

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

AUGUST 19, 2003

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

**COMMISSION
CHAMBERS**

**JOE SMITH
DEPUTY CLERK**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA (Page 9 - 52)**
- 4. SPECIAL PRESENTATIONS (Page 53)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 54 - 57)**
- 6. REGULAR AGENDA (Page 58 - 64)**
- 7. BOARD APPOINTMENTS (Page 65 - 69)**
- 8. STAFF COMMENTS (Page 70)**
- 9. COMMISSIONER COMMENTS (Page 71)**
- 10. ADJOURNMENT (Page 71)**

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 9

- 3A-1 First Amendment to the Round V Development Regions core Grant Agreement for the Delray Beach CRA
- 3A-2 Resolution of the Town of South Palm Beach
- 3A-3 Contract between the School District and Highridge Family Center
- 3A-4 Five (5) original agreements for the Department of Airports

Page 10

- 3A-5 Eights (8) original agreements for the Department of Airports

Page 11

- 3A-6 Ten (10) Standard Development Agreement and one (1) Development Renewal Agreement for WUD

B. CLERK

Page 11

- 3B-1 Warrant List
- 3B-2 Minutes - None
- 3B-3 Contracts and claims settlements list
- 3B-4 Destruction of BCC records for FY 1998
- 3B-5 List of Errors, Insolvencies, Double Assessments, Discount and Value Adjustment Board Reductions on the 2002 Assessment Roll
- 3B-6 Change orders, work task orders, minor contracts, and final payments

Page 12

- 3B-7 Two (2) annual financial reports AFR and AFAR

C. ENGINEERING

Page 12

- 3C-1 First Amendment to the Joint Agreement for Island Way Phases 1,2 and 3
- 3C-2 Fifth Amendment to the Adequate Public Facilities Agreement for Blue Lake Ltd.
- 3C-3 Financial Assistance Agreement with the Boca Pointe Community Association, Inc.

Page 13

- 3C-4 Resolution requesting FDOT to convey surplus property for Island Way
- 3C-5 A \$159,627.65 contract with Rosso Paving and Drainage, Inc.
- 3C-6 Deleted
- 3C-7 Deleted
- 3C-8 Accept for maintenance the existing roads within the right-of-way of Surf Road
- 3C-9 Budget Transfer of \$12,000
- 3C-10 Resolution declaring acquisition of properties for right-of-way

Page 14

- 3C-11 Resolution declaring the change in the land use designation of two (2) County-owned strips of land
- 3C-12 Budget Transfer of \$200,000
- 3C-13 Amendment to the FAA with the City of Delray Beach
- 3C-14 Amendment to the FAA with the City of Delray Beach
- 3C-15 Public Facilities Agreement related to Anthony Groves Commercial Project

Page 15

- 3C-16 Budget Transfer of \$210,000
- 3C-17 A \$288,327.68 Agreement with Lawson, Noble & Webb, Inc
- 3C-18 Budget Transfer of \$10,000
- 3C-19 Budget Transfer of \$800,000

Page 16

- 3C-20 Budget Transfer of \$10,000
- 3C-21 Acceptance of Yearling Dr. Under the MSTU Street Improvement Program
- 3C-22 Reimbursement Agreement with the Cascades Homeowners Association

Page 17

- 3C-23 Budget Amendment of \$84,500
- 3C-24 Resolution vacating a portion of a utility easement
- 3C-25 Lake Easement Agreement with Jupiter 95 North Land Trust

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

C. ENGINEERING (Cont'd)

Page 18

- 3C-26 Amendment to the Annual Traffic Signal Contract with Designed Traffic Installation Co.
- 3C-27 Agreement with DCA for the construction of roadway drainage improvement for Roebuck Road
- 3C-28 Budget Transfer of \$5000,000
- 3C-29 FAA with the Ocean Royale Condo Assoc. For reimbursement of design expenses

Page 19

- 3C-30 CO No. 14 for a credit of \$60,256.01 to contract with Ric-Man International, Inc.
- 3C-31 JPP/F Agreement with the Village of Golf
- 3C-32 JPP/F Agreement with the City of Boynton Beach

Page 20

- 3C-33 Budget Transfer of \$243,407

D. COUNTY ATTORNEY - None

E. COMMUNITY SERVICES

Page 20

- 3E-1 Ratify the Chair's signature on a Federal Emergency Shelter Grant
- 3E-2 Early Head Start Delegate Agency Agreement with Hispanic Human Resources Council, Inc.

Page 21

- 3E-3 Early Head Start Delegate Agency Contract with Emmanuel Child Care Center
- 3E-4 Early Head Start Delegate Agency Contract with Kid Zone Child Development Center, Inc.
- 3E-5 Budget Amendment of \$135,534
- 3E-6 Amendment No. 1 to the Involved Motivated Parents as Classroom Teachers, Inc.
- 3E-7 Standard Contract with AAA

F. AIRPORTS

Page 22

- 3F-1 Fifth Amendment to the Airport Management and Fixed Base Operator Services Agreement with Hawthorne Aviation, Inc.
- 3F-2 Airport Consent to Sublease between Host International, Inc. And Host/Tarra Enterprise Joint Venture for the Lease and Concession Agreement
- 3F-3 Agreement to purchase property located West of Runway 9L
- 3F-4 Contract Extension Agreements with Lipsky Enterprises, Inc. and Janus & Hill Corp.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 23

- 3G-1 Extend the 2003 tax roll pror to completion of the Value Adjustment Board hearing
- 3G-2 Budget Amendment of \$25,513,049
- 3G-3 Negotiated Settlement of \$17,130 for two (2) Code Enforcement Liens
- 3G-4 Downward Budget Amendment of \$19,000,000

Page 24

- 3G-5 Budget Amendment of \$25,000

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 24

- 3H-1 Settlement Agreement with FDOT for \$75,134
- 3H-2 Contract with York International Corporation in an amount not-to-exceed \$500,000
- 3H-3 Contract with E.C. Stokes Mechanical Contractor, Inc. in an amount not-to-exceed \$500,000

Page 25

- 3H-4 Contract with Hawthorne Industries, Inc., in an amount not-to-exceed \$500,000
- 3H-5 Contract with Farmer & Irwin Corporation in an amount not-to-exceed \$500,000
- 3H-6 Contract with Precision Air Systems, Inc., in an amount not-to-exceed \$500,000

Page 26

- 3H-7 Contract with Hill York Service Corporation in an amount not-to-exceed \$500,000
- 3H-8 Contract with Security One Systems, Inc., in an amount not-to-exceed \$500,000

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

Page 26
3H-9 Contract with The Gordian Group, Inc. to increase limit from \$175,000 to \$265,000

Page 27
3H-10 Minutes of the Final Selection Committee held on July 23, 2003
3H-11 Consultant Service Authorization with Heller-Weaver & Sheremeta, Inc.
3H-12 Contract with Stephen L. Boruff AIA for a fee of \$835,816

Page 28
3H-13 Agreement with the Village of Royal Palm Beach
3H-14 Agreement with the Village of Palm Springs
3H-15 Resolution authorizing a conveyance and a County Deed with the Village of Palm Springs

Page 29
3H-16 Lease Agreement with the State of Florida Department of Juvenile Justice
3H-17 Consultant Services Authorization No. 7 with Land Stewardship Company
3H-18 Interlocal Agreement with the Town of South Palm Beach

Page 30
3H-19 Continuing Services Contract with SchenkelShultz Architecture and Consultant Services
3H-20 Consultant Services Authorization No. 20 with Stephen Boruff, AIA Architects and Planners

I. HOUSING & COMMUNITY DEVELOPMENT

Page 30
3I-1 Amendment No. 001 to the Mortgage and Security Agreement with Indian Trace
3I-2 Deleted

Page 31
3I-3 Deleted
3I-4 Summary of Delegated Funding Awards
3I-5 Payment for expenses incurred by the South K Street Apartments
3I-6 Amendment No. 001 with United Forward, Inc. and UF Fluid Systems, Inc.
3I-7 Loan Agreement with Lakeside Commons for \$231,313

J. PLANNING, ZONING & BUILDING - None

K. WATER UTILITIES

Page 32
3K-1 Amendment to an Agreement with Villages of Windsor, LLC
3K-2 Agreement with United Civic Organization, Inc.
3K-3 Deleted
3K-4 Resolution for the Davis Road Area Water Main Extension Improvement Project

Page 33
3K-5 Change Order No. 4 to the Contract with The Tower Group, Inc. for \$107,836.19
3K-6 Contract with VIP Painting, Inc., for \$109,921
3K-7 Contract with Garney Companies for \$7,232,770; Change Order No. 1 in the deductive amount of \$3,507,821.92 and purchase orders for \$3,309,265.96

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 34
3L-1 Agreement for Purchase and Sale of land in Unit 11 for \$19,241
3L-2 Second Amendment to Interlocal Agreement with the Town of Hypoluxo
3L-3 Partial Release of Easement with the Duxbury
3L-4 Department of Environmental Resources Management's application for a Tax Deed

Page 35
3L-5 Grant Contract with FCT and Authorization for the County Administrator

Page 36
3L-6 Issuance of Willing Seller Offers to the remaining Unit 11 property owners
3L-7 Management Plan for Hypoluxo Scrub Natural Area and Budget Transfer of \$121,994
3L-8 Deleted

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

Page 37

3L-9 Public Lands Grant Program, selection of fifteen projects for \$441,600 and revision to the Interlocal Agreement for Invasive Non-native Vegetation Incentives Program

3L-10 Contract with DEP in the Petroleum Contamination Site Cleanup

Page 38

3L-11 Task Order with Morgan and Eklund, Inc., for \$72,890.90

3L-12 Budget Transfer of \$797,844 in the Beach Improvement Fund to Juno Beach Shore

M. PARKS & RECREATION

Page 38

3M-1 Agreement with the Town of Jupiter for \$250,000

Page 39

3M-2 Agreement with the School Board of Palm Beach County for \$30,000

3M-3 Grant Application to SFWMD for \$75,150 and authorize the County Administrator

3M-4 Agreement with Marinelifelife Center of Juno Beach and Budget Transfer of \$1,500,000

Page 40

3M-5 Agreement with Maltz Jupiter Theater and Budget Transfer of \$2,000,000

3M-6 Agreement with Town of Lantana and Budget Transfer of \$100,000

3M-7 Agreement with the Boca Raton Historical Society and Budget Transfer of \$125,000

Page 41

3M-8 Agreement with Friends of Sandoway House Nature Center and Budget Transfer of \$125,000

3M-9 Agreement with the School Board of Palm Beach County and Budget Transfer of \$150,000

3M-10 Agreement with the Village of Royal Palm Beach and Budget Transfer of \$1,000,000

Page 42

3M-11 Agreement with the City of Lake Worth and Budget Transfer of \$50,000

3M-12 Agreement with the School Board of Palm Beach County and Budget Transfer of \$10,000

3M-13 Agreement with the City of West Palm Beach and Budget Transfer of \$60,000

Page 43

3M-14 Agreement with the South Florida Science Museum and Budget Transfer of \$4,000

3M-15 Agreement with the City of West Palm Beach and Budget Transfer of \$5,000

3M-16 Agreement with the Friends of the Academy of Environmental Science Technology, Inc. and Budget Transfer of \$15,000

Page 44

3M-17 Agreement with the City of South Bay and Budget Transfer of \$10,000

3M-18 Budget Transfer of \$30,000

3M-19 Resolution to and Lease Agreement with the Marinelifelife Center of Juno Beach, Inc.

Page 45

3M-20 Modification of the Sovereignty Submerged Lands Lease

N. LIBRARY

Page 45

3N-1 Long-Range Plan for FY 2004 -2066

P. COOPERATIVE EXTENSION SERVICE - None

Q. CRIMINAL JUSTICE COMMISSION

Page 45

3Q-1 Contract with Comprehensive Alcoholism Rehabilitation Program, Inc.

Page 46

3Q-2 Contract with Gratitude Guild, Inc. to decrease by \$28,000 and Contract with Professional Training Association to increase by \$28,000

R. HUMAN RESOURCES - None

S. FIRE RESCUE

Page 46

3S-1 Budget Transfer of \$1,500,000

3S-2 Chair to certify the non-ad valorem assessment roll

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

T. HEALTH DEPARTMENT

Page 47

- 3T-1 Resolution approving the transfer of \$300,000
- 3T-2 Resolution approving the FY 2003/2004 Annual Budget of \$747,859

U. INFORMATION SYSTEMS SERVICES

Page 47

- 3U-1 Contracts with SunGard, Inc. for \$657,290

Page 48

- 3U-2 Contract with IBM for \$60,800

V. METROPOLITAN PLANNING ORGANIZATION - None

W. PUBLIC INFORMATION

Page 48

- 3W-1 One-year extension with the School District of Palm Beach County
- 3W-2 Application to the Federal Communications Commission

X. PUBLIC SAFETY

Page 49

- 3X-1 Contract in the amount of \$12,000 and Budget Amendment of \$12,000
- 3X-2 Contract with Children's Healthcare Associates, P.A. for \$42,000 and authorize the County Administrator

Y. PURCHASING - None

Z. RISK MANAGEMENT

Page 49

- 3Z-1 Write-off in the amount of \$283,020.56 for the period of 1993 through 2000

AA. PALM TRAN

Page 50

- 3AA-1 Resolution in the amount of \$50,000 and Budget Amendment of \$25,000
- 3AA-2 Resolution in the amount of \$7,560,938
- 3AA-3 Resolution in the amount of \$216,318
- 3AA-4 Resolution in the amount of \$50,000 and Budget Amendment of \$25,000

Page 51

- 3AA-5 Contract with the University of South Florida, Board of Trustees
- 3AA-6 Agreement with the School District of Palm Beach County
- 3AA-7 Amendment to the Contract with Next Media Outdoor, Inc.

BB. SHERIFF

Page 52

- 3BB-1 Budget Transfer of \$15,000

CC. COURT ADMINISTRATION

Page 52

- 3CC-1 Chair's signature on the DCF contract in the amount of \$32,868

DD. HOUSING FINANCE AUTHORITY

Page 52

- 3DD-1 Nomination of Clark D. Bennett as the Chair

TABLE OF CONTENTS

SPECIAL PRESENTATIONS

- Page 53
4A "Palm Beach County Firefighter Appreciation Week"
4B "Literacy Awareness Month"
4C "American Business Women's Day"
4D Certificate of Congratulations to Youth Athletic Association/Dan Calloway
4E "Lake Region's 2003 Senior Citizens' Fair Day"

PUBLIC HEARINGS - 9:30 A.M.

- Page 54
5A Conceptual Alignment Alternative of Lyons Road and Flavor Pict Road
5B Waiving Restrictions of Lyons Road and Ordinance amending Ordinance No. 85-40
5C Resolution abandoning a portion with Block 78, Palm Beach Farms Plat 3
Page 55
5D TEFRA Public Hearing and Bond Resolution for the funding of a loan to the YMCA
5E Ordinance pertaining to the Animal Care and Control Ordinance
5F Issuance of a Special Secondary Service (COPCN) to Barton Protective Services, Inc. for Wycliffe Golf & County Club
Page 56
5G Issuance of a Special Secondary Service (COPCN) to The Wackenhut Corp. for The Polo Club Boca Raton
5H Filing of the FY2003 Section 5307 FTA Grant application of \$9,067,050, Palm Tran Director or Assistant Director to execute, downward Budget Amendments of \$2,932,950 in the Palm Tran Grants Fund and Palm Tran Operating Fund
Page 57
5I Ordinance pertaining to criminal history record checks, Resolution to the Palm Beach County Criminal History Records Check Ordinance and Criminal History Record Check User Agreement

REGULAR AGENDA

ADMINISTRATION

- Page 58
6A-1 Resolution for a travel policy and the Palm Beach County Vicinity Mileage Ordinance
6A-2 Funding of \$10,000 to the Quantum Foundation for the 2003/2004 Senior Flu Shot Project

COUNTY ATTORNEY

- Page 59
6A-3 **ADD ON:** Airline Service Incentive Program Participation Agreement
6B-1 Resolution approving the issuance of revenue bonds in the amount of \$8,000,000 by the Palm Beach County Health Facilities Authority

OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

- Page 59
6C-1 Budget Transfer of \$600,000
6C-2 Budget Transfer of \$10,000
Page 60
6C-3 Public Improvement Recreation Facilities Revenue Bonds, William R. Hough as the sole manager and Ruden McClosky Smith Schuster & Russell as bond counsel

ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 60
6D-1 The Conservation Lands Protection Ordinance

TABLE OF CONTENTS

REGULAR AGENDA

PLANNING, ZONING & BUILDING

Page 61

6E-1 Ordinance providing for Building and Development Permits

COMMUNITY SERVICES

Page 61

6F-1 Funding of the Financially Assisted Agencies in the amount of \$10,432,759

CRIMINAL JUSTICE COMMISSION

Page 62

6G-1 Grant Application to FDLE in the amount of \$200,000, ad valorem match of \$50,000, creation of a Senior Analyst Programmer, GIS Support Specialist and authorize the County Administrator

6G-2 Creation of a Criminal Planning & Evaluation position and a Financial Analyst II position

ENGINEERING

Page 63

6H-1 Budget Transfer relating to the cost of burying FPL transmission lines on Palmetto Park Road from Military Trail to SR 441

HOUSING AND COMMUNITY DEVELOPMENT

Page 63

6I-1 The 2003 Tornado Disaster Relief Program

Page 64

6J-1 **ADD ON:** "Declaration of State of General Emergency"

6J-2 **ADD ON:** Up to \$75,000 General fund to assist resident with repairs from the recent tornado

BOARD APPOINTMENTS (Page 65 - 69)

STAFF COMMENTS (Page 70)

COMMISSIONER COMMENTS (Page 71)

ADJOURNMENT (Page 71)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **APPROVED** **R-2003-1131**
Staff recommends motion to approve: a First Amendment to the Round V Development Regions Core Grant Agreement R2001-1393 for the Delray Beach Community Redevelopment Agency (CRA), extending the term of the Agreement six (6) months from August 28, 2003 to February 28, 2004. **SUMMARY:** The Development Regions Grant with the Delray Beach CRA permitted project expenses to be incurred within 24 months of the effective date of the Agreement. This six (6) month extension will allow the business project, Top Notch Hair Dimensions, additional time to complete construction. On June 5, 2003, the Overall Economic Development Program Committee recommended a six (6) month extension. District 7 (DW)

2.
Staff recommends motion to receive and file: Resolution No. 381 of the Town of South Palm Beach, Florida, supporting the opening of the draw bridge on Ocean Avenue on an "Hour/Half Hour Schedule" System; providing an effective date; and for other purposes. Countywide

3. **APPROVED** **R-2003-1132**
Staff recommends motion to receive and file: a Contract between the School District of Palm Beach County and the Highridge Family Center/Board of County Commissioners. The terms of the Contract shall be for educational services provided from June 4, 2003 through July 31, 2003, at the Highridge Family Center. Countywide

4. **Staff recommends motion to receive and file:** Five (5) original contracts/agreements/grants for the Department of Airports.
 - A) **APPROVED** **R-2003-1133**
Emergency Management Agreement for Fixed Base Operator Services at Palm Beach County Glades Airport dated July 1, 2003;

 - B) **APPROVED** **R-2003-1134**
General Aeronautical Services Agreement with PrimeFlight Aviation Services, Inc.;

 - C) **APPROVED** **R-2003-1135**
Airline-Airport Use and Lease Agreement with Continental Airlines, Inc.;

 - D) **APPROVED** **R-2003-1136**
First Amendment to Terminal Building Lease Agreement (R2003-355) with the General Services Administration; and

 - E) **APPROVED** **R-2003-1137**
Original letter from Interspace Airport Advertising exercising their option to extend their Exclusive Agreement for the Advertising and Exhibit Display Services Concession (R84-1968); Amendment No. Three (R98-771D) providing for the option term; Letter to Interspace dated April 30, 2003 advising them they have met all the obligations stated in Amendment No. Three, a prerequisite to the option term. Countywide

AUGUST 19, 2003

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. Staff recommends motion to receive and file: Eight (8) standard County contracts/agreements/grants for the Department of Airports.

A) APPROVED R-2003-1138
North County Hangar Lease Agreement for Hangar 11720-3 signed by Dan Erneston Brown and dated July 1, 2003;

B) APPROVED R-2003-1139
North County Hangar Lease Agreement for Hangar 11720-7 signed by Frank Richert, IV and dated July 18, 2003;

C) APPROVED R-2003-1140
North County Hangar Lease Agreement for Hangar 11720-11 signed by John N. Cronin and dated July 30, 2003;

D) APPROVED R-2003-1141
North County Hangar Lease Agreement for Hangar 11720-17 Jim Edwards and dated July 22, 2003;

E) APPROVED R-2003-1142
North County Hangar Lease Agreement for Hangar 11750-10 signed by Terry Eberhart and dated July 22, 2003;

F) APPROVED R-2003-1143
North County Hangar Lease Agreement for Hangar 11730-6 signed by Ed Maraidie and dated July 22, 2003;

G) APPROVED R-2003-1144
North County Hangar Lease Agreement for Hangar 11730-8 signed by Arthur Bodner and dated July 29, 2003; and

H) APPROVED R-2003-1145
North County Hangar Lease Agreement for Hangar 11730-10 signed by GMI Aviation, Inc., and dated July 2, 2003.

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

6.

Staff recommends motion to receive and file: Ten (10) Standard Development Agreements and One (1) Standard Development Renewal Agreement for the Water Utilities Department.
Standard Development Agreements

APPROVED R-2003- 1146 THROUGH R-2003-1155

- A) Aberdeen Office and Retail Sites, L.C. 05-00900-062
- B) Linton Boulevard Associates, Ltd. 09-01039-000
- C) 95 WHSE, Inc. 01-01113-000
- D) Lake Worth Road Associates, Ltd. 02-01073-000
- E) Desarrollos Xenabal, Limitada 05-01055-000
- F) Belvedere Business Park, Inc. 01-01110-000
- G) 1001 Jupiter Park Drive, Inc. 01-01111-000
- H) H.L. RE Investment, LLC 01-01112-000
- I) Classique Homes, Inc. 02-01070-000
- J) Strata Development Corp. 02-01071-000

Standard Development Renewal Agreement

APPROVED

R-2003-1156

K) Ronald C. & Joann Turner

05-00103-R00

B. CLERK

1. **Staff recommends motion to approve:** Warrant List.

2. **Staff recommends motion to approve:** Minutes - None

APPROVED

R-2003-1157 THROUGH R-2003-1161

3. **Staff recommends motion to approve:** Contracts and claims settlements list.

APPROVED

4. **Staff recommends motion to approve:** Destruction of Board of County Commissioners records for FY1998 which have met the revised required State retention schedule. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services. (Ch 28.30, Ch 257.36(6)), The list has been reviewed by the Board's Internal Auditor, OFMB, Finance and the County Attorney. Countywide

APPROVED

5. **Staff recommends motion to receive and file:** List of Errors, Insolvencies, Double Assessments, Discount and Value Adjustment Board Reductions on the 2002 Assessment Roll. **SUMMARY:** Chapter 197.492, F.S. -requires "that on or before the 60th day after the tax certificate sale, the Tax Collector shall make out a report to the Board of County Commissioners, separately showing the discounts, error and double assessments and insolvency's for which credit is to be given..." Countywide

APPROVED

R-2003-1162

6. **Staff recommends motion to receive and file:** Change orders, work task orders, minor contracts, and final payments approved by the Contract Review Committee and by the department heads for the Engineering; Facilities Development and Operations; Water Utilities; and Environmental Resources Departments; and the Department of Airports during the month of June, 2003. Countywide

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

7. **Staff recommends motion to receive and file:** two (2) of Palm Beach County's annual financial reports for fiscal year ending September 30, 2002.

A) The Units of Local Government - Annual Financial Report (AFR); and

B) Annual Financial Audit Report (AFAR) including the Single Audit Report.

SUMMARY: A) The Units of Local Government Report - Annual Financial Report (AFR) serves to generate input to the State for statewide informational purposes. This report is required to be filed annually with the state in compliance with Section 218.32 (1)(b), F.S.; and B) The Annual Financial Audit Report (AFAR) is a special annual financial report which is defined in Section 10.550 of the Rules of the Auditor General. This report is required to be filed annually with the Auditor General in compliance with Section 11.45 F.S. and includes the Single Audit Report. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:**

A) **APPROVED** **R-2003-1163**
First Amendment to the Joint Agreement for Island Way (Phase 1) (R2002-1837); and

B) **APPROVED** **R-2003-1164**
First Amendment to the Joint Agreement for Island Way (Phase 2 and 3) (R2002-1838).

SUMMARY: These two (2) Amendments provide a time certain of June 30, 2004, for the completion of the construction of Island Way from Indiantown Road to the Martin County Line. District 1 (LB)

2. **APPROVED** **R-2003-1165**
Staff recommends motion to approve: Fifth Amendment to the Adequate Public Facilities Agreement for Blue Lake, Ltd. (R99-1210D) **SUMMARY:** This Amendment to the July 13, 1999, Adequate Public Facilities Agreement provides that interest accrued on a \$4,661,265 cash deposit will be credited to Boca Technology Center, LLC (developer). District 4 (ME)

3. **Staff recommends motion to approve:**

A) **APPROVED** **R-2003-1166**
a Financial Assistance Agreement with the Boca Pointe Community Association, Inc., which is currently maintaining landscaping and irrigation in the medians of the County's Southwest 18th Street between Powerline Road and Florida's Turnpike; and

B) **APPROVED**
Budget Transfer of \$5,200 in the Transportation Improvement Fund from Reserve for District 4 to Southwest 18th Street/Powerline Road to Florida's Turnpike - District 4.

SUMMARY: This item provides funding in an amount of \$5,200 for the Association's wishes to substitute 13 Orange Geiger trees in place of some of the existing landscaping. Funding comes from the District 4 Gas Tax Reserves. The Association will be responsible for the perpetual maintenance of the improvements. District 4 (ME)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. **ADOPTED** **R-2003-1167**
Staff recommends motion to adopt: a Resolution authorizing the Palm Beach County Board of County Commissioners to request that the Florida Department of Transportation (FDOT) convey surplus property for Island Way, from Indiantown Road to the County Line, in Section 03, Township 41 South, Range 42 East. **SUMMARY:** This item will initialize a request to FDOT for conveyance of surplus property to the County, as needed for the improvement project of Island Way, from Indiantown Road to the County Line. District 1 (PFK)

5. **Staff recommends motion to approve:**

A) **APPROVED** **R-2003-1168**
a \$159,627.65 Contract with Rosso Paving and Drainage, Inc. (Contractor), the lowest, responsive, responsible bidder, for the construction of Gulfstream Road Street Improvements (Project); and

B) **APPROVED**
Budget Transfer of \$27,766 in the Capital Outlay Fund from Contingency Reserves to Gulfstream Road Street Improvements.

SUMMARY: The Contract consists of all work necessary to construct roadway improvements and storm drainage systems on Gulfstream Road. Minority/Women Business Enterprise (M/WBE) goals were established by the Goal Setting Committee at 3% overall participation. The Contractor reached 43.8% Women participation. Contractor is a certified WBE with Palm Beach County. District 3 (MRE)

6. **DELETED**

7. **DELETED**

8. **APPROVED**
Staff recommends motion to accept: for Maintenance, the existing roads within the platted public right-of-way of Surf Road and the intersecting portions of Reef Road and East Avenue, from Ocean Boulevard (AIA) east to East Avenue, at an estimated cost of \$500 annually. **SUMMARY:** Surf Road, Reef Road and East Avenue, all dedicated public roads, are part of the recorded plat of Gulfstream Park approved by the Board of County Commissioners (Board) on November 23, 1942, and subsequently recorded in Plat Book 20, Page 18. Surf Road, together with its intersections with Reef Road and East Avenue, have been maintained by the Engineering Department's Road and Bridge Division, in excess of four (4) years. Acceptance of this section of Surf Road will provide continuity between AIA and that portion of Surf Road east of East Avenue, which is presently maintained by Palm Beach County. District 4 (PK)

9. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$12,000 in the Transportation Improvement Fund from Reserve for District 1 to North Miller Drive Speed Humps - District 1. **SUMMARY:** District 1 Improvement Funds will pay for the requested speed humps on North Miller Drive to improve safety and reduce speeding. District 1 (MRE)

10. **ADOPTED** **R-2003-1169**
Staff recommends motion to adopt: a Resolution declaring the acquisition of properties known as Parcels 100 and 104 in fee simple for the required right-of-way, and properties known as Parcels 300, 301, 302, 303 and 304 as Temporary Construction Easements required for the construction and improvements for Lantana Road, Hagen Ranch Road and Fearnley Road intersection, to be a public necessity, authorizing the selection of appraisers and filing of Eminent Domain Proceedings. **SUMMARY:** This action will initiate Eminent Domain Proceedings against seven (7) parcels whose total estimated value is \$20,000. Districts 2 & 3 (PM)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. **ADOPTED** **R-2003-1170**
Staff recommends motion to adopt: a Resolution declaring the change in the land use designation of two County- owned strips of land from park and recreational use to road right-of-way. **SUMMARY:** This action is necessary to change the land use designation of a 15 foot by 390 foot strip of land and a 10 foot by 190 foot strip of land from park and recreational use to road right-of-way. This is required for the proposed improvements to Dubois Road. District 1 (PK)

12. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$200,000 in the Transportation Improvement Fund from Reserve for District 3 to the Glen Ridge/Cloud Lake Improvements. **SUMMARY:** This action will initiate funding required for the design, acquisition and construction of roadway and drainage improvements within the Towns of Glen Ridge and Cloud Lake. District 3 (MRE)

13. **APPROVED** **R-2003-1171**
Staff recommends motion to approve: an Amendment to the Financial Assistance Agreement (R2002-1316) with the City of Delray Beach, for an extension of the completion date for the installation of landscaping and irrigation in the medians (excluding medians six (6) and seven (7) of the County's Lake Ida Road between Military Trail and Congress Avenue. **SUMMARY:** The original Agreement provides for a reimbursement, in an amount not-to-exceed a maximum of \$300,000, to the City of Delray Beach (City), for the City's effort to install improvements on the County's Lake Ida Road between Military Trail and Congress Avenue. This Amendment between the City and the County will extend the completion date from September 30, 2003 to June 30, 2004, due to unanticipated delays completing the County's Lake Ida Road construction project. Districts 4 & 7 (ME)

14. **APPROVED** **R-2003-1172**
Staff recommends motion to approve: an Amendment to the Financial Assistance Agreement (R2002-0522) with the City of Delray Beach, for an extension of the completion date for the installation of landscaping and irrigation on the County's Lake Ida Road between Military Trail and Congress Avenue. **SUMMARY:** The original Agreement provides funding to reimburse the City of Delray Beach (City) up to 50% of the costs of the beautification improvements, in an amount not-to-exceed a maximum of \$46,551, on the County's Lake Ida Road between Military Trail and Congress Avenue. This Amendment between the City and County will extend the completion date from June 30, 2003 to June 30, 2004, due to unanticipated delays completing the County's Lake Ida Road construction project. District 4 (ME)

15. **Staff recommends motion to approve:**

A) APPROVED R-2003-1173
Public Facilities Agreement related to Anthony Groves Commercial Project; and

B) APPROVED
Budget Amendment of \$950,743 in the Road Impact Fee Zone 3 Fund to recognize impact fee payments for SR 80 intersection improvements.

SUMMARY: The Anthony Groves Commercial Project (Project) is located in the Village of Royal Palm Beach on the west side of State Road 7 (SR 7), north of Forest Hill Boulevard. This Project consists of approximately 168,000 square feet. In order to meet the Traffic Performance Standards, the Project was required to construct certain intersection improvements on Southern Boulevard. Since the Florida Department of Transportation (FDOT) has scheduled the widening of Southern Boulevard in lieu of constructing the intersection improvements, the Project is agreeing to provide a cash payment of \$950,743 at the first building permit or by December 31, 2003, whichever shall occur first. District 6 (ME)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

16. Staff recommends motion to approve:

A) DELETED

Budget Transfer of \$210,000 in the Municipal Service Taxing Unit (MSTU) District A Fund from Reserves to Indian Trail Improvement District (ITID) Paving Projects;

B) DELETED

Budget Transfer of \$50,000 in the MSTU District-B Fund from Reserves to ITID Paving Projects; and

C) DELETED

Funding Agreement with (ITID) for specific paving improvements under the Palm Beach County (County) Program.

SUMMARY: This Agreement provides for the County to utilize the MSTU Program to fund an amount not-to-exceed \$260,000 for paving improvements on the following roads within ITID:

121st Terrace North, from Orange Grove Boulevard to 40th Street North	(\$ 50,000)
87th Lane North, from Mandarin Boulevard east to the L-Canal	(\$ 50,000)
Hall Boulevard, from Orange Boulevard to 60th Street North	(\$ 135,000)
82nd Lane North, west of Hall Boulevard	(\$ 25,000)

ITID will construct the improvements and continue to maintain the roads after improvements are completed. The County will assess benefitting properties for fifty percent (50%) of MSTU funds expended on the improvements. District 6 (ME)

17. **APPROVED** **R-2003-1174**

Staff recommends motion to approve: a \$288,327.68 Agreement with Lawson, Noble & Webb, Inc. (LNW) for professional design services for Hypoluxo Road - Jog Road to Military Trail, (Project). **SUMMARY:** This Agreement will provide the necessary services to prepare the design plans and construction bid documents for the improvements along the limits of the Project, and procurement of related sub-consultant services. At the time of Selection, Palm Beach County's annual Minority/Women Business Enterprise's (M/WBE) goal was 11.1% participation. LNW committed to a minority participation of 21% for the total project at their presentation to the Selection Committee. The M/WBE participation achieved for the Project is 23.7%, comprised of 18.1% Women (Kathleen L. Hall Land Surveying, Inc.), and 5.6% Hispanic (Tierra, Inc.). District 3 (PK)

18. Staff recommends motion to approve:

A) APPROVED

Budget Transfer of \$10,000 in the Municipal Service Taxing Unit (MSTU) District B Fund from District B Reserves to the Sutton Terrace (dead end east to Military Trail) Project; and

B) APPROVED

Appraisal and acquisition of road right-of-way on Sutton Terrace MSTU Street Improvement Project.

SUMMARY: This action will allow for the appraisal and acquisition of two (2) parcels on Sutton Terrace and fund the necessary start up costs for right-of-way acquisition. District 2 - MSTU B (PK)

19. **APPROVED**

Staff recommends motion to approve: Budget Transfer of \$800,000 in the Transportation Improvement Fund from Reserves for District 5 to Flavor Pict Road Extension. **SUMMARY:** This action will initiate a Budget Transfer of \$800,000 that will contribute to the cost of design/construction of the Flavor Pict Road Extension. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

20. Staff recommends motion to approve:

A) APPROVED

Budget Transfer of \$10,000 in the Municipal Service Taxing Unit (MSTU) District C Fund from Reserves to the Foss Road from 3rd Avenue South to Dead End for right-of-way appraisal and acquisition;

B) APPROVED

Appraisal and acquisition of road right-of-way on the Foss Road MSTU Street Improvement Project; and

C) APPROVED

Acceptance of Foss Road from 150 feet south of 3rd Avenue South right-of-way north to Lake Worth Road under the MSTU Street Improvement Program and extend interim courtesy maintenance at this time.

SUMMARY: This action will allow for the appraisal and acquisition of two parcels on Foss Road and fund the necessary start up costs for right-of-way acquisition. The maintenance costs to bring a portion of this sub-standard paved road to a current maintained standard is \$4,400. Annual courtesy maintenance costs are estimated to be \$500. It is anticipated that paving and drainage improvements will be constructed on this road in the 2005 Budget Year. This complies with the existing MSTU Program Policies and Procedures. District 3 - MSTU E (ME)

21. **APPROVED**

Staff recommends motion to approve: Acceptance of Yearling Drive from Fargo Avenue east to Blanchette Trail in the Palm Beach Ranchettes Subdivision under the Municipal Service Taxing Unit (MSTU) Street Improvement Program and extend interim courtesy maintenance at this time. **SUMMARY:** The maintenance costs to bring this shellrock road to a courtesy maintained standard is \$3,000. Annual courtesy maintenance costs are estimated to be \$2,500. It is anticipated that paving and drainage improvements will be constructed on this road in the 2005 budget year. This complies with the existing MSTU Program Policies and Procedures. District 6 (ME)

22. Staff recommends motion to approve:

A) APPROVED

R-2003-1175

Reimbursement Agreement, in the amount of \$1,800 with the Cascades Homeowners Association for reimbursement of repairs to damaged irrigation equipment; and

B) APPROVED

Budget Transfer of \$1,800 in the Transportation Improvement Fund from Reserve for District 5 to Cascades Irrigation Repair - District 5.

SUMMARY: This Agreement and Budget Transfer provide funding up to \$1,800 to reimburse the Cascades Homeowners Association for damage to their irrigation equipment incurred as a result of construction to widen Hagan Ranch Road. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

23. Staff recommends motion to approve:

A) **APPROVED**

Budget Amendment of \$84,500 in the Transportation Improvement Fund to recognize a donation from the Law Enforcement Trust Fund for Kenwood Estates Improvements (\$69,500) and LWC West Improvements (\$15,000);

B) **APPROVED**

Budget Transfer of \$266,000 in the Transportation Improvement Fund from Reserve for District 2 to Kenwood Estates Improvemen

C) **APPROVED**

Budget Transfer of \$154,000 in the Transportation Improvement Fund from Reserve for District 3 to Kenwood Estates Improvements (\$124,000) and LWC West Improvements (\$30,000); and

D) **APPROVED**

Budget Transfer of \$30,000 in the Capital Outlay Fund from LWC Maine Street and Vermont Avenue to LWC West Improvements.

SUMMARY: These funds are needed for improvements such as pathways, speed humps and street lighting within the Kenwood Estates and LWC West areas. The concept for these improvements was initiated through the Countywide Community Revitalization Team (CCRT) Program at a Board Workshop in March 2003. Approval of these four allocations will complete the funding and allow the construction to begin for the improvements. Districts 2 & 3 (ME)

24. **ADOPTED**

R-2003-1176

Staff recommends motion to adopt: a Resolution vacating a portion of a twelve (12) foot wide utility easement lying within Parcel 21N, Vista Center of Palm Beach Plat 1, as recorded in Plat Book 61, Pages 118-121, and recorded in Official Record Book 7947, Page 1649, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located east of Jog Road and north of Okeechobee Boulevard within the Vista Center. The petitioners are requesting the vacation in order to accommodate the expansion of an existing building. District 2 (PK)

25. Staff recommends motion to:

A) **APPROVED**

R-2003-1177

approve a Lake Easement Agreement with Jupiter 95 North Land Trust for Island Way from Indiantown Road to the Martin County Line; and

B) **APPROVED**

accept four (4) Special Warranty Deeds, two (2) from Jupiter 95 North Land Trust, one (1) from Communities Finance Company, LLC, and one (1) from Schickendanz Capital Group, LLC, for right-of-way for Island Way from Indiantown Road to the Martin County Line.

SUMMARY: This item will approve a Lake Easement Agreement and accept four Special Warranty Deeds as needed for Island Way from Indiantown Road to the Martin County Line. District 1 (PK)

3. **CONSENT AGENDA APPROVAL**

C. **ENGINEERING & PUBLIC WORKS (Cont'd)**

26. **APPROVED** **R-2003-1178**
Staff recommends motion to approve: an Amendment to the Annual Traffic Signal Contract dated April 16, 2002, (R2002-0521) with Designed Traffic Installation Company, to extend the contract date to April 16, 2005 and increase the contract amount by \$3,500,000. **SUMMARY:** The Amendment to the Annual Traffic Signal Contract is for the addition of numerous new mast arm items and an increase in the total contract amount to \$6,250,000. Minority/Women Business Enterprises (M/WBE) goals were established by the Goal Setting Committee at 12% overall participation. Designed Traffic Installation Company reached 36.4% Hispanic participation to date. Countywide (MRE)

27. **Staff recommends motion to approve:**

A) APPROVED R-2003-1179
an Agreement with the State of Florida, Department of Community Affairs (DCA), for \$122,000 for the construction (Phase II) of the Roadway Drainage Improvements on Roebuck Road; and

B) APPROVED
Budget Amendment of \$106,750 in the Capital Outlay Fund to recognize a DCA/Federal Emergency Management Agency (FEMA) grant.

SUMMARY: Application was made to FEMA for funding of the Roadway Drainage Improvements on Roebuck Road. Under the Disaster Relief Funding Program, the project has been approved by FEMA and is to be administered by the DCA. For the construction phase (Phase II) of the project, the Federal cost share is \$91,500 (75%) of the estimated project cost, with DCA funding \$15,250 (12.5%) and the County local match being \$15,250 (12.5%). District 1 (MRE)

28. **Staff recommends motion to approve:**

A) APPROVED
Budget Transfer of \$500,000 in the Transportation Improvement Fund from Reserve for District 3 to Wallis Road Area Improvements; and

B) APPROVED
Budget Transfer of \$500,000 in the Capital Outlay Fund from Wallis Road Area Improvements to Lake Osborne Are Drainage.

SUMMARY: The Budget Transfer will provide funding for muck and other sediment removal from Lake Osborne. A portion of the sediment can be directly attributed to the draining of surrounding areas. District 3 (MRE)

29. **Staff recommends motion to approve:**

A) APPROVED R-2003-1180
Financial Assistance Agreement with the Ocean Royale Condominium Association, Inc. for reimbursement of design expenses associated with a northbound right turn lane on US 1; and

B) APPROVED
Budget Transfer of \$5,831 in the Transportation Improvement Fund from Reserve for District 1 to Ocean Royale Condominium Association, Inc. and US 1 - District 1.

SUMMARY: This item will reimburse documented costs incurred by Ocean Royale Condominium Association, Inc. associated with design and permitting of a right turn lane on US 1. Plans and permits for the turn lane were prepared by the consulting firm of Simmons and White, Inc., and the project was built by the County under project No. 2003103. The Condominium Association has submitted invoices to the County totaling \$5,830.40. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

30. **APPROVED** **R-2003-1181**
Staff recommends motion to approve: Change Order No. 14 for a credit of \$60,256.01 to Contract No. R2001-1567 with Ric-Man International, Inc., for construction of Hagen Ranch Road from West Atlantic Avenue to Boynton Beach Boulevard. **SUMMARY:** During pre-excavation preparation of retention pond No. 5, it was discovered that unsuitable material existed which would require land fill disposal. The cost of disposal and trucking was estimated to increase construction costs by \$650,000. Staff investigated and discovered that the developer of Hagen Assemblage (G.L. Homes) would accept the County's drainage in the development's on-site retention area. This alternative allowed the County to avoid the costly cleanup of lake No. 5 and provide an adequate drainage retention site for the construction of that section of Hagen Ranch Road. Further, the additions and deletions necessary for this change in drainage resulted in a cost savings of \$60,256.01 District 5 (ME)

31. **APPROVED** **R-2003-1182**
Staff recommends motion to approve: a Joint Project Participation/Funding Agreement for the total estimated cost of \$32,200 with the Village of Golf (Village) for the utility construction to be incorporated into the County's construction of Woolbright Road from Jog Road to Military Trail roadway improvements. **SUMMARY:** As part of the County's Woolbright Road roadway improvement project, the County and the Village desire to jointly participate in the utility adjustments to the water distribution and sewage transmission systems, and other improvements along the right-of-way. The Village agrees to reimburse the County for the cost of these utility adjustments and other improvements. Bid tabulation is enclosed. The total estimated costs for the utility construction are \$ 32,200. This Agreement will allow the Village's utility adjustments and other improvements to occur as a component of the County's construction. The Village will pay all construction costs associated with the utility work and perform all construction inspection of their work. District 5 (MRE)

32. **APPROVED** **R-2003-1183**
Staff recommends motion to approve: a Joint Project Participation/Funding Agreement for the total estimated cost of \$42,300 with the City of Boynton Beach (City) for the utility construction to be incorporated into the County's construction of Woolbright Road from Jog Road to Military Trail roadway improvements. **SUMMARY:** As part of the County's Woolbright Road roadway improvement project, the County and the City desire to jointly participate in the utility adjustments to the water distribution and sewage transmission systems, and other improvements along the right-of-way. The City agrees to reimburse the County for the cost of these utility adjustments and other improvements. Bid tabulation is enclosed. The total estimated costs for the utility construction are \$ 42,300. This Agreement will allow the City's utility adjustments and other improvements to occur as a component of the County's construction. The City will pay all construction costs associated with the utility work and perform all construction inspection of their work. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

33. Staff recommends motion to approve:

A) **APPROVED**

Budget Transfer of \$243,407 in the Transportation Improvement Fund from Reserves for District 5 to Linton Boulevard and Jog Road - Retention Pond Beautification (\$122,407) and to transfer to Beautification Maintenance Fund 100 (\$121,000);

B) **APPROVED**

Budget Amendment of \$121,000 in the Beautification Maintenance Fund to recognize 20 year maintenance funding for Linton Boulevard and Jog Road - Retention Pond Beautification; and

C) **APPROVED**

Budget Transfer of \$ 6,600 in the Park Improvement Fund from Reserves for District 5 to Linton Boulevard and Jog Road - Retention Pond Beautification.

SUMMARY: This item provides funding in the amount of \$250,007 for the installation and maintenance of the plantings and park amenities around the retention area passive park located in the southwest corner of the intersection of Linton Boulevard and Jog Road. This funding also provides for construction of an east bound right turn lane on Linton Boulevard at the Jog Road intersection. This funding comes from the District 5 Gas Tax Reserves and Park Improvement Funds. District 5

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) **APPROVED**

R-2003-1184

ratify the Chair's signature on the 2002 Federal Emergency Shelter Grant Application for Homeless Prevention Services for a one year period in the amount of \$100,000; and

B) **APPROVED**

delegate authority to the County Administrator, or his designee to sign the Department of Children and Families (DCF) contract agreement.

SUMMARY: This Homeless Prevention Grant will allow the Division of Human Services to continue an expansion of its homeless program by assisting 100 additional individuals and families with rent/mortgage or utilities payments. The grant is for a one year period which will be determined by the grantor. The required match of \$100,000 is provided in-kind from the salaries of current Case Work Supervisors and Social Workers. This match has been requested in the proposed FY 2004 budget. (Human Services) Countywide (TKF)

2. **APPROVED**

R-2003-1185

Staff recommends motion to approve: Early Head Start Delegate Agency Agreement with Hispanic Human Resources Council, Inc. to provide Early Head Start services in an amount not-to-exceed \$199,705 for the period September 1, 2003 through August 31, 2004.

SUMMARY: Through the use of Early Head Start Delegate Agency agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Hispanic Human Resource Council, Inc. will provide services to 24 infants and toddlers at a rate of \$33.02 per child per day for 252 days. Funding is comprised of \$159,764. (80%) in Federal funds and \$39,941 (20%) in County funds. The agreement spans two fiscal years. The County funds are included in the current FY 2003 budget and the tentative FY 2004. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **APPROVED** **R-2003-1186**
Staff recommends motion to approve: Early Head Start Delegate Agency Contract with Emmanuel Child Care Center to provide Early Head Start services in an amount not-to-exceed \$170,751 for the period September 1, 2003 through August 31, 2004. **SUMMARY:** Through the use of Early Head Start Delegate Agency contracts, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Emmanuel Child Care Center will provide Early Head Start services to 20 infants and toddlers at a rate of \$33.22/child/day for 257 days. Funding includes \$136,601 (80%) from the Federal Head Start grant; and \$34,150 (20%) County funds. This contract spans two fiscal years. The County funds are included in the current FY 2003 budget and the tentative FY 2004 budget. (Head Start) Countywide (TKF)

4. **APPROVED** **R-2003-1187**
Staff recommends motion to approve: Early Head Start Delegate Agency Contract with Kid Zone Child Development Center, Inc. to provide Early Head Start services in an amount not-to-exceed \$228,640 for the period September 1, 2003 through August 31, 2004. **SUMMARY:** Through the use of Early Head Start Delegate Agency contracts, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Kid Zone Child Development Center, Inc. has met all Early Head Start performance standards and will serve 28 infants and toddlers and pregnant women for 258 days at a rate of \$31.65 per day/per child. Funding consists of \$182,912 (80%) Federal and \$45,728 (20%) County. This contract spans two fiscal years. The County funds are included in the current FY 2003 budget and the tentative FY 2004 budget. (Head Start) Countywide (TKF)

5. **APPROVED**
Staff recommends motion to approve: Budget Amendment of \$135,534 in the Community Services Community Action Program Fund. **SUMMARY:** The original Community Services Block Grant (CSBG) Federal funds from the State of Florida, Department of Community Affairs was \$712,800. Modification No. 002 (R2003-0855), approved on June 17, 2003 increased the Federal portion to \$848,334. No additional County funds are needed. This Budget Amendment is needed to make the County Budget correspond with the CSBG budget. Countywide (TKF)

6. **APPROVED** **R-2003-1278**
Staff recommends motion to approve: Amendment No. 1 to the Involved Motivated Parents as Classroom Teachers, Inc. (I.M.P.A.C.T.) Contract (R2002-1547; dated September 10, 2002) increasing the amount by \$50,000 for the period October 1, 2002 through September 30, 2003. **SUMMARY:** Since the demand for substitute teachers in the Head Start classrooms has increased, an additional \$50,000 is needed to allow I.M.P.A.C.T. to meet this need. This amendment will bring the total contract amount to \$125,000. Funding consist of \$40,000 (80%) Federal and \$10,000 (20%) County. The funds are included in the current FY2003 budget. (Head Start) Countywide (TKF)

7. **APPROVED** **R-2003-1188**
Staff recommends motion to approve: Standard Contract No. S004-1 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) to provide Home and Community-Based Medicaid Waiver services and the Consumer Direct Care Project in an amount not-to-exceed \$641,466 for the period July 1, 2003 through June 30, 2004. **SUMMARY:** The Division of Senior Services (DOSS) will directly provide case management, case aide, and facility based respite care on a unit rate basis. An estimated 25,947 units of service will be rendered. Projected reimbursable revenues from Medicaid for these services is \$641,466. County funds of \$491,004 are required to fund staff and administrative costs in excess of the grant amount. This contract spans two County fiscal years (2003 and 2004). FY 2003 funds are in the current budget and the remaining portion is included in the tentative FY 2004 budget. The contract was received from AAA on July 21, 2003. (DOSS) Countywide except for portions of District 3, 4, 5 and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **APPROVED** **R-2003-1189**
Staff recommends motion to approve: a Fifth Amendment (“Amendment”) to the Airport Management and Fixed Base Operator Services Agreement (“Agreement”) for general aviation services with Hawthorne Aviation, Inc., (R94-348D) providing for a six (6) month extension of the term of the Agreement with the right to cancel upon 30 day written notice by the Department of Airports (“Department”). **SUMMARY:** The Amendment will extend the Agreement from October 1, 2003 to February 29, 2004 and permits termination upon 30 days prior written notice by the Department. The extension to the Agreement allows for continued airport management operations and provides additional time to prepare the request for proposal for a Fixed Base Operator. Countywide (LMB)

2. **APPROVED** **R-2003-1190**
Staff recommends motion to approve: Airport Consent to Sublease between Host International, Inc., and Host/Tarra Enterprise Joint Venture for the Lease and Concession Agreement dated August 18, 1998, between the County and Host International, Inc. (R98-1293D) for the food and beverage concession. **SUMMARY:** Host International, Inc. (Host) and Host/Tarra Enterprise Joint Venture (JV) is requesting the County’s consent of the Sublease for Food and Beverages Sales of Host’s Lease and Concession Agreement to the JV. Ownership interest in the JV is proportioned to seventy-five percent (75%) to Host International, Inc. and twenty-five percent (25%) to Tarra Enterprises, Inc. Consent of this sublease transfers the commitment of providing food and beverage sales at Palm Beach International Airport from Host to the JV, which will achieve the 25% Disadvantaged Business Enterprise Participation established pursuant to Article 22.03 of the Lease and Concession Agreement. Countywide (ND)

3. **APPROVED** **R-2003-1191**
Staff recommends motion to approve: an Agreement to Purchase the following property at a total cost of \$135,000. Said property is located West of Runway 9L at Palm Beach International Airport.

Marcus Armstrong, Sr.
 Marcus Armstrong, Jr.
 4836/4838 Amelia Street
 West Palm Beach, FL 33415 Parcel W-107
 Sales Price \$135,000
 Replacement Housing \$ N/A

SUMMARY: The above property is being acquired in accordance with Palm Beach International Airport’s approved Part 150 Noise Compatibility Study, which recommended the acquisition of property. Countywide (GPS)

4. **APPROVED A) R-2003-1192 THROUGH B) R-2003-1193**
Staff recommends motion to approve: The third and final Contract Extension Agreements with **A) Lipsky Enterprises, Inc.;** and **B) Janus & Hill Corporation** to perform work under the Palm Beach County Department of Airports Residential Sound Insulation Improvement Program. **SUMMARY:** On September 26, 2000, the BCC approved contracts with Lipsky Enterprises, Inc. and Janus & Hill Corporation (R2000-1484/1485) for one-year with an extension provision for up to three (3) one-year terms. On September 11, 2001, the BCC approved Contract Extension Agreement No. 1 (R2001-1470/1471) exercising the first year renewal option. On October 1, 2002, the BCC approved Contract Extension Agreement No. 2 (R2002-1711/1712) exercising the second year renewal option. The current contracts for Lipsky Enterprises Inc., and Janus & Hill Corporation expire September 25, 2003. Contract Extension Agreement No. 3 exercises the third and final renewal option. These contractors have been qualified under the Residential Sound Insulation Program guidelines approved by the Board (R98-179D). Under the Program, qualified contractors submit bids to perform work on noise-impacted homes. The County Administrator, or his designee, is authorized under the Program to award contracts to the lowest responsive bidder. The DBE goal for the bidder is 20%: a minimum of 10% MBE, 8% WBE and 2% Other Socially and Economically Disadvantaged Business Enterprises (OSE). Countywide (GPS)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) **APPROVED**

approve request by Palm Beach County Tax Collector, John K. Clark, for Board of County Commissioners to order the 2003 tax roll to be extended prior to completion of the Value Adjustment Board hearing; and

B) **APPROVED**

direct the Value Adjustment Board to certify the assessment roll as required by State Statutes.

SUMMARY: Approval of this request will avoid a delay in the issuance of tax notices beyond November 1, 2003, and will permit the collection of property taxes prior to completion of the Value Adjustment Board hearings. Countywide

2. **APPROVED**

Staff recommends motion to approve: Budget Amendment of \$25,513,049 in the \$25M GO Parks & Culture Improvements Series 2003 Fund (446) to establish revenue budget pursuant to the proceeds from the sale of bonds; to establish budget for issuance costs of \$307,261; to establish project budgets totaling \$7,980,000; and to establish reserves of \$17,225,788. **SUMMARY:** This action establishes project budgets and reserves for the County's Recreation & Cultural Program, which are planned to be funded from this first, Series 2003 issuance. Funding for individual County projects totaling \$7,980,000 is provided for the design and construction of County owned and operated facilities; \$16,850,000 for the financial support of non-County owned and operated facilities located in Palm Beach County plus an additional \$375,788 are being placed in reserves to support individual projects when needed. Countywide

3. **APPROVED**

Staff recommends motion to approve: a negotiated Settlement in the amount of \$17,130 for full satisfaction of two (2) Code Enforcement Liens that were entered against Siebert and Hyacinth Belgrave on September 17, 1999 and Newanya Belgrave on December 21, 2001. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on July 7, 1999 against Mr. & Mrs. Belgrave, giving them until August 21, 1999 to correct a building code violation or a daily fine of \$50 would be imposed. The violation was for installing a restroom without securing the required permits. Mr. and Mrs. Belgrave were in poor health at the time and are now deceased. After Mr. Belgrave's death in 2001 the property went to his daughter, Newanya Belgrave who was also cited and fined for the violation. The cited code violation was not fully corrected until April 19, 2002. The total accumulated fines, interest, and case costs (both cases) through December 15, 2002, the date on which settlement discussions began, totaled \$68,517.71 (\$56,850 + \$11,509.86 + \$157.85) of which Newanya Belgrave has agreed to pay the County \$17,130 (25%) for full settlement of the two (2) outstanding Code Enforcement Liens. District 1 (PM)

4. **AUTHORIZED**

Staff recommends motion to authorize: a downward Budget Amendment of \$19,000,000 in the General Fund reclassifying Tax Collector and Property Appraiser excess fees from revenues to a reduction in expenses. **SUMMARY:** This amendment is necessary to bring the budget into conformance with new requirements of the Governmental Accounting Standards Board (GASB). In prior years, accounting for the return of Tax Collector and Property Appraiser fees as revenue has been an acceptable accounting practice. This amendment has no net affect on the budget. Countywide

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

5. APPROVED

Staff recommends motion to approve: Budget Amendment of \$25,000 to recognize increased revenues in the School Concurrency Fund. **SUMMARY:** On June 27, 2002, PBC Planning, Zoning and Building Department began collecting School Concurrency fees for new residential development units having an impact on school attendance. These fees were established by the School District to recover their cost of reviewing projects for concurrency related issues. Through an interlocal agreement, the County has consented to collect these fees and remit them to the District. As of July 8, 2003 Planning, Zoning and Building has collected more School Concurrency fees than expected. In order to submit the collected fees to the School District of Palm Beach County, the budget must be increased. Countywide

H. FACILITIES DEVELOPMENT & OPERATIONS

1. APPROVED R-2003-1194

Staff recommends motion to approve: Settlement Agreement with the State of Florida Department of Transportation (FDOT) in the amount of \$75,134. **SUMMARY:** On February 1, 2003, the BCC approved a Joint Participation Agreement with FDOT whereby the FDOT will reimburse the County up to \$6,709,318 for expenses associated with the design and construction of the ITS facility within the new office building proposed for Vista Center. This Settlement Agreement reimburses the County in the amount of \$75,134 for expenses incurred by the County prior to the effective date of the Joint Participation Agreement. (FDO Admin) Countywide (JM)

2. APPROVED R-2003-1195

Staff recommends motion to approve: an Annual Contract with York International Corporation in an amount not-to-exceed \$500,000 as one (1) of seven (7) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an "as-needed" basis for projects typically under \$100,000 each. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$500,000. The contract will terminate when a total of \$500,000 in work orders is issued among the pool of approved HVAC contractors or when the one-year time period has expired, whichever occurs first. The contract provides for up to four (4) one-year renewals, each for a not-to-exceed amount of \$500,000, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) HVAC contractors. Any work performed will be in accordance with the contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)

3. APPROVED R-2003-1196

Staff recommends motion to approve: an Annual Contract with E.C. Stokes Mechanical Contractor, Inc., in an amount not-to-exceed \$500,000 as one (1) of seven (7) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an "as-needed" basis for projects typically under \$100,000 each. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$500,000. The contract will terminate when a total of \$500,000 in work orders is issued among the pool of approved HVAC contractors or when the one-year time period has expired, whichever occurs first. The contract provides for up to four (4) one-year renewals, each for a not-to-exceed amount of \$500,000, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. E.C. Stokes Mechanical Contractor, Inc., is a certified M/WBE firm (Woman), but does not qualify as an SBE firm. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **APPROVED** **R-2003-1197**
Staff recommends motion to approve: an Annual Contract with Hawthorne Industries, Inc., in an amount not-to-exceed \$500,000 as one (1) of seven (7) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an "as-needed" basis for projects typically under \$100,000 each. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$500,000. The contract will terminate when a total of \$500,000 in work orders is issued among the pool of approved HVAC contractors or when the one-year time period has expired, whichever occurs first. The contract provides for up to four (4) one-year renewals, each for a not-to-exceed amount of \$500,000, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)

5. **APPROVED** **R-2003-1198**
Staff recommends motion to approve: an Annual Contract with Farmer & Irwin Corporation in an amount not-to-exceed \$500,000 as one (1) of seven (7) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an "as-needed" basis for projects typically under \$100,000 each. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$500,000. The contract will terminate when a total of \$500,000 in work orders is issued among the pool of approved HVAC contractors or when the one-year time period has expired, whichever occurs first. The contract provides for up to four (4) one-year renewals, each for a not-to-exceed amount of \$500,000, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)

6. **APPROVED** **R-2003-1199**
Staff recommends motion to approve: an Annual Contract with Precision Air Systems, Inc., in an amount not-to-exceed \$500,000 as one (1) of seven (7) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an "as-needed" basis for projects typically under \$100,000 each. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$500,000. The contract will terminate when a total of \$500,000 in work orders is issued among the pool of approved HVAC contractors or when the one-year time period has expired, whichever occurs first. The contract provides for up to four (4) one-year renewals, each for a not-to-exceed amount of \$500,000, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. Precision Air Systems, Inc., is a certified M/WBE firm (Woman), but does not qualify as an SBE firm. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. **APPROVED** **R-2003-1200**
Staff recommends motion to approve: an Annual Contract with Hill York Service Corporation in an amount not-to-exceed \$500,000 as one (1) of seven (7) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an “as-needed” basis for projects typically under \$100,000 each. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$500,000. The contract will terminate when a total of \$500,000 in work orders is issued among the pool of approved HVAC contractors or when the one-year time period has expired, whichever occurs first. The contract provides for up to four (4) one-year renewals, each for a not-to-exceed amount of \$500,000, at the sole option of the County. Staff will review the status of the contractor’s certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)

8. **APPROVED** **R-2003-1201**
Staff recommends motion to approve: an Annual Contract with Security One Systems, Inc., in an amount not-to-exceed \$200,000 for the installation of additional CCTV equipment to the Governmental Center video surveillance system. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$200,000. The contract will terminate when a total of \$200,000 in work orders is issued or when the one-year time period has expired, whichever occurs first. The contract provides for up to two (2) one-year renewals, each for a not-to-exceed amount of \$200,000, at the sole option of the County. The work consists of the installation of additional CCTV equipment required to expand the video surveillance system at the Governmental Center and/or other County locations as required. Any work performed will be in accordance with the Contract and the unit-price listing. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. SBE goals for this contract are 15% overall, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)

9. **APPROVED** **R-2003-1202**
Staff recommends motion to approve: Amendment No. 1 to the Contract with The Gordian Group, Inc. (R2001-1271) to implement the first renewal for consulting/professional services in conjunction with the Job Ordering Contract (JOC) system, and increase the not-to-exceed limit from \$175,000 to \$265,000. **SUMMARY:** This agenda item is the first of two (2) renewals to the contract with The Gordian Group, Inc. The Gordian Group provides professional services required to implement the Job Order Contract (JOC) system to facilitate renovation, repair, and/or maintenance improvement projects. Compensation is 1.5% of the dollar value of issued JOC work orders. This extension, increases the not-to-exceed limit for fees by \$90,000 for a cumulative total of \$265,000. Staff is bringing forward the amendment at this time based on expiration of the initial two-year term. To date, the total amount of fees paid under this contract is \$149,536.64. All terms of the original contract remain in effect. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. **APPROVED**

Staff recommends motion to ratify: the Minutes of the results of the Final Selection Committee held on July 23, 2003 and grant permission to negotiate contracts with Centex-Rooney, Catalfumo, and The Weitz Company, the top three (3) ranked firms for construction management services associated with the Library Expansion Program and various government buildings on a continuing contract basis. **SUMMARY:** Upon Board ratification of the selection of these three (3) firms as Construction Managers, staff will commence with negotiations for a continuing services contract. Upon satisfactory completion of these negotiations, staff will present contracts for construction management services to the Board. As projects are assigned to a Construction Manager, an amendment will be processed for pre-construction services followed by a Guaranteed Maximum Price (GMP) Amendment for construction services. A project schedule will be developed and agreed to concurrent with the GMP. SBE Goals for the projects will be 15%. (Capital Improvements Division) Countywide (JM)

11. **APPROVED**

R-2003-1203

Staff recommends motion to approve: Consultant Service Authorization No. 9 to the Agreement (R96-1300D) with Heller-Weaver & Sheremeta, Inc., to provide engineering and surveying services for the South County Regional Park Parcel A in the amount of \$22,050. **SUMMARY:** Palm Beach County sold land to the School District of Palm Beach County for a new high school west of Boca Raton, comprised of land from the South County Regional Park Parcel A and right-of-way originally intended for University Parkway (now Coral Ridge Road). In addition, in order to develop the school site, fill was obtained from the center lake in the Park site. As a result, the previously approved configuration of the Park has to change due to the land transfer to the District. This authorization will direct the consultant to make the necessary changes to the Park Master Plan for the reconfigured Park, provide for surface water management requirements within the Park for runoff from the new alignment of Coral Ridge Road, and reimburse the consultant for fill estimates associated with the land transaction. Some of the services included in this authorization were completed prior to this item's action by the Board. This Authorization provides for 0% M/WBE participation. Including this Authorization, the cumulative M/WBE participation is 42.4%. Most of the previous extras to date have not included services related to the original M/WBE team members and therefore the overall participation is down from the original contract. The Consultant agreed to 55.3% M/WBE participation in the original contract. This project will meet all applicable codes, laws, and ordinances including the Americans with Disabilities Act (ADA). (Capital Improvements Division) District 5 (J)

12. **APPROVED**

R-2003-1204

Staff recommends motion to approve: Contract with Stephen L. Boruff AIA, Architects + Planners Inc. for professional consulting services associated with design and construction of a Fire Rescue Training Facility for a fee of \$835,816. **SUMMARY:** The scope of services includes planning, design, permitting and construction administration for the Fire Rescue Training Facility to be located on the abandoned Cross State landfill site, on Pike Road across from the turnpike entrance. The project will include class rooms, administrative offices, apparatus bays, training props, and a driver's training area. The Formal Land Agreement with Solid Waste Authority (SWA) has not yet been executed but has been conceptually approved by the SWA. Some of the services included in this contract are necessary to complete documentation of the land transaction. The estimated cost of construction, site work, and training props is \$8,000,000. Stephen L. Boruff, AIA will provide 61.3% of SBE/M/WBE participation in this contact. The SBE goal for this contract is 15%. The project will meet all applicable codes, laws and ordinance including accessibility requirements of ADA. (Capital Improvements Division) District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. **APPROVED** **R-2003-1205**
Staff recommends motion to approve: an Interlocal Agreement with the Village of Royal Palm Beach allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the conditions under which the Village can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the Village. The terms of the agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this agreement. The Village is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The term of the agreement is for five (5) years with three (3), five (5) year renewals. The Agreement may be terminated by either party, with or without cause. (Electronic Services) Countywide (ND)

14. **APPROVED** **R-2003-1206**
Staff recommends motion to approve: an Interlocal Agreement with the Village of Palm Springs allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the conditions under which the Village can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the Village. The terms of the agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this agreement. The Village is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The term of the agreement is for five (5) years with three (3), five (5) year renewals. The Agreement may be terminated by either party, with or without cause. (Electronic Services) Countywide (ND)

15. **Staff recommends motion to:**

APPROVED **R-2003-1207**
adopt a Resolution authorizing the conveyance of the County's interest in 0.02 acres of vacant land to the Village of Palm Springs without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and **approve** a County Deed in favor of the Village of Palm Springs.

SUMMARY: The subject .02 acre property is located on the east side of Riedel Avenue and was annexed in December 2002 by the Village of Palm Springs. The total assessed value of the property is \$0. Florida Statutes Section 197.592(3) states that under certain conditions the County is to convey to municipalities in which they are located, properties acquired by the County for delinquent taxes. The subject property was acquired by tax deed in December 1996. The subject property has been declared surplus as it serves no present or future County purpose. Staff believes that this property will be more appropriately developed, managed and maintained by the Village of Palm Springs. The conveyance of surplus property to the municipality in which it is located is a major element of PREM's disposition program adopted by the Board upon the recommendation of the Real Estate Assets Task Force. This conveyance will relieve the County of potential liability for occurrences on the property and also the cost of continued maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. (PREM) District 3 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. **APPROVED** **R-2003-1208**
Staff recommends motion to approve: Amendment Number Two to Lease Agreement with the State of Florida Department of Juvenile Justice for the operation of a Residential Treatment Center/Group Home for girls in Belle Glade (R2000-0755). **SUMMARY:** The Department of Juvenile Justice leases a building and .47 acres of land from the County at 1025 Northwest Avenue "D" in Belle Glade, but has been unable to acquire property insurance on the building from the State of Florida Department of Insurance as required by the Lease due to inconsistencies between the Lease requirements and the State's procedural requirements. Amendment Number Two will modify the Lease Agreement insurance language to conform with the State's procedural requirements while still providing the same level of protection to the County. (PREM) District 6 (HJF)

17. **APPROVED** **R-2003-1209**
Staff recommends motion to approve: Consultant Services Authorization No. 7 to the Agreement (R95-81D) with Land Stewardship Company to provide planning, architectural and engineering services for Riverbend/Reese Grove Regional Park in the amount of \$89,937.17. **SUMMARY:** This authorization is to provide consultant services to revise the master plan to include the physical changes recently made on site by Parks and Recreation staff. The master plan must also be revised to coordinate with newer archeological information obtained by a consultant under contract with the Engineering Department for the design and construction administration of an environmental mitigation area within the park site required for the widening of Indiantown Road. This authorization also includes assistance in the master plan permitting process not included in the original service authorization. The M/WBE participation for this CSA is 47.2%. When added to the Consultants participation to date, the resulting M/WBE participation is 39.9%. The Consultant agreed to 55.1% M/WBE participation in the original contract. This project will meet all applicable codes, laws, and ordinances including the Americans with Disabilities Act (ADA). (Capital Improvements Division) District 6 (JM)

18. **APPROVED** **R-2003-1210**
Staff recommends motion to approve: an Interlocal Agreement with the Town of South Palm Beach allowing for interoperable communications through the countywide common groups of the County's 800MHZ Radio System. **SUMMARY:** This interlocal agreement provides the conditions under which the Town can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the Town. The terms of the agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this agreement. The Town is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The term of the agreement is for 5 years with three (3), five-year renewals. The Agreement may be terminated by either party, with or without cause. (Electronic Services) Countywide (ND)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

19. Staff recommends motion to approve:

A) **APPROVED** **R-2003-1211**
Continuing Services Contract with SchenkelShultz Architecture to provide architectural/professional services for the Library Expansion Program; and

B) **APPROVED** **R-2003-1212**
Consultant Services Authorization No. 1 to the Contract for design and construction administration services for the new Acreage Branch Library/PBSO substation in the amount of \$304,220.

SUMMARY: The scope of services provides for architectural and engineering services for the survey, planning, design, permitting and construction administration for a new 15,000 sq. ft. Acreage Branch Library, a 5000 sq. ft. PBSO Level 2 Substation, and master planning & engineering of the site to include a new fire rescue station. Future expansion of the library to 25,000 sq. ft. is planned. The project will be located in the Acreage on Seminole Pratt Whitney Road & 50th Avenue North on a 13 acre site and will provide library and County services to the rapidly developing area and decrease the load on the Royal Palm Beach Branch. Authorization will be limited to non-site related design until such time that the property is donated by the Callery Judge Groves. The construction cost estimate for this project is \$3,150,000. SchenkelShultz will provide 25.5% SBE participation in this authorization. The SBE goal for this consultant is 15%. This project will meet all applicable codes, laws and ordinance including accessibility requirements of ADA. (Capital Improvements Division) District 6 (JM)

20. **APPROVED** **R-2003-1213**
Staff recommends motion to approve: Consultant Services Authorization No. 20 to the Agreement (R99-567D) with Stephen Boruff, AIA Architects and Planners, Inc., to provide architectural/engineering services for Acreage Fire Station in the amount of \$66,800.

SUMMARY: This authorization is to provide architectural and engineering services for permitting, design, and construction phase services for the proposed 5,500 square foot, two-bay fire station to be located in the Acreage off of Seminole Pratt Whitney Road and 50th Avenue North. Stephen Boruff Architects has an annual contract for professional services for fire stations, which provides for an overall M/WBE participation of 23.5%. The participation on this CSA is 22.5%. When added to the Consultant's participation to date under this Contract, the resulting M/WBE participation is 20.1%. This project will meet all applicable codes, laws and ordinances, including accessibility requirement of ADA. (Capital Improvements Division) District 6 (

I. HOUSING & COMMUNITY DEVELOPMENT

1. **DELETED**
Staff recommends motion to approve: Amendment No. 001 to the Mortgage and Security Agreement (R2003-0809) with Indian Trace Associates, Ltd. **SUMMARY:** The Department of Housing and Community Development (HCD) through the State Housing Initiative Partnership (SHIP) program provides loans for local developers to facilitate increased affordable rental housing opportunities for low income and very low income households. These funds will assist in the construction of three hundred thirty (330) units of affordable rental housing available to lower income households. The loan is cash flow dependent. Repayment of the loan commences April 30, 2004 and ends December 31, 2034. The developer received a loan from the Housing Finance Authority of Palm Beach County, in the amount of \$23,400,000, secured by a first mortgage. The total project cost is \$33,191,171. The amendment revises the section dealing with the Due on Sale or Further Encumbrance clause by adding a transfer of the limited partner's limited partnership interests in the Borrower or transfers of interests in the limited partnership of Borrower will not constitute default. District 7 (TKF)

2. **DELETED**

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. DELETED

4. APPROVED

Staff recommends motion to receive and file: a Summary of Delegated Funding Awards made to property owners for rehabilitation projects totaling \$167,567, and approved between April 1, 2003, and June 30, 2003, pursuant to Resolution No. R94-1139. **SUMMARY:** On September 13, 1994, the Palm Beach County Board of County Commissioners (BCC) approved Resolution No. R94-1139 authorizing the County Administrator or designee, and/or the Director of the Department of Housing and Community Development (HCD) to approve funding to property owners in accord with policies of the various rehabilitation programs administered by HCD. The authorization also allowed for staff approval of additional funding for projects previously funded. This summary of Rehabilitation Funding Awards which is reported quarterly, includes projects funded between April 1, 2003, and June 30, 2003. Funding awards made during this period in accord with the authority delegated by the BCC totaled \$167,567. Projects not receiving approval through the delegated authority, are submitted directly to the BCC for approval and do not appear on this report. Countywide (TKF)

5. APPROVED

Staff recommends motion to approve: Payment for expenses incurred by the South K Street Apartments, L.L.C. prior to the execution of a HOME Program Rental Assistance and Loan Agreement with Palm Beach County to acquire and rehabilitate the property located at 809 South K Street, Lake Worth, Florida. **SUMMARY:** Palm Beach County's Department of Housing and Community Development (HCD) through R2003-0472 provided a low-interest loan in the amount of \$200,000, to the South K Street Apartments, L.L.C., for the acquisition and rehabilitation of a twelve (12)-unit multi-family rental complex. The funds were to be used by South K Street Apartments, L.L.C. to pay the costs associated with acquisition and rehabilitation. Approval of this request will allow the South K Street Apartments, L.L.C. to be reimbursed for eligible costs incurred with the acquisition between December 1, 2002, and April 1, 2003. **These are federal HOME funds that require a local match. The local match comes from Palm Beach County's annual SHIP allocation.** District 7 (TKF)

6. APPROVED

R-2003-1214

Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2003-0701) with United Forward, Inc. and UF Fluid Systems, Inc. to sole source purchase extrusion equipment for its manufacturing facility. **SUMMARY:** United Forward, Inc. and UF Fluid Systems, Inc. have an agreement with Palm Beach County for \$50,000 in Community Development Block Grant (CDBG) funds to purchase equipment for making extrusion lines that will allow for the manufacturing of automotive rubber hoses at its plant in Boynton Beach. Palm Beach County Purchasing Department has determined that the purchase of the equipment is a sole source purchase. Therefore, the contract must be amended to reflect the equipment purchase is to be a sole source purchase. **This agreement provides for Federal CDBG funds and does not require a local match.** District 4 (TKF)

7. APPROVED

R-2003-1215

Staff recommends motion to approve: a Loan Agreement with Lakeside Commons, Ltd., a Florida limited liability partnership, in the amount of \$231,313 in State Housing Initiative Partnership (SHIP) program funds to assist in the construction of a ninety-nine (99) unit multi-family affordable housing rental project located at 550 Executive Center Drive, West Palm Beach, Florida. **SUMMARY:** The Department of Housing and Community Development (HCD) through the State Housing Initiative Partnership (SHIP) program provides loans for local developers to facilitate increased affordable rental housing opportunities for low income and very low income households. These funds will assist in the construction of ninety-nine (99) units of affordable rental housing which will be made available to lower income households. The loan is cash flow dependant with the actual payment being scheduled according to the project's cash flow, beginning April 30, 2005 through April 31, 2034. The developer has also secured a private loan from GMAC Commercial Mortgage Corporation in the amount of \$5,550,000 which is secured by a first mortgage. The total project cost is \$11,994,229 District 7 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **APPROVED** **R-2003-1216**

Staff recommends motion to approve: an Amendment to a Potable Water and Wastewater Development Agreement with Villages of Windsor, LLC. **SUMMARY:** Villages of Windsor, LLC (Windsor) is in the process of building a new residential housing development on the west side of Lyons Road, south of Hypoluxo Road. This Amendment to the existing Potable Water and Wastewater Development Agreement (R2002-0702) would authorize Windsor to extend and interconnect approximately 100' of 16" off-site potable water main from Windsor's property to the Department's existing 16" potable water main in order to improve system reliability and water quality. Windsor will be reimbursed for the \$57,900 cost of installing all piping, a canal crossing, and related appurtenances utilizing Connection Fee credits. The Department had planned to utilize an existing continuing construction contract (R2002-2086) with Foster Marine Contractors, Inc. to have this work completed, but Windsor has agreed to install the piping when performing their internal pipeline work, saving the County approximately \$3,650. District 3 (AH)

2. **APPROVED** **R-2003-1217**

Staff recommends motion to approve: a Bulk Reclaimed Water Agreement with United Civic Organization, Inc. **SUMMARY:** United Civic Organization, Inc. (UCO) is the master homeowners association for Century Village in suburban West Palm Beach, and as such is responsible for maintenance of the common landscaped areas. Under this Agreement, the County will be responsible for designing, constructing, owning and operating a new reclaimed water production facility on existing County land located adjacent to Century Village. The facility will utilize secondary effluent from the East Central Regional Water Reclamation Facility to produce reclaimed water for UCO and other potential customers in the area. UCO will in turn purchase up to 750,000 gallons of reclaimed water per day to recharge the private lakes in Century Village that are utilized to irrigate over 100 acres of common landscaped area. UCO will pay the Department a monthly base fee of \$3,257 and a commodity fee of \$0.04 per 1,000 gallons. The base fee is fixed over the twenty-year life of the agreement, and the commodity fee will escalate annually utilizing the Consumer Price Index. District 2 (MJ)

3. **DELETED**

4. **ADOPTED** **R-2003-1218**

Staff recommends motion to adopt: a Resolution amending Resolution No. R2003-0307 for the Davis Road Area Water Main Extension Improvement Project, deleting two properties from the final assessment roll. **SUMMARY:** On February 25, 2003, the Board adopted Resolution R2003-0307 confirming the Davis Road Area Water Main Special Assessment. This amending Resolution deletes two parcels (PCN 00-43-44-30-01-089-0011 and PCN 00-43-44-30-01-089-0011) from the final assessment roll. The property owners of these two (2) parcels unified the titles to these parcels with adjacent properties currently having access to potable water service, therefore negating the need for service from the new potable water main. The assessment rate for the remaining properties remains at \$20.00 per front foot. (WUD Project No. 01-86) District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K WATER UTILITIES (Cont'd)

5. **APPROVED** **R-2003-1219**

Staff recommends motion to approve: Change Order No. 4 to the Contract with The Tower Group, Inc. (R2002-1185) for the Northern Region Operations Center (NROC) Project, increasing the contract price by \$107,836.19 and providing a six-day time extension. **SUMMARY:** Change Order No. 4 authorizes the Contractor to perform various architectural, structural, civil, and electrical improvements to this project including, but not limited to, providing additional security card readers, furnishing an internal cellular antenna system, adjusting interior wall partitions, adjusting storm drainage structures, installing additional concrete pavers, and installing additional metal trusses. The Change Order also grants the Contractor a time extension of six days to compensate for rain delays experienced in May. Total change orders to date, including this change order, have decreased the original contract price from \$16,469,000 to \$12,698,074.50. This price reduction is due to implementation of the Sales Tax Recovery Program on this project. The minority participation goal established by the Goal Setting Committee for this project is 15.0% overall (8.0% B and 7.0% O). This change order includes zero% overall M/WBE participation. The contractor's cumulative M/WBE participation, including this change order, is 21.16% overall (10.38% B and 10.78% W). (WUD Project No. 01-030) District 6 (JM)

6. **APPROVED** **R-2003-1220**

Staff recommends motion to approve: a Contract with VIP Painting, Inc. for the Water Treatment Plant No. 8 Painting Project for Basin No. 2 in the amount of \$109,921. **SUMMARY:** On June 11, 2003, three (3) bids were received for the Water Treatment Plant (WTP) No. 8 Painting Project for Basin No. 2, with VIP Painting Inc. being the lowest responsive bidder in the amount of \$109,921. The small business participation goal established by the Small Business Enterprise Ordinance (No. 2002-064) is 15.00% overall. The bid submitted by Atlantic Painting & Sandblasting provides for zero overall participation and fails to meet the established goal. Atlantic Painting & Sandblasting is not eligible for this award because the next lowest bid (VIP Painting) falls within the ten 10% limit for consideration established in the SBE Ordinance. VIP Painting, Inc. exceeded the small business participation goal of 15%, providing overall participation of 34.50%. (WUD Project No. 01-131BR) District 2 (JM)

7. **Staff recommends motion to approve:**

A) **APPROVED** **R-2003-1221**

a Contract with Garney Companies, Inc. to construct the Lyons Road and Pinehurst Drive Pipeline Improvements in the amount of \$7,232,770;

B) **APPROVED** **R-2003-1222**

Change Order No. 1 to this Contract in the deductive amount of \$3,507,821.92, deleting materials and equipment for the purpose of sales tax recovery and designating Garney Companies, Inc. as the County's agent for the inspection and receipt of the materials and equipment; and

C) **APPROVED**

Purchase Orders with vendors of the materials and equipment for sales tax recovery as listed in Attachment 3 in the amount of \$3,309,265.96.

SUMMARY: On July 9, 2003, eleven (11) construction bids were received for the Lyons Road and Pinehurst Drive Pipeline Improvements, with Garney Companies, Inc. being the lowest responsive bidder in the amount of \$7,232,770. This contract provides for the installation of 31,700 feet of 42-inch water main, 5,500 feet of 30-inch wastewater force main, and 5,200 feet of 24-inch wastewater force main and related appurtenances. By approving Change Order No. 1 to this contract, and purchasing some materials directly from the vendors, total sales tax savings of \$198,555,96 can be achieved by the County. Garney Companies, Inc. has agreed to serve as the County's agent for the inspection and receipt of the materials and equipment at no additional cost. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This contract with Garney Companies, Inc. provides for SBE-M/WBE participation of 15.51% overall (1.00% B, 0% H, and 14.51% W). (WUD Project No. 03-071) District 2, 3, 5 & 6 (JM)

3. CONSENT AGENDA APPROVAL

 L. ENVIRONMENTAL RESOURCES MANAGEMENT

 1. **APPROVED** **R-2003-1223**

Staff recommends motion to approve: One (1) Agreement for Purchase and Sale involving two (2) parcels (3.03 acres) of land in Unit 11 to be purchased using mitigation funds. The cost of purchasing these properties is \$18,180 (land cost), plus \$1,061 (closing and miscellaneous costs), for a total of \$19,241. **SUMMARY:** The Agreement presented in this item is for two (2) parcels, 1 each in Zones 7 and 8, and is at a purchase price equivalent to the \$6,000 per acre jury verdict rendered on November 13, 2001, in the Unit 11, Zone 1 case. If this, and other pending Agreements for Purchase and Sale are successfully closed, the County will have acquired, through purchase, tax deed, donation, settlement agreement, and eminent domain, a total of 1,513.50 acres. District 1 (HJ)

2. **APPROVED** **R-2003-1224**

Staff recommends motion to approve: Second Amendment to Interlocal Agreement with the Town of Hypoluxo for the management and maintenance of the northern 2.53 acres of the Hypoluxo Scrub Natural Area (formerly known as the Overlook Scrub Natural Area), extending the Interlocal Agreement term from twenty-five (25) to thirty (30) years and providing for a twenty (20)-year renewal. **SUMMARY:** The Board approved the fifteen (15)-year Interlocal Agreement on October 2, 2001 (R2001-1638). It was amended on November 6, 2001 (R2001-1950) to change the term to twenty-five (25) years at the request of the Town, which was applying for grant funds to comply with its responsibilities under the Interlocal Agreement and was required by the funding sources to have a vested interest in the property for a minimum of twenty-five (25) years. Because the Interlocal Agreement was approved in 2001, the Town has requested a second extension in order to meet the vested interest requirement for current grant applications. The thirty (30)-year term will allow sufficient time for the Town to apply to several funding sources. The Second Amendment to Interlocal Agreement also includes a twenty (20)-year renewal provision that limits the total time period for the Interlocal Agreement to fifty (50) years. District 7 (HJ)

3. **APPROVED** **R-2003-1225**

Staff recommends motion to approve: Partial Release of Easement with Alice Duxbury, Mark Thorp Duxbury, Victoria M. Duxbury and G. Shawn Duxbury surrendering a portion of the County's rights to use their property for a pipeline for transmission of dredged sediments from Lake Osborne. **SUMMARY:** The Amendment (R2003-0540) to the Temporary Easement and Agreement (R2002-1099) granted by the Duxburys was approved by the Board on April 15, 2003. The Amendment provided for releasing the western 150 feet, exclusive of the 30-foot easement along the northern property boundary, upon the Duxbury certification that the County had completed a portion of the tasks identified in the Amendment. The certification was provided. The remaining easement rights terminate December 31, 2005. District 3 (ND)

4. **APPROVED**

Staff recommends motion to approve: Criteria under which the County's Department of Environmental Resources Management (ERM) could apply for a Tax Deed and/or bid at a scheduled Tax Deed sale for a parcel(s) valued at less than \$5,000 on the Property Appraiser's roll, without having to obtain parcel-specific Board approval for that action. **SUMMARY:** Every year, numerous Tax Certificates are issued to the County as a result of non-payment of the prior year's real property taxes by the property owner(s). If the County still holds a Tax Certificate two (2) years from the day the taxes became delinquent on April 1, the County is able to apply for a Tax Deed on the property. Per Florida Statute 197.502(3), the County is required to apply for a Tax Deed on any parcel valued at \$5,000 or more on the Property Appraiser's roll. The County may, but is not required to, apply for a Tax Deed on any parcel valued at less than \$5,000. Tax Deed Applications for these latter properties typically require parcel-specific Board approval. With few exceptions, County bidding on these latter parcels at Tax Deed Sale would also require parcel-specific Board approval. If approved, this item would simplify the process under which ERM could apply for a Tax Deed on a parcel for which the County holds a Tax Certificate that is at least two (2) years old, and which is valued at less than \$5,000, provided certain criteria are met. This item would also establish criteria under which ERM could bid on a parcel valued at less than \$5,000 at a scheduled Tax Deed sale. Countywide (HJ)

3. CONSENT AGENDA APPROVAL

 L. **ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)**

5. Staff recommends motion to approve:

A) APPROVED R-2003-1226

Grant Contract (GC) with Florida Communities Trust (FCT) that specifies the State standards for acquisition which the County must meet in order to receive Florida Forever (FF) Revenue Bond proceeds partially covering acquisition expenses for the properties comprising the Limestone Creek Natural Area, and that also requires the County to manage the Natural Area only for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation, the maximum amount of which grant award is the lesser of 50% of the total project costs or \$1,174,982;

B) APPROVED

Authorization for the County Administrator, or his designee, to execute all documents in connection with this grant on behalf of the County, including but not limited to the grant reconciliation statement, statements submitted as a part of the Project Plan, any addenda to this GC, and the Grant Award Agreement (GAA) and Grant Award Calculation (GAC), provided that such documents do not change the scope of work or terms and conditions of the GC; and

C) APPROVED

Election of County as entity responsible for completing acquisition activities.

SUMMARY: The purchase of Limestone Creek Natural Area (R2002-1202, R2002-1203, R2002-1205) is part of the County's Conservation Lands Acquisition Program. There are six (6) parcels of land in this Natural Area, five (5) of which have been acquired by the County and one (1) of which is under contract for purchase but not yet closed. Approval of this GC is the first step necessary for State participation in cost sharing under the State's FF Grant Program. The GC requires the County to follow standards for acquisition that are generally the same as those adhered to by the County for all of its conservation land acquisitions; to submit to an audit; and to develop a Project Plan, including a management plan that will outline facility development, public use and resource management. Approval of the Project Plan by FCT is required before funds will be disbursed. If the Project Plan is approved within the time allotted by the GC, the County will be asked to execute a GAA and GAC. The GAA will contain those terms and conditions of the GC still applicable and the GAC will detail the final approved acquisition costs and the share of those costs paid by the County and State, respectively. If the County is not successful in closing the sale of the remaining parcel (Charnock) by January 30, 2004, then the State has the option of withdrawing its offer to share in acquisition expenses for the entire project. Due to the short time frame for completion of the Project Plan and standard nature of GC requirements, authorization is requested for the County Administrator or his designee to execute all and any future documents in association with this grant. District 1 (HJ)

3. CONSENT AGENDA APPROVAL

 L. **ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)**

 6. **AUTHORIZED**
Staff recommends motion to authorize: the Issuance of Willing Seller Offers to the remaining Unit 11 property owners at an amount which is twenty-five (25) percent above the average of recent appraisal values obtained by the County. **SUMMARY:** Resolution No. R2000-0108 was unanimously approved by the entire Board on January 11, 2000. This Resolution declared the intent of the County to acquire all 1,770± acres within the Unit 11 tract of the Hungryland Slough Wildlife Corridor and Natural Area (formerly known as the Bee Line Wildlife Corridor and Natural Area), pending sufficient funding. Resolution No. R2000-0108 also authorized, for forty-five (45) days and for Zone 1 only, the issuance of a written best and final offer of \$5,625 per acre, which was twenty-five (25) percent above the then current batch appraisal, prior to the initiation of eminent domain proceedings. On January 9, 2001, Resolution No. R2001-0100 authorized the issuance of a written final offer of \$5,625 per acre (25 percent above the most recent batch appraisal value obtained by the County) to the remaining property owners in Zones 2 through 8, and the overlapping Zone 9, prior to the initiation of eminent domain proceedings. More recently, the Board has approved a number of willing seller Purchase and Sale Agreements at an amount equivalent to the \$6,000 per acre jury verdict rendered on November 13, 2001, in the Unit 11, Zone 1 eminent domain case. Because the County wishes to acquire as many Unit 11 properties as possible through its willing seller program, and because it appears that the value of lands within Unit 11 has increased somewhat over time, staff feels it is appropriate to increase the amount offered to the remaining property owners. This item would authorize the issuance of willing seller offers which are twenty-five (25) percent above the average of recent appraisal values obtained by the County (similar to what was approved by the Board on January 11, 2000 and January 9, 2001). District 1 (AJB)

7. **Staff recommends motion to approve:**

A) APPROVED
Management Plan for Hypoluxo Scrub Natural Area; and

B) APPROVED
Budget Transfer of \$121,994 in the \$75M General Obligation Conservation Land 1999 Bond Fund (307) from Reserves to the Hypoluxo Scrub Natural Area project account (E426).

SUMMARY: The Management Plan for Hypoluxo Scrub Natural Area Management Plan (Plan) was developed by the Department of Environmental Resources Management (ERM). The Plan provides guidelines for proposed land management activities on the Hypoluxo Scrub Natural Area. It was recommended for approval by the Natural Areas Management Advisory Committee (NAMAC) on June 20, 2003, after public support for the plan, demonstrated at a public hearing held on May 1, 2003. District 7 (HJ)

8. **DELETED**

3. CONSENT AGENDA APPROVAL

 L. **ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)**

9. **Staff recommends motion to approve:**

A) APPROVED

Final 2003 Public Lands Grant Program application rankings as recommended by the County's Natural Areas Management Advisory Committee (NAMAC);

B) APPROVED

Selection of the first fifteen (15) projects, awarding a total of \$441,600 in this grant cycle;

C) APPROVED

A revision to the previously approved Interlocal Agreement for use in the Invasive Non-native Vegetation Incentives Program, Public Lands Grant incentive, which provides for a fixed (yet undetermined) expiration date so that all Interlocal Agreements expire on the same date; and

D) APPROVED

Budget Transfer of \$41,600 in the Capital Outlay Fund (301) from the Canopy Replacement Incentive project account (E103) to the Public Lands Grant Incentive project account (E100).

SUMMARY: On February 25, 2003, the Board of County Commissioners (BCC) approved Countywide Prohibited Invasive Non-native Vegetation Ordinance No. 2003-011, along with five (5) incentive/financial assistance programs and associated funding, for the removal of the nine (9) prohibited non-native invasive plant species from privately and publicly-owned property. One (1) incentive program, the Public Lands Grant Program, will provide monies to municipalities and other public agencies for the removal of invasive non-native vegetation from publicly-owned lands. NAMAC has reviewed and ranked this year's grant applications. The Department of Environmental Resources Management (ERM) recommends the funding of the first fifteen (15) ranked projects for a total of \$441,600. On February 25, 2003, the BCC also approved a standard Interlocal Agreement to be used for the Public Lands Grant Program. The proposed revision includes changes to ensure that all grant agreements for a grant cycle expire at the same date and to allow the County flexibility in determining the length of each grant cycle. Countywide (ND)

10. **APPROVED**

R-2003-1227

Staff recommends motion to approve: Amendment No. 1 to Contract No. GC629 (R2001-0941) with the Florida Department of Environmental Protection (DEP) for contamination cleanup activities in the Petroleum Contamination Site Cleanup Program (PCSCP).

SUMMARY: On June 19, 2001, the Board of County Commissioners (BCC) approved the current four-year Contract No. GC629 (R2001-0941) for PCSCP activities. The DEP issues task assignments, change orders to task assignments and settlement agreements for task assignments for job tasks to be performed by the County. Amendment No. 1 provides for the yearly re-evaluation of overhead funding cap, increase of record retention from three (3) to five (5) years, revised Special Audit requirements, an annual equipment inventory and submission by January 31st, Scope of Services changes in penalty for nonperformance, re-evaluation of annual travel and vehicle usage and a revised spreadsheet to calculate same, changes in the monthly Contract Invoice Cover Sheet and Site Report Spreadsheet, and revised requirements for the Year End Financial Statement. The DEP will continue to pay for the entire program. Countywide (ND)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

11. **APPROVED** **R-2003-1228**
Staff recommends motion to approve: Task Order 0886-02 to a continuing Contract (R2003-0886) with Morgan and Eklund, Inc. for \$72,890.90 to perform coastal and hydrographic monitoring surveys. **SUMMARY:** Task Order 0886-02 authorizes Morgan and Eklund, Inc. to perform coastal and hydrographic surveys of eighty-two (82) Florida Department of Environmental Protection (FDEP) and project specific intermediate survey range monuments along the coastal area of the County and at three (3) inlet ebb tidal shoals. The non-federal project costs for portions of the permit-required work are expected to be shared with FDEP on a 50/50 basis through grant funding, which was approved by the Board of County Commissioners (BCC) on the following dates: Juno Beach Shore Protection Project Agreement No. 98PB2 (R2002-1571, R99-1187D, R2000-0783, R2001-2190) on September 10, 2002; Jupiter/Carlin Shore Protection Project Agreement No. 98PB1 (R2003-0633, R99-74D, R2001-2118) on May 6, 2003; and, South Lake Worth Inlet Management Plan Implementation Agreement No. 99PB1 (R2003-0714, R2000-0082, R2001-0319, R2002-0915, R2002-2278) on May 20, 2003. On June 17, 2003, the BCC approved the Contract with Morgan and Eklund, Inc., which has an M/WBE goal of 15%. There is no M/WBE participation to-date under this Contract, including this Task Order. There were no M/WBE firms available to perform subcontracting work on this Task Order. Countywide (ND)

12. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$797,844 in the Beach Improvement Fund (459) from Reserves (9900) to the Juno Beach Shore Protection Project (M028). **SUMMARY:** The FY02-03 capital budget request for the Juno Beach Shore Protection Project anticipated a \$907,844 amendment to the Florida Department of Environmental Protection (FDEP) grant agreement (Contract 98PB2, R99-1187D). Amendment No. 3 (R2002-1571) to the Contract provided reimbursement of \$140,000. Accordingly, the FY03-04 project budget reflecting the higher award amount was reduced by \$767,844. The County's share remains at fifty percent (50%) of a combined project total of \$13,044,504. The Budget Transfer of \$797,844 is required to replace the anticipated grant funds with local funding and to provide \$30,000 for additional staff and survey costs, in order to complete the required mitigation and monitoring work. District 1 (ND)

M. PARKS & RECREATION

1. **APPROVED** **R-2003-1229**
Staff recommends motion to approve: Interlocal Agreement with the Town of Jupiter in an amount not-to-exceed \$250,000 for the South Jupiter Community Park Roller Hockey Facility - Phase I for the period August 19, 2003, through February 18, 2005. **SUMMARY:** On January 8, 2002, the Board approved reallocation of \$250,000 established for District I Park Improvement in the 1996 \$26.3M Parks and Recreation Facility Revenue Bond to the Town of Jupiter for the Abacoa (n/k/a South Jupiter) Community Park Skating Facility. This Agreement provides up to \$250,000 for the development of the South Jupiter Community Park Roller Hockey Facility - Phase I. Phase I project elements include earthwork, sports equipment, fencing, concrete formwork, rebar, concrete, player's box overhang, electrical, and sports lighting. The Agreement allows for the reimbursement of eligible pre-Agreement costs subsequent to May 1, 2003. District 1 (PK)

3. CONSENT AGENDA APPROVAL

 M. **PARKS & RECREATION (Cont'd)**

2. **APPROVED** **R-2003-1230**

Staff recommends motion to approve: Interlocal Agreement with the School Board of Palm Beach County in an amount not-to-exceed \$30,000 for funding of recreation field improvements at Palm Beach Lakes Community High School for the period August 19, 2003 through February 18, 2005. **SUMMARY:** The Palm Beach Lakes Community High School Recreation Field Improvement Project is one of the projects in the 1999 \$25 Million Recreational and Cultural Facilities Bond. Project elements consist of the purchase and installation of two (2) sets of aluminum bleachers on the visitors side of the existing athletic fields. Pre-Agreement costs for the project incurred subsequent to July 30, 2002, are eligible for reimbursement. District 7 (PK)

3. **Staff recommends motion to:**

A) **APPROVED** **R-2003-1231**

approve submission of an Indian River Lagoon License Plate Funding Program FY 2003 grant application to the South Florida Water Management District (SFWMD) requesting \$75,150 (which is 75% of the total project cost of \$100,200 for the Coral Cove Park Estuary Enhancement Project); and

B) **APPROVED**

authorize the County Administrator or his designee to execute the grant Project Agreement and any other necessary forms and certifications during the term of the Agreement that do not change the scope of work or terms and conditions of the Agreement, if the grant is approved.

SUMMARY: The Coral Cove Park restoration project will restore 1725 linear feet of shoreline on the west side of Coral Cove Park along the Intracoastal Waterway by removing invasive exotic vegetation and replanting with native vegetation. This project is eligible for an Indian River Lagoon License Plate funding grant provided by SFWMD. If the grant is approved, it will be matched with \$25,050 from the Park Maintenance Operating Budget. District 1 (ND)

4. **Staff recommends motion to approve:**

A) **APPROVED** **R-2003-1232**

Agreement with the Marineline Center of Juno Beach, Inc., in an amount not-to-exceed \$1,500,000 for funding of the Marineline Center of Juno Beach for the period August 19, 2003, through August 18, 2006; and

B) **APPROVED**

Budget Transfer of \$1,500,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to Marineline Center of Juno Beach/Marineline Center.

SUMMARY: This allocation provides funding for the Marineline Center of Juno Beach, Inc., which is constructing a new indoor/outdoor educational, research and rehabilitation facility in Loggerhead Park. Expenses eligible for reimbursement include site work, landscaping/irrigation, fencing/gates, building construction, mechanical and electrical, and remodeling of the existing pavilion, seawater system, turtle tanks, tank perimeter guards, and a seawater heating system. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 1 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to approve:

A) APPROVED R-2003-1233
Agreement with Maltz Jupiter Theater, Inc., in an amount not-to-exceed \$2,000,000 for funding of the Maltz Jupiter Theater - Phase I for the period August 19, 2003 through August 18, 2006; and

B) APPROVED
Budget Transfer of \$2,000,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to Maltz Jupiter Theater/Maltz Theater.

SUMMARY: This allocation provides funding for the Maltz Jupiter Theater, Inc., for Phase I renovation of the Maltz Jupiter Theater renovation. Expenses eligible for reimbursement include the construction of dressing rooms, an audience chamber, renovation of flooring, walls, raising of the roof, ceilings, a stage, seating, and an orchestra pit cover. The Agreement allows for the reimbursement of Pre-Agreement expenses subsequent to November 5, 2002. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 1 (PK)

6. Staff recommends motion to approve:

A) APPROVED R-2003-1234
Agreement with the Town of Lantana in an amount not-to-exceed \$100,000 for funding of Lantana Beach Pavilion renovation for the period August 19, 2003 through August 18, 2004; and

B) APPROVED
Budget Transfer of \$100,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to Lantana/Beach Pavilion.

SUMMARY: This allocation provides funding to the Town of Lantana for the Lantana Beach Pavilion Renovation project. Expenses eligible for reimbursement include the repair of spalling, renovations to bathrooms, roof, fascia, soffit, and shower area, and painting of the pavilion. The Agreement allows for the reimbursement of eligible pre-Agreement costs subsequent to November 5, 2002. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 3 (PK)

7. Staff recommends motion to approve:

A) APPROVED R-2003-1235
Agreement with the Boca Raton Historical Society, Inc., in an amount not-to-exceed \$125,000 for funding of the Boca Express Restoration and Site Enhancement for the period August 19, 2003 through August 18, 2004; and

B) APPROVED
Budget Transfer of \$125,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to Boca Raton Historical Society/Boca Express.

SUMMARY: This allocation provides funding for the Boca Raton Historical Society, Inc., for the restoration of the historic Boca Express railroad cars and site enhancements for the adjacent Depot. Expenses eligible for reimbursement include renovations to walls, windows, floors, electrical system, furnishings, and the railroad car and site enhancements including awnings, staircases, landscaping and signage. The Agreement allows for the reimbursement of Pre-Agreement expenses subsequent to November 5, 2002. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 4 (PK)

3. CONSENT AGENDA APPROVAL

 M. PARKS & RECREATION (Cont'd)

8. Staff recommends motion to approve:

A) APPROVED R-2003-1236

Agreement with the Friends of Sandoway House Nature Center, Inc., in an amount not-to-exceed \$125,000 for funding of Sandoway House Nature Center Improvements and Exhibits for the period August 19, 2003 through May 5, 2005; and

B) APPROVED

Budget Transfer of \$125,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to Friends of Sandoway/Sandoway House Improvements.

SUMMARY: This allocation provides funding for improvements and exhibits for the Friends of Sandoway House Nature Center. Expenses eligible for reimbursement include garden area brick-work, gate light, nature center view from east to west including front porch, coral reef pool, yard, shed, and house lighting. The Agreement allows for the reimbursement of eligible pre-Agreement costs subsequent to November 5, 2002. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 4 (PK)

9. Staff recommends motion to approve:

A) APPROVED R-2003-1237

Agreement with the School Board of Palm Beach County in an amount not-to-exceed \$150,000 for funding of Royal Palm Beach Community High School baseball field lighting for the period August 19, 2003 through August 18, 2005; and

B) APPROVED

Budget Transfer of \$150,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to School Board/RPB High School Lighting.

SUMMARY: This allocation provides funding to the School Board for lighting of the Royal Palm Beach Community High School baseball field. Expenses eligible for reimbursement include metal halide sports lighting fixtures mounted on six poles, rack mounted electric panels, control panels, and a time clock. The Agreement allows for the reimbursement of eligible pre-Agreement costs subsequent to August 1, 2003. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 6 (PK)

10. Staff recommends motion to approve:

A) APPROVED R-2003-1238

Agreement with the Village of Royal Palm Beach, in an amount not-to-exceed \$1,000,000 for funding of Veterans Park for the period August 19, 2003 through August 18, 2005; and

B) APPROVED

Budget Transfer of \$1,000,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to Royal Palm Beach/Veterans Park.

SUMMARY: This allocation provides funding for the development of Veterans Park in the Village of Royal Palm Beach. Expenses eligible for reimbursement include the performing arts garden, veterans memorial garden, large group picnic area, public events lawn, Café on the Green, and Horticultural Center. The Agreement allows for the reimbursement of eligible pre-Agreement costs subsequent to November 5, 2002. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 6 (PK)

3. CONSENT AGENDA APPROVAL

 M. **PARKS & RECREATION (Cont'd)**

11. **Staff recommends motion to approve:**

A) APPROVED R-2003-1239
Agreement with the City of Lake Worth in an amount not-to-exceed \$50,000 for funding of the Martin Luther King, Jr., Memorial for the period August 19, 2003, through January 14, 2005; and

B) APPROVED
Budget Transfer of \$50,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to Lake Worth/MLK Memorial.

SUMMARY: This allocation provides funding for the construction of the Martin Luther King, Jr., Memorial in the City of Lake Worth. Expenses eligible for reimbursement include a pergola with a single row of columns, pathway/sidewalk with inscribed paver blocks, and a revolving sphere on a pedestal. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 7 (PK)

12. **Staff recommends motion to approve:**

A) APPROVED R-2003-1240
Agreement with the School Board of Palm Beach County in an amount not-to-exceed \$10,000 for funding of purchase, shipping, and installation of picnic tables at Wynnebrook Elementary School for the period August 19, 2003, through February 18, 2004; and

B) APPROVED
Budget Transfer of \$10,000 within the Park Improvement Fund from Reserves for District 2 to School Board/Wynnebrook Elementary School Picnic Tables.

SUMMARY: Wynnebrook Elementary School has purchased twenty (20) picnic tables to beautify and update their campus. This Agreement and budget transfer provide a total of \$10,000 to offset costs for the purchase, shipping, and installation of the picnic tables. The Agreement allows for the reimbursement of eligible pre-Agreement expenses subsequent to April 15, 2003. Funding is from Recreation Assistance Program (RAP) reserves. District 2 (ND)

13. **Staff recommends motion to approve:**

A) APPROVED R-2003-1241
Agreement with the City of West Palm Beach and the Armory Art Center, Inc., in an amount not-to-exceed \$60,000 for the period August 19, 2003, through February 18, 2005, for funding of Young Artist Studio Facility equipment and furnishings; and

B) APPROVED
Budget Transfer of \$60,000 within the Park Improvement Fund from Reserves for District 2 to WPB-Armory Art Center/Young Artists Studio.

SUMMARY: The Young Artists Studio is located in Howard Park in West Palm Beach and is operated by the Armory Art Center, Inc., on property leased from the City of West Palm Beach. The Young Artists Studio Facility has recently been constructed with assistance from the 1999 Park and Recreation Facility Bond. This additional \$60,000 allocation will help offset costs incurred by the Armory Art Center, Inc., for equipment and furnishings to include display tower and system, digital camera, projection system, computer and software chairs, lighting, office equipment, book racks, tables, lockers, and other miscellaneous equipment and furnishings necessary for the operations of the Young Artists Studio Facility. Funding is from Recreation Assistance Program (RAP) reserves. District 2 (ND)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

14. Staff recommends motion to approve:

A) APPROVED R-2003-1242
Agreement with the South Florida Science Museum, Inc., in an amount not-to-exceed \$4,000 for funding of the Summer Science Camp 2003 for the period August 19, 2003, through September 30, 2003; and

B) APPROVED
Budget Transfer of \$4,000 within the Park Improvement Fund from Reserves for District 2 to Science Museum/Summer Camp.

SUMMARY: The South Florida offers the annual Summer Science Camp from June through August each year. This Agreement provides funding to help offset costs for the camp. Expenses eligible for reimbursement include salaries, advertising, equipment, fees, insurance, postage, printing, facility rental, vehicle rental, educational supplies, food and snacks, and other miscellaneous program supplies. The Agreement allows for the reimbursement of eligible pre-Agreement expenses subsequent to June 9, 2003. Funding is from Recreation Assistance Program (RAP) reserves. District 2 (ND)

15. Staff recommends motion to approve:

A) APPROVED R-2003-1243
Agreement with the City of West Palm Beach in an amount not-to-exceed \$5,000 for the period August 19, 2003, through September 30, 2003 for funding of Summer Camp Sponsorships; and

B) APPROVED
Budget Transfer of \$5,000 within the Park Improvement Fund from Reserves for District 2 to West Palm Beach/Summer Camp.

SUMMARY: The City of West Palm Beach subsidizes the cost of summer camps for approximately 125 children and youth at a cost of \$40,000 by providing sponsorships for campers from low income families. The cost per camper is \$320. This \$5,000 allocation will help offset costs incurred by the City for the camp sponsorships. Funding is from Recreation Assistance Program (RAP) reserves. District 2 (ND)

16. Staff recommends motion to approve:

A) APPROVED R-2003-1244
Agreement with the Friends of the Academy of Environmental Science and Technology, Inc., in an amount not-to-exceed \$30,000 for the period August 19, 2003, through August 18, 2004, for funding of the Falcon Reef Project; and

B) APPROVED
Budget Transfer of \$15,000 within the Park Improvement Fund from Reserves for District 2 and in the amount of \$15,000 within the Park Improvement Fund from Reserves for District 3 to Friends of the Academy/Falcon Reef.

SUMMARY: The Falcon Reef Project is being undertaken by the Academy of Environmental Science and Technology at Forest Hill Community High School to create an artificial reef with demolition debris from the old Forest Hill High School. This \$30,000 allocation will help offset costs incurred by the Friends of the Academy of Environmental Science and Technology, Inc., to be paid to a marine contractor for offloading beams/pillars and the Falcon mosaic from the Forest Hill Community High School site, loading the barge, transporting materials to the Falcon Reef site, and placing the Forest Hill Falcon mosaic, beams, and limestone rock into the Intracoastal Waterway to construct the Falcon Reef. Funding is from Recreation Assistance Program (RAP) reserves. Districts 2 and 3 (ND)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

17. **Staff recommends motion to approve:**

A) **APPROVED** **R-2003-1245**
Agreement with the City of South Bay in an amount not-to-exceed \$10,000 for funding of the South Bay Bayfest Crossroads Cultural Festival for the period August 19, 2003, through September 18, 2003; and

B) **APPROVED**
Budget Transfer of \$10,000 within the Park Improvement Fund from Reserves for District 6 to South Bay/Bayfest Festival.

SUMMARY: The City of South Bay holds the Bayfest Crossroads Cultural Festival annually, in the fall of each year. The 2002 event was held on October 19, 2002. This funding is to help the City offset costs for the 2002 festival. Expenses eligible for reimbursement for the festival include t-shirts, public relations, operating supplies, printing materials, and entertainment. The Agreement allows for the reimbursement of eligible expenses subsequent to May 16, 2002. Funding is from Recreation Assistance Program (RAP) reserves. District 6 (ND)

18. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$30,000 within the Park Improvement Fund from Reserves to Okeeheelee Park Office Complex. **SUMMARY:** This budget transfer provides \$30,000 to construct offices for recreation staff within the softball complex concession facility at Okeeheelee Park. District 6 (ND)

19. **APPROVED** **R-2003-1246**
Staff recommends motion to:
adopt Resolution authorizing the lease of certain real property to Marinelifelife Center of Juno Beach, Inc., pursuant to Florida Statute Section 125.38; and
approve Lease Agreement with Marinelifelife Center of Juno Beach, Inc., a not-for-profit corporation, for 1.28 acres in Loggerhead Park.

SUMMARY: The Marinelifelife Center of Juno Beach, Inc., (Center) has operated in Loggerhead Park since 1984 out of an old residential structure the City of Juno Beach leases from the County and the City in turn subleases to the Center. On September 10, 2002, the BCC directed staff to provide the Center with a new lease for property in the northwest quadrant of Loggerhead Park for development of a replacement facility. A new lease agreement is now being submitted for BCC approval and provides the Center 1.28 acres, for 30 years at a nominal cost of \$10 per year with one ten-year renewal period. The Center will be given three years to design, fund and commence construction, and an additional two years to complete construction of its new facility. The County’s 2002 Recreation and Cultural General Obligation Bond Issue that was recently approved by voters on November 5, 2002, includes \$1,500,000 in funding for construction of this project. Upon completion, the Center will be given 90 days to vacate its existing facility within the park. The Town of Juno Beach has signed a Joinder and Consent agreeing to execute the Termination of Lease and Sublease upon completion of the replacement facility. After relocation of the Center, the Parks and Recreation Department will redevelop the southern end of Loggerhead Park to provide expanded beach access opportunities and parking in the future. Lease to commence on August 19, 2003, and run thru August 19, 2033, unless sooner terminated. District 1 (HF)

3. CONSENT AGENDA APPROVAL

 M. PARKS & RECREATION (Cont'd)

20. **APPROVED** **R-2003-1247**
Staff recommends motion to approve: Modification of the Sovereignty Submerged Lands Lease (No. 500012026) between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (LESSOR) and Palm Beach County (LESSEE) for the Phil Foster Park Submerged Lands. **SUMMARY:** This Sovereignty Submerged Lands Lease is being modified to allow a change in use of Phil Foster Park's existing excursion vessel dock to day use docking for jet skis, dinghies, water taxis and dive boats. The existing 10 year submerged lands lease with the state was executed in 1996, by Atlantic Coastal Cruises, Inc., and Palm Beach County Board of County Commissioners for docking of commercial excursion vessels used in conjunction with County lease for an upland support facility. In March 2000, Atlantic Coastal Cruises, Inc., defaulted on their Sovereignty Submerged Lands Lease and their upland lease with the County, however, the Submerged Lands Lease still remains in effect with Palm Beach County. The Parks and Recreation Department is in the process of renovating and enhancing Phil Foster Park including upgrading and expanding the existing dock for public use. The State of Florida Department of Environmental Protection (FDEP) will require a modification of the existing Sovereignty Submerged Lands Lease for the change in use prior to issuing permits for a new floating dock. The 33,800 square feet submerged lands lease area used to calculate the annual rental fee will remain the same and is budgeted by the Parks and Recreation Department under annual operating expenses for Phil Foster Park. Staff recommends approval of the modified lease agreement. District 1 (ND)

N. LIBRARY

1. **APPROVED**
Staff recommends motion to approve: The County Library's Long-Range Plan for FY 2004-2006. **SUMMARY:** This plan represents the Library's mission statement, goals and objectives and strategic plan for FY 2004 through FY 2006. This annual process of strategic planning is done in conjunction with the State's requirements for libraries receiving state Aid funds, the County's budget process, and the Comprehensive Plan. The Library Advisory Board has endorsed this Plan with Resolution 03-2; dated July 14, 2003. Countywide (TKF)

Q. CRIMINAL JUSTICE COMMISSION

 1. **APPROVED** **R-2003-1248**
Staff recommends motion to approve: the First Amendment to the Contract with Comprehensive Alcoholism Rehabilitation Program, Inc. (R2002-0462, dated April 2, 2002), to extend the contract through September 30, 2003. **SUMMARY:** On April 2, 2002, the Board of County Commissioners approved \$52,358 in Drug Abuse Trust Fund (DATF) monies to contract with Comprehensive Alcoholism Rehabilitation Program, Inc. (CARP) for substance abuse treatment services for indigent clients court ordered to treatment through the Civil Drug Court Program located in the City of Riviera Beach. CARP has performed satisfactorily in accordance with the terms of their contract, but as of April 1, 2003, \$14,644 remained in unexpended funding. Therefore, we recommend extending their contract through September 30, 2003. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to approve:

A) **APPROVED** **R-2003-1249**
the First Amendment to the Contract with Gratitude Guild, Inc. (R2002-2105, dated November 19, 2002), to decrease the contract by \$28,000 to a maximum amount of \$2,000; and

B) **APPROVED** **R-2003-1250**
the First Amendment to the Contract with Professional Training Association Corporation (R2002-1580, dated September 10, 2002) to increase the contract by \$28,000 to a maximum amount of \$136,000 for the provision of substance abuse treatment services.

SUMMARY: The Criminal Justice Commission (CJC) is requesting that the contractual amount with Gratitude Guild, Inc. be decreased by \$28,000 and the funds used to increase the contract with Professional Training Association Corporation (PTA). These are 2001-2003 Local Law Enforcement Block Grant (LLEBG) funds which are used to pay for contracted treatment services for an expanded Community Court clientele that are in need of these services as recommended by the Community Court's Clinical Program Specialist. Grant funds are already established in the Community Court's budget for contracted treatment services. Countywide (DW)

S. FIRE RESCUE

1. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$1,500,000 in the Fire Rescue Improvement Fund (474). **SUMMARY:** This transfer will establish funding in the FY 2003 budget for the costs associated with the replacement of Station 41. A recent evaluation of this older facility identified it is necessary to replace the fire rescue station due to significant construction, environmental health and living condition deficiencies. Based on construction estimates to correct these deficiencies, staff believes it is more cost effective to replace the entire facility. Facilities Development and Operations and Risk Management Departments agree with this approach. The funds will be made available by reducing the funding previously established for the Four Points Center Facility purchase. Countywide (SB)

2. **APPROVED R-2003-1251 THROUGH R-2003-1252**
Staff recommends motion to authorize: the Chair to certify the non-ad valorem assessment roll for the MSBU for Fire Hydrant Maintenance and Rental-Riviera Beach and for the MSBU for Fire Hydrant Maintenance and Rental-Boca Raton. **SUMMARY:** The Municipal Service Benefit Units (MSBU) for fire hydrant maintenance and rental for Riviera Beach and Boca Raton were established in February 1993, by Ordinance No. 93-5. The current rates as established by Resolutions are \$52.86 per parcel for Riviera Beach and \$29.25 per parcel for Boca Raton. Every year the assessment roll must be certified by the Chair of the Board and the State Department of Revenue form DR-408A must be signed by the Chair for each MSBU. These forms and the tape of the assessment rolls must be submitted to the Tax Collector no later than September 15 of each year. Districts 5 & 7 (SGB)

3. **APPROVED** **R-2003-1253**
Staff recommends motion to approve: an Agreement with the City of Miami (Sponsoring Agency) and Palm Beach County (Participating Agency) relating to the South Florida Urban Search and Rescue (US&R) Task Force. **SUMMARY:** Palm Beach County Fire Rescue has employees that are on the South Florida US&R Task Force. The City of Miami is the Sponsoring agency with FEMA for the mobilization of the Task Force. This agreement provides for the operational, as well as, financial reimbursement procedures when the Task Force is mobilized. Approval of this item is necessary to receive pending reimbursement for a PBCFR employee mobilized during the September 11, 2001 event. Countywide (SGB)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. **ADOPTED** **R-2003-1254**
Staff recommends a motion to adopt: a Resolution approving the transfer of \$300,000 from the Air Pollution Control Trust Fund to the Palm Beach County Health Department Special Projects Fund to contribute to the costs of a new administration building that will house the Health Department's air pollution control program. **SUMMARY:** This Health Department program is supported mostly by the County's Air Pollution Control Trust Fund which is solely funded by motor vehicle license registration fees collected in Palm Beach County. The Health Department is planning to construct a new administration building that will include the air program. This resolution will enable the Health Department to utilize \$300,000 from the Air Pollution Control Trust Fund to pay for a portion of the fair share costs of the air program to construct the administration building. The net Trust Fund balance of approximately \$190,000 has sufficient cash reserves to operate the air program. Countywide (GB)

2. **ADOPTED** **R-2003-1255**
Staff recommends a motion to adopt: a Resolution approving the FY 2003/2004 Annual Budget of \$747,859 for the Air Pollution Control Program. **SUMMARY:** The resolution is required by the August 21, 1984 Agreement between the BCC and the Palm Beach County Health Department (PBCHD) to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This fund is solely supported by motor vehicle license registration fees collected in Palm Beach County. The proposed FY 2003/2004 budget for the Air Pollution Control Program from this funding source is a 3.9% increase over the current year. Countywide (GB)

U. INFORMATION SYSTEM SERVICES

1. **APPROVED** **R-2003-1256**
REVISED: ~~Contracts~~ **A) Contract** with SunGard, Inc. to provide for the availability of business recovery equipment and services for the County's enterprise servers, at cost not-to-exceed of ~~\$657,290~~ \$694,008 for the five year period ending August 31, 2008, payable monthly and renewable annually; **B) SunGard Recovery Fast Track Service** to provide readiness services prior to the first off-site recovery test, ~~at a one-time cost of \$20,500 which is included in the above cost;~~ and **PreCoverly software** to facilitate the design and maintenance of a Disaster Recovery Plan including one-year maintenance and support, at a one-time cost of \$28,500 payable in 60 monthly installments; and, **C) services** to assist ISS in establishing a Business Recovery Plan based on the Business Recovery Services for a one-time ~~fee~~ cost of \$40,000. **SUMMARY:** The County's dependency on information technology hardware and software has grown at a rapid pace in the past ten years. Previously, the County ~~was reliant~~ relied solely on one mainframe computer (server). Today's technology requires the use of a significant number of servers. ISS' current IBM Business Recovery Plan for off-site recovery covers only the mainframe and one annual off-site recovery test, at a cost of \$94,338 annually. The contract with SunGard will replace the IBM contract, will provide off-site recovery equipment and facilities for the County's mission-critical servers including the mainframe and two off-site recovery tests, and provide turn-key work space for post-disaster employee interface to those servers using mobile data centers, for an initial annual cost of ~~\$123,680~~ \$124,980. This ~~is~~ represents a much higher level of support for the County's business recovery than is currently in place. In addition, SunGard will work with County staff to create a business recovery plan which is supported by the Business Recovery Services being contracted. As with the IBM contract, additional costs will be incurred should a Disaster be officially declared such that SunGard equipment and facilities would be utilized. Countywide (PK) (ISS)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES (Cont'd)

2. **DELETED**

Staff recommends motion to approve: Contract with IBM to purchase OnDemand Production CD-ROM software to create computer disks (CDs) from the County's OnDemand system, associated implementation services. and annual maintenance through July 14, 2004, at a total cost of \$60,800. **SUMMARY:** OnDemand Production CD-ROM Software will provide the capability to create CD's of reports generated from software currently in use. The vendor will provide staff training and one-time services to implement the software. Software maintenance and support services will be required annually throughout the product life. This production software is designed to support report distribution to locations unable to access the OnDemand system, as well as to provide permanent access to otherwise purged reports. Countywide (PK)

W. PUBLIC INFORMATION

1. **APPROVED** **R-2003-1257**

Staff recommends motion to approve: The first one-year extension to the Interlocal Agreement with the School District of Palm Beach County (R2000-0701) for the coverage of the School Board meeting and workshops on Channel 20, Palm Beach County's Education and Government Station. **SUMMARY:** The new interlocal agreement adjusts the hourly rate charged to the School District based on Channel 20's fully allocated billing rates for 2003. Anticipated revenue from the School District is \$3,000 annually. The one- year extension will commence upon execution by the Board. (MJ) Countywide

2. **APPROVED** **R-2003-1258**

Staff recommends motion to approve: an Application to the Federal Communications Commission prepared by Wireless Broadband Services of Fort Pierce, a wholly owned subsidiary of Sprint Communications., for the relocation of Channel 20's transmitting facility to the new County owned tower at 20 State Road 80. **SUMMARY:** Sprint seeks consent from Palm Beach County to file an application with Federal Communications Commission for a two-way operation of its MDS1 and MDS2 channels in Fort Pierce, Florida. In order to ensure that Sprint's operation of its channels will not interfere with operation of Palm beach County's Channel 20 transmitting facility, Sprint has agreed to provide at its sole expense the re-engineering and relocation of Palm Beach County's MDS1 transmitting facility from its present location to the County's new tower located at 20 State Road 80 in unincorporated Palm Beach County. As part of its obligation to the County, Sprint will also provide any consent letters needed from Sprint-owned stations, and bear all legal and engineering cost associated with preparation and filing of applications or requests for special temporary authority with the Federal Communications Commission. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) **APPROVED** **R-2003-1259**
receive and file a Citizen Corps/CERT (Community Emergency Response Team) Grant Contract (No. 03CT-95-10-60-01-420) in the amount of \$12,000 from the Florida Department of Community Affairs; and

B) **APPROVED**
approve Budget Amendment of \$12,000 in Emergency Management Grant Fund (159) to establish grant budget.

SUMMARY: The Florida Department of Community Affairs has awarded Palm Beach County Division of Emergency Management a grant to provide training to 135 CERT volunteers and supplying each trainee with minimum required Personal Protection Equipment (PPE). An inkind match of \$8,250 is provided from existing budget. Countywide (DW)

2. Staff recommends motion to approve:

A) **APPROVED** **R-2003-1260**
Contract with Children's Healthcare Associates, P.A. to provide pediatric physician services at Highridge Family Center at an annual cost of \$42,000 effective October 1, 2003 through September 30, 2004; and

B) **APPROVED**
the County Administrator, or his designee, to exercise the option to extend the agreement and any amendments thereto, providing that funding is available and the County Attorney signs for legal sufficiency.

SUMMARY: To meet licensing requirements, Highridge Family Center must provide medical care to residents of the facility. In addition, because of the Association's continuing contractual relationship with the County Health Department, this contract assures continuity of care for those residents under Health Department and county services care. This contract requires Children's Healthcare Associates to conduct at least 250 entrance physicals; be available 24 hours each day the clients are in the residence; diagnose and treat illnesses and injuries of residents; attend hospitalized residents; attend divisional health committee meetings; and provide attendance for medical consultation and medical care to the residents. This is a renewal of an on-going agreement in order to assure continuum of care. Countywide (DW)

Z. RISK MANAGEMENT

1. **APPROVED**

Staff recommends a motion to approve: the write-off of 164 outstanding uncollected property damage claim receivables in the amount of \$283,020.56 for the period 1993 through 2000. **SUMMARY:** These claims are against third parties that have allegedly caused damage to county property. Included in the list are claims over three years old for which a compromise and settlement was reached for less than the full amount because, after further review of the claim, it was determined that liability was subject to apportionment among the parties or the party in question was not at fault. The Office of Financial Management and Budget's collections coordinator has reviewed the attached listing of uncollected claims and concurs that they should be moved to the uncollectible claims receivable ledger database. Although these accounts are being removed from the active LGFS accounts receivable ledger, the debts are not being forgiven and should the opportunity to collect on any of these claims arise in the future, the Risk Management Department will take all necessary steps to collect on same. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) APPROVED R-2003-1261
adopt a Resolution approving a Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) FM No. 41374319401 in the amount of \$50,000 (\$25,000 State - \$25,000 Local Match) to provide funding for marketing transit services to individuals who have their driver's license formally suspended or revoked through the legal court system; and

B) APPROVED
approve Budget Amendment of \$25,000 in Palm Tran's operating fund for Fiscal Year 2004.

SUMMARY: FDOT is providing a grant in the amount of \$25,000 from the Public Transit Service Development Program to fund a marketing campaign to target individuals who have their driver's license formally suspended or revoked through the legal court system. The local match of \$25,000 is required for this JPA and is included in Palm Tran's proposed FY2004 budget. Countywide (DR)

2. **ADOPTED R-2003-1262**

Staff recommends motion to adopt: a Resolution approving a Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) FM No. 404688-1-84-01 in the amount of \$7,560,938 (\$3,780,469 State - \$3,780,469 Local Match) to provide funding for mass transit in the urbanized areas of Palm Beach County for FY2004. **SUMMARY:** FDOT is providing a grant in the amount of \$3,780,469 from the Public Transit Block Grant Program to help offset the operating costs of mass transit in urbanized areas of the County. The JPA will become effective upon execution with expiration date of 12/31/04, unless an extension is requested and granted. The JPA requires a 50% match of \$3,780,469 with local funds. The local match for this JPA is already included in Palm Tran's proposed FY2004 budget. Countywide (DR)

3. **ADOPTED R-2003-1263**

Staff recommends motion to adopt: a Resolution approving a Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) (FM No. 404656-1-84-01) in the amount of \$216,318 (\$108,159 Federal - \$108,159 Local Match) to provide operating funding for mass transit of Federal Transit Administration (FTA) Section 5311 funds passed through the State for the non-urbanized (rural) areas of Palm Beach County for FY2004. **SUMMARY:** FDOT is providing a grant in the amount of \$108,159 for non-urbanized areas for mass transit operating assistance to Palm Beach County. This is used to partially offset the operating costs of mass transit in non-urbanized areas of the County. The operating costs include operating, maintenance, and administrative costs. The JPA will become effective upon execution with expiration date of 12/31/04, unless an extension is requested and granted. The JPA requires a 50% match of \$108,159 with local funds. The local match for this JPA is already included in Palm Tran's proposed FY2004 budget. Countywide (DR)

4. Staff recommends motion to:

A) ADOPTED R-2003-1264
adopt a Resolution approving a Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) FM No. 41374218401 in the amount of \$50,000 (\$25,000 State - \$25,000 Local Match) to provide funding for supervisor training; and

B) APPROVED
approve Budget Amendment of \$25,000 in Palm Tran's operating fund for Fiscal Year 2004.

SUMMARY: FDOT is providing a grant in the amount of \$25,000 from the Public Transit Service Development Program to train Operations Supervisors to improve and increase their leadership skills, increase team productivity and promote greater safety awareness. The local match of \$25,000 is required for this JPA and is included in Palm Tran's proposed FY2004 budget. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

5. **APPROVED** **R-2003-1265**
Staff recommends motion to approve: First Amendment to the Contract (R2002-1598) with the University of South Florida, Board of Trustees, a public body corporate, for its Center for Urban Transportation Research (CUTR) to extend the ending date from September 9, 2003 to September 30, 2003. **SUMMARY:** The contract with the University of South Florida (CUTR) expires on September 9, 2003. CUTR has made arrangements to present the proposed Transit Development Plan to the Palm Beach Metropolitan Planning Organization on September 18, 2003, and to the Palm Beach County Board of County Commissioners on September 23, 2003. This Amendment will extend the performance period through the current fiscal year so as to include these presentations. Countywide (DR)

6. **APPROVED** **R-2003-1266**
Staff recommends motion to approve: a two (2) year agreement with the School District of Palm Beach County (School Board) for provision of annual and semester bus passes available to certain students as a means of transportation service for the 2003-2004 school year at the annual pass rate of \$235 or \$117.50 per pass for the second semester and for the 2004-2005 school year at the annual pass rate of \$250 or \$125 per pass for the second semester. **SUMMARY:** The School Board has contracted for annual bus passes as a means of transportation for students since August 1998. The agreement rate of \$235 represents a 4.4% increase over the second year of the current agreement and the second year rate of \$250 represents a 6% increase over the first year of the proposed agreement. Payment of annual school passes are in lieu of School Board's students paying individual fares into the fareboxes on Palm Tran routes. The commencement date of this new agreement is June 1, 2003 and the termination date is May 31, 2005. Countywide (DR)

7. **APPROVED** **R-2003-1267**
Staff recommends motion to approve: Second Amendment to Master Bus Stop Shelter Advertising Contract with Next Media Outdoor, Inc. (R2001-2140, R2003-0493). **SUMMARY:** In December 2001, the Board entered into a contract with NextMedia Outdoor, Inc. for the construction of bus shelter throughout unincorporated Palm Beach County. 490 new and replacement bus shelters were to be constructed during the ten (10) year contract term; 300 of which were required to be constructed during the first three (3) years. Article 10 of the contract requires NextMedia to provide a Performance Bond in the amount of \$1,000,000 to insure shelters were built and maintained in a timely manner. NextMedia was permitted to substitute a Letter of Credit for the \$1,000,000 in lieu of the Performance Bond. The effects on the insurance industry of the 9-11-2001 terrorist attack on the World Trade Center have caused the premium for said policy to be far in excess of that which could have been contemplated at the time of the contract execution. NextMedia has asked for relief from this contract provision. To date, NextMedia has timely completed every requirement of the contract and staff is extremely satisfied with the company's performance. Staff is recommending that the contract with NextMedia be amended and the requirement for the Performance Bond be deleted. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$15,000 from the Law Enforcement Trust Fund (LETF) (108) to the Palm Beach County Sheriff's Office for a donation to help support the safe neighborhood efforts of the Youth Recreation Association. **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer program(s). The PBSO's fiscal year 2003 estimated donation requirement is \$103,285. Collectively with this transfer the PBSO will have donated \$903,799, exceeding the FY2003 requirement of \$103,285. The funds are requested to support the safe neighborhood efforts of the Youth Recreation Association. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$719,924. The Sheriff's Office certifies that the use of these funds is in accordance with F.S. 932.7055. Countywide (DW)

CC. COURT ADMINISTRATION

1. **APPROVED** **R-2003-1268**
Staff recommends motion to ratify: the Chair's signature on the Florida Department of Children and Families (DCF) contract in the amount of \$32,868 for the period July 1, 2003 through June 30, 2004 for supervised family visitation services in the Family Connection Program. **SUMMARY:** Funding under the DCF contract will be utilized in Court Administration's Family Connection Program to provide supervised visitation, therapeutic supervised visitation and monitored exchange for families in order to insure a safe environment for the visit or exchange to take place. The Court refers families to the Family Connection program due to domestic violence, divorce custody disputes and adjudication of dependency. There is no required match for this grant contract. Eligible expenditures must be expended by June 30, 2004. Countywide (TKF)

DD. HOUSING FINANCE AUTHORITY

_____ 1. **APPROVED**
Staff recommends motion to approve: the nomination of Clark D. Bennett as the Chair of the Housing Finance Authority of Palm Beach County (HFA Board). **SUMMARY:** Mr. Bennett has recently completed a one-year term as Chair of the HFA Board. The HFA Board at its meeting on July 16, 2003, approved Mr. Bennett as the Chair, in accordance with Ordinance No. 2002-022. The Ordinance requires his nomination be submitted to the BCC for approval. Countywide (TKF)

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

- A. PRESENTED**
Proclamation declaring the week of August 25th - September 1, 2003, as "Palm Beach County Firefighter Appreciation Week" in Palm Beach County. (Sponsored by Commissioner Newell)
- B. PRESENTED**
Proclamation declaring the month of September, 2003 as "Literacy Awareness Month" in Palm Beach County. (Sponsored by Commissioner Koons)
- C. PRESENTED**
Proclamation declaring Monday, September 22, 2003 as "American Business Women's Day" in Palm Beach County. (Sponsored by Commissioner Greene)
- D. PRESENTED**
Certificate of Congratulations to Youth Athletic Association/Dan Calloway. (Sponsored by Commissioner Greene)
- E. PRESENTED**
Proclamation declaring Tuesday, August 5, 2003 as "Lake Region's 2003 Senior Citizens' Fair Day" in Palm Beach County. (Sponsored by Commissioner Greene)

5. PUBLIC HEARINGS - 9:30 A.M. (Motion to receive and file: Proof of publication)

A. Staff recommends motion to approve:

A) **APPROVED**

Conceptual Alignment Alternative "Central" of Lyons Road from south of the L-30 Canal to Boynton Beach Boulevard; and

APPROVED

B) Conceptual Alignment Alternative "Central" of Flavor Pict Road from State Road 7 to Florida's Turnpike.

SUMMARY: The alignments of Lyons Road from south of the L-30 Canal to Boynton Beach Boulevard and Flavor Pict Road from State Road 7 to Florida's Turnpike must be determined so the developers of the Fogg Property, Planned Unit Developments (Petition Nos. PDD 2002-(067 thru 069) can fulfill Condition No. E-4 of Resolution Nos. R-2003-(0564 thru 0566). Condition No. E-4 requires the developer to dedicate portions of the ultimate rights-of-way for Lyons Road from south of the L-30 Canal to Boynton Beach Boulevard, and Flavor Pict Road from State Road 7 to Florida's Turnpike on an alignment approved by the Board of County Commissioners. After an analysis of the alignment alternatives, staff recommends Conceptual Alignment Alternative "Central" for both the Lyons Road and Flavor Pict Road segments. District 5 (MRE)

B. Staff recommends motion to:

A) **APPROVED**

approve Waiving Restrictions on the construction of Lyons Road from Southern Boulevard to Forest Hill Boulevard, pursuant to Policy 1.4-w of the Transportation Element of the Comprehensive Plan; and

B) **ADOPTED**

R-2003-028

adopt an Ordinance amending Ordinance No. 85-40 as amended, establishing an amended Five-Year Road Program; Providing for Title; Purpose; Adoption of revised Five-Year Road Plan and revised list of projects contained in Exhibit "A"; Implementation of the Plan; Modification of Plan; Funding of other roadway improvements, Interpretation of Exhibit; Repeal of Laws in Conflict; Severability; Inclusion in the Code of Laws and Ordinances; Effective Date.

SUMMARY: A) Policy 1.4-w of the Transportation Element of the Comprehensive Plan has certain requirements regarding level of service and the widening of State Road 7 before Lyons Road can be constructed. The requirement for the section of Lyons Road from Southern Boulevard to Forest Hill Boulevard can be waived by the Board of County Commissioners if it is determined that Lyons Road will relieve Local Road between Southern Boulevard and Dillman Road; and B) Since the development and adoption of the County's Five-Year Road Program on December 17, 2002, the progress and evolution of current and near-term projects has continued to be monitored. Costs and revenues have been updated and, in some cases, additional needs have been identified. Revisions are being proposed to modify the road program to reflect this updated information. A mid-year ordinance amendment with a preliminary reading and a public hearing is required in order to accomplish this. On July 15, 2003, the Board approved this amendment on preliminary reading and authorized advertisement for today's public hearing for final adoption. Countywide (MRE)

C. **ADOPTED**

R-2003-1269

Staff recommends motion to adopt: a Resolution abandoning a portion of an unimproved 30 foot right-of-way lying within Block 78, Palm Beach Farms Plat 3, as recorded in Plat Book 2, Pages 45-54, Public Records of Palm Beach County, Florida. **SUMMARY:** The proposed road abandonment is located east of State Road 7 and north of Palmetto Park Road, lying between two (2) residential developments, Rainberry Park (to the north) and Parkview Estates at Boca, a/k/a Avalon (to the south). The County, at the request of the Rainberry Park Homeowners Association, has sponsored this abandonment. The residents in Rainberry Park are desirous of increasing their backyard area. District 5 (PK)

5. PUBLIC HEARINGS - 9:30 A.M. (Cont'd)

D. Staff recommends motion to :

A) **APPROVED**

conduct a TEFRA public hearing concerning the issuance of up to \$14,000,000 Economic Development Refunding and Improvement Revenue Bonds (YMCA Project) Series 2003 (the "Bonds"); and

B) **ADOPTED**

R-2003-1270

adopt a Bond Resolution authorizing the issuance of the Bonds.

SUMMARY: On June 3, 2003, the Board approved the application of the Young Men's Christian Association of South Palm Beach County, Inc., a Florida not-for-profit corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (the "YMCA") for the issuance of the Bonds. The Bonds proceeds will be used for the purpose of providing a loan to the YMCA to finance the refunding of \$6,700,000 Economic Development Revenue Bonds (YMCA Boynton Beach Project) Series 1999, the proceeds of which funded the construction of the YMCA Family Social Service Center located at 9600 South Military Trail, Boynton Beach, Florida, and the renovation and refurbishment of the YMCA Family Social Service Center located at 6631 Palmetto Circle South, Boca Raton, Florida, (the "YMCA Project"). The Bonds shall be payable solely from the revenues derived from the YMCA Project, and certain other assets, revenues and monies, paid by the YMCA for such purposes. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** Districts 4 & 5 (PFK)

ADOPTED

R-2003-029

E. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 4, Section 24, (Ordinance No. 98-22), pertaining to animal care manner of keeping; providing for repeal of laws in conflict; providing for severability; providing for savings clause; providing for penalty; providing for inclusion in the code of laws and ordinances; and providing for an effective date.

SUMMARY: Currently, the Animal Care and Control Ordinance mandates animals maintained on a tether must be in an area free of debris which may cause entanglements and that the tether must be a minimum of six (6) feet in length or longer for larger breeds and have appropriate food, water and shelter. This change retains the current language and amends Section 24, Animal Care; Manner of Keeping, Paragraph (d) to prohibit dogs from being tethered outside during the months of May through October between the hours of 10:00am and 5:00pm. Countywide (DW)

APPROVED

R-2003-1271

F. **Staff recommends motion to approve:** Issuance of a Special Secondary Service Certificate of Public Convenience and Necessity (COPCN) to Barton Protective Services Inc., a private security provider agency, to allow the agency to provide Advanced Life Support Service (ALS) first response, non-transport services to the private gated community of Wycliffe Golf & Country Club. **SUMMARY:** Barton Protective Services Inc.(Barton) currently provides private security service to the gated community of Wycliffe Golf & Country Club (Wycliffe). The residents of Wycliffe wish to have Barton provide ALS first response, non-transport services as part of their security services. The County Emergency Medical Services Office, Emergency Medical Services Advisory Council, and Palm Beach County Fire-Rescue have reviewed the application and recommend approval of a Special Secondary Service Provider - Non-Transport COPCN to be issued to Barton for operation restricted to the confines of the community of Wycliffe. They would operate under a Memorandum of Understanding with Palm Beach County Fire-Rescue, the primary ALS transport provider for the area. District 6 (DW)

5. PUBLIC HEARINGS - 9:30 A.M. (Cont'd)

G. APPROVED R-2003-1272

Staff recommends motion to approve: Issuance of a Special Secondary Service Certificate of Public Convenience and Necessity (COPCN) to The Wackenhut Corporation, a private security provider agency, to allow the agency to provide Advanced Life Support Service (ALS) first response, non-transport services to the private gated community known as The Polo Club Boca Raton. **SUMMARY:** The Wackenhut Corporation (Wackenhut) currently provides private security service to the gated community of The Polo Club Boca Raton (Polo Club). The residents of the Polo Club wish to have Wackenhut provide ALS first response, non-transport services as part of their security services. The County Emergency Medical Services Office, Emergency Medical Services Advisory Council, and Palm Beach County Fire-Rescue have reviewed the application and recommend approval of a "Special Secondary Service Provider - Non-Transport COPCN to be issued to Wackenhut for operation restricted to the confines of the community of the Polo Club. They would operate under a Memorandum of Understanding with Palm Beach County Fire-Rescue, the primary ALS transport provider for the area. District 5 (DW)

H. Staff recommends motion to approve:

A) APPROVED R-2003-1273
the filing of the FY2003 Section 5307 Federal Transit Administration (FTA) Grant application (FL-90-X485) for capital and operating funds in the amount of \$9,067,050;

B) APPROVED
the Palm Tran Director or Assistant Director through the County Administrator to execute, on behalf of the Board, and to transmit electronically the Board's approval of the 5307 grant application and the resulting grant agreement;

C) APPROVED
a downward Budget Amendment of \$2,932,950 in the Palm Tran Grants Fund (081) to reconcile the budget to the actual grant award; and

D) APPROVED
a downward Budget Amendment of \$2,932,950 in the Palm Tran Operating Fund (080) to reconcile the amendment in the Grant Fund.

SUMMARY: Palm Tran had budgeted \$12,000,000 for the FY2003 Federal Section 5307 grant based on prior years allocations for the West Palm Beach/Delray Beach/Boca Raton urbanized area. Effective with FY2003 Palm Beach County has been placed in the newly designated Miami urbanized area with Broward County and Miami-Dade County. The overall federal funding for the Miami urbanized area was reduced from a cumulative \$80,535,900 in FY2002 to a single allocation of \$75,775,535 in FY2004. The four (4) South Florida transit agencies that receive federal formula funds were not able to reach consensus on a final allocation for FY2004. As a result of this reduction, Palm Beach County has been given an interim allocation of \$9,067,050 for FY2003. Palm Tran has applied to the Florida Department of Transportation (FDOT) for the use of toll revenue credits as the required local 20% match of the federal dollars for the capital funds. Therefore, the projects budget lists the capital projects at 100% cost for the federal share. Countywide (DR)

5. PUBLIC HEARINGS - 9:30 A.M. (Cont'd)

I. Staff recommends motion to:

A) ADOPTED R-2003-030
adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to criminal history record checks; providing for title; providing for authority; providing for definitions; providing for critical facilities definition; providing for criminal history record checks; providing for alternative compliance; providing for enforcement; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date;

B) ADOPTED R-2003-1274
adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, finding certain County facilities to be critical to security or public safety pursuant to the Palm Beach County Criminal History Records Check Ordinance and Section 125.5801, Florida Statutes; providing for severability; providing for an effective date; and

C) APPROVED R-2003-1275
approve a Criminal History Record Check User Agreement for Non-Criminal Justice Purposes with the Florida Department of Law Enforcement.

SUMMARY: During the 2002 Legislative session, a statute was enacted which allowed counties to adopt ordinances requiring background checks for any private contractor, employees of private contractors, vendors, repair or delivery persons who have access to any public facility that the governing body finds is critical to security or public safety. This Ordinance establishes; 1) the County's program for conducting criminal history record checks on contractors, vendors, repair and delivery persons who require unescorted access to County facilities determined to be critical to public safety or security and 2) establishes a list of disqualifying criminal offenses. Contractors, vendors, repair and delivery persons who have disqualifying offenses will either be denied access to critical facilities or be required to have an escort at the Contractor's cost. The Resolution identifies those facilities critical to security or public safety. The User Agreement with FDLE provides for access to the criminal history records, the procedures for requesting finger-print based FBI criminal history checks, as well as identifies the privacy and security requirements. The Ordinance, Resolution and Agreement will have to be forwarded to FDLE and FBI for approval prior to implementation. The effective date of the Ordinance is October 1, 2003, providing that FBI approval has been secured by that date. (FDO Admin) Countywide (LB)

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6. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to:

A) ADOPTED R-2003-1276
adopt a Resolution, to replace Resolution No. 90-1583, adopting a travel policy and establishing the rates for travel reimbursement for county employees for per diem, subsistence, and mileage; and

B) APPROVED
approve on preliminary reading and advertise for public hearing on September 23, 2003 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Ordinance No. 92-32, the Palm Beach County Vicinity Mileage Ordinance, Codified in Chapter 2, article 4, division 1, of the Palm Beach County Code, and providing for repeal of laws in conflict; providing for severability; providing for an effective date.

SUMMARY: During the 2003 State Legislative Session, SB 1426, was passed which allows municipalities, counties, county officers, district school boards, and special districts to adjust the maximum travel reimbursement rates for non-state travelers specified in s. 112.061(6)(a) for per diem, in s. 112.061(6)(b) for subsistence, and in s. 112.061(7)(d)1. for mileage. In order for the change to occur for county employees, a resolution must be enacted. Currently, under state statute, the maximum reimbursements for subsistence are as follows: Breakfast - \$3, Lunch - \$6, and Dinner - \$12. The maximum allowable for mileage reimbursements is \$0.29 per mile, and the maximum per diem is \$50 per day. The proposed new county rates are as follows: Breakfast - \$6, Lunch - \$12, Dinner - \$22, for a total maximum of \$40 per day, mileage - \$0.36 per mile, Per diem - \$95 per day, in quarter-day increments.

The proposed reimbursement amounts are based on research obtained by the Federal General Services Administration, the department responsible for setting the federal travel reimbursement rates, and more accurately reflects the costs associated with business travel. The proposed meal reimbursement rate was calculated by averaging the current Federal reimbursement rates for cities throughout Florida. The proposed mileage reimbursement is the IRS approved amount. The proposed per diem rate is the federal standard lodging amount (\$55), plus the proposed daily total subsistence (\$40), which equals \$95. Countywide (ND)

2. **APPROVED WITH BOARD DIRECTIONS**

Staff recommends motion to request Board direction: on a request from the Quantum Foundation for \$10,000 of funding for the 2003/2004 Senior Flu Project. **SUMMARY:** The goal of this program is to provide 1,800 older adults with flu shots in Palm Beach County. Funders include the Quantum Foundation (\$15,000), the Area Agency on Aging (\$10,000), the Health Care District (\$15,000) and Palm Healthcare Foundation (\$15,000). This program would utilize paramedics to actually administer the shots working under close supervision with the Health Department. While the program is worthwhile, staff believes the above entities are the appropriate sources of funding for "medical" issues. Regarding the budget, staff noted that the vaccine costs \$18,000 and much of the money seems to be going towards salaries, registration forms/cards, and advertising. Staff was also very concerned with a statement contained in the request, which stated "The project during 2003/2004 will be moved from Omega to the Area Agency on Aging. This, as you know is the goal of Omega - to incubate projects, demonstrate their value in the community, and hand them off to the most appropriate organizations". Countywide (TKF)

6. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

3. APPROVED

ADD-ON: Staff recommends motion to approve: Amending the current Airline Service Incentive Program, expanding the domestic flight incentive to include a waiver of gate charges and reducing the minimum flight frequency requirement. **SUMMARY:** On December 17, 2002, the Board approved the Airline Service Incentive Program Participation Agreement, granting free landing fees for one-year to new, non-stop service destinations. Staff recommends increasing the incentive to include gate charges for the first year to keep the Incentive Program competitive with other airports. Staff has had ongoing marketing discussions with Frontier Airlines to provide non-stop services to Denver. Amending the Incentive Program will assist in this effort and other efforts to add other non-stop flights to key areas, such as the west coast. If approved in concept, the Department and the County Attorney will amend the current Participation Agreement and return the document to the Board for further review and final approval. Countywide (Airports)

B. COUNTY ATTORNEY

1. ADOPTED R-2003-1277

Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the issuance of revenue bonds in an amount not-to-exceed \$8,000,000 by the Palm Beach County Health Facilities Authority (the Health Facilities Authority) . **SUMMARY:** The proceeds of the Bonds will be used by the Health Facilities Authority for the purposes of (1) refunding all outstanding Palm Beach County Health Facilities Authority Revenue Bonds, Series 1992 (Abbey Delray South Project), (2) financing, refinancing or reimbursing Life Care Retirement Communities, Inc., an Iowa nonprofit corporation for the cost of acquiring, constructing and equipping (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) Abbey Delray South, a 245-unit life care facility and related 90-bed health center located at 1717 Homewood Boulevard, Delray Beach, Florida (the "Abbey Delray South Facility"), (3) funding a reserve for debt service, and (4) paying certain expenses incurred in connection with the issuance of the Series 2003 Bonds. Approval by an elected body is required by the Internal Revenue Code, however, adoption of this resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 4 (PFK)

C. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. APPROVED

Staff recommends motion to approve: Budget Transfer of \$600,000 from the General Fund Contingency to provide additional funding for General Government Non-Departmental Operations. **SUMMARY:** The purpose of this transfer is to provide \$600,000 in funding from the General Fund Contingency for unanticipated General Government operating costs, including special assessments for the Vista Center property, higher collection agency fees resulting from increased collections on delinquent bills owed to the County and higher filing fee expenses resulting from increases in criminal court cost judgements in favor of the County. Countywide

2. APPROVED

Staff recommends motion to approve: Budget Transfer of \$10,000 from the General Fund Contingency Reserve to the Criminal Justice Commission for office renovations that were approved and budgeted in FY 2002, but not completed until FY 2003. **SUMMARY:** The Criminal Justice Commission began renovation of office space on the tenth floor of the Governmental Center during FY 2002. The renovation was expected to be completed and paid for during FY 2002, therefore a request to carryover the funding into FY 2003 was not processed. However, the renovation was not completed until FY 2003 and since the funding lapsed, it is necessary to re-appropriate budget for the project. Countywide

6. REGULAR AGENDA

C. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET (Cont'd)

3. Staff recommends motion:

A) **APPROVED**

to direct staff to move forward with the refunding of all of the outstanding Public Improvement Recreation Facilities Revenue Bonds, Series 1994 (approximately \$5,640,000).

B) **APPROVED**

to select William R. Hough as the sole manager of the recreational facilities refunding bonds.

C) **APPROVED**

to appoint Ruden McClosky Smith Schuster & Russell, P.A. bond counsel for the recreational facilities refunding bonds.

SUMMARY: In July, 2003, William R. Hough submitted an unsolicited proposal to the County recommending the refunding of the County's outstanding Recreational Facilities Revenue Bonds issued in 1994. Refunding the bonds at current rates would result in a current gross savings of \$426,813 with a net present value savings of approximately 6.36% of the refunded principal amount. Since it is a small issue and William R. Hough's was the only proposal received by the County, staff recommends that they be appointed as the sole underwriter. Hough is in the County's current underwriting pool. Ruden McClosky is the firm that is currently eligible for selection as bond counsel on the rotation list. Countywide (PFK)

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **POSTPONED**

Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 23, 2003 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing for a short title, purpose, applicability, authority; providing for definitions; providing for protection of the conservation lands; providing for compensation for interests in conservation lands; providing for exemptions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Palm Beach County Code; providing for an effective date. **SUMMARY:** The proposed Ordinance, to be known as the Conservation Lands Protection Ordinance, is designed to provide additional long-term protection for the lands acquired in whole or in part from funds obtained from bond issues authorized by the Environmentally Sensitive Lands Referendum (March 12, 1991) or the Land Acquisition for Conservation Purposes Referendum (March 9, 1999), as well as lands donated to the County for conservation purposes. The Ordinance establishes a public process whereby the Board of County Commissioners (Board) may review the conveyance of interests in the conservation lands or review proposed uses for the conservation lands that are other than those purposes contemplated by the bond referendums and for which the lands were initially acquired. The process requires a request for interest in conservation lands, review by staff, public review at the Conservation Lands Acquisition Selection Committee (CLASC) and the Natural Areas Management Advisory Committee (NAMAC), and finally before the Board. The Ordinance also establishes guidance for compensation when interest in the conservation lands is conveyed, or if uses of the land are approved for other than the purposes for which the land was acquired. In addition, the Ordinance requires an affirmative vote of five (5) members of the Board to approve the conveyance of interest in the conservation lands. Countywide (HJ)

6. REGULAR AGENDA

E. PLANNING, ZONING AND BUILDING

1. APPROVED

Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 23, 2003 at 9:30 a.m., an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing for the temporary suspension of Building and Development Permits in the unincorporated area of Palm Beach County after declaration of the County as a disaster area or declaration of a state of local emergency, providing for title, providing for definitions, providing for declaration of suspension, providing for effects of suspension, providing for schedule for ending suspension, providing for authority, providing for repeal of laws in conflict, providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** This Ordinance will temporarily suspend the issuance of development orders, development permits, variances, re-zonings, building permits, and suspend construction and reconstruction in the event a state of local emergency is declared by the Governor or the Board of County Commissioners. The ordinance will allow emergency repairs to proceed without permits. Unincorporated (RB)

F. COMMUNITY SERVICES

1. APPROVED

Staff recommends motion to approve: funding of the Financially Assisted Agencies in the amount of \$10,432,759 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** The Board of County Commissioners at its Budget Workshop on July 9, 2003, directed staff to recommend allocation of an additional \$2,600,000 to the Financially Assisted Agencies (FAA) for an increase in budget from \$7,832,759 to \$10,432,759. Details of these recommendations are in Attachment "A". Funding recommendations for the first \$1,000,000 of the additional funds were based on agency services and overall performance. Of the remaining \$1,600,000 staff made funding recommendations totaling \$1,326,337. This resulted in an unallocated amount of \$273,663 to be allocated at a later date. Recommendations for funding were based on several criteria. First consideration was for agencies offering either Developmental Disability or Shelter services. Developmental Disabilities has undergone funding shifts during the past several years that have left its service delivery system at risk of not being able to handle the growing client population. In the area of Shelter services, programs have not been able to grow at the same rate as the homeless and at-risk homeless population. By investing the additional resources at this time, the County will participate in reducing the gaps in services for both of these populations. Additional funding recommendations were made based on other funders' reductions and the impact they have had on FAA agency budgets. In areas where FAA funded services were affected, special consideration was given for additional financial support. Countywide (TKF)

6. REGULAR AGENDA

G. CRIMINAL JUSTICE COMMISSION

1. **APPROVED** **R-2003-1279**

A) REVISED MOTION & SUMMARY: **approve** the submittal of a grant application to the Florida Department of Law Enforcement (FDLE) for the FY2004 Drug Control and System Improvement (DCSI) Formula Grant Program (a/k/a Byrne Grant) for the Visual Planning Technologies Project in the amount of \$200,000 (federal grant \$150,000, match \$50,000) for the period October 1, 2003 through September 30, 2004;

B) APPROVED
approve ~~ad valorem~~ match of \$50,000 from State Law Enforcement Trust Funds provided through the Sheriff's Office;

C) APPROVED
approve the creation of a grant-funded Senior Analyst Programmer position to be added to the Information Systems Services (ISS) complement;

D) APPROVED
approve the creation of a grant-funded GIS Support Specialist position to be added to the ISS complement; and

E) AUTHORIZED
authorize the County Administrator or his designee to execute all necessary forms and documents as required by FDLE for FY2004.

SUMMARY: The Visual Planning Technologies Project (VPT) is a criminal justice mapping and data sharing initiative to establish geographic crime analysis capabilities on a countywide scale. The development of a geographic information system on a countywide basis will aid in erasing the limitations of jurisdictional information. The VPT Project is overseen by a Steering Committee representing all participating agencies. It is a cooperative effort that encompasses over sixty law enforcement agencies within Palm Beach County at all levels including local, state and federal. The Criminal Justice Commission initiated the project and coordinates the participation of law enforcement agencies. The project is now moving into the technical implementation phase

and the County's ISS Department will be the projects implementing agency. ~~Ad valorem~~ State LETF funding of \$50,000 is being requested to satisfy the 25% local cash match requirement. Upon Board approval of this application, the grant will be included in the proposed FY 2004 budget presented to the Board at the September 11th Public Hearing. The grant-funded positions will be eliminated when grant funding is discontinued. Countywide (DW) (CJC)

6. REGULAR AGENDA

H. ENGINEERING

_____ 1. Staff recommends motion to approve:

A) **APPROVED**

Budget Transfer of \$25,000 in the General Fund from General Fund Contingency to transfer to Transportation Improvement Fund 360; and

B) **APPROVED**

Budget Amendment of \$25,000 in the Transportation Improvement Fund to recognize a transfer from the General Fund for Palmetto Park Road/State Road 7 to Military Trail.

SUMMARY: This budget transfer and amendment will fund professional services to prepare a study for constructing underground transmission lines (230KV) along with related facilities, and provide cost estimates for the analysis of worst/least affected "per mile" section along the Project. Districts 4 & 5 (PK)

I. HOUSING AND COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve:

The 2003 Tornado Disaster Relief Program:

A) **APPROVED**

to be funded in the amount of \$200,000 in Community Development Block Grant(CDBG) funds;

B) **APPROVED**

to assist qualified owners of mobile homes and single family detached homes who were affected by the August 7, 2003, storm, in an amount not-to-exceed \$15,000 per unit as an unsecured grant; and

C) **APPROVED**

to provide a waiver of the bidding process allowing staff to negotiate the cost of construction work with contractors performing the repairs.

REVISED SUMMARY: This will implement the 2003 Tornado Disaster Relief Program which is intended to provide disaster relief from a storm that occurred on August 7, 2003, resulting in wind and water damage to homes in, but not limited to, unincorporated Palm Beach County, the City of Riviera Beach, the City of Lake Park, and the City of Palm Beach Gardens. Assistance for repairs of damage sustained as a result of this storm will be provided up to \$15,000 per qualified low/moderate income household residing in a mobile home or a single family detached home located in unincorporated Palm Beach County or a municipality having an interlocal agreement with Palm Beach County. Rehabilitation of damaged properties shall be limited to that necessary to alleviate serious and immediate threats to the health or safety of the inhabitants (funding is not intended to reimburse homeowners for content losses or relocation assistance). **These are Federal funds that require no local match.** Districts 1 & Z (TKF)

6. REGULAR AGENDA

J. HOUSING AND COMMUNITY DEVELOPMENT (Cont'd)

1. **APPROVED** **R-2003-1280**

ADD-ON: Staff recommends motion to receive and file: executed "Declaration of State of General Emergency". **SUMMARY:** On August 7, 2003 Palm Beach County experienced a severe weather system that posed a significant, imminent, and dangerous threat to the health, safety, and welfare of the residents and visitors in the County. Two tornados were spawned from the severe weather that caused extensive damage to hundreds of homes and businesses. The "Declaration of State of General Emergency" was declared and in effect for 7 days to initiate the taking of emergency actions by the County Administrator to protect the lives and property of those affected by the storm. District 1 & 7 (DW) (Pub Safety)

2.

ADD-ON: Staff recommends motion to:

A) APPROVED

approve up to \$75,000 from the Board of County Commissioners (BCC) General Fund Contingency to assist residents with emergency repairs and related emergency recovery costs which resulted from the recent tornado disaster;

B) APPROVED

accept up to \$25,000 from the United Way of Palm Beach County as a Partnership with the BCC to assist in emergency repairs and related emergency recovery costs;

C) APPROVED

approve Budget Transfer of \$75,000 from the General Fund Contingency Reserves;

D) APPROVED

approve Budget Amendment of \$25,000 in the general fund to accept the funds from the United Way; and

E) APPROVED

approve the carry-forward of any unspent monies in this account into FY2004.

SUMMARY: On August 7, 2003, portions of unincorporated Palm Beach County, the City of Riviera Beach, the City of Lake Park, and the City of Palm Beach Gardens were damaged by a tornado which caused wind and water damage to over 230 private and public structures. It is anticipated that due to Federal regulations, regarding housing types, Housing and Community Development (HCD) funds will predominately benefit Riviera Beach/Lake Park and the County funds will predominately benefit the unincorporated area. The \$75,000 financial support from the BCC along with the \$25,000 United Way matching funds would be available to the disaster victims to aid recovery. On August 13, 2003, Governor Bush requested a Presidential Disaster Declaration for Palm Beach County tornado victims, however, it may be several weeks before FEMA approves or denies the request. The major criteria that will be used to reimburse emergency expenses is outlined in Attachment 1 of the agenda item. Districts 1 & 7 (DW) (Pub Safety)

7. BOARD APPOINTMENTS

A. ADMINISTRATION

(Health Care District of Palm Beach County)

1. APPOINTED

Staff recommends motion to reappoint: One (1) at -large member to the Health Care District of Palm Beach County for a four (4) year term beginning October 1, 2003 through September 30, 2007.

<u>Name</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated by:</u>
Dr. Effie Grear, M.D.	Glades Area Resident	2	Commissioner Greene Commissioner Koons Commissioner Marcus Commissioner McCarty

SUMMARY: The Health Care District of Palm Beach County is comprised of seven (7) members, with a least one (1) person residing in the Glades area. The membership of the district board shall include three (3) members appointed by the Governor, three (3) members appointed by the Board of County Commissioners, one (1) of whom must be an elected official, other than themselves, and one (1) shall be the Director of the public health department. Dr. Effie Grear was appointed to complete a seat vacancy and has expressed an interest in continuing to serve. Dr. Grear also fills the seat requirement for a representative of the Glades area. Countywide (TKF)

(Small Business Assistance Advisory Committee)

APPROVED

Staff recommends motion to approve: appointment of the following individual to Seat No. 4 of the Small Business Assistance Advisory Committee for a term of two (2) years.

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By:</u>
John D. Weaver	4	White male business owner certified as a small business by the County	Commissioner McCarty

SUMMARY: The nominee listed above has expressed an interest in serving on the Small Business Assistance Advisory Committee for a seat which has never been filled. On June 17, 2003 a list of SBE certified white male business owners was sent to the Board of County Commissioners with names for consideration of this seat in addition to a request for other nominations from the Board. Commissioner McCarty responded with her nomination of John D. Weaver. No other nominations were received. Countywide (TKF)

7. BOARD APPOINTMENTS

A. ADMINISTRATION (Cont'd)
(Workforce Alliance Board)

3. **APPROVED**

Staff recommends motion to approve: Two (2) Business Sector appointments; two (2) Community Sector Workforce Alliance Board Members through January 31, 2008 and one (1) Community Sector appointment for duration of term.

NOMINEES

<u>New Appointments</u>	<u>Seat No.</u>	<u>Area of Representation</u>	<u>Position/Employer</u>	<u>Nominated by</u>
Kevin Audin	27	Business Development	Business Manager, Propulsion	Business Development Board
Jody Gleason	26	Partner	Executive Director, Education	Education Commission
George Elmore	18	Economic Development	Chairman and Founder Hardrives, Inc.	Economic Council
M.J. "Mike" Arts	23	Private Sector-Economic Development	President/CEO Greater Boca Chamber of Commerce	Greater Boca Raton Chamber Commerce
Ted Simpkins	5	One Stop Partner	District Administrator Department of Children & Families	Department of Children & Families

SUMMARY: The membership of the WA conforms with the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO's or highest level of management positions for both community and business sector appointments. Countywide

B. COMMUNITY SERVICES
(Treasure Coast Health Council, Inc.)

1. **APPOINTED**

Staff recommends motion to appoint: the following individual to complete the term of Lillian Tamayo which expires July 1, 2004:

<u>Name</u>	<u>Category</u>	<u>Nominated by:</u>
Ms. Emmy S. Rayne	Health Care Professional	Commissioner Greene Commissioner Koons

SUMMARY: The purpose of the Council is to define health service needs and assist in developing health services that will best meet the community's needs. Seven of the twelve members are appointed by the Board of County Commissioners. The remaining five are appointed by the other four Treasure Coast counties. Membership consists of representatives of health care providers, health care purchasers, and non-governmental health care consumers, not to exclude government officials. Lillian Tamayo has submitted a letter of resignation and Ms. Rayne has been nominated to finish the term which expires July 1, 2004. Countywide (TKF)

7. BOARD APPOINTMENTS

C. **HOUSING AND COMMUNITY DEVELOPMENT**
(Westgate/Belvedere Homes CRA Board)

1. **APPROVED**

Staff recommends motion to approve: The following CRA Board Officers for a one year term commencing June 16, 2003 and expiring May 31, 2004.

<u>Board Member</u>	<u>Office</u>
Frederick G. Wade/reappointment as	Chair
Ronald Daniels/reappointment as	Vice-Chair

SUMMARY: The Westgate/Belvedere Homes CRA Board consists of seven (7) at-large members from the general public and local businesses within the CRA boundaries. At the June 16, 2003 meeting, the CRA Commissioners elected the Chair and Vice-Chair from amongst its Board. The term of which shall be one (1) year, beginning with the date of election. District 2 (TKF)

D. **PLANNING, ZONING & BUILDING**
(Construction Industry Licensing Board (CILB))

1. **APPROVED**

Staff recommends motion to approve: appointment/reappointment of the following individuals to the Construction Industry Licensing Board (CILB).

<u>A) Appoint Nominee</u>	<u>Nominated By</u>	<u>Requirements</u>	<u>Seat No.</u>
_____ Steve Smyth	PBC Const. Ind. Management Co	HARV Contractor	1
John Lowen	Godfrey Electric, Inc. PBC Const. Ind. Management Co	Electrical Contractor	2
Rebecca Ascoli	PB Chapter FL Engineering Society	Engineer	9
Lee P. Feely	Commissioner Jeff Koons	Consumer Member	14
<u>B) Reappoint Nominee</u>			
_____ Edward Cury	Commissioner Jeff Koons Commissioner Mary McCarty	Residential Contractor	6
Mal Behl	Commissioner Mary McCarty Commissioner Jeff Koons	Consumer Member	13

SUMMARY: Steve Smyth has been recommended to replace Stephen Barto, Seat No. 1, John Lowen has been recommended to replace Donald G. Sharkey, Seat No. 2, Rebecca Ascoli has been recommended to replace Marty Millar, Seat No. 9, who are not eligible to be renominated for another term on the CILB. Lee Feely is nominated to complete the term of Tripp Cioci, Seat No. 14. The basic term of office is three (3) years, but no member shall serve for more than two (2) consecutive terms, and may be reappointed after a three (3) year hiatus. Edward Cury (3 yrs) and Mal Behl (3 yrs) have each served for one (1) term and are eligible for reappointment. Countywide (GB)

7. BOARD APPOINTMENTS

D. **PLANNING, ZONING & BUILDING (Cont'd)**
(Construction Board of Adjustments & Appeals (CBAA))

2. **APPROVED**

Staff recommends motion to approve: appointment/reappointment of the following individuals to the Construction Board of Adjustments & Appeals (CBAA) for a term of three (3) years.

<u>A)Appoint</u>	<u>Nominated By</u>	<u>Seat No.</u>	<u>Requirements</u>
Mark Terlep	PBC Construction Industry Mgmt. Co.	8	Alternate
Ryan Davis	Gold Coast Builders Assoc.	9	Alternate
B)Reappoint			
Albert Godfrey	PBC Construction Industry Mgmt Co.	3	E l e c t r i c a l Contractor
Robert Riestenberg	PBC Construction Industry Mgmt. Co.	6	H V A C Contractor

SUMMARY: The appoint/reappointment of Mark Terlep, Ryan Davis, Albert Godfrey and Robert Riestenberg represents the appropriate composition of the Board as required by the Palm Beach County Amendments to the Florida Building Code, 2001 Edition. Countywide (GB)

E. **PUBLIC SAFETY DEPARTMENT**
Emergency Medical Services Council

1. **APPROVED**

Staff recommends motion to approve: appointment of one (1) At-Large member to the Emergency Medical Services Council representing the EMS Educator from Palm Beach Community College for the term of August 19, 2003 to April 1, 2005.

<u>Nominee</u>	<u>Requirement</u>	<u>Seat No.</u>
Mary Kelley	EMS Educator	8

SUMMARY: Per Resolution No. 99-1396 the Board of County Commissioners approved representative make-up of the Emergency Medical Services Council to include seventeen (17) members. Mr. David C. Magruder, representing the Palm Beach Community College has resigned as he is no longer employed by Palm Beach Community College. Palm Beach Community College has submitted a recommendation for Mary Kelley as a replacement for David C. Magruder. The nominee resides in Palm Beach County. Countywide (DW)

7. BOARD APPOINTMENTS

F. ENVIRONMENTAL RESOURCES MANAGEMENT
(Artificial Reef and Estuarine Enhancement Committee (AREEC))

1. **APPROVED**

Staff recommends motion to approve: Appointment of one (1) at-large member to Seat No. 3 of the Artificial Reef and Estuarine Enhancement Committee (AREEC) for a term of three (3) years.

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
*Robert Robbins	3	Local Government Entity	Commissioner Koons Commissioner Newell
Anthony Mauro	3	Local Government Entity	Commissioner McCarty

*Endorsed by Artificial Reef and Estuarine Enhancement Committee at its May 1, 2003 meeting.

SUMMARY: Resolution No. R96-1489 provides a nine-member AREEC. Commissioner Jeff Koons was originally appointed to Seat No. 3 on October 15, 1996, and his term expired on October 14, 2002. Commissioner Koons has declined reappointment. Pursuant to the Policies and Procedures Memorandum on Board Appointments, the Department of Environmental Resources Management submitted a memorandum dated May 12, 2003, to the Board of County Commissioners requesting a nomination for the above-referenced seat on the AREEC. Commissioners Newell and Koons nominated Mr. Robert Robbins. Commissioner McCarty nominated Mr. Anthony Mauro. Countywide (ND)

(Groundwater and Natural Resources Protection Board (GNRPB))

2. **APPROVED**

Staff recommends motion to approve: reappointment of one (1) at-large member to the Groundwater and Natural Resources Protection Board (GNRPB) for a three (3) year term from August 1, 2003 through July 31, 2006:

Reappoint:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
John Flanigan	Attorney	2	Commissioner Newell Commissioner McCarty Commissioner Greene

SUMMARY: Resolution No. 89-24 and Section 4.13 of the Unified Land Development Code (ULDC) established a seven (7) member GNRPB. A Memorandum was sent to the Board of County Commissioners on June 10, 2003 that advised the term of Seat No. 2 on the GNRPB expired on July 31, 2003. Commissioners Newell, McCarty and Greene nominated the current member, John Flanigan, who wishes to be reappointed. The requirement for seat No. 2 is to be an attorney. John Flanigan meets this requirement. Countywide (ND)

G. COMMISSION DISTRICT APPOINTMENTS

AUGUST 19, 2003

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

AUGUST 19, 2003

9. COMMISSIONER COMMENTS

A. District 1 - KAREN T. MARCUS, CHAIR

B. District 2 - COMMISSIONER JEFF KOONS

C. District 3 - COMMISSIONER WARREN H. NEWELL

D. District 4 - COMMISSIONER MARY MCCARTY

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - TONY MASILOTTI, VICE-CHAIRMAN

G. District 7 - COMMISSIONER ADDIE L. GREENE

10. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

AUGUST 19, 2003

<u>PAGE</u>	<u>ITEM</u>	
31	3I-1	DELETED: Amendment No. 001 to the Mortgage and Security Agreement (R2003-0809) with Indian Trace Associates, Ltd. (HCD) (Waiting on agency)
49	3U-1	REVISED: Contracts A) Contract with SunGard, Inc. to provide for the availability of business recovery equipment and services for the County's enterprise servers, at cost not-to-exceed of \$657,290 <u>\$694,008</u> for the five year period ending August 31, 2008, payable monthly and renewable annually; B) SunGard Recovery Fast Track Service to provide readiness services prior to the first off-site recovery test, at a one-time cost of \$20,500 which is included in the above cost; <u>and</u> PreCover software to facilitate the design and maintenance of a Disaster Recovery Plan including one-year maintenance and support, <u>at a one-time cost of \$28,500 payable in 60 monthly installments;</u> and, C) services to assist ISS in establishing a Business Recovery Plan based on the Business Recovery Services for a one-time fee <u>cost</u> of \$40,000. SUMMARY: The County's dependency on information technology hardware and software has grown at a rapid pace in the past ten years. Previously, the County was reliant <u>relied</u> solely on one mainframe computer (server). Today's technology requires the use of a significant number of servers. ISS' current IBM Business Recovery Plan for off-site recovery covers only the mainframe and one annual off-site recovery test, at a cost of \$94,338 annually. The contract with SunGard will replace the IBM contract, will provide off-site recovery equipment and facilities for the County's mission-critical servers including the mainframe and two off-site recovery tests, and provide turn-key work space for post-disaster employee interface to those servers using mobile data centers, for an initial annual cost of \$423,680 <u>\$124,980</u> . This is <u>represents</u> a much higher level of support for the County's business recovery than is currently in place. In addition, SunGard will work with County staff to create a business recovery plan which is supported by the Business Recovery Services being contracted. As with the IBM contract, additional costs will be incurred should a Disaster be officially declared such that SunGard equipment and facilities would be utilized. <u>Countywide</u> (PK) (ISS)
50	3U-2	DELETED: Contract with IBM to purchase OnDemand Production CD-ROM software to create computer disks (CDs) from the County's OnDemand system, associated implementation services. and annual maintenance through July 14, 2004, at a total cost of \$60,800. (ISS) (Further staff review)
60	6A-3	ADD-ON: Staff recommends motion to approve: Amending the current Airline Service Incentive Program, expanding the domestic flight incentive to include a waiver of gate charges and reducing the minimum flight frequency requirement. SUMMARY: On December 17, 2002, the Board approved the Airline Service Incentive Program Participation Agreement, granting free landing fees for one-year to new, non-stop service destinations. Staff recommends increasing the incentive to include gate charges for the first year to keep the Incentive Program competitive with other airports. Staff has had ongoing marketing discussions with Frontier Airlines to provide non-stop services to Denver. Amending the Incentive Program will assist in this effort and other efforts to add other non-stop flights to key areas, such as the west coast. If approved in concept, the Department and the County Attorney will amend the current Participation Agreement and return the document to the Board for further review and final approval. <u>Countywide</u> (Airports)

REVISED MOTION & SUMMARY:

A) approve the submittal of a grant application to the Florida Department of Law Enforcement (FDLE) for the FY2004 Drug Control and System Improvement (DCSI) Formula Grant Program (a/k/a Byrne Grant) for the Visual Planning Technologies Project in the amount of \$200,000 (federal grant \$150,000, match \$50,000) for the period October 1, 2003 through September 30, 2004;

B) approve ~~ad valorem~~ match of \$50,000 from State Law Enforcement Trust Funds provided through the Sheriff's Office;

C) approve the creation of a grant-funded Senior Analyst Programmer position to be added to the Information Systems Services (ISS) complement;

D) approve the creation of a grant-funded GIS Support Specialist position to be added to the ISS complement; and

E) authorize the County Administrator or his designee to execute all necessary forms and documents as required by FDLE for FY2004.

SUMMARY: The Visual Planning Technologies Project (VPT) is a criminal justice mapping and data sharing initiative to establish geographic crime analysis capabilities on a countywide scale. The development of a geographic information system on a countywide basis will aid in erasing the limitations of jurisdictional information. The VPT Project is overseen by a Steering Committee representing all participating agencies. It is a cooperative effort that encompasses over sixty law enforcement agencies within Palm Beach County at all levels including local, state and federal. The Criminal Justice Commission initiated the project and coordinates the participation of law enforcement agencies. The project is now moving into the technical implementation phase and the County's ISS Department will be the projects implementing agency. ~~Ad valorem~~ State LETF funding of \$50,000 is being requested to satisfy the 25% local cash match requirement. Upon Board approval of this application, the grant will be included in the proposed FY 2004 budget presented to the Board at the September 11th Public Hearing. The grant-funded positions will be eliminated when grant funding is discontinued. Countywide (DW) (CJC)

REVISED SUMMARY: This will implement the 2003 Tornado Disaster Relief Program which is intended to provide disaster relief from a storm that occurred on August 7, 2003, resulting in wind and water damage to homes in, but not limited to, unincorporated Palm Beach County, the City of Riviera Beach, the City of Lake Park, and the City of Palm Beach Gardens. Assistance for repairs of damage sustained as a result of this storm will be provided up to \$15,000 per qualified low/moderate income household residing in a mobile home or a single family detached home located in unincorporated Palm Beach County or a municipality having an interlocal agreement with Palm Beach County. Mobile homes located in "A Garden Walk Mobile Home Park" will not be eligible for HCD funds because of short term leases (month to month) on the land. Federal guidelines require long term leases (at least 5 years) or ownership of the land. Rehabilitation of damaged properties shall be limited to that necessary to alleviate serious and immediate threats to the health or safety of the inhabitants (funding is not intended to reimburse homeowners for content losses or relocation assistance). **These are Federal funds that require no local match.** Districts 1 & 7 (TKF)

65 6J-1 **ADD-ON:** **Staff recommends motion to receive and file:** executed "Declaration of State of General Emergency". **SUMMARY:** On August 7, 2003 Palm Beach County experienced a severe weather system that posed a significant, imminent, and dangerous threat to the health, safety, and welfare of the residents and visitors in the County. Two tornados were spawned from the severe weather that caused extensive damage to hundreds of homes and businesses. The "Declaration of State of General Emergency" was declared and in effect for 7 days to initiate the taking of emergency actions by the County Administrator to protect the lives and property of those affected by the storm. District 1 & 7 (DW) (Pub Safety)

65 6J-2 **ADD-ON:** **Staff recommends motion to:**

A) approve up to \$75,000 from the Board of County Commissioners (BCC) General Fund Contingency to assist residents with emergency repairs and related emergency recovery costs which resulted from the recent tornado disaster;

B) accept up to \$25,000 from the United Way of Palm Beach County as a Partnership with the BCC to assist in emergency repairs and related emergency recovery costs;

C) approve Budget Transfer of \$75,000 from the General Fund Contingency Reserves;

D) approve Budget Amendment of \$25,000 in the general fund to accept the funds from the United Way; and

E) approve the carry-forward of any unspent monies in this account into FY2004.

SUMMARY: On August 7, 2003, portions of unincorporated Palm Beach County, the City of Riviera Beach, the City of Lake Park, and the City of Palm Beach Gardens were damaged by a tornado which caused wind and water damage to over 230 private and public structures. It is anticipated that due to Federal regulations, regarding housing types, Housing and Community Development (HCD) funds will predominately benefit Riviera Beach/Lake Park and the County funds will predominately benefit the unincorporated area. The \$75,000 financial support from the BCC along with the \$25,000 United Way matching funds would be available to the disaster victims to aid recovery. On August 13, 2003, Governor Bush requested a Presidential Disaster Declaration for Palm Beach County tornado victims, however, it may be several weeks before FEMA approves or denies the request. The major criteria that will be used to reimburse emergency expenses is outlined in Attachment 1 of the agenda item. Districts 1 & 7 (DW) (Pub Safety)

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 (*).