

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA**

AUGUST 27, 2002

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

**DEPUTY CLERK
JOE SMITH**

A. Roll Call

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

WORKSHOP SESSION

**3. 9:30 A.M. DISCUSSED WITH STAFF DIRECTIONS
Living Wage Ordinance (Co Atty)**

**4. 2:00 P.M. DISCUSSED WITH STAFF DIRECTIONS
Exotic Plant Removal (ERM)**

**5. 3:00 P.M. CANCELLED
Homeless Task Force Report (Comm Serv)**

**6. REGULAR AGENDA (Page 2-5)
TIME CERTAIN 2:00 P.M. (SFWMD) (Page 1)**

AUGUST 27, 2002

6. REGULAR AGENDA

A. CLERK

1. **APPROVED**

Staff recommends motion to approve: Warrant List.

2. **APPROVED R-2002-1484 THROUGH R-2002-1486**

Staff recommends motion to approve: Contracts and claim settlements list.

3. **APPROVED**

Staff recommends motion to approve: The Minutes of the following meetings for inclusion in the official records. The Comprehensive (Comp) Plan meeting of April 8, 2002, Environmental Control Board of April 16, 2002, BCC Regular of April 16, 2002, BCC Workshop of April 23, 2002, Zoning of April 25, 2002, BCC Regular of May 7, 2002, Environmental Control Board of May 7, 2002, Zoning of May 23, 2002, BCC Workshop of May 28, 2002, Budget Workshop of May 30, 2002, BCC Regular of June 4, 2002, BCC Regular of June 18, 2002, Zoning of June 19, 2002, BCC Workshop of June 25, 2002 and Comp Plan of July 24, 2002. Countywide

B. ENGINEERING

1. **APPROVED**

Staff recommends motion to approve: Budget Transfer of \$10,000 in the Transportation Improvement Fund from Reserves for District 1 to A-1-A Bridge Replacement Project - District 1. **SUMMARY:** This action will initiate a Budget Transfer of \$10,000 required to fund the cost of the Department's annual structural consultant to verify the Florida Department of Transportation (FDOT) estimate for replacement costs of the A-1-A bridge structure. District 1 (MRE)

2. **APPROVED**

ADD-ON: Staff recommends motion to approve:

A)

a Reimbursement Grant Agreement with the Indian Trail Improvement District to provide funding not-to-exceed a maximum amount of \$250,000 for park improvements on the County's retention area parcel; and

B)

APPROVED

R-2002-1487

The simultaneous transfer of ownership of the County's Northlake Boulevard retention area located at 88th Place North and Coconut Boulevard to the Indian Trail Improvement District for park and drainage purposes.

SUMMARY: This Agreement provides funding to reimburse the Indian Trail Improvement District an amount up to \$250,000 for the cost of County-approved park amenities on the county's retention area parcel. The Indian Trail Improvement District will be responsible for the maintenance of the retention area and these improvements. Simultaneous with the execution of this agreement, the County will transfer ownership of the retention area parcel to the District for its use for park and drainage purposes. The County will reserve and retain unto itself a drainage and flowage easement. District 6 (ME) (Eng)

AUGUST 27, 2002

6. REGULAR AGENDA

C. SPECIAL PRESENTATIONS

TIME CERTAIN 2:00 P.M.

1. **PRESENTED**
Presentation from the South Florida Water Management District to the Board of County Commissioners

2. **PRESENTED**
ADD-ON: Proclamation declaring the week of September 2 - 8, 2002 as "Miami Dolphins Kick-Off Week" in Palm Beach County. (Sponsored by Commissioner Aaronson)

D. COMMUNITY SERVICES

1. **APPROVED** **R-2002-1488**
REVISED TITLE & SUMMARY: A) Amendment No. 1 to Contract No. A002-1 (R2002-0229; dated February 26, 2002) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) increasing funds by \$454,902 for a new amount not-to-exceed \$2,369,238 for the period January 1, 2002 through December 31, 2002 for Older American's Act (OAA) funding;

~~B) Budget Amendment of \$505,445 in DOSS OAA (Fund 177); and~~

~~C) Budget Transfer of \$50,543 from Reserve Contingency General (Fund 001).~~

SUMMARY: This amendment increases OAA funding for Title III-B/Transportation services by \$45,726, Title III-B/In-home services by \$214,504, Title III-C-2/Home Delivered Meals by \$58,598, Title III-C-1/Congregate Meals by \$22,485, and Title III-E/National Family Caregiver Program by \$113,589. ~~A budget transfer from the General Fund is needed in order to provide the required County match of \$50,543 (10%). (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)~~

2. **APPROVED**
Staff recommends motion to approve: a Budget Amendment of \$31,419 to increase the DOSS Alternate Older Americans Act (OAA) Fund (177). **SUMMARY:** The Estate of Willis M. Townsend made a special private donation of \$31,419.29 to the Division of Senior Services' home delivered meals program commonly known as Meals on Wheels. The Division of Senior Services will use the special private donation to provide additional home delivered meals for the seniors of Palm Beach County during the current 2001/2002 OAA grant year. Countywide (TKF)

AUGUST 27, 2002

6. REGULAR AGENDA

E. FACILITIES DEVELOPMENT & OPERATIONS

1. ADD-ON: Staff recommends motion to:

A) APPROVED R-2002-1489
approve a Declaration of Seepage Management, Easement and Release Agreement;
approve a Partial Assignment, Bifurcation and Amendment of Lease;

B) APPROVED R-2002-1490
approve a County Deed conveying 570.77 acres to the South Florida Water Management District; and **adopt** a Resolution authorizing the conveyance to the South Florida Water Management District.

SUMMARY: On June 6, 2000, the County entered into an Interlocal Agreement with the South Florida Water Management District (R2000-0806) for the sale to SFWMD of a 60.6% interest in the 627 acre McMurrain Farm property in the Ag Reserve for \$13,982,535 (\$14,500/acre). Amendment No. 1 reduced the acreage by 52.37 acres, with corresponding reduction in the purchase price to \$13,734,881. The closing was contingent upon 1.) a favorable IRS ruling on the tax treatment of sale proceeds received from SFWMD; 2.) execution of a seepage agreement addressing responsibility for damages caused by seepage from the reservoir intended to be constructed on this property by SFWMD; and 3.) execution by the farmer under the existing lease of the property of a lease amendment addressing issues of concern to SFWMD. The IRS has issued a favorable ruling and the Seepage Agreement and Lease Amendment will satisfy the remaining two contingencies. The closing with SFWMD is scheduled for August 29, 2002. The County will receive \$13,734,384 at closing. (PREM) District 5 (HJF) (FD&O)

AUGUST 27, 2002

AUGUST 27, 2002

6. REGULAR AGENDA

F. AIRPORTS

1. **ADD-ON: Staff recommends motion to approve:**

- A) APPROVED R-2002-1491**
an Airport consent to Assignment of an Airport Rental Car Lease and Concession Agreement dated November 10, 1998 between the County and National Rental Car System, Inc. (R98-1882D) to South Florida Transport, Inc. d/b/a Thrifty Car Rental; and
- B) APPROVED R-2002-1492**
an Airport Consent to Assignment of an Airport Ground Lease Agreement dated October 5, 1993 between the County and National Car Rental System, Inc. (R93-1267/R97-2118D) to South Florida Transport, Inc. d/b/a Thrifty Car Rental; and
- B) APPROVED R-2002-1493**
an Airport Consent to Assignment of an Airport Rental Car Lease and Concession Agreement dated November 10, 1998 between the County and Alamo Rent-A-Car, LLC (R98-1878D/R2000-053D) to ANC Rental Corporation; and
- C) APPROVED R-2002-1494**
an Airport Consent to Assignment of a Development Site Lease Agreement dated December 7, 1993 between the County and National Car Rental Systems, Inc. f/k/a NCR Acquisition Corporation (R93-1587D/R95-670D) to ANC Rental Corporation; and
- D) APPROVED R-2002-1495**
an Airport Consent to Assignment of an Airport Ground Lease Agreement dated December 7, 1993 between the County and National Car Rental Systems, Inc. f/k/a NCR Acquisition Corporation (R93-1586D/R95-670D) to ANC Rental Corporation; and
- F) APPROVED R-2002-1496**
a First Amendment to an Airport Rental Car Lease and Concession Agreement dated November 10, 1998 between the County and South Florida Transport, Inc. d/b/a Thrifty Car Rental (R98-1882D); and
- G) APPROVED R-2002-1497**
a First Amendment to an Airport Ground Lease dated October 5, 1993 between the County and South Florida Transport, Inc. d/b/a Thrifty Car Rental (R93-1267/R97-2118D).

SUMMARY: ANC Rental Corporation ("ANC"), the parent company of two Airport rental car concessionaires, National Car Rental System, Inc. ("National") and Alamo Rent-A-Car, LLC ("Alamo"), has filed a voluntary petition in bankruptcy. In a recent motion before the Bankruptcy Court, ANC petitioned the Bankruptcy Court seeking approval to assign various agreements that National and Alamo have entered into with the County to ANC and South Florida Transport, Inc. d/b/a Thrifty Car Rental ("South Florida"). Under the terms of the agreements with the County, written consent of the County is required prior to an assignment. A hearing on the motion in Bankruptcy Court is scheduled on September 4, 2002. ANC and South Florida are requesting the County consent to the assignments, which are subject to Bankruptcy Court approval, prior to the hearing. South Florida has agreed to amend the agreements being assigned to it by National to provide the County with a corporate guaranty from Thrifty Car Rental ("Thrifty"). In the event South Florida is unable to provide the County with a corporate guaranty from Thrifty within 90 days of the effective date of the amendments, the County will have the option of terminating the agreements with South Florida. Approval of the assignments by the Bankruptcy Court will help to ensure the Department of Airports continues to maintain its current revenue stream under those agreements. Countywide (KLW) (Co Atty)

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

AUGUST 27, 2002

PAGE ITEM

- | | | |
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| 1 | 6B-2 | <p><u>ADD-ON:</u> Staff recommends motion to approve:</p> <p>A) a Reimbursement Grant Agreement with the Indian Trail Improvement District to provide funding not-to-exceed a maximum amount of \$250,000 for park improvements on the County's retention area parcel; and</p> <p>B) The simultaneous transfer of ownership of the County's Northlake Boulevard retention area located at 88th Place North and Coconut Boulevard to the Indian Trail Improvement District for park and drainage purposes.</p> <p>SUMMARY: This Agreement provides funding to reimburse the Indian Trail Improvement District an amount up to \$250,000 for the cost of County-approved park amenities on the county's retention area parcel. The Indian Trail Improvement District will be responsible for the maintenance of the retention area and these improvements. Simultaneous with the execution of this agreement, the County will transfer ownership of the retention area parcel to the District for its use for park and drainage purposes. The County will reserve and retain unto itself a drainage and flowage easement. <u>District 6 (ME) (Eng)</u></p> |
| 6C-2 | | <p><u>ADD-ON:</u> Proclamation declaring the week of September 2 - 8, 2002 as "Miami Dolphins Kick-Off Week" in Palm Beach County. (Sponsored by Commissioner Aaronson)</p> |
| 6D-1 | | <p><u>REVISED TITLE & SUMMARY:</u> A) Amendment No. 1 to Contract No. A002-1 (R2002-0229; dated February 26, 2002) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) increasing funds by \$454,902 for a new amount not-to-exceed \$2,369,238 for the period January 1, 2002 through December 31, 2002 for Older American's Act (OAA) funding;</p> <p>B) Budget Amendment of \$505,445 in DOSS OAA (Fund 177); and</p> <p>C) Budget Transfer of \$50,543 from Reserve Contingency General (Fund 001).</p> <p>SUMMARY: This amendment increases OAA funding for Title III-B/Transportation services by \$45,726, Title III-B/In-home services by \$214,504, Title III-C-2/Home Delivered Meals by \$58,598, Title III-C-1/Congregate Meals by \$22,485, and Title III-E/National Family Caregiver Program by \$113,589. A budget transfer from the General Fund is needed in order to provide the required County match of \$50,543 (10%). (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF) (Comm Serv)</p> |
| 6E-1 | | <p><u>ADD-ON:</u> Staff recommends motion to:</p> <p>A) approve a Declaration of Seepage Management, Easement and Release Agreement;</p> |

B) approve a Partial Assignment, Bifurcation and Amendment of Lease;

C) approve a County Deed conveying 570.77 acres to the South Florida Water Management District; and

D) adopt a Resolution authorizing the conveyance to the South Florida Water Management District.

SUMMARY: On June 6, 2000, the County entered into an Interlocal Agreement with the South Florida Water Management District (R2000-0806) for the sale to SFWMD of a 60.6% interest in the 627 acre McMurrain Farm property in the Ag Reserve for \$13,982,535 (\$14,500/acre). Amendment No. 1 reduced the acreage by 52.37 acres, with corresponding reduction in the purchase price to \$13,734,881. The closing was contingent upon 1.) a favorable IRS ruling on the tax treatment of sale proceeds received from SFWMD; 2.) execution of a seepage agreement addressing responsibility for damages caused by seepage from the reservoir intended to be constructed on this property by SFWMD; and 3.) execution by the farmer under the existing lease of the property of a lease amendment addressing issues of concern to SFWMD. The IRS has issued a favorable ruling and the Seepage Agreement and Lease Amendment will satisfy the remaining two contingencies. The closing with SFWMD is scheduled for August 29, 2002. The County will receive \$13,734,384 at closing. (PREM) District 5 (HJF) (FD&O)

6F-1 **ADD-ON: Staff recommends motion to approve:**

A) an Airport consent to Assignment of an Airport Rental Car Lease and Concession Agreement dated November 10, 1998 between the County and National Rental Car System, Inc. (R98-1882D) to South Florida Transport, Inc. d/b/a Thrifty Car Rental; and

B) an Airport Consent to Assignment of an Airport Ground Lease Agreement dated October 5, 1993 between the County and National Car Rental System, Inc. (R93-1267/R97-2118D) to South Florida Transport, Inc. d/b/a Thrifty Car Rental; and

C) an Airport Consent to Assignment of an Airport Rental Car Lease and Concession Agreement dated November 10, 1998 between the County and Alamo Rent-A-Car, LLC (R98-1878D/R2000-053D) to ANC Rental Corporation; and

D) an Airport Consent to Assignment of a Development Site Lease Agreement dated December 7, 1993 between the County and National Car Rental Systems, Inc. f/k/a NCR Acquisition Corporation (R93-1587D/R95-670D) to ANC Rental Corporation; and

E) an Airport Consent to Assignment of an Airport Ground Lease Agreement dated December 7, 1993 between the County and National Car Rental Systems, Inc. f/k/a NCR Acquisition Corporation (R93-1586D/R95-670D) to ANC Rental Corporation; and

F) a First Amendment to an Airport Rental Car Lease and Concession Agreement dated November 10, 1998 between the County and South Florida Transport, Inc. d/b/a Thrifty Car Rental (R98-1882D); and

G) a First Amendment to an Airport Ground Lease dated October 5, 1993 between the County and South Florida Transport, Inc. d/b/a Thrifty Car Rental (R93-1267/R97-2118D).

SUMMARY: ANC Rental Corporation ("ANC"), the parent company of two Airport rental car concessionaires, National Car Rental System, Inc. ("National") and Alamo Rent-A-Car, LLC ("Alamo"), has filed a voluntary petition in bankruptcy. In a recent motion before the Bankruptcy Court, ANC petitioned the Bankruptcy Court seeking approval to assign various agreements that National and Alamo have entered into with the County to ANC and South Florida Transport, Inc. d/b/a Thrifty Car Rental ("South Florida"). Under the terms of the agreements with the County, written consent of the County is required prior to an assignment. A hearing on the motion in Bankruptcy Court is scheduled on September 4, 2002. ANC and South Florida are requesting the County consent to the assignments, which are subject to Bankruptcy Court approval, prior to the hearing. South Florida has

agreed to amend the agreements being assigned to it by National to provide the County with a corporate guaranty from Thrifty Car Rental ("Thrifty"). In the event South Florida is unable to provide the County with a corporate guaranty from Thrifty within 90 days of the effective date of the amendments, the County will have the option of terminating the agreements with South Florida. Approval of the assignments by the Bankruptcy Court will help to ensure the Department of Airports continues to maintain its current revenue stream under those agreements. Countywide (KLW) (Co Atty)