

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR

1. **CALL TO ORDER:** June 18, 2002, at 9:39 a.m., in the Palm Beach County Governmental Center, West Palm Beach, Florida.

1.A. **ROLL CALL**

MEMBERS AND OFFICERS PRESENT:

Chair Warren H. Newell - Absent
Vice-Chair Carol A. Roberts
Commissioner Burt Aaronson
Commissioner Addie L. Greene - Arrived later
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 Masilotti

1.C. **PLEDGE OF ALLEGIANCE**

2. **AGENDA APPROVAL**

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

County Administrator Weisman noted the agenda changes as follows:

<u>PAGE</u>	<u>ITEM</u>
18	3K-4

REVISED TITLE:

A) Contract with the Poole and Kent Company to construct the Water Treatment Plant No. 3 Phase II Expansion Project (WTP No. 3 Project) in the amount of \$36,527,000;

B) Change Order No. 1 to this Contract in the deductive amount of \$15,958,924.21 approving substitute membrane pressure vessels, deleting materials and equipment for the purpose of sales tax recovery and designating the Poole and Kent Company as the County's agent for the inspection and receipt of the materials and equipment; and

C) Purchase Orders with vendors of the materials and equipment for sales tax recovery in the amount of \$15,050,871.90.

D) Budget Transfers within the Water Utilities Capital Improvement Fund in the amount of \$8,030,000 and the Water Utilities Connection Fee Fund in the amount of \$405,000.

20	3M-4
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DELETED: Budget Amendment of \$118,280 within the PUD Civic Site Cashout Fund to establish funding for Buttonwood Park f/k/a Winston Trails Community Park. (Parks) (Further staff review)

2.A. - CONTINUED

25 4A

REVISED MOTION: Staff recommends motion to: postpone indefinitely

A) adopt a Resolution abandoning a utility easement within Paddock's Addition to Golfview, recorded in Plat Book 23, Page 102; a portion of Belvedere Road as recorded within the replat of Golfview Homesites, ...

B) approve a Utility Easement with Florida Power & Light Company. (Eng)

28 5C-1

DELETED: Whether to retain consulting services at an estimated cost of \$298,000 to undertake the preparation of local criteria and methodology for evaluating the fiscal impacts of new growth and development. (OFMB) (Further staff review)

29 5D-1

REVISED SUMMARY: On Behalf of the City of Greenacres, the FAU/Flu Joint Center has submitted a request to the County to provide financial support in the amount of \$5,000 for a 1 and 1/2 ~~4/2~~ day community-consensus building assembly intended to establish a shared vision for the future of Greenacres and to develop specific policy recommendations to help the City move toward the preferred vision. The applicant has met all but one (1) of the requirements for funding. (There has been no County participation on the steering committee.) District 2 (Pub Info)

29 5E-2 **ADD-ON: Staff recommends motion to approve:**

A) a three-party Grant Agreement with The Center for Technology, Enterprise and Development, Inc (TED Center) and Delray Beach Community Development Corporation, Inc. (CDC) for up to \$600,000 in Community Development Block Grant (CDBG) funds to assist in the construction and development of a mixed-use (commercial and residential) project known as Atlantic Grove in the City of Delray Beach; and

B) delegation of authority to the County Administrator or his designee to execute subordinations and releases of restrictions as they become necessary in the administration of this agreement.

SUMMARY: The project involves the design and construction of two 3story mixed use buildings having retail, office and residential space. The buildings will be located on two (2) parcels of land known as Blocks 28 and 36 fronting West Atlantic Avenue in the City of Delray Beach. Although the overall project will include residential housing units, CDBG dollars will be utilized exclusively in the commercial portion of the Atlantic Grove project. This grant to the TED Center and the CDC will permit them to purchase a combined fifty percent (50%) equity position in this \$18 million redevelopment project. As a result of this grant, the TED Center and the CDC will guarantee the creation of forty (40) full time equivalent jobs which must be maintained for a ten (10) year period. The CDBG grant will be secured by a declaration of restrictions placed upon the project sites. The TED Center and the CDC are partners with New Urban Atlantic Grove LLC (a for-profit developer) and together they will develop and manage this project. **These are Federal funds and do not require local matching funds.** District 7 (TKF) (HCD)

31 5G-1 **REVISED TITLE: Staff recommends motion to:**

A) approve the standard Flood Mitigation Assistance Program contract with Florida Department of Community Affairs;

B) adopt a Resolution authorizing the County Administrator or his designee to sign and execute standard Flood Mitigation Assistance Program contracts with the State;

C) approve the A Flood Mitigation Program Homeowner Participation Agreement for use in administering local Flood Mitigation Assistance Program projects;

D) approve ~~establishment of a~~ budget amendment of \$230,122 in the Emergency Management fund (159) to allow pass through of approved FEMA reimbursements to participating homeowners; and

E) authorize the County Administrator or his designee to approve and sign standard Homeowner Participation Agreements between the County and property owners as they relate to local Flood Mitigation Assistance Program projects. ~~and~~

F) authorize the County Administrator to approve budget amendments related to the above referenced grant contracts. (OFMB)

2.A. - CONTINUED

32 5I-1

ADD-ON: Staff recommends motion to approve: The Nomination of Clark Bennett as Chairperson of the Housing Finance Authority. **SUMMARY:** Clark Bennett has recently been nominated as Chairperson by the Housing Finance Authority. Pursuant to Ordinance 2002-022, the Board of County Commissioners must approve the Chairperson nominated by the Housing Finance Authority. Countywide (PFK) (Co Atty)

2.B. ADOPTION

MOTION to adopt the agenda as amended. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 50. Commissioners Greene and Newell absent.

3. **CONSENT AGENDA** – See pages 3-18.
4. **PUBLIC HEARINGS – 9:30 A.M.** – See pages 18-21.
5. **REGULAR AGENDA** – See pages 21-28.
6. **BOARD APPOINTMENTS** – See pages 28-29.
7. **STAFF COMMENTS** – See page 30.
8. **COMMISSIONER COMMENTS** - See pages 30-35.
9. **ADJOURNMENT** – See page 36.

3. CONSENT AGENDA

MOTION to approve consent agenda as amended. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.

Michael Tammaro, representing Fru-Con Construction Corporation, requested a postponement of item 3.K.4. as the result of questions over a bid protest.

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

SUBSTITUTE MOTION to approve the consent agenda as amended and to pull item 3.K.4. from the consent agenda for consideration at the end of the regular agenda. Motion by Commissioner McCarty, seconded by Commissioner Marcus, and carried 6-0. Commissioner Newell absent.

(CLERK'S NOTE: For further discussion item 3.K.4., see pages 27 and 28.)

3.A.1. DOCUMENT R-2002-0937

RATIFY THE CHAIR'S SIGNATURE ON AN OFFICE OF JUSTICE PROGRAMS (OJP) SERIOUS AND VIOLENT OFFENDER REENTRY GRANT MEMORANDUM OF AGREEMENT FOR \$1,000,000. THE FLORIDA DEPARTMENT OF CORRECTIONS (FISCAL AGENT) AND PALM BEACH COUNTY WORKFORCE DEVELOPMENT BOARD, INC., IN PARTNERSHIP WITH STATE AND LOCAL AGENCIES, PROPOSE TO DEVELOP A REENTRY PROGRAM DESIGNED TO REDUCE RECIDIVISM AMONG SERIOUS AND VIOLENT OFFENDERS RETURNING TO PALM BEACH COUNTY. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.A.2.

RECEIVE AND FILE TWO ANNEXATION ORDINANCES FOR THE CITY OF BELLE GLADE, FINDING THAT THE PROPERTIES ARE REASONABLY COMPACT AND WILL NOT CREATE ENCLAVES, AMENDING THE OFFICIAL BOUNDARY OF THE CITY, DIRECTING THE CITY MANAGER TO TAKE ADDITIONAL SITES TO EFFECTUATE THE ANNEXATION, AND DIRECTING THE CITY CLERK TO FILE A COPY OF THE ORDINANCES WITH THE CLERK OF CIRCUIT COURT, COUNTY ADMINISTRATOR, AND THE DEPARTMENT OF STATE: (A) ORDINANCE 02-4, ANNEXING 333 ACRES; AND (B) ORDINANCE 02-5, ANNEXING 28 ACRES. APPROVED 6-18-2002.

3.A.3.

RESOLUTION R-2002-0938

RESOLUTION CERTIFYING THAT LIGHTHOUSE HABITAT FOR HUMANITY, INC.'S PROGRAM FOR THE CONSTRUCTION OF HOUSING FOR LOW-INCOME PERSONS IS CONSISTENT WITH LOCAL PLANS AND REGULATIONS, INCLUDING THE COMPREHENSIVE PLAN. ADOPTED 6-18-2002

3.B. CLERK

3.B.1.

WARRANT LIST DATED JUNE 14, 2002. APPROVED 6-18-2002

COMPUTER CHECKS	\$27,217,837.33
WIRE TRANSFERS	16,864,038.48
MANUAL CHECKS	98,368.42
EFT TRANSFER	<u>3,975,449.68</u>
	\$48,155,693.91

3.B.2.

MINUTES – None

3.B.3.

CONTRACTS AND CLAIMS SETTLEMENT LIST SIGNED BY THE PURCHASING DIRECTOR OR RISK MANAGEMENT DIRECTOR, TOTALING \$11,144,696:

a.

INCREASE OF TERM CONTRACT WITH 17 VENDORS FOR THE PURCHASE OF MEDICAL SUPPLIES FOR FIRE-RESCUE BY \$314,000 (FOR A NEW CONTRACT TOTAL OF \$1,014,000) FOR AUGUST 21, 2001, THROUGH AUGUST 20, 2003, PER BID 01-130/CB. APPROVED 6-18-2002

b.

RENEWAL OF TERM CONTRACT WITH TROPIC FENCE, INC., IN THE AMOUNT OF \$765,000 TO FURNISH AND INSTALL CHAINLINK FENCE AND BACKSTOPS FOR AUGUST 1, 2002, THROUGH JULY 31, 2003, PER BID 00-100/VMG. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.B.3. - CONTINUED

c.

TERM CONTRACT WITH HOWARD FERTILIZER, LESCO, INC., HELENA CHEMICAL COMPANY, CARSO, INC., UNITED HORTICULTURE SUPPLY, GLADES FORMULATING, DUCOR INTERNATIONAL, PARKWAY RESEARCH, HARRELLS, AND DEANGELO BROTHERS, INC. IN THE AMOUNT OF \$616,000 FOR THE PURCHASE OF FERTILIZERS, HERBICIDES, AND INSECTICIDES FOR JUNE 18, 2002, THROUGH JUNE 17, 2003, PER BID 02-120/MM. APPROVED 6-18-2002

d.

TERM CONTRACT WITH ELITE STAFFING, CAREERS USA, KEYSTAFF, INC., AND HEADWAY CORPORATE STAFFING IN THE AMOUNT OF \$1,500,000 FOR TEMPORARY PERSONNEL/CLERICAL FOR AUGUST 12, 2002, THROUGH FEBRUARY 11, 2004, PER BID 01-031/JJ. APPROVED 6-18-2002

e.

INCREASE OF TERM CONTRACT WITH APPLIED INDUSTRIAL TECHNOLOGIES, BV OIL, CHEVRON PRODUCTS, FLAMINGO OIL, AND FUCHS LUBRICANTS IN THE AMOUNT OF \$130,000 FOR THE PURCHASE OF GREASES AND LUBRICANTS FOR VARIOUS DEPARTMENTS FOR SEPTEMBER 29, 2001, THROUGH MARCH 30, 2003, PER BID 01-143. APPROVED 6-18-2002

f.

TERM CONTRACT WITH DON OAKES, AML, INC., AND BOBCAT TRACTOR SERVICES, FOR LOT CLEARING AND CLEANING IN THE AMOUNT OF \$207,000 FOR VARIOUS DEPARTMENTS FOR JULY 18, 2002, THROUGH JULY 17, 2003, PER BID 02-089/KM. APPROVED 6-18-2002

g.

DOCUMENT R-2002-0938.1

CONTRACT WITH BAKER & TAYLOR, INC., IN THE AMOUNT OF \$6,000,000 FOR THE PURCHASE OF BOOKS FOR THE LIBRARY FOR THE PERIOD OF JUNE 18, 2002, THROUGH JUNE 17, 2005, PER BID 02-078/FS. APPROVED 6-18-2002

h.

**DOCUMENT R-2002-0938.2
(AMENDS R-2000-0018)**

RENEWAL OF CONTRACT WITH PRC PUBLIC SECTOR IN THE AMOUNT OF \$173,696 TO PROVIDE MAINTENANCE/UPGRADE OF FIRE/RESCUE CD/RMS SYSTEM FOR THE PERIOD OF OCTOBER 1, 2002, THROUGH SEPTEMBER 30, 2003, PER SOLE SOURCE BID 00-032/FS. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.B.3. - CONTINUED

i. **DOCUMENT R-2002-0938.3**

EXTENSION OF CONTRACT WITH TIRESOLES OF BROWARD IN THE AMOUNT OF \$290,000 FOR THE PURCHASE OF TIRES AND SUPPLIES FOR FIRE-RESCUE AND FLEET MANAGEMENT FOR MARCH 14, 2002, THROUGH SEPTEMBER 14, 2002, PER BID 01-074/PR. (AMENDS CONTRACT DATED 2-20-2001) APPROVED 6-18-2002

3.B.4. DOCUMENT R-2002-0339

STATE REVENUE SHARING APPLICATION FOR FISCAL YEAR 2002-2003. APPROVED 6-18-2002

3.C. ENGINEERING AND PUBLIC WORKS

3.C.1. DELETED

3.C.2.

a. **BUDGET TRANSFER 2002-1321**

BUDGET TRANSFER OF \$107,928 IN THE UNINCORPORATED IMPROVEMENT FUND FROM RESERVES TO OCALA ROAD WATER MAIN. APPROVED 6-18-2002

b. **DOCUMENT R-2002-0940**

CONTRACT WITH ASPHALT CONSULTANTS, INC., IN THE AMOUNT OF \$97,428 FOR THE OCALA ROAD WATER MAIN IMPROVEMENTS. APPROVED 6-18-2002

3.C.3. DELETED

3.C.4. BUDGET TRANSFER 2002-1320

BUDGET TRANSFER OF \$200,000 IN THE COUNTY TRANSPORTATION TRUST FUND FROM CONTINGENCY TO RAILROAD CROSSING MAINTENANCE IN ORDER TO PROVIDE ADDITIONAL FUNDING TO REIMBURSE THE FLORIDA EAST COAST RAILWAY COMPANY (FEC) FOR THE COST OF REBUILDING SEVERAL RAILROAD CROSSINGS AT COUNTY ROADS. APPROVED 6-18-2002

3.C.5.

AUTHORIZATION TO ADVERTISE CONTRACT FOR TWO ADDITIONAL FIRMS FOR COUNTY LANDSCAPE ARCHITECTURAL SERVICES, EFFECTIVE OCTOBER 1, 2002. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.C.6.

a. DOCUMENT R-2002-0941

FINANCIAL ASSISTANCE AGREEMENT IN THE AMOUNT OF \$65,000 WITH THE DELRAY BEACH COMMUNITY DEVELOPMENT CORPORATION FOR CONSTRUCTION OF OFF-SITE STREETScape IMPROVEMENTS AS PART OF THE PHOENIX PLACE PROJECT. APPROVED 6-18-2002

b. BUDGET TRANSFER 2002-1358

BUDGET TRANSFER OF \$65,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 7 TO PHOENIX PLACE PROJECT – DISTRICT 7 FOR THE CONSTRUCTION OF OFF-SITE RELATED STREETScape ELEMENTS AS PART OF THE PHOENIX PLACE PROJECT. APPROVED 6-18-2002

3.D.1.

**DOCUMENT R-2002-0942
(AMENDS R-99-497-D)**

AMENDMENT TO AGREEMENT WITH BECKER & POLIASKOFF, P.A., FOR LEGAL SERVICES IN CONNECTION WITH EMINENT DOMAIN LITIGATION SERVICES FOR THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS AND THE DEPARTMENT OF AIRPORTS, AUTHORIZING INCREASES IN FEES AND COSTS FOR THE AIRPORTS DEPARTMENT AND A CORRESPONDING DECREASE IN FEES AND COSTS FOR THE ENGINEERING DEPARTMENT. APPROVED 6-18-2002

3.E.1.

BUDGET AMENDMENT 2002-1333

BUDGET AMENDMENT OF \$6,697 TO INCREASE THE SENIOR CITIZENS FUND AS THE RESULT OF A DONATION FROM GEORGINA LANE TO PROVIDE THE NORTH COUNTY SENIOR CENTER WITH TWO COVERED ENTRANCEWAYS. APPROVED 6-18-2002

3.E.2.

DOCUMENT R-2002-0943

REFUNDING APPLICATION FOR FEDERAL ASSISTANCE FOR THE EARLY HEAD START PROGRAM FOR \$1,612,368 FOR SEPTEMBER 1, 2002, THROUGH AUGUST 31, 2003, WITH A COUNTY MATCH OF \$271,235. FUNDS ARE ALSO BEING CONTRIBUTED FROM THE CHILDREN'S SERVICES COUNCIL (\$76,857), THE QUANTUM FOUNDATION (\$15,000), AND UNITED WAY (\$40,000) FOR A TOTAL OF \$2,015,460. THE COUNTY FUNDS ARE INCLUDED IN THE PROPOSED FISCAL YEAR 2003 BUDGET. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.E.3. DOCUMENT R-2002-0944

REFUNDING APPLICATION FOR FEDERAL ASSISTANCE FOR THE FULL DAY/FULL YEAR HEAD START PROGRAM FOR \$11,988,813 FOR OCTOBER 1, 2002, THROUGH SEPTEMBER 30, 2003, WITH A COUNTY MATCH OF \$2,889,041. FUNDS ARE ALSO BEING CONTRIBUTED FROM THE CHILDREN'S SERVICES COUNCIL (\$98,037) AND THE QUANTUM FOUNDATION (\$10,000) FOR A TOTAL OF \$14,985,391. THE COUNTY FUNDS ARE INCLUDED IN THE PROPOSED FISCAL YEAR 2003 BUDGET. APPROVED 6-18-2002.

**3.E.4. DOCUMENT R-2002-0945
(AMENDS R-2001-1136)**

AMENDMENT 4 TO CONTRACT FOR COMMUNITY CARE FOR THE ELDERLY PROGRAM, INCREASING THE CONTRACT AMOUNT BY \$13,323.55 FOR NEW CONTRACT TOTAL OF \$951,616 FOR JULY 1, 2001, THROUGH JUNE 30, 2002, TO PROVIDE 390 HOURS OF CASE MANAGEMENT SERVICES TO POTENTIAL MEDICAID WAIVER PARTICIPANTS. THE GRANT INCREASE REQUIRES \$1,480.40 IN CURRENTLY BUDGETED COUNTY MATCH FUNDS. APPROVED 6-18-2002

3.E.5. DOCUMENT R-2002-0946

GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, ADMINISTRATION FOR CHILDREN AND FAMILIES, FOR EARLY HEAD START FOR SEPTEMBER 1, 2001, THROUGH AUGUST 31, 2002, AS FOLLOWS: COLA FUNDS OF \$40,157, WITH A COUNTY MATCH OF \$10,039; QUALITY IMPROVEMENT FUNDS (SALARIES AND FRINGES) OF \$8,453, WITH A COUNTY MATCH OF \$2,113; QUALITY IMPROVEMENT FUNDS (OTHER) OF \$3,811, WITH A COUNTY MATCH OF \$953; AND TRAINING AND TECHNICAL ASSISTANCE FUNDS OF \$3,866, WITH A COUNTY MATCH OF \$967. APPROVED 6-18-2002

3.E.6. DOCUMENT R-2002-0947

GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, ADMINISTRATION FOR CHILDREN AND FAMILIES, FOR HEAD START FOR OCTOBER 1, 2001, THROUGH SEPTEMBER 30, 2002, AS FOLLOWS: COLA FUNDS OF \$297,353, WITH A COUNTY MATCH OF \$74,338; QUALITY IMPROVEMENT FUNDS (SALARIES AND FRINGES) OF \$89,202, WITH A COUNTY MATCH OF \$22,301; QUALITY IMPROVEMENT FUNDS (OTHER) OF \$40,212, WITH A COUNTY MATCH OF \$10,053; TRAINING AND TECHNICAL ASSISTANCE FUNDS OF \$9,478, WITH A COUNTY MATCH OF \$2,370; THE ADDITION OF A PARENT INVOLVEMENT SPECIALIST POSITION, AND THE ADDITION OF A PASSENGER DRIVER/FLOATER. APPROVED 6-18-2002

**3.E.7. DOCUMENT R-2002-0948
(AMENDS R-2002-0040)**

AMENDMENT 3 TO THE INVOLVED MOTIVATED PARENTS AS CLASSROOM TEACHERS, INC. (I.M.P.A.C.T.), CONTRACT, INCREASING THE AMOUNT BY \$60,000 FOR JANUARY 8, 2002, THROUGH SEPTEMBER 30, 2002. FUNDING INCLUDES \$12,000 COUNTY FUNDS INCLUDED IN THE FY 2002 BUDGET. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.E.8. DOCUMENT R-2002-0949

CONTRACT WITH THE CENTER FOR FAMILY SERVICES OF PALM BEACH COUNTY FOR JULY 1, 2002, THROUGH SEPTEMBER 30, 2002, FOR \$6,000. THE CONTRACT WILL ALLOW THE CENTER TO COORDINATE EMERGENCY SHELTER PLACEMENT, FOOD AFTER HOURS, DRUG SCREENINGS, TRANSPORTATION, AND CASE MANAGEMENT TO THE HOMELESS POPULATION OF JOHN PRINCE PARK UNTIL ALTERNATE PLACEMENT CAN BE ARRANGED. FUNDING IS INCLUDED IN THE FY2002 BUDGET. APPROVED 6-18-2002

3.F. AIRPORTS

3.F.1. DOCUMENT R-2002-0950

ARTWORK WAIVER AND RELEASE WITH JOSEPH C. DOANE, REPRESENTATIVE OF THE ESTATE OF HECTOR UBERTALLI, DONATING THE ART WORK "IMAGES OF GREECE" TO PALM BEACH COUNTY CULTURAL COUNCIL FOR DISPLAY AT PALM BEACH INTERNATIONAL AIRPORT. APPROVED 6-18-2002

3.F.2. DOCUMENT R-2002-0951

CONTRACT WITH WESTWIND CONTRACTING, INC., FOR \$4,762,890.40 FOR THE AIRFIELD IMPROVEMENTS PROJECT AT PALM BEACH INTERNATIONAL AIRPORT. THE PROJECT INCLUDES RELOCATING THE GOLFPVIEW DRAINAGE CANAL, EXTENDING TAXIWAY B, AND CONSTRUCTING A PERIMETER ROAD. APPROVED 6-18-2002

**3.F.3. DOCUMENT R-2002-0952
(AMENDS R-2000-1977)**

AMENDMENT 3 TO CONTRACT WITH LPA GROUP, INC., FOR CONSULTING SERVICES IN THE AMOUNT OF \$1,127,634 FOR THE DEPARTMENT OF AIRPORTS. APPROVED 6-18-2002

**3.F.4. DOCUMENT R-2002-0953
(AMENDS R-2001-0194)**

AMENDMENT 2 TO CONTRACT WITH PBS&J, INC., FOR CONSULTING SERVICES IN THE AMOUNT OF \$1,803,265 FOR DEPARTMENT OF AIRPORTS. APPROVED 6-18-2002

3.F.5. DOCUMENT R-2002-0954

AGREEMENT TO PURCHASE PROPERTY FROM LEONEL S. PORTILLA AND ROSA PORTILLA, 4674 WALLIS ROAD, WEST PALM BEACH, PARCEL W-136 WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT IN CONJUNCTION WITH THE NOISE COMPATABILITY STUDY FOR \$185,000. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.F.6.

a.

RECEIVE AND FILE THE PALM BEACH INTERNATIONAL AIRPORT DEVELOPMENT OF REGIONAL IMPACT (DRI) ANNUAL REPORT. APPROVED 6-18-2002

b.

AUTHORIZE DISTRIBUTION OF THE ANNUAL REPORT IN ACCORDANCE WITH SECTION 380.06(18) OF THE FLORIDA STATUTES. APPROVED 6-18-2002

3.F.7.

a.

RECEIVE AND FILE THE NORTH PALM BEACH COUNTY GENERAL AVIATION AIRPORT DEVELOPMENT OF REGIONAL IMPACT (DRI) ANNUAL REPORT. APPROVED 6-18-2002

b.

AUTHORIZE DISTRIBUTION OF THE ANNUAL REPORT IN ACCORDING WITH SECTION 380.06(18) OF THE FLORIDA STATUTES. APPROVED 6-18-2002

3.G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

3.G.1.

NEGOTIATED SETTLEMENT OFFER OF \$1,816 FOR SATISFACTION OF A CODE ENFORCEMENT LIEN ENTERED AGAINST KATHERINE ANAYA AND KIMBERLY A. DELETTO ON OCTOBER 18, 2000, FOR AN EXPIRED BUILDING PERMIT ON A ROOM ADDITION. ACCUMULATED FINES, INTEREST AND CODE ENFORCEMENT COSTS THROUGH MAY 23, 2002, WHEN SETTLEMENT NEGOTIATIONS BEGAN, TOTALED \$5,447.92. MS. ANAYA AGREED TO PAY THE COUNTY 33 PERCENT OF THE AMOUNT AS FULL SETTLEMENT. APPROVED 6-18-2002

3.G.2.

NEGOTIATED SETTLEMENT OFFER OF \$4,000 FOR SATISFACTION OF A CODE ENFORCEMENT LIEN ENTERED AGAINST DERICK NEWELL AND LAURELL NEWELL ON MARCH 10, 1997, FOR INSTALLING A FENCE WITHOUT PERMITS. ACCUMULATED FINES AND INTEREST THROUGH JUNE 15, 2001, WHEN SETTLEMENT NEGOTIATIONS BEGAN, TOTALED \$21,665.22. MR. NEWELL AGREED TO PAY THE COUNTY 18.5 PERCENT AS FULL SETTLEMENT. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.H. FACILITIES DEVELOPMENT AND OPERATIONS

3.H.1. DOCUMENT R-2002-0955

CONTRACT WITH WEST CONSTRUCTION, INC., FOR CONSTRUCTION OF LOGGERS RUN DISTRICT PARK E, LOCATED ON PALMETTO PARK ROAD ONE MILE WEST OF STATE ROAD 7 (U.S. 441), IN THE AMOUNT OF \$3,999,900. APPROVED 6-18-2002

3.H.2. DOCUMENT R-2002-0956

MASTER SERVICE AGREEMENT AND VOLUME AND TERM ATTACHMENT WITH BELL SOUTH TELECOMMUNICATIONS, INC., PROVIDING FOR LOCAL TELEPHONE AND 911 SERVICE AS WELL AS VOICE, DATA, AND RADIO CIRCUITS FOR PALM BEACH COUNTY AND ITS SPECIFIED AFFILIATES AT A DISCOUNT RATE ESTABLISHED BY THE PUBLIC SERVICE COMMISSION. THE TERM OF THE AGREEMENT IS FOR THREE YEARS WITH TWO ONE-YEAR EXTENSIONS. APPROVED 6-18-2002

3.H.3.

AUTHORIZATION FOR THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO BID ON A PARCEL OF LAND AT A PUBLIC DEED AUCTION IN AN AMOUNT NOT TO EXCEED \$100,000. THE 4.33-ACRE PROPERTY IS LOCATED SOUTH OF OKEECHOBEE BOULEVARD AND IS BORDERED ON THE NORTHWEST BY THE FLORIDA TURNPIKE AND ON THE SOUTHWEST BY WATER TREATMENT PLANT 8. THE WATER UTILITIES DEPARTMENT INTENDS TO USE THIS PROPERTY FOR EXPANSION OF THE WELLFIELD AND AS A BUFFER FOR THE PLANT. APPROVED 6-18-2002

3.H.4. DOCUMENT R-2002-0957

LEASE AGREEMENT WITH AGES & STAGES, INC., FOR ESTABLISHMENT OF AN EARLY HEAD START CENTER AT 346 SOUTHWEST 6TH AVENUE, DELRAY BEACH. THE TERM OF THE LEASE IS FOR 2 YEARS AND 10 MONTHS WITH ONE THREE-YEAR EXTENSION. ANNUAL RENT IS \$24,000 WITH THE COUNTY TO PAY \$100,000 FOR IMPROVEMENTS AND TO PAY FOR SEPARATELY METERED UTILITIES. APPROVED 6-18-2002

3.H.5. DOCUMENT R-2002-0958

UTILITY EASEMENT IN FAVOR OF LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT FOR MAINTENANCE OF THE SANITARY SEWER COLLECTION SYSTEM FOR THE COUNTY'S FIRE STATION 18 IN JUPITER. THE 381.14-FOOT BY 12-FOOT EASEMENT IS GRANTED AT NO CHARGE. APPROVED 6-18-2002

3.H.6. DOCUMENT R-2002-0959

DEED IN FAVOR OF SOUTH FLORIDA FAIR AND PALM BEACH COUNTY EXPOSITIONS, INC., RELEASING THE COUNTY'S INTEREST IN THREE SMALL PARCELS OF LAND (1.18 ACRES, 0.13 ACRE, AND 0.08 ACRE) IN ORDER FOR THE FAIR TO CONVEY THE LAND WITH CLEAR TITLE TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE EXPANSION AND IMPROVEMENT OF SOUTHERN BOULEVARD. THE RELEASE IS GRANTED WITHOUT CHARGE. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.I. HOUSING AND COMMUNITY DEVELOPMENT

**3.I.1. DOCUMENT R-2002-0960
(AMENDS R-2000-1310)**

AMENDMENT 2 TO THE AGREEMENT WITH THE CITY OF SOUTH BAY TO EXTEND THE EXPIRATION DATE FROM APRIL 30, 2002, TO APRIL 30, 2003, FOR THE EXPENDITURE OF \$150,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR CONSTRUCTION OF A DEPOT-STYLE BUILDING TO BE LEASED TO RETAIL AND FOOD SERVICE BUSINESSES TO SERVE MOTORISTS TRAVELING ON U.S. 27. THESE ARE FEDERAL FUNDS THAT REQUIRE NO LOCAL MATCH. APPROVED 6-18-2002

3.I.2.

REIMBURSEMENT TO THE CITY OF BELLE GLADE OF \$44,554 IN COMMUNITY DEVELOPMENT GRANT BLOCK FUNDS FOR EXPENSES INCURRED IN THE CONSTRUCTION OF A BASKETBALL COURT IN HAND PARK. THESE ARE FEDERAL FUNDS THAT REQUIRE NO LOCAL MATCH. APPROVED 6-18-2002

3.I.3. DOCUMENT R-2002-0961

AGREEMENT WITH BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., TO PROVIDE UP TO \$80,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM JUNE 18, 2002, THROUGH JUNE 17, 2003, TO PURCHASE EQUIPMENT FOR USE AT THE AGENCY'S PROGRAM IN THE CITY OF BELLE GLADE. THESE ARE FEDERAL FUNDS THAT REQUIRE NO LOCAL MATCH. APPROVED 6-18-2002

3.I.4. BUDGET TRANSFER 2002-1346

BUDGET TRANSFER OF \$168,619 IN THE COMMISSION ON AFFORDABLE HOUSING FUND FROM THE HARDSHIP A PROGRAM TO THE HARDSHIP B PROGRAM IN ORDER TO MEET EXPENDITURE DEADLINES ESTABLISHED BY FLORIDA HOUSING FINANCE FOR FISCAL YEAR 1999-2000. APPROVED 6-18-2002

3.J. PLANNING, ZONING AND BUILDING

3.J.1. RESOLUTION R-2002-0962

RESOLUTION APPROVING A RELEASE OF REMOVAL AGREEMENT FOR FUTURE RIGHT-OF-WAY DATED JANUARY 6, 1978, CONCERNING THE PROPERTY LOCATED AT 7021 LAWRENCE ROAD, LAKE WORTH. RELEASE OF THE REMOVAL AGREEMENT WILL NOT IMPAIR THE COUNTY'S RIGHTS TO THE RIGHT-OF-WAY. ADOPTED 6-18-2002

CONSENT AGENDA - CONTINUED

3.J.2.

a. RESOLUTION R-2002-0963

RESOLUTION GRANTING A TAX EXEMPTION FOR THE HISTORIC PROPERTY LOCATED AT 1284 NORTH LAKE WAY IN THE TOWN OF PALM BEACH, INCLUDING A RESTRICTIVE COVENANT REQUIRING THE QUALIFYING IMPROVEMENTS TO BE MAINTAINED FROM JANUARY 1, 2002, THROUGH DECEMBER 31, 2011. THE EXEMPTION SHALL APPLY TO 100 PERCENT OF THE ASSESSED VALUE OF ALL RESTORATION, RENOVATION, OR REHABILITATION IMPROVEMENTS. ADOPTED 6-18-2002

b. RESOLUTION R-2002-0964

RESOLUTION GRANTING A TAX EXEMPTION FOR THE HISTORIC PROPERTY LOCATED AT 250 SANFORD WAY IN THE TOWN OF PALM BEACH, INCLUDING A RESTRICTIVE COVENANT REQUIRING THE QUALIFYING IMPROVEMENTS TO BE MAINTAINED FROM JANUARY 1, 2002, THROUGH DECEMBER 31, 2011. THE EXEMPTION SHALL APPLY TO 100 PERCENT OF THE ASSESSED VALUE OF ALL RESTORATION, RENOVATION, OR REHABILITATION IMPROVEMENTS. ADOPTED 6-18-2002

3.K. WATER UTILITIES

3.K.1. DOCUMENT R-2002-0965

AGREEMENT WITH SEMINOLE IMPROVEMENT DISTRICT FOR THE COUNTY'S CONTINUED OPERATION AND MAINTENANCE OF THE DISTRICT'S WATER AND WASTEWATER TREATMENT FACILITIES LOCATED OFF SEMINOLE PRATT WHITNEY ROAD IN THE LOXAHATCHEE GROVES AREA. THE CONTRACT AMOUNT FOR THE FIRST YEAR IS \$44,336.71, PLUS THE COST OF LABORATORY TESTING AND SPECIAL SERVICES, AND WILL BE ADJUSTED UPWARD ANNUALLY BY THE CONSUMER PRICE INDEX. (SEE R-96-1224-D) APPROVED 6-18-2002

3.K.2. DOCUMENT R-2002-0966

INDEMNITY AGREEMENT WITH ST. PAUL A.M.E. CHURCH OF WEST PALM BEACH, INC., IN ORDER TO RECEIVE WASTEWATER SERVICE AT ITS LOCATION NORTH OF COMMUNITY DRIVE ON THE WEST SIDE OF HAVERHILL ROAD, ST. PAUL A.M.E. CHURCH WAS REQUIRED TO PROVIDE THE COUNTY WITH A UTILITY EASEMENT FROM CYPRESS LAKES HOMEOWNERS ASSOCIATION (HOA), ADJACENT PROPERTY OWNER. SUBSEQUENT TO RECORDATION OF THE EASEMENT, IT WAS DISCOVERED THAT THE HOA DID NOT HOLD TITLE TO THE AFFECTED PROPERTY. THIS AGREEMENT INDEMNIFIES THE COUNTY AGAINST ANY LIABILITY AS A RESULT OF UTILIZING THE UTILITY EASEMENT. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.K.3.

**DOCUMENT R-2002-0967
(AMENDS R-2002-0572)**

CONSULTANT SERVICES AUTHORIZATION 1 TO THE CONTRACT WITH HELLER-WEAVER AND SHEREMETA, INC., IN THE AMOUNT OF \$135,500 FOR SURVEYING, ENGINEERING DESIGN, AND DRAFTING SERVICES FOR THE COUNTRY CLUB ACRES WATER MAIN SPECIAL ASSESSMENT PROJECT. APPROVED 6-18-2002

3.L. ENVIRONMENTAL RESOURCES MANAGEMENT

3.L.1.

a. DOCUMENT R-2002-0968

INTERLOCAL AGREEMENT WITH THE CITY OF BOCA RATON IMPLEMENTING PHASE 2 OF AN ENVIRONMENTAL ENHANCEMENT PROJECT TO REMOVE INVASIVE NON-NATIVE VEGETATION FROM SPANISH RIVER PARK. THIS \$10,000 PROJECT WILL BE FUNDED FROM THE POLLUTION RECOVERY TRUST FUND. APPROVED 6-18-2002

b. DOCUMENT R-2002-0969

LICENSE AND RIGHT OF ENTRY AGREEMENT WITH SAN REMO, INC., A CONDOMINIUM, FOR COUNTY USE OF SAN REMO PROPERTY TO GAIN ACCESS FOR REMOVAL OF INVASIVE NON-NATIVE VEGETATION FROM SPANISH RIVER PARK IN THE CITY OF BOCA RATON. APPROVED 6-18-2002

c.

AUTHORIZATION FOR THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN ALL FUTURE TIME EXTENSIONS, TASK ASSIGNMENTS, CERTIFICATIONS, AND OTHER FORMS ASSOCIATED WITH THE INTERLOCAL AGREEMENT, AND NECESSARY MINOR AMENDMENTS THAT DO NOT CHANGE THE SCOPE OF WORK OR TERMS AND CONDITIONS OF THE AGREEMENT. APPROVED 6-18-2002

3.L.2.

ELEVEN AGREEMENTS FOR PURCHASE AND SALE INVOLVING THE FOLLOWING 11 PARCELS (13.91 ACRES) OF LAND IN UNIT 11 TO BE PURCHASED USING MITIGATION FUNDS. THE COST OF PURCHASING THIS PROPERTY IS \$83,460 (LAND COST), PLUS \$4,869 (CLOSING AND MISCELLANEOUS COSTS), FOR A TOTAL OF \$88,329. APPROVED 6-18-2002

a. DOCUMENT R-2002-0970

AGREEMENT FOR PURCHASE AND SALE WITH MATTI K. MUTKA TO PURCHASE 1.41 ACRES OF LAND IN UNIT 11 FOR \$8,460 USING MITIGATION FUNDS. APPROVED 6-18-2002

b. DOCUMENT R-2002-0971

AGREEMENT FOR PURCHASE AND SALE WITH KIET HOANG PHAN AND MAI T. PHAN TO PURCHASE 1.64 ACRES OF LAND IN UNIT 11 FOR \$9,840 USING MITIGATION FUNDS. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.L.2. - CONTINUED

- c. DOCUMENT R-2002-0972**
AGREEMENT FOR PURCHASE AND SALE WITH CELIA COLON TO PURCHASE 1.19 ACRES OF LAND IN UNIT 11 FOR \$7,140 USING MITIGATION FUNDS. APPROVED 6-18-2002
- d. DOCUMENT R-2002-0973**
AGREEMENT FOR PURCHASE AND SALE WITH JOHN O. MANNING TO PURCHASE 1.29 ACRES OF LAND IN UNIT 11 FOR \$7,740 USING MITIGATION FUNDS. APPROVED 6-18-2002
- e. DOCUMENT R-2002-0974**
AGREEMENT FOR PURCHASE AND SALE WITH CHARLES T. MCDONALD AND HATTIE S. MCDONALD TO PURCHASE 1.15 ACRES OF LAND IN UNIT 11 FOR \$6,900 USING MITIGATION FUNDS. APPROVED 6-18-2002
- f. DOCUMENT R-2002-0975**
AGREEMENT FOR PURCHASE AND SALE WITH MARJORIE E. SALING TO PURCHASE 1.20 ACRES OF LAND IN UNIT 11 FOR \$7,200 USING MITIGATION FUNDS. APPROVED 6-18-2002
- g. DOCUMENT R-2002-0976**
AGREEMENT FOR PURCHASE AND SALE WITH PHILLIP M. JAMES AND WILLETTA B. JAMES TO PURCHASE 1.29 ACRES OF LAND IN UNIT 11 FOR \$7,740 USING MITIGATION FUNDS. APPROVED 6-18-2002
- h. DOCUMENT R-2002-0976**
AGREEMENT FOR PURCHASE AND SALE WITH ROBERT G. SALAMON AND JO ANN SALAMON TO PURCHASE 1.29 ACRES OF LAND IN UNIT 11 FOR \$7,740 USING MITIGATION FUNDS. APPROVED 6-18-2002
- i. DOCUMENT R-2002-0978**
AGREEMENT FOR PURCHASE AND SALE WITH GIUSEPPE RUGGIERO AND LUCIA RUGGIERO TO PURCHASE 1.15 ACRES OF LAND IN UNIT 11 FOR \$6,900 USING MITIGATION FUNDS. APPROVED 6-18-2002
- j. DOCUMENT R-2002-0979**
AGREEMENT FOR PURCHASE AND SALE WITH MARGARET CRINITI TO PURCHASE 1.15 ACRES OF LAND IN UNIT 11 FOR \$6,900 USING MITIGATION FUNDS. APPROVED 6-18-2002
- k. DOCUMENT R-2002-0980**
AGREEMENT FOR PURCHASE AND SALE WITH DAVID BLUDWORTH TO PURCHASE 1.15 ACRES OF LAND IN UNIT 11 FOR \$6,900 USING MITIGATION FUNDS. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.M. PARKS AND RECREATION

3.M.1.

a. DOCUMENT R-2002-0981

AGREEMENT WITH THE PALM BEACH SHAKESPEARE FESTIVAL, INC., IN AN AMOUNT NOT TO EXCEED \$10,000, TO FUND SHAKESPEARE BY THE SEA XII AT CARLIN PARK FROM JUNE 18, 2002, THROUGH JULY 31, 2002. APPROVED 6-18-2002

b. BUDGET TRANSFER 2002-1332

BUDGET TRANSFER OF \$10,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 1 TO PALM BEACH SHAKESPEARE FESTIVAL/ SHAKESPEARE BY THE SEA XII. APPROVED 6-18-2002

3.M.2. BUDGET TRANSFER 2002-1331

BUDGET TRANSFER OF \$4,900 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 1 TO WEST JUPITER TUTORIAL CENTER SUMMER PROGRAM. APPROVED 6-18-2002

3.M.3. BUDGET TRANSFER 2002-1330

BUDGET TRANSFER OF \$25,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 1 TO SPECIAL OLYMPICS GYMNASIUM AND ART CENTER TO FUND A COUNTYWIDE THERAPEUTIC RECREATION COMPLEX IN JOHN PRINCE PARK. APPROVED 6-18-2002

3.M.4. DELETED

3.N. LIBRARY - None

3.P. COOPERATIVE EXTENSION SERVICE - None

3.Q. CRIMINAL JUSTICE COMMISSION

**3.Q.1. DOCUMENT R-2002-0982
(AMENDS R-2002-0285)**

AMENDMENT 1 TO THE CONTRACT WITH THE STATE ATTORNEY'S OFFICE TO EXTEND THE CONTRACT PERIOD FOR THE COUNTYWIDE TRUANCY INTERDICTION PROGRAM (TIP) UNTIL NOVEMBER 30, 2004, IN ORDER FOR THE STATE ATTORNEY TO CONTINUE PAYING THE COUNTYWIDE TIP COORDINATOR POSITION AND ADD THE POSITION TO ITS STAFF COMPLEMENT. APPROVED 6-18-2002

3.Q.2. DOCUMENT R-2002-0983

ACCEPTANCE OF A GRANT AWARD FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT IN THE AMOUNT OF \$66,667 IN RESIDUAL GRANT AND MATCH FUNDS FOR THE CRIMINAL JUSTICE CRIME MAPPING/ GEOGRAPHIC INFORMATION SYSTEMS PROJECT FOR MAY 1- SEPTEMBER 30, 2002. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.R. EMPLOYEE RELATIONS AND PERSONNEL - None

3.S. FIRE-RESCUE

3.S.1. DOCUMENT R-2002-0984

AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE CITY OF PAHOKEE TO PROVIDE FIRE-RESCUE SERVICES TO THE UNINCORPORATED AREA OF THE COUNTY NORTH OF STATE ROAD 80 AND WEST OF 20 MILE BEND. THE AMENDMENT REVISES AND CLARIFIES LANGUAGE REGARDING THE FACILITY, FUNDING, AND STAFFING REQUIREMENTS; REQUIRES THE CITY TO ADOPT THE FLORIDA FIRE PREVENTION CODE AS MODIFIED BY PALM BEACH COUNTY LOCAL AMENDMENTS; AND TRANSFERS OWNERSHIP OF ALL COUNTY-OWNED FIXED ASSETS TO THE CITY. APPROVED 6-18-2002

3.S.2. DOCUMENT R-2002-0985

INTERLOCAL AGREEMENT WITH THE CITY OF GREENACRES TO PROVIDE SPECIAL ASSISTANCE FIRE-RESCUE SERVICES FROM THE AGREEMENT'S DATE OF EXECUTION UNTIL SEPTEMBER 30, 2004. THE CITY WILL PAY THE COUNTY A FLAT FEE OF \$40,000 RETROACTIVE TO OCTOBER 1, 1998, THROUGH SEPTEMBER 30, 2002, AND \$10,000 A YEAR FOR FY 2003 AND FY 2004. APPROVED 6-18-2002

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. RISK MANAGEMENT - None

3.AA. PALM TRAN

3.AA.1. BUDGET TRANSFER 2002-1340

BUDGET TRANSFER OF \$373,784 IN THE PALM TRAN OPERATING FUND FROM CONTINGENCY RESERVES TO COVER, IN PART, THE PROJECTED SHORTFALL IN CONTRACTED PARATRANSIT SERVICES. APPROVED 6-18-2002

3.AA.2.

a. DOCUMENT R-2002-0986

SUBMISSION OF A JOB ACCESS AND REVERSE COMMUTE GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION (FTA) IN THE AMOUNT OF \$1,000,000 (50 PERCENT FTA; 50 PERCENT LOCAL) TO SECURE FUNDS ALLOCATED TO THE COUNTY FOR CONTINUED LATER EVENING BUS SERVICE ON PALM TRAN ROUTES 1, 2, AND 3. APPROVED 6-18-2002

CONSENT AGENDA - CONTINUED

3.AA.2. - CONTINUED

b.

AUTHORIZATION FOR THE PALM TRAN EXECUTIVE DIRECTOR OR ASSISTANT DIRECTOR, THROUGH THE COUNTY ADMINISTRATOR, TO EXECUTE, ON BEHALF OF THE BOARD, AND TO TRANSMIT ELECTRONICALLY THE BOARD'S APPROVAL OF THE JOB ACCESS AND REVERSE COMMUTE GRANT APPLICATION. APPROVED 6-18-2002

c.

DOCUMENT R-2002-0987

FUNDING AGREEMENT WITH PALM BEACH COUNTY WORKFORCE DEVELOPMENT BOARD, INC., TO PROVIDE THE LOCAL MATCH OF \$500,000 OF THE JOB ACCESS AND REVERSE COMMUTE GRANT APPLICATION FOR CONTINUED LATER EVENING BUS SERVICE ON PALM TRAN ROUTES 1, 2, AND 3. APPROVED 6-18-2002

3.BB. SHERIFF

3.BB.1. BUDGET TRANSFER 2002-1353

BUDGET TRANSFER OF \$15,000 FROM THE LAW ENFORCEMENT TRUST FUND TO THE SHERIFF'S OFFICE FOR A DONATION TO AID THE CRIME PREVENTION EFFORTS OF THE PROBATIONERS' EDUCATIONAL GROWTH PROGRAM. APPROVED 6-18-2002

3.BB.2.

a.

BUDGET TRANSFER 2002-1356

BUDGET TRANSFER OF \$16,186 FROM THE LAW ENFORCEMENT TRUST FUND TO THE SHERIFF'S GRANTS TO MATCH THE FY 2002 MULTI-AGENCY NARCOTICS (MAN) UNIT GRANT IN ORDER TO OFFSET THE COSTS ASSOCIATED WITH ADDING THE BOYNTON BEACH POLICE DEPARTMENT TO THE MAN UNIT. THE TOTAL FY 2002 MATCH AMOUNT WILL BE \$167,126. APPROVED 6-18-2002

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

MOTION to receive and file proofs of publication 418748, 6284371, 6298707, 6315213, and 6332145. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 6-0. Commissioner Newell absent.

PUBLIC HEARINGS - CONTINUED

4.A.

(1)

RESOLUTION ABANDONING A UTILITY EASEMENT IN PADDOCK'S ADDITION TO GOLFVIEW; A PORTION OF BELVEDERE ROAD AS RECORDED IN THE REPLAT OF GOLFVIEW HOMESITES; GREEN AVENUE, DRIVE WAY, AND GOLF AVENUE IN COUNTY CLUB ADDITION; BAHIA LANE AND MCGARRY LANE; COUNTRY CLUB ROAD POSTED AND VIEWED RIGHT-OF-WAY; OLD BELVEDERE ROAD; FAIRWAY AVENUE, AS RECORDED IN COUNTRY CLUB ESTATES; UTILITY EASEMENT, SANDY LANE (GOLF STREET) AND COUNTRY CLUB ROAD (WAKELY STREET), AS RECORDED IN COUNTRY CLUB ADDITION 3; GREEN STREET, PROMENADE EASEMENT AS RECORDED IN COUNTRY CLUB ADDITION 2; MCGARRY LANE; UTILITY EASEMENT, GREEN AVENUE, HAZARD AVENUE, GOLF AVENUE, AND FAIRWAY AVENUE AS RECORDED IN COUNTRY CLUB ESTATES; ALL OF LOTS 315 AND THE EAST 90 FEET OF LOTS 2 AND 16, AS RECORDED IN THE PLAT OF COUNTRY CLUB ADDITION 3; ALL OF LOTS 1-14, BLOCK 2, AND ALL OF LOTS 1-34, BLOCK 3, AS SHOWN ON THE PLAT OF COUNTRY CLUB ADDITION; ALL OF LOTS 1-5 AS SHOWN ON THE PLAT OF PADDOCK'S ADDITION TO GOLFVIEW; ALL OF LOTS 410 AND THE EAST HALF OF LOT 3 AS SHOWN ON THE PLAT OF GOLFVIEW HOMESITES; ALL OF LOTS 1-27, BLOCK 4, AS SHOWN ON THE PLAT OF COUNTRY CLUB ADDITION 2; ALL OF LOTS 936, BLOCK 1, AND LOTS 10-40, BLOCK 2, AS SHOWN ON THE PLAT OF COUNTRY CLUB ESTATES; ALL OF THE PLAT OF FAR VIEW FARM. THE PETITION SITE IS LOCATED WITHIN PALM BEACH INTERNATIONAL AIRPORT BETWEEN BELVEDERE ROAD AND SOUTHERN BOULEVARD, EAST OF MILITARY TRAIL, IN THE DEFUNCT TOWN OF GOLFVIEW. (P.O.P. 6284371) POSTPONED INDEFINITELY 6-18-2002

(2)

UTILITY EASEMENT WITH FLORIDA POWER & LIGHT COMPANY. POSTPONED INDEFINITELY 6-18-2002

PUBLIC COMMENT: None

MOTION to POSTPONE the item indefinitely. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 6-0. Commissioner Newell absent.

No backup provided.

4.B.

(1)

FILING OF AN FY2002 SECTION 5309 FEDERAL TRANSIT ADMINISTRATION GRANT APPLICATION FOR CAPITAL ASSISTANCE IN THE AMOUNT OF \$746,989 TO PURCHASE A NEW DATA/COMMUNICATIONS SYSTEM. (P.O.P. 6298707) APPROVED 6-18-2002

PUBLIC HEARINGS - CONTINUED

4.B. - CONTINUED

(2)

AUTHORIZATION FOR THE PALM TRAN EXECUTIVE DIRECTOR OR ASSISTANT DIRECTOR, THROUGH THE COUNTY ADMINISTRATOR, TO EXECUTE AND TRANSMIT ELECTRONICALLY THE FY2002 SECTION 5309 FEDERAL TRANSIT ADMINISTRATION GRANT APPLICATION. (P.O.P. 6298707) APPROVED 6-18-2002

PUBLIC COMMENT: None

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

4.C.

(1)

AMENDMENT 1 TO THE FIVE YEAR CONSOLIDATED PLAN (FY 2000-2005). (P.O.P. 418748) APPROVED 6-18-2002

(2)

DOCUMENT R-2002-0989

SECTION 108 GUARANTEED LOAN PROGRAM APPLICATION IN THE AMOUNT OF \$15,000,000. (P.O.P. 418748) APPROVED 6-18-2002

(3)

RESOLUTION R-2002-0990

RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO PROVIDE ANY OTHER DOCUMENTATION NEEDED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE IMPLEMENTATION OF THE SECTION 108 GUARANTEED LOAN PROGRAM, AND TO EXECUTE AND SUBMIT AN ECONOMIC DEVELOPMENT INITIATIVE GRANT APPLICATION IN THE AMOUNT OF \$700,000 FOR USE AS A LOAN LOSS RESERVE FOR THE SECTION 108 GUARANTEED LOAN PROGRAM. (P.O.P. 418748) ADOPTED 6-18-2002

PUBLIC COMMENT:

Dennis Grady, Mike Jones, and Paul Skyers expressed support for the program.

MOTION to approve the amendment and application and adopt a resolution. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 6-0. Commissioner Newell absent.

4.D.

**ORDINANCE 2002-026
(REPEALS ORDINANCE 2000-0038)**

ORDINANCE REPEALING LOCKING DEVICES REQUIRED FOR FIREARMS ORDINANCE. (P.O.P. 6332145) ADOPTED 6-18-2002

MOTION to adopt the ordinance. Motion by Commissioner Marcus, seconded by Commissioner Aaronson, and carried 5-1. Commissioner Roberts opposed. Commissioner Newell absent.

PUBLIC HEARINGS - CONTINUED

4.E.

(1)

CONDUCT A TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) PUBLIC HEARING PURSUANT TO THE REQUIREMENTS OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, CONCERNING THE ISSUANCE OF NOT-EXCEEDING \$67,000,000 PALM BEACH COUNTY, FLORIDA AIRPORT SYSTEM REVENUE BONDS, SERIES 2002. (P.O.P. 6315213) APPROVED 6-18-2002

(2)

RESOLUTION R-2002-0991

RESOLUTION APPROVING THE ISSUANCE OF NOT-EXCEEDING \$67,000,000 PALM BEACH COUNTY, FLORIDA AIRPORT SYSTEM REVENUE BONDS, SERIES 2002, PURSUANT TO THE REQUIREMENTS OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED. (P.O.P. 6315213) ADOPTED 6-18-2002

PUBLIC COMMENT: None

MOTION to conduct the TEFRA public hearing and to adopt the resolution. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 6-0. Commissioner Newell absent.

5. REGULAR AGENDA

5.A. ADMINISTRATION

5.A.1.

PRESENTATION OF THE 2002 STATE LEGISLATIVE AGENDA REPORT. APPROVED 6-18-2002

MOTION to approve the presentation of the report. Motion by Commissioner Masilotti and seconded by Commissioner Marcus.

Todd Bonlarron, legislative delegation executive director, discussed successes of county priorities in the state legislature this year in areas including reapportionment, tax reform, budget, voting machines, transportation outreach and disadvantaged, regulation of moving industry, criminal background checks for vehicle-for-hire drivers, derelict vessels, and Community Redevelopment Agencies.

He noted that concerns remained over possible Medicaid cost shifts to counties and Article 5 funding.

Commissioner Aaronson asked that an agenda item be brought back before the board implementing the Dori Slosberg driver education safety act in the county. He explained that the new legislation, mentioned in the legislative agenda report, allows counties to add \$3 onto every traffic violation ticket to fund driver education in high schools.

Commissioners favored the proposal and Commissioner Roberts requested that it be brought back as an ordinance.

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

REGULAR AGENDA - CONTINUED

5.A.2.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON JULY 23, 2002, AT 9:30 A.M., AN ORDINANCE AMENDING ORDINANCE 93-28, AS AMENDED, RELATING TO THE MINORITY/WOMEN BUSINESS ENTERPRISE PROGRAM; PROVIDING FOR AN EXTENSION OF SUNSET DATE TO MARCH 31, 2003. APPROVED 6-18-2002

MOTION to approve the ordinance on preliminary reading and advertise for public hearing on July 23, 2002, at 9:30 a.m. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 60. Commissioner Newell absent.

5.B. ENGINEERING AND PUBLIC WORKS

5.B.1.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON JULY 9, 2002, AT 9:30 A.M., AN ORDINANCE AMENDING ORDINANCE 85-40, AS AMENDED, ESTABLISHING AN AMENDED FIVE-YEAR ROAD PROGRAM; PROVIDING FOR ADOPTION OF THE REVISED FIVE-YEAR ROAD PLAN AND REVISED LIST OF PROJECTS CONTAINED IN EXHIBIT A, IMPLEMENTATION AND MODIFICATION OF THE PLAN, FUNDING OF OTHER ROADWAY IMPROVEMENTS, AND INTERPRETATION OF EXHIBIT. APPROVED WITH A JULY 23, 2002, PUBLIC HEARING DATE 6-18-2002

MOTION to approve the ordinance on preliminary reading and advertise for public hearing on July 23, 2002, at 9:30 a.m. Motion by Commissioner Masilotti, seconded by Commissioner Marcus.

PUBLIC COMMENT:

Richard W. Carlson, Jr., representing the owner of the Coral Lakes Apartments, located on Congress Avenue between Lantana Road and Melaleuca Lane, said his client wanted to develop the site, but there was no capacity on Congress Avenue. He asked for board support in the five-year road program by way of a public facilities agreement. The board declined that request, noting that it involved a state road, and urged Mr. Carlson to continue pursuing the matter through the Metropolitan Planning Organization (MPO), where it was an unfunded priority in the MPO road program.

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

5.C. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

5.C.1. DELETED

REGULAR AGENDA - CONTINUED

5.D. PUBLIC INFORMATION

5.D.1.

REQUEST FOR FUNDING IN THE AMOUNT OF \$5,000 FROM THE CITY OF GREENACRES FOR A COMMUNITY CONSENSUS-BUILDING ASSEMBLY TO BE HELD IN THE FALL OF 2002. APPROVED 6-18-2002

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

5.E. HOUSING AND COMMUNITY DEVELOPMENT

5.E.1.

SUMMARY OF THE DRAFT PALM BEACH COUNTY ANNUAL CONSOLIDATED PLAN, WHICH INCLUDES THE EMERGENCY SHELTER GRANT, HOME INVESTMENTS PARTNERSHIP, AND COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING RECOMMENDATIONS FOR FISCAL YEAR 2003. APPROVED AS AMENDED 6-18-2002

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

Commissioner Masilotti noted that over the past several years, 10 percent of community development block grant (CDBG) funds had been allocated for business revitalization, but some of the money had not been used. He proposed a policy that if the money is not used for business revitalization, that it be used for community revitalization projects.

PUBLIC COMMENT:

Barbara McMillin, representing the Daily Bread Food Bank, asked the board to consider additional CDBG grant funding of \$17,000 for the food bank building's renovation project. She was informed that such funding requests were not generally considered at board meetings and was referred to staff.

AMENDED MOTION to modify the budget to include \$900,000 in carryover funds that could be used for community redevelopment. The maker and seconder agreed. Upon call for a vote, the motion carried 6-0. Commissioner Newell absent.

5.E.2.

a. DOCUMENT R-2002-0992

GRANT AGREEMENT WITH THE CENTER FOR TECHNOLOGY, ENTERPRISE AND DEVELOPMENT, INC., AND DELRAY BEACH COMMUNITY DEVELOPMENT CORPORATION, INC., FOR UP TO \$600,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO ASSIST IN THE CONSTRUCTION AND DEVELOPMENT OF A MIXED-USE (COMMERCIAL AND RESIDENTIAL) PROJECT KNOWN AS ATLANTIC GROVE IN THE CITY OF DELRAY BEACH. THESE ARE FEDERAL FUNDS THAT REQUIRE NO LOCAL MATCH. APPROVED 6-18-2002

REGULAR AGENDA - CONTINUED

5.E.2 - CONTINUED

b.

DELEGATION OF AUTHORITY TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE SUBORDINATIONS AND RELEASES OF RESTRICTIONS AS THEY BECOME NECESSARY IN THE ADMINISTRATION OF THIS AGREEMENT.

MOTION to approve the agreement and the delegation of authority. Motion by Commissioner Marcus, seconded by Commissioner Greene, and carried 6 0. Commissioner Newell absent.

5.F. FIRE-RESCUE

5.F.1.

a. DOCUMENT R-2002-0993

INTERLOCAL AGREEMENT WITH THE TOWN OF LAKE PARK FOR FIRE RESCUE SERVICES THAT REQUIRES THE TOWN TO PAY \$270,750 FOR THE REMAINDER OF FISCAL YEAR 2002 AND THE MUNICIPAL SERVICE TAXING UNIT (MSTU) MILLAGE RATE FOR THE FOLLOWING YEARS AND HAS AN INITIAL TERM THAT EXPIRES ON OCTOBER 1, 2009, WITH AN AUTOMATIC RENEWAL FOR AN ADDITIONAL SEVEN-YEAR PERIOD. THE EXISTING COUNTY DISPATCH AGREEMENT WITH LAKE PARK WILL BE TERMINATED UPON COMMENCEMENT OF THIS AGREEMENT. APPROVED 6-18-2002

b. DOCUMENT R-2002-0994

AGREEMENT WITH THE TOWN OF LAKE PARK FOR THE SALE AND PURCHASE OF THE LAKE PARK FIRE STATION FOR WHICH THE COUNTY WILL PAY \$1,000,000 OVER FOUR YEARS, ASSUME THE EXISTING AGREEMENT LAKE PARK HAS WITH THE TOWN OF PALM BEACH SHORES TO PROVIDE EMERGENCY MEDICAL SERVICES (EMS) THROUGH SEPTEMBER 30, 2002, AND EXECUTE A NEW INTERLOCAL AGREEMENT FOR EMS SERVICES WITH PALM BEACH SHORES FOR AN ADDITIONAL TWO-YEAR PERIOD WITH TERMS AND CONDITIONS SIMILAR TO ITS AGREEMENT WITH LAKE PARK. A CONDITION ASSESSMENT INDICATES THAT \$20,300 OF IMPROVEMENTS WILL BE REQUIRED TO SUPPORT THE COUNTY'S USE OF THE STATION. APPROVED 6-18-2002

c. BUDGET AMENDMENT 2002-1378

BUDGET AMENDMENT OF \$1,270,750 IN THE FIRE-RESCUE MUNICIPAL SERVICE TAXING UNIT (MSTU) FUND. APPROVED 6-18-2002

d.

ADDITION OF 13 POSITIONS TO THE FIRE-RESCUE COMPLEMENT. APPROVED 6-18-2002

REGULAR AGENDA - CONTINUED

5.F.1. - CONTINUED

- e. **DOCUMENT R-2002-0995
(AMENDS R-2000-1071)**

ADDENDUM TO THE FIREFIGHTERS COLLECTIVE BARGAINING AGREEMENT 1999-2002 WITH LOCAL 2928. APPROVED 6-18-2002

- f. **DOCUMENT R-2002-0996**

INTERLOCAL AGREEMENT WITH THE TOWN OF PALM BEACH SHORES FOR EMERGENCY MEDICAL SERVICES. APPROVED 6-18-2002

MOTION to approve the four agreements, budget amendment, and addition to the Fire-Rescue complement. Motion by Commissioner Marcus, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Newell absent.

5.G. PUBLIC SAFETY

5.G.1.

- a. **DOCUMENT R-2002-0997**

STANDARD FLOOD MITIGATION ASSISTANCE PROGRAM CONTRACT WITH FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS. APPROVED 6-18-2002

- b. **RESOLUTION R-2002-0998**

RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE STANDARD FLOOD MITIGATION ASSISTANCE PROGRAM CONTRACTS WITH THE STATE. ADOPTED 6-18-2002

- c.

FORM OF THE FLOOD MITIGATION PROGRAM HOMEOWNER PARTICIPATION AGREEMENT FOR USE IN ADMINISTERING LOCAL FLOOD MITIGATION ASSISTANCE PROGRAM PROJECTS. APPROVED 6-18-2002

- d. **BUDGET AMENDMENT 2002-1343**

BUDGET AMENDMENT OF \$230,122 IN THE EMERGENCY MANAGEMENT FUND TO ALLOW PASS-THROUGH OF APPROVED FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REIMBURSEMENTS TO PARTICIPATING HOMEOWNERS. APPROVED 6-18-2002

- e.

AUTHORIZATION OF THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO APPROVE AND SIGN STANDARD HOMEOWNER PARTICIPATION AGREEMENT BETWEEN THE COUNTY AND PROPERTY OWNERS AS THEY RELATE TO LOCAL FLOOD MITIGATION ASSISTANCE PROGRAM PROJECTS. APPROVED 6-18-2002

MOTION to approve the contract, form, budget amendment, and authorization and adopt the resolution. Motion by Commissioner Masilotti, seconded by Commissioner Greene, and carried 6-0. Commissioner Newell absent.

5.G.2.

DOCUMENT R-2002-0999

ISSUANCE OF A SIX-MONTH TEMPORARY CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (COPCN), EFFECTIVE JUNE 29, 2002, AT 7:30 A.M., TO PALM BEACH COUNTY FIRE-RESCUE TO BE THE PRIMARY PROVIDER OF ADVANCED LIFE SUPPORT (ALS) EMERGENCY MEDICAL SERVICES AND ALS TRANSPORTATION IN THE TOWNS OF LAKE PARK AND PALM BEACH SHORES. A SECOND EMERGENCY MEDICAL SERVICES PROVIDER, AMERICAN MEDICAL RESPONSE (AMR), WILL PROVIDE BASIC LIFE SERVICES (BLS) SUPPORT. APPROVED 6-18-2002

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

5.H. PARKS AND RECREATION

5.H.1.

a.

REQUEST BY THE VILLAGE OF WELLINGTON TO CONSIDER THE JOINT ACQUISITION OF GREENVIEW COVE GOLF COURSE. APPROVED AS AMENDED 6-18-2002

b.

AUTHORIZATION OF STAFF TO CONTRACT WITH THE NATIONAL GOLF FOUNDATION TO CONDUCT A FINANCIAL FEASIBILITY STUDY AND A MARKET AND PROPERTY ANALYSIS. APPROVED AS AMENDED 6-18-2002

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

Commissioner Roberts and Commissioner Marcus expressed concern over setting a precedent of the county taking over golf courses. Commissioner Masilotti explained that the county had been considering building one in the same area at three times what it would cost to purchase the existing course.

After further discussion, Commissioner Masilotti said he would be willing to pay for the study from District 6 Recreation Assistance Program (RAP) funds.

AMENDED MOTION to fund the feasibility study through \$6,000 in District 6 Recreation Assistance Program (RAP) funds. The maker and seconder agreed. Upon call for a vote, the motion carried 5-1. Commissioner Roberts opposed. Commissioner Newell absent.

5.I. HOUSING AND COMMUNITY DEVELOPMENT

5.I.1.

NOMINATION OF CLARK BENNETT AS CHAIRPERSON OF THE HOUSING FINANCE AUTHORITY. APPROVED 6-18-2002

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

ITEM PULLED FROM THE CONSENT AGENDA

(CLERK'S NOTE: For earlier discussion of item 3.K.4., see page 3.)

3.K.4.

a. DOCUMENT R-2002-1000

CONTRACT WITH THE POOLE AND KENT COMPANY TO CONSTRUCT WATER TREATMENT PLANT 3 PHASE II EXPANSION FOR \$36,527,000. APPROVED 6-18-2002

**b. DOCUMENT R-2002-1001
(AMENDS R-2002-1000)**

CHANGE ORDER 1 TO THE CONTRACT WITH THE POOLE AND KENT COMPANY IN THE DEDUCTIVE AMOUNT OF \$15,958,924.21, APPROVING SUBSTITUTE MEMBRANE PRESSURE VESSELS, DELETING MATERIALS AND EQUIPMENT FOR THE PURPOSE OF SALES TAX RECOVERY, AND DESIGNATING THE COMPANY AS THE COUNTY'S AGENT FOR THE INSPECTION AND RECEIPT OF MATERIALS AND EQUIPMENT IN THE CONSTRUCTION OF WATER TREATMENT PLANT 3 PHASE II EXPANSION. APPROVED 6-18-2002

c.

PURCHASE ORDERS WITH ACUTECH, CARTER & VERPLANCK, CORCEL CORPORATION, DIXIE SOUTHERN CONSTRUCTION, DMS SUPPLY, HENRY PRATT (C/O FLUID CONTROL SPECIALTIES), JACOBS AIR WATER SYSTEM, MET-PRO CORPORATION/DUALL DIVISION (C/O TSC JACOBS), PARKER PROCESS FILTRATION (C/O HC WARNER), AND REXEL CONSOLIDATED, VENDORS OF EQUIPMENT FOR SALES TAX RECOVERY, IN THE AMOUNT OF \$15,050,871.90. APPROVED 6-18-2002

d.

(1) BUDGET TRANSFER 2002-1404

BUDGET TRANSFER IN THE WATER UTILITIES DEPARTMENT CONNECTION FEES FUND FOR \$405,000 FROM WATER TREATMENT PLANT 9 TO WATER TREATMENT PLANT 3 FOR THE WATER TREATMENT PLANT 3 PHASE II EXPANSION PROJECT. APPROVED 6-18-2002

(2) BUDGET TRANSFER 2002-1405

BUDGET TRANSFER IN THE WATER UTILITIES DEPARTMENT CAPITAL IMPROVEMENT FUND FOR \$8,030,000 FROM SOUTHERN REGION RECLAMATION FACILITY TO WATER TREATMENT PLANT 3 FOR THE WATER TREATMENT PLANT 3 PHASE II EXPANSION PROJECT. APPROVED 6-18-2002

ITEM PULLED FROM THE CONSENT AGENDA - CONTINUED

3.K.4. - CONTINUED

PUBLIC COMMENT:

Michael Tamaro, representing Fru-Con Construction Corporation, a bidder on the water treatment plant expansion project, requested a postponement of Item 3.K.4. as a result of the timing requirements involved in the bid protest procedure. His request was denied.

MOTION to approve the contract, change order, purchase orders, and budget transfers. Motion by Commissioner McCarty, seconded by Commissioner Masilotti, and carried 6-0. Commissioner Newell absent.

6. BOARD APPOINTMENTS

6.A. ADMINISTRATION

6.A.1.

APPOINTMENT OF DAVID FOXWORTH TO THE WORKFORCE ALLIANCE BOARD FOR JULY 1, 2002-JANUARY 31, 2004. APPROVED 6-18-2002

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

6.B. ENGINEERING AND PUBLIC WORKS

6.B.1.

APPOINTMENT OF PATRICK A. FIGURELLA AND WILLIAM STRONGE AND REAPPOINTMENT OF JOHN CORBETT AND LEN SHEPPARD TO TWO YEAR TERMS ON THE INDEPENDENT FIVE-YEAR ROAD PROGRAM OVERSIGHT AND ADVISORY COUNCIL. APPROVED 6-18-2002

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

6.C. HOUSING AND COMMUNITY DEVELOPMENT

6.C.1.

a.

REAPPOINTMENT OF JOHN P. LITTLE III TO THE WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY FOR JUNE 18, 2002-MAY 31, 2006. APPROVED 6-18-2002

BOARD APPOINTMENTS - CONTINUED

6.C.1. – CONTINUED

b.

APPOINTMENT OF JOSEPH H. KIRBY III TO SERVE THE UNEXPIRED TERM OF JOSE MEDINA ON THE WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY FOR JUNE 18, 2002-MAY 31, 2005. APPROVED 6-18-2002

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

6.D. COMMISSION DISTRICT APPOINTMENTS

6.D.1.

APPOINTMENT OF FRED PINTO TO THE FAIR HOUSING AND EQUAL OPPORTUNITY BOARD. APPROVED 6-18-2002

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

No backup submitted.

6.D.2.

WITHDRAWAL OF MAYOR CLARENCE ANTHONY FROM THE HOUSING FINANCE AUTHORITY, PER HIS REQUEST. APPROVED 6-18-2002

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

No backup submitted.

6.D.3.

APPOINTMENT OF KEN DAVIS TO THE CITIZENS COMMITTEE ON AIRPORT NOISE. APPROVED 6-18-2002

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

No backup submitted.

6.D.4.

APPOINTMENT OF MURRAY KALISH TO THE LAND USE ADVISORY BOARD. APPROVED 6-18-2002

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

COMMISSION DISTRICT APPOINTMENTS - CONTINUED

6.D.4. - CONTINUED

No backup submitted.

7. STAFF COMMENTS

7.A. ADMINISTRATION

7.A.1.

RECOMMENDATION OF KATHY SCARLETT AS PURCHASING DIRECTOR.
APPROVED 6-18-2002

County Administrator Weisman announced his recommendation of Kathy Scarlett as purchasing director.

MOTION to approve the recommendation. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 60. Commissioner Newell absent.

No backup submitted.

7.A.2.

BELLSOUTH 930 SOUTH COUNTY CONNECTION SERVICE TO BE DISCONTINUED. DISCUSSED 6-18-2002.

County Administrator Weisman announced that he had been notified by BellSouth that the 930 telephone service for connection to south county was going to be discontinued. He said other options were being investigated. The move was scheduled for next spring, but he hoped that options could be in place before fall when the new phone books were expected to be printed.

No backup submitted.

7.B. COUNTY ATTORNEY - None

8. COMMISSIONER COMMENTS

8.A. COMMISSIONER KAREN T. MARCUS

8.A.1.

POLICE CHIEFS COUNTER-TERRORISM OPTION. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner Marcus commented on a newspaper report that area police chiefs were considering the formation of another counter-terrorism committee. She questioned the wisdom of having another such committee and asked that County Administrator Weisman research the matter and bring back a status report.

COMMISSIONER COMMENTS - CONTINUED

8.A.2.

LETTER TO DELEGATION SUPPORTING US AIRWAYS. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner Marcus requested that a letter be prepared for the chair to send to the county's Congressional Delegation expressing financial support of US Airways and emphasizing its importance to Palm Beach International Airport (PBI).

Commissioner Roberts asked that the letter include the fact that the airport was healthy and was not going to be closed. A local newspaper had given the impression that the county was on the brink of bankruptcy and closing PBI, she said.

Commissioner Aaronson characterized the newspaper as "very irresponsible" regarding the airport's status and asked County Administrator Weisman to send a letter to the newspaper.

No backup submitted.

8.A.3.

WORKSHOP REGARDING ANIMAL CARE AND CONTROL ADVISORY BOARD. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner Marcus proposed that the board set an August date for a workshop regarding the Animal Care and Control Advisory Board.

Commissioner Roberts added it should be set for the end of August.

No backup submitted.

8.A.4.

STATUS OF COUNTYWIDE BEACHES AND SHORES COUNCIL. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner Marcus asked that staff review the status of the Countywide Beaches and Shores Council to determine its viability.

No backup submitted.

8.A.5.

SOLICIT ATTORNEY GENERAL'S OPINION OF GATED COMMUNITIES AND THEIR ROAD FUNDING. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner Marcus asked that the county attorney's office research, and seek Attorney General Robert A. Butterworth's opinion on the question of public funding of roads in gated communities. Chief Deputy County Attorney Gordon P. Selfridge said his office had a comprehensive understanding of the issue and would contact the attorney general for his opinion.

No backup submitted.

COMMISSIONER COMMENTS - CONTINUED

8.B. COMMISSIONER CAROL A. ROBERTS

8.B.1.

COUNTY ENGINEER'S MEMORANDUM ON TRAFFIC ACCIDENTS. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner Roberts noted that a memorandum from County Engineer George T. Webb disclosed that traffic accident statistics at certain intersections had not improved in the last 10 years. She asked Mr. Webb to look into ways of solving the problem.

No backup submitted.

8.C. COMMISSIONER WARREN H. NEWELL - None

8.D. COMMISSIONER MARY MCCARTY

8.D.1.

PROPOSAL THAT AMERICAN MEDIA, INC., DONATE ITS BOCA RATON BUILDING TO THE FEDERAL GOVERNMENT. DISCUSSED 6-18-2002

Commissioner McCarty requested board support of a proposal by American Media, Inc. (AMI) to donate its Boca Raton building to the federal government in view of problems with the anthrax cleanup. The federal government, she noted, wanted to use the building as a laboratory.

MOTION to authorize the chair to write a letter to the county's Congressional Delegation supporting the donation of the AMI building to the federal government. Motion by Commissioner McCarty, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Newell absent.

8.D.2.

UNINCORPORATED AREA REPRESENTATIVE ON ADVISORY COMMITTEE TO THE BOCA RATON AIRPORT AUTHORITY. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner McCarty informed the board that the Boca Raton Airport Authority was forming a small committee consisting of representatives from the municipalities of Boca Raton, Deerfield Beach, Delray Beach, and Highland Beach and would like the board to recommend a representative from the affected unincorporated area. This group would provide direct input to the airport authority on noise and flight issues, she said. Ms. McCarty asked that the request be agendaed for the next regular meeting of the board.

COMMISSIONER COMMENTS - CONTINUED

8.D.3.

ATTENDANCE AT COUNTY ADVISORY BOARD MEETINGS. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner McCarty noted that the Land Use Advisory Board had been having a problem lately in raising quorums and recommended that the issue of attendance be looked into by the board.

Commissioner Roberts welcomed the suggestion and proposed it be extended for all advisory boards. The attendance policy of exclusion after three absences was not being honored, she added.

Commissioner Aaronson acknowledged legitimate absences, such as for illness or family emergency, and deplored excused absences, such as for a golf date. He cautioned that a rigid adherence to an attendance policy was a problem because advisory board members served without financial compensation.

Commissioners McCarty and Roberts advocated doing away with excused absences.

Commissioner Aaronson proposed that the board revise the three-absence policy to a four-absence policy for all boards and not allow any excuse except for an emergency.

County Administrator Weisman said he would look into the matter.

No backup submitted.

8.D.4.

PHASEOUT OF GRANDFATHERED ADULT ENTERTAINMENT ESTABLISHMENTS. DISCUSSED 6-18-2002

Commissioner McCarty cited a recent letter to the editor concerning the Village of Wellington prohibition of adult entertainment establishments, in which it was stated that Palm Beach County had grandfathered adult entertainment establishments in the late 1980s. Later county zoning, she said, determined where such establishments could be located. Ms. McCarty asked if the board would be willing to explore the constitutionality of phasing out the grandfathered establishments with a reasonable amortization period.

Commissioner Roberts said the suggestion was a good one.

No backup submitted.

COMMISSIONER COMMENTS – CONTINUED

8.D.5.

REFERENDUM ON TERM LIMITS ON NOVEMBER 2002 BALLOT.
DISCUSSED WITH DIRECTION 6-18-2002

Commissioner McCarty remarked that the county attorney's office was monitoring the controversy of term limits and asked that the board do nothing to stand in the way of the referendum on term limits going on the ballot in November 2002.

MOTION to do nothing to initiate or obstruct a referendum on term limits going on the ballot in November 2002. Motion by Commissioner McCarty and seconded by Commissioner Masilotti.

Commissioners Marcus and Aaronson said that the board would have to comply with whatever the courts decided on the matter.

Commissioner Roberts questioned the need for making a motion since the board was doing nothing about the matter in any case.

Commissioner Marcus said it might be more appropriate to ask the county attorney to write a letter to the editor clarifying the board's position on the matter.

UPON CALL FOR A VOTE, the motion FAILED 42. Commissioners Aaronson, Greene, Marcus, and Roberts opposed. Commissioner Newell absent.

No backup submitted.

8.E. COMMISSIONER BURT AARONSON

8.E.1.

REPORT ON TRIP TO WASHINGTON, D.C. DISCUSSED 6-18-2002

Commissioner Aaronson reported on his trip to Washington, D.C., the previous week, during which he met with a number of senators, including Senator Tom Harkin and Senator Bill Nelson, Congressman Robert Wexler, and a member of Senator Bob Graham's staff. Mr. Aaronson stated that the federal government owed money to both the City of Boca Raton and Palm Beach County for the money they spent in the aftermath of the Boca Raton anthrax tragedy. He pointed out that the anthrax-contaminated Hart Senate Office Building had been cleaned up, but that no one had come to the fore to help the AMI building in Boca Raton.

Commissioner Aaronson said that one of his goals in Washington had been to obtain funding for the county's agricultural programs and reported that certain programs may be available to the county without going through appropriation.

No backup provided.

COMMISSIONER COMMENTS- CONTINUED

8.F. COMMISSIONER TONY MASILOTTI

8.F.1.

REAPPOINTMENT OF CAROL FRANCIS TO THE LAND USE ADVISORY BOARD. APPROVED 6-18-2002

MOTION to approve the reappointment. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 60. Commissioner Newell absent.

No backup submitted.

8.F.2.

AWARD TO COUNTY ATTORNEY DYTRYCH. DISCUSSED 6-18-2002

Commissioner Masilotti announced that the Florida Bar's Claude Pepper Outstanding Government Attorney Award would this year be given to County Attorney Dytrych for her outstanding work in government law.

No backup submitted.

8.G. COMMISSIONER ADDIE L. GREENE

8.G.1.

NEW APPROACH TO HELPING THE HOMELESS IN PALM BEACH COUNTY. DISCUSSED WITH DIRECTION 6-18-2002

Commissioner Greene initiated a discussion on a concept regarding the homeless in Palm Beach County, namely, an assessment center that would be a clearinghouse for getting homeless persons to the right agency. She invited board participation and encouraged community involvement from every level. Commissioner Greene thanked West Palm Beach Mayor Joel T. Daves and West Palm Beach Commissioner Alfred Zucaro Jr. for their moral and financial support.

Commissioner Roberts confirmed to Commissioner Marcus that a workshop on the homeless was planned.

Deputy Gail Arbor, project coordinator in the sheriff's office; Sheila Smith, executive director of the Homeless Coalition; and Commissioner Alfred Zucaro Jr. addressed the board on the issue.

Commissioner Masilotti questioned whether board participation in a matter anticipated to be a future board agenda item would be a violation of the Sunshine Law. Commissioner Roberts asked County Attorney Dytrych to look into the issue raised by Commissioner Masilotti. If it would be a violation, she suggested that Commissioner Greene come back with a request that the project be an official board function.

9. ADJOURNMENT

The chair declared the meeting adjourned at 12:30 p.m.

ATTESTED:

APPROVED:

Clerk

Chair