

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR

1. **CALL TO ORDER:** July 9, 2002, at 9:35 a.m., in the Palm Beach County Governmental Center, West Palm Beach, Florida.

1.A. **ROLL CALL**

MEMBERS AND OFFICERS PRESENT:

Chair Warren H. Newell
Vice-Chair Carol A. Roberts
Commissioner Burt Aaronson
Commissioner Addie L. Greene
Commissioner Mary McCarty
Commissioner Karen T. Marcus
Commissioner Tony Masilotti - Arrived later
County Attorney Denise Dytrych
County Administrator Robert Weisman
Chief Deputy Clerk John W. Dame
Recording Clerk Denise Carmona

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

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>
7	3A-4

DELETED: the Second Amendment to Grant Agreement (R2001-0011) with the Palm Beach Community College Foundation, Inc. (PBCCF) to extend the existing Film Tech Prep Program Grant Agreement from December 31, 2001 to December 31, 2002, and to include Palm Beach Community College (PBCC) as an additional beneficiary of the \$30,000 donation from the Palm Beach County International Film Festival (PBCIFF). (Admin) (Further staff review)

24	3L-7
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REVISED SUMMARY: The Interlocal Agreement allows the County to use the SWA's property located off High Ridge and Lantana Roads for completion of the planned muck (sediment) removal project in the south lobe of Lake Osborne. The Interlocal Agreement has an option for a two-year extension solely at the SWA's option. The Temporary Easement and Agreement (Easement) allows the County to temporarily place the discharge pipe, including holding bags, and other necessary equipment on portions of the Duxbury property to connect the SWA's property with Lake Osborne, which is vital to completion of the project. The Easement will terminate on ~~July 1, 2003~~ December 31, 2003. District 3 (ND) (ERM)

38	5C-2
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ADD-ON: Staff recommends motion:

A) to direct staff to move forward with the refunding of the \$2638M Criminal Justice Facilities Revenue Bonds, Series 1994 when the net present value savings is greater than \$1 Million;

B) to select an underwriting team for the potential refunding of the \$26.38M Criminal Justice Facilities Revenue Bonds, Series 1994; and

2.A. - CONTINUED

C) to appoint Edwards & Angell, LLP bond counsel for the potential refunding of the \$26.38M Criminal Justice Facilities Revenue Bonds, Series 1994.

SUMMARY: We recently received a refunding analysis on the above bonds from First Southwest Company, a member of the County's underwriting pool, showing a net present value savings of approximately \$914,000 or 5.2% of the refunded principal amount. Staff is recommending that the Board approve the refunding of these bonds when the net present value savings reaches \$1 million. Since First Southwest is the only firm that has submitted a refunding proposal and because they have yet to serve as a senior manager on a County bond issue, we are recommending that the Board appoint First Southwest as the senior manager and two other firms as co-managers. Staff recommends that Edwards & Angell, bond counsel on the \$26.38M Criminal Justice Revenue Bonds, Series 1994, be appointed as bond counsel on the potential refunding issue. Countywide (OFMB)

<u>PAGE</u>	<u>ITEM</u>
39	5D-2

REVISED TITLE & SUMMARY:

First Amendment to Contract R2000-1003 with WilsonMiller revising the scope of services and payment schedule to: a) allow for additional meetings and work sessions associated with carrying out BCC direction in the Sector Planning process; and b) increase the amount of contract by ~~\$76,800~~ **\$77,800** to accommodate the additional work sessions and meetings, and increased cost of services. **SUMMARY:** At the November 28, 2001 BCC Workshop, the Board directed WilsonMiller to prepare a Hybrid plan combining elements of the Rural Land Stewardship and the Ag Preservation plans presented to the Board. The Board also requested that a tour of the sector plan area be conducted in order to enable Commissioners to provide staff with direction on rural elements appropriate for Palm Beach County and the sector plan area. The proposed contract amendment reflects the additional tasks associated with this Board direction, and extends the completion date for the contract to January 12, 2004 from the current termination date of July 12, 2002. The total amount for both contracts equals ~~\$691,348~~ **\$692,348** and is currently available in the Planning Division's budget. Districts 1 & 6(BB)

40	5F-1
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REVISED SUMMARY: Palm Beach County owns a 6.7-acre tract of land in Riviera Beach commonly known as Light Harbour Marina which was originally purchased for development of a boat ramp. Pursuant to Board direction, Staff issued an RFP on April 7, 2002, to sell approximately 3 acres of the property, with the right to sell, at the County's option at any time within the five (5) years, the remaining approximately 3.7 acres ("put parcel") in the future if the County abandons its plan to develop the boat ramp on this property or is able to find an alternative site for the boat ramp. Staff received one (1) response to the RFP from Millennium Development, LLC. Staff recommends that the Board accept the proposal by Millennium Development, LLC to purchase the 3-acre tract of land for \$1,458,935.48 (\$11.05/sf), and the put parcel for \$1,791,426.78 (\$11.10/sf), for use as a boat yard, boat storage, boat manufacture and sales facility. Millennium Development's proposed site plan is included. Millennium has requested that the property be conveyed without reservation of mineral rights. In light of the minimal likelihood of the presence of minerals upon the property in mineable quantities and the impact of such a reservation on the marketability, value and development potential of the property, staff recommends that the property be conveyed without reservation of mineral rights. (PREM) District 4 Z (HJF) (FD&O)

41	5F-2
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REVISED SUMMARY: On May 19, 1998 the Board entered into a four phase design build contract with Danville Findorff (DFI) in the amount of \$12,575,000 for the North County Government Center Expansion. The overall contract duration was 1190 days with a substantial completion date for all four phases of November 4, 2002. As of this date, DFI has not achieved substantial completion on Phase 2 and is already ~~791~~ **784** days behind schedule. Work on Phases 3 and 4 has yet to begin. For the reasons described in the letter dated July 4, 2002, Staff is recommending termination pursuant to General Condition 24 for unsatisfactory and untimely performance. ... (FD&O)

42	5G-1
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REVISED SUMMARY: County staff obtained an Agreement for Sale and Purchase for acquisition of the IBM/Blue Lake ecosite from the City of Boca Raton (City). The City has agreed

2.A. - CONTINUED

to sell the County approximately 78 acres of the most environmentally sensitive lands from the 306-acre parcel acquired by the City in September 2000 from TRex, Inc. A final review of the

easements and reservations on the property will be performed as part of the pre-acquisition due diligence subsequent to receipt of the survey completed by the County's survey department. The Conservation Lands Acquisition Selection Committee (CLASC) voted unanimously to approve the acquisition of 78.97 acres on February 4, 2002. Subsequent to that vote, negotiations with the City resulted in a 1.13+ acre reduction of the parcel size. However, the cost per acre remained the same and the purchase price was reduced accordingly. Upon acquisition of the property, the Department of Environmental Resources Management (ERM) will manage the property for its natural resource values. An affirmative vote of four (4) commissioners is needed to approve this item. District 4 (HJ) (ERM)

PAGE ITEM

43 5H-1

REVISED SUMMARY: Staff recommends motion to approve: a Policy that establishes "Only Trees, Irrigation, and Sod" (OTIS) as the standard for median beautification for the unincorporated areas of Palm Beach County on both County and State thoroughfares. **SUMMARY:** Now that the Board has directed development of a multi-year master plan (estimated at \$15 million) to add irrigation and sod to the previous "Trees Only" program, the resulting combination can be described as "Only Trees, Irrigation, and Sod", yielding the acronym OTIS for the new program....With OTIS adopted as the standard, administrative mechanisms and procedures for all of the above can be developed. ~~This would also make it possible to use Traffic could lead toward the eventual use, to the extent allowed by law, of Road Impact Fee funding when OTIS projects are installed as standard elements of roadway construction projects. (The Such use of impact fees would could also apply in incorporated areas, but only if the municipality agrees to provide maintenance for OTIS following the County's completion of the road project.)~~ Countywide (MRE) (Engineering)

43 5H-2

REVISED SUMMARY: Staff recommends motion to approve: The Master Plan for "Only Trees, Irrigation and Sod" (OTIS) for implementation on unincorporated area median/divided thoroughfares, including a multi-year phasing (and funding) schedule. **SUMMARY:** With OTIS as the standard to be installed and funded with future State and County road program projects...Together with the adopted road program projects, this will result in the installation of OTIS on approximately 140 miles of State and County thoroughfares in the unincorporated area in the eastern portion of Palm Beach County. There is a separate master plan in existence for the western portion ("Glades Area") of Palm Beach County, Countywide (MRE) (Engineering)

44 5H-3

REVISED TITLE: Staff recommends motion to:

E) A Budget Transfer of \$32,503 in the Transportation Improvement Fund from Road Program Reserves - FY 2002 (Reserve for Median Beautification) to Operating Subsidies (Transfer To County Transportation Fund 106).

F) Budget Amendment of \$32,503 in the County Transportation Trust Fund to recognize a transfer from the Transportation Improvement Fund for partial year funding of positions in Trees Only Streetscape. (Engineering)

45 5H-4

REVISED TITLE: Staff recommends motion to:

A) direct Staff to Develop a Revised Standard Condition of Approval for Developments required to provide landscaping on unincorporated area thoroughfare roadway medians;

B) adopt a Resolution for voluntarily resolving conflicts between existing developer-installed landscaping ~~(including beautified traffic separators)~~ and "Only Trees, Irrigation, and Sod" (OTIS) projects to be installed by the County;

C) approve a Payment Rate Schedule that would provide a fee structure for developers and also property owners who have landscaping maintenance obligations, to make appropriate payments

2.A. - CONTINUED

for the County's installation and maintenance, or as appropriate, only maintenance - pursuant to conditions of approval;

D) adopt a Resolution addressing existing and currently required "concrete median cutouts"; and

E) direct Staff to develop a revised standard condition of approval for future developments that would have been required to provide "concrete median cutouts" on unincorporated area thoroughfare roadway medians.(Engineering)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).

MOTION to adopt the agenda as amended. Motion by Commissioner Marcus, seconded by Commissioner Aaronson, and carried 60. Commissioner Masilotti absent.

2.B. UNSCHEDULED ITEMS

(CLERK'S NOTE: The following items were discussed later in the meeting; see pages 36 and 45, respectively.)

2.B.1.

VISITING GROUP FROM PAHOKEE SUMMER RECREATION PROGRAM INTRODUCED BY COMMISSIONER MASILOTTI. DISCUSSED 7-9-2002

2.B.2.

UNIVERSITY OF FLORIDA SUMMER INTERNS BRADLEY HARPER AND DONALD PRITCHETT INTRODUCED BY COUNTY ATTORNEY DYTRYCH. DISCUSSED 7-9-2002

- 3. **CONSENT AGENDA** - See pages 4-26.
- 4. **SPECIAL PRESENTATIONS - 9:30 A.M.** - See page 27.
- 5. **REGULAR AGENDA** - See pages 27-38.
TIME CERTAIN 2:15 P.M. - ITEM 5.A.2. See page 46.
TIME CERTAIN 3:00 P.M. - ITEM 5.I. Cancelled
- 6. **BOARD APPOINTMENTS** - See page 38.
- 7. **MATTERS BY THE PUBLIC - 2:00 P.M.** - See pages 43-46.
- 8. **STAFF COMMENTS** - See page 39.
- 9. **COMMISSIONER COMMENTS** - See pages 40-43.
- 10. **ADJOURNMENT** - See page 46.

3. CONSENT AGENDA

MOTION to approve the consent agenda. Motion by Commissioner Aaronson, seconded by Commissioner Marcus, and carried 60. Commissioner Masilotti absent.

CONSENT AGENDA - CONTINUED

(CLERK'S NOTE: Documents R-2002-1023 and R-2002-1024 were numbered out of order; see page 20.)

3.A. ADMINISTRATION

3.A.1. DOCUMENT R-2002-1025

RECEIVE AND FILE STANDARD DEVELOPER AGREEMENT 0201053-000 WITH WILSON B. GREATON, JR., TRUSTEE, FOR THE WATER UTILITIES DEPARTMENT. APPROVED 7-9-2002

3.A.2. DOCUMENT R-2002-1026

RECEIVE AND FILE STANDARD AGREEMENT WITH THE SCHOOL DISTRICT OF PALM BEACH COUNTY IN THE AMOUNT OF \$17,970 FOR EDUCATIONAL SERVICES AT THE HIGHRIDGE FAMILY CENTER FROM JUNE 5, 2002, THROUGH JULY 31, 2002 FOR THE PUBLIC SAFETY DEPARTMENT. APPROVED 7-9-2002

**3.A.3. DOCUMENT R-2002-1027
(AMENDS R-2002-1885)**

RECEIVE AND FILE ORIGINAL EXECUTED AMENDMENT 4 TO AGREEMENT WITH THE CITY OF SOUTH BAY TO PROVIDE \$506,716 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE REHABILITATION OF A WATER TREATMENT PLANT. APPROVED 7-9-2002

3.A.4. DELETED

3.B. CLERK

3.B.1.

WARRANT LIST DATED JULY 5, 2002. APPROVED 7-9-2002

Computer checks	\$ 22,502,267.01
Wire transfers	99,894,940.65
Manual checks	169,873.08
EFT transfer	<u>3,288,073.14</u>
	\$125,855,153.88

3.B.2.

MINUTES FOR THE WORKSHOP MEETING OF SEPTEMBER 25, 2001; BCC/PB LEAGUE OF CITIES MEETING OF JANUARY 15, 2002; ZONING MEETING OF JANUARY 31, 2002; BCC REGULAR MEETING OF FEBRUARY 5, 2002; BCC REGULAR MEETING OF FEBRUARY 26, 2002; ZONING MEETING OF FEBRUARY 28, 2002; ENVIRONMENTAL CONTROL BOARD MEETING OF MARCH 12, 2002; BCC REGULAR MEETING OF MARCH 12, 2002; WORKSHOP MEETING OF MARCH 26, 2002; BCC REGULAR MEETING APRIL 2, 2002; AND ZONING MEETING OF APRIL 4, 2002. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.B.3.

CONTRACTS ON THE CONTRACT LISTS EXECUTED BY THE PURCHASING DIRECTOR OR THE TOURIST DEVELOPMENT DIRECTOR, TOTALING \$753,456.59:

a.

TERM CONTRACT WITH SOFTCHOICE CORPORATION FOR \$270,456.69 FOR MAINTENANCE AND SUPPORT FOR NOVELL SOFTWARE FROM JULY 1, 2002, THROUGH JUNE 30, 2003. APPROVED 7-9-2002

b.

TERM CONTRACT WITH DMS SUPPLY, ASHLEY ALUMINUM LLC, MCKINSEY STEEL & SUPPLY OF FLORIDA, EASTERN METAL SUPPLY, INC., FOUR STEEL CORPORATION FOR \$146,000 FOR PURCHASE OF VARIOUS TYPES AND SIZES OF ALUMINUM, BLACK IRON AND STEEL METAL STOCK FROM AUGUST 29, 2002, THROUGH AUGUST 28, 2003. APPROVED 7-9-2002

c.

INCREASE OF TERM CONTRACT WITH COMMERCIAL ENERGY SPECIALISTS, INC., FOR \$200,000 FOR PURCHASE OF CHLORINATING BRIQUETTE TABLETS FROM SEPTEMBER 14, 2001, THROUGH SEPTEMBER 13, 2002. APPROVED 7-9-2002

d.

RENEWAL OF TERM CONTRACT WITH ACE PUMP & SUPPLY FOR \$125,000 FOR THE PURCHASE OF VARIOUS PARTS BY MANUFACTURER (OEM) FROM AUGUST 25, 2002, THROUGH AUGUST 24, 2003. APPROVED 7-9-2002

e.

DOCUMENT R-2002-1028

TOURIST DEVELOPMENT TAX CATEGORY G 2001-02 GRANT AGREEMENT WITH DZ ENTERPRISES, INC., FOR \$2,000, FOR FUNDING OF THE 26TH BATTLE OF THE ARTS/BATTLE BY THE BEACH SCHEDULED FOR JUNE 6 - 8, 2002, FOR THE GRANT PERIOD OF JANUARY 1, 2002, THROUGH JUNE 10, 2002. APPROVED 7-9-2002

f.

DOCUMENT R-2002-1029

TOURIST DEVELOPMENT TAX CATEGORY G 2001-02 GRANT AGREEMENT WITH THE ORANGE BOWL COMMITTEE, INC., FOR \$10,000 FOR FUNDING OF THE 2002 ORANGE BOWL SUMMER SPLASH SCHEDULED FOR JUNE 6 - 9, 2002, FOR THE GRANT PERIOD OF JANUARY 1, 2002, THROUGH JUNE 10, 2002. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.C. ENGINEERING AND PUBLIC WORKS

3.C.1. DOCUMENT R-2002-1030

JOINT PROJECT PARTICIPATION/FUNDING AGREEMENT WITH THE CITY OF RIVIERA BEACH FOR \$12,550 FOR THE INCORPORATION OF UTILITY CONSTRUCTION INTO THE BLUE HERON BOULEVARD AND CONGRESS AVENUE INTERSECTION IMPROVEMENTS. APPROVED 7-9-2002

3.C.2.

PAYMENT TO FLORIDA POWER & LIGHT COMPANY (FPL), FOR \$21,480 FOR INSTALLATION AND REMOVAL OF TEMPORARY OVERHEAD FACILITIES FOR CONSTRUCTION OF NORTHLAKE (RELIEVER) FROM MILITARY TRAIL TO GARDEN ROAD. APPROVED 7-9-2002

3.C.3.

a. DOCUMENT R-2002-1031

FINANCIAL ASSISTANCE AGREEMENT WITH THE TOWN OF LANTANA, FOR \$700,000 FOR CONSTRUCTION OF ROAD IMPROVEMENTS AND LANDSCAPING AS PART OF THE EAST OCEAN AVENUE CONSTRUCTION PROJECT. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1386

BUDGET TRANSFER OF \$700,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 4 FOR THE TOWN OF LANTANA FOR CONSTRUCTION OF STREET IMPROVEMENTS AND LANDSCAPING TO THE EAST OCEAN AVENUE CONSTRUCTION PROJECT. APPROVED 7-9-2002

3.C.4. DELETED

**3.C.5. DOCUMENT R-2002-1032
(AMENDS R-2001-1125)**

CHANGE ORDER 2 TO THE ANNUAL GUARDRAIL CONTRACT WITH FLORIDA GUARDRAIL, INC., FOR \$75,000 FOR THE INSTALLATION OF APPROXIMATELY 3,700 FEET OF GUARDRAIL AND END TREATMENTS. (ORIGINAL CONTRACT AMOUNT, \$295,000) APPROVED 7-9-2002

3.C.6.

a. BUDGET TRANSFER 2002-1391

BUDGET TRANSFER OF \$64,317 IN THE CAPITAL OUTLAY FUND FROM RESERVES TO THE COUNTY ROAD (CR) 880 BRIDGE OVER THE HILLSBORO CANAL ACCOUNT, TO REPLACE THE CENTER SPAN AND BRIDGE RAILINGS IN DISTRICT 6. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.C.6. - CONTINUED

b. DOCUMENT R-2002-1033

CONTRACT WITH ZEP CONSTRUCTION, INC., FOR \$228,243 FOR THE COUNTY ROAD 880 BRIDGE OVER THE HILLSBORO CANAL AT SIX MILE BEND IN THE GLADES AREA. APPROVED 7-9-2002

3.C.7.

a. BUDGET AMENDMENT 2002-1387

BUDGET AMENDMENT OF \$25,000 IN THE TRANSPORTATION IMPROVEMENT FUND TO RECOGNIZE FUNDING PARTICIPATION IN THE WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY FOR CONGRESS AVENUE AND OLD CONGRESS AVENUE INTERSECTION. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1388

BUDGET TRANSFER OF \$25,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVE FOR DISTRICT 2 TO THE CONGRESS AVENUE AND OLD CONGRESS AVENUE INTERSECTION PROJECT. APPROVED 7-9-2002

c. DOCUMENT R-2002-1034

INTERLOCAL AGREEMENT OF \$50,000 WITH THE WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS ON CONGRESS AVENUE AND THE NORTH END OF OLD CONGRESS AVENUE. APPROVED 7-9-2002

3.C.8. DELETED

3.C.9. DELETED

3.C.10.

a. BUDGET TRANSFER 2002-1431

BUDGET TRANSFER OF \$57,259 IN THE ROAD IMPACT FEE ZONE 5 FUND FROM RESERVES TO LYONS ROAD/GLADES ROAD TO YAMATO ROAD PROJECT. APPROVED 7-9-2002

**b. DOCUMENT R-2002-1035
(AMENDS R-98-1856-D)**

SUPPLEMENT AGREEMENT WITH GREENHORNE & O'MARA, INC., FOR \$102,038.46 TO PROVIDE ADDITIONAL ENGINEERING, SURVEYING, AND GEOTECHNICAL SERVICES REQUIRED FOR THE ADDITION OF TWO NEW STORM WATER TREATMENT PONDS NEEDED TO MEET STORM WATER MANAGEMENT REQUIREMENTS OF BOTH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) AND THE LAKE WORTH DRAINAGE DISTRICT (LWDD) FOR THE PROJECT. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.C.11.

**a. DOCUMENT R-2002-1036
(AMENDS R-2000-1424)**

AMENDMENT 1 TO PUBLIC FACILITIES AGREEMENT FOR THE ESTATE OF J. M. RUBIN COMMERCIAL EXTENDING THE TIME PAYMENT OF THE ROAD IMPACT FEE FROM DECEMBER 31, 2001, TO JULY 21, 2002. APPROVED 7-9-2002

b. BUDGET AMENDMENT 2002-1389

BUDGET AMENDMENT OF \$632,020 IN THE ROAD IMPACT FEE ZONE 3 FUND TO RECOGNIZE ROAD IMPACT FEES FROM A DEVELOPER FOR STATE ROAD (SR) 80 IMPROVEMENTS. APPROVED 7-9-2002

3.C.12. BUDGET TRANSFER 2002-1393

BUDGET TRANSFER OF \$986,250 IN TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 2 TO THE SEMINOLE COLONY DRAINAGE PROJECT. APPROVED 7-9-2002

3.C.13. BUDGET TRANSFER 2002-1390

BUDGET TRANSFER OF \$150,000 IN TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO THE WEST SIDE OF MILITARY TRAIL FROM SOUTHWEST 18TH STREET TO CAMINO REAL PATHWAY (WEST SIDE). APPROVED 7-9-2002

**3.C.14. DOCUMENT R-2002-1037
(AMENDS R-2001-1569)**

CHANGE ORDER 2 FOR \$33,809.40 TOGETHER WITH A 60-DAY TIME EXTENSION TO THE CONTRACT WITH J. W. CHEATHAM, INC., TO CHANGE THE ALIGNMENT OF THE WATER MAIN ALONG LANTANA ROAD, EAST OF LYONS ROAD TO AVOID CONFLICTS WITH FLORIDA POWER & LIGHT COMPANY POLES. APPROVED 7-9-2002

**3.C.15. DOCUMENT R-2002-1038
(AMENDS R-99-1210-D)**

AMENDMENT 4 TO THE ADEQUATE PUBLIC FACILITIES AGREEMENT WITH BLUE LAKE, LTD., ACQUIRED BY BOCA TECHNOLOGY CENTER, LLC, ON APRIL 13, 2000, TO PROVIDE FOR AN EXTENSION OF TIME FROM APRIL 1, 2002, TO SEPTEMBER 15, 2002. APPROVED 7-9-2002

3.D. COUNTY ATTORNEY- None

3.E. COMMUNITY SERVICES

3.E.1. DELETED

CONSENT AGENDA - CONTINUED

3.E.2.

- a. DOCUMENT R-2002-1039
(AMENDS R-2001-1735)**

AMENDMENT 1 TO CONTRACT WITH MULTILINGUAL PSYCHOTHERAPY CENTERS, INC., INCREASING THE AMOUNT BY \$10,000 FOR A NEW TOTAL OF \$23,000 PROVIDING FOR MENTAL HEALTH SERVICES TO HEAD START CHILDREN AND THEIR FAMILIES. APPROVED 7-9-2002

- b. DOCUMENT R-2002-1040
(AMENDS R-2001-1736)**

AMENDMENT 1 TO CONTRACT WITH TERRI L. FERGUSON, LCSW, INCREASING THE AMOUNT BY \$10,000 FOR A NEW TOTAL OF \$18,000 FROM OCTOBER 1, 2002, THROUGH SEPTEMBER 30, 2002, PROVIDING FOR MENTAL HEALTH SERVICES TO HEAD START CHILDREN AND THEIR FAMILIES. APPROVED 7-9-2002

**3.E.3. DOCUMENT R-2002-1041
(AMENDS R-96-482-D)**

AMENDMENT 3 TO THE INTERLOCAL AGREEMENT WITH THE CITY OF PAHOKEE TO PROVIDE OVERSIZED GRAVE LINERS FOR COUNTY RESIDENTS AT PORT MAYACA CEMETERY, IN THE AMOUNT OF \$1,100 TO BE ABSORBED IN THE HUMAN SERVICES BUDGET. APPROVED 7-9-2002

**3.E.4. DOCUMENT R-2002-1042
(AMENDS R-2001-1135)**

AMENDMENT 4 TO MEDICAID WAIVER SPENDING AUTHORITY CONTRACT IS011-1 WITH THE AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC. (AAA), TO AMEND HOME AND COMMUNITY-BASED MEDICAID WAIVER SPENDING AUTHORITY FROM JULY 1, 2001, THROUGH JUNE 30, 2002 TO EXTEND CONTRACT BY THE AAA UPON WRITTEN NOTIFICATION FOR 90 DAYS AND ANY ADDITIONAL REVISIONS BY THE STATE DEPARTMENT OF ELDER AFFAIRS. NO COUNTY FUNDS ARE REQUIRED. APPROVED 7-9-2002

3.E.5. DELETED

3.E.6.

- a. DOCUMENT R-2002-1043**

CONTRACT IC-002-1 FOR THE COMMUNITY CARE FOR THE ELDERLY (CCE) PROGRAM IN THE AMOUNT OF \$961,805 FOR REIMBURSEMENT OF UNITS DELIVERED FOR THE FOLLOWING SERVICES: ADULT DAY CARE, IN-HOME, CASE MANAGEMENT, EMERGENCY ALERT, RISK REDUCTION, CASE AIDE, HOME DELIVERED MEALS, AND PEST CONTROL FROM JULY 1, 2002, THROUGH JUNE 30, 2003. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.E.6. - CONTINUED

b. DOCUMENT R-2002-1044

CONTRACT IH-002-1 FOR THE HOME CARE FOR THE ELDERLY (HCE) PROGRAM IN THE AMOUNT OF \$286,739 WITH AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST INC., (AAA) FOR REIMBURSEMENT OF UNITS DELIVERED FOR THE FOLLOWING SERVICES: ADULT DAY CARE, IN-HOME, CASE MANAGEMENT, EMERGENCY ALERT, RISK REDUCTION, CASE AIDE, HOME DELIVERED MEALS, AND PEST CONTROL FROM JULY 1, 2002, THROUGH JUNE 30, 2003. APPROVED 7-9-2002

3.E.7. BUDGET AMENDMENT 2002-1413

BUDGET AMENDMENT TO INCREASE SENIOR CITIZENS CENTERS FUND BY \$1,000 THE ALLEGANY FRANCISCAN FOUNDATION PALM BEACH COUNTY, INC., PROVIDING FOR A WEST COUNTY SENIOR CENTER ONE-DAY CRUISE. APPROVED 7-9-2002

3.F. AIRPORTS - None

3.G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

3.G.1.

AUTHORIZATION OF THE CHAIR OR HIS DESIGNEE TO CERTIFY THE NON AD-VALOREM ASSESSMENT ROLL ON ELECTRONIC MEDIA TO THE TAX COLLECTOR PURSUANT TO CHAPTER 197, FLORIDA STATUTES. APPROVED 7-9-2002

3.G.2. DOCUMENT R-2002-1045

MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF ELECTIONS PROVIDING FOR THE DISBURSEMENT OF THE SECOND INSTALLMENT OF \$995,625 TO THE COUNTY TO BE USED FOR DEBT SERVICE ON THE NEWLY ACQUIRED VOTING MACHINES. APPROVED 7-9-2002

3.H. FACILITIES DEVELOPMENT AND OPERATIONS

3.H.1. DOCUMENT R-2002-1046

CONTRACT WITH ENGINEERED ENVIRONMENTS, INC., FOR THE JOB ORDER CONTRACT-SOUTH (BOND-WAIVER) WITH A MAXIMUM VALUE OF \$1 MILLION FOR ONE YEAR AND IS AN INDEFINITE QUANTITY, FIXED UNIT PRICE CONTRACT WITH A MINIMUM VALUE OF \$35,000, AND WITH TWO ONE-YEAR RENEWALS AT THE SOLE OPTION OF THE COUNTY. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.H.2. DOCUMENT R-2002-1047

CONTRACT WITH MASTER CONTRACTORS, INC., FOR THE JOB ORDER CONTRACT-SOUTH (BOND-WAIVER) WITH A MAXIMUM VALUE OF \$1 MILLION FOR ONE YEAR AND IS AN INDEFINITE QUANTITY, FIXED UNIT PRICE CONTRACT WITH A MINIMUM VALUE OF \$35,000, WITH TWO ONE-YEAR RENEWALS AT THE SOLE OPTION OF THE COUNTY. APPROVED 7-9-2002

**3.H.3. DOCUMENT R-2002-1048
(AMENDS R-2001-0926)**

AMENDMENT 1 TO AGREEMENT WITH H. A. CONTRACTING CORPORATION TO IMPLEMENT THE FIRST RENEWAL OF JOB ORDER CONTRACT- SOUTH (BOND WAIVER) WITH A MAXIMUM VALUE OF \$1 MILLION TO CONTINUE TO PERFORM AS AN ANNUAL GENERAL CONTRACTOR FOR THE IMPLEMENTATION OF MAINTENANCE AND CAPITAL PROJECTS. APPROVED 7-9-2002

3.H.4. DOCUMENT R-2002-1049

CONTRACT WITH M.A.C. CONSTRUCTION, INC., FOR THE JOB ORDER CONTRACT-CENTRAL (BONDED) WITH A MAXIMUM VALUE OF \$1.5 MILLION FOR ONE YEAR AND IS AN INDEFINITE QUANTITY, FIXED UNIT PRICE CONTRACT WITH A MINIMUM VALUE OF \$35,000, WITH TWO ONE-YEAR RENEWALS AT THE SOLE OPTION OF THE COUNTY. APPROVED 7-9-2002

3.H.5. DOCUMENT R-2002-1050

CONTRACT WITH HOLT CONTRACTORS, INC., FOR THE JOB ORDER CONTRACT-NORTH (BONDED) WITH A MAXIMUM VALUE OF \$1.5 MILLION FOR ONE YEAR AND IS AN INDEFINITE-QUANTITY, FIXED UNIT PRICE CONTRACT WITH A MINIMUM VALUE OF \$35,000, WITH TWO ONE-YEAR RENEWALS AT THE SOLE OPTION OF THE COUNTY. APPROVED 7-9-2002

**3.H.6. DOCUMENT R-2002-1051
(AMENDS R-2002-1050)**

JOB ORDER CONTRACT (JOC) WORK ORDER 02-171 WITH HOLT CONTRACTORS, INC., FOR \$126,987.73 TO PROVIDE AN ADDITION TO THE WEST JUPITER HEAD START BUILDING. THE CONSTRUCTION DURATION FOR THIS WORK IS 180 DAYS. APPROVED 7-9-2002

**3.H.7. DOCUMENT R-2002-1052
(AMENDS R-2001-1911)**

AMENDMENT 1 TO AGREEMENT WITH THOMAS B. CUSHING DEMOLITION TO IMPLEMENT THE FIRST RENEWAL FOR AN ANNUAL DEMOLITION CONTRACT WITH A MAXIMUM VALUE OF \$400,000. APPROVED 7-9-2002

3.H.8. DELETED

CONSENT AGENDA - CONTINUED

3.H.9. DOCUMENT R-2002-1053

CONTRACT WITH MURRAY LOGAN CONSTRUCTION, INC., FOR \$142,000 TO FURNISH AND INSTALL SANITARY SEWER IMPROVEMENTS AT GLADES PIONEER PARK IN BELLE GLADE. APPROVED 7-9-2002

3.H.10. DOCUMENT R-2002-1054

CONTRACT WITH RPM GENERAL CONTRACTORS, INC., FOR \$999,875 FOR CONSTRUCTION OF FIRE STATION 53. THE CONSTRUCTION DURATION OF THIS WORK IS 300 CALENDAR DAYS. APPROVED 7-9-2002

3.H.11. DOCUMENT R-2002-1055

CONTRACT WITH ED TAYLOR CONSTRUCTION SOUTH, INC., FOR \$695,831.68 FOR CONSTRUCTION OF IMPROVEMENTS TO OCEAN INLET PARK LOCATED IN OCEAN RIDGE. THE CONSTRUCTION DURATION OF THIS PROJECT IS 180 DAYS. APPROVED 7-9-2002

**3.H.12. DOCUMENT R-2002-1056
(AMENDS R-2000-2055)**

CONSULTANT SERVICES AUTHORIZATION 1, SUPPLEMENT 1, TO THE CONTRACT WITH LINDAHL, BROWNING, FERRARI, AND HELLSTROM, INC. (LBFH), FOR \$73,831 TO PROVIDE ENGINEERING SERVICES FOR AQUACREST POOL RENOVATIONS. APPROVED 7-9-2002

3.I. HOUSING AND COMMUNITY DEVELOPMENT

3.I.1. DOCUMENT R-2002-1057

SATISFACTION OF MORTGAGE FOR BETTY L. GARCED AND JOSE R. GARCED OF WEST PALM BEACH, FOR \$5,549.20 CONDITIONAL GRANT. APPROVED 7-9-2002

3.I.2. DOCUMENT R-2002-1058

SATISFACTION OF ENCUMBRANCE FOR RAYMOND HENNESSEY AND LYNNE K. HENNESSEY OF BOCA RATON FOR \$5,895.70. ALL FUNDS ARE STATE AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

3.I.3.

a. DOCUMENT R-2002-1059

SATISFACTION OF ENCUMBRANCE FOR EDDIE M. MANN OF BELLE GLADE FOR \$51,950. ALL FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.1.3. - CONTINUED

b. DOCUMENT R-2002-1060

SATISFACTION OF ENCUMBRANCE FOR MARY LEE WILLIAMS OF BELLE GLADE FOR \$40,376. ALL FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

3.1.4.

a. DOCUMENT R-2002-1061

SATISFACTION OF MORTGAGE FOR WILLIAM F. HYETT, JR. OF LANTANA FOR \$10,000 AND \$3,500 CONDITIONAL GRANTS. APPROVED 7-9-2002

b. DOCUMENT R-2002-1062

SATISFACTION OF MORTGAGE FOR TERESA M. JOHNSON OF RIVIERA BEACH FOR \$11,000 CONDITIONAL GRANT. APPROVED 7-9-2002

c. DOCUMENT R-2002-1063

SATISFACTION OF MORTGAGE FOR YOEL MATEO OF WEST PALM BEACH FOR \$7,000 CONDITIONAL GRANT. APPROVED 7-9-2002

d. DOCUMENT R-2002-1064

SATISFACTION OF MORTGAGE FOR APRIL TOUGAS OF LAKE WORTH FOR \$16,500 AND \$1,000 CONDITIONAL GRANTS. APPROVED 7-9-2002

3.1.5.

a. DOCUMENT R-2002-1065

SATISFACTION OF MORTGAGE FOR DAVID S. ALLEN OF WEST PALM BEACH FOR \$10,000 CONDITIONAL LOAN. APPROVED 7-9-2002

b. DOCUMENT R-2002-1066

SATISFACTION OF MORTGAGE FOR MARK P. HOWELL AND KELLY K. HOWELL OF NORTH PALM BEACH FOR \$17,422.28 CONDITIONAL LOAN. APPROVED 7-9-2002

c. DOCUMENT R-2002-1067

SATISFACTION OF MORTGAGE FOR MARIO TARACENA AND MARIA TARACENA OF PALM BEACH GARDENS FOR \$13,580 CONDITIONAL LOAN. APPROVED 7-9-2002

d. DOCUMENT R-2002-1068

SATISFACTION OF MORTGAGE FOR EZEKIEL EDMONDS, III AND TRICIA D. TIBBY OF WEST PALM BEACH FOR \$9,700 CONDITIONAL LOAN. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.1.5. - CONTINUED

e. DOCUMENT R-2002-1069
SATISFACTION OF MORTGAGE FOR ROY V. FOSTER OF DELRAY BEACH FOR \$12,500 CONDITIONAL LOAN. APPROVED 7-9-2002

f. DOCUMENT R-2002-1070
SATISFACTION OF MORTGAGE FOR RONALD B. BEST OF DELRAY BEACH FOR \$9,800 CONDITIONAL LOAN. APPROVED 7-9-2002

3.1.6.

a. DOCUMENT R-2002-1071
SATISFACTION OF MORTGAGE FOR MARY L. CLAY OF RIVIERA BEACH FOR AN \$11,950 CONDITIONAL GRANT. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

b. DOCUMENT R-2002-1072
SATISFACTION OF MORTGAGE FOR EGLA CORNWALL OF RIVIERA BEACH FOR AN \$11,524 CONDITIONAL GRANT. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

c.(1) DOCUMENT R-2002-1073
SATISFACTION OF MORTGAGE FOR ORA MAE HARRISON OF RIVIERA BEACH FOR A \$2,513 CONDITIONAL GRANT. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

c.(2) DOCUMENT R-2002-1073.1
SATISFACTION OF MORTGAGE FOR ORA MAE HARRISON OF RIVIERA BEACH FOR A \$23,713 CONDITIONAL GRANT. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

d. DOCUMENT R-2002-1074
SATISFACTION OF MORTGAGE FOR BERTHA BETHEL OF RIVIERA BEACH FOR A \$10,900. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

e. DOCUMENT R-2002-1075
SATISFACTION OF MORTGAGE FOR VELMA GROOVER OF LANTANA FOR A \$7,950 LOAN. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

f. DOCUMENT R-2002-1076
SATISFACTION OF MORTGAGE FOR MELYNESE LAMBERT OF RIVIERA BEACH FOR A \$17,750 LOAN. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.I.6. - CONTINUED

g. DOCUMENT R-2002-1077

SATISFACTION OF MORTGAGE FOR ANNIE R. PAYNE OF RIVIERA BEACH FOR A \$16,200 LOAN. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

h. DOCUMENT R-2002-1078

SATISFACTION OF MORTGAGE FOR ROBERT WHITFIELD AND EMMA WHITFIELD OF RIVIERA BEACH FOR A \$15,500 LOAN. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

3.I.7.

ADDITIONAL RELOCATION BENEFIT IN THE AMOUNT OF \$6,253 FOR JESSIE MORRISON OF WEST PALM BEACH, FLORIDA. FUNDS ARE FEDERAL AND REQUIRE NO LOCAL MATCH. APPROVED 7-9-2002

3.J. PLANNING, ZONING AND BUILDING - None

3.K. WATER UTILITIES

**3.K.1. DOCUMENT R-2002-1079
(AMENDS R-99-1792-D)**

AMENDMENT TO PARTICIPATORY AGREEMENT ESTABLISHING DUTIES AND RESPONSIBILITIES AMONG THE CITY OF WEST PALM BEACH, PALM BEACH COUNTY, AND THE EAST CENTRAL REGIONAL WASTEWATER FACILITIES BOARD FOR IMPROVEMENTS TO THE EAST CENTRAL REGIONAL WASTEWATER FACILITIES. THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) HAS GIVEN PRELIMINARY APPROVAL FOR AN EXPANSION TO 70 MILLION GALLONS PER DAY (MGD) INSTEAD OF THE 71 MGD. APPROVED 7-9-2002

**3.K.2. DOCUMENT R-2002-1080
(AMENDS R-2002-0570)**

CONSULTANT SERVICES AUTHORIZATION 1 TO THE CONTRACT WITH CAMP, DRESSER & MCKEE, INC., FOR CONSTRUCTION MANAGEMENT SERVICES AND STARTUP ASSISTANCE FOR THE WATER TREATMENT PLANT 3 PHASE II EXPANSION FOR \$2,191,618. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.L. ENVIRONMENTAL RESOURCES MANAGEMENT

3.L.1. RESOLUTION R-2002-1081

RESOLUTION REQUESTING THAT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) REVIEW A FUNDING APPLICATION AND SUPPORT FUNDING FOR THREE SHORELINE PROTECTION PROJECTS (OCEAN RIDGE SHORE PROTECTION PROJECT, SOUTH LAKE WORTH INLET MANAGEMENT, SINGLE ISLAND SHORE PROTECTION PROJECT) WITHIN ITS FISCAL YEAR 2003/2004 BEACH EROSION CONTROL PROGRAM. THE COUNTY'S MATCHING SHARE WOULD BE \$3,648,000. ADOPTED 7-9-2002

3.L.2.

TRANSFER OF A 4X4 ENCORE 151 JEEP AND TRAILER FROM THE ENVIRONMENTAL RESOURCES MANAGEMENT DEPARTMENT TO THE SHERIFF'S OFFICE AT NO COST TO THE LATTER FOR USE BY THEIR WILDLAND TASK FORCE UNIT IN THE PATROL OF COUNTY-OWNED NATURAL AREA. APPROVED 7-9-2002

3.L.3.

EIGHT AGREEMENTS FOR PURCHASE AND SALE INVOLVING 8 PARCELS (10.36 ACRES) OF LAND IN UNIT 11 PURCHASED BY USING MITIGATION FUNDS, AT A COST OF \$62,160 (LAND COST), PLUS \$3,626 (CLOSING AND MISCELLANEOUS COSTS), FOR A TOTAL OF \$65,786 AS FOLLOWS:

a. DOCUMENT R-2002-1082

AGREEMENT FOR PURCHASE AND SALE WITH RUSSELL FALCONER AND DIANE J. FALCONER FOR \$7,140 FOR PURCHASE OF 1.19 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

b. DOCUMENT R-2002-1083

AGREEMENT FOR PURCHASE AND SALE WITH CAROLE N. CAPUTO FOR \$6,900 FOR PURCHASE OF 1.15 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

c. DOCUMENT R-2002-1084

AGREEMENT FOR PURCHASE AND SALE WITH HENRY F. FLECK FOR \$6,900 FOR PURCHASE OF 1.15 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

d. DOCUMENT R-2002-1085

AGREEMENT FOR PURCHASE AND SALE WITH JAMES L. BRYANT AND MARY Q. BRYANT FOR \$6,900 FOR PURCHASE OF 1.15 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.L.3. - CONTINUED

e. DOCUMENT R-2002-1086

AGREEMENT FOR PURCHASE AND SALE WITH SEYMOUR A. PASSARD FOR \$7,860 FOR PURCHASE OF 1.31 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

f. DOCUMENT R-2002-1087

AGREEMENT FOR PURCHASE AND SALE WITH OMAR G. SHOUCAIR FOR \$12,660 FOR PURCHASE OF 2.11 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

g. DOCUMENT R-2002-1088

AGREEMENT FOR PURCHASE AND SALE WITH NICHOLAS TIBOR VARKONYI, TRUSTEE, FOR \$6,900 FOR PURCHASE OF 1.15 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

h. DOCUMENT R-2002-1089

AGREEMENT FOR PURCHASE AND SALE WITH LOUISE CROUCH DILLS FOR \$6,900 FOR PURCHASE OF 1.15 ACRES OF LAND IN THE UNIT 11 ACQUISITION AREA. APPROVED 7-9-2002

3.L.4.

a. DOCUMENT R-2002-1090

EASEMENT AGREEMENT WITH 3600 S. OCEAN CONDOMINIUM, INC., FOR CONSTRUCTION ACCESS TO THE BEACH AND DUNE AREAS WITHIN THE SOUTH COUNTY DUNE RESTORATION PROJECT LIMITS AND TO ESTABLISH PUBLIC USE OF THE RECREATIONAL BEACH SEAWARD OF THE TOE OF THE DUNE. APPROVED 7-9-2002

b. DOCUMENT R-2002-1091

EASEMENT AGREEMENT WITH LAPENSEE CONDOMINIUM FOR CONSTRUCTION ACCESS TO THE BEACH AND DUNE AREAS WITHIN THE SOUTH COUNTY DUNE RESTORATION PROJECT LIMITS AND TO ESTABLISH PUBLIC USE OF THE RECREATIONAL BEACH SEAWARD OF THE TOE OF THE DUNE. APPROVED 7-9-2002

c. DOCUMENT R-2002-1092

EASEMENT AGREEMENT WITH DUNE DECK FOR CONSTRUCTION ACCESS TO THE BEACH AND DUNE AREAS WITHIN THE SOUTH COUNTY DUNE RESTORATION PROJECT LIMITS AND TO ESTABLISH PUBLIC USE OF THE RECREATIONAL BEACH SEAWARD OF THE TOE OF THE DUNE. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.L.4. - CONTINUED

d. DOCUMENT R-2002-1093

EASEMENT AGREEMENT WITH RIZON EAST FOR CONSTRUCTION ACCESS TO THE BEACH AND DUNE AREAS WITHIN THE SOUTH COUNTY DUNE RESTORATION PROJECT LIMITS AND TO ESTABLISH PUBLIC USE OF THE RECREATIONAL BEACH SEAWARD OF THE TOE OF THE DUNE. APPROVED 7-9-2002

e. DOCUMENT R-2002-1094

EASEMENT AGREEMENT WITH IMPERIAL HOUSE, INC., FOR CONSTRUCTION ACCESS TO THE BEACH AND DUNE AREAS WITHIN THE SOUTH COUNTY DUNE RESTORATION PROJECT LIMITS AND TO ESTABLISH PUBLIC USE OF THE RECREATIONAL BEACH SEAWARD OF THE TOE OF THE DUNE. APPROVED 7-9-2002

f. DOCUMENT R-2002-1095

EASEMENT AGREEMENT WITH PALM BEACH WINDEMERE INC., FOR CONSTRUCTION ACCESS TO THE BEACH AND DUNE AREAS WITHIN THE SOUTH PALM BEACH DUNE RESTORATION PROJECT LIMITS AND TO ESTABLISH PUBLIC USE OF THE RECREATIONAL BEACH SEAWARD OF THE TOE OF THE DUNE. APPROVED 7-9-2002

**3.L.5. DOCUMENT R-2002-1096
(AMENDS R-94-907-D)**

AMENDMENT 2 TO THE INTERLOCAL AGREEMENT WITH THE TOWN OF PALM BEACH FOR THE REHABILITATION AND OPERATION OF THE LAKE WORTH INLET SAND BYPASSING PLANT EXTENDING THE TERM OF THE AGREEMENT THROUGH SEPTEMBER 30, 2005. APPROVED 7-9-2002

**3.L.6. DOCUMENT R-2002-1097
(AMENDS R-2002-0356)**

TASK ORDER 356-01 TO A CONTINUING CONTRACT WITH COASTAL PLANNING & ENGINEERING, INC., FOR \$342,312 TO PROVIDE A HIGH RESOLUTION HYDROGRAPHIC SURVEY OF THE SEA FLOOR OFF PALM BEACH COUNTY USING ADVANCED AIRBORNE LASER TECHNOLOGY, THROUGH MARCH 11, 2004. APPROVED 7-9-2002

3.L.7.

a. DOCUMENT R-2002-1098

INTERLOCAL AGREEMENT WITH THE SOLID WASTE AUTHORITY (SWA) FOR A TERM OF TWO YEARS, EFFECTIVE UPON EXECUTION BY BOTH PARTIES, FOR USE OF UP TO 10 ACRES OF SWA PROPERTY FOR TEMPORARY PLACEMENT AND STORAGE OF DREDGED SEDIMENTS FROM THE LAKE BOTTOM OF THE SOUTH LOBE OF LAKE OSBORNE. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.L.7.

b. DOCUMENT R-2002-1099

TEMPORARY EASEMENT AND AGREEMENT WITH ALICE DUXBURY, MARK THORP DUXBURY, VICTORIA M. DUXBURY, AND G. SHAWN DUXBURY FOR USE OF THEIR PROPERTY FOR TRANSMISSION AND/OR STORAGE OF DREDGED SEDIMENTS FROM LAKE OSBORNE IN EXCHANGE FOR EXOTIC VEGETATION REMOVAL AND INSTALLATION OF NATIVE VEGETATION BY THE COUNTY. EASEMENT WILL TERMINATE ON DECEMBER 31, 2003. APPROVED 7-9-2002

3.L.8.

a.

ACQUISITION OF THE M/V THOZINA FROM THE U.S. CUSTOMS SERVICE FOR THE CREATION OF AN ARTIFICIAL REEF PROVIDED THE COUNTY REIMBURSES THE CUSTOMS SERVICE FOR 29 DAYS OF DOCKAGE FEES PROJECTED TO BE \$6,090. APPROVED 7-9-2002

b.

AUTHORIZATION OF COUNTY ADMINISTRATOR OR HIS ENVIRONMENTAL RESOURCES MANAGEMENT DESIGNEE TO GO TO THE SHIP'S SITE ON JULY 9 OR 10, 2002 TO SIGN DISPOSITION ORDERS TRANSFERRING TITLE OF THE M/V THOZINA FROM THE U.S. CUSTOMS SERVICE TO THE COUNTY. APPROVED 7-9-2002

(CLERK'S NOTE: The following items 3.L.8.c. and 3.L.8.d. were numbered out of numerical sequence.)

c. DOCUMENT R-2002-1023

CONTRACT WITH SCHURGER SALVAGE AND DIVING, INC., FOR \$25,910 TO PROVIDE A TURNKEY SERVICE THAT WOULD INCLUDE ACCEPTING LIABILITY OF THE M/V THOZINA AND FUTURE DOCKAGE FEES, AS WELL AS PREPARATION, TOWING, AND SCUTTLING OF THE SHIP WITHIN PERMITTED ARTIFICIAL REEF JUPITER SITE 1. APPROVED 7-9-2002

d. RESOLUTION R-2002-1024

RESOLUTION AUTHORIZING THE CLERK OF THE BOARD TO DISBURSE \$32,000 FROM THE VESSEL REGISTRATION FEE TRUST FUND TO COVER THE COSTS OF THE PROJECT. ADOPTED 7-9-2002

e. BUDGET TRANSFER 2002-1425

BUDGET TRANSFER OF \$32,000 WITHIN THE ENVIRONMENTAL ENHANCEMENT SALTWATER FUND FROM RESERVES TO THE MIAMI SHIPS PROJECT ACCOUNT TO COVER THE COSTS OF THE M/V THOZINA PROJECT. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.M. PARKS AND RECREATION

3.M.1. DOCUMENT R-2002-1100

LEASE AGREEMENT WITH L. J. MARGOLIS, RESIDENT CAMPGROUND MANAGER, FOR THE MANAGERS RESIDENCE AT SOUTH BAY RV PARK CAMPGROUND. APPROVED 7-9-2002

3.M.2. DOCUMENT R-2002-1101

TRI-PARTY INTERLOCAL AGREEMENT WITH THE CITY OF WEST PALM BEACH AND THE ROBERT AND MARY MONTGOMERY ARMORY ARTS CENTER, INC., FOR \$500,000 FOR FUNDING OF THE YOUNG ARTISTS STUDIO FROM JULY 9, 2002, THROUGH JANUARY 8, 2004. APPROVED 7-9-2002

3.M.3.

a. DOCUMENT R-2002-1102

AGREEMENT WITH THE SCHOOL BOARD FOR \$30,000 FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT WYNNEBROOK ELEMENTARY SCHOOL FROM JULY 9, 2002, THROUGH JANUARY 8, 2004. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1394

BUDGET TRANSFER OF \$30,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 2 TO SCHOOL BOARD/WYNNEBROOK ELEMENTARY SCHOOL PLAYGROUND. APPROVED 7-9-2002

3.M.4.

a. DOCUMENT R-2002-1103

AGREEMENT WITH THE CITY OF WEST PALM BEACH FOR \$20,000 FOR FUNDING OF THE TEEN PARTNERSHIP COALITION FROM JULY 9, 2002, THROUGH SEPTEMBER 28, 2002. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1395

BUDGET TRANSFER OF \$10,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 2 AND \$10,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO WEST PALM BEACH/TEEN PARTNERSHIP COALITION. APPROVED 7-9-2002

3.M.5.

a. DOCUMENT R-2002-1104

AGREEMENT WITH THE CITY OF BOCA RATON FOR \$5,000 FOR THE MARTIN LUTHER KING, JR. MEMORIAL FROM JULY 9, 2002, THROUGH JANUARY 8, 2003, TO ALLOW FOR THE REIMBURSEMENT OF ELIGIBLE PRE-AGREEMENT COSTS. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.M.5. - CONTINUED

b. BUDGET TRANSFER 2002-1396

BUDGET TRANSFER OF \$5,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO BOCA RATON/MARTIN LUTHER KING, JR. MEMORIAL TO ALLOW FOR THE REIMBURSEMENT OF ELIGIBLE PRE-AGREEMENT COSTS. APPROVED 7-9-2002

3.M.6.

a. DOCUMENT R-2002-1105

AGREEMENT WITH THE SCHOOL BOARD FOR \$2,500 FOR THE FUNDING OF ATHLETIC EQUIPMENT AND UNIFORMS FOR PAHOKEE MIDDLE SENIOR HIGH SCHOOL FOR EXPENSES INCURRED THROUGH JUNE 30, 2002. APPROVED 7-9-2002

**b. DOCUMENT R-2002-1106
(AMENDS R-2002-1105)**

AMENDMENT EXTENDING THE TERM OF THE CONTRACT THROUGH SEPTEMBER 30, 2002, ON BEHALF OF THE SCHOOL BOARD AND PAHOKEE MIDDLE SENIOR HIGH SCHOOL FOR ATHLETIC EQUIPMENT AND UNIFORMS. APPROVED 7-9-2002

c. BUDGET TRANSFER 2002-1397

BUDGET TRANSFER OF \$2,500 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO SCHOOL BOARD/PAHOKEE MIDDLE SENIOR HIGH SCHOOL/EQUIPMENT AND UNIFORMS. APPROVED 7-9-2002

3.M.7.

a. DOCUMENT R-2002-1107

AGREEMENT WITH THE SCHOOL BOARD FOR \$2,000 FOR FUNDING OF A TRIP TO THE NATIONAL ACADEMIC GAMES IN CHARLOTTE, NORTH CAROLINA FROM JULY 9, 2002, THROUGH JANUARY 8, 2003. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1398

BUDGET TRANSFER OF \$2,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO SCHOOL BOARD/NATIONAL ACADEMIC GAMES TRIP. APPROVED 7-9-2002

3.M.8.

a. DOCUMENT R-2002-1108

AGREEMENT WITH PALM BEACH UNITED F.C., INC., FOR \$2,500 FROM JULY 9, 2002, THROUGH SEPTEMBER 30, 2002, FOR THE STREET SOCCER IN THE PARK DEVELOPMENTAL PROGRAM AT OKEEHEELEE PARK FOR EQUIPMENT. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.M.8. - CONTINUED

b. BUDGET TRANSFER 2002-1399

BUDGET TRANSFER OF \$2,500 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO PALM BEACH UNITED F.C./STREET SOCCER PROGRAM FOR EQUIPMENT. APPROVED 7-9-2002

3.M.9.

a. DOCUMENT R-2002-1109

AGREEMENT WITH THE SCHOOL BOARD FOR \$22,500 FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT C.O. TAYLOR/KIRKLANE ELEMENTARY SCHOOL FROM JULY 9, 2002, THROUGH JANUARY 8, 2003. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1400

BUDGET TRANSFER OF \$22,500 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO SCHOOL BOARD/C.O. TAYLOR/KIRKLANE ELEMENTARY SCHOOL PLAYGROUND FOR PLAYGROUND EQUIPMENT. APPROVED 7-9-2002

3.M.10.

a. DOCUMENT R-2002-1110

AGREEMENT WITH THE DELRAY BEACH DOWNTOWN DEVELOPMENT AUTHORITY AND DELRAY BEACH MERCHANTS ASSOCIATION, INC., FOR \$20,000, FOR FUNDING OF THE SECOND ANNUAL CELEBRATE THE SOUL OF DELRAY EVENT FROM JULY 9, 2002, THROUGH OCTOBER 8, 2002. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1401

BUDGET TRANSFER OF \$20,000 IN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 7 TO DELRAY BEACH DOWNTOWN DEVELOPMENT AUTHORITY/DELRAY BEACH MERCHANTS ASSOCIATION SOUL OF DELRAY EVENT. APPROVED 7-9-2002

3.N. LIBRARY - None

3.P. COOPERATIVE EXTENSION SERVICE- None

3.Q. CRIMINAL JUSTICE COMMISSION

3.Q.1.

THE COUNTY IS ELIGIBLE TO RECEIVE A DIRECT AWARD OF \$789,014 FOR THE FOLLOWING EIGHT PROPOSALS TOTALING \$876,682. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.Q.1. - CONTINUED

a. DOCUMENT R-2002-1111

COUNTY'S FISCAL YEAR 2003 ELECTRONIC SUBMITTAL AND APPROVAL OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT APPLICATION, FROM OCTOBER 1, 2002, THROUGH SEPTEMBER 30, 2004, TOTALING \$789,014 IN FEDERAL FUNDS. APPROVED 7-9-2002

b.

COUNTY MATCH FUNDS OF \$59,668 IN AD VALOREM CASH DOLLARS FOR EIGHT PROPOSALS RECEIVING A DIRECT AWARD. APPROVED 7-9-2002

**c. DOCUMENT R-2002-1112
(AMENDS R-99-2416-D)**

AMENDMENT 3 TO AGREEMENT WITH THE STATE ATTORNEY'S OFFICE FOR THE LEGAL SERVICES OF TWO PROSECUTORS ASSIGNED TO THE STATE ATTORNEY'S COMMUNITY-BASED ANTI-CRIME TASK FORCE UNIT EXTENDED THROUGH SEPTEMBER 30, 2003. APPROVED 7-9-2002

**d. DOCUMENT R-2002-1113
(AMENDS R-99-1775-D)**

AMENDMENT 3 TO AGREEMENT WITH THE CITY OF DELRAY BEACH FOR THE COUNTYWIDE ADMINISTRATIVE COMPONENT OF THE WEED AND SEED PROGRAM EXTENDED THROUGH SEPTEMBER 30, 2003. APPROVED 7-9-2002

**e. DOCUMENT R-2002-1114
(AMENDS R-2001-2131)**

AMENDMENT 1 TO AGREEMENT WITH THE PUBLIC DEFENDER'S OFFICE FOR THE OFFENDER RE-ENTRY INITIATIVE EXTENDED THROUGH SEPTEMBER 30, 2004. APPROVED 7-9-2002

f.

AUTHORIZATION FOR THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE ELECTRONICALLY ALL RELATED DOCUMENTS FOR LOCAL LAW ENFORCEMENT BLOCK GRANT FOR THE COUNTY'S FISCAL YEAR 2003. APPROVED 7-9-2002

3.Q.2.

a. DOCUMENT R-2002-1115

CONTRACT WITH THE DRUG ABUSE FOUNDATION FOR \$143,000 FOR SUBSTANCE ABUSE DETOXIFICATION TREATMENT SERVICES IN SOUTH COUNTY FROM JULY 9, 2002, THROUGH SEPTEMBER 30, 2002. APPROVED 7-9-2002

CONSENT AGENDA - CONTINUED

3.Q.2. - CONTINUED

b. BUDGET TRANSFER 2002-1418

BUDGET TRANSFER OF \$143,000 IN THE DRUG ABUSE TRUST FUND TO ASSIST THE DRUG ABUSE FOUNDATION FOR COSTS OF 15 DETOXIFICATION BEDS. APPROVED 7-9-2002

3.R. EMPLOYEE RELATIONS AND PERSONNEL - None

3.S. FIRE RESCUE

3.S.1. DOCUMENT R-2002-1116

AGREEMENT WITH THE FLORIDA MEDICAL TRAINING INSTITUTE, INC., FOR CLINICAL FIELD EXPERIENCE FOR PARAMEDIC STUDENTS FOR TWO YEARS. APPROVED 7-9-2002

3.T. HEALTH DEPARTMENT - None

3.U. INFORMATION SYSTEMS SERVICES

3.U.1.

a. DOCUMENT R-2002-1117

INTERLOCAL AGREEMENT WITH THE CITY OF GREENACRES TO PROVIDE GEOGRAPHIC INFORMATION SYSTEMS (GIS) SERVICES TO THE CITY OVER A FIVE-YEAR PERIOD. APPROVED 7-9-2002

b.

AUTHORIZATION OF THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN SERVICE REQUESTS UNDER THIS AGREEMENT. APPROVED 7-9-2002

3.V. METROPOLITAN PLANNING ORGANIZATION- None

3.W. PUBLIC INFORMATION OFFICE - None

3.X. PUBLIC SAFETY

**3.X.1. DOCUMENT R-2002-1118
(AMENDS R-2000-0087)**

ADDENDUM 2 TO THE SOFTWARE LICENSE AGREEMENT WITH THE U.S. VIRGIN ISLANDS, DEPARTMENT OF PROPERTY AND PROCUREMENT ON BEHALF OF THE DEPARTMENT OF LICENSING AND CONSUMER AFFAIRS TO PROVIDE IMPROVEMENTS AND TRAINING FOR THEIR USE OF THE PALM BEACH COUNTY CONSUMER AFFAIRS TRACKING SYSTEM (CATS) FOR A MINIMUM \$18,000. APPROVED 7-9-2002

3.Y. PURCHASING - None

3.Z. RISK MANAGEMENT - None

CONSENT AGENDA - CONTINUED

3.AA. PALM TRAN

3.AA.1.

a. DOCUMENT R-2002-1119

AGREEMENT WITH THE FEDERAL TRANSPORTATION AUTHORITY (FTA) SECTION 5307 GRANT OF \$12,056,298 IN APPORTIONED CAPITAL FUNDS. APPROVED 7-9-2002

b.

AUTHORIZATION OF EXECUTIVE DIRECTOR OR ASSISTANT EXECUTIVE DIRECTOR, THROUGH THE COUNTY ADMINISTRATOR, TO EXECUTE SECTION 5307 GRANT AGREEMENT ON BEHALF OF THE BOARD AND TO ELECTRONICALLY TRANSMIT THE BOARD'S APPROVAL. APPROVED 7-9-2002

3.BB. COURT ADMINISTRATION

3.BB.1.

a. DOCUMENT R-2002-1120

RATIFY THE CHAIR'S SIGNATURE ON A GRANT-IN-AID AGREEMENT WITH THE JUSTICE ADMINISTRATIVE COMMISSION FOR \$136,671.04 FOR CHILD DEPENDENCY COUNSEL FROM JULY 1, 2001, THROUGH JUNE 30, 2002. APPROVED 7-9-2002

b.

RECEIVE AND FILE THE GRANT-IN-AID AGREEMENT WITH THE JUSTICE ADMINISTRATION COMMISSION FOR CHILD DEPENDENCY COUNSEL. APPROVED 7-9-2002

3.CC. MEDICAL EXAMINER

3.CC.1.

**DOCUMENT R-2002-1121
(AMENDS R-2001-0789)**

AMENDMENT 1 TO CONTRACT WITH WUESTHOFF MEMORIAL HOSPITAL, INC., DBA WUESTHOFF REFERENCE LABORATORIES, TO PROVIDE HISTOLOGY AND TOXICOLOGY TESTING FOR AN APPROXIMATE TOTAL ANNUAL CONTRACT COST OF \$270,000 EFFECTIVE JUNE 1, 2002. APPROVED 7-9-2002

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

4.A.

CERTIFICATE OF CONGRATULATIONS TO YOUNG MARINES OF PALM BEACHES FOR COLOR GUARD UNIT WINNING THE METROPOLITAN DISTRICT OF WASHINGTON BATTALION YOUNG MARINES DRILL COMPETITION UNIT IN WASHINGTON, D.C. ON MAY 25, 2002. PRESENTED 7-9-2002

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

(CLERK'S NOTE: A district commission appointment was given at this time. See page 39.)

5. **REGULAR AGENDA**

5.A. **ADMINISTRATION**

5.A.1.

a.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON JULY 23, 2002, AT 9:30 A.M., AN ORDINANCE SUBMITTING TO REFERENDUM A PROPOSED AMENDMENT TO THE COUNTY CHARTER PROVIDING FOR NONPARTISAN ELECTIONS TO THE OFFICE OF PROPERTY APPRAISER. APPROVED 7-9-2002

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 Marcus, seconded by Commissioner Masilotti, and carried 7-0.

b.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON JULY 23, 2002, AT 9:30 A.M., AN ORDINANCE SUBMITTING TO REFERENDUM A PROPOSED AMENDMENT TO THE COUNTY CHARTER PROVIDING FOR NONPARTISAN ELECTIONS TO THE OFFICE OF SHERIFF. APPROVED 7-9-2002

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 Marcus, seconded by Commissioner Masilotti, and carried 7-0.

c.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON JULY 23, 2002, AT 9:30 A.M., AN ORDINANCE SUBMITTING TO REFERENDUM A PROPOSED AMENDMENT TO THE COUNTY CHARTER PROVIDING FOR NONPARTISAN ELECTIONS OF THE OFFICE OF SUPERVISOR OF ELECTIONS. APPROVED 7-9-2002

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 Marcus, seconded by Commissioner Masilotti, and carried 7-0.

REGULAR AGENDA - CONTINUED

5.A.2. See page 46.

5.B. COUNTY ATTORNEY

5.B.1.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON JULY 23, 2002, AT 9:30 A.M. AN ORDINANCE AMENDING THE COUNTY CODE, CHAPTER 2, ARTICLE III, DIVISION 2, PART A (PALM BEACH COUNTY PURCHASING ORDINANCE); AMENDING SECTION 2-54 SOURCE SELECTION, AMENDING SECTION 2-54(b), COMPETITIVE PROPOSAL PROCESS; AMENDING SECTION 2-54(d), PROTESTED SOLICITATIONS AND AWARDS. APPROVED 7-9-2002

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 Greene, and carried 7-0.

**5.B.2. DOCUMENT R-2002-1122
(AMENDS R-2001-1620)**

AMENDMENT TO AGREEMENT WITH THE PUBLIC DEFENDER'S OFFICE TO DELETE THE REQUIREMENT THAT LEGAL STAFF HIRED BY THE PUBLIC DEFENDER AND PAID PURSUANT TO THE AGREEMENT ARE INDEPENDENT CONTRACTORS. APPROVED WITH DIRECTION 7-9-2002

Commissioner Newell stated that the board gave extra funding to the public defender's office over the years and asked County Administrator Weisman to determine if the office had repaid the money. Mr. Weisman said the board had funded about \$300,000 on this budget cycle. Commissioner Marcus pointed out that the office was asking for additional money and requested that this matter be highlighted for the budget meeting for July 11, 2002.

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

5.B.3.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON JULY 23, 2002, AT 9:30 A.M., AN ORDINANCE PERTAINING TO TERM LIMITS FOR THE OFFICE OF COUNTY COMMISSIONER FOR EIGHT CONSECUTIVE YEARS; AND PROVIDED THAT NO SERVICE IN A TERM OF OFFICE THAT COMMENCED PRIOR TO THE EFFECTIVE DATE OF THE AMENDMENT WILL BE CREDITED AGAINST THE EIGHT-YEAR TERM LIMITATION. APPROVED 7-9-2002

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 McCarty and seconded by Commissioner Masilotti.

REGULAR AGENDA - CONTINUED

5.B.3. - CONTINUED

PUBLIC COMMENT:

Ed McJobian said that term limits should have been in the original charter and that he was looking forward to seeing new faces and ideas in the future.

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

REORDER AGENDA

MOTION to reorder the agenda to consider item 5.D.3. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.

5.D.3. RESOLUTION R-2002-1123

RESOLUTION DELEGATING THE EXERCISE OF POWERS CONFERRED BY CHAPTER 163, PART III, FLORIDA STATUTES, THE COMMUNITY REDEVELOPMENT ACT OF 1969, TO THE BELLE GLADE CITY COMMISSION, WITH THE CONDITIONS THAT THE BOARD RETAIN AUTHORITY TO EXPAND BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA (CRA) AND THAT ANY TAXES FROM ANY SPECIAL DISTRICT CREATED AFTER THE EFFECTIVE DATE OF THE RESOLUTION BE EXEMPTED FROM THE TAX INCREMENT TO BE PAID TO THE CRA. ADOPTED 7-9-2002

PUBLIC COMMENT:

Mr. Tony Smith supported the resolution.

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

5.C.1. BUDGET TRANSFER 2002-1406

BUDGET TRANSFER OF \$60,000 IN THE GENERAL FUND FROM CONTINGENCY TO PROVIDE ADDITIONAL FUNDING FOR THE VALUE ADJUSTMENT BOARD'S (VAB) NEW COMPUTER SYSTEM TO THE ISS PROFESSIONAL SERVICES ACCOUNT. APPROVED 7 9 2002

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

5.C.2.

a.

DIRECT STAFF TO MOVE FORWARD WITH THE REFUNDING OF \$26.38 MILLION CRIMINAL JUSTICE FACILITIES REVENUE BONDS, SERIES 1994 WHEN THE NET PRESENT VALUE SAVINGS IS GREATER THAN \$1 MILLION. APPROVED 7-9-2002

REGULAR AGENDA - CONTINUED

5.C.2. - CONTINUED

b.

SELECT AN UNDERWRITING TEAM FOR THE POTENTIAL REFUNDING OF THE \$26.38 MILLION CRIMINAL JUSTICE FACILITIES REVENUE BONDS, SERIES 1994. APPROVED FIRST SOUTHWEST COMPANY AS SENIOR MANAGER AND BANK OF AMERICA AND JACKSON SECURITY AS CO MANAGERS 7-9-2002

c.

APPOINTMENT OF EDWARDS & ANGELL, LLP, AS BOND COUNSEL FOR THE POTENTIAL REFUNDING OF THE \$26.38 MILLION CRIMINAL JUSTICE FACILITIES REVENUE BONDS, SERIES 1994. APPROVED 7-9-2002

MOTION to direct staff to move forward with the refunding, to approve selection of First Southwest Company as senior manager and Bank of America and Jackson Security as co-managers, and the appointment of Edwards & Angell, LLP as bond counsel. Motion by Commissioner McCarty, seconded by Commissioner Masilotti, and carried 7-0.

5.D.1.

**DOCUMENT R-2002-1124
(AMENDS R-2000-1004)**

AMENDMENT 1 TO CONTRACT WITH FLORIDA ATLANTIC UNIVERSITY REVISING THE TIMELINE FOR THE EXPIRATION OF THE CONTRACT TO ALLOW FOR (A) SESSION 3 (PLAN FORMULATION) OF THE PEER REVIEW FOR THE SECTOR PLANNING PROCESS, (B) PREPARATION OF THE REPORT FOR PEER REVIEW SESSION 3; AND (C) PREPARATION OF THE FINAL REPORT FOR THE ENTIRE PEER REVIEW PROCESS FOR THE SECTOR PLANNING PROCESS. APPROVED 7-9-2002

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

5.D.2.

**DOCUMENT R-2002-1125
(AMENDS R-2000-1003)**

AMENDMENT 1 TO CONTRACT WITH WILSONMILLER, INC., REVISING THE SCOPE OF SERVICES AND PAYMENT SCHEDULE TO: (A) ALLOW FOR ADDITIONAL MEETINGS AND WORK SESSIONS ASSOCIATED WITH CARRYING OUT BOARD DIRECTION IN THE SECTOR PLANNING PROCESS; AND (B) INCREASE THE AMOUNT OF CONTRACT BY \$77,800 TO ACCOMMODATE THE ADDITIONAL WORK SESSIONS AND MEETINGS, AND INCREASED COST OF SERVICES. APPROVED EXTENDING THE CONTRACT FOR ONE YEAR AT THE CURRENT PRICE AND WITH DIRECTION 7-9-2002

MOTION to approve the amendment to the contract. Motion by Commissioner Masilotti and seconded by Commissioner Greene.

REGULAR AGENDA - CONTINUED

5.D.2. - CONTINUED

Commissioner Marcus objected to payment of additional money because she was not satisfied with progress to date. Deputy County Administrator Verdenia C. Baker explained that the contract was expiring and the project had been delayed by a bond feasibility study, hybrid plan, workshop, and tour of the facility.

SUBSTITUTE MOTION to extend the contract for one year at the current price. Motion by Commissioner Marcus and seconded by Commissioner Masilotti.

Commissioner Aaronson said he preferred the original motion. Not everyone would ever fully be happy with a consultant, he said. Commissioner Masilotti questioned whether the additional time and fees were warranted. Commissioner Marcus said the board was clear when they hired the consultant and that she was not prepared to give them more money. Commissioner Roberts agreed with Commissioner Marcus by saying that the board clearly wanted expenses cut, and asked to be kept informed of their progress. They only had one meeting, however. Commissioner Aaronson said there were two alternatives: to finish the scope of work and end the contract, or negotiate the additional expenses. Commissioner Newell asked Ms. Baker to contact Commissioner Masilotti's office and meet with WilsonMiller.

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

5.D.3. See page 29.

5.E. COOPERATIVE EXTENSION SERVICE

5.E.1.

a.

SUPPLEMENTAL COMPENSATION PROGRAM FOR TREE CANOPY RESTORATION TO BEGIN IN FISCAL YEAR 2001-2002 WITH FUNDING UP TO \$750,000 TO COMPLEMENT THE STATE OF FLORIDA REIMBURSEMENTS MADE TO COUNTY RESIDENTS IMPACTED BY THE CITRUS CANKER ERADICATION PROGRAM. APPROVED 7-9-2002

b. BUDGET TRANSFER 2002-1410

BUDGET TRANSFER OF \$750,000 FROM GENERAL FUND CONTINGENCY TO THE CAPITAL OUTLAY FUND FOR THE TREE CANOPY RESTORATION PROJECT. APPROVED 7-9-2002

c. BUDGET AMENDMENT 2002-1411

BUDGET AMENDMENT IN THE CAPITAL OUTLAY FUND RECOGNIZING A TRANSFER OF \$750,000 FROM THE GENERAL FUND FOR THE TREE CANOPY RESTORATION PROJECT. APPROVED 7-9-2002

MOTION to approve the supplemental compensation program, budget transfer, and budget amendment. Motion by Commissioner Masilotti, and seconded by Commissioner Roberts.

REGULAR AGENDA - CONTINUED

5.E.1. - CONTINUED

Commissioner Marcus said she did not support the program because the state legislature should pay for it.

Commissioner Masilotti said he had spoken with Agriculture Department Secretary Charles H. Bronson who had made funds available to reimburse the county above and beyond what the state normally would pay.

UPON A CALL FOR A VOTE, the motion carried 5-2. Commissioners Marcus and Newell opposed.

5.F. FACILITIES DEVELOPMENT AND OPERATIONS

5.F.1.

a. DOCUMENT R-2002-1126

AGREEMENT FOR PURCHASE AND SALE WITH MILLENNIUM DEVELOPMENT, LLC FOR \$1,458,935.48 FOR PURCHASE OF 3.031 ACRES OF LAND (LIGHT HARBOUR MARINA IN RIVIERA BEACH). APPROVED AS AMENDED WITH DIRECTION 7-9-2002

b. DOCUMENT R-2002-1127

AGREEMENT FOR PURCHASE AND SALE, WITH "PUT" OPTION, WITH MILLENNIUM DEVELOPMENT, LLC, FOR \$1,791,426.78 FOR PURCHASE OF 3.705 ACRES OF LAND (LIGHT HARBOUR MARINA IN RIVIERA BEACH) FOR USE AS A BOAT YARD, BOAT STORAGE, AND BOAT MANUFACTURER AND SALES FACILITY. APPROVED AS AMENDED WITH DIRECTION 7-9-2002

Commissioner Aaronson expressed concern that the staff recommended the property be conveyed without reservation of mineral rights. Property and Real Estate Management Director Ross Hering responded that a provision could be inserted that the county would have a right in minerals mined by the property owner but would not have the right of mining itself. Commissioners Aaronson and Marcus said the county should receive a percentage of any found mineral deposits.

Mr. Hering said that Florida statutes, section 270.011 provided guidance in reserving mineral rights, specifically that there shall be reserved to the county an undivided three-fourth's interest in all phosphate, minerals, metals and an undivided one-half interest in all petroleum.

AMENDED MOTION to reflect reservation of mineral rights with no right of entry. Maker and seconder agreed. Upon a call for a vote, motion carried 7-0.

REGULAR AGENDA - CONTINUED

5.F.2.

**DOCUMENT R-2002-1128
(TERMINATES R-98-671-D)**

TERMINATION OF CONTRACT WITH DANVILLE FINDORFF, INC. (DFI), FOR DESIGN BUILD CONSTRUCTION SERVICES ON THE NORTH COUNTY GOVERNMENTAL CENTER EXPANSION PROJECT, EFFECTIVE IMMEDIATELY. APPROVED WITH DIRECTION 7-9-2002

MOTION to approve termination of the contract. Motion by Commissioner Masilotti, and seconded by Commissioner Roberts.

Commissioner Roberts expressed concern about small subcontractors getting paid if the contractor went out of business. Staff responded that the county's obligation was to pay the contractor, and ensure that the contractor's performance bond was in place for subcontractor recourse. Attorney fees for subcontractors seeking litigation are paid. Commissioner Aaronson suggested subcontractors try to find attorneys willing to do pro-bono work or to band together and hire an attorney at a reduced rate. Commissioner Masilotti expressed concern that the subcontractors were not aware of their rights. Staff informed the board that a copy of the bond was given to the subcontractor notifying the county of non-payment. Commissioner Masilotti asked staff to mail a copy to the list of subcontractors to inform them of their rights.

Dana Sheldon, president of DFI, contended that phase 2 was complete and claimed that many items on the punch list were invalid. He had not been paid by the county since November 2001; consequently, he had been paying his subcontractors out of his own pocket. He would not be able to continue doing this, he said, unless he was paid.

Neil Flaxman, attorney for DFI, said his client did not want litigation, but his limit of financing this job, had been reached. The county owed Mr. Sheldon \$2.5 million. Mr. Flaxman said Mr. Sheldon had never abandoned the job and the site was ready for a certificate of occupancy. DFI asked to be released from phase 3 and 4, but the county disagreed. He said he walked phase 2 and it was beautiful

Bernard Freismuth, said he was personally involved in the project and wanted to reiterate what Mr. Flaxman and Mr. Sheldon said. The project was ready to move into. The board should visit the site and see firsthand what it looks like.

Commissioner Marcus disclosed that DFI had installed carpet in her office, then painted the walls, and then ripped up the carpet in order to sand the floor. The building's move-in date was a year late, she said.

Senior Assistant County Attorney Jim Mize, Jr., related that he had recommended termination of contract, and an amicable resolution and that he had asked the contractor to end the project, with both parties reserving all their rights. The contractor wanted the county to waive its rights on phases 3 and 4, however. Commissioner Masilotti interjected that DFI said they wanted to be released from phases 3 and 4. Mr. Mize replied that DFI wanted to exchange that for the county relinquishing its rights on phases 3 and 4. Commissioner Masilotti observed that Mr. Mize had done everything possible to negotiate in good faith, but said there was no alternative but to move toward litigation.

SECOND TO MOTION WITHDRAWN.

REGULAR AGENDA - CONTINUED

5.F.2. - CONTINUED

Commissioner Roberts withdrew her second, stating that, upon advice of the legal department, she would abstain from voting on the item because her niece might benefit. She said she would be submitting a Memorandum of Voting Conflict for County, Municipal and other Local Public Officers in compliance with Florida Statutes, Section 112.3143.

MOTION seconded by Commissioner Marcus. Upon call for a vote, the motion carried 6-0. Commissioner Roberts abstained.

(CLERK'S NOTE: The memorandum of voting conflict had been received by the Minutes Department.)

5.F.3.

**DOCUMENT R-2002-1129
(AMENDS R-2002-0474)**

CHANGE ORDER 2 TO THE CONTRACT WITH LEIGH CONSTRUCTION, INC., FOR \$207,023 FOR THE PEANUT ISLAND PARK DIRECTIONAL DRILL WATER MAIN. APPROVED 7-9-2002

MOTION to approve the change order. Motion by Commissioner Masilotti, seconded by Commissioner Greene, and carried 7-0.

5.G. ENVIRONMENTAL RESOURCES MANAGEMENT

5.G.1.

a.

DOCUMENT R-2002-1130

AGREEMENT FOR SALE AND PURCHASE WITH THE CITY OF BOCA RATON FOR ACQUISITION OF 77.84 ACRES OF LAND IN THE IBM/BLUE LAKE ECOSITE, SUBJECT TO SATISFACTORY RESULTS OF PRE-CLOSING DUE DILIGENCE. APPROVED 7-9-2002

b.

EXPENDITURE OF \$11,431,739 FROM COUNTY CONSERVATION LAND ACQUISITION BOND FUNDS FOR THE PURCHASE OF THE PROPERTY, UPON THE TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT FOR SALE AND PURCHASE. APPROVED 7-9-2002

c.

BUDGET TRANSFER 2002-1449

BUDGET TRANSFER OF \$11,601,739 IN THE \$75 MILLION GENERAL OBLIGATION CONSERVATION LAND 2001 CONSERVATION TRUST FUND FROM RESERVES TO THE IBM/BLUE LAKE PROJECT ACCOUNT FOR PURCHASE (\$11,431,739) OF THE IBM/BLUE LAKE PARCEL AND FOR STAFF TIME (\$170,000) RELATED TO ACQUISITION AND INITIAL SITE PREPARATION, SITE ACQUISITION DUE DILIGENCE EXPENSES, INITIAL SITE CLEAN-UP, SECURITY FENCING, SIGNAGE, AND ACCESS GATES. APPROVED 7-9-2002

REGULAR AGENDA - CONTINUED

5.G.1. - CONTINUED

PUBLIC COMMENT:

Ed McJobian objected to the purchase of the Blue Lake property, because it was in no danger of being developed. There were more pressing properties to be considered, he said. Environmental Resources Management Director Richard E. Walesky said that the county had been trying to purchase this property since 1991, and that the Environmentally Sensitive Land Acquisition Committee unanimously supported the purchase. Commissioner Masilotti said that the county voters wanted the land acquisition.

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

5.H. ENGINEERING AND PUBLICWORKS

5.H.1.

POLICY ESTABLISHING OTIS (ONLY TREES, IRRIGATION, AND SOD) AS THE STANDARD FOR MEDIAN BEAUTIFICATION ON COUNTY AND STATE THOROUGHFARES IN THE UNINCORPORATED AREAS.

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

5.H.2.

MASTER PLAN FOR OTIS (ONLY TREES, IRRIGATION AND SOD) FOR IMPLEMENTATION MEDIAN DIVIDED THOROUGHFARES IN THE UNINCORPORATED AREAS, INCLUDING A MULTI-YEAR PHASING (AND FUNDING) SCHEDULE. APPROVED AS AMENDED 7-9-2002

Commissioner Masilotti said the five-year program should be an annual improvement that he was not supportive of taking funds from the Beautify Palm Beach County grant, because local government matches improvement funds. Commissioner Aaronson said OTIS should be a continuing program, but if it did not increase property values and improve the appearance of the county, it should be discontinued.

Commissioner Greene stated that five years of improvements in San Castle would not be enough because of the years of neglect. She said that she had not seen county roads Australian Avenue or 45th Street in the program. She said if San Castle was in the Countywide Community Revitalization Team (CCRT) district; it would allow her to work in other areas. She remarked that if her district appeared neglected, all of the county appeared neglected.

REGULAR AGENDA - CONTINUED

5.H.2. - CONTINUED

Commissioner McCarty said her concerns about funding had been alleviated after realizing that OTIS-equivalent funding would be made available to municipalities. County Engineer George T. Webb said that the program could be extended eight or nine years to assist in funding strategies. Commissioner Masilotti recommended modifying the funding, by stretching it out longer, to assist Commissioner Greene's district and other districts who needed it. Commissioner Aaronson noted that the board had the discretion of giving it to the districts that needed it the most. The issue, Commissioner Newell explained, was that the smaller cities could not get the grants because they could not afford the maintenance. Staff remarked that the commissioners had discretionary use of funds when a city requested a grant.

Staff suggested other strategies to utilize funds for the program, the general fund, or to extend the program to nine years. Commissioner Marcus reported that her district was doing a cost savings pilot project by planting material to alleviate maintenance.

Commissioner Roberts requested Mr. Webb to keep on hold, but not allocate, the \$300,000. Commissioner Masilotti supported Commissioner Roberts and recommended that the funding be monitored year-by-year.

(CLERK'S NOTE: An unscheduled item was discussed at this time; see item 2.B.1., page 4.)

PUBLIC COMMENT:

Ed McJobian said the OTIS program had \$15M allocated over a seven-year period. The county road program built up a reserve of \$4M and all of that could have been spent in prior years on the road project. Mr. McJobian objects to the money coming from the taxpayers' general fund.

Commissioner Newell read the card of Colleen Walters in which she supported the comprehensive approach to median landscaping.

MOTION to approve the item, maintain a balance of \$300,000, and make it an annual program. Motion by Commissioner Masilotti, seconded by Commissioner Aaronson, and carried 7-0.

5.H.3.

a.

ADDITION OF TWO IRRIGATION TECHNICIAN POSITIONS TO THE STAFF COMPLEMENT FOR STREETScape SECTION. APPROVED 7-9-2002

b.

ADDITION OF ONE ENGINEERING ASSISTANT II TO THE STAFF COMPLEMENT FOR THE STREETScape SECTION. APPROVED 7-9-2002

REGULAR AGENDA - CONTINUED

5.H.3. - CONTINUED

c.

ADDITION OF ONE CONSTRUCTION COORDINATOR POSITION TO THE STAFF COMPLEMENT FOR THE STREETScape SECTION. APPROVED 7-9-2002

d.

ADDITION OF ONE SECRETARY POSITION TO THE STAFF COMPLEMENT FOR THE STREETScape SECTION. APPROVED 7-9-2002

e.

BUDGET TRANSFER 2002-1450

BUDGET TRANSFER OF \$32,503 IN THE TRANSPORTATION IMPROVEMENT FUND FROM ROAD PROGRAM RESERVES - FISCAL YEAR 2002 (RESERVE FOR MEDIAN BEAUTIFICATION) TO OPERATING SUBSIDIES (TRANSFER TO COUNTY TRANSPORTATION TRUST FUND). APPROVED 7-9-2002

f.

BUDGET AMENDMENT 2002-1451

BUDGET AMENDMENT OF \$32,503 IN THE COUNTY TRANSPORTATION TRUST FUND TO RECOGNIZE A TRANSFER FROM THE TRANSPORTATION IMPROVEMENT FUND FOR PARTIAL-YEAR FUNDING OF POSITIONS IN TREES ONLY STREETScape. APPROVED 7-9-2002

MOTION to approve the staff additions, budget transfer and budget amendment. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 6-1. Commissioner McCarty opposed.

(CLERK'S NOTE: See page 41 Commissioners Comments for Commissioner McCarty's opposition.)

5.H.4.

a.

DIRECT STAFF TO DEVELOP A REVISED STANDARD CONDITION OF APPROVAL FOR DEVELOPMENTS REQUIRED TO PROVIDE LANDSCAPING ON THOROUGHFARE ROADWAY MEDIANS IN THE UNINCORPORATED AREAS. APPROVED 7-9-2002

b.

RESOLUTION R-2002-1131

RESOLUTION FOR VOLUNTARILY RESOLVING CONFLICTS BETWEEN EXISTING DEVELOPER-INSTALLED LANDSCAPING AND OTIS (ONLY TREES, IRRIGATION, AND SOD) PROJECTS TO BE INSTALLED BY THE COUNTY. ADOPTED 7-9-2002

REGULAR AGENDA - CONTINUED

5.H.4. - CONTINUED

c.

PAYMENT RATE SCHEDULE THAT WOULD PROVIDE A FEE STRUCTURE FOR DEVELOPERS AND FOR PROPERTY OWNERS WHO HAVE LANDSCAPING MAINTENANCE OBLIGATIONS, TO MAKE APPROPRIATE PAYMENTS FOR THE COUNTY'S INSTALLATION AND MAINTENANCE, OR, AS APPROPRIATE, ONLY MAINTENANCE - PURSUANT TO CONDITIONS OF APPROVAL. APPROVED AS AMENDED 7-9-2002

d.

RESOLUTION R-2002-1132

RESOLUTION ADDRESSING EXISTING AND CURRENTLY REQUIRED CONCRETE MEDIAN CUTOUTS. ADOPTED 7-9-2002

e.

DIRECT STAFF TO DEVELOP A REVISED STANDARD CONDITION OF APPROVAL FOR FUTURE DEVELOPMENTS THAT WOULD HAVE BEEN REQUIRED TO PROVIDE CONCRETE MEDIAN CUTOUTS ON THOROUGHFARE ROADWAY MEDIANS IN THE UNINCORPORATED AREAS. APPROVED 7-9-2002

County Engineer Webb stated that currently developers are responsible for maintaining given sections of medians at no county cost. Staff proposed that developers be allowed to buyout that obligation, through a 100 percent buyout. Commissioner Aaronson suggested extending the payment plan to 20 years with an option for a cash buyout by receiving a 10 percent reduction, and with 50 percent cash buyout receive a 5 percent reduction.

MOTION to adopt the resolutions, direct staff to develop the revised standard conditions of approval, and approve the amended payment rate schedule. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 7-0.

6. BOARD APPOINTMENTS

6.A. PALM TRAN

6.A.1.

APPOINTMENT OF JAMIE TITCOMB FOR SEAT 4, MUNICIPAL REPRESENTATIVE FOR THE PALM TRAN SERVICES BOARD. APPROVED 7-9-2002

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

BOARD APPOINTMENTS - CONTINUED

6.B. COMMISSION DISTRICT APPOINTMENTS

(CLERK'S NOTE: The following appointment was made earlier in the meeting. See page 27.)

APPOINTMENT OF MR. WILLIAM HOWELL TO THE TRAFFIC PERFORMANCE STANDARDS COMMITTEE TO REPLACE CARMINE PRIORE WHO RESIGNED. APPROVED 7-9-2002

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

REAPPOINTMENT OF ANDREW DE GRAFFERNREIDT, III TO THE LAND USE ADVISORY BOARD. APPROVED 7-9-2002

MOTION to approve the reappointment. Motion by Commissioner Greene, and seconded by Commissioner Masilotti.

Commissioner Marcus commented that the reappointed person had poor attendance. She recommended someone counsel him. The board said they had eliminated all excused absences.

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

APPOINTMENT OF MICHELE NEMO TO THE HOUSING FINANCE AUTHORITY. APPROVED 7-9-2002

Backup provided.

MOTION to approve the appointment. Motion by Commissioner Aaronson, seconded by Commissioner McCarty, and carried 7-0.

APPOINTMENT OF PAUL KAUFMAN TO THE AVIATION AND AIRPORTS ADVISORY BOARD. APPROVED 7-9-2002

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

REAPPOINTMENT OF SANDRA GREENBERG TO THE LAND USE ADVISORY BOARD. APPROVED 7-9-2002

MOTION to approve the reappointment. Motion by Commissioner Aaronson, seconded by Commissioner McCarty, and carried 7-0.

7. MATTERS BY THE PUBLIC - 2:00 P.M. (See pages 43-46.)

8. STAFF COMMENTS

8.A. COUNTY ADMINISTRATOR - None

8.B. COUNTY ATTORNEY: - None

9. COMMISSIONER COMMENTS

9.A. COMMISSIONER KAREN T. MARCUS

9.A.1.

**COMPREHENSIVE EVERGLADES RESTORATION PROJECT (CERP)
DOLLARS FOR 2002 PROJECTS - DISCUSSED 7-9-2002**

Commissioner Marcus said she would like the board to adopt a resolution to authorize Comprehensive Everglades Restoration Project (CERP) dollars for 2002 projects, and for staff to bring this back on another agenda. Several affecting projects are the Southern Golden Gates Lagoon, the water preserve areas for the Indian River Lagoon, and others. Commissioner Newell said to include Rock Pits as one of the projects.

No backup provided.

9.B. COMMISSIONER CAROL A. ROBERTS

9.B.1.

**COMPREHENSIVE PLAN AMENDMENT FOR A SCHOOL AND PARK SITE.
APPROVED ADDING AMENDMENT TO THE COMPREHENSIVE PLAN
TRANSMITTAL PROCESS 7-9-2002**

Commissioner Roberts suggested asking staff to initiate a comprehensive plan amendment. She said that the amendment is to allow for an opportunity to acquire a school and park site.

**MOTION to add to transmittal process an amendment to the comp plan. Motion
by Commissioner Roberts, and seconded by Commissioner Aaronson.**

Commissioner Masilotti pointed out that our guideline is preventing the park and school from being built. Commissioner Newell said that it was not normal to process through a transmittal, and he wouldn't support it. Commissioner Marcus asked the Principal Planner Maria Bello why we were issuing it today, and not on July 24, 2002. Ms. Bello replied that it's not sufficient time for this item to go before the board therefore, a special meeting of the local planning agency will be scheduled between now and July 24, 2002 for adoption at the end of this year. Commissioner Aaronson said that to avoid delaying a year, the school board could send a notice to Ms. Bellow requesting the site, and to go forward as soon as possible. If G.L. Homes of Boynton Beach Associates VI, Ltd. is willing to sell the site to the school under the value of the property, we're helping the community by reacting quickly.

Commissioner Roberts conveyed that the site would be reduced by 50 percent, from 33 to 15 acres, if we were not proactive in making the change to the comp plan. Ms. Bello explained that if the language were not changed now, the school would not be given the premiere site. She pointed out the benefits of going through the process of the comp plan submittal and transmittal today were to resolve a shape issue benefit to developers, the location and size of civic parcels.

COMMISSIONER COMMENTS - CONTINUED

9.B.1. - CONTINUED

Commissioner Masilotti asked if units would be reduced. Kieran J. Kilday, an agent of GL Homes, responded that the school site was intended as a civic preserve area, as it relates to commercial areas, and units will be eliminated. Ms. Bello assured Commissioners Masilotti and McCarty that because the changes were relatively small she would be able to work it into her present workload. Commissioner Newell said the concurrency requirements might be one of the issues for the expediency. Commissioner Roberts said they are not extending the concurrency. Mr. Webb added that the Land Use Advisory Board never vested the concurrency; consequently, the issue was to move forward with a plan for development on Boynton Boulevard.

PUBLIC COMMENT:

Joanne Davis reminded the board of the Ag Reserve Acquisition Program. The board could ask for a school, a civic site, or any other kind of public use site, any time during the development process and there was no rush for this.

Lewis J. Doctor, president of Coalition of Boynton West Residential Associations (COBWRA), ascertained that the rules of the Ag Reserve were not affected, and commented that the location was a great opportunity for a school and civic site.

Commissioner Roberts said she realized the amendment might not happen because of time considerations, or processes. She agreed that a school and civic site could be requested anytime. However, the problem was, anyplace was not always the best place, and this location was probably the best site, she said.

UPON CALL FOR A VOTE, the motion carried 52. Commissioners Marcus and Newell opposed.

No backup provided.

9.C. COMMISSIONER WARREN H. NEWELL

9.C.1.

OAKWOOD CENTER, MENTAL HEALTH FACILITY. DISCUSSED 7-9-2002

Commissioner Newell said the Oakwood Center sent a letter referencing the Baker Act patients. The act allows persons, in need of immediate assistance, to be taken into custody and delivered to a mental health institution. Commissioner Newell said the county had lost this opportunity, and emphasized it was critical to quickly resolve the problem. Commissioner McCarty pointed out that the county had been subsidizing the state's responsibility. Commissioner Newell agreed with Commissioner McCarty that the delegation needed to be very much aware of this problem.

No backup provided.

COMMISSIONER COMMENTS - CONTINUED

9.C.2.

TRUANCY INTERDICTION PROGRAM (TIPS) TO BE A PRIORITY IN 2003.
DISCUSSED 7-9-2002

Commissioner Newell said he had received a letter from the governor's office that the county's funding of the Truancy Interdiction Program in 2002, was not meeting the governor's goal. He asked the board to make this a priority next year by starting to work now with legislative delegation and the governor's office.

No backup provided.

9.D. COMMISSIONER MARY MCCARTY

9.D.1.

(CLERK'S NOTE: Commissioner McCarty opposed adding employees and programs for the reason stated below. See page 37.)

REVIEWING PROGRAMS FOR OPTIMAL EFFICIENCY. DISCUSSED 7-9-2002

Commissioner McCarty said the board added a major program today, which added five new employees. She recommended the board be cognizant when adding new programs; that other programs should be eliminated if possible.

No backup provided.

9.D.2.

RECOGNIZING HEROES. DISCUSSED 7-9-2002

Commissioner McCarty asked the board to honor two residents, Venus and Serena Williams, who reside in Commissioner Marcus's district. Commissioner Marcus agreed, and said she would try to set a date with our national heroes.

No backup provided.

9.D.3.

AGENDA FOR THE CHILDREN SERVICES. DISCUSSED 7-9-2002

Commissioner McCarty expressed concern that the Child Care Advisory Board was having difficulty meeting. As a result, the Children Services Division was unable to bring their issue before the board. When using the school facilities, the not for profit organizations, with exception to other after school programs, require additional duties and responsibilities. Commissioner Masilotti advised Commissioner McCarty to agenda the item. Director of Division of Environmental Health and Engineering Frank Gargiulo said they are in the process of setting up the meeting by the end of July. Commissioner McCarty said the board would like to take up the issue in their first meeting in August.

No backup provided.

9.E. COMMISSIONER BURT AARONSON- None

REGULAR

42

JULY 9, 2002

COMMISSIONER COMMENTS - CONTINUED

9.F. COMMISSIONER TONY MASILOTTI

CONGRATULATIONS TO THE WELLINGTON WLD SOFTBALL TEAM ON STATE CHAMPIONSHIP. DISCUSSED 7-9-2002

Commissioner Masilotti congratulated the Wellington Wild girls 16 and under division for winning the softball state championship.

No backup provided.

9.G. COMMISSIONER ADDIE L. GREENE

9.G.1.

THANK YOU FOR CHILDCARE EXPENSE RECOGNITION. DISCUSSED 7-9-2002

Commissioner Greene said she wanted to say thank you to the county and the Executive Director of the Business Loan Fund of the Palm Beaches John Brown for recognizing that childcare expense was a major issue for working families.

No backup provided.

9.G.2.

THANK YOU FOR ASSISTANCE AT SAN CASTLE. DISCUSSED 7-9-2002

Commissioner Greene thanked George Webb and the Engineering Department for assisting with a drainage problem at San Castle.

No backup provided.

RECESS

At 12:50 p.m., the chair declared a brief recess.

RECONVENE

At 2:08 p.m., the board reconvened.

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

7.A.

CONSERVATION EASEMENT ON ENVIRONMENTALLY SENSITIVE LANDS. DISCUSSED 7-9-2002

Rosa Durando recommended adding conservation easements to protect our environmentally sensitive lands.

MATTERS BY THE PUBLIC - CONTINUED

7.B.

ACREAGE RELIEVER ROAD IN THE CYPRESS POND PRESERVE.
DISCUSSED WITH DIRECTION 7-9-2002

Steven Bell, Sheila Calderon, Joanne Davis, John Gates, Kay Gates, Jim Greene, Lisa Interlandi, Nada MacKinney, Stella Rossi, Barry Silver, Roy Snyder, and Michael Yustin objected to the building of the acreage reliever road. Listed below are their comments.

- County voters had taxed themselves in order protect the preserves from development;
- A conservation easement would protect the land;
- Putting a road through the preserves was a betrayal;
- Legal protection was needed on bond-purchased land;
- A promise had been made that if the reliever road was built, and Okeechobee Road was widened, Roebuck Road would not be built; Roebuck Road was on the five-year plan, however;
- Natural resources needed to be protected;
- A reliever road in preserves will not enhance the area;
- Environmentally sensitive lands should be protected with multi-party conservation easements; and
- Many layers of protection could be done for the reliever road property.

Commissioner Masilotti clarified that 93 percent of the voters had voted in favor of the two-lane road. Commissioner Newell asked County Administrator Weisman to notify Mr. Yustin when the public hearing date had been determined and to contact Mr. Greene to clarify the plans for Roebuck Road. Mr. Weisman expressed concern the public would receive the impression that the county was abdicating its responsibility toward the environmentally sensitive lands. Historically, the board had always acted in good faith, he said. Commissioner Newell pointed out that the county purchased land 10 years ago with full knowledge that a road was planned for the area. He said the commission had a long history of working to preserve and prevent development on those properties. Commissioner Marcus requested staff to bring the matter back as an agenda item. Because of the complexity of the issue, Commissioner Newell requested Ms. Dytrych to review the item before it was brought back to the board.

7.C.

COMPLAINT REGARDING LACK OF INFORMATION ON ANTHRAX.
DISCUSSED WITH DIRECTION 7-9-2002

Lawrence Gottfried presented a fax to the board that he had sent to Dr. Alonzo, Director of Clinical Services.

MOTION to receive and file the fax. Motion made by Commissioner Masilotti, seconded by Commissioner Greene, and carried 7-0.

MATTERS BY THE PUBLIC - CONTINUED

7.C. - CONTINUED

Mr. Gottfried moved recently to the location in which the terrorists were residing and became seriously ill post 911. He asked the county health department about the anthrax gestation period and had not received an answer. Nor had he heard from Commissioner Aaronson, who apologized because he had not received the message. Commissioner Newell requested Mr. Weisman to make contact with the health department on behalf of Mr. Gottfried.

(CLERK'S NOTE: An unscheduled item was discussed at this time; see 2.B.2., page 4.)

7.D.

SENIOR CITIZEN PICNIC. DISCUSSED 7-9-2002

Gwendolyn Ashe and Geneva Hollis said they had been invited to a picnic for senior citizens of western Palm Beach County on June 27, 2002, but had been turned away. Commissioner Masilotti said he had sponsored the picnic and apologized for what happened.

Richard Harris objected to Commissioner Masilotti having free use of the county park facility for his campaign function. Commissioner Masilotti responded that he had sponsored and paid for the luncheon.

7.E.

ADULT ENTERTAINMENT ORDINANCE. DISCUSSED 7-9-2002

Mike Scherer requested the removal of the remaining adult entertainment sites, which far exceeded what was allowed in the grandfather clause. Commissioner McCarty reported that staff was exploring the issue and would bring the matter back to the board.

7.F.

KING'S WRECKER BLOCKED DRIVEWAY. DISCUSSED 7-9-2002

Jennifer Pitts requested assistance from the board to prevent King's Wrecker from operating in the county. The towing company blocked her driveway, and prevented her from going to work one day, she said. Commissioner Newell responded that the county was only allowed to regulate towing fees. Commissioner Aaronson advised Ms. Pitts to file a complaint with the state attorney. Commissioner Marcus said the board would write a letter to State Attorney Barry Krischer and Sheriff Edward Bieluch on her behalf.

7.G.

WORK TOGETHER TO SUPPORT THE HOMELESS. DISCUSSED 7-9-2002

Eustace Douglas presented meeting minutes of the Homeless Task Force to the board.

MOTION to receive and file the document of the meeting minutes. Motion by Commissioner Masilotti, seconded by Commissioner McCarty, and carried 7-0.

MATTERS BY THE PUBLIC - CONTINUED

7.G. - CONTINUED

Eustace Douglas and Barry Silver requested the board to explore the matter of fines imposed against the Westgate Tabernacle Church, Avis Hill, and Sherry Hill. Commissioner Greene asked that the issue be brought before the Homeless Task Force and said she would discuss it with the speakers after the meeting.

TIME CERTAIN 2:15 P.M.

5.A.2.

DIRECTION ON ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS AND POLICIES. (A REVIEW OF THE BUSINESS DEVELOPMENT BOARD OF PALM BEACH COUNTY, INC., TO SUPPORT THE RELOCATION TO AND EXPANSION OF EXISTING BUSINESSES IN THE COUNTY WHICH WILL RESULT IN INCREASED ECONOMIC GROWTH.) APPROVED 7-9-2002

Larry Pelton president of the Business Development Board (BDB) gave a formal presentation to answer any questions on the job growth incentive fund grant applications. He said only companies that are financially strong and viable are selected for incentive programs because of the risk involved. Mr. Pelton added that communities in the county were talking about starting their own economic development programs and encouraged the board to allow the BDB to be the reviewing agency for incentives.

Commissioner Aaronson said tax abatements were to bring in certain types of companies, and disagreed with the BDB giving \$1.1M to a Walgreen's warehouse. He said job incentives are for companies that show a small net profit and needed the tax abatement to help them grow.

Commissioner McCarty disagreed with Commissioner Aaronson and said that the board's goals were met in satisfying low-tech jobs in Walgreen's. There was no need for change.

Commissioner McCarty suggested that the job growth incentive grant and the tax abatement be reviewed simultaneously. Mr. Pelton agreed and suggested, after a review, a letter of qualification could be sent to all applying companies advising them of their status.

Commissioner Roberts ensured Mr. Pelton that the process of utilizing the BDB had not changed, and that the county would not use other sources. She asked him to bring back criteria for tax abatement for board review.

(CLERK'S NOTE: Commissioner Newell announced the Time Certain 3:00 p.m. meeting for the Executive Session (IAFF) was cancelled.

10. ADJOURNMENT

The chair declared the meeting adjourned at 4:10 p.m.

ATTESTED:

APPROVED:

Clerk

Chair

REGULAR

46

JULY 9, 2002