AND \$18.50 MILLION AND USING THE \$1.8 MILLION ALLOCATED FOR THIS PURPOSE FROM THE CRIMINAL JUSTICE FACILITIES BOND ISSUE. THE REMAINDER OF THE FUNDING WOULD BE THROUGH EITHER AD VALOREM REVENUE, A BOND ISSUE PLEDGING NON-AD VALOREM REVENUE SOURCES, GRANTS, DONATIONS, OR SOME COMBINATION OF THESE SOURCES. APPROVED, WITH FUNDING THROUGH A REVENUE BOND TO BE ATTACHED TO THE VISTA CENTER REVENUE BOND, PROVIDED THE BUILDING IS USED FOR COUNTY OFFICE SPACE WITH A CEREMONIAL COURTROOM AS A DISPLAY AREA ON THE FIRST FLOOR -- 4-2-2002

REGULAR AGENDA - CONTINUED

6.E.3. TIME CERTAIN 10:00 A.M. - CONTINUED

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

Board discussion focused on uses of public purpose, funding sources, and parking.

Commissioner Masilotti proposed that part of the building house the City of West Palm Beach Library.

Commissioner Marcus recommended that a committee of commissioner-appointed community representatives be formed under the leadership of Commissioner Greene to bring back a recommendation for uses of public purpose by August 2002.

Commissioner Aaronson suggested that the restoration of the 1916 Courthouse, finishing the seventh and eighth floors of the Judicial Center, and expansion of the Judicial Center garage be encompassed in one bond referendum.

Commissioner Newell announced the receipt of letters of restoration support from Congressman Mark Foley, Representative Anne M. Gannon, and Congressman E. Clay Shaw, Jr. Mr. Newell noted that former Chief Judge Walter N. Colbath, Jr., had expressed his support of the restoration.

MOTION to receive and file the letters of support. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 7-0.

PUBLIC COMMENT:

The following persons spoke in support of restoration of the Old Courthouse: Clarence Anthony, mayor of the City of South Bay; Wayne Boynton; Linda Cullen; Katherine H. Dickenson, chair of Historic Resources Review Board; Michael Docsh; Conrad DeSantis; George Greenberg; Chris Lockhart; Heather Mitchell, executive director of the Florida Trust for Historic Preservation; and Alfred Zucaro, Jr., commissioner of the City of West Palm Beach. Mayor Anthony supported the revenue bond concept of financing. Ms. Dickenson submitted a resolution of support from the Historic Resources Review Board (HRRB), relayed the restoration endorsements of the Florida Trust for Historic Preservation and the National Trust for Historic Preservation, spoke against financing by referendum, and offered her services in obtaining grants. Commissioner Zucaro read a resolution of support from the City Commission of the City of West Palm Beach.

(CLERK'S NOTE: There was no motion to receive and file the Historic Resources Review Board resolution.)

Bart Morrison urged the expenditure of the \$20 million courthouse restoration funds for prenatal and after-care programs, criminal justice programs, homeless programs, senior programs, and shell rock roads.

MOTION to receive and file the City of West Palm Beach resolution of support. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.

REGULAR AGENDA - CONTINUED

6.E.3. TIME CERTAIN 10:00 A.M. - CONTINUED

Commissioners Newell and Roberts read into the record the following names of persons who had indicated support on the comment cards: Robert Anderson; Robert Blomquist, major of the Town of Juno Beach; Mary Brandenburg, commissioner of the City of West Palm Beach; Ben Clemens; Joanne Davis; John R. Dubois III; Samuel J. Ferreri, mayor of the City of Greenacres; Dave Goodlett; Dennis Grady, representing Chamber of Commerce of the Palm Beaches; Nancy Graham; Marie Horenburger; Steve Kettelle; Barbara Knick; John F. ("Jeff") Koons, chair of Metropolitan Planning Organization; John Kraveski; Jud Laird; Heather Landstrom; Robin Lunsford; Steve Mickley; Kimberly Mitchell; Bill Moss, commissioner of the City of West Palm Beach; Gail Nelson; Emery J. Newell; Jane P. Newell; Bill Newgent; Lonnie Olds; Steven M. Roy; Robert Sanders; Lesly S. Smith, major of the Town of Palm Beach; Jerry Sosnicki; Cynthia Spall, representing Lake Worth Pioneers Association; Larry Springer; Elisabeth Tennyson, councilmember of the Town of Lantana; Preston Tillman; Greta von Unruh; and John F. Weir.

The chair and vice-chair read the following names of persons who favored funding restoration of the Old Courthouse by means other than a bond referendum: Gary Cooke, Darrin Engel, Bill Fountain, Tim Hulihan, Ronald T. Johnson, Kelly Layman, Sheri McCandless, Harvey Oyer, Sid Poe, Kimberly Rodale, Helen Vogt Greene, and Bill Williams.

Commissioner McCarty clarified that there would be increased taxes with a general obligation bond but not with a revenue bond.

MOTION to support preservation of the Old Courthouse and to fund its restoration through a revenue bond, provided it is used for county office space with a ceremonial courtroom as a display area on the first floor. Motion by Commissioner McCarty and seconded by Commissioner Roberts.

Commissioner Aaronson said the county taxpayers should make the decision on the matter and, therefore, he could not support the motion on the floor.

SUBSTITUTE MOTION for a general obligation bond for the restoration of the Old Courthouse, building the seventh and eighth floors and garage addition of the new courthouse, and improvements to the South County Courthouse; and to direct staff to come back with a dollar amount for any necessary renovations or improvements to the West County Courthouse and North County Courthouse. Motion by Commissioner Aaronson and seconded by Commissioner Masilotti.

Commissioner McCarty recommended restricting the general obligation bond to the Old Courthouse renovation. The other issues could be funded under the capital improvement plan, she said. Commissioner Roberts said the capital improvements could be funded by revenue bond. Commissioner Marcus said she supported the original motion, not the substitute motion.

Commissioner Aaronson maintained that the Old Courthouse, as a historical site, should not be used for county offices. He said he would yield to Commissioner McCarty on the one-issue bond.

AMENDED MOTION for a general obligation bond for the restoration of the Old Courthouse. The maker and seconder agreed.

REGULAR AGENDA - CONTINUED

6.E.3. TIME CERTAIN 10:00 A.M. - CONTINUED

Commissioner Aaronson clarified that it was his intent that the courthouse would be used as a museum with old courtroom, not offices.

Commissioner Newell said the courthouse should be a government building and used for county offices. He recommended working toward a partnership with the private sector in funding the project.

UPON CALL FOR A VOTE, the motion FAILED 3-4. Commissioners McCarty, Marcus, Newell, and Roberts opposed.

MOTION to support preservation of the Old Courthouse and to fund its restoration through a revenue bond to be attached to the Vista Center revenue bond, provided the building is used for county office space with a ceremonial courtroom as a display area on the first floor. Motion by Commissioner McCarty, seconded by Commissioner Roberts, and carried 5-2. Commissioners Aaronson and Greene opposed.

REORDER THE AGENDA

MOTION to reorder the agenda to consider item 6.E.1. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 7-0.

6.E.1.

a. DOCUMENT R-2002-0473

AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY FOR INSTALLATION OF AND PAYMENT FOR AN ADDITIONAL 8-INCH FLEX DUCT TO PEANUT ISLAND AT A COST OF \$88,629. APPROVED 4-2-2002

b. DOCUMENT R-2002-0474

CONTRACT WITH LEIGH CONSTRUCTION, INC., FOR \$332,933 FOR CONSTRUCTION OF THE PEANUT ISLAND PHASE I-B DIRECTIONAL DRILL WATER MAIN. APPROVED 4-2-2002

**c. DOCUMENT R-2002-0475
(AMENDS R-2002-0474)**

CHANGE ORDER 1 TO THE CONTRACT WITH LEIGH CONSTRUCTION, INC., FOR \$76,500 TO INSTALL A 4-INCH HDPE DR 11 FORCE MAIN USING DIRECTIONAL DRILLING. ADJUSTED CONTRACT PRICE FOR THE PEANUT ISLAND PHASE I-B DIRECTIONAL DRILL WATER MAIN: \$403,433. APPROVED 4-2-2002

d. BUDGET AMENDMENT 2002-0806

BUDGET AMENDMENT OF \$88,629 IN PARK IMPACT FEES ZONE 2 FOR PEANUT ISLAND DESIGN AND DEVELOPMENT. APPROVED 4-2-2002

MOTION to approve item 6.E.1. Motion by Commissioner Masilotti and seconded by Commissioner Roberts.

REGULAR AGENDA - CONTINUED

6.E.1. - CONTINUED

PUBLIC COMMENT:

John McCracken, on behalf of the Town of Palm Beach Town Council, acknowledged that the Palm Beach County Comprehensive Plan had been amended to allow no commercialization on Peanut Island but noted that the concomitant change in county zoning had not yet been made. Commissioner Marcus informed him that Thomas G. Bradford, town attorney, had been provided with the date the zoning change would be coming forward and assured Mr. McCracken that he would be informed as well so that he could be present to support it. Mr. McCracken said the town was very concerned about intensifying uses on the island and, therefore, very concerned about laying sewer lines.

Commissioner Roberts clarified that land use changes precede zoning changes and that the county was observing the necessary timeframe.

The board emphasized their commitment to no commercialization on the island.

Thomas R. Mills, mayor of the Town of Palm Beach Shores, discussed the perception of commercialization that had been created by certain developments and the county commission's response to that perception. Commissioner Newell directed staff to send a letter to Mayor Mills responding to his questions about deed restrictions, study on septic tank adequacy, and what, if any, changes had taken place with Palm Beach Maritime Museum and their effect on Peanut Island.

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

REORDER THE AGENDA

MOTION to reorder the agenda to consider item 6.E.2. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 7-0.

6.E.2.

a. BUDGET TRANSFER 2002-0779

BUDGET TRANSFER OF \$2,491,256 IN THE INTERGOVERNMENTAL, RADIO COMMUNICATION PROGRAM FUND FROM RESERVES TO MOVING VIOLATION SURCHARGE MUNICIPALITY TO ESTABLISH A BUDGET EXPENDITURE LINE IN THE MUNICIPAL ORGANIZATION. APPROVED 4-2-2002

**b. RESOLUTION R-2002-0476
(AMENDS R-2002-0192)**

RESOLUTION AMENDING EXHIBIT A TO RECONCILE THE EXHIBIT WITH THE \$12.50 FUNDS DEPOSITED IN THE MUNICIPAL ORGANIZATION. ADOPTED 4-2-2002

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

REGULAR AGENDA - CONTINUED

RECESS

At 12:15 p.m., the chair declared a brief recess.

RECONVENE

At 2:06 p.m., the board reconvened with Commissioners Aaronson, Greene, Marcus, and Roberts present.

REORDER THE AGENDA

MOTION to reorder the agenda to consider item 5.A. Motion by Commissioner Marcus, seconded by Commissioner Aaronson, and carried 4-0. Commissioners McCarty, Masilotti, and Newell absent.

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

(CLERK'S NOTE: Proof of publication 5978055 was approved for receipt and file in the meeting of February 5, 2002. That public hearing was continued to today's meeting.)

5.A.

ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT CODE, AS ADOPTED BY ORDINANCE 92-20, AS AMENDED; AMENDING SECTION 9.5.A, GOALS, PURPOSE, APPLICABILITY, AND AUTHORITY; AMENDING SECTION 9.5.B., REQUIRING APPROVAL UNLESS EXEMPT; AMENDING SECTION 9.5.C., PERMIT APPLICATION REQUIREMENTS, PROCESS, AND GENERAL STANDARDS OF ISSUANCE; AMENDING SECTION 9.5.D., EXEMPTIONS; AMENDING SECTION 9.5.E., VEGETATION REMOVAL NOTICE FOR SINGLE-FAMILY RESIDENTIAL PARCELS; AMENDING SECTION 9.5.F., GENERAL PERMIT; AMENDING SECTION 9.5.G., STANDARD PERMIT; AMENDING SECTION 9.5.H., REMOVAL OF PROHIBITED NON-NATIVE VEGETATION; AMENDING SECTION 9.5.I., ADMINISTRATIVE REQUIREMENTS; AMENDING SECTION 9.5.J., MITIGATION OR RESTORATION; AMENDING SECTION 9.5.K., NATURAL AREAS AND PRESERVE AREAS; AMENDING SECTION 9.5.L., DEFINITIONS; AMENDING THE ATTACHMENTS TO SECTION 9.5; PROVIDING FOR REPEAL OF LAWS IN CONFLICT, SPECIFICALLY SECTION 9.4., WETLANDS PROTECTION. (P.O.P. 5978055 [2-5-2002]) POSTPONED FOR 90 DAYS WITH DIRECTION 4-2-2002

MOTION to POSTPONE the ordinance for 90 days. Motion by Commissioner Aaronson.

Commissioner Aaronson said he wanted a program in place to help property owners in the removal of exotic vegetation and to make sure that the Palm Beach County League of Cities was working with the county on the issue. Additionally, he wanted answers to the following questions:

- How much does it cost to remove a tree?
- How much does it cost to plant a tree?
- Will the county require new planting in the land it requires to be stripped bare of exotic vegetation?

PUBLIC HEARING - CONTINUED

5.A. - CONTINUED

- Will the county find someone who will help property owners in removing the vegetation without great expense?
- Will the county find someone who will help property owners in planting new trees without great expense?

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

SECOND TO MOTION by Commissioner Masilotti.

Commissioner Masilotti raised the following concerns:

- Was there a scientific time of year that would be more advantageous for exotics removal vis-à-vis species migration or other issues?
- The ordinance did not take into account road and drainage canal easements that are maintained by other than the property owner. For instance, owners of 1.25-acre lots in the Acreage do not control the full lot. An average lot in the Acreage has easements cut out of it for drainage. These easements are controlled by Indian Trail Improvement District, which, as a government agency, should be responsible for removal of the exotics. The Acreage lots should be changed from 1.25 acres to 1.30 acres in order to give the owners a net 1.25 acres.
- Was any Department of Environmental Protection funding available?

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

Commissioner McCarty said that a primary purpose of the postponement would be for staff to investigate possible incentives and come back with recommendations.

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

PUBLIC COMMENT:

The following speakers supported postponement: Helen Beck, Barbara Benefield, Pamela Crawford, Joanne Davis, James K. Green, Barbara Hadsell, Greg Harrison, George Kenney, George Kirkham, Bill Louda, Charles Putman, Marjorie Putt, Roberto Torres, and Michael Zimmerman.

The speakers requested the following issues be addressed by the county during the 90-day postponement:

- Methodology and effect of the pesticides. (Mr. Harrison)
- Establishment of monitoring guidelines; review of all herbicide and pesticide studies as part of monitoring guidelines; and enlistment of experts to educate the board and public on steps to take to minimize effects of invasive plant removal on the environment. (Ms. Hadsell)

PUBLIC HEARING - CONTINUED

5.A. - CONTINUED

- Costs of removal to property owners. Where, for example, the speaker could come up with an estimated \$120,000, which he did not have, to remove seventy 100-foot-tall Australian pines or else face financial ruin and lose his land. (Mr. Kirkham)
- How the county will minimize adverse effects of vegetation management practices on human health and safety; how the county will determine the biological site characteristics and planning and permitting the vegetation management projects; how the county will protect and/or enhance the bio-physical environment, such as wildlife and migratory bird habitat water quality; and to what extent the county will consider cost effectiveness, including direct and indirect costs and benefits. (Mr. Green)

Commissioner Roberts invited Mr. Green to meet with county staff.

- Incorporation of the county's surplus fir vegetation removal. (Ms. Davis)
- Holding of a public forum; cost to the government and public utilities of clearing their own lands; and validity of exemption. (Mr. Louda)
- Disposal of removed vegetation. (Mr. Zimmerman)

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

The following speakers opposed postponement: Steven Bell, Rosa Durando, John Koch, Chris Lockhart, and Stella Rossi.

Commissioner Roberts requested Environmental Resources Management (ERM) Executive Director Richard E. Walesky to include ERM's public education campaign on the negative effects of exotics on Channel 20. Commissioner Newell asked that ERM prepare public service announcements for other channels as well and speak to Tax Collector John K. Clark about including a notice in the tax bill.

Commissioner Aaronson posed the following additional questions to be answered during the postponement period:

- Does the county have to give additional time to people unable to afford to replant trees?
- Does the county want to put money into a bond to help pay for replanting?

Mr. Walesky said that the Palm Beach County League of Cities believed the ordinance should remain solely in the unincorporated area because it dealt with land development regulations and vegetation protection, and had recommended a smaller ordinance dealing specifically with the "list of nine" and the same schedule as in the larger ordinance. This smaller ordinance had been approved by the league's environmental committee and executive council and had been tabled by the full membership because of enforcement concerns.

Commissioner Roberts agreed with Mr. Walesky's suggestion that the league be asked to defer making a decision on the smaller ordinance for 90 days.

PUBLIC HEARING - CONTINUED

5.A. - CONTINUED

Commissioner Marcus requested that the league be asked for suggestions on incentives and replacement methods and, with a view to the use of replacement material, that the Engineering department and Florida Department of Transportation join the discussion with the issue of the timing of roadway clearings.

Mr. Walesky said staff would bring a pilot incentive project back to the board with location prioritization, methods, and costs.

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

(CLERK'S NOTE: Commissioner McCarty rejoined the meeting, and Roberts left the meeting.)

8. MATTERS BY THE PUBLIC - 2:00 P.M.

8.A.

EXOTIC VEGETATION REMOVAL AND FINANCIAL RUIN. DISCUSSED 4-2-2002

George Kenney declared he could pay neither the \$45,000 cost to have 18 Australian pines removed from his property nor the \$2,000-a-day fine for non-removal. Unable to pay the fines, he was faced with the prospect of losing his home. Mr. Kenney said he assumed the county had developed a plan to have exotics removed with county, state, or federal funds.

8.B.

CHARGE OF SELECTIVE CODE ENFORCEMENT. DISCUSSED 4-2-2002

Donald Borovy urged the board to have the code enforcement lien on his property removed, contending selective enforcement.

8.C.

PROBLEMS WITH NEW VOTING MACHINES. DISCUSSED WITH DIRECTION 4-2-2002

Ken L. Sangrey reported on the difficulty he and other voters had experienced with the new touch-screen voting machines.

Albert Paglia, vice-mayor of the Village of Wellington, detailed the recent election that he lost by 4 votes while the votes of 78 persons went unrecorded. He also questioned whether all 2,600 voters were legally registered. Several persons had e-mailed him to bring the matter to the county's attention, a sampling of which e-mails he submitted. Mr. Paglia requested that the board convene a task force to investigate the matter.

MOTION to receive and file the e-mails provided by Mr. Paglia with the intent of forwarding to Supervisor of Elections Theresa LePore after board review. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Roberts absent.

MATTERS BY THE PUBLIC - CONTINUED

8.C. - CONTINUED

(CLERK'S NOTE: A copy of the documentation was not provided to the clerk.)

Thomas Crum said the new touch-screen voting machines were supposed to have reduced the number of under-votes whereas in the recent Wellington election they produced a number consistent with the traditional punch card chad system. He discussed the new machine's problems in detail.

Bob Brown discussed certain problems of the new touch-screen voting machine as well as the optical-scan ballot for absentee voting. He recommended that video cameras be included in polling places.

Chief Assistant County Attorney Cullen shared Commissioner Newell's opinion that cameras were not allowed in voting areas.

Commissioner McCarty made the following recommendations:

- Request a report from Sequoia Voting Systems, the vendor;
- Contact the 2,600 voters in the recent Wellington election as to their experience with the new system;
- Prepare better instructions on how to use the machine;
- Include a ballot review component to review one's votes before finalization;
- Add a line to the ballot that says "I am aware that I chose not to vote on this issue (or: in this race)";
- Ascertain the number of under-votes experienced historically in local races;
- Replace current poll workers with library staff (by closing down libraries on election day) and off-duty firefighters;
- Request a report from the supervisor of elections on her reasons for selecting the optical-scan ballot absentee voting system; and
- Indicate that 57 cents is needed to mail an absentee ballot by affixing a sticker to the envelope, preprinting the envelope with required postage, or paying postage.

Commissioner Aaronson asked that Supervisor of Elections LePore and Sequoia Voting Systems be invited to meet with the Board of County Commissioners. He called for better training for poll workers and suggested that off-duty police officers be encouraged to become poll workers in addition to those persons suggested by Commissioner McCarty. Ms. McCarty later stated that state law prohibits law enforcement personnel from working in the polls.

Commissioner Newell said he had asked Ms. LePore to explain why she chose the connect-the-arrow ballot versus the dot ballot, an issue discussed by Commissioner Aaronson.

MATTERS BY THE PUBLIC - CONTINUED

8.C. - CONTINUED

Commissioner Masilotti advised withholding payment on the voting machines if they have not already been paid for and arranging a double-blind voting test with 100 machines.

8.D.

RECOMMENDATIONS TO EASE THE PLIGHT OF THE LOW-WAGE WORKING PERSON. DISCUSSED WITH DIRECTION 4-2-2002

Tom Matthews read a resolution prepared by Umbrella for Justice, a broad-based coalition of local groups, which addressed the financial hardship and poverty experienced by low-wage working persons and advocated establishing a base pay of no less than 100 percent of the federal poverty level for a family of four as well as health care benefits for all public employees and for employees of all private enterprises that receive public subsidies, substantial contracts for goods or services from public bodies, or substantial public bank loans at favorable rates.

John Koch later supported the resolution and recommended that the board consider adopting a living wage ordinance.

Elaine Troy later supported the resolution and a living wage.

Following Ms. Troy's comments, Commissioner Aaronson said that Miami-Dade County had passed a living wage ordinance and that Broward County was looking into the issue. He said he also was looking into the matter, i.e., requiring recipients of county contracts to pay a living wage and the county to pay living wages for county employees, and would report to the board when his research was complete. Commissioner Newell asked Commissioner Aaronson to look into the additional cost to the county as well. Commissioner Marcus asked Chief Assistant County Attorney Cullen to provide the board with a historical overview and whatever information her office had compiled.

8.E.

WAIVER FROM TEST FOR SPECIALTY LICENSE ON TRIM CARPENTRY. DISCUSSED WITH DIRECTION 4-2-2002

Carl Palomba, a learning-disabled carpenter in business since 1974, stated that long-established carpenters should be given a waiver from the test for a specialty license on trim carpentry, which will go into effect October 1, 2002. Newcomers could be given the examination, he said.

Commissioner Newell asked Contractor's Certification Division Director Kurt Eismann to work with Mr. Palomba.

8.F.

PARK-AND-RIDE IN DOWNTOWN WEST PALM BEACH; AND USES OF OLD COURTHOUSE. DISCUSSED 4-2-2002

Bobbi Valentine supported a park-and-ride transportation system in order for persons to experience downtown West Palm Beach. She also supported restricting a renovated 1916 Courthouse to historical purposes.

MATTERS BY THE PUBLIC - CONTINUED

8.G.

CHILDREN'S COALITION WORK ON BEHALF OF CHILDREN. DISCUSSED 4-2-2002

Carlton Cartwright, executive director of The Children's Coalition, showed a videotape of county children being taken to the Sundance Film Festival, thanked the board for a grant that allowed this to occur, and discussed juvenile crime and the coalition's efforts to help at-risk children. He presented the videotape to the board for each commissioner to review at his or her leisure.

8.H.

EXOTIC VEGETATION IN SOUTH FLORIDA. DISCUSSED 4-2-2002

Steven Bell stated that South Florida was losing 50 acres a day to exotic vegetation and advocated using the 30-day postponement to strengthen the county's exotic vegetation ordinance. Wherever Australian pines do not represent an infrastructure threat, he said, they should be topped, left in place, and allowed to become what are called "snags," which 60 percent of native birds require for nesting.

8.I.

HEART OF BOYNTON BEACH PROJECT. DISCUSSED 4-2-2002

Anthony Morris cited a Sun-Sentinel article of March 11, 2002, regarding the Heart of Boynton Beach project and a possible land swap between the City of Boynton Beach and the Palm Beach County Housing Authority in which a nature area and wildlife habitat would be destroyed to make way for a public housing project. Mr. Morris requested the county commission's help in protecting the area.

Commissioner Newell responded that the county has no authority over the housing authority, which is an independent group established by the state and appointed by the governor. Further, according to his understanding, the land is zoned correctly for single-family homes and what is planned to be built there is a single-family development of 38 or 39 units. If the land is zoned correctly and all criteria are met, the owner has the right to build on it. Mr. Newell said he had asked Environmental Resources Management to determine its environmental sensitivity status, however.

Mr. Morris said that according to city officials in a city council meeting two weeks previously, the land was zoned for park when it was taken over.

Commissioner McCarty commented that if the land was environmentally sensitive, she thought it would be on the county's environmentally sensitive lands list already. If it was environmentally sensitive, the county could not prohibit development; it would have to purchase the property.

Commissioner Newell added that he had a list of persons in his office (of whom Mr. Morris was one) who had either written or telephoned him and that after his research, he would respond to each with factual information about the site, its status and zoning.

(CLERK'S NOTE: Commissioner Roberts rejoined the meeting.)

REGULAR AGENDA - CONTINUED

6.A. ADMINISTRATION

6.A.1.

a.

PAYMENT OF \$27,270.12 TO THE VILLAGE OF ROYAL PALM BEACH TO REIMBURSE 50 PERCENT OF THE EXPENSES INCURRED IN PUMPING WATER IN THE POND CYPRESS NATURAL AREA (FOX PROPERTY) TO PREVENT FLOODING OF RESIDENTIAL HOMES IN THE LA MANCHA NEIGHBORHOOD IN THE SUMMER OF 2001. APPROVED 4-2-2002

b.

BUDGET TRANSFER 2002-0757

BUDGET TRANSFER OF \$27,271 IN THE GENERAL FUND FROM CONTINGENCY RESERVES TO GENERAL GOVERNMENT TO PROVIDE FUNDING FOR THE PAYMENT TO THE VILLAGE OF ROYAL PALM BEACH. APPROVED 4-2-2002

MOTION to approve the payment and budget transfer. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.

PUBLIC COMMENT:

Rosa Durando commented on the water problem which she contended was brought about by poor engineering. She implored the commission to support a more wholesome way to handle excess water, i.e., more reservoirs and more overflow land.

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

6.A.2.

a.

DEVELOPMENT REGIONS ROUND VI GRANT PROGRAM CRITERIA AND SCHEDULE. APPROVED 4-2-2002

b.

DEVELOPMENT REGIONS GRANT PROGRAM ROUND VI FUNDING FOR \$546,013, WHICH INCLUDES THE FISCAL YEAR BUDGET TOTALING \$500,000 AND ROLLOVER FUNDS FROM ROUNDS III AND V TOTALING \$46,013. APPROVED 4-2-2002

MOTION to approve the criteria, schedule, and funding. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 7-0.

6.A.3.

RESOLUTION R-2002-0477

RESOLUTION DECLARING ALL REMAINING PUNCH CARD VOTE RECORDERS AND ASSOCIATED EQUIPMENT SURPLUS TO THE NEEDS OF THE COUNTY AND TO BE DISPOSED OF IN A LAWFUL MANNER, AND MAKING ADDITIONAL PROVISIONS RELATED THERETO. ADOPTED WITH DIRECTION 4-2-2002

REGULAR AGENDA - CONTINUED

6.A.3. - CONTINUED

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

Commissioner Newell asked Assistant County Administrator Brad Merriman to obtain a copy of a recent program aired on CNN about the disposal of county systems and equipment.

Mr. Merriman told Commissioner Aaronson that the county had raised approximately \$200,000 in the sale of its old voting machines. He also said that there was insufficient storage to keep the remaining machines on hand.

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

6.A.4.

a. RESOLUTION R-2002-0478

RESOLUTION TO SUPPORT RAILAMERICA, INC., BEING APPROVED AS A QUALIFIED APPLICANT FOR FLORIDA'S QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM, AND TO PROVIDE A \$40,200 LOCAL MATCH OF RAILAMERICA'S APPLICATION FOR NOT-TO-EXCEED \$201,000. ADOPTED 4-2-2002

b. DOCUMENT R-2002-0479

AGREEMENT WITH RAILAMERICA, INC., FOR \$40,200 FOR THE CREATION/RELOCATION OF 67 FULL-TIME JOBS AT AN AVERAGE ANNUAL SALARY OF \$55,000. APPROVED 4-2-2002

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

6.B. COUNTY ATTORNEY

6.B.1.

APPROVE ON PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON APRIL 16, 2002, AT 9:30 A.M., AN ORDINANCE AMENDING SECTION 17-116 OF THE COUNTY CODE, RELATING TO THE TOURIST DEVELOPMENT TAX PURSUANT TO THE LOCAL OPTION TOURIST DEVELOPMENT ACT; AMENDING THE ORDER OF ALLOCATION OF THE INITIAL THREE CENTS OF THE BED TAX REVENUES. APPROVED 4-2-2002

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

REGULAR AGENDA - CONTINUED

6.B.2.

RESOLUTION R-2002-0480

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT-TO-EXCEED \$10,000,000 INDUSTRIAL DEVELOPMENT REVENUE BONDS (THE CHILDREN'S HOME SOCIETY OF FLORIDA PROJECT), SERIES 2002. THE BONDS WILL BE PAYABLE SOLELY FROM THE BORROWER. NEITHER THE TAXING POWER NOR THE FAITH AND CREDIT OF THE COUNTY, NOR ANY OF THE COUNTY SHALL BE PLEDGED TO PAY PRINCIPAL OR REDEMPTION PREMIUMS, IF ANY, OR INTEREST ON THE BONDS. ADOPTED 4-2-2002

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

6.C. COMMUNITY SERVICES

6.C.1.

SERVICE PRIORITY RECOMMENDATIONS BY THE CITIZENS ADVISORY COMMITTEE ON HEALTH AND HUMAN SERVICES FOR THE FINANCIALLY ASSISTED AGENCY FUNDING PROCESS FOR FISCAL YEAR 2003. APPROVED 4-2-2002

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

6.C.2.

a.

STAFF REPORT AND RECOMMENDATIONS ON HOMELESSNESS. APPROVED WITH DIRECTION 4-2-2002

b.

BUDGET TRANSFER 2002-0804

BUDGET TRANSFER OF \$146,150 IN THE GENERAL FUND FROM CONTINGENCY RESERVES TO 10 ACCOUNTS TO FUND AN ADDITIONAL HOMELESSNESS OUTREACH TEAM INCLUDING THREE NEW POSITIONS. FUNDING IS PROVIDED FOR FIVE MONTHS. APPROVED 4-2-2002

MOTION to approve the staff report and recommendations and the budget transfer. Motion by Commissioner Masilotti and seconded by Commissioner Roberts.

PUBLIC COMMENT:

Ken Robertson asked the board to look into the procedure whereby Vetsville and other eligible homeless service providers are disqualified when applying for super nova Housing and Urban Development (HUD) grants while others, including Salvation Army, Goodwill Industries, Police Athletic League (PAL), Adopt A Family, and Palm Beach County Human Services, are given those grants. The consistent granting of certain applications was reported in the Palm Beach Post in February 2002, he said.

Commissioner Newell asked Community Services Director Edward L. Rich to meet with Mr. Robertson.

REGULAR AGENDA - CONTINUED

6.C.2. - CONTINUED

Mr. Rich said the county had no control over the coalition issuing the grants but that he would look into the matter and report back to the board.

Commissioner Masilotti asked for a two-year listing of all service providers who had applied for funds in support of the homeless with the funding results and rankings.

Commissioner Newell asked for a report as soon as possible of the April 17, 2002, homeless task force meeting to be chaired by Commissioner Greene in Riviera Beach.

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

6.D. PUBLIC INFORMATION

6.D.1.

a. DOCUMENT R-2002-0481

AGREEMENT WITH THE FLORIDA ATLANTIC UNIVERSITY/FLORIDA INTERNATIONAL UNIVERSITY (FAU/FIU) JOINT CENTER FOR ENVIRONMENTAL AND URBAN PROBLEMS TO DETERMINE THE FEASIBILITY OF ESTABLISHING SUB-JURY DISTRICTS IN THE COUNTY. APPROVED WITH DIRECTION 4-2-2002

b. BUDGET TRANSFER 2002-1024

BUDGET TRANSFER OF \$31,567 IN THE GENERAL FUND FROM CONTINGENCY TO THE PUBLIC INFORMATION PROFESSIONAL SERVICES BUDGET LINE. APPROVED 4-2-2002

MOTION to approve the agreement and budget transfer. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 7-0.

Commissioner Newell asked Deputy County Administrator Baker to prepare a letter to Florida Atlantic University President Anthony James Catanese in recognition of his contributions.

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

6.D.2. DELETED

6.E. FACILITIES DEVELOPMENT AND OPERATIONS

6.E.1. See pages 25-26.

6.E.2. See page 26.

TIME CERTAIN 10:00 A.M.

6.E.3. See pages 22-25.

REGULAR AGENDA - CONTINUED

6.F. INFORMATION SYSTEMS SERVICES

6.F.1.

- a. DOCUMENT R-2002-0482
(AMENDS R-98-1540-D)**

RATIFICATION OF 34 CHANGE ORDERS (IME #13-57), PREVIOUSLY APPROVED BY THE JUSTICE INFORMATION SYSTEM (JIS) POLICY BOARD, TOTALING \$606,366, TO THE SOFTWARE DEVELOPMENT CONTRACT WITH AFFILIATED COMPUTER SYSTEMS, INC., FOR THE JUVENILE AND CIVIL COURT SYSTEMS. APPROVED 4-2-2002

- b. DOCUMENT R-2002-0483
(AMENDS R-98-1540-D)**

PAYMENT OF 5 CHANGE ORDERS (IME #59-65), TOTALING \$173,485, TO THE SOFTWARE DEVELOPMENT CONTRACT WITH AFFILIATED COMPUTER SYSTEMS, INC., FOR THE JUVENILE AND CIVIL COURT SYSTEMS. APPROVED 4-2-2002

- c.**

INCREASE PROJECT CONTINGENCY BY \$200,000. APPROVED 4-2-2002

- d.**

RECEIVE AND FILE STATUS REPORT ON THE JUSTICE INFORMATION SYSTEM (JIS) PROJECTS. APPROVED 4-2-2002

- e. RESOLUTION R-2002-0484
(AMENDS R-98-1541)**

RESOLUTION AMENDING RESOLUTION R-98-1541 TO ADD THE WORD "CUMULATIVE" TO PARAGRAPH 1.B. AND TO INCREASE THE AUTHORIZATION LIMIT FROM \$100,000 TO \$200,000. ADOPTED AS AMENDED (NO INCREASE) NOT APPROVED 4-2-2002

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

MOTION to approve parts a., b., c., d., and e. of item 6.F.1. Motion by Commissioner Marcus and seconded by Commissioner McCarty.

Commissioner Newell said he did not want to increase the cumulative authorization limit from \$100,000 to \$200,000 and, therefore, would not support the motion.

AMENDED MOTION to approve parts a., b., c., and d. of item 6.F.1.. The maker and seconder agreed. Upon call for a vote, the motion carried 5-0. Commissioners Aaronson and Masilotti absent.

Deputy County Administrator Baker said she assumed that the board needed to adopt a amending resolution that added the word "cumulative." Commissioner Newell clarified that the motion required all cumulative change orders over \$100,000 to come before the board.

REGULAR AGENDA - CONTINUED

6.G. PALM TRAN

6.G.1.

a. BUDGET TRANSFER 2002-0799

BUDGET TRANSFER OF \$696,961 IN THE GENERAL FUND FROM CONTINGENCY RESERVES TO PALM TRAN OPERATING. APPROVED 4-2-2002

b. BUDGET AMENDMENT 2002-0798

BUDGET AMENDMENT OF \$696,961 IN PALM TRAN OPERATIONS FUND TO INCREASE PALM TRAN'S FISCAL YEAR 2002 BUDGET FOR THE PARATRANSIT PROGRAM. APPROVED 4-2-2002

MOTION to approve the budget transfer and budget amendment. Motion by Commissioner McCarty and seconded by Commissioner Roberts.

PUBLIC COMMENT:

David Evans, Rick Troyano, and Bobbi Valentine supported the motion.

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

**6.G.2. RESOLUTION R-2000-0485
(AMENDS R-2001-2241)**

RESOLUTION REPLACING SEVEN DISTRICT APPOINTMENTS ON THE PALM TRAN SERVICES BOARD WITH SEVEN AT-LARGE APPOINTMENTS AND EXTENDING THE SUNSET DATE FROM DECEMBER 31, 2002, TO SEPTEMBER 30, 2003. ADOPTED 4-2-2002

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

PUBLIC COMMENT:

Bobbi Valentine supported the motion.

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

6.H. SHERIFF

6.H.1.

APPROVE ON PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON APRIL 16, 2002, AT 9:30 A.M., AN ORDINANCE AMENDING CHAPTER 16 OF THE COUNTY CODE, ARTICLE III (ORDINANCE 2000-012), WHICH WILL REDUCE THE AMOUNT OF FINES TO ALARM USERS WHILE RAISING THE PENALTIES ON THE PART OF ALARM COMPANIES. APPROVED WITH DIRECTION 4-2-2002

REGULAR AGENDA - CONTINUED

6.H.1. - CONTINUED

MOTION to approve the ordinance on preliminary reading and advertise for public hearing on April 16, 2002, at 9:30 a.m. Motion by Commissioner McCarty and seconded by Commissioner Greene.

Commissioner Newell requested Assistant County Administrator Vince Bonvento to provide a more detailed report to the board prior to the next hearing.

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

6.I. ENGINEERING AND PUBLIC WORKS

6.I.1. RESOLUTION R-2002-0486

RESOLUTION INITIATING THE SPECIAL ASSESSMENT PROCESS FOR INTERIM COURTESY MAINTENANCE PERFORMED UNDER THE MUNICIPAL SERVICES TAXING UNIT (MSTU) IMPROVEMENT PROGRAM ON 102ND PLACE SOUTH (70TH AVENUE SOUTH TO JOG ROAD) AND 70TH AVENUE SOUTH (105TH STREET SOUTH TO BOYNTON BEACH BOULEVARD). THE COST OF THE INTERIM COURTESY MAINTENANCE IS \$37,544.82, 50 PERCENT OF WHICH WILL BE ASSESSED TO THE BENEFITING PROPERTY OWNERS. THE ASSESSMENT WILL BE PAYABLE IN 10 EQUAL ANNUAL INSTALLMENTS. (THE COUNTY ENGINEER'S OFFICE IS HEREBY AUTHORIZED TO ADVERTISE THIS PROJECT FOR A PUBLIC HEARING.) ADOPTED 4-2-2002

MOTION to adopt the resolution. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-0. Commissioners Aaronson and Masilotti absent.

6.I.2.

a. DOCUMENT R-2002-0487

AGREEMENT WITH DELRAY BEACH COMMUNITY DEVELOPMENT CORPORATION FOR \$198,831.94 IN FINANCIAL ASSISTANCE FOR CONSTRUCTION OF OFF-SITE RELATED STREETScape IMPROVEMENTS AS PART OF THE ATLANTIC GROVE PROJECT. APPROVED 4-2-2002

b. BUDGET TRANSFER 2002-1041

BUDGET TRANSFER OF \$198,832 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 7 TO ATLANTIC GROVE PROJECT-DISTRICT 7. APPROVED 4-2-2002

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

REGULAR AGENDA - CONTINUED

6.J. HOUSING AND COMMUNITY DEVELOPMENT

6.J.1.

CONCEPTUAL APPROVAL OF A MULTI-FAMILY HOUSING LOAN OF \$500,000 RECOMMENDED BY THE COMMISSION ON AFFORDABLE HOUSING FOR LAND ACQUISITION FOR THE 136-UNIT AFFORDABLE RENTAL COMPONENT OF MERRY PLACE AT PLEASANT CITY, A DEVELOPMENT IN THE PLEASANT CITY NEIGHBORHOOD OF WEST PALM BEACH. APPROVED WITH DIRECTION 4-2-2002

MOTION to conceptually approve the loan. Motion by Commissioner Marcus and seconded by Commissioner Greene.

PUBLIC COMMENT:

Edward Horton, executive director of Pleasant City Faith-Based Community Development Initiative, and Laurel Robinson, representing City of West Palm Beach Housing Authority, supported the motion.

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

7. BOARD APPOINTMENTS

7.A. ADMINISTRATION

7.A.1.

APPOINTMENT OF KATHRYN SCHMIDT TO PALM BEACH COUNTY WORKFORCE DEVELOPMENT BOARD, INC., THROUGH JANUARY 31, 2004. APPROVED 4-2-2002

MOTION to approve the appointment. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-0. Commissioners Aaronson and Masilotti absent.

7.B. COMMUNITY SERVICES

7.B.1.

APPOINTMENT OF CHARLES EDWARD BOWMAN AND KYMBERLEY DAWN LUCAS TO THE PALM BEACH COUNTY HIV COMPREHENSIVE AIDS RESOURCE EMERGENCY (CARE) COUNCIL APRIL 2, 2002-APRIL 1, 2004. APPROVED 4-2-2002

MOTION to approve the appointments. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-0. Commissioners Aaronson and Masilotti absent.

BOARD APPOINTMENTS - CONTINUED

7.B.2.

APPOINTMENT OF THE FOLLOWING TO THE HEAD START/HEAD START POLICY COUNCIL FOR A TERM OF TWO YEARS OR LESS, EFFECTIVE OCTOBER 1, 2001: IRASEMA CORDOVA, VINCENTA DEL BOSQUEZ, JULIE GARTEN, EUGENE GREENWOOD, TANIKA HALL, AKILLA HILL, DOROTHY HILL, NICOLE JOHNSON, JOYCELYN A. JONES, EUGENE LAWRENCE, LYNNE LINDSAY, ELIZABETH RAHMOUN, GLADYS SIEBER, AMBER TAYLOR, MAXINE TAYLOR, NOVELLA TILMAN, SONIA TORRES, SHANDELL TUDOR, JOCELYNE VOLTAIRE, ANGEIA WALKER, AND VICTORIA WATSON. APPROVED 4-2-2002

MOTION to approve the appointments. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-0. Commissioners Aaronson and Masilotti absent.

7.C. PALM TRAN

7.C.1. DELETED

7.D. PUBLIC SAFETY

7.D.1.

APPOINTMENT OF HAROLD MURPHY AND REAPPOINTMENT OF RUBIN FELDERMAN, MARJORIE ISADORE, BRENDA MONTAGUE, AND DANIEL PIKULA TO THE CONSUMER AFFAIRS HEARING BOARD FOR A TWO-YEAR TERM EXPIRING DECEMBER 31, 2003. APPROVED 4-2-2002

MOTION to approve the appointment and reappointments. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-0. Commissioners Aaronson and Masilotti absent.

7.E. ENVIRONMENTAL RESOURCES MANAGEMENT

7.E.1.

REAPPOINTMENT OF WILLIAM BOWMAN, VICTOR CONNOR, AND CHARLES WALSEY TO THE CONSERVATION LAND ACQUISITION SELECTION COMMITTEE. APPROVED 4-2-2002

MOTION to approve the reappointments. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-0. Commissioners Aaronson and Masilotti absent.

7.F. PLANNING, ZONING AND BUILDING

7.F.1.

APPOINTMENT OF GREGORY H. LEWIS TO COMPLETE THE TERM OF RICHARD HASNER, EXPIRING SEPTEMBER 9, 2003, ON THE CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS. APPROVED 4-2-2002

MOTION to approve the appointment. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 5-0. Commissioners Aaronson and Masilotti absent.

BOARD APPOINTMENTS - CONTINUED

7.G. COMMISSION DISTRICT APPOINTMENTS

7.G.1.

REAPPOINTMENT OF ROBERT MOORE TO THE BUILDING CODE ADVISORY BOARD FROM JANUARY 1, 2001, TO JANUARY 1, 2004. APPROVED 4-2-2002

MOTION to reappoint Robert Moore to the Building Code Advisory Board. Motion by Commissioner Greene, seconded by Commissioner Roberts, and carried 5-0. Commissioners Aaronson and Masilotti absent.

7.G.2.

REAPPOINT RONALD GIDDENS TO THE EMERGENCY MEDICAL SERVICES COUNCIL. APPROVED 4-2-2002

MOTION to reappoint Ronald Giddens to the Emergency Medical Services Council. Motion by Commissioner McCarty on behalf of Commissioner Newell, seconded by Commissioner Marcus, and carried 5-0. Commissioners Aaronson and Masilotti absent.

No backup provided.

7.G.3.

REAPPOINTMENT OF RICHARD C. BOGOTDIN AS AN ALTERNATE TO THE CITIZENS TASK FORCE. APPROVED 4-2-2002

MOTION to reappoint Richard C. Bogotdin as an alternate to the Citizens Task Force. Motion by Commissioner McCarty on behalf of Commissioner Newell, seconded by Commissioner Marcus, and carried 5-0. Commissioners Aaronson and Masilotti absent.

No backup provided.

7.G.4.

REAPPOINTMENT OF CHELLEY KONYK TO THE WATER UTILITIES ADVISORY BOARD. APPROVED 4-2-2002

MOTION to reappoint Chelley Konyk to the Water Utilities Advisory Board. Motion by Commissioner McCarty on behalf of Commissioner Newell, seconded by Commissioner Marcus, and carried 5-0. Commissioners Aaronson and Masilotti absent.

No backup provided.

ITEMS PULLED FROM CONSENT AGENDA

(CLERK'S NOTE: Items 3.C.11., 3.C.12., and 3.C.13. were considered together.)

3.C.11.

PAYMENT TO FLORIDA POWER & LIGHT COMPANY OF UP TO \$12,523 FOR INSTALLATION AND REMOVAL OF TEMPORARY OVERHEAD FACILITIES FOR CONSTRUCTION OF HAGEN RANCH ROAD FROM LAKE IDA ROAD TO BOYNTON BEACH BOULEVARD. POSTPONED 4-2-2002

3.C.12.

PAYMENT TO FLORIDA POWER & LIGHT COMPANY OF UP TO \$132,336 FOR INSTALLATION AND REMOVAL OF TEMPORARY OVERHEAD FACILITIES FOR CONSTRUCTION OF LAKE IDA ROAD FROM MILITARY TRAIL TO CONGRESS AVENUE. POSTPONED 4-2-2002

3.C.13.

PAYMENT TO FLORIDA POWER & LIGHT COMPANY OF UP TO \$130,729 FOR INSTALLATION AND REMOVAL OF TEMPORARY OVERHEAD FACILITIES FOR CONSTRUCTION OF LINTON BOULEVARD FROM MILITARY TRAIL TO CONGRESS AVENUE. POSTPONED 4-2-2002

Commissioner Newell requested a postponement on the three items. County Engineer George T. Webb, who had to leave the meeting, agreed to the postponements, he said.

MOTION to POSTPONE items 3.C.11., 3.C.12., and 3.C.13. Motion by Commissioner Roberts on behalf of Commissioner Newell, seconded by Commissioner Greene, and carried 5-0. Commissioners Aaronson and Masilotti absent.

3.L.2.

DOCUMENT R-2002-0488

CONTRACT WITH APPLIED TECHNOLOGY AND MANAGEMENT, INC., FOR COASTAL AND MARINE ENGINEERING SERVICES ON A TASK ORDER BASIS APRIL 2, 2002-APRIL 1, 2004. APPROVED WITH DIRECTION 4-2-2002

Commissioner Newell recalled that staff had had some concerns about how this company handled the work for the Light Harbor Marina project. He cautioned staff that when there were issues with companies to take special care to watch how they complete future projects and to make sure that they know this care is being taken.

MOTION to approve the contract. Motion by Commissioner Marcus, seconded by Commissioner McCarty, and carried 5-0. Commissioners Aaronson and Masilotti absent.

8. **MATTERS BY THE PUBLIC - 2:00 P.M. - See pages 30-33.**

9. **STAFF COMMENTS**

9.A. **ADMINISTRATION - None**

9.B. **COUNTY ATTORNEY - None**

10. COMMISSIONER COMMENTS

10.A. COMMISSIONER ADDIE L. GREENE

10.A.1.

RIVIERA BEACH JAZZ ON THE BEACH. DISCUSSED 4-2-2002

Commissioner Greene complimented Riviera Beach Jazz on the Beach on a beautiful, very well organized evening with thousands of attendees. It greatly helped the tourist trade, she said.

No backup provided.

10.B. COMMISSIONER CAROL A. ROBERTS

10.B.1.

LIVING WAGE ORDINANCE. DISCUSSED 4-2-2002

Commissioner Roberts said she had in her possession a memorandum from legal staff on a living wage ordinance and asked what the board wished to do about the matter. The board agreed to stand by its direction given earlier in the meeting (see item 8.D., page 32).

No backup provided.

10.C. COMMISSIONER MARY MCCARTY

10.C.1.

ADELPHIA CABLE. DISCUSSED WITH DIRECTION 4-2-2002

Commissioner McCarty said that Adelphia Cable was laying fiberoptic cable around the county and marking that laying every 10 feet by a 4-foot-high white cylinder with a large orange (sometimes blue) cap. She requested research on what the cylinders were and how long Adelphia intended leaving them in place.

Commissioner McCarty commented on the sharp increase in the basic cable rate over the last couple of years, noting that basic cable now was about \$48 a month. In the west coast of Florida, it was \$30 a month, she said. Commissioner Newell remarked that he paid \$15 a month for basic cable.

Commissioner McCarty asked staff to obtain a rundown of the increases for basic cable in the county, what the board had approved, and what was coming up. Commissioner Marcus said she wanted to know what Adelphia charged in the county and what it charged in the cities.

No backup provided.

10.C.2.

ULTRA-LIGHT PARASAILING IN POPULATED AREAS. DISCUSSED WITH DIRECTION 4-2-2002

Commissioner McCarty asked Chief Assistant County Attorney Cullen to inform the board what, if anything, could be done about persons parasailing over populated areas in the coastal communities.

COMMISSIONER COMMENTS - CONTINUED

10.C.2. - CONTINUED

No backup provided.

10.C.3.

AFTER-SCHOOL PROGRAMS PRECLUDED BY CHILD CARE ADVISORY BOARD. DISCUSSED WITH DIRECTION 4-2-2002

Commissioner McCarty said that Child Care Advisory Board regulations actually preclude after-school programs and asked staff to review the matter and report back to the board.

No backup provided.

10.C.4.

DOCKS IN PRIVATE NEIGHBORHOODS IN NORTH COUNTY. DISCUSSED WITH DIRECTION 4-2-2002

Commissioner McCarty asked that the issue of docks in private neighborhoods in the North County be scheduled for the May 7, 2002, meeting.

No backup provided.

10.D. COMMISSIONER KAREN T. MARCUS - None

10.E. COMMISSIONER WARREN H. NEWELL

10.E.1.

ROAD CONSTRUCTION JOBS DELAYED BY UTILITIES. DISCUSSED 4-2-2002

Commissioner Newell recalled that a few months previously, the board had directed staff to look into road construction jobs being delayed by Florida Power & Light Company, Southern Bell Telephone & Telegraph Company, and other utility companies. Investigation has revealed, he said, that certain jobs have been significantly delayed. The board informally agreed to agenda the issue.

No backup provided.

10.F. COMMISSIONER BURT AARONSON - None

10.G. COMMISSIONER TONY MASILOTTI - None

11. ADJOURNMENT

The chair declared the meeting adjourned at 5:28 p.m.

ATTESTED:

APPROVED:

Clerk

Chair