

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR/WORKSHOP

1. **CALL TO ORDER:** June 25, 2002, at 9:40 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 - Absent
Commissioner Tony Masilotti - Arrived later
Assistant County Administrator Verdenia Baker
Chief Assistant County Attorney Maureen E. Cullen
Recording Clerk Dawn Whyte

2. **AGENDA APPROVAL**

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

Assistant County Administrator Verdenia Baker noted the agenda changes as follows:

PAGE **ITEM**

1 4B-2

REVISED TITLE: **A)** an Agreement with Sutton Boca One Developers, Inc., and/or permitted assigns for the drainage for Clint Moore Road (SR 7 - Jog Road); and

B) Budget Amendment of \$410,230 in the Road Impact Fee Zone 5 Fund to recognize developer contributions for Clint Moore Road (SR 7 to Jog Road). (Eng)

PAGE **ITEM**

1 4D-1

ADD-ON: **Staff recommends motion to approve:** Issuance of a Notice of Reconsideration as provided for under Section 166.234 of the Florida Statutes, to Sprint Corporation and its subsidiaries, in response to Sprint's request for reconsideration of the County's assessment for unpaid public utility taxes and interest. **SUMMARY:** In May of 2002, Palm Beach County issued a Notice of Decision to the Sprint Companies (Sprint) advising that it was the County's determination that Sprint owed the County \$1,026,838.60 in unpaid public utility taxes and interest. On June 12, the County received Sprint's Request for Reconsideration of this assessment. Under provisions of the Florida Statutes, the County has 30 days to respond to the Request by issuing a Notice of Reconsideration. After analyzing Sprint's protest, it is staff's recommendation that Sprint be notified that it is the County's position that Sprint owes \$1,026,838.60 in unpaid taxes and interest, as previously stated in our Notice of Decision of May 2002. Countywide (OFMB)

PAGE **ITEM**

1 4E-1

ADD-ON: Proclamation declaring the week of July 1 - 5, 2002 as "Military Appreciation Week" in Palm Beach County. (Sponsored by Commissioner Newell)

2.A. - CONTINUED

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ADD-ON: Staff recommends motion to approve: Budget Transfer of \$3,000 from District 7 - District Improvement Program reserves for charter bus services for crew members of the USS McCampbell. **SUMMARY:** Funding in an amount not-to-exceed \$3,000 is needed for charter bus services during the week of July 1, though July 5 for crew members of the USS McCampbell, which will be docked at the Port of Palm Beach. District 7

2.B. ADOPTION

MOTION to adopt the agenda as amended. Motion by Commissioner Aaronson, seconded by Commissioner Roberts, and carried 4-0. Commissioners McCarty, Marcus, and Masilotti absent.

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

- 2.C. UNSCHEDULED ITEM.** See page 4.
- 3. 9:30 A.M. - Workshop.** See pages 5-7.
- 4. REGULAR AGENDA.** See pages 2-5.
- 5. ADJOURNMENT.** See page 7.

4. REGULAR AGENDA

4.A. CLERK

4.A.1.

WARRANT LIST DATED JUNE 21, 2002. APPROVED 6-25-2002

COMPUTER CHECKS	\$ 9,854,919.30
WIRE TRANSFERS	23,354,251.37
MANUAL CHECKS	0.00
EDI DISBURSEMENTS	<u>2,656,680.91</u>
	<u>\$35,865,851.58</u>

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

4.A.2.

CONTRACTS ON THE CONTRACT LIST EXECUTED BY THE PURCHASING DIRECTOR TOTALING \$1,356,500:

a.

RENEWAL OF TERM CONTRACT WITH J&J INDUSTRIES INC. AND SHAW INDUSTRIES INC. FOR \$337,500 FOR PURCHASE AND INSTALLATION OF CARPET FROM JULY 25, 2002, THROUGH MAY 31, 2003, PER BID 150169. APPROVED 6-25-2002

REGULAR AGENDA - CONTINUED

4.A.2. - CONTINUED

b.

TERM CONTRACT WITH THE O. EDWARDS COMPANY, INC.; MURRAY LOGAN CONSTRUCTION, INC.; RIO BAK CORPORATION; CHARLES S. WHITESIDE, INC.; HARDRIVES, INC.; PALMWOOD CORPORATION, INC.; KIMMINS CONTRACTING CORPORATION; D.S. EAKINS CONSTRUCTION CORPORATION; AND MURPHY CONSTRUCTION COMPANY, FOR \$1,019,000 FOR RENTAL OF HEAVY EQUIPMENT WITH OPERATOR FROM AUGUST 24, 2002, THROUGH AUGUST 23, 2003. APPROVED 6-25-2002

(CLERK'S NOTE: Document R-2002-1019 was numbered out of order; see page 4.)

c.

**DOCUMENT R-2002-1020
(AMENDS R-99-1639-D)**

AMENDMENT 2 TO CONTRACT WITH PENN CREDIT CORPORATION (PENN CREDIT) FOR RENEWAL OF CONTRACT FOR ROUTINE DEBT COLLECTION FROM SEPTEMBER 21, 2002, THROUGH SEPTEMBER 20, 2003, PER REQUEST FOR PROPOSAL 99-053/PR. APPROVED 6-25-2002

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

4.B. ENGINEERING AND PUBLIC WORKS

4.B.1.

DOCUMENT R-2002-1021

PIPING LICENSE AGREEMENT WITH THE LAKE WORTH DRAINAGE DISTRICT FOR A PORTION OF THE L-6 CANAL ADJACENT TO THE NEW 97K ELEMENTARY SCHOOL LOCATED WEST OF JOG ROAD PROVIDING FOR PAVING AND DRAINAGE IMPROVEMENTS TO THAT PORTION OF DILLMAN ROAD EXTENSION. APPROVED 6-25-2002

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

4.B.2.

a.

DOCUMENT R-2002-1022

AGREEMENT WITH SUTTON BOCA ONE DEVELOPERS, INC., FOR THE REDESIGN OF THE CLINT MOORE ROAD (STATE ROAD 7 TO JOG ROAD) DRAINAGE, AND THE PURCHASE OF DRAINAGE RIGHTS FROM A PROPERTY OWNER IN THE AREA. APPROVED 6-25-2002

b.

BUDGET TRANSFER 2002-1420

BUDGET AMENDMENT OF \$410,230 IN THE ROAD IMPACT FEE ZONE 5 FUND TO RECOGNIZE DEVELOPER CONTRIBUTIONS FOR CLINT MOORE ROAD (STATE ROAD 7 TO JOG ROAD). APPROVED 6-25-2002

REGULAR AGENDA - CONTINUED

4.B.2. - CONTINUED

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

(CLERK'S NOTE: The following document was numbered out of order.)

4.C. INFORMATION SYSTEMS SERVICES

**4.C.1. DOCUMENT R-2002-1019
(AMENDS R-98-1540-D)**

AMENDMENT 3 TO THE CONTRACT WITH SCT GOVERNMENT SYSTEMS, DBA AFFILIATED COMPUTER SERVICES, INC., TO INCLUDE THE PUBLIC DEFENDER CASE MANAGEMENT SYSTEM COMPONENT AND A JUROR CHECKWRITER SYSTEM WITH A COMPLETION TIME FRAME OF NINE MONTHS FROM THE PROJECT INITIATION, AND IN THE CONTRACT AMOUNT OF \$639,000. APPROVED 6-25-2002

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

UNSCHEDULED ITEM

2.C.

INTRODUCTION OF INFORMATION SYSTEMS SERVICES STUDENT INTERNS. DISCUSSED 6-25-2002

Assistant County Administrator Baker introduced Gabriel Barr and Bernard Spady from Palm Beach Gardens High School and Palm Beach Lakes High School respectively, who were participating in the Student Internship and Shadowing Program sponsored by the Internet Coast and Economic Development Advisory Council.

No backup submitted.

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

4.D. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

4.D.1.

ISSUANCE OF A NOTICE OF RECONSIDERATION TO SPRINT CORPORATION AND ITS SUBSIDIARIES IN RESPONSE TO SPRINT'S REQUEST FOR RECONSIDERATION OF THE COUNTY ASSESSMENT FOR UNPAID PUBLIC UTILITY TAXES AND INTEREST TOTALING \$1,026,838.60. APPROVED 6-25-2002

Director of the Office of Financial Management and Budget Richard Roberts told the board that the item was a continuation of the procedure and process aimed at collecting unpaid taxes and interest from Sprint Corporation. Approval of this item by the board, would afford the company the opportunity to request reconsideration.

REGULAR AGENDA - CONTINUED

4.D.1. - CONTINUED

MOTION to approve the issuance of a notice of reconsideration. Motion by Commissioner Roberts, seconded by Commissioner Aaronson, and carried 4-0. Commissioners McCarty, Marcus, and Masilotti absent.

4.E. PUBLIC INFORMATION

4.E.1.

PROCLAMATION DECLARING JULY 1-5, 2002, AS MILITARY APPRECIATION WEEK. APPROVED 6-25-2002

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

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

4.E.2. BUDGET TRANSFER 2002-1419

BUDGET TRANSFER OF \$3,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM DISTRICT 7 - DISTRICT IMPROVEMENT PROGRAM RESERVES TO USS MCCAMPBELL CHARTER SERVICE FUND FOR CHARTER BUS SERVICES FOR CREW MEMBER OF THE USS MCCAMPBELL. APPROVED 6-25-2002

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

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

WORKSHOP ITEM

3. 9:30 A.M. - PALM BEACH COUNTY CULTURAL COUNCIL WORKSHOP. DISCUSSED WITH DIRECTION 6-25-2002

Laurie L. Gildan, chair of the cultural council board of directors, introduced current board members and ex-officio members of the council to the commissioners.

William M. Nix, vice-president of the cultural council, gave a visual overview, by way of a video presentation, of the achievements and cultural assets of the county.

William E. Ray, president and chief executive officer of the cultural council, gave a short overview of the county cultural funding since its inception in 1978.

Mr. Ray introduced the executive directors for culture in Miami-Dade and Broward counties, who were Michael Spring and Mary Becht respectively, and both gave in-depth comparisons and contrasts of cultural funding within their counties.

WORKSHOP SESSION - CONTINUED

3. - 9:30 A.M. WORKSHOP - CONTINUED

Mr. Ray made the following four requests:

- An increase in community-based category C funding in FY 2003 by \$135,000 in ad valorem tax support.
- The addition of a second level to category C for application by smaller and mid-sized cultural organizations that cannot or should not compete with larger organizations in category B.
- The adoption of an Art in Public Places ordinance by the county.
- The utilization of the cultural council by the commissioners to assist in requesting support from cultural facilities around the county.

At the end of Mr. Ray's presentation, Robert M. Montgomery, Jr., a member of the Cultural Council, gave the closing statement.

The board discussed the various avenues from which funding could be sought for the cultural council. The chair summarized each commissioner's comments as follows:

- Commissioner Aaronson recommended a further workshop for the purpose of reviewing, in greater detail, all the issues brought up in this workshop with the aim of establishing concrete ideas to raise funds.
- Commissioner Aaronson was very supportive of using category C funding, but out of the Recreation Assistance Program funds, because these funds were easily obtainable.
- Commissioner Roberts was interested in a review of the sales tax information and opportunities for possible funding from the sales tax.
- Commissioner Roberts expressed interest in the adoption of an art ordinance and cultural planning.
- Commissioner Masilotti supported adoption of an art ordinance.
- Commissioner Greene was agreeable to an additional workshop as recommended by Commissioner Aaronson, because that workshop would ensure that the cultural organizations would be appropriately funded.
- Commissioner McCarty recommended eliminating the Special Category (\$100,000 Bed Tax) Fund and applying the funds to category C.
- Commissioner Newell recommended a recreational bond issue.

THE BOARD AGREED ON THE FOLLOWING:

- Placing on agenda, the Special Category Fund. The board would develop a definition of the criteria of which organizations could apply for those funds, what those funds are reserved for, and where the funds have gone in the past.

WORKSHOP SESSION - CONTINUED

3. - 9:30 A.M. WORKSHOP - CONTINUED

- Holding a workshop to develop ideas on how to fund the cultural council.
- Proceeding with Art in Public Places ordinance and bringing back for discussion at workshop.

STAFF WAS DIRECTED TO:

- Investigate how much was received in sales tax, what percentage of the sales tax was already committed, and what could be committed as a future full time funding source for the cultural council.
- Research art in public places ordinances of other cities and counties within Florida and other states.
- Examine the financial impact an art in public places ordinance would have on the county.
- Coordinate with the cultural council the planning for requests for support from cultural facilities around the county.

Mr. Ray thanked the board on behalf of the cultural council board of directors and stated that he looked forward to the additional workshop.

Commissioner Roberts congratulated the cultural council board of directors for a job well done.

5. ADJOURNMENT

The chair declared the meeting adjourned at 11:33 a.m.

ATTESTED:

APPROVED:

Clerk

Chair