

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

OCTOBER 21, 2003

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

**COMMISSION
CHAMBERS**

**CHARMAINE CRAIG
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 6 - 30)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 31 - 32)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **APPROVED** **R-2003-1634**
Staff recommends motion to receive and file: Amendment No. 1 to Agreement (R2002-1878) with the City of Belle Glade to provide \$250,000 of Community Development Block Grant funds for the improvements to Hand Park. Countywide

2. **APPROVED**
Staff recommends motion to concur: to execute Individual Training Account Agreements approved by the Executive Committee of Workforce Alliance, Inc. on October 2, 2003 to provide occupational skills and related training under the Workforce Investment Act of 1998 (the "ACT") and the Workforce Innovation Act of 2000 ("WIA"). **SUMMARY:** In compliance with an Agreement between Palm Beach County (PBC) and Workforce Alliance, Inc. (ALLIANCE) all contracts entered into for employment and training under the WIA must have the concurrence of the County as Chief Elected Officials in the purpose and proposed amount of each contract. On October 1, 2002 ALLIANCE issued a Vendor Solicitation Package to public and private education agencies in Palm Beach County. Individual Referral Agreements established as a result of this solicitation will provide for courses and programs to meet the training needs of the County's WIA customers. Approval granted by ALLIANCE with concurrence by the Board of County Commissioners authorizes staff to enter into these Individual Training Account Agreements with approved vendors. The awarding of contracts to approved vendors is contingent upon funding availability and prioritization of need, as determined by ALLIANCE. Individual Training Account Agreements do not constitute a commitment for any minimum number of participants or referrals. As individuals must meet acceptance requirements of a specific training program, reimbursement is made to the vendor for providing training services at the published costs for tuition, books, supplies, lab fees, etc., charged to the general public. Countywide (TKF)

3. **APPROVED** **R-2003-1635**
Staff recommends motion to approve: a Second Amendment to the Round V Development Regions Core Grant Agreement R2001-1393 with the Delray Beach Community Redevelopment Agency (CRA), extending the deadline for job creation from October 28, 2003 to July 31, 2004. **SUMMARY:** The Development Regions Grant with the Delray Beach CRA commenced August 28, 2001, permitted job creation two months after completion of construction. This extension will allow the business project, Top Notch Hair Dimensions, additional time after construction to hire six (6) full-time equivalent jobs and maintain them for 24 months in addition to retaining six (6) full-time equivalent jobs. District 7 (DW)

4. **APPROVED** **R-20031636**
Staff recommends motion to ratify: the County Administrator's signature on an Amendment to Cooperative Agreement No. FF204K034023 with the U. S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive additional grant funds in the amount of \$25,000. **SUMMARY:** Immediate execution of this contract was required in order for OEO to meet HUD's FY 2003 federal funding deadlines. This contract was originally approved by the BCC on August 28, 2003, (R2003-1308) in the total amount of \$130,960. Subsequent to the BCC's approval of this contract, HUD notified OEO that the contract was being amended to provide the additional sum of \$25,000 to be used specifically for educational and outreach activities during Fair Housing Month (April) 2004. With the additional funds, the total contract amount will be increased to \$155,960. Countywide (TKF)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5.

Staff recommends motion to receive and file: Resolutions from the following:

A)

Resolution No. 03-30 of the Board of County Commissioners of Dixie 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; and

B)

Resolution No. 03-R-264 of the Board of County Commissioners of Marion 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.

6.

APPROVED

Staff recommends motion to receive and file: Five (5) original contracts/agreements/grants for the Department of Airports.

A)

APPROVED

R-2003-1637

North County Hangar Lease Agreement for Hangar 11300-9, signed by Lighthouse Systems, Inc. and dated May 1, 2003;

B)

APPROVED

R-2003-1638

North County Hangar Lease Agreement for Hangar 11350-15, signed by Richard W. Sheppard and dated June1, 2003;

C)

APPROVED

R-2003-1639

North County Hangar Lease Agreement for Hangar 11350-7, signed by John Rockey and dated September 22, 2003;

D)

APPROVED

R-2003-1640

North County Hangar Lease Agreement for Hangar 11720-1, signed by Armin Widmann and dated September 22, 2003; and

E)

APPROVED

R-2003-1641

North County Hangar Lease Agreement for Hangar 11300-4, signed by Donald Ogden & William H. Perry and dated September 25, 2003.

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

7.

Staff recommends motion to receive and file: Five (5) executed Standard Development Agreements; two (2) Standard Development Renewal Agreement; and one (1) Amendment for the Water Utilities Department.

Standard Development Agreement

| | | | |
|--|-----------------|---------------|--------------------|
| A) Florida Land and Timber Corp. | APPROVED | 01-01117-000 | R-2003-1642 |
| B) Lantana Rd. Nursery, Inc. et al | APPROVED | 02-01074-000 | R-2003-1643 |
| C) Piper's Glen Limited Partnership | APPROVED | 003-01016-000 | R-2003-1644 |
| D) West Boynton Farms, Inc. | APPROVED | 05-01059-000 | R-2003-1645 |
| E) William A., Jr., Robert M. & Lois Dubois, Ltd. | APPROVED | 09-01041-000 | R-2003-1646 |

Standard Development Renewal Agreement

| | | | |
|--|-----------------|--------------|--------------------|
| F) Jerry D. McCoy, Trustee | APPROVED | 02-00241-R00 | R-2003-1647 |
| G) Southern Development Services, Inc. | APPROVED | 05-00104-R04 | R-2003-1648 |

Amendment to Standard Development Agreement

| | | | |
|---------------------------|-----------------|--------------|--------------------|
| H) TLHC-2, Inc. | APPROVED | 01-01100-000 | R-2003-1649 |
|---------------------------|-----------------|--------------|--------------------|

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3. **CONSENT AGENDA APPROVAL**

A. **ADMINISTRATION** (Cont'd)

8. **APPROVED** **R-2003-1650**
Staff recommends motion to receive and file: One (1) Construction Work Authorization No. 13 for Military Trail Utility Relocations with Foster Marine Contractors, Inc. (R2002-2086) WUD Project No. 02-136 for the Water Utilities Department.

B. **CLERK**

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

2. **APPROVED**
Staff recommends motion to approve: Minutes of the following meetings: Regular of May 20, 2003; Regular of June 3, 2003, Budget Workshop of June 4, 2003; Regular of July 1, 2003; Planning Retreat of July 8, 2003; Joint Meeting - Martin County of July 16, 2003 and the Zoning of July 24, 2003.

3. **APPROVED** **R-2003-1651 THROUGH R-2003-1653**
Staff recommends motion to approve: Contracts and claims settlements list.

4. **APPROVED** **R-2003-1654**
Staff recommends motion to receive and file: Change orders, work task orders, minor contracts, and final payments approved by the Contract Review Committee and by the department heads for the Engineering; Facilities Development and Operations; Water Utilities; and Environmental Resources Departments; and the Department of Airports during the month of August, 2003.

C. **ENGINEERING & PUBLIC WORKS**

1. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$550,000 in the Transportation Improvement Fund from Reserves - Road Program Sweeps to Yamato Road from Military Trail to Congress Avenue. **SUMMARY:** This item requires a Budget Transfer in the Transportation Improvement Fund to satisfy our commitments to the developer, Boca Technology Centers, LLC, set forth in an Agreement approved by the Board on August 20, 2002 (R 2002-1318/1319). The developer was required by a City of Boca Raton development order to construct Yamato Road as an eight (8) lane section from Military Trail to Interstate 95. The County is providing funding assistance for what it would have cost to construct the six (6) lane section. District 4 (MRE)

2. **APPROVED** **R-2003-1655**
Staff recommends motion to approve: a Restrictive Covenant Agreement relating to a detention pond adjacent to Clint Moore Road, for the Clint Moore Road, S.R. 7 to Jog Road project. **SUMMARY:** This item will place ongoing maintenance requirements on Palm Beach County for a detention pond being constructed as part of the current Clint Moore Road, S.R. 7 to Jog Road project District 5 (PK)

3. **APPROVED**
Staff recommends motion to approve: Budget Transfer of \$49,026 in the Transportation Improvement Fund from Reserve for District 3 to the Holly Road Drainage Construction – District 3. **SUMMARY:** This Budget Transfer will fund the construction of the Holly Road Drainage connection between Holly Road and the existing Congress Avenue drainage system. District 3 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & Public Works (Cont'd)

4. **APPROVED** **R-2003-1656**
Staff recommends motion to approve: Supplemental Agreement No. 1 in the amount of \$69,403.26 with K-F Group, Inc., (KFG) for professional services required on Jog Road from Roebuck Road to 45th Street (Project). **SUMMARY:** This Supplemental Agreement will provide the professional services required to revise alignments, modify typical sections, and proceed with 65% construction plans and permitting for the Project. The Minority/Women Business Enterprise (M/WBE) participation achieved for the Project is 100% M/WBE-Other (KFG). District 2 (PK)

5. **APPROVED** **R-2003-1657**
Staff recommends motion to approve: a Contract not-to-exceed the total value of \$50,000 for task orders which may be issued to Florida Highway Products, Inc., the lowest responsive, responsible bidder for the Annual Micro-Surfacing Contract. **SUMMARY:** The Annual Micro-Surfacing Contract consists of overlaying existing pavement on various roads. Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount. The low, and only, bidder, Florida Highway Products, Inc., achieved 8.1% overall. Countywide (MRE)

6. **DELETED**

7. **Staff recommends motion to approve:** Budget Transfer of \$13,000 in the Transportation Improvement Fund from Reserve for District 4 to Barwick Road north and south approaches to Banyan Creek Elementary School – District 4. **SUMMARY:** This action will initiate a Budget Transfer of \$13,000 required to fund the installation of flashing school zone warning signs on the north and south approaches to Banyan Creek Elementary School on Barwick Road. District 4 (MRE)

8. **APPROVED** **R-2003-1658**
Staff recommends motion to approve: a \$689,838.29 Agreement with Wantman Group, Inc. (WGI) for professional services for Palmetto Park Road, west of Powerline Road to I-95 (Project). **SUMMARY:** This Agreement will provide the necessary professional services required to prepare design plans and construction documents for the Project. The subconsultant participation achieved for the Project is 17.9%, comprising of 8.3% Black (Brown & Phillips, Inc.); 3.8% Women (Southern Mapping of Miami, Inc.), and 5.8% Hispanic (Tierra, Inc.). District 4 (PK)

9. **APPROVED** **R-2003-1659**
Staff recommends motion to approve: a Release of Removal Agreement Rights for a parcel of land located at Cherry Road and Military Trail. **SUMMARY:** This item will release Removal Agreement Rights on a parcel located at Cherry Road and Military Trail. District 2 (PFK)

10. **Staff recommends motion to approve:**
A) APPROVED R-2003-1660
a Financial Assistance Agreement with the School Board of Palm Beach County (Board), to provide funding in an amount not-to-exceed \$20,000, to enhance the buffer landscaping for its Jeaga Middle School, on school property, along the school's perimeter (within 25 feet of, and visible from) the County's Jog Road; and

B)
Budget Transfer of \$20,000 in the Transportation Improvement Fund from Reserve for District 2 to Jeaga Middle School along Jog Road Beautification – District 2.

SUMMARY: This item provides funding in the amount of \$20,000 to enhance the buffer for Jeaga Middle School, on school property, along the school's perimeter (within 25 feet of, and visible from) the County's right of way for Jog Road. Funding comes from the District 2 Gas Tax Reserves. After the installation, the School Board will be responsible for perpetual maintenance of the improvements. District 2 (ME)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. **APPROVED** **R-2003-1661**
Staff recommends motion to approve: Change Order No. 10 in the amount of \$9,500 to Contract No. R2001-1565 with Ranger Construction Industries, Inc. for construction of Boutwell Road from Lake Worth Road to 2nd Avenue North. **SUMMARY:** During the final close out review of this project, it was discovered that Change Order No. 10 had previously been approved by the Department in the amount of \$9,500. However, we now find this amount exceeds the \$100,000 cumulative total allowed the Department and Contract Review Committee and necessitates that Change Order No. 10 in the amount of \$9,500 be approved by the Board of County Commissioners. District 3 (ME)

12. **APPROVED** **R-2003-1662**
Staff recommends motion to approve: a Release of Drainage Easement Rights. **SUMMARY:** This item will release the County's interest in an unused Drainage Easement adjacent to Boca Del Mar Drive. District 4 (PFK)

13. **APPROVED**
Staff recommends motion to approve: The 2003-2004 Pathway Program. **SUMMARY:** A list of the proposed projects in the Annual Pathway Program for the Fiscal Year 2003 – 2004 has been compiled in response to requests from the Palm Beach County School Board, Palm Beach County Sheriff's Office, members of the Board of County Commissioners, and residents of Palm Beach County. The 22 projects are divided as follows: 11 new construction projects, three Joint Participation Agreement projects, and eight major maintenance projects. These projects are distributed throughout the County. The total program cost is \$1,716,000 and is divided into the following categories:

| | |
|--|-----------------------|
| School Related | \$1,291,000 (Table 1) |
| Non-School Related | \$ 16,000 (Table 2) |
| Major Maintenance | \$ 250,000 (Table 3) |
| Maintenance, Support & Miscellaneous Minor Project | <u>\$ 159,000</u> |
| | Total \$1,716,000 |
| <u>Countywide</u> (MRE) | |

14. **APPROVED AS AMENDED** **R-2003-1755**
REVISED TITLE: an Interlocal Agreement with the Indian Trail Improvement District to construct pathways. **SUMMARY:** Through this Agreement, the Fiscal Year 2003/2004 Pathway Program will fund pathways leading to schools in an amount of \$210,000. The Agreement concerns the construction of pathways on the north side of Hamlin Boulevard from Hall Boulevard to Grapeview Boulevard, on the north side of Hamlin Boulevard from 140th Avenue North to Coconut Boulevard, on the west side of Grapeview Boulevard from Northlake Boulevard to 100th Lane North, and on the north side of 54th Lane North from Avocado Boulevard to 130th Trail North. District 1 (MRE)

15. **ADOPTED** **R-2003-1663**
Staff recommends motion to adopt: a Resolution accepting a dedication of surplus land within the C-18 canal Right-of-Way from the South Florida Water Management District (SFWMD) for Island Way, from Indiantown Road to the County Line, in Section 03, Township 41 south, Range 42 East. **SUMMARY:** This item will accept a dedication of surplus land from SFWMD for access over the C-18 canal, as needed for the improvement project of Island Way, from Indiantown Road to the County Line. District 1 (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

16. Staff recommends motion to approve:

A) **APPROVED** **R-2003-1664**
an Interlocal Agreement with the City of Belle Glade reimbursing the City \$25,000 for the purchase of shell rock to repair several roads recently damaged due to rain storms; and

B) **APPROVED**
Budget Transfer of \$25,000 in the Transportation Improvement Fund from Reserve for District 6 to the Belle Glade Shell Rock Project - District 6.

SUMMARY: This Agreement and Budget Transfer provide funding up to \$25,000 to the City of Belle Glade for purchase of shell rock that will be installed by the City to repair several roads recently damaged due to rain storms. District 6 (MRE)

17. **APPROVED** **R-2003-1665**

Staff recommends motion to approve: a Contract not-to-exceed the total value of \$3,700,000 for task orders which may be issued to Charles S. Whiteside, Inc., the lowest responsive, responsible bidder, for the Annual Pathway and Minor Construction Contract.

SUMMARY: The Annual Pathway and Minor Construction Contract consists of construction and/or resurfacing of pathways, construction of parking areas, speed humps, traffic separators, miscellaneous concrete works and other minor construction projects required by various County departments on an as needed basis. Small Business Enterprise (SBE) goals were established at 15% of the overall Contract amount. The low bidder, Charles S. Whiteside, Inc., achieved 18.1% SBE participation. Countywide (MRE)

18. Staff recommends motion to approve:

A) **APPROVED** **R-2003-1666**
an Agreement with the South Florida Fair to loan funds for the relocation of West Fairgrounds Road in an amount not-to-exceed \$800,000; and

B) **APPROVED**
Budget Amendment of \$800,000 in the Transportation Improvement Fund to recognize a developer contribution for construction of SR 80 and Fairgrounds Road Intersection.

SUMMARY: This agreement allows the Fair to build a new entrance road off Southern Boulevard. The County is loaning the money to the Fair and the agreement specifies that the first of three payments is due within thirty days after the 2004 annual South Florida Fair. The second and third payments will be due, respectively, 30 days after the 2005 and 2006 fairs. The Board previously agreed to this concept and the Fair has moved forward with the construction in anticipation of the approval of this agreement. Countywide (MJ)

D. COUNTY ATTORNEY

1. **APPROVED** **R-2003-1667**

Staff recommends motion to approve: an Agreement with the Public Defender's Office to continue providing additional legal representation services to indigent persons within the Criminal and Juvenile Divisions of the 15th Judicial Circuit from October 1, 2003 through June 30, 2004 in the amount of \$284,625. **SUMMARY:** The approval of this agreement will allow the Public Defender to be reimbursed for Public Defender expenses incurred in representing indigent persons. During the FY 2003-04 budget review process, the Board approved \$284,625 to continue funding the Public Defender's Office for additional legal staff to handle the overload of indigent cases in the Criminal and Juvenile Divisions of the 15th Judicial Circuit for the period of October 1, 2003 through June 30, 2004. The Public Defender expenses are Article V costs which the State of Florida will be responsible for effective July 1, 2004. Countywide (LSJ)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

2. **APPROVED** **R-2003-1668**
Staff recommends motion to approve: a Quit-Claim Deed to Frank Beck, Personal Representative of the Estate of Irwin P. Pines, conveying any County interest in certain rights-of-way in Palm Beach Farms Plat No. 3. **SUMMARY:** Recent recorded quit-claim deeds to the County from West Peninsular Title Company and Absolute, Inc. have raised title issues. County Quit-Claim Deeds have been used to resolve this title issue with other affected property owners. The alternative is a quiet title action to clear the title with litigation costs to the County. This Quit-Claim Deed covers certain Palm Beach Farms Plat No. 3 right-of-way strips that had lost public dedication through the West Peninsular federal lawsuit. The property is located at 8656 Surrey Lane, Boca Raton, Florida 33496. District 5 (PFK)

3. **APPROVED** **R-2003-1669**
Staff recommends motion to approve: a Second Amendment to the Agreement (R2001-1441) which Palm Beach County has with Jonathan Kaplan, Esq., Rick Hutchinson, Esq., Nellie King, Esq., and Alexander Brumfield, Esq., one (1) of the teams of attorneys which provide representation to indigent defendants in circuit criminal court cases in which the Public Defender's Office withdraws due to a conflict of interest. **SUMMARY:** Jonathan Kaplan, Esq., and Rick Hutchinson, Esq., two of the attorneys on the Conflict Team for Criminal Division "X", have resigned from the Conflict Team. Pursuant to the terms of Article 1.C. of the original Agreement, Bernard Fernandez, Esq., and Herman Stevens, Jr., Esq., have been selected as the replacement attorneys. Countywide (LSJ)

E. COMMUNITY SERVICES

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

A) **APPROVED** **R-2003-1670**
Sub-award Agreement with the Trustees of Columbia University for the Head Start Free to Grow Program in the not-to-exceed amount of \$60,000 for the period June 1, 2003 through October 31, 2004; and

B) **APPROVED**
Budget Amendment of \$60,000.
SUMMARY: The Free to Grow program is a substance abuse prevention program designed to strengthen families and communities in southwest Delray Beach. The program began on June 1, 2001 with funding to operate for four years, until May 31, 2005. Funding for the program is granted and administered by The Trustees of Columbia University in conjunction with the Robert Wood Johnson Foundation. Columbia University has received a continuation of the grant titled "Free to Grow" under the award from the Doris Duke Charitable Foundation. This Sub-award provides additional funds in the amount of \$60,000 for a new contract total of \$203,750. A budget amendment is needed to bring the budget into alignment. No County funds are required. (Head Start) Countywide (TKF)

2. **DELETED**

3. **APPROVED** **R-2003-1671**
Staff recommends motion to approve: Amendment No. 001 to the USDA Master Agreement No. IU003-1 (R2002-2166; dated December 3, 2002) with the Area Agency on Aging of Palm Beach/Treasure Coast Inc. (AAA) increasing the rate per meal; the number of units; and the maximum reimbursement for the period October 1, 2002 through September 30, 2003. **SUMMARY:** USDA funds are available to supplement the cost of meals in the Division of Senior Services (DOSS) Congregate and Home Delivered Meals Program. This amendment increases the rate per meal from \$0.54 to \$0.58007486, the number of units from 375,354 to 480,140, and the new maximum reimbursement to \$278,516.86. The increase is retroactive to October 1, 2002. This amendment was received from AAA on September 26, 2003. No additional County funds are required. (DOSS) Countywide except for portions of Districts 3,4,5 and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cond't)

4. APPROVED

Staff recommends motion to approve: Contracts totaling \$5,211,722 for the Financially Assisted Agency Program (FAA) with the following non-profit agencies, in the amounts and for the services indicated for the period October 1, 2003 through September 30, 2004:

A) APPROVED R-2003-1672
Aid to Victims of Domestic Abuse, Inc. - \$126,500 for emergency shelter services

B) APPROVED R-2003-1673
Alzheimer's Association, Greater Palm Beach Area Chapter, Inc. - \$338,387 for family counseling and specialized adult day care programs

C) APPROVED R-2003-1674
Neighbors Organized for Adequate Housing (NOAH) Inc. - \$229,241 for early childhood education and parenting classes

D) APPROVED R-2003-1675
Children's Home Society of Florida, Inc. - \$171,490 for project safe place, Nelle Smith Residence for Girls, and transitional housing.

E) APPROVED R-2003-1676
Comprehensive Alcoholism Rehabilitation Programs, Inc. - \$859,787 for residential adolescent, residential adult, outpatient treatment and adult detoxification

F) APPROVED R-2003-1677
Drug Abuse Foundation of Palm Beach County, Inc. - \$788,406 for assessment, outpatient substance abuse, level one residential treatment, detox and case management

G) APPROVED R-2003-1678
Drug Abuse Treatment Association, Inc. - \$241,342 for residential treatment (Walter D. Kelly Treatment Center) and adolescent outpatient treatment services

H) APPROVED R-2003-1679
Elizabeth H. Faulk Foundation, Inc./Center for Group Counseling - \$91,628 for Schools Preventive Counseling and prevention and support group for caregivers

I) APPROVED R-2003-1680
Healthy Mothers/Healthy Babies Coalition of Palm Beach County, Inc. - \$108,000 for health education in schools and the community

J) APPROVED R-2003-1681
Housing Partnership - \$59,173, supportive housing for individuals diagnosed with mental illness and substance abuse issues, and supportive services for family members.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

K) APPROVED R-2003-1682
Jeff Industries, Inc. - \$157,107 for day/night psycho-social work adjustment and supported employment services

L) APPROVED R-2003-1683
Mental Health Association of Palm Beach County, Inc. - \$45,000 for a mental health support drop-in center

M) APPROVED R-2003-1684
Palm Beach County Association for Retarded Citizens (ARC) - \$220,000 for residential services

N) APPROVED R-2003-1685
Glades Area Association for Retarded Citizens Inc.- \$125,091 for food services, supported living and supported employment services.

O) APPROVED R-2003-1686
Parent-Child Center, Inc. - \$253,066 outpatient/family Violence Intervention and Prevention

P) APPROVED R-2003-1687
Rehabilitation Center for Children and Adults, Inc. - \$90,475 for comprehensive outpatient and medical rehabilitation services

Q) APPROVED R-2003-1688
Center for Family Services - \$326,181 for safe kids program, individual and family counseling and emergency assistance program

R) APPROVED R-2003-1689
The Haven, Inc. - \$95,000 for prevention/intervention for child abuse

S) APPROVED R-2003-1690
The Juvenile Transition Center - \$100,000 for education enrichment, mentoring and job training skills to at-risk youth ages 13-18.

T) APPROVED R-2003-1691
Wayside House, Inc. - \$146,829 for residential treatment for women's substance abuse

U) APPROVED R-2003-1692
Healthy Solutions - \$639,019 for behavioral health, mental health crisis stabilization, psychiatric medical services and therapeutic services.

SUMMARY: On August 19, 2003, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency Program process. In addition to the regular FAA funds (\$7,832,759), the Board approved an additional \$2.6 million dollars to qualified agencies. The total approved funding for FY 2003 - 2004 is \$10,432,759. The information submitted in this item reflects part of the total funds approved by the Board of County Commissioners for the 2003 - 2004 fiscal year. Other contracts will be forthcoming upon receipt of all the required information. (Financially Assisted Agency Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. APPROVED R-2003-1693

Staff recommends motion to approve: an Agreement to purchase the following property at a total cost of \$226,984. Said property is located West of Runway 9L at Palm Beach International Airport:

| | |
|---------------------------|--------------|
| David Parks | |
| 4893 Wallis Road | |
| West Palm Beach, FL 33415 | Parcel W-122 |
| Sales Price | \$200,000 |
| Replacement Housing | \$ 26,984 |

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)

2. APPROVED R-2003-1694

Staff recommends motion to approve: First Amendment ("Amendment") to the Hangar Lease Agreement with Paul Burke accommodating Mr. Burke's request to relocate from hangar 11730-3 to hangar 11750-16 at the North County General Aviation Airport.

SUMMARY: The Amendment will allow Mr. Burke to switch from leasing hangar 11730-3 to hangar 11750-16 for storage of his personal aircraft at the North County General Aviation Airport. All other terms and conditions of the Hangar Lease Agreement, including any fiscal impacts remain unchanged. Countywide (LMB)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. APPROVED

Staff recommends motion to approve: Budget Transfer of \$160,000 in the Stadium Facility \$1.2 Million Capital Improvement Fund for payments to Jupiter Stadium, Ltd. for capital improvements at the Major League Baseball Spring Training Facility (the Facility).

SUMMARY: In accordance with Article 10, Capital Improvements or Repairs of the Sports Facility Use Agreement (the Agreement) between the County and Jupiter Stadium, LTD., the County contributed \$1,200,000 to a Capital Reserve Account for the purpose of financing capital improvements or repairs to the Facility during the term of the Agreement. The funds remaining in the account primarily represent interest earned on the investment of the funds during the construction period. These funds can only be spent on capital improvements or repairs to the Facility under the terms of the Agreement. Staff recommends that the remaining funds be made available for reimbursing Jupiter Stadium, Ltd for capital improvements to the Facility. Countywide

2. APPROVED

Staff recommends motion to approve a negotiated Settlement in the amount of \$10,000 for full satisfaction of a Code Enforcement Lien that was entered against Israel Burgos on September 17, 1997. **REVISED SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on June 4, 1997 giving Mr. Burgos until September 2, 1997 to correct his cited building code violations which were for the construction of an addition to a barn without the required permits and inspections. ~~If compliance was not achieved by September 2, 1997, a daily fine in the amount of \$50.00 per day would be imposed against Mr. Burgos and the property for each day the violations continued past this date.~~ The cited violations were not fully corrected by September 2, 1997 and a fine of \$50.00 per day was imposed. for each day the violations continued past this date. The CESM subsequently entered a claim of lien against ~~Israel~~ Mr. Burgos on September 17, 1997. The cited code violations were fully corrected as of November 21, 2000 by the subsequent property owner who purchased it from the bank after the mortgage foreclosure on the property had been completed. The accumulated fines and interest against Mr. Burgos through September 25, 2003, the date on which settlement discussions began, totaled \$63,431.45 (\$40,950 + \$22,481.45), of which Mr. Burgos, through his bankruptcy attorney, has agreed to pay the County \$10,000 (15.8%) for full settlement of his outstanding Code Enforcement Lien. District 6 (PM)

3. CONSENT AGENDA APPROVAL

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

3. **APPROVED** **R-2003-1695**
Staff recommends motion to approve: an Amended Agreement with the Property Appraiser to provide the County with a list of special assessment properties by electronic medium. **SUMMARY:** On April 7, 1998 the Board approved an Agreement (R98-461D) between Palm Beach County and the Property Appraiser to provide the County with a list of special assessment properties for inclusion on the tax bills. The amended Agreement increases the Property Appraiser's administrative service fee from \$100 per year to \$150 per year beginning in FY 2004. Countywide (PK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **APPROVED** **R-2003-1696**
Staff recommends motion to approve: an Agreement with the Palm Beach County Sheriff's Office in the amount of \$164,295.12 for two (2) deputies to be assigned to the Government Center Screening Program. **SUMMARY:** On April 1, 2003, the Board directed Staff to develop and implement a screening program in the Government Center. On July 1, 2003 the BCC approved the implementation which included eight (8) County security officers and two (2) PBSO deputies. This agreement sets forth the annual cost of the deputies as well as an operating profile identifying the responsibilities and duties of the deputies which are specific to the Government Center and its screening program. The two (2) deputies provided under this agreement will be assigned to the Court Services Bureau and are in addition to the one (1) deputy currently assigned to patrol within the Government Center. The term of this agreement is one (1) year, commencing on September 15, 2003. The agreement can be terminated by either party with sixty (60) days notice. (FDO Admin) Countywide (JM)

2. **APPROVED** **R-2003-1697**
Staff recommends motion to approve: an Interlocal Agreement with the Town of Palm Beach allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the conditions under which the Town can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the Town. The terms of the agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this agreement. The Town is required to pay all costs associated with subscriber units and to comply with the established operating procedures for this System. The term of the agreement is for five (5) years with three (3), five year renewals. The Agreement may be terminated by either party, with or without cause. (Electronic Services) Countywide (ND)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

A) APPROVED R-2003-1753
Continuing Services Contract with Pierce Goodwin Alexander & Linville, Inc. (PGAL) to provide Architectural/Professional Services for the Library Expansion Program on a continuing contract basis; and

B) APPROVED R-2003-1754
Consultant Services Authorization No. 1 to the Continuing Services Contract with PGAL for design and construction administration services for the new West Atlantic Branch Library in the amount of \$430,310.

SUMMARY: The scope of services provides for architectural and engineering services for the master planning of the site, building planning, design, permitting and construction administration for a new 34,000 sq. ft. West Atlantic Branch Library and site planning for a future PBSO Helistop Pad. The project will be located on a 20 acre site on Hagen Ranch Road , ½ mile north of West Atlantic Avenue. The new library will provide new services, meeting rooms, increased parking and much improved conditions over the existing facility on West Atlantic Avenue. The construction cost estimate for this project is \$5,100,000. PGAL will provide 18% SBE/M/WBE participation in this authorization. The SBE/M/WBE goal for this consultant is 15%. This project will meet all applicable codes, laws and ordinance including accessibility requirements of the ADA. (Capital Improvements Division) District 5 (JM)

4. **APPROVED R-2003-1698**
Staff recommends motion to approve: an Interlocal Agreement with the Town of Manalapan allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the conditions under which the Town can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the Town. The terms of the agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this agreement. The Town is required to pay all costs associated with subscriber units and to comply with the established operating procedures for this System. The term of the agreement is for five (5) years with three (3), five year renewals. The Agreement may be terminated by either party, with or without cause. (Electronic Services) Countywide (ND)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **APPROVED R-2003-1699**
Staff recommends motion to approve: an Agreement with the City of Riviera Beach for street improvements in the amount of \$240,000 in Community Development Block Grant (CDBG) funds for the period of October 7, 2003, through September 30, 2004. **SUMMARY:** CDBG funds will be used for Phase V of street improvements in the N.W. section of the City . The work will be undertaken on West 25th Street between Old Dixie Highway and Avenue 'M'. The street improvements will include paving, sidewalks, curbs, gutters, storm water drainage and landscaping. The estimated cost of the project is \$531,618. The City of Riviera Beach will make up the shortfall of \$291,618. **This agreement will provide \$240,000 in Federal CDBG funds which do not require local matching funds.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. **APPROVED** **R-2003-1700**
Staff recommends motion to approve: an Agreement with the Town of Lake Park for storm water drainage improvements in the amount of \$100,000 in Community Development Block Grant (CDBG) funds for the period of October 7, 2003, through September 30, 2004. **SUMMARY:** The work includes the installation of storm water drainage on Blueberry Drive between 6th and 7th Street, in the Target Area of the Town of Lake Park. This project constitutes the eighth funding phase for storm water drainage improvements in the Target Area. The design for this project was completed with CDBG funding during previous fiscal years. CDBG funding was also used to complete the design and construction for Phases I through VII. **This agreement will provide \$100,000 in Federal CDBG funds which do not require local matching funds.** District 1 (TKF)
3. **APPROVED** **R-2003-1701**
Staff recommends motion to approve: an Agreement with Center for Family Services of Palm Beach County, Inc., for the construction of a building to provide services to the homeless at 1320 Henrietta Avenue in the City of West Palm Beach, in the amount of \$200,000 in Community Development Block Grant (CDBG) funds for the period of October 21, 2003, through September 30, 2004. **SUMMARY:** CDBG funds will be used for the construction of a two story building to contain offices, a medical clinic, a computer lab, a meeting room, and residential units. The new building will expand the services provided by Center for Family Services of Palm Beach County, Inc., to the homeless. The agency is presently operating from two buildings having 16 units. The acquisition of these two buildings was partially funded by Palm Beach County during FY 00-01 using \$123,000 in CDBG funds and \$105,000 in SHIP funds, with the total acquisition cost being \$251,250. The agency will fund the balance of funds needed to complete this project which is estimated at \$453,000. **This agreement will provide \$200,000 in Federal CDBG funds which do not require local matching funds.** District 7 (TKF)
4. **APPROVED** **R-2003-1702**
Staff recommends motion to approve: an Agreement with the City of South Bay, in the amount of \$26,641 in Community Development Block Grant (CDBG) funds for the installation of playground equipment in Cox Park in the City of South Bay for the period of October 7, 2003, through June 30, 2004. **SUMMARY:** CDBG funds will be used for the purchase and installation of playground equipment at Cox Park located at 105 NW 8th Avenue in the City of South Bay. **This agreement will provide \$26,641 in Federal CDBG funds which do not require local matching funds.** District 6 (TKF)
5. **REVISED TITLE:** **APPROVED** **R-2003-1703**
Staff recommends motion to approve: an Agreement with the Daily Bread Food Bank, Inc., for rehabilitation of their warehouse facility in the amount of \$24,990, in Community Development Block Grant (CDBG) funds for the period of October 21, 2003, through March 31, 2004. **SUMMARY:** CDBG funding will be used for the replacement of windows, and water proofing of walls at the food bank warehouse facility located at 426 Claremore Drive in West Palm Beach. The Daily Bread Food Bank feeds the hungry through the procurement, storage and distribution of salvageable and surplus food and food related items to more than 125 charitable and non profit agencies. **This agreement will provide \$24,990 in Federal CDBG funds which do not require local matching funds.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

6. **APPROVED**
Staff recommends motion to approve: Twenty (20) Agreements totaling **\$1,167,455** in FY 2003-04 Community Development Block Grant (CDBG) funds with the following agencies and municipalities in the amounts and for the activities indicated, for the period of October 1, 2003 to September 30, 2004.

A) APPROVED R-2003-1704
Adopt-A-Family of the Palm Beaches, Inc. - \$39,000 for provision of transitional housing and case management and support services to at least thirty (30) homeless families under Project SAFE.

B) APPROVED R-2003-1705
Palm Beach County Association for Retarded Citizens, Inc. (D.B.A. The Arc)-- \$55,000 for provision of employment services and training to one hundred forty-six (146) persons with developmental disabilities.

C) APPROVED R-2003-1706
Children Case Management Organization - \$5,000 for provision of homeless prevention services for at least 10 families to retain present housing or prevent disconnection of service.

D) APPROVED R-2003-1707
Legal Aid Society of Palm Beach County, Inc. - \$90,000 to provide Fair Housing education and outreach activities in Palm Beach County through the Agency's Fair and Affordable Housing Advocacy Project. Specifically, at least sixty-four (64) persons will be provided with enforcement or counseling services; twenty-four (24) Fair Housing workshops to various citizen and professional groups will be conducted; and efforts will be made to identify illegal practices in rental, sales, mortgage, insurance, and advertising.

E) APPROVED R-2003-1708
Redlands Christian Migrant Association - \$19,000 for provision of child care services for ninety-two (92) low income children at the Belle Glade Child Development Center.

F) APPROVED R-2003-1709
The Urban League of Palm Beach County, Inc. - \$150,000 to provide the housing counseling services to an unduplicated total of 400 households per year, at least 51% of whom must be of low- and moderate-income.

G) APPROVED R-2003-1710
Seagull Industries for the Disabled, Inc. - \$60,000 for provision of employment and training services to at least one hundred fifty (150) mentally disabled adults.

H) APPROVED R-2003-1711
West Jupiter Community Group, Inc.- \$56,190 for provision of after-school and enrichment activities for seventy-five (75) children ages kindergarten through twelfth grade.

I) APPROVED R-2003-1712
Children Home Society, Inc.- \$100,000 for provision of transitional housing and support services for up to twenty (20) homeless teenage mother and their children annually.

J) APPROVED R-2003-1713
The Children's Place at Home Safe- \$100,000 for provision of emergency residential care and shelter to three- hundred (300) abused and neglected children, ages new-born to eighteen.

K) APPROVED R-2003-1714
Faith-Hope-Love-Charity, Inc. - \$6,500 for the provision of needs assessments to at least 65 Stand Down House residents.

L) APPROVED R-2003-1715
Healthy Mothers/Healthy Babies Coalition of PBC - \$50,000 for the provision of assistance to 600 low-income women who are pregnant or have babies but have no health insurance or a payee source.

M) APPROVED R-2003-1716
Place of Hope - \$37,300 for the provision of transitional housing and support services for twenty-four (24) children in foster care.

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

- N) **APPROVED** **R-2003-1717**
Sickle Cell Foundation of Palm Beach County - \$31,000 for the provision of education, outreach and case management to one hundred forty-five (145) persons who reside in the Glades area.
- O) **APPROVED** **R-2003-1718**
The Lord's Place - \$25,000 for the provision of the Chef's apprentice job training program to benefit sixteen (16) homeless persons.
- P) **APPROVED** **R-2003-1719**
The Lords Place - Family Shelter - \$5,000 for the provision of utility payments to support the family transitional housing facility.
- Q) **APPROVED** **R-2003-1720**
Consumer Credit Counseling Service - \$40,000 for the provision of lease payments to house the Credit Counseling Program.
- R) **APPROVED** **R-2003-1721**
South Florida Blood Bank - \$115,000 for the purchase of equipment.
- S) **APPROVED** **R-2003-1722**
City of Belle Glade - \$132,459 for CDBG activity delivery cost.
- T) **APPROVED** **R-2003-1723**
City of South Bay - \$51,006 for CDBG activity delivery cost.

6.
SUMMARY: Palm Beach County will receive a CDBG entitlement for FY 2003-04 of \$7,148,000 with program income projected in the amount of \$300,000 for a total in the amount of \$7,448,000. In its Annual Consolidated Plan for FY 2003-04, the Board of County Commissioners allocated CDBG funds for the provision of public services, fair housing activities and activity delivery costs. These agreements will allocate \$1,167,455 in CDBG funds as follows: \$893,990 to seventeen (17) subrecipients for the provision of public services, \$90,000 to one (1) subrecipient for provision of fair housing services and \$183,465 to two (2) municipalities for CDBG activity delivery cost. **These are Federal CDBG funds that require no local match.** (Countywide) (TKF)

7. **APPROVED**
Staff recommends motion to approve: Fifteen (15) Agreements totaling **\$211,000** for the FY 2003-04 Emergency Shelter Grants Program (ESGP) with the following non-profit agencies, in the amounts and for the activities indicated, for the period October 1, 2003 to September 30, 2004.

- A) **APPROVED** **R-2003-1724**
Adopt-A-Family of the Palm Beaches, Inc. - \$14,000 for emergency rent, mortgage and utilities payments to prevent homelessness.
- B) **APPROVED** **R-2003-1725**
Aid to Victims of Domestic Abuse, Inc. - \$20,000 for operations and maintenance of a shelter for homeless women and their children who are victims of domestic violence.
- C) **APPROVED** **R-2003-1726**
Children's Case Management Organization, Inc. - \$15,000 to provide emergency shelter through motel and food vouchers; and emergency rent, mortgage and utilities payments to prevent homelessness.
- D) **APPROVED** **R-2003-1727**
Children's Home Society of Florida, Inc. - \$18,000 for operation of the Safe Harbor Runaway Center, an emergency shelter for homeless youths.
- E) **APPROVED** **R-2003-1728**
The Children's Place at Home Safe, Inc. - \$15,000 to provide security services for Theildren's Place-North, an emergency shelter and 24-hour care facility for abused, neglected and homeless children.
- F) **APPROVED** **R-2003-1729**
Coalition for Independent Living Options, Inc. - \$10,000 for emergency shelter through use of motel vouchers; food vouchers; emergency rent and utilities payments to prevent homelessness; and security deposit and first month's rent payment to prevent homelessness of disabled persons.

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

- G) APPROVED R-2003-1730**
Community Caring Center of Boynton Beach, Inc. - \$15,000 for emergency shelter through use of motel vouchers and food vouchers; and emergency rent, mortgage and utilities payments to prevent homelessness.
- H) APPROVED R-2003-1731**
Faith-Hope-Love-Charity, Inc- \$20,000 for operation and maintenance of Stand Down House, an emergency shelter for homeless veterans.
- I) APPROVED R-2003-1732**
Farmworker Coordinating Council - \$15,000 for emergency rent, mortgage and utility payments to prevent homelessness.
- J) APPROVED R-2003-1733**
Florida Housing Corporation - \$10,000 for operation of the Homeless Seniors Program at the Palm Beach County Assisted Living Facility.
- K) APPROVED R-2003-1734**
Florida Resource Center for Women and Children, Inc. - \$10,000 for prescription medicines; food vouchers; counseling and job training; and emergency rent and utilities payments to prevent homelessness.
- L) APPROVED R-2003-1735**
The Lord's Place, Inc. (Café Joshua) - \$10,000 for operation of Café Joshua, a day shelter for homeless clients who are referred for support services by other provider agencies throughout the County.
- M) APPROVED R-2003-1736**
The Lord's Place, Inc. (Boynton Beach Family Shelter) - \$10,000 for operation of a transitional housing facility for homeless families.
- N) APPROVED R-2003-1737**
Urban League of Palm Beach County, Inc. - \$17,000 for emergency rent payment to prevent homelessness.
- O) APPROVED R-2003-1738**
Young Women's Christian Association of Palm Beach County, Florida (YWCA) - \$12,000 for operation of the Mary Rubloff YWCA Harmony House Domestic Violence Shelter for abused women and their children.

CONTINUED

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

7.

SUMMARY: Palm Beach County will receive a total of \$245,000 in ESGP funds for FY 2003-04 to assist the homeless and those at risk of homelessness countywide. Funds will be used for the operation and maintenance of emergency shelters and transitional housing, essential services to the homeless, and homeless prevention activities. After approval of these fifteen (15) agreements, there will remain two agreements to be submitted for approval by the Board of County Commissioners at a later date. **These Agreements utilize Federal funds, and the required match will be met by the agencies. No match from County General Funds is required.** Countywide (TKF)

K. WATER UTILITIES

1.

APPROVED

R-2003-1739

Staff recommends motion to approve: Consultant Services Authorization No. 18 to the Contract with Mathews Consulting, Inc. (R2002-0573) for services during construction for the Southern Region Water Reclamation Facility and Pump Station 5229 Upgrade Project in the amount of \$822,769. **SUMMARY:** This Authorization directs Mathews Consulting to provide complete construction inspection and construction management services for the Southern Region Water Reclamation Facility (SRWRF) and Pump Station 5229 Upgrade Project. This project involves upgrading both facilities, and also includes relocation of underground pipelines in the vicinity of Pump Station 5229 needed by the Florida Department of Transportation (FDOT). 100% of the pipeline relocation costs will be reimbursed by the FDOT pursuant to the Utility Work Agreement (R2001-2038) approved by the Board on November 20, 2001. In addition, 41.86% of the cost of upgrading Pump Station 5229 will be reimbursed by the City of Lake Worth pursuant to the Interlocal Agreement for Joint Wastewater Transmission Facilities (R-2001-0315) approved by the Board on February 27, 2001. In accordance with these agreements, the cost of this Authorization will be allocated to the County in the amount of \$639,760.59, to the FDOT in the amount of \$46,949.31, and to the City of Lake Worth in the amount of \$136,059.10. The contract with Mathews Consulting, Inc. includes the minority participation goals (2.50% B, 2.50% H, 56.00% W, and 0.00% O), established by the Palm Beach County M/WBE Ordinance (No. 93-28, as amended). This consultant services authorization includes 94.77% overall participation (0.00% B, 21.24% H and 73.52% W). The consultant's cumulative M/WBE participation, including this authorization, is 76.79% overall (2.39% B, 13.02% H and 61.37% W). (WUD Project No. 01-028) Districts 2 and 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

2. **APPROVED** **R-2003-1740**
Staff recommends motion to approve: Final Adjusting Change Order No. 3 to the Contract with AKA Services, Inc. (R2002-1915) for the Southern Boulevard (SR80) Corridor Utility Improvement Project, increasing the adjusted contract amount by \$245,250.11. **SUMMARY:** In conjunction with the County's Sales and Use Tax Recovery Program, \$1,035,764.92 in pipe materials was previously deleted from AKA Services' scope of work in Change Order No. 1 (R2002-1916) based upon quantity information provided by AKA Services. A Purchase Order (PBC 00-110-01) in the amount of \$977,136.72 was subsequently issued to Grandview Pipe & Supply Company (Grandview) for direct purchase of the materials by the County. This resulted in estimated sales tax savings to the County of \$58,628.20. The contractor has since installed all pipeline quantities required in the construction contract, however AKA Services required fewer pipe materials from Grandview than was deducted in Change Order No. 1. The value of materials direct purchased from Grandview for this project is \$811,037.96, as compared to the \$977,136.72 reflected in Change Order No. 1, resulting in a difference of \$166,098.76. As a result, this final adjusting Change Order includes an adjustment in the amount of \$176,064.69 (\$166,098.76 plus 6% sales tax). The final sales tax savings to the County on this project is \$48,662.27. Change Order No. 3 also includes a \$40,000 credit for petroleum contamination thought to be present that was not encountered, and contract increases for a permanent aerial canal crossing (\$63,074.10), a 36 inch wet tap (\$17,525.07), additional steel casing pipe (\$7,555.00), standby labor (\$5,261.01), and a night time labor premium (\$15,770.24) associated with crossing State Road 80. A portion of the permanent canal crossing (\$7,285.06) will be reimbursed by the Department of Airports since it will provide direct benefit to the airport. The contract with AKA Services includes the minority participation goal established by the Goal Setting Committee for this project and provides for minority participation of 15.0% overall (5.0% B and 10% O). This change order includes zero% overall M/WBE participation (0% B, 0% H, 0% W, and 0% O). The contractor's cumulative M/WBE participation, including this change order, is 27.23% overall (6.78% B and 20.45% W). (WUD Project No. 00-110 & 02-85) Districts 2 & 6 (JM)

3. CONSENT AGENDA APPROVAL

 L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **ADOPTED** **R-2003-1741**
Staff recommends motion to adopt: a Resolution requesting that the Florida Department of Environmental Protection (FDEP) review a funding application and support funding for shoreline protection projects within its Fiscal Year 2004/2005 Beach Erosion Control Assistance Program. **SUMMARY:** The County is requesting that the State appropriate \$1,248,302 for the Ocean Ridge Shore Protection Project, \$43,160 for permit-required monitoring of the Juno Beach Shore Protection Project, \$48,500 for the Countywide Offshore Sand Resource Study, \$884,000 for the Singer Island Shore Protection Project, and \$66,450 for Jupiter/Carlin Shore Protection Project Monitoring and Structure Feasibility Study. If the State Legislature approves funding for the projects, the County's matching share would be \$2,683,500. Districts 1 & 4 (ND)

2. **APPROVED** **R-2003-1742**
Staff recommends motion to approve: Temporary Partial Assignment of Easement Agreement (R99-1654D) for Beach Restoration with Florida Inland Navigation District (FIND) for maintenance dredging and beach restoration within the Jupiter/Carlin Shore Protection project area, commencing upon execution and terminating March 1, 2010. **SUMMARY:** A temporary assignment of a construction easement originally granted by Ocean Trail Unit Owners Association, Inc. is necessary for access to and placement of maintenance dredged material discharged south of Jupiter Inlet. Sand will be pumped onshore from the Intracoastal Waterway (ICW) and will be used to restore the beach area of the subject property. Authorized uses in the Temporary Partial Assignment include the right to deposit sand, alter contours, construct berms, move and remove equipment and supplies, and perform any other work necessary and incident to the construction and maintenance of the ICW. FIND will begin construction no sooner than November 1, 2003. District 1 (ND)

 3. **Staff recommends motion to:**

A) APPROVED R-2003-1743
approve Amendment No. 4 to Grant Agreement (Contract 98PB2, R1999-1187D) with the Florida Department of Environmental Protection (DEP) retroactively extending the grant three (3) years to September 30, 2006, reallocating funding among project tasks, and updating the language and attachments in the DEP Agreement for the Juno Beach Shore Protection Project;

B) AUTHORIZED
authorize the County Administrator or his designee to sign all future time extensions, task assignments, certifications and other forms associated with this Agreement, and necessary minor amendments that do not change the scope of work or terms and conditions of the Agreement.

SUMMARY: Amendment No. 4 updates grant language to include recent DEP changes to its standard agreement. The Florida Legislature authorized re-allocation of grant line items, through the DEP Beach Erosion Control Assistance Program (BECAP), to provide \$73,966 for construction of a mitigation reef that is part of Juno Beach Shore Protection Project. The County and DEP share (50%) is unchanged at \$6,522,252 each. The project total is \$13,044,504. District 1 (AH)

3. CONSENT AGENDA APPROVAL

____ L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. **APPROVED** **R-2003-1744**
Staff recommends motion to approve: Amendment No. 1 to Agreement No. C-15379 (R2002-2087) with the South Florida Water Management District (SFWMD) for the Palm Beach County Ambient Program extending the Agreement one (1) year and providing an additional \$3,000 from the SFWMD for FY2004. **SUMMARY:** Since 1991, the County and the Florida Department of Environmental Protection have participated in various activities in support of this statewide program. In 1999, the program was delegated to the SFWMD. The Board of County Commissioners approved the Ambient Program Agreement on November 19, 2002, which provided \$3,000 in FY2003 for Department of Environmental Resources (ERM) staff to attend meetings and training. The one (1) year Agreement expires January 15, 2004. Amendment No. 1 extends the Agreement one (1) year to January 14, 2005 for a revised Agreement total of \$6,000. Countywide (AH)

____ M. PARKS & RECREATION

1. **Staff recommends motion to:**

A) AUTHORIZED
authorize submission of a Florida Recreation Development Assistance Program (FRDAP) grant application to the State of Florida Department of Environmental Protection (DEP) requesting \$200,000 for the Phase I development project at Phil Foster Park;

B) AUTHORIZED
authorize signature of the grant Project Agreement and other standard state grant forms related to this project by the County Administrator or his designee, if the grant is approved by DEP; and

C) APPROVED
approve Budget Amendment of \$200,000 within Park Improvement to establish grant if approved.

SUMMARY: Approval is needed to submit a grant application to the State of Florida Department of Environmental Protection (DEP) requesting \$200,000 from the Florida Recreation Development Assistance Program (FRDAP) toward the Phase I development of Phil Foster Park. Phase I development includes construction of a 600 l.f. waterfront promenade, 6 family picnic pavilions, a 300 l.f. boat dock, 2 saltwater fishing platforms, 7 picnic tables, lighting, a water taxi shelter, landscaping, sidewalks and 35 new car parking spaces. District 1 (ND)

2. **APPROVED** **R-2003-1745**
Staff recommends motion to approve: Agreement with Boca Raton Educational Television, Inc., in an amount not-to-exceed \$10,000, for coverage of cultural events for the period October 21, 2003, through May 31, 2004. **SUMMARY:** Boca Raton Educational Television, Inc. (BRET), oversees the programming and operations of the local educational access channel, and is in the process of enhancing its master control equipment to enhance coverage of cultural events through the increased use of graphics to be displayed on the BRET video community bulletin board. This Agreement provides a total of \$10,000 to help offset costs for new equipment to include videotape machines connected by a computer. The Agreement allows for the reimbursement of eligible pre-Agreement expenses subsequent to June 5, 2003. Funding is from the Recreation Assistance Program (RAP). District 4 (ND)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. **APPROVED** **R-2003-1746**

Staff recommends motion to approve: Agreement with the School Board of Palm Beach County, in an amount not-to-exceed \$4,775, for musical instruments for Crestwood Middle School Band for the period October 21, 2003, through October 20, 2004. **SUMMARY:** Crestwood Middle School is purchasing musical instruments for its band programs. This Agreement provides a total of \$4,775 to offset costs for the purchase of the new instruments. The Agreement allows for the reimbursement of eligible pre-Agreement expenses subsequent to June 1, 2003. Funding is from the Recreation Assistance Program (RAP). District 6 (ND)

4. **Staff recommends motion to:**

A) **APPROVED** **R-2003-1747**

approve Interlocal Agreement with the School Board of Palm Beach County for the funding of Recreation Assistance Program (RAP) Projects for the period October 21, 2003, to October 20, 2005; and

B) **AUTHORIZED**

authorize the County Administrator, or his designee, to sign the Funding Form for School Board Capital Projects and Funding Form for School Board Operational Projects.

SUMMARY: As a result of the Joint County/School Board meeting on May 12, 2003, staff was directed to streamline the Recreation Assistance Program (RAP) process to develop a faster and simpler process for the distribution of discretionary funds for schools. The Interlocal Agreement is the basis of the RAP streamlining process, and will take the place of individual agreements previously required for each RAP allocation. The Agreement establishes terms and conditions for all RAP projects up to a set amount of \$100,000 consistent with County financial policies for contracts not executed by the Board. The Board is also requested to approve the execution of Funding Request Forms (Exhibits A-1 and A-2 to the Agreement) and routine project amendments by the County Administrator or his designee. The two-year term of the Agreement is automatically renewable up to two (2) additional successive one-year terms unless either party provides written notice of non-renewal to the other party thirty (30) days prior to the expiration of the then current term. Countywide (ND)

5. **Staff recommends motion to:**

A) **ADOPTED** **R-2003-1748**

adopt Resolution authorizing the First amendment to the lease of certain real property to Center for Youth Activities, Inc., pursuant to Florida Statute Section 125.38; and

B) **APPROVED**

approve ~~First Amendment to Lease Agreement with the Center for Youth Activities, Inc., a not-for-profit Corporation, for a ten-year extension of Lease from August 1, 2005, through July 31, 2015.~~

SUMMARY: The Center for Youth Activities, Inc. (Center), has requested a modification to Lease Agreement (R2000-1061) to extend the term of Center's lease in recognition of their significant investment in a new building. The lease premises currently consist of approximately one acre in Veteran's Park West Boca and a 2,000 square foot building. The Center has recently completed a new 3,400 square foot building on the premises at an approximate cost of \$400,000. The current lease will expire on July 31, 2005, and the ten-year extension will run from August 1, 2005, through July 31, 2015. Staff recommends the Board approve extending the term of the Lease for an additional ten (10) years. District 5 (HF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. **APPROVED**
Staff recommends motion to approve: reallocation of \$400,000 previously budgeted for Hagen Road Elementary School and Eagles Landing Middle School athletic fields (1999 Cultural and Recreational Facilities Bond) to the School Board for LLL High School Athletic Fields. **SUMMARY:** An Agreement (R2001-0102) was previously entered into with the School Board for up to \$220,000 for improvements to the athletic fields at Hagen Road Elementary School. This Agreement lapsed on January 8, 2003, was not extended because of anticipated rebuilding of Hagen Road Elementary School on the school's current athletic field site. In addition, \$280,000 from the same bond was budgeted for improvements to the Eagles Landing Middle School Athletic fields. That project did not occur because of still unresolved drainage problems at the Eagles Landing site that did not allow for the construction of the fields. In order to move forward with utilization of the District 5 Athletic Field bond funding and expand the usefulness of school athletic fields to the community, it is recommended that \$400,000 from the two (2) prior allocations (\$220,000 from the Hagen Road and \$180,000 from Eagles Landing) be reallocated for athletic field lighting at the new LLL High School site, located adjacent to South County Regional Park. The remaining \$100,000 from the District 5 Athletic Fields bond line item would remain in the existing Eagles Landing Middle School account for improvement to its recreational facilities. District 5 (PK)

P. COOPERATIVE EXTENSION SERVICE

1. **APPROVED** **R-2003-1749**
Staff recommends motion to approve: Amendment No. 10 to Mounts Botanical Garden Agreement executed January 7, 1992, R92-81D, providing a grant of \$106,387 for FY04. **SUMMARY:** The Friends of the Mounts Botanical Garden (FMBG) are providing support in the amount of \$106,387 for three (3) positions at the Garden for FY04, a) at a funding level of 100% for one (1) full-time Development Assistant, b) at the funding level of 50% for a full-time Horticulturist position; and c) partial funding at \$35,821 for the full-time Curator/Director position. The positions will continue to support programming for the Botanical Garden and that of the Friends. The support programming will be coordinated with the Board of the Friends. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Criminal Justice Commission recommends motion to approve:**

A) APPROVED
Budget Transfer of \$316,520 in the Drug Abuse Trust Fund (Fund 1470) for Drug Court's treatment services for FY2004;

B) APPROVED
Budget Amendment of \$316,520 in the General Fund (Fund 0001); and

C) APPROVED
Budget Amendment of \$316,520 in the Sheriff's Grant Fund (Fund 1152).

SUMMARY: The Drug Abuse Trust Fund (DATF) Committee met on August 18, 2003 and recommended allocating \$316,520 to the Drug Court program for funding FY2004 drug treatment services through September 30, 2004. The Criminal Justice Commission (CJC) approved the DATF Committee's recommendation on September 22, 2003. Countywide (DW)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. REVISED TITLE: APPROVED

staff recommends motion to approve: Purchase from Pomeroy IT Solutions of Cisco SmartNet network hardware maintenance for the period October 21, 2003 through October 20, 2004, at support levels specified in the quote for a cost of \$398,011. SUMMARY: Hardware maintenance and engineering consulting services for the Wide Area Network are annual, on-going expenses. A change in the State of Florida contract precluded the County's prior ability to use this contract as a vehicle for procuring this type of service. Additionally, the effort to evaluate whether a multi-year contract would result in material savings delayed the annual process to maintain continual coverage. As a result, no maintenance contract has been in force since July 1, 2003. The proposed contract will restore the maintenance coverage for a one-year period beginning October 21, 2003. To restore maintenance coverage, competitive proposals for a one-year period were solicited from vendors on the State contract, with the intention of using the RFP process to obtain multi-year maintenance coverage beginning October 21, 2004. A contract covering multiple years will enable the County to further benefit from available discounts or other favorable service configurations. An invoice for the period without coverage has not been received from the previous vendor, and ISS is negotiating with Cisco in an effort to waive any costs associated with the three plus months during which coverage was not in force. Countywide (PK)

BB. COURT ADMINISTRATION

1. APPROVED R-2003-1750

Staff recommends motion to ratify: the Chair's signature on a Victims of Crime Act (VOCA) Agreement with the State of Florida, Office of the Attorney General in the amount of \$17,207 for the Domestic Violence Intake Unit Program in Belle Glade for the period October 1, 2003 through September 20, 2004. SUMMARY: The State of Florida, Office of the Attorney General has provided a VOCA grant (V3166) in the amount of \$17,207 for the Domestic Violence Intake Unit Program. This grant partially funds the cost of one (1) Intake Specialist who will be assigned to Belle Glade to provide services consistent with Central and Court Annexes. This is an 80/20 matching grant with the County providing the \$4,302 match plus additional match of \$16,418 to supplement the total cost of the position. Match funds provided by the County are already included in the FY2004 Domestic Violence Intake Unit salary budget. Grant funds must be expended by September 30, 2004. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

BB. COURT ADMINISTRATION

2. Staff recommends motion to:

A) APPROVED R-2003-1751 ratify the Chair’s signature on a Victims of Crime Act (VOCA) Agreement with the State of Florida, Office of the Attorney General in the amount of \$92,170 for the Domestic Violence Intake Unit/Destiny by Choice Program for the period October 1, 2003 through September 30, 2004;

B) APPROVED approve Budget Amendment of \$92,170 in the General Fund;

C) APPROVED approve Budget Transfer of \$23,169 from Family Court Services for the required County grant match; and

D) APPROVED R-2003-1752 approve a Contract with Destiny By Choice, Inc. for \$115,339 for the period of October 1, 2003 through September 30, 2004 to provide professional and consultation services in the area of social services for domestic violence victims in Belle Glade and the surrounding areas.

SUMMARY: The State of Florida, Office of the Attorney General has provided a VOCA grant (V3165) in the amount of \$92,170 for the Domestic Violence Intake Unit/Destiny by Choice Program. This grant funds the cost of three contractual positions; a Program Coordinator, a Secretary, and a part time Counselor, and operating costs for the program facility. This is an 80/20 matching grant with the County providing the \$23,169 match. Match funds provided by the County are already included in the FY 2004 Family Support Services budget. Grant funds must be expended by September 30, 2004. Countywide (TKF)

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

REVISED TITLE: TO CONTINUE TO 12/16/ 2003:

A. ADOPTED

Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, enacting historic site designation for Old Indiantown Road. **SUMMARY:** The resolution authorizes an historic site designation for Old Indiantown Road. The road is located in Township 40, Range 41, Sections 34, 35 and 36 in the Jupiter Farms area. The designation report states that this segment represents one (1) of the only remaining early 20th century roadways that connected coastal Jupiter to the Lake Okeechobee interior that maintains the scale and character of an early to mid-20th century road once common throughout the County. The road was part of the route for agriculture commerce and citizen travel between the interior and the coast. The road qualifies for local designation as an individual site as it is at least 50 years old, and also based on criteria (d) it "exemplifies historic, political, cultural, or economic trends of the community in history" as described in Unified Land Development Code (ULDC) Section 7.17C, Criteria for Designation of Historic Sites and Districts. In July 2002 the Historic Resources Review Board (HRRB) initiated the application for the historic site designation of Old Indiantown Road. The HRRB conducted two (2) public hearings on January 22, 2003 and on July 30, 2003 and voted (3-2) to recommend denial of the historic site designation for Old Indiantown Road. District 1 (RB)

B. APPROVED

Staff recommends a motion TO NOT ADOPT: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida establishing a Community Development District over the real property legally described on Exhibit "A" to this Ordinance comprising of approximately 52.34 acres; naming the initial members of the Board of Supervisors of the District; establishing the name of the District as Cypress Lakes Community Development District; designating the purpose of the District; designating the powers of the District; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** The BCC has been petitioned to grant the establishment of the Cypress Lakes Community Development District (CDD) to finance and construct community services for a residential development to be located on the west side of State Road 7 between Lake Worth and Lantana roads. The proposed services include water distribution and wastewater systems, surface water management, and other minor facilities. After a thorough review, the Planning Division has found the petition for the proposed CDD to be insufficient and inconsistent with recent policy direction by the BCC. Staff is thus recommending denying the petition. District 3 (RB)

C. APPROVED

Staff recommends a motion TO NOT ADOPT: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida establishing a Community Development District over the real property legally described on Exhibit "A" to this Ordinance comprising of approximately 261.18 acres; naming the initial members of the Board of Supervisors of the District; establishing the name of the District as Palm Beach Plantation Community Development District; designating the purpose of the District; designating the powers of the District; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** The BCC has been petitioned to grant the establishment of the Palm Beach Plantation Community Development District (CDD) to finance and construct community services for a residential development to be located on the south side of Southern Boulevard between Benoist Farms Road and State Road 7. The proposed services include water distribution and wastewater systems, surface water management, and other minor facilities. Offsite infrastructure will not be financed with special assessment bonds which would be payable by the homeowners. After a thorough review, the Planning Division has found the petition for the proposed CDD to be insufficient and inconsistent with recent policy direction by the BCC. Staff is thus recommending denying the petition. District 6 (RB)

4. PUBLIC HEARINGS - 9:30 A.M. CONTINUED

D.

ADOPTED

R-2003-052

Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing for a short title, purpose, applicability, authority; providing for definitions; providing for protection of the conservation lands; providing for compensation for interests in conservation lands; providing for exemptions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Palm Beach County Code; providing for an effective date. **SUMMARY:** The proposed Ordinance, to be known as the Conservation Lands Protection Ordinance, is designed to provide additional long-term protection for the lands acquired in whole or in part with 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. The Ordinance itself may be amended by a simple majority of members present. Countywide (HJ)

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5. REGULAR AGENDA

A. ENGINEERING

1. **DELETED**

Staff recommends motion to approve: a partial impact fee credit for the right turn lane on Northlake Boulevard at MacArthur Boulevard. **SUMMARY:** The City of Palm Beach Gardens has required the developer of the project on the northeast corner of Northlake Boulevard and MacArthur Boulevard to construct a right turn lane on the east approach of the intersection as well as extending it east to serve their driveway. The developer is requesting roadway impact fee credit equal to the cost of constructing the right turn lane. However, the County engineer has determined that the entire lane is not eligible for credit - only the portion serving the intersection is eligible. As per the ULDC, the Board **can not** give credit for the full lane based on this determination. The Board of County Commissioners (Board) must approve such impact fee credits, in accordance with Article 10 of the Unified Land Development Code. District 1 (MRE)

2. **DELETED**

Staff recommends motion to deny: The PGA Property Owners Association, Inc. ("POA") request to restricted access through the traffic control gates on Tournament Boulevard, Avenue of the Masters and Ryder Cup Boulevard between the hours of 6:00 P.M. and 6:00 A.M.. **SUMMARY:** An Agreement exists between the City of Palm Beach Gardens and the PGA Property Owner's Association regarding the operation of guard houses and gates into PGA National. The Agreement has been amended twice. The latest amendment, dated February 21, 2002, allows access to be limited between the hours of 6:00 P.M. and 6:00 A.M. County staff has issues regarding the hours of operation, traffic backup-ups at the gates, and the potential future turnover of Ryder Cup Boulevard (Jog Road) to Palm Beach County. District 1 (MRE)

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. **Staff recommends motion to:**

A) **APPROVED**

approve the Underwriter Selection Process establishing a Senior Manager Rotation List (List) which permits each Commissioner to appoint one (1) underwriter to the list, with a rotation sequence in reverse order by District;

B) **APPROVED**

approve the Underwriter Selection Process for Co-Managers on County bond issues which allows for co-managers to be selected from the Senior Manager Rotation List; and

C) **APPROVED**

appoint Underwriters to the Senior Manager Rotation List in accordance with the underwriter selection process.

SUMMARY: Pursuant to Board direction at the Board Retreat on July 8, 2003, staff is proposing a new bond underwriter selection process which calls for a list of seven (7) underwriting firms to serve as senior manager on County bond issues on a rotational basis in reverse order by District. Each Commissioner will appoint one (1) firm to the rotation list. Depending on the team structure for each bond issue, any co-managers will also be selected from this list. Countywide

5. REGULAR AGENDA

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

2. DELETED

Staff recommends motion to approve on preliminary reading and advertise for public hearing on November 4, 2003, at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code of Palm Beach County as adopted by Ordinance No. 92-20 as amended; amending Section 10.2 County District Regional and Beach Parks Impact Fees; amending Section 10.3 Fire Rescue Impact Fees; amending Section 10.4 Library Impact Fees; amending Section 10.5 Law Enforcement Impact Fees; amending Section 10.6 Public Buildings Impact Fees; amending Section 10.7 School Impact Fees; amending Section 10.8 Fair Share Road Impact Fees; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Unified Land Development Code; providing for an effective date. **SUMMARY:** Under Article 10.1.E.6 of the ULDC, the Impact Fee Coordinator shall undertake a study of the Impact Fee System and recommend to the Board of County Commissioners whether any changes should be made to the fee schedules to reflect changes in the factors that affect the fee schedules. Dr. James Nicholas, impact fee consultant, has completed the study and prepared a final report, The 2003 Update of Impact Fees for Palm Beach County. Upon adoption of the impact fee methodology and approval of the final report, impact fees for parks, fire rescue, law enforcement, libraries, public buildings, roads and schools would be adjusted to 95% of the amount calculated by the methodology. Countywide (LB)

C. TOURIST DEVELOPMENT COUNCIL

1. DELETED

Staff recommends motion to approve: an Agreement between Discover Palm Beach County, Inc., d/b/a Palm Beach County Convention & Visitors Bureau ("DPBC") and Beber Silverstein Partners, Inc., a Florida Corporation ("Contractor") for the provision of advertising services under the County's Tourist Development Plan. **SUMMARY:** The contract is for provision of advertising services for one year, during Fiscal Year 2003-2004. Services consist of developing a creative and media plan, creating the advertisements, and media placement. Compensation is in the form of a 15% commission on commissionable and non-commissionable media placed. The contract eliminates commissions on creative work for standard media, and on outside services and supplies, at an estimated savings of \$60,000 compared to the current contract. The total contract expenditures budgeted total \$1,400,000 however; DPBC administration may amend contract not to exceed \$2,150,000 upon receipt of additional funding. The DPBC receives 53.60% of the initial 3 cents of the Tourist Development bed taxes. Countywide (MC)

D. FACILITIES DEVELOPMENT & OPERATIONS

1. APPROVED R-2003-1756

Staff recommends motion to approve: a Modification of Drainage Easement (R2003-0083) with The King's Academy, Inc. **SUMMARY:** A modification to the drainage easement approved by the Board on January 7, 2003 is required to reflect changes in the design of the King's Academy School and Palm Beach County Park Site project. The width of the drainage easement has been reduced from 60 feet to 30 feet and the water management tract has been reduced from 42.198 acres to 37.330 acres. The modification to the drainage easement is being granted to King's at no charge, as it will improve the design of the County's park site. The site is located on the east side of Sansbury's Way between Belvedere Road and Okeechobee Boulevard. (PREM) District 6 (HJF)

5. REGULAR AGENDA

E. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve:

A) APPROVED

Rescinding the Board's action taken December 15, 1998, authorizing the Friends of the Mounts Botanical Garden (Friends) to move forward with the necessary steps to develop a botanical garden at Okeeheelee Park (formerly Cholee Park); and

B) APPROVED

Reallocating the \$1 million designated in the 1999 bond referendum for the Cholee garden site, with \$500,000 to the Cooperative Extension Service Department to improve the present Mounts Botanical Garden site, and \$500,000 to the Parks and Recreation Department for projects within Okeeheelee Park.

SUMMARY: Friends has found it necessary to focus its efforts on improving the present Mounts Botanical Garden site rather than pursuing the development of a botanical garden at Okeeheelee Park. The recommendation to reallocate the funds is made based on the precedent of the Commissioner from the District originally proposing the project being given the option to recommend reallocation of the funds. Countywide (AH)

F. HOUSING AND COMMUNITY DEVELOPMENT

1. **APPROVED AS AMENDED R-2003-1632 (A THROUGH R-2003-1633 (B**

REVISED TITLE & SUMMARY: Staff recommends motion to approve: A) a Conditional Grant Agreement with We Help Community Development Corporation to provide \$600,000 in State Housing Initiative Partnership Program (SHIP) funds towards land acquisition in connection with a housing project known as Abidjan Estates in the City of Belle Glade; and B) an inter-creditor Agreement with we Help Community Development Corporation and the City of Belle Glade.

SUMMARY: ~~The State Housing Initiative Partnership Program provides funding to affordable housing developers.~~ We Help Community Development Corporation proposes to construct a mixed use development in the City of Belle Glade to be known as Abidjan Estates. The development which will cover approximately 73 acres of land will include a single family housing component, a multi-family housing component, and a commercial component. The single family housing component is expected to contain 162 units to be constructed in three phases. The first phase consisting of approximately 21 acres will contain 76 single family units. These HOMES funds will be used towards the acquisition of land for the first phase in exchange for which the developer will provide ~~at least 60~~ 76 affordable units. it is understood that all documents approved in connection with this agenda may undergo revision before the closing, and that approval of this agenda item shall include approval of any revisions to these documents as deemed necessary by the County Attorney's office within its ministerial functions. **This agreement will provide \$600,000 in State SHIP funds which do not require local matching funds.** District 6 (TKF)

G. ADMINISTRATION

1. **APPROVED**

Staff recommends motion to approve on preliminary reading and to advertise for public hearing November 18, 2003 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ordinance No. 2003-018, the Palm Beach County Lobbyist Registration Ordinance; amending definition of Lobbyist; amending Registration Exceptions Provision; amending Cone of Silence Provisions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for an effective date. **SUMMARY:** On May 20, 2003, the Board of County Commissioners approved Ordinance No. 2003-018, pertaining to lobbyist regulations. Staff is recommending refining Cone of Silence provisions to more accurately reflect the objectives of the new lobbying ordinance. Countywide (LB)

6. BOARD APPOINTMENTS

A. COMMUNITY SERVICES

(Palm Beach County HIV Comprehensive AIDS Resources Emergency CARE Council)

1. **APPROVED**

Staff recommends motion to approve: appointment of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of two years, effective October 21, 2003.

| <u>Appointment</u> | <u>Seat No.</u> |
|--------------------|-----------------|
| Vikas M. Virkud | 1 |
| Mary Piper Kannel | 15 |
| Lynda Allen | 31 |
| Michael B. Greene | 41 |
| Marcia E. Bodden | 42 |
| Rafael Duran | 45 |

SUMMARY: The Palm Beach County HIV CARE Council Bylaws state that total membership shall be no more than forty-five (45) and no less than twenty-one (21) members. Founding members were appointed for one (1) and two (2) year terms with subsequent terms of two (2) years. The HIV CARE Council Nominations Process is an open process with publicized criteria and legislatively defined conflict of interest standards. Out of six (6) applications, six (6) nominees successfully completed the HIV CARE Council Nominations Process, and the CARE Council has recommended their appointment. Countywide (TKF)

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. **APPOINTED**

REVISED TITLE & SUMMARY: the appointment/ reappointment of the following individuals who have expressed an interest in serving on the Impact Fee Review Committee to complete the unexpired terms of vacant seats caused by resignations of Committee members whose terms will expire September 30, August 31, 2005.

| <u>Nominee</u> | <u>Seat No.</u> | <u>Requirement</u> | <u>Unexpired Term Of</u> |
|----------------|-----------------|--------------------|--------------------------|
| David Keir | 2 | Municipal | David Keir |
| Bob Hochberg | 9 | At-Large | Bob Hochberg |
| Chris Brown | 5 | Business | Dan Lewis |
| Frank Palen | 9 | At Large | Bob Hochberg |

SUMMARY: Article 4 of the Unified Land Development Code established the Impact Fee Review Committee and requires the Board of the County Commissioners to appoint eleven (11) members to terms of three (3) years. The terms of the current members will expire September 30, 2005. Several members resigned creating vacancies on the Impact Fee Review Committee. These appointments would facilitate the completion of the 2003 Biennial Update. Countywide (LB)

C. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 21, 2003

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 21, 2003

8. 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

Proclamation declaring the week of October 19 - 25, 2003 as "National Pharmacy Week" in Palm Beach County.

G. District 7 - COMMISSIONER ADDIE L. GREENE

9. 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

OCTOBER 21, 2003

| <u>PAGE</u> | <u>ITEM</u> | |
|-------------|-------------|---|
| 18 | 3I-5 ** | <u>REVISED TITLE:</u> an Agreement with the Daily Bread Food Bank, Inc., for rehabilitation of their warehouse facility in the amount of \$24,990 <u>\$24,999</u> in Community Development Block Grant (CDBG) funds for the period of October 21, 2003, through March 31, 2004. (HCD) |
| 27 | 3U-1 | <u>REVISED TITLE:</u> Purchase from Pomeroy IT Solutions of Cisco SmartNet network hardware maintenance for the period October 21, 2003 through October 20, 2004, at support levels specified in the quote for a cost of \$398,044 . <u>\$398,001</u> (ISS) |
| 29 | 4A | <u>REVISED TITLE: TO CONTINUE TO 12/16/2003:</u> a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, enacting historic site designation for Old Indiantown Road. (PZ&B) |
| 31 | 5A-1 | <u>DELETED:</u> a partial impact fee credit for the right turn lane on Northlake Boulevard at MacArthur Boulevard. (Eng) (Moved to 11/18/03) |
| 31 | 5A-2 | <u>DELETED:</u> The PGA Property Owners Association, Inc. ("POA") request to restricted access through the traffic control gates on Tournament Boulevard, Avenue of the Masters and Ryder Cup Boulevard between the hours of 6:00 P.M. and 6:00 A.M.. (Eng) (Moved to 11/18/03) |
| 32 | 5B-2 | <u>DELETED: Staff recommends motion to approve on preliminary reading and advertise for public hearing on November 4, 2003, at 9:30 a.m.:</u> an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code of Palm Beach County as adopted by Ordinance No. 92-20 as amended; amending Section 10.2 County District Regional and Beach Parks Impact Fees; amending Section 10.3 Fire Rescue Impact Fees; ... (OFMB) (Date to be determined) |
| 32 | 5C-1 | <u>DELETED:</u> an Agreement between Discover Palm Beach County, Inc., d/b/a Palm Beach County Convention & Visitors Bureau ("DPBC") and Beber Silverstein Partners, Inc., a Florida Corporation ("Contractor") for the provision of advertising services under the County's Tourist Development Plan. (TDC) (Further staff review) |

REVISED TITLE & SUMMARY: Staff recommends motion to approve:

A) a Conditional Grant Agreement with We Help Community Development Corporation to provide \$600,000 in Home Investment Partnership Program (HOME) funds towards land acquisition in connection with a housing project known as Abidjan Estates in the City of Belle Glade; and

B) an Inter-creditor Agreement with We Help Community Development Corporation and the City of Belle Glade.

SUMMARY: ~~The State Housing Initiative Partnership Program provides funding to affordable housing developers.~~ We Help Community Development Corporation proposes to construct a mixed use development in the City of Belle Glade to be known as Abidjan Estates. The development which will cover approximately 73 acres of land will include a single family housing component, a multi-family housing component, and a commercial component. The single family housing component is expected to contain 163 units to be constructed in three (3) phases. The first phase consisting of approximately 21 acres will contain 76 single family units. These HOME funds will be used towards the acquisition of land for the first phase. In exchange for these funds, the developer will provide ~~at least 60~~ 76 affordable units. It is understood that all documents approved in connection with this agenda may undergo revision before the closing, and that approval of this agenda item shall include approval of any revisions to these documents as deemed necessary by the County Attorney's office within its ministerial functions. **This agreement will provide \$600,000 in Federal HOME funds which do not require local matching funds.** District 6 (TKF) (HCD)

REVISED TITLE & SUMMARY: the appointment/ reappointment of the following individuals who have expressed an interest in serving on the Impact Fee Review Committee to complete the unexpired terms of vacant seats caused by the resignations of Committee members and whose terms will expire September 30, August 31, 2005.

| <u>Nominee</u> | <u>Seat No.</u> | <u>Requirement</u> | <u>Unexpired Term Of</u> |
|----------------|-----------------|--------------------|--------------------------|
| David Keir | 2 | Municipal | David Keir |
| Bob Hochberg | 9 | At-Large | Bob Hochberg |
| Chris Brown | 5 | Business | Dan Lewis |
| Frank Palen | 9 | At Large | Bob Hochberg |

SUMMARY: Article 4 of the Unified Land Development Code established the Impact Fee Review Committee and requires the Board of the County Commissioners to appoint eleven (11) members to terms of three (3) years. Several members resigned creating vacancies on the Impact Fee Review Committee. These appointments would facilitate the completion of the 2003 Biennial Update. Countywide (LB) (OFMB)

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 (*).