

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

FEBRUARY 18, 2003

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

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

A. Roll Call

2. AGENDA APPROVAL

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

**JOE SMITH
DEPUTY CLERK**

WORKSHOP SESSION

DISCUSSED WITH DIRECTIONS

3. 9:30 A.M. MGTs Code Revision Project (PZ&B)

DISCUSSED WITH DIRECTIONS

4. 2:00 P.M. Population Projections (PZ&B)

DISCUSSED WITH DIRECTIONS

5. 3:00 P.M. Affordable Multifamily Rental Housing (HCD)

6. REGULAR AGENDA

FEBRUARY 18, 2003

6. REGULAR AGENDA

A. CLERK

1. **APPROVED**
Staff recommends motion to approve: Warrant List.
2. **APPROVED R-2003-0235 THROUGH R-2003-0239**
Staff recommends motion to approve: Contracts and claim settlements list.

B. ADMINISTRATION

1. **APPROVED**
Staff recommends a motion to: Confirm the County's participation in the Peanut Island Restoration Project **SUMMARY:** This significant environmental/recreation project is a funding partnership with the Florida Inland Navigation District (FIND) and the Corps of Engineers (CORPS). It will result in recreational improvements to Peanut Island, provide environmental enhancements to the Lake Worth Lagoon and is the first step of the Mega-Yacht channel deepening program. The Federal share (CORPS) is absolutely capped at \$5 million and they are not responsible for any financial risk above that amount. The construction contract is between the CORPS and the contractor and they manage the contract after review with the other partners. They are awaiting concurrence from the County to award the contract and are in negotiations to try to reduce costs. If we concur, we get approximately \$28 million in construction value for about \$3.3 million in County non-ad valorem funds. However, the County and FIND, not the CORPS, are exposed to the financial risk of cost overruns, change orders, environmental violations or any other shortcoming that could result from a project of this type. Should these occur, possible funding sources would include the general fund contingency and impact fees. If the Board is unwilling to accept this risk, the project will be delayed indefinitely, relationships with the partners will be harmed and the contractor may be able to claim bid damages at County expense. This item is being presented to the Board due to the realization that this especially worthwhile partnership does expose the County to potentially significant financial risk. Countywide

2. **ADOPTED R-2003-0240**
REVISED TITLE: Staff recommends motion to adopt: a Resolution supporting requesting the United States Congress to include provisions in the Omnibus Appropriations Bill for the United States Government to acquire the anthrax-contaminated property owned by American Media, Inc. **SUMMARY:** The American Media, Inc. property located at 5401 NW Broken Sound Boulevard in the City of Boca Raton, has been closed since October 7, 2001, after the inhalation anthrax death of an employee of American Media, Inc. his resolution urges the Federal Government to acquire the AMI building and to proceed promptly with the clean up of the anthrax contamination on the AMI property. Countywide

3. **ADOPTED R-2003-0241**
REVISED TITLE: Staff recommends motion to adopt: a Resolution supporting requesting the Florida Legislature to fully fund the Department of Environmental Protection's beach erosion control priority list and request the Florida Legislature to oppose any legislative efforts to amend chapters 161 and 201, Florida Statutes, diverting funds from the Ecosystem Management and Restoration Trust Fund. **SUMMARY:** The County is urging the Florida Legislature to fully fund the beach erosion priority list at \$30 million, and oppose efforts to amend existing law which allocates \$30 million annually in certain documentary stamp tax revenues to the Ecosystem Management and Restoration Trust Fund for the purpose beach preservation and repair. Countywide

6. REGULAR AGENDA

B. ADMINISTRATION (Cont'd)

4. **APPROVD WITH STAFF DIRECTIONS**

Staff requests Board direction on draft FY03 Federal Legislative Program. **SUMMARY:** Staff requests the Board's review of the draft FY03 Federal Legislative Program, which includes priority appropriations and Legislative issues, and general appropriation and general issues to monitor. The Federal Program outlines the issues that the County's Legislative Affairs Department in conjunction the County's federal lobbyist, will be working on for the Board in the upcoming Legislative Session. Countywide.

C. ENGINEERING AND PUBLIC WORKS

1. **APPROVED** **R-2003-0242**

Staff recommends motion to approve: Change Order No. 1 in the amount of \$92,907.16 to Contract No. R2002-1517 with Weekley Asphalt Paving, Inc. for construction of Linton Boulevard from Military Trail to Congress Avenue. **SUMMARY:** Ongoing Florida Department of Transportation improvements to I-95, including ramp closures, CSX Railroad closures, and widening of bridges throughout the south county area have forced excessive traffic loads onto local county roadways. In an effort to relieve major inconveniences to the motoring public during construction of Linton Boulevard, staff has negotiated a revised maintenance of traffic plan as follows: a) a lump sum payment of \$50,000 to delay the start of construction of two (2) bridges from February 10, 2003, until April 7, 2003, to avoid any lane closures during peak hours and to complete the bridge work within the original contract time (270 days from February 10, 2003); and b) For a lump sum cost of \$42,907.16 the contractor will, after April 7, 2003, maintain three (3) lanes of traffic, two (2) westbound and one (1) eastbound at the bridge sites, in lieu of the one (1) lane in each direction currentl7y specified in the contract. (Traffic counts indicate westbound traffic as heaviest traveled.) Districts 4, 5 & 7 (ME)

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **APPROVED** **R-2003-0243**

Staff recommends motion to adopt: Resolution opposing the construction and operation of the Seafarer Pipeline System. **SUMMARY:** The Pipeline Group of El Paso Corporation has proposed to construct and operate a high-pressure natural gas pipeline that originates in Grand Bahama Island, makes landfall in the Port of Palm Beach, is routed through the City of Riviera Beach to link up with the existing Florida Gas Transmission Line, follows the Bee Line Highway Corridor (SR 710) through Palm Beach and Martin Counties, and ends at the Florida Power & Light Co. Martin Power Plant. As presently proposed, the pipeline creates community and environmental issues that have not been adequately addressed. Countywide

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 18, 2003

<u>PAGE</u>	<u>ITEM</u>	
1	6B-2	REVISED TITLE: a Resolution supporting <u>requesting</u> the United States Congress to include provisions in the Omnibus Appropriations Bill for the United States Government to acquire the anthrax-contaminated property owned by American Media, Inc. (Admin)
1	6B-3	REVISED TITLE: a Resolution supporting <u>requesting</u> the Florida Legislature to fully fund the Department of Environmental Protection's beach erosion control priority list and request the Florida Legislature to oppose any legislative efforts to amend chapters 161 and 201, Florida Statutes, diverting funds from the Ecosystem Management and Restoration Trust Fund. (Admin)
2	6C-1	WAITING FOR BACKUP: Change Order No. 1 in the amount of \$92,907.16 to Contract No. R2002-1517 with Weekley Asphalt Paving, Inc. for construction of Linton Boulevard from Military Trail to Congress Avenue. (Eng)
2	6D-1	WAITING FOR BACKUP: Resolution opposing the construction and operation of the Seafarer Pipeline System. (ERM)

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 (*).

