

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

SEPTEMBER 23, 2003

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

**COMMISSION
CHAMBERS**

**DENISE CARMONA
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 8 - 40)**

- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 41)**

- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 42 - 44)**

- 6. REGULAR AGENDA (Page 45 - 48)**

- 7. BOARD APPOINTMENTS (Page 49)**

- 8. STAFF COMMENTS (Page 50)**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **APPROVED** **R-2003-1423**

Staff recommends motion to approve: a Grant Agreement with the Enterprise Development Corporation (EDC) of South Florida in the amount of \$55,000 from October 1, 2003 to September 30, 2004. **SUMMARY:** The proposed \$55,000 Incubation Program Grant Agreement with EDC will provide for salary expenses to assist early stage emerging technology companies in Palm Beach County with the commercialization of their technology. The scope of services outlined for FY 2004 are: to create 30 new full-time jobs, retain 280 existing jobs, create 2 new businesses, provide technical assistance to 125 businesses, generate \$198,000 in revenues, and sign 65 new incubation agreements with clients. EDC exceeded four of the performance measures outlined in its existing Agreement with Palm Beach County (Contract R2002-1809). Countywide (DW)

2. **APPROVED** **R-2003-1424**

Staff recommends motion to approve: a Business Incubation Program Grant Agreement with The Center for Technology Enterprise & Development, Inc. (TED Center) in the amount of \$88,000 from October 1, 2003 to September 30, 2004. **SUMMARY:** The proposed \$88,000 Incubation Program Grant Agreement with the TED Center will provide for operational expenses to assist start-up and existing micro businesses located in the south part of Palm Beach County, and to improve the services offered to the business community. The scope of services outlined for the FY 2004 contract are: to create 30 new full-time jobs and 15 new businesses, provide technical assistance to 145 businesses/entrepreneurs, generate \$22,000 in revenue from operations, and sign 25 new incubation agreements with clients. The TED Center exceeded four of the performance measures outlined in its existing Agreement with Palm Beach County (Contract R2002-1811). Countywide (DW)

3. **APPROVED** **R-2003-1425**

Staff recommends motion to approve: a Business Incubation Program Grant Agreement with The Enterprise Development for Glades Entrepreneurs, Inc. (EDGE Center) in the amount of \$88,000 from October 1, 2003 to September 30, 2004. **SUMMARY:** The proposed \$88,000 Incubation Program Grant Agreement with the EDGE Center will provide for operational expenses to assist start-up and existing micro businesses located in the western communities of Palm Beach County, and to improve the services offered to the business community. The scope of services outlined for the FY 2004 contract are: to create 16 new full-time jobs and 10 new businesses, provide technical assistance to 60 businesses, generate \$9,000 in revenue, and sign 10 new incubation agreements with clients. The EDGE Center exceeded four of the performance measures outlined in its existing Agreement with Palm Beach County (Contract R2002-1810). Countywide (DW)

4. **APPROVED** **R-2003-1426**

Staff recommends motion to approve: a Business Incubation Program Grant Agreement with The Business & Economic Development & Revitalization (BEDR) Corporation in the amount of \$88,000 from October 1, 2003 to September 30, 2004. **SUMMARY:** The proposed \$88,000 Incubation Program Grant Agreement with the BEDR Corporation will provide for operational expenses to assist start-up and existing micro businesses located in the central part of Palm Beach County, and to improve the services offered to the business community. The scope of services outlined for the FY 2004 contract are: to create 20 new full-time jobs and 10 new businesses, provide technical assistance to 75 businesses, generate \$2,000 in revenue from operations, and sign 20 new incubation agreements with clients. BEDR Corporation exceeded one of the performance measures outlined in its existing Agreement with Palm Beach County (Contract R2002-1808). Countywide (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. **APPROVED** **R-2003-1427**
Staff recommends motion to approve: a Grant Agreement with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$88,000 from October 1, 2003 to September 30, 2004. **SUMMARY:** This Grant Agreement with the BBIC will provide for operational expenses necessary to continue providing consulting services and financial assistance to start-up and existing small businesses in Palm Beach County. The scope of services outlined for FY 2004 are: to seek business loan approvals from banks in the amount of \$1,300,000, serve 320 clients, create 135 new full-time jobs and provide 9 loans to businesses. The BBIC exceeded three of the performance measures outlined in its existing Agreement with Palm Beach County (Contract R2002-1807). Countywide (DW)
6. **APPROVED** **R-2003-1428**
Staff recommends motion to approve: a Grant Agreement with The Business Loan Fund of the Palm Beaches, Inc. (BLF) in the amount of \$240,000 from October 1, 2003 to September 30, 2004. **SUMMARY:** This Grant Agreement with the BLF will provide for operational expenses necessary to continue providing consulting services and financial assistance to start-up and existing small businesses, and community development organizations in Palm Beach County, who cannot otherwise secure conventional financing. The scope of services outlined for FY 2004 are: (a) to provide 24 micro loans, 21 small loans and 5 real estate loans for a total amount of \$1,184,000; (b) to provide technical assistance to 233 clients (153 pre-loan and 80 post-loan); (c) to create 40 new full-time equivalent jobs; and (d) to increase the revolving loan fund by 25%. The BLF exceeded all the performance measures outlined in its existing Agreement (R2002-1805). Countywide (DW)
7. **APPROVED** **R-2003-1429**
Staff recommends motion to approve: a Handicapped Awareness Grant Agreement with Palm Tran, Inc. in an amount not-to-exceed \$5,000. **SUMMARY:** Approval of this grant will provide funding to Palm Tran, Inc., to pay for the transportation, lodging and associated costs related to the transportation of disabled advocates to attend the 2004 Transportation Disadvantaged Day in Tallahassee. The advocates will meet with state legislators on behalf of the disabled transportation users of Palm Beach County. Countywide (TKF)
8. **APPROVED** **R-2003-1430**
Staff recommends motion to approve: a Handicapped Awareness Grant Agreement with the Florida Council of the Blind Palm Beach Chapter in an amount not-to-exceed \$3,542. **SUMMARY:** Approval of this grant will provide funding to the Florida Council of the Blind Palm Beach Chapter to purchase a Braille embossing machine to print information for its Braille-reading members and to provide a Braille transcription service to organizations and individual clients. Countywide (TKF)
9. **APPROVED** **R-2003-1431**
Staff recommends motion to approve: a Handicapped Awareness Grant Agreement with the Coalition for Independent Living Options, Inc. (CILO) in an amount not-to-exceed \$5,000. **SUMMARY:** Approval of this grant will provide the Coalition for Independent Living Options, Inc. (CILO) with funding to purchase and install flat industrial carpet and to purchase tables with interchangeable components. The agency's pile carpet will be replaced with flat carpet which will allow wheelchair users easier mobility. The interchangeable tables can be arranged in a variety of configurations that will allow greater flexibility based on the type of event and the number of persons with wheelchairs requiring access to an event. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

10. **APPROVED** **R-2003-1432**

Staff recommends motion to approve: a Handicapped Awareness Grant Agreement with the Deaf Service Center of Palm Beach County, Inc. in an amount not-to-exceed \$3,736.

SUMMARY: Approval of this grant will provide funding to the Deaf Service Center of Palm Beach County, Inc. to purchase two (2) lap-top computers, network setup and computer software. The computers will enable the agency to provide services to clients who do not use sign language because of profound deafness due to late life hearing loss. Countywide (TKF)

11. **APPROVED** **R-2003-1433**

Staff recommends motion to approve: a Handicapped Awareness Grant Agreement with the Palm Beach Habilitation Center, Inc. in an amount not-to-exceed \$5,000. **SUMMARY:**

Approval of this grant will provide funding to the Palm Beach Habilitation Center, Inc. to pave the parking area in front of its Seniors in Transition and Retirement Services (STARS) building. This project will include two (2) designated handicapped parking spaces and will improve the physical accessibility to the agency's various buildings for its senior clients with physical disabilities. Countywide (TKF)

12. **APPROVED** **R-2003-1434**

Staff recommends motion to approve: a Handicapped Awareness Grant Agreement with the Arc of Palm Beach County in an amount not-to-exceed \$2,030. **SUMMARY:** Approval of this grant will provide funding to the Arc of Palm Beach County enabling the agency to publish a brochure outlining the opportunities provided by its Community Inclusion Program. Countywide (TKF)

13. **APPROVED** **R-2003-1435**

Staff recommends motion to approve: a Handicapped Awareness Grant Agreement with the YMCA of the Palm Beaches in an amount not-to-exceed \$5,000. **SUMMARY:** Approval of this grant will provide funding to the YMCA of the Palm Beaches to purchase an accessible pool ladder, free motion fitness equipment for wheelchair users and to upgrade the locker area, restroom and changing room by installing handicapped accessible upgrades. Countywide (TKF)

14. **APPROVED**

Staff recommends motion to receive and file: Resolution No. 03-177 of the Board of County Commissioners of Citrus County, Florida, establishing it's support for the continued inclusion of a local sources first policy in Chapter 373 F.S. and it's opposition to any amendment to Florida's Water Resource Policy which allows, encourages or promotes water transfers.

15. **APPROVED**

Staff recommends motion to receive and file: Amendments to Agreements for the Department of Housing and Community Development.

A) APPROVED R-2003-1436

Amendment No. 2 to Agreement with The Riviera Beach Housing Authority (R2001-1920) as amended (R2003-0281) to provide \$267,000 of Community Development Block Grant funds for the construction of a learning center;

B) APPROVED R-2003-1437

Amendment No. 2 to Agreement with the City of Riviera Beach (R2002-2173) as amended (R2003-0702) to provide \$262,000 of Community Development block Grant funds for street improvements in the City of Riviera Beach; and

C) APPROVED R-2003-1438

Amendment No. 2 to Agreement with Lake Worth Community Development Corporation (R2002-0350) as amended (R2002-0567) to provide \$25,000 of Community Development Block Grant funds for preparation of a Master Plan for the Phase I Osborne Addition Development in Lake Worth, Florida.

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

16. **APPROVED**
Staff recommends motion to receive and file: The following four (4) original standard County contracts/agreements/grants for the Department of Airports.

A) APPROVED R-2003-1439
Exhibit 15 to the Federal Aviation Administration Master Lease No. DTFA06-95-L-15144 (R95-1251D);

B) APPROVED R-2003-1440
AIP No. 3-12-0086-005-2003 (Palm Beach County Park (Lantana) Airport);

C) APPROVED R-2003-1441
AIP No. 3-12-0113-011-2003 (North Palm Beach County General Aviation Airport); and

D) APPROVED R-2003-1442
AIP No. 3-12-0085-041-2003 (Palm Beach International Airport)

17. **Staff recommends motion to receive and file:** Eight (8) original contracts/agreements/grants for the Department of Airports.

A) APPROVED R-2003-1443
North County Hangar Lease Agreement for Hangar 11240-9, signed by Paul Vota/Joe Sky and dated May 15, 2003;

B) APPROVED R-2003-1444
North County Hangar Lease Agreement for Hangar 11730-2, signed by Craig Wilcox in behalf of Northern Palm Beach Co. Experimental Aircraft Association, Chapter 203 and dated August 25, 2003;

C) APPROVED R-2003-1445
North County Hangar Lease Agreement for Hangar 11720-19, signed by Robert William and dated September 4 2003;

D) APPROVED R-2003-1446
North County Hangar Lease Agreement for Hangar 11220-8, signed by Arthur Vasquez and dated August 31, 2003;

E) APPROVED R-2003-1447
North County Hangar Lease Agreement for Hangar 11300-8, signed by W. Allen Harrison and dated August 31, 2003;

F) APPROVED R-2003-1448
North County Hangar Lease Agreement for Hangar 11740-20, signed by Gary Czajkowski, and dated September 4, 2003;

G) APPROVED R-2003-1449
Glades Hangar Lease Agreement for Hangar 6, signed by Cliff Steele and dated August 27, 2003; and

H) APPROVED R-2003-1450
Glades Hangar Lease Agreement for Hangar 8, signed by Joseph R. Thomas and dated August 27, 2003.

18. **APPROVED R-2003-1451**
Staff recommends motion to receive and file: Original executed Construction Work Authorization No. 22 to Contract with Foster Marine Contractors, Inc. (R2000-1513) for 42" Water Main Canal Crossing at the L-24 Canal and Enterprise Center Boulevard for the Water Utilities Department.

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

19.

Staff recommends motion to receive and file: Four (4) executed Standard Development Agreements and one (1) Standard Development Renewal Agreement for the Water Utilities Department.

Standard Development Agreements

A)	APPROVED	R-2003-1452
The School District of Palm Beach (H. S LLL) 09-01040-000		
B)	APPROVED	R-2003-1453
SSAB Florida Company, LLC 01-01115-000		
C)	APPROVED	R-2003-1454
Fernando Negrin 01-01116-000		
D)	APPROVED	R-2003-1455
ZS Properties, L.C. 05-01057-000		

Standard Development Renewal Agreement

A)	APPROVED	R-2003-1456
Addison Court, Inc. 09-00595-R00		

20.

APPROVED

Staff recommends motion to receive and file: Standard funding agreements with the following animal rescue agencies for the period October 1, 2002 through September 30, 2003 to provide specific animal services as a partner with the Animal Care and Control Division.

A)	APPROVED	R-2003-1457
PAWS 2 HELP, Inc. \$40,000		
B)	APPROVED	R-2003-1458
Safe Harbor Animal Rescue \$60,000		
C)	APPROVED	R-2003-1459
NDM Ferret Rescue & Sanctuary, Inc. \$ 3,500		

21.

APPROVED

R-2003-1460

Staff recommends motion to approve: a Development Regions Grant Agreement totaling \$16,000 with the City of Belle Glade for two (2) business projects; **A)** Jay Samara d/b/a Jay's Fashions (\$8,000); and **B)** Sasser Seafood, Inc. (\$8,000). This Agreement for a total of \$16,000 will be for a term of two (2) years, to commence on September 23, 2003 and end on September 22, 2005. **SUMMARY:** On August 7, 2003, the Overall Economic Development Program (OEDP) Committee members approved the reallocation of funding of the Development Regions Grant Agreement R2001-1392 (Round V) from to two (2) new business projects. However, the OEDP Committee did not have a quorum. As a result, the projects must be presented to the BCC for approval. Each business project will retain two (2) full-time equivalent jobs. District 6 (DW)

22.

APPROVED

R-2003-1461

Staff recommends motion to approve: a Round VII Development Regions Grant Agreement totaling \$48,000 with the City of Riviera Beach. **SUMMARY:** On June 5, 2003, the Overall Economic Development Program (OEDP) Committee approved the allocation of \$48,000 to the City of Riviera Beach for the project, 13th Street Convenience Store Facade Improvement & Avenue U Public Infrastructure & Property Improvement. The project was amended by the City of Riviera Beach Community Development Office to be more comprehensive in scope, and to create and retain four (4) full-time equivalent jobs. District 7 (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

23. **DELETED**

Staff recommends motion to approve: a Contract for consulting/professional services in the amount of \$88,000 with the Palm Beach County Resource Center, Inc., a not-for-profit 501(c) (3) corporation for the period of October 1, 2003 through September 30, 2004. **SUMMARY:** This Contract provides County funding to the Palm Beach County Resource Center, Inc. (PBCRC) for activities and services to assist and develop small businesses in Palm Beach County. The PBCRC is a not-for-profit business development center that provides local businesses with access to capital, technical assistance, and procurement opportunities. Staff has determined that the services and assistance provided by the PBCRC are essential to the small business community. Staff requests that the Board fund the PBCRC for a one-year period effective October 1, 2003 through September 30, 2004. Countywide (TKF)

24. **APPROVED** **R-2003-1462**

REVISED MOTION: Staff recommends motion to approve: a Contract with Florida Atlantic University in the amount of \$94,000 ~~\$40,000~~ to operate the Small Business Development Center (SBDC) and provide technical assistance services to small businesses in Palm Beach County for the period October 1, 2003 through September 30, 2004. **SUMMARY:** This contract provides Palm Beach County's Small, Minority and Women Business Enterprise firms with technical assistance and training in the form of direct consulting services in the areas of finance, marketing, management and construction. The Small Business Development Center provides technical assistance to business referrals from the County's Small Business Assistance Program serving as an advisor to small businesses offering assistance in marketing, financing, human resources, business plans and international trade. The SBDC is a participant on the S/M/WBA Advisory Committee and the County's Economic Development Steering Committee. On August 7, 2003, the Office of Small Business Assistance completed an audit for Programmatic Efficiency, Financial Accountability, Contract Compliancy and Customer Satisfaction, and concluded that the SBDC satisfactorily provides business consultation services to both start up and existing businesses. Countywide (TKF)

B. CLERK

1. **APPROVED**

Staff recommends motion to approve: Warrant List.

2.

Staff recommends motion to approve: Minutes - None

3. **APPROVED** **R-2003-1463 THROUGH R-2003-1491**

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

4. **APPROVED**

Staff recommends motion to receive and file: Proof of Publications: of "Unclaimed Monies" advertised by the Clerk and the Sheriff of Palm Beach County. **SUMMARY:** Pursuant to F.S. 116.21, the Clerk and the Sheriff have advertised certain monies held that are subject to forfeiture to Palm Beach County. Florida Statutes 116.21 (2)(4) requires that the proof of publication "shall be filed and recorded in the minutes of the County Commission meeting" ...and the "cost of publishing the notices ...shall be paid by the County Commissioners". Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **APPROVED**

Staff recommends motion to approve: Budget Transfer of \$9,406 in the Transportation Improvement Fund from Reserve for District 3 to 10th Avenue North/Rostan Lane to Cayman Drive Beautification. **SUMMARY:** This item provides funding in the amount of \$9,406 for the preparation of landscaping and irrigation plans for 10th Avenue North from Rostan Lane to Cayman Drive in the Village of Palm Springs (Village). Funding comes from the District 3 Gas Tax Reserves. It is anticipated that the Village will install the planned improvements in the future. After the installation, the Village will be responsible for perpetual maintenance of the improvements. District 3 (ME)

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

A) **APPROVED**

Budget Transfer of \$115,000 in the Transportation Improvement Fund from Road Program Reserves – FY2000 (Reserve For Design and Alignment) to 45th Street/Jog Road to Haverhill Road; and

B) **APPROVED** **R-2003-1492**

a Project Agreement in the amount of \$632,302.53, with Metric Engineering, Inc. (MEI) to provide professional design services for 45th Street, from Jog Road to Haverhill Road (Project).

SUMMARY: This Agreement will provide the necessary professional services required to prepare design plans, construction bid documents and related documents for highway matters. At the time of this selection, Palm Beach County’s annual goal for Minority/Woman Business Enterprise (M/WBE) participation was 11.1%. The M/WBE participation achieved for this Agreement is 21.2%, comprised of 7.2% Black (Brown & Phillips, Inc.), 5.4% Women (Southern Resource Mapping of Miami, Inc. and Lotspelch and Associates, Inc.), and 8.6% Hispanic (Tierra, Inc.). Districts 6 & 7 (PK)

3.

Staff recommends motion to approve: The renewal of the Annual Surveying and Mapping Services Agreements with the following firms:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>	
Betsy Lindsay, Inc. (BLI)	October 2, 2001	R2001-1600	R-2003-1493
Brown & Phillips, Inc. (BPI)	October 2, 2001	R2001-1601	R-2003-1494

SUMMARY: These Annual Consulting Agreements are being considered for renewal to provide professional services on a task basis for Surveying and Mapping Services. BLI is a certified Palm Beach County Minority/Women Business Enterprise (M/WBE) Women firm, and BPI is a certified M/WBE-Black firm. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. **APPROVED**

Staff recommends motion to approve: The renewal of the Annual Civil Engineering Service Agreements with the following firms:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>	
Adair & Brady, Inc. (ABI)	October 2, 2001	R2001-1593	R-2003-1495
Metric Engineering, Inc. (MEI)	October 2, 2001	R2001-1594	R-2003-1496
Miller, Legg & Associates, (MLA)	October 2, 2001	R2001-1595	R-2003-1497

SUMMARY: These Annual Consultant Agreements are being considered for renewal to provide professional services on a task order basis for Civil Engineering Services Countywide. ABI is a Palm Beach County Certified Minority/Women Business Enterprise (M/WBE-Black) firm. Countywide (PK)

5. **APPROVED**

Staff recommends motion to approve: The renewal of the Annual Testing Lab Services Agreements with the following firms:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>	
Dunkelberger Eng. & Testing, Inc.(DET)	October 2, 2001	R2001-1603	R-2003-1498
Tierra, Inc. (TI)	October 2, 2001	R2001-1604	R-2003-1499
Testing Lab of the Palm Beaches, Inc.(TLPB)	October 2, 2001	R2001-1605	R-2003-1500

SUMMARY: These Annual Consultant Agreements are being considered for renewal to provide professional services on a task basis for Testing Lab services. TI is a Palm Beach County Certified MinorityWomen Business Enterprise (M/WBE-Hispanic) firm. Countywide (PK)

6. **APPROVED**

Staff recommends motion to approve: The renewal of the Annual Intersection Improvement Agreements with the following firms:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>	
Lawson, Noble & Webb, Inc. (LNW)	October 2, 2001	R2001-1596	R-2003-1501
Williams, Hatfield & Stoner, Inc. (WHS)	October 2, 2001	R2001-1597	R-2003-1502

SUMMARY: These Annual Consultant Agreements are being considered for renewal to provide professional services on a task order basis for Intersection Improvement projects. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. **APPROVED**

Staff recommends motion to approve: The renewal of the Annual Municipal Service Taxing Units (MSTU) Districts "A through E" Engineering Services Agreements with the following firm:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>	
Carney-Neuhaus, Inc. (CNI)	October 2, 2001	R2001-1662	R-2003-1503

SUMMARY: The above Annual Consulting Agreement is being considered for renewal for required professional services as needed for MSTU Districts "A through E" engineering services. CNI is a Palm Beach County Certified Minority Business Enterprise (M/WBE-Women) firm. Countywide (PK)

8. **APPROVED**

Staff recommends motion to approve: The renewal of the Annual Landscape Architectural Services (including Irrigation system design and urban planning) Agreements with the following firms:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>	
Land Stewardship Company, Inc. (LSC)	December 3, 2002	R2002-2157	R-2003-1504
Roy-Fisher Associates, Inc. (RFI)	December 3, 2002	R2002-2156	R-2003-1505

SUMMARY: These Annual Consulting Agreements are being considered for renewal for required professional services, on a task order basis. LSC and RFI are Palm Beach County Certified Minority Women Business Enterprise (M/WBE) firms. Countywide (PK)

9. **APPROVED**

Staff recommends motion to approve: The renewal of the Annual Structural Engineering Service Agreements with the following firms:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>	
Alan Gerwig & Associates, Inc. (AGA)	October 2, 2001	R2001-1598	R-2003-1506
Bridge Design Associates, Inc. (BDA)	October 2, 2001	R2001-1599	R-2003-1507
Stanley Consultants, Inc. (SCI)	October 16, 2001	R2001-1732	R-2003-1508

SUMMARY: The above Annual Consulting Agreements are being considered for renewal to provide Structural Engineering services on a task order basis. AGA is a certified Small Business Enterprise (SBE) firm. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

10. Staff recommends motion to approve:

A) APPROVED R-2003-1509
a Financial Assistance Agreement with the Town of Lake Clarke Shores to provide funding in an amount not-to-exceed \$250,000, to install beautification along the east edge of South Florida Water Management District's C-51 Canal right-of-way from approximately 3,200 feet south of Forest Hill Boulevard north to Summit Boulevard (a total distance of approximately 7,100 feet); and

B) APPROVED
Budget Transfer of \$250,000 in the Transportation Improvement Fund from Reserve for District 3 to C-51 Canal, Forest Hill Boulevard to Summit Boulevard Right-of-way Beautification – District 3.

SUMMARY: This item provides funding in the amount of \$250,000 for the installation of beautification along the east edge of South Florida Water Management District's C-51 Canal right-of-way from approximately 3,200 feet south of Forest Hill Boulevard north to Summit Boulevard (a total distance of approximately 7,100 feet). Funding comes from the District 3 Gas Tax Reserves. After the installation, the Town will be responsible for perpetual maintenance of the improvements. District 3 (ME)

11. Staff recommends motion to approve:

A) APPROVED R-2003-1510
a Financial Assistance Agreement with the Gateway Palms Homeowners' Association, Inc. (Association) to provide funding in an amount not-to-exceed \$10,000 to install irrigation within the median of Military Trail and beautification in and along (within 25 feet of and visible from the right-of-way) the County's right-of-way for Military Trail on Association's property (located between Le Chalet Boulevard and a point 1,500 feet north of Le Chalet Boulevard); and

B) APPROVED
Budget Transfer of \$10,000 in the Transportation Improvement Fund from Reserve for District 3 to Le Chalet Boulevard Beautification – District 3.

SUMMARY: This item provides funding in the amount of \$10,000 for the installation of irrigation within the median of Military Trail and beautification in and along (within 25 feet of and visible from the right-of-way) the County's right-of-way for Military Trail on the Association's property (located between Le Chalet Boulevard and a point 1,500 feet north of Le Chalet Boulevard). Funding comes from the District 3 Gas Tax Reserves. After the installation, the Association will be responsible for perpetual maintenance of the improvements. District 3 (ME)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

12. Staff recommends motion to approve:

A) APPROVED R-2003-1511
a Reimbursement Agreement, in the amount of \$5,400, with the Escondido Homeowners Association for reimbursement of repairs to damaged irrigation equipment; and

B) APPROVED
Budget Transfer of \$5,400 in the Transportation Improvement Fund from Reserve for District 5 to Escondido Irrigation Repair – District 5.

SUMMARY: This Agreement and Budget Transfer provide funding up to \$5,400 to reimburse the Escondido Homeowners Association for damage to their irrigation equipment incurred as a result of installation of guardrail on Lyons Road. District 5 (MRE)

13. DELETED

14. DELETED

15. **APPROVED**
Staff recommends motion to approve: Write-off of old conditionally imposed impact fee receivables totaling ~~\$44,689.06~~ 43,989.57. These amounts are currently recorded as Accounts Receivable in Road Impact Fees Area N Fund (\$1,121.42), Road Impact Fee Zone 1 Fund (\$581.63), Road Impact Fee Zone 2 Fund (\$15,118.37), Road Impact Fee Zone 3 Fund (\$7,248.16), Road Impact Fee Zone 4 Fund (\$489.58) and Road Impact Fee Zone 5 Fund (\$20,129.90). **SUMMARY:** The Accounts Receivable need to be reclassified as uncollectible and written-off. All reasonable efforts were made to collect these amounts. Countywide (ME)

16. **APPROVED**
Staff recommends motion to approve: the Recommendations of Keep Palm Beach County Beautiful, Inc. (KPBCB) for allocation of the County's Thoroughfare Beautification Grant Funds in the amount of \$300,000 for fiscal year 2003/2004. **SUMMARY:** In 1994, the Board designated KPBCB to assist the County in developing a grant process for the County's Thoroughfare Beautification Grant Funds (with the maximum County match capped at 50%). This non-profit organization has solicited and reviewed applications, and is now making recommendations to the Board for allocation of the \$300,000 in designated County funds, based on its evaluation. Countywide (ME)

17. Staff recommends motion to approve:

A) APPROVED R-2003-1512
Financial Assistance Agreement, in the amount of \$65,000 with the City of West Palm Beach for construction of the Pleasant City Street and Sidewalk Improvement Project; and

B) APPROVED
Budget Transfer of \$65,000 in the Transportation Improvement Fund from Reserve for District 7 to Pleasant City Street and Sidewalk Improvement Project - District 7.

SUMMARY: This Agreement and Budget Transfer provide funding up to \$65,000 to the City of West Palm Beach for construction of the Pleasant City Street and Sidewalk Improvement Project. District 7 (ME)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

18. REVISED MOTION & SUMMARY: Staff recommends motion to:

A) **ADOPTED** **R-2003-1513**
adopt a Resolution authorizing the County Administrator or his designee to execute a State Highway Landscaping, Maintenance, and Compensation Agreement to take effect February 1, 2004 and, each State fiscal year thereafter, as provided, develop and execute a new Exhibits A and B.

B) **APPROVED**
approve Budget Amendment of ~~\$63,768~~ \$50,050 in the Transportation Improvement Trust Fund to recognize reimbursement of landscaping maintenance by Florida Department of Transportation (FDOT).
SUMMARY: In 2002, the Board adopted an Only Trees, Irrigation and Sod (O.T.I.S.) Master Plan for State and County thoroughfare medians in the unincorporated area. As the first step toward implementation of the State highway portion of this Master Plan, the County, ~~through this by entering into the Agreement as authorized by the Resolution,~~ will takeover landscaping maintenance for approximately ~~24~~ 20 miles of State roads. This will be the precursor to implementation of irrigation and sod under the multi-year phasing of this Master Plan. The FDOT will annually provide partial reimbursement to the extent that FDOT would have received budget funds for these roads. This Agreement provides for annual revisions to the amount reimbursed, as well as allowing for the list of included state roads to be revised. Countywide (MRE)

D. COUNTY ATTORNEY

1. **APPROVED** **R-2003-1514**
Staff recommends motion to approve: the Appointment of Successor Remarketing Agent, appointing Merchant Capital, LLC as successor remarketing agent for the \$7,650,000 Palm Beach County, Florida, Variable Rate Demand Industrial Development Revenue Bonds Series 1996 (Palm Beach Bedding Company Project) (the "Bonds"). **SUMMARY:** Wachovia Bank, National Association ("Wachovia") has submitted its resignation as the remarketing agent for the Bonds as allowed under Section 12.1(d) of the Trust Indenture dated as of April 1, 1996 (the "Indenture"). Pursuant to the said Section 12.1(d) of the Indenture, Palm Beach County, as issuer of the Bonds, appoints the successor remarketing agent. The parties to the Bonds have requested that Merchant Capital, LLC ("Merchant Capital") be appointed as the successor remarketing agent for the Bonds, and Merchant Capital has agreed to accept such appointment. The appointment of Merchant Capital as successor remarketing agent requires formal action by the Board's approval of the attached Appointment of Successor Remarketing Agent. **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 1 (PFK)

2. **APPROVED** **R-2003-1515**
REVISED MOTION & SUMMARY : the Appointment of Successor Trustee, appointing U.S. Bank, N.A. as successor ~~remarketing agent trustee~~ for the \$7,650,000 Palm Beach County, Florida, Variable Rate Demand Industrial Development Revenue Bonds Series 1996 (Palm Beach Bedding Company Project) (the "Bonds"). **SUMMARY:** Wachovia Bank, National Association ("Wachovia") has submitted its resignation as the ~~remarketing agent trustee~~ for the Bonds as allowed under Section of the Trust Indenture dated as of April 1, 1996 (the "Indenture"). Pursuant to the said Section 10.16 of the Indenture, Palm Beach County, as issuer of the Bonds, appoints the successor ~~remarketing agent trustee~~ . The parties to the Bonds have requested that U.S. Bank, N.A. ("U.S. Bank") be appointed as the successor trustee for the Bonds, and U.S. Bank has agreed to accept such appointment. The appointment of U.S. Bank as successor trustee requires formal action by the Board's approval of the attached Appointment of Successor Trustee. **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 1 (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **APPROVED**
Staff recommends motion to approve: the Relocation of six (6) interments in 1985-1986 through the Indigent Burial Program. **SUMMARY:** In 1985-1986, the Division of Human Services approved six (6) indigent burials at Hillcrest Memorial Park (Hillcrest). Currently, Hillcrest has developed plans to build an access road to connect Hillcrest with Hillcrest-Mizell-Faville-Zern Mortuary. The Board holds title to six (6) burial plots impacted by this road project. Hillcrest has attempted to locate the families of the six (6) interments with no success. The Board has the authority to authorize dis-interments in accordance with Florida Statue 406.50 - 406.61 as the decedents "legally authorized representative". The relocation would be completed with no cost to the County. (Human Services) Countywide (TKF)

2. **ADOPTED** **R-2003-1516**
Staff recommends motion to adopt: Resolution delegating authority to the County Administrator, or his designee, to sign the Fiscal Year 2004 HIV Emergency Relief Grant Application and any other necessary documents. **SUMMARY:** The County has been notified that it is one of the Eligible Metropolitan Areas (EMA's) which will receive funds under the Title I HIV Emergency Relief Grant. The purpose of the funds is to deliver or enhance HIV related outpatient and ambulatory health and support services, including case management and comprehensive treatment services for individuals and families with HIV disease. The grant application for FY 2004 must be submitted to the U.S. Department of Health and Human Services by October 24, 2003. The grant application will be completed by the first of October, but still must be reviewed by the HIV CARE Council staff and the Community Services Department. To ensure that the grant application deadline is met the delegation of authority to sign the application is being requested. (Ryan White) Countywide (TKF)

3. **APPROVED** **R-2003-1517**
Staff recommends motion to approve: Child Care Provider Agency Contract with Union Missionary Baptist Church, Inc., (Day Care Center) for the period October 1, 2003 through September 30, 2004 in an amount not-to-exceed \$206,744. **SUMMARY:** Because there are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program, the County enters into contracts with child care agencies to provide comprehensive Head Start curriculum and nutrition services, while the health and family services program components are provided by Head Start staff. Union Missionary Baptist Church, Inc., (Day Care Center) will provide these services to 32 children for 251 days at a rate of \$25.74 per child per day. Funding consists of \$165,395 (80%) in Federal funds and \$41,349 (20%) in County funds. The County's portion is include in the FY 2004 proposed budget. (Head Start) Countywide (TKF)

4. **APPROVED** **R-2003-1518**
Staff recommends motion to approve: Delegate Agency Contract with Education Development Center, Inc. (d/b/a My First Steps Preschool) for the period October 1, 2003 through September 30, 2004 in an amount not-to-exceed \$346,955. **SUMMARY:** Because there are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program, the County enters into Delegate Agency contracts with child care agencies to provide comprehensive Head Start services. Education Development Center, Inc., (d/b/a My First Steps Preschool) will provide these services to 49 children for 251 days at a rate of \$28.21 per child per day. Funding consists of \$277,564 (80%) in Federal funds and \$69,391 (20%) in County funds. The County's portion is included in the FY 2004 proposed budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **APPROVED**
Staff recommends motion to approve: the following Delegate Agency (Full Start Model) Contracts for the period October 1, 2003 through September 30, 2004.

A) APPROVED R-2003-1519
Apostolic Child Development Centers, Inc. will provide services to 64 children for 252 days at a rate of \$27.88 per child/per day in an amount not-to-exceed \$449,649;

B) APPROVED R-2003-1520
Apostolic Children's Academy for Growth and Education, Inc. will provide services to 26 children for 255 days at a rate of \$26.59 per child/per day in an amount not-to-exceed \$176,292;

C) APPROVED R-2003-1521
Florence Fuller Child Development Centers, Inc. will provide services to 146 children for 251 days at a rate of \$26.32 per child/per day in an amount not-to-exceed \$964,523;

D) APPROVED R-2003-1522
Hispanic Human Resources Council, Inc. will provide services to 245 children for 252 days at a rate of \$28.30 per child/per day in an amount not-to-exceed \$1,747,242;

E) APPROVED R-2003-1523
Mt. Zion Apostolic Child Development Centers, Inc. will provide services to 67 children for 256 days at a rate of \$26.49 per child/per day in an amount not-to-exceed \$454,356;

F) APPROVED R-2003-1524
Mt. Zion Apostolic Holiness Temple, Inc., d/b/a Zion's Little Academy Preschool will provide services to 31 children for 250 days at a rate of \$27.12 per child/per day in an amount not-to-exceed \$210,180; and

G) APPROVED R-2003-1525
YWCA of Palm Beach County, Inc. will provide services to 78 children for 252 days at a rate of \$26.32 per child/per day in an amount not-to-exceed \$517,346.

SUMMARY: Because there are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program, the County enters into Delegate Agency contracts with child care agencies to provide comprehensive Head Start services. Funding consists of \$3,615,670 (80%) in Federal funds and \$903,918 (20%) in County funds. The County's portion is included in the FY 2004 proposed budget. (Head Start) Countywide (TKF)

6. **APPROVED R-2003-1526**
Staff recommends motion to approve: Contract with Nova Southeastern University Inc. in an amount not-to-exceed \$5,000 for the period October 1, 2003 through September 30, 2004.
SUMMARY: Occupational Therapy Students enrolled in Nova Southeastern University's College of Allied Health, under the supervision of a Licensed Occupational Therapist, will provide occupational therapy services to Delray Beach Head Start children in FY 2004. The therapist and students will also educate Head Start teachers on how to work with children who may have motor delays. This pilot program will benefit the Head Start children because of the additional screens, motor skills practice, and possible identification of children who need further assessment and therapy. The Delray Beach center was chosen to participate in this pilot program because of its proximity to the Nova campus, in Ft. Lauderdale. Funds for these services are provided with federal funds of \$4,000 (80%) and County funds of \$1,000 (20%). The County's portion is included in the FY 2004 proposed budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. **APPROVED** **R-2003-1527**
Staff recommends motion to approve: Contract with Gulfstream Goodwill Industries, Inc. for Supportive Services to homeless persons in an amount not-to-exceed \$30,527 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** For the year 2003, HUD awarded the Division a total of \$438,254 to provide Supportive Housing and Supportive Services to homeless individuals in Palm Beach County. The County contracts with Goodwill Industries, Inc. to provide the services. Included in the HUD funding is an allowance for one (1) Case Manager to work with the residents of Project SUCCESS at Goodwill Industries. However, because of the programs' intensity an additional Case Manager is needed, hence the need for the requested \$30,527 from the County. Although the County funded Case Manager will work in conjunction with the HUD funded Supportive Housing and Services, a separate contract is being done because the HUD grant year is on a different cycle (January through December). The County funds are included in the FY 2004 budget. (Human Services) Countywide (TKF)
8. **APPROVED** **R-2003-1528**
Staff recommends motion to approve: Contract with The Center for Family Services of Palm Beach County in an amount not-to-exceed \$14,400 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** This contract will allow The Center for Family Services to coordinate emergency after hours shelter placement and food as well as provide drug screenings, transportation and ongoing case management to homeless families until alternate placement can be arranged. Staff has determined the amount of funding that will be needed to sustain the program for the year based on the pro-rated amount allocated for this effort in FY 2003. Funding allocation is as follows: Shelter-\$10,800, Meals - \$1920, Bus Passes - \$ 1440, Drug Tests - \$240. The County funds are included in the FY 2004 budget. (Human Services) Countywide (TKF)
9. **APPROVED** **R-2003-1529**
Staff recommends motion to approve: Contract with The Center for Information and Crisis Services, Inc. for Supportive Services to homeless persons in an amount not-to-exceed \$38,884 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** The contract enables homeless individuals access to a toll free Homeless Helpline and Intake Worker 24/7/365. The Helpline provides an initial entry point into the Palm Beach County Continuum of Care. The Intake Worker screens appropriate referrals for the Homeless Outreach Team (HOT), accesses other available resources and enters all data into the Client Management Services Information System, a centralized computer database. The Homeless Hotline will work in conjunction with the new 211 Information System. Payment is based on unit cost and the estimated number of appointments scheduled for the HOT. County funding is included in the FY 2004 budget. (Human Services) Countywide (TKF)
10. **APPROVED** **R-2003-1530**
Staff recommends motion to approve: Contract with Christians Reaching Out to Society (CROS) Ministries, Inc. to provide Mentoring Coordination Services in an amount not-to-exceed \$39,007 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** The "Charitable Choice" provision (Section 104) of the 1996 Federal Welfare Reform Law encourages states to involve community and faith-based organizations in providing federally funded welfare services to the poor and needy. After Congress passed this law, CROS approached the County with a proposal to recruit and train volunteers to provide welfare recipients with counseling, tutoring, budget training, time management skills, and consumer education. Performance Measures for this contract include a minimum of 35 recruitment/outreach presentations; conduct a minimum of 8 training sessions; train 15 new teams to work with 15 families (15 teams x 4 people per team = 60 people); and provide monthly program reports. CROS agrees to comply with all federal requirements of Section 104 related to separation of church and state in recruitment, training and day to day work of the volunteer mentors and Division clients and staff. Any volunteers not in agreement with this direction are not accepted into the program. Funding is based on the salary for a Social Worker and audit expenses. County funding is included in the FY 2004 budget. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

11. **APPROVED**

Staff recommends motion to approve: Contracts with the following vendors for the period October 1, 2003 through September 30, 2004:

A) APPROVED R-2003-1531
Oakwood Center of the Palm Beaches, Inc. for Supportive Services for homeless individuals in an amount not-to-exceed \$38,000; and

B) APPROVED R-2003-1532
Comprehensive Alcoholism Rehabilitation Programs, Inc. for Supportive Services for homeless individuals in an amount not-to-exceed \$38,000.

SUMMARY: On April 2, 2003, the Board approved a third Homeless Outreach Team to support special projects that target homeless persons; provide outreach to the western portion of the County; and provide faster response time to callers contacting the Homeless Helpline. CARP and Oakwood Center of the Palm Beaches currently provide staff for two HUD funded Homeless Outreach Teams (HOT) and related support services. Therefore, these providers are being recommended to staff the third County funded HOT. The requested funds will provide the salaries and fringe benefits of a specialized Case Manager. Separate contracts are needed because the HUD grant year (January through December) is on a different cycle. The County funds are included in the FY 2004 budget. (Human Services) Countywide (TKF)

12. **Staff recommends motion to:**

A) APPROVED R-2003-1533
ratify the Chair's signature on the 2003 U.S. Department of Health and Human Services (HHS) Community Food and Nutrition Program grant application for the period January 1, 2004 through December 31, 2004 in the amount of \$46,560; and

B) APPROVED
delegate authority to the County Administrator, or his designee to sign the U.S. Department of Health and Human Services (HHS) Food and Nutrition Program grant agreement.

SUMMARY: This grant provides 2 part-time (20 hour/wk) positions to work in low income communities to increase by 48 to a total of 216 the number of summer lunch sites and increase by 12 to a total of 28 the number of SHARE food host sites. This is in response to the need for adequate nutrition for the 57,000 children on free or reduced fare meals during the school year. SHARE is a food cooperative where participation, in exchange for volunteer time, can purchase food at reduced cost. Increasing the number of SHARE Food Host sites in low income neighborhoods greatly enhances low cost food resource options. No County matching funds are required. (Human Services) Countywide (TKF)

F. AIRPORTS

1. **APPROVED R-2003-1534**

Staff recommends motion to approve: an Agreement to purchase the following property at a total cost of \$135,186. Said property is located West of Runway 9L at Palm Beach International Airport:

Derrick Jackson and Verna Jackson
4930 Homewood Drive
West Palm Beach, FL 33415 Parcel W-249
Sales Price \$116,500

Replacement Housing \$ 18,686

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)

3. **CONSENT AGENDA APPROVAL**

F. **AIRPORTS (Cont'd)**

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

A) APPROVED R-2003-1535
an Airport Consent To Assignment of an Airport Rental Car Lease and Concession Agreement dated September 9, 2003 between the County and South Florida Transport, Inc. d/b/a Thrifty Car Rental to DTG Operations, Inc. d/b/a Thrifty Car Rental; and

B) APPROVED R-2003-1536
an Airport Consent To Assignment of an Airport Ground Lease Agreement dated October 5, 1993 between the County and South Florida Transport, Inc. d/b/a Thrifty Car Rental (R-93-1267-D) to DTG Operations, Inc. d/b/a Thrifty Car Rental.

SUMMARY: South Florida Transport, Inc. d/b/a Thrifty Car Rental (“SFT”) is seeking consent to assign its rights under their Airport Rental Car Lease and Concession Agreement and Airport Ground Lease Agreement to DTG Operations, Inc. d/b/a Thrifty Car Rental (“DTG”) to be effective October 1, 2003. Under the terms of the SFT agreements with the County, written consent by the County is required prior to an assignment. With the Board’s consent, DTG will continue to provide the Thrifty Car Rental brand at PBIA. SFT and DTG have executed the Assignment and Assumption Agreement attached to the Airport Consent to Assignment of Airport Rental Car Lease and Concession Agreement and the Assignment and Assumption Agreement and Estoppel Certificate attached to the Airport Consent to Assignment of Airport Ground Lease Agreement. Countywide (LB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. **ADOPTED** **R-2003-1537**

Staff recommends motion to adopt: a Resolution authorizing the issuance of Public Improvement Recreation Facilities Revenue Refunding Bonds, Series 2003 in the initial aggregate principal amount of not exceeding \$7,000,000 to accomplish the advance refunding and defeasance of all of the County's outstanding Public Improvement Recreation Facilities Revenue Bonds, Series 1994, to pay all other costs necessary or incidental thereto, and to pay costs of issuance of such bonds; providing for certain terms of such bonds and the payment of such bonds; providing for the rights, security and remedies of the holders thereof; making certain covenants and agreements in connection with such bonds; authorizing the registration of the bonds under a book-entry system; appointing a paying agent; appointing a registrar; approving the form, and authorizing execution by proper officials of the County, of an Escrow Deposit Agreement with respect to the bonds to be refunded and appointing an Escrow Agent thereunder; delegating authority to proper officials of the County, in consultation with the County's financial advisor, to determine whether to fund a reserve account for the bonds; and if so funded, whether to obtain a reserve account credit facility in satisfaction of all or a part of the reserve requirement; delegating authority to proper officials of the County, in consultation with the County's financial advisor, to determine whether to obtain a bond insurance policy for the bonds; authorizing the execution and delivery of one or more insurance agreements in connection with any bond insurance policy and/or reserve account credit facility; approving the form of a bond purchase agreement, and delegating authority to proper officials of the County to determine certain details of such bonds and to execute and deliver a bond purchase agreement to effect the negotiated sale of the bonds, all subject to parameters set forth in this Resolution; approving the form of and authorizing the distribution of a preliminary official statement in connection with the offering and sale of the bonds and authorizing the execution and delivery by proper officials of the County of a final official statement; providing for the undertaking by the County required by Rule 15C2-12 of the Securities and Exchange Commission; authorizing the proper officials of the County to do all other things deemed necessary or advisable in connection with the issuance of such bonds; providing for certain other matters in connection therewith; and providing for an effective date. **SUMMARY:** On August 19, 2003 the Board approved moving forward with the refunding of the refunding of all of the outstanding Public Improvement Recreation Facilities Revenue Bonds, Series 1994 (approximately \$5,640,000) and appointed William R. Hough as the sole manager of the refunding bonds. In order to take advantage of rapidly changing market conditions, this resolution delegates authority to proper County officials, subject to conditions set forth therein, to determine the final details of the Refunding Bonds and execute and deliver a bond purchase agreement for the negotiated sale of the Bonds. Countywide (PK) (OFMB)

H. FACILITIES DEVELOPMENT & OPERATIONS

APPROVED **R-2003-1538**

Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 21 to the Agreement (R99-567D) with Stephen Boruff, AIA Architects and Planners, Inc., to provide architectural/engineering services for Fire Station No. 41 in the amount of \$86,300. **SUMMARY:** This Authorization is to provide architectural and engineering services for permitting, design and construction phase services for a 5,500 square foot, two-bay fire station to be located at 5105 SW 15th Avenue, west of Military Trail in Boynton Beach. This new fire station will replace an existing, older station located on the same site. Stephen Boruff Architects has an annual contract for professional services for fire stations, which provides for an overall M/WBE participation goal of 23.5%. The participation on this CSA is 23.9%. When added to the Consultant's participation to date under this Contract, the resulting M/WBE participation is 20.5%. This project will meet all applicable codes, laws, and ordinances, including accessibility requirement of ADA. (Capital Improvements Division) District 5 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **APPROVED** **R-2003-1539**
Staff recommends motion to approve: Amendment No. 1 to the Contract with Centex Rooney Construction Company, Inc. (R2003-0524) for construction management services for the Light Industrial Facilities, establishing a Guaranteed Maximum Price (GMP) in the amount of \$550,000 for preliminary site work. **SUMMARY:** On April 15, 2003, the Board entered into a Contract with Centex Rooney for construction management services for the Light Industrial Facilities project. This Amendment establishes a GMP for vegetation removal, in the amount of \$254,500 with a time completion of 60 days, and an allowance of \$295,500, for preliminary earthwork activities. The GMP includes the cost of the work and the construction manager's fee associated with construction management. The M/WBE goal for this project is 15% Overall with 5% Black participation. A future amendment for construction services will address the M/WBE goal. (Capital Improvements Division) Countywide/District 2 (JM)
3. **APPROVED** **R-2003-1540**
Staff recommends motion to approve: Contract with URS Corporation to provide environmental assessment services on a continuing contract basis for Facilities Development & Operations Department projects. **SUMMARY:** The purpose of this contract is to have an environmental consultant under contract to provide engineering and environmental services for assessment and remedial activities and related consulting services for Facilities Development & Operations Department efforts to assess and re-mediate County-owned property and potential land acquisition parcels. Consultant fees will be negotiated on an individual basis for each identified project. This contract will be for one (1) year with three (3) one year extension options. This firm will have a minimum 15% SBE participation. (Capital Improvements Division) Countywide (JM)
4. **APPROVED** **R-2003-1541**
Staff recommends motion to approve: a continuing services Contract with Centex Rooney Construction Company, Inc. for Construction Management Services for library expansion program and various government buildings. **SUMMARY:** This contract provides for Construction Management Services associated with the design and construction of new libraries, additions to libraries, renovations to libraries, and other various government buildings to be determined later. Once a project is assigned to Centex Rooney, an Amendment for preconstruction services will be prepared and processed for approval. When construction documents are completed by the project architect, Centex Rooney will prepare a Guaranteed Maximum Price (GMP) for the construction phase. The GMP will include the cost of work required by the construction documents and the construction manager's fee associated with project construction. The GMP will also be implemented as an amendment to this contract and will be presented to the Board for approval. The Contract is for a period of two (2) years, with three (3), one year renewal options. SBE goals for the projects will be 15%. (Capital Improvements Division) Countywide (JM)
5. **APPROVED** **R-2003-1542**
Staff recommends motion to approve: a continuing services Contract with The Weitz Company, LLC, for Construction Management Services for library expansion program and various government buildings. **SUMMARY:** This contract provides for Construction Management Services associated with the design and construction of new libraries, additions to libraries, renovations to libraries, and other various government buildings to be determined later. Once a project is assigned to The Weitz Company, an Amendment for preconstruction services will be prepared and The Weitz Company will prepare a Guaranteed Maximum Price (GMP) for the construction phase. The GMP will include the cost of work required by the construction documents and the construction manager's fee associated with project construction. The GMP will also be implemented as an amendment to this contract and will be presented to the Board for approval. The Contract is for a period of two (2) years, with three (3), one year renewal options. SBE goals for the projects will be 15%. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **APPROVED** **R-2003-1543**
Staff recommends motion to approve: a continuing services Contract with Catalfumo Construction, Ltd., for Construction Management Services for library expansion program and various government buildings. **SUMMARY:** This contract provides for Construction Management Services associated with the design and construction of new libraries, additions to libraries, renovations to libraries, and other various government buildings to be determined later. Once a project is assigned to Catalfumo, an Amendment for preconstruction services will be prepared and Catalfumo will prepare a Guaranteed Maximum Price (GMP) for the construction phase. The GMP will include the cost of work required by the construction documents and the construction manager's fee associated with project construction. The GMP will also be implemented as an amendment to this contract and will be presented to the Board for approval. The Contract is for a period of two (2) years, with three (3), one year renewal options. SBE goals for the projects will be 15%. (Capital Improvements Division) Countywide (JM)
7. **APPROVED** **R-2003-1544**
Staff recommends motion to approve: an Agreement for Purchase and Sale with Grace Roma. **SUMMARY:** This Agreement is for the County's purchase of two (2) parcels totaling 5.9 acres on the southwest corner of Lantana & Lawrence Roads for \$1,546,250 for the construction of a new 29,000 sf branch library. Two (2) appraisals of the property were prepared indicating values of \$1,600,000 and \$1,385,000. The construction of a new branch library serving the areas west of Lantana is one of the highest priorities of the Library Department. An extensive search was conducted and this site was determined to be most ideally located, with few other options meeting the same size and location criteria. This purchase price consists of two (2) of three (3) properties required for the Library. Staff is recommending purchase at this time due to the owner having two (2) other pending offers. Staff has not been able to conclude negotiations on the third parcel (.9 acres). In the event that staff is unable to successfully conclude negotiations on the third parcel, condemnation will be recommended. The Agreement contains an inspection period of 90 days in which to perform an environmental audit, land survey and other due diligence. In the event any problems are discovered, the County has the option to terminate the Agreement. (PREM) District 3 (HJF)
8. **APPROVED** **R-2003-1545**
Staff recommends motion to approve: a Declaration of Easement for a water and sewer main distribution system at Buttonwood Park. **SUMMARY:** The County installed a water and sewer main distribution system as part of the development of Buttonwood Park on West Lantana Road. The easement area is approximately 1,704.53 feet in length and varies in width from 20 feet to 30 feet. The Water Utilities Department has requested that this utility easement be recorded to provide public notice of the existence of the underground water and sewer main. (PREM) District 3 (HJF)
9. **APPROVED** **R-2003-1546**
Staff recommends motion to approve: Change Order No. 95 in the amount of \$149,578 to the Contract with Clark Construction Group, Inc (R2001-0699) for the Palm Beach County Convention Center. **SUMMARY:** On May 1, 2001, the Board entered into a contract with Clark Construction Group, Inc. in the amount of \$55,917,000 for the construction of the Palm Beach Convention Center. Change Order No. 95 compensates the contractor for additional circuitry required for lighting control. The Architect's engineer has acknowledged that this change order is a result of errors and omissions. All costs for errors and omissions will be reviewed upon completion of the project in accordance with County policy. While this change order resolves the cost associated with this change, the Contractor and County have not agreed on the amount of time that may be added to the contract substantial completion date. The M/WBE minority participation associated with this change order is 0%. With this change, overall minority participation is 29.2% with a 5.82% black participation. The contract goal is 15% overall with 6% black participation. The Facilities Management Construction Committee reviewed and concurred with staff's recommendation for approval. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. **APPROVED** **R-2003-1547**
Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 8 to the Contract (R-96-39D) with STH Architectural Group, Inc. for extended construction administration services for Phase I & II of the North County Government Center in the amount \$366,841.72. **SUMMARY:** On July 9, 2002, the BCC terminated the contractor on the North County Government Center Project who had yet to complete Phase II of the project. The County subsequently entered into a completion agreement with the defaulted contractor's surety. This CSA No. 8 compensates STH for services provided between June 17, 2000 and July 9, 2003, the time at which the completion contractor finished Phase II of the North County Government Center Project. Liquidated damages from the Surety will fund these additional services made necessary by the defaulted contractor. All services included in the CSA have been completed. This CSA includes 7.7% M/WBE participation bringing the contract total to 11.12%. The contract goal is 13.91%. (Capital Improvements Division) Countywide (JM)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **APPROVED** **R-2003-1548**
Staff recommends motion to approve: Amendment No. 001 to an Agreement (2002-1880) with the Western Palm Beach County Mental Health Clinic, Inc. to: A) extend the expiration date from September 30, 2003 to December 31, 2003, and B) provide an additional \$40,000 in Community Development Block Grant (CDBG) funds for the rehabilitation of their building located at 408 S. E. Avenue E, in Belle Glade. **SUMMARY:** This amendment provides an additional \$40,000 to complete the rehabilitation of this facility. The funding will be used for the replacement of air conditioning equipment, floor tiles, carpeting, parking lot lighting and paving. The project initially received \$42,700 in funding. The project was let out for bids and the lowest bid received was more than the available funding. The project specifications have been revised and it is being rebid in three (3) separate parts comprising air conditioning, flooring, and parking lot improvements. It is anticipated that these specialty bids will result in lower bid prices. The additional \$40,000 is being funded to meet the anticipated shortfall. The Western Palm Beach County Mental Health Clinic, is funding the engineering fees for the project. The time extension is needed to allow the completion of the project. **These are Federal funds that require no local match.** District 6 (TKF)

2. **APPROVED** **R-2003-1420 THROUGH R-2003-1421**
REVISED MOTION: A) Amendment No. 001 to the Mortgage and Security Agreement **B) Subordination Security Agreement** (R2003-0809) for 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 language regarding the potential transfer of the limited partner's limited partnership interests in the Borrower or transfers of interests in the limited partnership of Borrower and acknowledging same will not constitute a default. District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. Staff recommends motion to:

A) **APPROVED**

approve a Loan in the amount of \$190,000 to the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) to allow the CRA to meet its debt service payment on its \$3.38M Redevelopment Revenue Refunding Bonds, Series 1999, to be repaid from the CRA's Tax Increment Financing (TIF) revenues by January 15, 2004; and

B) **ADOPTED**

R-2003-1549

adopt a Resolution approving the CRA Fiscal Year 2004 Budget for its:

- 1) Redevelopment Trust (Operating) Fund in the amount of \$978,103;
- 2) Construction Fund in the amount of \$765,116;
- 3) Sinking Fund in the amount of \$458,553; and,
- 4) Reserve Fund in the amount of \$271,750.

SUMMARY: On December 1, 1992, the CRA issued Redevelopment Revenue Bonds for, \$3,000,000 to construct sewer facilities, roadways, drainage facilities and sidewalks in the redevelopment area. On March 1, 1999, the CRA refunded these bonds and issued Redevelopment Revenue Refunding Bonds for \$3,380,000. A principal and interest payment in the amount of \$201,862.50 is due on November 1, 2003. The CRA will be unable to meet its obligation at that time since they will not receive the TIF revenues from Palm Beach County until December of 2003. Therefore, the CRA is requesting a loan from the County which will be repaid from the TIF revenues. District 2 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1.

Staff recommends motion to approve:

A) APPROVED R-2003-1550
an Interlocal Agreement for Biosolids Pelletization and Recycling with the Solid Waste Authority of Palm Beach County (SWA); and

B) APPROVED
Delegation of Authority to the County Administrator to negotiate the capital, and operations & maintenance costs associated with this Agreement in amounts not-to-exceed \$7,000,000 and \$25 per wet ton, respectively.

SUMMARY: The Water Utilities Department, working with the staff of the SWA and other public wastewater utilities in the County, has developed the concept of constructing a regional Bio-solids Pelletization and Recycling Facility (BPF) to handle the processing of wastewater residuals into a Class "AA" material for beneficial reuse. Water Utilities currently processes its wastewater bio-solids to Class "B" standards, and these bio-solids are bulk land applied in St. Lucie County. In recent years, land application regulations have become increasingly stringent, resulting in fewer land application sites and higher costs. The U.S. Environmental Protection Agency and the Florida Department of Environmental Protection are also developing new regulations that will likely ban the land application of Class "B" bio-solids in the future, and require processing to Class "AA" standards. Under the Interlocal Agreement, the SWA will be responsible for the design, construction, operation and maintenance of the regional BPF, and in addition will market the bio-solids pellets to various fertilizer manufacturers. Water Utilities, along with the other participating utilities, will in turn be responsible for delivering wastewater bio-solids to the new facility, and paying for the pro-rata share of capital and net operating costs. Water Utilities' share of capital costs is estimated to not exceed \$7,000,000, with ongoing operations & maintenance costs estimated to not exceed \$25 per wet ton. Actual costs will be established once the BPF procurement process is completed and prior to issuance of contracts for the design, construction, or operation of the facility. Should agreement not be reached on mutually acceptable capital and operating costs up to the limits established by the Board, then this agreement may be terminated without penalty or cost. Countywide (JM)

 L. ENVIRONMENTAL RESOURCES MANAGEMENT

 1.

APPROVED

R-2003-1551

Staff recommends motion to approve: Interlocal Agreement with the Town of Lake Park (Town) for the management of the Lake Park Scrub Natural Area and designation of responsibilities in regard to Florida Communities Trust (FCT) Florida Forever grant requirements. **SUMMARY:** The Interlocal Agreement provides that the County will manage the 53.75-acre Natural Area with assistance from the Town, subject to annual appropriations by each party. The County will construct and maintain the public use facilities. The Town will assist in management of the site through contributed services such as trash removal, daily opening and closing of the public access gate, and assistance with volunteer activities and prescribed burns. The Town will process any permits the County needs from the Town to implement the management plan and will supply documents needed for compliance with FCT grant requirements. District 1 (HJ)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. **APPROVED** **R-2003-1564**
Staff recommends motion to approve: an Agreement with the Palm Beach Soil and Water Conservation District in the amount of \$79,000 to provide soil and water resource conservation services for FY 2004. **SUMMARY:** This agreement provides funding for the Palm Beach Soil and Water Conservation District's Resource Conservation Activities. The District has been supported by the Board of County Commissioners since 1965. The District provides resource conservation services to both rural agricultural and urban communities to facilitate soil and water conservation in Palm Beach County. Services include soil information and technical assistance to improve water quality and quantity and soil planning in Palm Beach County. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

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

A) APPROVED R-2003-1565
a Contract with Professional Training Association Corporation (PTA), a not-for-profit agency, for an amount not-to-exceed \$120,925 for the period of October 1, 2003 through September 30, 2004; and

B) APPROVED R-2003-1566
a Contract with Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP), a not-for-profit agency, for an amount not-to-exceed \$29,075 for the period of October 1, 2003 through September 30, 2004, for the provision of substance abuse treatment services.

SUMMARY: The Criminal Justice Commission (CJC) is requesting that a total not-to-exceed \$150,000 from the 03-05 Local Law Enforcement Block Grant (LLEBG) be used to pay for contracted treatment services provided by PTA and CARP for Community Court clients. These grant funds are already established in the Community Court's budget for contracted treatment services. The Community Court is located at 638 6th Street in West Palm Beach. PTA and CARP are not-for-profit treatment providers for that geographic vicinity. In compliance with County Purchasing Ordinance No. 96-17, staff recommends a contract be entered into with PTA and CARP without bid due to their not-for-profit status, qualifications, and geographic location. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to approve:

A) APPROVED R-2003-1567
Palm Beach County's FY2004 electronic submittal and approval of the Local Law Enforcement Block Grant (LLEBG) application for the period October 1, 2003 to September 30, 2005, totaling \$596,044 in federal funds;

B) APPROVED
County match funds in the amount of \$53,227;

C) APPROVED R-2003-1568
Fourth Amendment to the agreement (R99-2416D, dated 12/21/1999) with the Office of the State Attorney to extend the agreement through September 30, 2004 and provide funding for FY2004 in the amount of \$117,000;

D) APPROVED R-2003-1569
Second Amendment to the agreement (R2001-2131, dated 12/04/2001) with the Public Defender's Office to increase the agreement by \$7,528 to a maximum amount of \$441,628; and

E) APPROVED
Authorization for the County Administrator or his designee to execute electronically all related documents for Palm Beach County's FY2004 LLEBG.

SUMMARY: Palm Beach County is eligible to receive a direct award of \$596,044 for the following four (4) proposals totaling \$662,271 (federal \$596,044, County match \$53,227, State Attorney match \$13,000): 1) the CJC's proposal in the amount of \$185,123 for the Law Enforcement Planning Council; 2) the Criminal Justice Commission's (CJC) proposal in the amount of \$339,620 for the Community Court program; 3) the State Attorney's Office in the amount of \$130,000 for the Community-Based Anti-Crime Unit (COMBAT); and 4) the Public Defender's proposal in the amount of \$7,528 for the Ex-Offender Re-Entry Program.

The CJC is requesting \$53,227 in ad valorem dollars for the cash match; these County funds are included in the FY2004 proposed budget. The State Attorney's Office will provide a local match of \$13,000 for the COMBAT proposal. An amendment to the agreement with the State Attorney's Office is required for legal services in order to continue to assign two prosecutors to the COMBAT Unit serving three County Weed and Seed areas. An amendment to the agreement with the Public Defender's Office is required to increase treatment services in the Ex-Offender Re-Entry Program. Countywide (DW)

S. FIRE RESCUE

1. **APPROVED R-2003-1570**
Staff recommends motion to approve: a two (2) year agreement with Whelan, DeMaio & Kiszkiel, P.A. for the provision of professional services in the area of labor negotiations and related services in the not -to-exceed amount of \$120,000. This represents \$116,000 for fees and \$4,000 for expenses. **SUMMARY:** Since August 1999, Fire Rescue has contracted for professional services including labor negotiations and labor and employment related legal assistance. This Agreement permits the firm to continue to provide expert advice and assistance in the area of collective bargaining negotiations and Michael Whelan to continue to act as the County's chief negotiator in negotiations with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. Countywide (SGB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES

1. **APPROVED** **R-2003-1571**
Staff recommends motion to approve: Contract with IBM to purchase OnDemand Production CD-ROM software to create CDs from the County's OnDemand system, implementation of services, and annual maintenance (October 1, 2003 through November 1, 2004) at a total cost not-to-exceed \$64,020. **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 be providing one-time services to implement the software and provide staff training. Maintenance will be an annual expenditure throughout the product life. First year maintenance cost is \$3,000. This production software is designed to support high-volume batch processing of input files and documents. Countywide (PK)

2. **APPROVED** **R-2003-1572**
Staff recommends motion to approve: Supplement to IBM Corporation Customer Agreement (ICCA) for IBM S/390 software programs and support for the period October 1, 2003 through September 30, 2004, in an amount not-to-exceed \$429,108. **SUMMARY:** This Supplement to the IBM ICA (R94-247D) provides for the ongoing annual software license charge for our current mainframe processor and data storage equipment. The configuration of the IBM mainframe system software for the coming contract period has been thoroughly reviewed prior to developing this Agreement. The contract maximum amount is structured in two (2) portions: (1) \$390,108 based on the current inventory of IBM S/390 software and (2) a 10% contingency (\$39,000) to provide for required but yet unforeseen changes to the inventory that could arise during the contract period. This supplement covers the period October 1, 2003 through September 30, 2004. Countywide (PK)

Z. RISK MANAGEMENT

1. **APPROVED**
Staff recommends motion to approve: Renewal of the Excess Property Insurance Program for the period October 1, 2003 through September 30, 2004 purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 00-106/MKP, for a total cost not-to-exceed \$8,065,047. **SUMMARY:** The Excess Property Insurance Program currently provides excess layers of property insurance totaling \$250 million above the County's \$1,000,000 self insured retention and the \$1,500,000 primary layer provided separately in the insurance package policy. The estimated cost of \$8,065,047 is a \$276,395 (3.5%) increase because the County's total insurable values have increased 4.2% this year. Based on recent experiences placing layered property programs for other public entities, Arthur J. Gallagher estimates that exact costs and availability will not be known until as late as October 1, 2003 (or possibly later) due to the insurance marketplace's unwillingness to pledge capacity and pricing until the renewal date. The actual number of insurance policies and insurers participating varies from year to year depending on the insurance industry's level of interest in writing property insurance in South Florida. Indications are that the insurance market has softened slightly. It is anticipated that we will be able to either negotiate a reduction in the windstorm deductible from 5% to 4% or save \$300,000 to \$350,000 by leaving the windstorm deductible at the current 5% level. Risk Management recommends that we take advantage of the opportunity to reduce the deductible to 4%. The not-to-exceed cost stated in the Motion contemplates a 4% windstorm deductible. An explanation of the impact of a 4% vs. 5% windstorm deductible has been included in the Background and Justification Section. According to Arthur J. Gallagher & Co., windstorm deductibles lower than 4% are not currently available for public risks in the tri-county area. The premium includes an \$80,000 Brokerage Fee in lieu of commissions. Sufficient funds are budgeted in FY 2004 for this coverage. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

2. **APPROVED** **R-2003-1573**
Staff recommends motion to approve: Amendment No. 2 to Contract No. 01-153/PR with Arthur J. Gallagher & Co. (R2001-1526; dated September 11, 2001) for the excess liability and excess crime insurance policies and a portion of the excess property coverage for the period October 1, 2003 through September 30, 2004 for a total cost not-to-exceed \$1,721,265. **SUMMARY:** The County currently self-insures the first \$1,000,000 of property loss, the first \$200,000 of liability loss and the first \$25,000 of crime (employee dishonesty) loss. These policies provide an initial layer of \$1,500,000 of property insurance above the County's self-insured retention of \$1,000,000 and \$50,000 of excess crime coverage above the County's self-insured retention of \$25,000. No changes for these coverages are contemplated for the forthcoming year. According to our broker and other industry sources, however, the insurance industry's insistence on increasing the cost of liability coverage plus several recent significant liability claims brought against the County are influencing the insurer's demand for more premium and a reduction in the amount of excess liability coverage being offered. After searching for alternatives without success, staff is, therefore, recommending that the current \$200,000 self-insured retention for liability claims be increased to \$500,000. The cost savings to the County for this change is \$500,000. Additionally, staff has been advised by the broker that the insurer will only offer \$5,000,000 of excess liability coverage rather than the current \$10,000,000. The estimated annual premium of \$1,721,265 for FY 2004 is \$258,655 (17.7%) more than the current year's premium of \$1,462,610 and includes these changes. The initial layer (\$1,500,000) of property coverage excess of a \$1,000,000 self-insured retention will continue to be interrelated with the Excess Property Insurance program which responds after this \$1.5 million in coverage is exhausted. Sufficient funds are budgeted in FY 2004 for this coverage. Countywide (TKF)

BB. SHERIFF

1. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$500 from the Law Enforcement Trust Fund (LETF) (108) to the Palm Beach County Sheriff's Office for a donation to help support the crime prevention and safe neighborhood efforts of the Florida Missing Children Information Clearinghouse. **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 \$914,299, exceeding the FY2003 requirement of \$103,285. The funds are requested to support the annual Florida Missing Children's ceremonies to be held in Tallahassee. This statewide ceremony honors police officers and civilians that have assisted in missing child cases and raises public awareness to help prevent child abduction and sexual exploitation. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$545,425. The Sheriff's Office certifies that the use of these funds is in accordance with F.S. 932.7055. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

2. Staff recommends motion to approve:

A) **APPROVED**

Budget Transfer of \$33,653 in the Local Law Enforcement Block Grant (LLEBG) Fund (142);

B) **APPROVED**

Budget Transfer of \$106,468 in the Juvenile Assessment Center (JAC) Fund (060);

C) **APPROVED**

Budget Amendment of \$201,936 in the General Fund (001) to recognize revenue received from LLEBG, JAC and \$61,815 in donations from municipalities for security at the Juvenile Assessment Center; and

D) **APPROVED**

Budget Amendment of \$201,936 in the Sheriff's Grants fund (104) to recognize the transfer of funds from the General Fund to the PBSO.

SUMMARY: The Palm Beach County Sheriff's Office provides for the Wackenhut Security Agreement at the JAC via the \$3.00 assessment fees established through F.S. 938.17 and County Ordinance 97-1, as well as donations provided as designated in the Criminal Justice Commission's JAC funding strategy. On August 20, 2003, the Criminal Justice Commission provided the current status of the funding strategy for the JAC. A portion of the JAC security will be funded through \$61,815 in donations received from local law enforcement agencies during FY 2003, \$106,468 in assessment fees, youth court donations, juvenile restitution fees and interest, and \$33,653 in LLEBG funds. An additional portion of the JAC security will be funded through a \$62,321 contribution from the Sheriff's Office. Countywide (DW)

CC. TOURIST DEVELOPMENT COUNCIL

1. **APPROVED**

R-2003-1574

Staff recommends motion to approve Agreement with Palm Beach County Cultural Council in the amount of \$800,000 from October 1, 2003 through September 30, 2004, for services relating to the administration of two (2) grant programs for cultural and non-profit organizations within the County. **SUMMARY:** The Agreement provides that the Cultural Council will distribute \$800,000 as grants to mid-level non-profit and to community-based children's and multi-cultural groups that focused on cultural activities through programs and festivals. There will be two separate programs designated as Category C-I & Category C-II. Category C-I will provide assistance for multi-cultural and children's programs and Category C-II will fund mid-level cultural organizations that provide programming for residents and visitors. Countywide (MC)

* * * * *

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

A. **PRESENTED**

Awards of Appreciation to Representative Richard Machek, Chair, and Representative Joe Negrón, Vice Chair, Palm Beach County Legislative Delegation

* * * * *

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

A. **ADOPTED** **R-2003-049**
Staff recommends motion to adopt: 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 IV, 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 was enacted on August 19, 2003. To avoid having a County Ordinance in conflict with that County Resolution, Ordinance No. 92-32 needs to be repealed. Ordinance No. 92-32 contains reimbursement rates for mileage in conflict with the rates established by County Resolution. Countywide (ND)

B. **Staff recommends motion to:**

1. **ADOPTED** **R-2003-1575**
adopt a Resolution confirming the special assessment process for the Town of Haverhill/Park Lane Area Water Main Extension Project; and

2. **APPROVED** **R-2003-1576**
approve a Work Authorization to Foster Marine Contractors, Inc., under the Water Utilities Department Continuing Construction Contract (R2002-2086) in the amount of \$309,589.80.

SUMMARY: Petitions in favor of the installation of a potable water main have been provided by 63% of the property owners in the Town of Haverhill/Park Lane Area. The project will serve 68 residential properties currently on private wells. Individual assessments are based on 100% of the assessable cost and may be paid over twenty years with equal annual payments of principal and 6½% interest. The total project cost is \$411,062.16, and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency. The Water Utilities Capital Fund will cover the \$3,668.82 cost for six non-assessable services. The project will be constructed utilizing a Work Authorization under the Water Utilities Department Continuing Construction Contract (R2002-2086). (WUD Project No. 02-063) Districts 2 & 6 (MJ)

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

C. Staff recommends motion to:

1) **ADOPTED** **R-2003-1577**
adopt a Resolution confirming the special assessment process for the Melrose Park Water Main Extension Project; and

2) **APPROVED** **R-2003-1578**
approve a Work Authorization to Foster Marine Contractors, Inc., under the Water Utilities Department Continuing Construction Contract (R2002-2086) in the amount of \$653,192.46.

SUMMARY: Petitions in favor of the installation of a potable water main have been provided by 64% of the property owners in the Melrose Park project area. The project will serve 130 residential properties currently on private wells. Individual assessments are based on 100% of the assessable cost and may be paid over twenty years with equal annual payments of principal and 6½% interest. The total project cost is \$836,008.80, and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration and construction contingency. On July 15, 2003, the Board allocated \$250,000 from the County Capital Outlay Fund to reduce the cost of the Melrose Park Special Assessment, and the Water Utilities Capital Fund will cover the \$18,980 cost of water main over-sizing. Staff recommendation of the per parcel method of assessment is based upon obtaining an equitable individual assessment for the 130 properties, which are similar in size. The project will be constructed utilizing a Work Authorization under the Water Utilities Department Continuing Construction Contract with Foster Marine Contractors, Inc. (R2002-2086). (WUD Project No. 02-069) District 3 (MJ)

D. **ADOPTED** **R-2003-050**

Staff recommends motion to adopt: 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 President, the Governor or the Board of County Commissioners. The ordinance will allow emergency repairs to proceed without permits. (Unincorporated) Countywide (RB)

E. **ADOPTED** **R-2003-051**

Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County Florida repealing Article I through Article IV, Chapter 14 of the Palm Beach County Code (Ordinance No. 78-1) and Article II, Chapter 20 of the Palm Beach County Code (Ordinance No.77-7, as amended); creating the Palm Beach County Property Maintenance Code; providing for title; providing for Repeal of Existing ordinances; providing for administrative provisions; providing for definitions; providing for general requirements; providing for residential requirements; providing for non-residential requirements; providing for lot clearing; providing for applicability; providing for a savings Clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The Property Maintenance Code updates the Palm Beach County Housing Code (Ordinance No. 78-1), adopted in 1978, creating maintenance requirements for both residential and non-residential properties, and incorporates the Palm Beach County Lot Clearing regulations (Ordinance No. 77-7, as amended), creating one code regulating the maintenance of residential and non-residential properties. Countywide (GB)

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

(Not advertised as a Public Hearing)

APPROVED

F. **Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 21, 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 conservation easements and permanent protection; 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 exempts those lands in the Agricultural Reserve that were/are purchased for Agricultural purposes as defined in Resolution 99-1073, Section 5.03, A. The Ordinance establishes a public process whereby the Board of County Commissioners (Board) may review a proposed 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 to be in writing, reviewed by staff, and publicly reviewed by the Conservation Lands Acquisition Selection Committee (CLASC) and the Natural Areas Management Advisory Committee (NAMAC), by applicable municipalities, and finally before the Board. The Ordinance also establishes 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. However, it should be noted that the Ordinance itself may be amended by a simple majority of members present. Countywide (HJ)

G. **APPROVED**

Staff recommends motion to reaffirm: Conceptual Alignment Alternative A of the Persimmon Boulevard/State Road 7 Extension from 110th Avenue North to Okeechobee Boulevard (Project). **SUMMARY:** The Board at the July 22, 2003 workshop requested staff bring back an alignment for this road that would use the 110th Ave North right-of-way instead of any property from the Pond Cypress Natural Area (PCNA) in the area between 40th Ave North and Persimmon Boulevard. Staff has placed an alignment off the PCNA property and has found that all the lots and homes adjacent to 110th Ave North would have to be acquired (40th Ave North - Persimmon Boulevard). Additionally, two properties and a small portion of a third occupied parcel on the south side of Persimmon Boulevard, west of the property at the intersection of 110th and Persimmon, will have to be acquired. This totals 16 built lots and 2 unoccupied lots and a small portion of a 3rd occupied parcel. All homes on the 16 lots would have to be razed. Staff has evaluated this concept and has provided attachments identifying the costs and impacts of this concept and alignment and the current alignment. We recommend staying with the current alignment District 6 (MRE)

(Not advertised as a Public Hearing)

APPROVED

H. **Staff recommends motion to direct staff:** to initiate discussions with Minto Development for the exchange of approximately 600 acres of privately owned "Section 1" property for 200-250 acres of county owned Pond Cypress Natural Area (PCNA) property. **REVISED SUMMARY :** The Board has previously directed staff to initiate condemnation action for the acquisition of Section 1. When contacted, Minto Development, as part of the acquisition discussions, offered to consider an exchange of property after expressing no interest in outright selling of the property. Staff believes the concept of a "swap" is one that should be addressed and requests the Board direct those discussions proceed. Both sides agree that 60 days should be sufficient to determine if the exchange is feasible for both parties. If the Board does not support this motion, staff will continue with the condemnation process requests further direction relating to the Section One property. District 6 (MRE)

6. REGULAR AGENDA

A. ADMINISTRATION

1. **APPROVED** **R-2003-1579**
Staff recommends motion to approve: Amendment No. 12 to the Contract (R91-1876D) with Robert Weisman, County Administrator, extending said contract for one (1) additional year ending December 31, 2008 and setting salary and benefits effective September 20, 2003 (start of pay period). **SUMMARY:** This Amendment provides for the County Administrator's services through December 31, 2008. The current contract expires December 31, 2007. This is a one-year extension. This year marks completion of 23 years as a County employee and 12 years as Administrator. It is suggested that the Board consider a salary increase of 5% and a \$3000 Deferred Compensation increase based on the Board's evaluation of performance and comparison with similar positions. Current salary is \$181,534 with an \$11,000 annual Deferred Compensation contribution. Countywide (GS)

2. **APPROVED** **R-2003-1580**
Staff recommends motion to approve: Golf Tournament Agreement with Trump International Golf Club, L.C., and Special Olympics for sponsorship of a one-day charitable golf tournament to be held October 12, 2003. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (Trump), approved September 3, 1996 (R96-1277D), allows use of the golf course during the months of May through October for the County to host either a single two-day or two (2) one-day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament to be held on October 12, 2003. Proceeds from the golf tournament will benefit Special Olympics. Countywide (LB)

B. PARKS AND RECREATION

1. **DELETED**
Staff recommends motion to approve: Agreement with Special Olympics Florida, Inc., allowing them to sell naming rights for the Special Populations Therapeutic Recreation Complex for fund-raising. **SUMMARY:** Special Olympics Florida, Palm Beach County, has undertaken an aggressive program to raise funds for the County to construct an Athletic Center at the new Therapeutic Recreation Complex in John Prince Park. This agreement provides Special Olympics the opportunity to sell naming rights for the Complex and its selected features as part of their fund-raising efforts. District 3 (ND)

6. REGULAR AGENDA

C. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) **APPROVED**

Funding not-to-exceed \$25,000 to support the Food Security Survey Project for the period October 1, 2003 through September 30, 2004;

B) REVISED MOTION:

~~Delegate authority to the County Administrator or his designee to sign a contract with United Way of Palm Beach County; Memorandum of Agreement with the United Way of Palm Beach County to support the Food Security Survey Program; and~~

C) **APPROVED**

R-2003-1581

Budget Transfer of \$25,000 from the General Fund Reserve for Contingencies.

SUMMARY: The United Way of Palm Beach County in concert with the Palm Beach County Hunger Coalition is planning to conduct a countywide Food Security Survey. USDA defines Food Security as having access to food necessary for an active healthy life. The results will be used to develop a Community Food Security Action Plan to improve the health, nutrition and overall quality of life for County residents. Specifically, the project will: 1) conduct a county-wide Food Security Survey; 2) analyze survey data; 3) decrease hunger and convene countywide forums to review findings and gain consensus on key recommendations; and 4) develop a countywide Food Security Action Plan to implement agreed upon recommendations. The United Way is asking key community partners to provide a portion of the 18 month budget necessary to support the project. The Division of Human Services is not currently budgeted for these funds; a transfer from the General Fund for Contingencies would be required to fund this project. (Human Services) Countywide (TKF)

D. AIRPORTS

1. Staff recommends motion to approve:

A) **APPROVED**

The list of twelve (12) charitable organizations benefitting from the proceeds (coins) collected from the fountains at PBIA during the period of October 1, 2003 through September 30, 2004;

OR

B) **APPROVED**

Request by Peter B. Elwell, Chair, Community Services Committee, on behalf of Palm Beach Flagler Rotary Club for the proceeds (coins) collected from the fountains at PBIA during the period of October 1, 2003 through December 31, 2004.

SUMMARY: On March 14, 1989 the Board approved the concept of collecting contributions from the Airport's fountains on a monthly basis and contributing the funds to a different local charitable organization as recommended by the Department of Airports in conjunction with the Community Services Department and as approved by the Board of the requested fiscal year. However, the Department of Airports has been approached by Peter B. Elwell of the Palm Beach Flagler Rotary Club seeking assistance in their efforts to eradicate polio worldwide through the addition of proceeds from the Airport's fountains. Mr. Elwell's request calls for the proceeds to begin as soon as possible and continue through December 31, 2004. Countywide (GPS)

6. REGULAR AGENDA

E. PALM TRAN

1. **APPROVED**

Staff recommends motion to approve: the Palm Tran Five Year 2004-2008 Transit Development Plan (TDP) prepared by the University of South Florida Center for Urban Transportation Research (CUTR). **SUMMARY:** The Florida Department of Transportation (FDOT) requires a TDP in order to maintain eligibility for state transit block grants. The current FDOT state transit block grant funding is approximately \$3.9 Million annually. CUTR staff will present a brief presentation on the TDP. Countywide (DR)

2. **Staff recommends motion to:**

A) **ADOPTED **R-2003-1582****
adopt a Resolution to amend Resolution No. R2001-2241 to remove the sunset date of the Palm Tran Service Board; and

B) **APPROVED**
receive and file the Annual Report from the Palm Tran Service Board.

SUMMARY: The Board of County Commissioners created the Palm Tran Service Board on December 18, 2001. The Palm Tran Service Board has worked successfully to fulfill its mission to make Palm Tran's fixed route bus system more efficient and to serve as the ongoing mechanism for the participation of citizens, with and without disabilities, in the continued development, implementation, and assessment of all Palm Tran services. This resolution will remove the sunset provision in the existing resolution. Sidney F. Dinerstein, Chair, Palm Tran Service Board will also make a brief presentation. Countywide (DR)

F. LIBRARY

1. **APPROVED**

Staff recommends motion to approve: Overdue Fines Amnesty during the month of October 2003, for the Palm Beach County Library System. **SUMMARY:** Overdue fines would be removed from the record of anyone who visits any of the County's Libraries, returns the materials and makes a donation to the United Way of Palm Beach County during the amnesty period. The amnesty would not apply to charges for lost or damaged materials. There will be minimal fiscal impact on the department's revenues as well as little impact on accounts previously referred to a collection agency. Countywide (TKF)

G. FACILITIES DEVELOPMENT & OPERATIONS

1. **APPROVED** **R-2003-1583**

Staff recommends motion to approve: a Purchase and Sale Agreement with House of Worship LLC. **SUMMARY:** This Agreement is for the County's purchase of approximately 4 acres of property improved with a 14,241 square foot building located at Chillingworth Drive and Congress Avenue. The property is being purchased for relocation of the existing Gaines Park Head Start facility, is within the central core service area of the Gaines Park Center's current enrollment and maintains the separation between the existing Riviera Beach center and the proposed center within the Lake Worth corridor. The building, which was constructed in 1987 as a Temple with an accessory day care facility, includes small classrooms, a full kitchen with commercial equipment, chapel and outdoor playground area. There is ample parking together with room for building expansion on site. The purchase price is \$1,750,000. Staff obtained two appraisals of the subject property indicating values of \$1,300,000 and \$1,750,000 respectively. Staff estimates that purchasing the property at this price saves approximately \$900,000 over the cost of constructing a new facility. In addition, Headstart should be able to occupy the facilities by the end of 2004, saving the County an additional \$200,000 in repairs at the Gaines Park site. Most importantly, Staff has evaluated over 10 sites during the last 11 months and this site is the only one which met all of the locally and federally mandated siting criteria, is within the service area and available for purchase. The Agreement is contingent upon the County obtaining a Class B Special Use Permit from the City of West Palm Beach by October 4, 2003. (PREM) District 7 (HJF)

6. REGULAR AGENDA

G. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

1. APPROVED

ADD ON: Staff recommends motion to approve: a Purchase and Sale Agreement with House of Worship LLC. **SUMMARY:** This Agreement is for the County's purchase of approximately 4 acres of property improved with a 14,241 square foot building located at Chillingworth Drive and Congress Avenue. The property is being purchased for relocation of the existing Gaines Park Head Start facility, is within the central core service area of the Gaines Park Center's current enrollment and maintains the separation between the existing Riviera Beach center and the proposed center within the Lake Worth corridor. The building, which was constructed in 1987 as a Temple with an accessory day care facility, includes small classrooms, a full kitchen with commercial equipment, chapel and outdoor playground area. There is ample parking together with room for building expansion on site. The purchase price is \$1,750,000. Staff obtained two appraisals of the subject property indicating values of \$1,300,000 and \$1,750,000 respectively. Staff estimates that purchasing the property at this price saves approximately \$900,000 over the cost of constructing a new facility. In addition, Headstart should be able to occupy the facilities by the end of 2004, saving the County an additional \$200,000 in repairs at the Gaines Park site. Most importantly, Staff has evaluated over 10 sites during the last 11 months and this site is the only one which met all of the locally and federally mandated siting criteria, is within the service area and available for purchase. The Agreement is contingent upon the County obtaining a Class B Special Use Permit from the City of West Palm Beach by October 4, 2003. (PREM) District 7 (HJF)

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7. BOARD APPOINTMENTS

A. ADMINISTRATION
(Workforce Alliance Board of Directors)

1. **APPROVED**
Staff recommends motion to approve: One (1) Business Sector appointment to the Workforce Alliance Board of Directors through January 31, 2007.

<u>Nominee</u>	<u>Seat No.</u>	<u>Area of Representation</u>	<u>Position/Employer</u>	<u>Nominated by</u>
Greg J. Fagan	34	Business Sector	President, Schefer Fagan & Cooper Engineers, Inc.	Business Development Board

SUMMARY: The membership of the WA conforms to 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. The Workforce Alliance Nominating Committee, at its July 22, 2003 meeting unanimously approved that the above nominee be appointed with the next vacancy. Mr. Fagan served as the past chair of the Business Development Board. Dr. Jean Malecki held Seat 34 and had resigned from the Alliance Board because of ongoing conflicting commitments as head of the Palm Beach County Health Department. Countywide

B. ENVIRONMENTAL RESOURCES MANAGEMENT
(Conservation Land Acquisition Selection Committee)

1. **APPROVED**
Staff recommends motion to approve: Appointment of one (1) at-large member to fill vacant seat No. 3 for a term ending May 14, 2004 to the Conservation Land Acquisition Selection Committee (CLASC).

Appoint One:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Norma Jean Byrd	3	Educator	Commissioner Koons
or			
Dr. Ken Pernezny	3	Educator	Commissioner Masilotti

SUMMARY: Resolution No. 99-1073 provides for a twelve (12) member CLASC. A memorandum was sent to the Board of County Commissioners on July 21, 2003 advising that Seat No. 3 was vacated by Dr. George Snyder. Commissioner Koons nominated Norma Jean Byrd and Commissioner Masilotti nominated Dr. Ken Pernezny to fill Seat No. 3. Dr. Snyder, who resigned on July 8, 2003, was appointed on May 15, 2001 to a term ending May 14, 2004. Countywide (HJ)

C. COMMISSION DISTRICT APPOINTMENTS

SEPTEMBER 23, 2003

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

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

SEPTEMBER 23, 2003

<u>PAGE</u>	<u>ITEM</u>	
13	3A-23	DELETED: a Contract for consulting/professional services in the amount of \$88,000 with the Palm Beach County Resource Center, Inc., a not-for-profit 501(c) (3) corporation for the period of October 1, 2003 through September 30, 2004. (Admin) (Further staff review - moved to 10/07/03)
13	3A-24	REVISED MOTION: Staff recommends motion to approve: a Contract with Florida Atlantic University in the amount of <u>\$94,000</u> \$40,000 to operate the Small Business Development Center (SBDC) and provide technical assistance services to small businesses in Palm Beach County for the period October 1, 2003 through September 30, 2004. (Admin.)
19	3C-18	REVISED MOTION & SUMMARY: <p>A) adopt a Resolution authorizing the County Administrator or his designee to execute a State Highway Landscape, Maintenance, and Compensation Agreement <u>to take effect February 1, 2004</u> and, each <u>State fiscal year</u> thereafter <u>as provided</u>, develop and execute new <u>Exhibits A and B</u>.</p> <p>B) approve Budget Amendment of \$63,768 <u>\$50,050</u> in the Transportation <u>Improvement Trust</u> Fund to recognize reimbursement of landscaping maintenance by Florida Department of Transportation (FDOT).</p> <p>SUMMARY: In 2002, the Board adopted an Only Trees, Irrigation and Sod (O.T.I.S.) Master Plan for State and County thoroughfare medians in the unincorporated area. As the first step toward implementation of the State highway portion of this Master Plan, the County, through this <u>by entering into the Agreement as authorized by the Resolution</u>, will takeover landscaping maintenance for approximately 24 <u>20</u> miles of State roads. This will be the precursor to implementation of irrigation and sod under the multi-year phasing of this Master Plan. The FDOT will annually provide partial reimbursement to the extent that FDOT would have received budget funds for these roads. This Agreement provides for annual revisions to the amount reimbursed, as well as allowing for the list of included State roads to be revised. <u>Countywide (MRE)(Eng)</u></p>
19	3D-2	REVISED MOTION & SUMMARY: the Appointment of Successor Trustee, appointing U.S. Bank, N.A. as successor remarketing agent trustee for the \$7,650,000 Palm Beach County, Florida, Variable Rate Demand Industrial Development Revenue Bonds Series 1996 (Palm Beach Bedding Company Project) (the "Bonds"). SUMMARY: Wachovia Bank, National Association ("Wachovia") has submitted its resignation as the remarketing agent trustee for the Bonds as allowed under Section of the Trust Indenture dated as of April 1, 1996 (the "Indenture"). Pursuant to the said Section 10.16 of the Indenture, Palm Beach County, as issuer of the Bonds, appoints the successor remarketing agent trustee . The parties to the Bonds have requested that U.S. Bank, N.A. ("U.S. Bank") be appointed as the successor trustee for the Bonds, and U.S. Bank has agreed to accept such appointment. The appointment of U.S. Bank as successor trustee requires formal action by the Board's approval of the attached Appointment of Successor Trustee. 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. <u>District 1 (PFK) (CoAtty)</u>
28	3I-2	REVISED MOTION: Amendment No. 001 to the Mortgage and <u>Subordination Security Agreement (R2003-0809)</u> for Indian Trace Associates, Ltd. <u>District 7 (TKF) (HCD)</u>

- 44 5H **REVISED SUMMARY:** The Board has previously directed staff to initiate “look into” condemnation action for the acquisition of Section 1. When contacted, Minto Development, as part of the acquisition discussions, offered to consider an exchange of property after expressing no interest in outright selling of the property. Staff believes the concept of a “swap” is one that should be addressed and requests the Board direct those discussions proceed. Both sides agree that 60 days should be sufficient to determine if the exchange is feasible for both parties. If the Board does not support this motion, staff ~~will continue with the condemnation process~~ requests further direction relating to the Section One property. District 6 (MRE) (Eng)
- 45 6B-1 **DELETED:** Agreement with Special Olympics Florida, Inc., allowing them to sell naming rights for the Special Populations Therapeutic Recreation Complex for fund-raising. (Parks) (Further staff review)
- 46 6C-1 **REVISED MOTION:**
- A) Funding not-to-exceed \$25,000 to support the Food Security Survey Project for the period October 1, 2003 through September 30, 2004;
- ~~B) Delegate authority to the County Administrator or his designee to sign a contract with United Way of Palm Beach County; Memorandum of Agreement with the United Way of Palm Beach County to support the Food Security Survey Program; and~~
- C) Budget Transfer of \$25,000 from the General Fund Reserve for Contingencies. (Comm Serv)
- 48 **G. FACILITIES DEVELOPMENT & OPERATIONS**
1. **Staff recommends motion to approve:** a Purchase and Sale Agreement with House of Worship LLC. **SUMMARY:** This Agreement is for the County's purchase of approximately 4 acres of property improved with a 14,241 square foot building located at Chillingworth Drive and Congress Avenue. The property is being purchased for relocation of the existing Gaines Park Head Start facility, is within the central core service area of the Gaines Park Center's current enrollment and maintains the separation between the existing Riviera Beach center and the proposed center within the Lake Worth corridor. The building, which was constructed in 1987 as a Temple with an accessory day care facility, includes small classrooms, a full kitchen with commercial equipment, chapel and outdoor playground area. There is ample parking together with room for building expansion on site. The purchase price is \$1,750,000. Staff obtained two appraisals of the subject property indicating values of \$1,300,000 and \$1,750,000 respectively. Staff estimates that purchasing the property at this price saves approximately \$900,000 over the cost of constructing a new facility. In addition, Headstart should be able to occupy the facilities by the end of 2004, saving the County an additional \$200,000 in repairs at the Gaines Park site. Most importantly, Staff has evaluated over 10 sites during the last 11 months and this site is the only one which met all of the locally and federally mandated siting criteria, is within the service area and available for purchase. The Agreement is contingent upon the County obtaining a Class B Special Use Permit from the City of West Palm Beach by October 4, 2003. (PREM) District 7 (HJF)

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 (*).