

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

SEPTEMBER 24, 2002

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

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

A. Roll Call

**DEPUTY CLERK
JOE SMITH**

2. AGENDA APPROVAL

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

WORKSHOP SESSION

3. 9:30 A.M.

DISCUSSED WITH DIRECTION

Conservation Easements and Environmental Sensitive Lands Conservation (ERM)

4. 2:00 P.M.

DISCUSSED WITH DIRECTION

Community Development District (CDD) Criteria (PZ&B) and
Special District Road Building Funding (Eng)

5. 3:00 P.M.

CANCELLED

Community Development Block Grant (CDBG) (HCD)

DISCUSSED WITH DIRECTION

6. REGULAR AGENDA

TIME CERTAIN 10:30 A.M. (Traffic Performance Standards)(Page 1)

SEPTEMBER 24, 2002

6. REGULAR AGENDA

A. CLERK

1. APPROVED

Staff recommends motion to approve: Warrant List.

2. APPROVED R-2002-1636 THROUGH R-2002-1638

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

B. ENGINEERING & PUBLIC WORKS

1. ADOPTED

R-2002-1639

Staff recommends motion to adopt: a Resolution authorizing the County Administrator or his designee to execute a Traffic Signal Maintenance and Compensation Agreement, and each year thereafter develop and execute a new Exhibit A. **SUMMARY:** Historically, the County has maintained the Traffic Signals on the State system in Palm Beach County (other than Palm Beach and Boca Raton) with no compensation from the State under a Traffic Signal Agreement dated April 17, 1979. The State is proposing that a new Agreement be executed which will provide compensation and provide for the addition of future signals at the stated compensation rate. We anticipate receiving approximately \$150,000 the first year, and by the fifth year of the agreement expect to be receiving over \$650,000 annually. Countywide (MRE)

TIME CERTAIN 10:30 A.M.

2. (REVISED TITLE: Staff recommends Board either:

A.reconsider amending the previous Comp Plan round 02-02 language relating to CorridorMaster Plans to delete specific references to what mitigation methods must be considered:

OR

B. STAFF DIRECTION

reaffirm its previous position on the adoption language in the Comp Plan round 02-02 transmittal associated with the adoption of corridor master plans.(Eng)

Cont.

SEPTEMBER 24, 2002

SUMMARY: At the July 24th Comp Plan Transmittal Hearing, the Board transmitted item 2A.1 which addressed the implementation of two (2) new tests for the Traffic Performance Standards. One of the new tests will involve the creation and adoption of individual Corridor Master Plans (CMP) which will address roads that are projected to not meet our level of service by 2025. The CMPs will adopt mitigation strategies/new regulations for future development that will have an impact on those roads. However, the Comp Plan language also says the new test and the associated strategies and regulations will not be applied on a given road segment until the CMP for that segment is adopted. The Board addressed the issue of the CMP adoption being either 1) by the County, 2) by the County and effected municipalities, or 3) no specific reference in the Plan to County or municipalities. They decided to adopt (3) and transmit the language without referring to the County or the municipalities. The July 24 hearing was then continued until August 28, 2002. Shortly after the transmittal hearing had been closed on August 28, 2002, Commissioner Newell asked the Board to reconsider the adoption language. The Board was told that the transmittal language could not be modified since the hearing had been closed and that the next opportunity to modify the language would occur at the adoption hearing in December. They then voted to reconsider/readdress the language on Sept 10. If different language is now desired by the Board, a letter will be immediately transmitted to the Department of Community Affairs (DCA) stating the County's intent to adopt the different language at the time the county considers Comp Plan Round 02-02 for adoption. If the staff recommendation to reaffirm the original vote is adopted, no action is required.

Countywide

1. SEPTEMBER 24, 2002

6. REGULAR AGENDA

C. RISK MANAGEMENT

1. **APPROVED** **R-2002-1640**

Staff recommends motion to approve: Contract Amendment No. 1 to Contract No. 01-153/PR with Arthur J. Gallagher & Co. (R2001-1526; dated September 11, 2001) for the excess liability and excess crime insurance policies and a portion of the excess property coverage for the period October 1, 2002 through September 30, 2003 for a total cost not-to-exceed \$1,462,880. **SUMMARY:** The County self-insures the first \$1,000,000 of property loss, the first \$200,000 of liability loss and the first \$25,000 of crime (employee dishonesty) loss. These policies provide an initial layer of property insurance above the County's self-insured retention as well as excess liability, including claims bill coverage and excess crime coverage. The estimated annual premium of \$1,462,880 for FY 2003 is \$434,000 more than the current year's premium. The initial layer (\$1,500,000) of property coverage will continue to be interrelated with the Excess Property Insurance program which responds after this \$1.5 million in coverage is exhausted. Sufficient funds are budgeted in FY 2003 for this coverage. Countywide (TKF)

2. **APPROVED**

Staff recommends motion to approve: Renewal of the Excess Property Insurance Program for the period October 1, 2002 through September 30, 2003 purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 00-106/MKP, for a total cost not-to-exceed \$7,838,648. **SUMMARY:** The Excess Property Insurance Program currently provides excess layers of property insurance totaling \$300 million above the County's \$1,000,000 self insured retention followed by the \$1,500,000 primary layer provided separately in the insurance package policy. During the coming policy year effective 10/01/02, it is likely that the County will only be able to purchase \$200 million of property coverage at an estimated cost of \$7,638,648 (\$2,794,340 or 58% more than the current year's premium of \$4,844,308). The estimated premium is \$7,638,648 but staff is requesting an additional \$200,000 in order to allow some flexibility because the overall cost has yet to be fixed. Based on recent experiences placing layered property programs for neighboring public entities, Arthur J. Gallagher estimates that exact costs and availability will not be known until as late as October 1, 2002 (or possibly later) due to the insurance marketplace's unwillingness to pledge capacity and pricing until the renewal date. The actual number of insurance policies and insurers participating varies from year to year depending on the insurance industry's level of interest in writing property insurance in South Florida. Many companies are withdrawing completely or severely restricting coverage limits. In addition to the reduced coverage limits, there will be new exclusions of coverage for terrorism, mold and computer hacking, as well as an increase in the windstorm deductible from 2% to 5%. The premium includes an \$80,000 Brokerage Fee in lieu of commissions. Sufficient funds are budgeted in FY 2003 for this coverage. Countywide (TKF)

6. REGULAR AGENDA

D. FIRE RESCUE

1. _____ **APPROVED** **R-2002-1641**
Staff recommends motion to approve: the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc., for the period October 1, 2002 - September 30, 2005. **SUMMARY:** This agreement was ratified by the Union membership on September 18, 2002. The three-year cumulative fiscal impact amounts to \$43.4 million. Countywide (SB)

E. INFORMATION SYSTEM SERVICES

1. _____ **APPROVED** **R-2002-1642**
Staff recommends motion to approve: a confirming Purchase Order for Corel software maintenance and technical support charges applicable to the period November 1, 2001 through October 31, 2002 in the amount of \$189,073.21. **SUMMARY:** Corel software licenses, version protection, technical support and maintenance services have previously been purchased by Palm Beach County under the State of Florida contract (No. 252-003-98-1). Because of the extended delay in the renewal of Corel's contract with the State of Florida, ISS requests approval of a confirming purchase order to pay for service coverage received year-to-date and through October 31, 2002. Countywide (PK)

F. HOUSING AND COMMUNITY DEVELOPMENT

1. _____ **APPROVED** **R-2002-1643**
Staff recommends motion to approve: an Agreement with the Florida Housing Corporation for the renovation/conversion of their building located at 534 Datura Street in West Palm Beach, in the amount of \$92,000 in Community Development Block Grant (CDBG) funds for the period of September 24, 2002 to September 30, 2003. **SUMMARY:** The project involves the renovation/conversion of a 3,063 square-foot portion of this building into retail space designed to house small businesses. The building is owned by Florida Housing Corporation, a non profit organization, who intends to lease out this space located on the street level of its building. The estimated cost of the project is \$201,000. The City of West Palm Beach CRA is expected to provide Florida Housing Corporation a loan of \$92,000, with the remaining \$17,000 coming from Florida Housing Corporation. They will be required to create 7 full-time jobs that are held by low/moderate income persons. **This agreement will provide \$92,000 in Federal CDBG funds which do not require local matching funds.** District 7 (TKF)

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2. September 24, 2002 9:00 a.m.

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

SEPTEMBER 24, 2002

<u>PAGE</u>	<u>ITEM</u>	
1	6B-2	<u>REVISED TITLE:</u> Staff recommends Board either: <u>A) reconsider</u> amending the previous Comp Plan round 02-02 language relating to Corridor Master Plans to delete specific references to what mitigation methods must be considered; OR <u>B) reaffirm</u> its previous position on the adoption language in the Comp Plan round 02-02 transmittal associated with the adoption of corridor master plans. (Eng)
1	6B-3	<u>ADD-ON:</u> Staff recommends motion to approve: a Joint Agreement for Island Way (Phase I) with Schickendanz Capital Group L.L.C., in the amount of \$4,250,000. SUMMARY: Through this agreement, funds in the County adopted Five Year Road Program will be made available on a reimbursable basis to Schickendanz capital Group L.L.C. (SCG) to construct the first phase of Island Way (a/k/a Western Corridor). The first phase of Island Way is from Indiantown Road to Limestone Creek Road. <u>District 1</u> (ME) (Eng)
1	6B-4	<u>ADD-ON:</u> Staff recommends motion to approve: Joint Agreement for Island Way (Phase 2 and 3) with the Jupiter 95 North Land Trust, Schickendanz Capital Group, L.L.C. (SCG) and Communities Finance Company, L.L.C. SUMMARY: As part of this Agreement, the various land owners through which Island Way (a.k.a. Western Corridor) will pass, west of Limestone Creek Road, will dedicate the necessary right of way for this roadway within Palm Beach County at no cost to Palm Beach County. They will also fund the construction either through a Northern Palm Beach County Improvement District bond program, or direct funding by SCG. <u>District 1</u> (ME) (Eng)

- 3 6G-1 **ADD-ON & REVISED SUMMARY:** **Staff requests Board direction:** regarding the use of County employees to assist in staffing the polls for the November 5, 2002, general election. **SUMMARY:** Theresa LePore, Supervisor of Elections, has requested assistance from the Board of County Commissioners to provide additional staffing using County employees for the November 5, 2002, general election. The requested staffing is as follows:
- A) 600 employees for poll workers. (Precinct Clerks & Advisors);
 - B) 25 employees for telephone banks; and
 - C) 20 employees to assist in the processing of data cartridges.
- Payroll costs for additional pay are estimated to be approximately ~~\$120,000~~ \$150,000 countywide. Countywide (Admin)
- 3 6H-1 **ADD-ON:** Proclamation declaring Sunday, September 29, 2002 as the "94th Birthday Celebration of the St. John Missionary Baptist Church" in Palm Beach County. (Sponsored by Commissioner Greene)

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 (*).