

**MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR/WORKSHOP**

**1. CALL TO ORDER:** August 26, 2003, at 9:30 a.m., in the Palm Beach County Governmental Center, West Palm Beach, Florida.

**1.A. ROLL CALL**

MEMBERS AND OFFICERS PRESENT:

Chair Karen T. Marcus  
Vice-Chair Tony Masilotti  
Commissioner Burt Aaronson - Arrived later  
Commissioner Addie L. Greene  
Commissioner Jeff Koons - Arrived later  
Commissioner Mary McCarty - Arrived later  
Commissioner Warren H. Newell  
County Administrator Robert Weisman  
Assistant County Attorney Mike Jones  
Deputy Clerk Denise Carmona

**2. AGENDA APPROVAL**

**2.A. ADDITIONS, DELETIONS, SUBSTITUTIONS**

**2.B. ADOPTION**

County Administrator Weisman noted the agenda changes as follows:

<u>PAGE</u>	<u>ITEM</u>
1	6B-1

**DELETED:** a Utility Easement in favor of Florida Power & Light (FPL) to provide underground distribution of power lines on Peanut Island. (FD&O) (Further Staff Review)

**MOTION to adopt the agenda as amended. Motion by Commissioner Masilotti, seconded by Commissioner Greene, and carried 4-0. Commissioners Aaronson, Koons, and McCarty absent.**

**2.C. UNSCHEDULED ITEM**

(CLERK'S NOTE: The following item 2.C. was discussed later in the meeting, see page 6.)

**MALARIA AND WEST NILE VIRUS UPDATE. DISCUSSED 8-26-2003**

Health Department Director Jean Marie Malecki discussed malaria and West Nile virus, diseases spread by mosquitoes. She explained that there were seven cases of malaria in an expanded area and the hospitals had been directed to perform appropriate malaria tests on anyone coming into the emergency room with a fever. Staff at mosquito control, the health department, and the medical community was working very closely to prevent any more cases, assured Dr. Malecki.

**3. 9:30 A.M. WORKSHOP - See pages 4-5.**

**4. 10:00 A.M. WORKSHOP - See pages 5-6.**

- 5. **2:00 P.M. WORKSHOP** - See pages 6-10.
- 6. **REGULAR AGENDA** - See pages 2-4.
- 7. **ADJOURNMENT** - See page 10.

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6. **REGULAR AGENDA**

6.A. **CLERK**

6.A.1.

WARRANT LIST DATED AUGUST 22, 2003. APPROVED 8-26-2003

COMPUTER CHECKS	\$10,606,460.92
WIRE TRANSFERS	4,069,234.16
MANUAL CHECKS	0.00
EDI TRANSFER	<u>631,428.22</u>
	\$15,307,123.30

6.A.2.

CONTRACTS AND CLAIMS SETTLEMENTS LIST EXECUTED BY THE PURCHASING DIRECTOR, CUMULATIVELY TOTALING \$2,593,487.46. APPROVED 8-26-2003

a.

RENEWAL OF TERM CONTRACT WITH HOWE ENTERPRISES FOR \$710,000 FOR AIRCRAFT INSECTICIDE SPRAYING FROM OCTOBER 1, 2003, THROUGH SEPTEMBER 30, 2004, PER BID #02-154A/JJ. APPROVED 8-26-2003

b.

INCREASE IN AMOUNT OF TERM CONTRACT WITH GENERAL GARAGE DOOR FROM \$99,858 TO \$104,000 FOR OVERHEAD GARAGE DOOR REPAIRS FROM JULY 13, 2002, THROUGH JULY 12, 2003, PER BID #00-107B/TE. APPROVED 8-26-2003

c.

TERM CONTRACT WITH ALLIANT FOODSERVICE, INC., CHENEY BROTHERS, DANTOR, INC., ERNESTON & SONS PRODUCE, FISHER FOOD CORPORATION, DBA MAZZONE SNACK FOODS, FRESHPOINT OF PALM BEACH, MUTUAL WHOLESALE COMPANY, PUBLIX STORE #346, 50, 143, 161, 55, 421, 297, AND 484, SUNSHINE BEVERAGE, INC., SYSCO FOOD SERVICE SOUTHEAST FLORIDA, TROPKIST FRUIT PRODUCTS COMPANY, AND US FOODS, INC., DBA US FOOD SERVICE POMPANO DIVISION FOR \$532,500 FOR FRESH, FROZEN AND/OR CANNED FOOD FOR VARIOUS DEPARTMENTAL PROGRAMS FROM NOVEMBER 21, 2003, THROUGH NOVEMBER 20, 2004, PER CONTRACT #350526C. APPROVED 8-26-2003

## REGULAR AGENDA - CONTINUED

### 6.A.2. - CONTINUED

d.

RENEWAL OF SOLE SOURCE TERM CONTRACT WITH SIEMENS BUILDING TECHNOLOGIES, INC., FOR \$117,000 FOR SERVICE, REPAIR, EXPANSION AND UPGRADES TO HEATING, VENTILATING AND AIR CONDITIONING AT THE GOVERNMENTAL CENTER COMPLEX BUILDINGS, SOUTH COUNTY COURTHOUSE, AND THE LANTANA AND DELRAY HEALTH CLINICS FROM OCTOBER 5, 2003, THROUGH OCTOBER 4, 2004, PER SOLE SOURCE #SS550115B. APPROVED 8-26-2003

e.

RENEWAL OF TERM CONTRACT WITH MOTOROLA, INC., AND E.F. JOHNSON COMPANY FOR \$420,000 FOR PURCHASE OF TWO-WAY RADIO EQUIPMENT FOR THE 800 MEGAHERTZ COMPUTER AUTOMATED RADIO COMMUNICATIONS SYSTEM FROM OCTOBER 1, 2003, THROUGH SEPTEMBER 30, 2004, PER SOLE SOURCE #SS150196B. APPROVED 8-26-2003

f.

ONE-TIME PURCHASE WITH MITY-LITE, INC., FOR \$145,039.92 FOR TABLES AND TABLE CARTS FOR THE COUNTY CONVENTION CENTER PER PC 035CC0000003 IN ACCORDANCE WITH STATE OF FLORIDA CONTRACT #420-420-02-1. APPROVED 8-26-2003

g.

ONE-TIME PURCHASE WITH THOMAS W. RUFF & CO., OFFICE SYSTEMS OF FLORIDA, DBA OFFICE INTERIORS OF FLORIDA, WORKSCAPES SOUTH, LLC, AND WESNIC FOR \$183,571.54 FOR FURNITURE, FURNISHINGS, AND EQUIPMENT FOR THE COUNTY CONVENTION CENTER PER BID #03-153/JF. APPROVED 8-26-2003

h.

RENEWAL OF TERM CONTRACT WITH ROCAL TRAFFIC CONTROL CORPORATION, 3M COMPANY 3M CTR #225-5S-08, TRAFFIX DEVICES, INC., AND UNIVERSAL SIGNS & ACCESSORIES FOR \$156,000 FOR PURCHASE OF SIGN MATERIALS AND REFLECTIVE SHEETING FROM AUGUST 30, 2003, THROUGH AUGUST 29, 2004, PER STATE OF FLORIDA CONTRACT #550590011A. APPROVED 8-26-2003

i.

ONE-TIME PURCHASE WITH CONTRAX FURNISHINGS, INC., FOR \$225,376 FOR STAGE AND DANCE FLOOR FOR THE COUNTY CONVENTION CENTER IN ACCORDANCE WITH THE STATE OF FLORIDA CONTRACT #420-420-02-1 PER PC 035CC0000004. APPROVED 8-26-2003

**MOTION to approve the warrant list and the contracts and claims settlement list. Motion by Commissioner Masilotti, seconded by Commissioner Greene, and carried 4-0. Commissioners Aaronson, Koons, and McCarty absent.**

## REGULAR AGENDA - CONTINUED

### 6.B. FACILITIES DEVELOPMENT AND OPERATIONS

#### 6.B.1. DELETED

(CLERK'S NOTE: Commissioner McCarty arrived.)

### 9:30 A.M. WORKSHOP

#### 3.

#### SEVEN-YEAR COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT. DISCUSSED WITH DIRECTION 8-26-2003

Planning Director Lorenzo Aghemo related that the Evaluation and Appraisal Report was a Florida state mandated review of the Comprehensive Plan that must be completed every seven years. The purpose of today's meeting, he said, was for the board to endorse or modify the list of issues.

#### **MOTION to receive and file the report. Motion by Commissioner Masilotti and seconded by Commissioner McCarty.**

(CLERK'S NOTE: Commissioner Koons arrived.)

Principal Planner Isaac Hoyos gave an overhead presentation summarizing the Evaluation and Appraisal Report (EAR) process, and the time frame to complete the process based on new regulations. There were four steps listed below.

1. Identification of the issues through a public participation process from February 2003 to September 2003.
2. Actual EAR review and analysis once issues had been identified from September 2003 to February 2004.
3. Additional workshops and public hearings for transmittal and adoption of the EAR from March 2004 to October 2004.
4. Adoption of EAR-based amendments from November 2004 to mid-2006.

Commissioner McCarty requested a policy to set goals to reduce the level of AIDS cases in the county.

Commissioner Newell made the following suggestions:

- Regarding the availability of affordable housing, bear in mind that the building industry had emphasized that it was the entire process that kept the costs high for workforce housing. In addition, reference should be made to the agencies that need to come forward to provide funding.
- On the subject of the county's infill development, Commissioner Newell agreed that higher densities needed to be considered, but stressed that they must be compatible with surrounding areas.
- With reference to the impact of development on natural resources, the importance of creating water storage north of Lake Okeechobee must be carefully thought out.

### **3. 9:30 A.M. WORKSHOP - CONTINUED**

(CLERK'S NOTE: Commissioners Greene and Newell left the meeting.)

Commissioner Marcus requested staff to add Lake Worth Lagoon to the impacts of development on natural resources. The density issue needed more focus than infrastructure in the CCRT areas, said Commissioner Marcus, as identified in unincorporated areas like Military Trail corridors.

**UPON CALL FOR A VOTE, the motion carried 4-0. Commissioners Aaronson, Greene, and Newell absent.**

### **REORDER AGENDA**

**MOTION to reorder the agenda to hear item 4. at 10:00 a.m., instead of 10:30 a.m. Motion by Commissioner Masilotti, seconded by Commissioner Koons, and carried 4-0. Commissioners Aaronson, Greene, and Newell absent.**

### **10:00 A.M. WORKSHOP**

**4.**

REASSESSMENT OF COUNTYWIDE COMMUNITY REVITALIZATION TEAM (CCRT) AREAS. DISCUSSED WITH DIRECTION 8-26-2003

(CLERK'S NOTE: Commissioner Newell rejoined the meeting.)

Senior Planner Duane Gainer presented the CCRT Focus Areas Study and Recommendations Report, which updated the Community Needs Analysis and Resource Assessment (a.k.a. 1997 Potential Target Areas Report). Kenwood Estates, Wallis Street West, and Canal Point were recommended as the next CCRT priority focus areas for consideration.

(CLERK'S NOTE: Commissioner Greene rejoined the meeting.)

Commissioner Masilotti expressed his desire for roads, sidewalks, drainage, sewer, streetlights, and park systems in the inner communities for youngsters. He indicated that he would like to see individuals reinvest inside the communities. He was receptive to any suggestions for commercial redevelopment tax incentives, job programs, abatement or assistance regarding zoning impacts, Commissioner Masilotti said.

Commissioner Koons commented that he and Commissioner Newell worked together on one of the targeted areas, Kenwood Estates, by contributing \$400,000 of their gas tax dollars to the community. The community came together and presented a program showing areas that needed improvements, he said. It gave hope to the communities when there were physical changes in their neighborhood, said Commissioner Koons.

Commissioner Marcus recommended the following items for consideration:

- Discover a method to physically expedite capital infrastructure projects;
- Research an avenue for outsourcing police services, because of the shortage of deputies; and
- Redevelop in an affordable fashion to allow residents to remain in their neighborhoods and benefit from the improvements.

#### **4. 10:00 A.M. WORKSHOP - CONTINUED**

To resolve code enforcement violations, Commissioner Newell suggested bringing in private companies, or empowering and training county staff, or creating a simple form to fill out. Planning Director Aghemo suggested educating the residents about code violations. Commissioner Newell requested utilizing the Sheriff's Office Law Enforcement Trust Fund (LETF), to allow for a plan to increase the code enforcement of the more serious violations.

Commissioner Greene agreed with Commissioner Newell that the LETF funds should be used for code enforcement, which was necessary for the success of CCRT. She added that code enforcement proved to be an educational process for the residents at San Castle.

Commissioner Marcus requested staff to come back with recommendations for code enforcement enhancement for the CCRT areas before the September 11, 2003, budget meeting.

County Administrator Weisman introduced Housing and Community Development Planning Manager Edward Lowery as the new Community Revitalization Coordinator and Manager.

#### **RECESS**

**The chair recessed the meeting at 11:05 a.m.**

#### **RECONVENE**

**The meeting reconvened at 2:03 p.m., with Commissioners Aaronson, Greene, Koons, McCarty, and Marcus present.**

#### **2:00 P.M. WORKSHOP**

#### **5.**

(CLERK'S NOTE: Unscheduled item 2.C. was discussed at this time, see page 1.)

(CLERK'S NOTE: Commissioner Greene left the meeting.)

#### **FLUORIDATION OF WATER SUPPLY. DISCUSSED 8-26-2003**

Health Department Director Jean Marie Malecki commenced discussion of adding fluoride to the water supply, by saying that there were four major preventative public health issues that had decreased mortality, and increased quality of life: (1) pasteurization; (2) chlorination; (3) vaccination; and (4) fluoridation. Dr. Malecki said that fluoridation benefited everyone and harmed no one, and recommended it to everyone for improvement of health and well being.

(CLERK'S NOTE: The following speakers were opposed to the addition of fluoride in the drinking water.)

## 5. 2:00 P.M. WORKSHOP - CONTINUED

Jeff Green, national director for Citizens for Safe Drinking Water, contended that there were no studies based on actual substances placed in the water, and when one said it was effective or safe, it would still have to be tested. Mr. Green claimed that adding fluoridation to the water was not necessary because everyone had access to fluoride, which could be found in everyday foods from the store. A person would not have the ability to escape fluoride added to the water. Fluoride cannot be removed by simple filtration, only reverse osmosis or distilled water systems would provide the ability for the removal, he said, which would place a heavy burden on the lowest income residents. Mr. Green ascertained that the Center for Disease Control (CDC) reported no correlation between the amount of fluoride in the enamel of the tooth due to ingestion, and tooth decay.

J. William Herzy, introduced himself as senior vice-president of National Treasury Employees Union Chapter 280, which represented professional employees of the headquarters of the U.S. Environmental Protection Agency (EPA) where he was also senior scientist in the Risk Assessment Division. He stated that he was not representing the EPA and that they may not necessarily agree with him. He emphasized that fluoridating the water was inefficient, unnecessary, and unsafe. There were dramatic decreases in dental problems. However, in other areas worldwide where there was no fluoridated drinking water, dramatic decreases also were in evidence, but these were attributed to an increase in dental hygiene - not fluoride. Dr. Herzy pointed out that adding fluoride to the drinking water caused symptoms of preclinical skeletal fluorosis, which were often misdiagnosed as arthritis, and the more fluoride ingested, the more likely the damage to the bone and bone fractures.

Roger D. Masters, president of the Foundation for Neuroscience & Society, gave supporting documents to the board of the harmful effects of silicofluoride (SIF) treatment of public water supplies.

**MOTION to receive and file document. Motion by Commissioner Aaronson, seconded by Commissioner Koons, and carried 5-0. Commissioners Greene and Masilotti absent.**

Mr. Masters said he specialized in modern biology and behavior. Based on his professional expertise, he identified three critical issues to be considered by the commission:

1. The specific chemical to be used, the SIF, or sodium SIF, which was very different from sodium fluoride.
2. The biological effects of SIF used for over 90 percent of water fluoridation in the U.S.
3. The harmful behaviors caused by the effects of critically increased lead intake.

SIF also increased behavioral problems in children such as learning disabilities, and attention deficit hyperactivity disorder (ADHD), which Mr. Masters concluded was important scientific evidence. A study in Massachusetts found that where SIF was used, there was a higher proportion of children with high blood lead. Lead in the environment was more likely to be absorbed by children if SIF was in the water.

## 5. 2:00 P.M. WORKSHOP - CONTINUED

(CLERK'S NOTE: The following speakers were in favor of adding fluoride to the drinking water.)

Dr. Michael Easley, expert in public health dentistry, said that fluoridation was a precise adjustment of existing, naturally occurring, fluoride levels in drinking water to a safe level that had been determined to be ideal for the prevention of dental cavities in children. Fluoridation had been practiced in the U.S. for more than 58 years, Dr. Easley related. He further elaborated that fluoridation was a form of nutritional supplementation and was no different than adding vitamin C to fruit drinks to prevent scurvy, vitamin D to milk and breads to prevent rickets, iodine to table salt to prevent goiter, and many more. In conclusion, fluoridation promoted lower health care costs, lower insurance costs, tax-supported cost for public programs, and lower business costs for employers for consumer goods and services.

(CLERK'S NOTE: Commissioner Greene rejoined the meeting.)

Dr. Robert Dunbar reported that since 1990 there was a dramatic increase in community water fluoridation in the United States. Several of our county cities were already fluoridated, he said. During fiscal year 2001, \$4.8 million were spent on dental services for Medicaid recipients, which was a 20 percent utilization rate. Dr. Dunbar declared that if the county approved fluoridation, and if 100 percent utilization rate was achieved, the result would be a cost savings of about \$12 million per year.

Dr. Jean Malecki expressed that she promoted health, and prevented mortality. She would never recommend harming the community, but instead recommended that we help prevent cavities, morbidity, and pain, enhance education and employment, reduce cost, and also help the senior population.

### PUBLIC COMMENT:

The following speakers were in favor of fluoridation: Kimberley Pirkle, Kathleen Rooney, Marilee S. McGaughey, Heather Christensen, Lauren Gelsomino, Gari-Jo Harrison, Kim Riggs, Toni Miller, Alan Lasch, Mary Pagana, Veronica Sariol, Linda Mindala, Rosalia Padredileste, Alina Alonso, Robert Trenschel, Stuart Fox, Barbara Feeney, Sam McNeill, Harvey Arnold, Robert B. Palin, Carrie Persad, Nicole Widdoes, Gaia Dixon-Pollard, Crystal Baldwin, Lydia Duffey, Bethany Noble, Jodi Gotthelf, Lynda Mindala, Patrice Petersen, Joan Huntley, Kristy Tracy, Judy McCauley, J. W. Schmalz, Tracy A. Butler, Jennifer Schanen, Maribeth Gidley, Dick Galeta, Lorraine Kostro, Diane Fonda, Eloise Nenon, Fred Alfele, Jeanette L. Hartzell, John P. Christensen, Lisa Cates, Monica Bower, Houdin Farhangi, Nancy C. Zinser, Kerry Flynn, Elyse Barkett, Catherine Cabanzon, Isaac Kwarteng, and Karina Matevosyan.

The following speakers were opposed to fluoridation: Lee Marlow, Charlene Arcadipane, Faye Gerber, Carol L. Patton, Isolde Boutwell, Merritt W. Cornwell, Naomi Flack, Roy Flack, Ahn E. Fonfa, Gene Haber, Karen Maestrales, Patricia Moreell, Bruce Pachter, H. J. Roberts, David Segal, Dorothy Segal, Marilyn Stein, Jay Slavin, Barbara Susco, Kenneth Woliner, and Joan B. Yates. Listed below were several reasons given for the opposition.



## 5. 2:00 P.M. WORKSHOP - CONTINUED

- The EPA does not regulate drinking water additives.
- There were no federal safety standards for drinking water additives.
- Additives contained cadmium, which was a known cause of breast cancer.

Responding to Commissioner Newell's question about the difference between pharmaceutical and chemical grade, Dr. Easley said that the pharmaceutical grade was not used in water treatment, and there were standards for commercial grade chemicals used in all water systems. Commissioner Newell also inquired if fluoride was a toxic additive, which the opposition answered that it was at certain levels.

Commissioner McCarty asked Dr. Dunbar the following questions:

Q: Why were there warning labels on toothpaste?

A: Toothpaste was manufactured at 1,000 to 1,500 parts per million of fluoride, which was fine for a topical effect, but if a child were to ingest a whole tube it would be too much.

Q: Was Fluoride toxic at certain levels?

A: Everything was toxic at certain levels.

Q: The statement that the need for fluoride in the water was drastically reduced because it was found in many other things taken from an article in the American Dental Association Journal in July 2000. Would it be interpreted that using fluoride topically was more effective than ingesting it?

A: In the summary of the article it was stated that when drinking fluoridated water, the majority of the effect was topical, and does not recommend not fluoridating community water.

Commissioner McCarty expressed that water was not a choice, and as long as there was controversy, government should not force it on the people, that there should be a choice. She acknowledged that it was probably a good thing, but not a good thing for everybody.

Commissioner Greene supported fluoridation for the following reasons:

- When researching data, supporting facts were used to prove an argument.
- She placed belief in her dentist who assured her that fluoride in the water was helpful and that the level of fluoride would only be harmful if one drank a cup of pure fluoride everyday.

Commissioner Aaronson requested an explanation of why all the government agencies in the U.S. support fluoridation. Jeff Green replied that several decades ago, the Department of Health and Human Services accepted the concept and now it was very difficult to believe the growing mountain of scientific studies confronting them, and that endorsements by organizations were not a scientific study. Commissioner Aaronson related that he read reams of papers on fluoridation and although the opposition did an excellent job, he was not convinced that not having fluoride in the water was the best thing.

**5. 2:00 P.M. WORKSHOP - CONTINUED**

Commissioner Koons stated that there was overwhelming evidence of positive effects of fluoridation and he was in favor of it.

**MOTION to fluoridate the county's water supply. Motion by Commissioner Koons and seconded by Commissioner Greene.**

Commissioner Marcus said that it was no reflection on anybody, particularly Dr. Malecki, who had done a wonderful job for everyone in the county; however, she tended to be cautious because one day you could have something and the next day you could not.

**UPON CALL FOR A VOTE, the motion carried 4-2. Commissioners McCarty and Marcus opposed. Commissioner Masilotti absent.**

**7. ADJOURNMENT**

**The chair declared the meeting adjourned at 5:24 p.m.**

ATTESTED:

APPROVED:

Clerk

Chair