

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

DECEMBER 2, 2003

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

**COMMISSION
CHAMBERS**

**JOE SMITH
DEPUTY CLERK**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA (Page 6 - 17)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 18)**
- 5. REGULAR AGENDA (Page 19- 21)**
TIME CERTAIN 11:00 A.M. (Scripps - FAU) (Page 19)
TIME CERTAIN 2:05 P.M. (Convention Center Hotel) (Page 19)
- 6. BOARD APPOINTMENTS (Page 22)**
- 7. MATTERS BY PUBLIC - 2:00 P.M. (Page 23)**
- 8. STAFF COMMENTS (Page 24)**
- 9. COMMISSIONER COMMENTS (Page 25)**
- 10. ADJOURNMENT (Page 25)**

* * * * *

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 6

- 3A-1 Four (4) agreements for the Department of Airports
- 3A-2 Memorandum of Understanding between the Department of Airports and Fire-Rescue
- 3A-3 Agreement with Tracy Doherty, D.V.M. for veterinary services for the Public Safety Department

B. CLERK

Page 6

- 3B-1 Warrant List
- 3B-2 Minutes - None
- 3B-3 Contracts and claims settlements list
- 3B-4 Annual financial reports, excess fees and unexpended budget for FY02-03 for the Clerk, Tax Collector and Property Appraiser

Page 7

- 3B-5 Seventh Amendment to Agreement with Integral Systems, Inc. For personnel/payroll system

C. ENGINEERING

Page 7

- 3C-1 Report of Plat Recordations
- 3C-2 Deleted
- 3C-3 Agreement for Acquisition with Schickendanz Capital Group, L.L.C.

D. COUNTY ATTORNEY

Page 8

- 3D-1 Amendment to Agreement with Diane C. Duvall and Gary L. Pickett for legal representation to indigent persons in juvenile court cases
- 3D-2 Settlement in eminent domain action

E. COMMUNITY SERVICES

Page 9

- 3E-1 Various contracts for services to homeless individuals
- 3E-2 Ratify the Chair's signature on a CSBG application

F. AIRPORTS

Page 10

- 3F-1 Resolution adopting Minimum Standards for Commercial Aeronautical Activities for North Palm Beach County Airport
- 3F-2 A \$5,828,872.30 contract with Ranger Construction Industries, Inc. For the Runway 9L-27R Parallel Taxiway Project
- 3F-3 Amendment No. 5 to the Contract with The LPA Group, Inc., for consulting/professional services

Page 11

- 3F-4 Reimbursable Agreement with the FAA

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET - None

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 11

- 3H-1 Supplement No. 1 to CSA No. 19 to Agreement with Stephen Boruff, AIA
- 3H-2 Interlocal Agreement with FDOH d/b/a AG Holley Hospital for the 800 MHz Radio System
- 3H-3 JOC Work Order with H.A. contracting for the replacement of the emergency generator at the West County Administrative Building

Page 12

- 3H-4 CSA No. 4 to Continuing Services Contract with Stephen Boruff, AIA for design and construction administration services
- 3H-5 Interlocal Agreement with the City of Coral Springs for the 800 MHz Radio System
- 3H-6 A \$1,095,115.91 Sole Source Reimbursement Agreement with Aramark Sports and Entertainment Services, Inc., for the Convention Center

TABLE OF CONTENTS
CONSENT AGENDA CONTINUED

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 13

- 3H-7 CO No. 106 to Contract with Clark Construction Group, Inc., for the Convention Center
- 3H-8 Agreement for Donation of Land with Callery-Judge Grove, L.P. for 12 acres of real property for the development of a fire stations PBSO Level 2 substation and library

I. HOUSING & COMMUNITY DEVELOPMENT

Page 13

- 3I-1 Agreement with the Town of Jupiter for the provision of traffic calming measures

J. PLANNING, ZONING & BUILDING - None

K. WATER UTILITIES

Page 14

- 3K-1 Two-year Unit Price Contract with Lanzo Lining Services, Inc.,

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 14

- 3L-1 Two Agreements for Purchase and Sale involving 2 parcels of land in Unit 11

Page 14

- 3L-2 Grant Contract with FCT regarding the acquisition of the Cypress Creek Natural Area

M. PARKS & RECREATION

Page 15

- 3M-1 Interlocal Agreement with the School Board for mutual use of recreational facilities
- 3M-2 Agreement with Special Olympics Florida, Inc., allowing the sale of naming rights for the new complex in John Prince Park
- 3M-3 Agreement with the Best of the Rest Stars, Inc., for Youth Fest 2003

N. LIBRARY - None

P. COOPERATIVE EXTENSION SERVICE

Page 16

- 3P-1 Grant Agreement with Reece Farms, Inc., from Agricultural Economic Development Program funds

Q. CRIMINAL JUSTICE COMMISSION - None

R. HUMAN RESOURCES - None

S. FIRE RESCUE - None

T. HEALTH DEPARTMENT - None

U. INFORMATION SYSTEMS SERVICES - None

V. METROPOLITAN PLANNING ORGANIZATION - None

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

W. PUBLIC INFORMATION

Page 16

3W-1 Second Amendment to Agreement with Wireless Broadband Services of Ft. Pierce for the relocation of Channel 20's transmitting facility

X. PUBLIC SAFETY

Page 16

3X-1 Resolution authorizing the county Administrator to sign and forward to FDOH Bureau of Emergency Medical Services the FY2004 annual EMS County Grant application and distribution agreement

Y. PURCHASING - None

Z. RISK MANAGEMENT - None

AA. PALM TRAN - None

BB. COURT ADMINISTRATION

Page 17

3BB-1 Ratify the Chair's signature on an agreement with the Children's Services Council of PBC for the Guardian Ad Litem Pilot Model Division Program

3BB-2 Ratify the Chair's signature on Amendment No. 1 to DCF Contract for supervised family visitation services in the Family Connection Program

CC. SHERIFF

Page 17

3CC-1 Receive and file the FDOT contract for the Bicycle and Traffic Safety Education Program

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 18

4A "2003 Muck Bowl Champions"

4B "RAM Day"

4C "Animal Rights Day"

4D ADD-ON: 50th Anniversary of St. Catherine Greek Orthodox Church.

TABLE OF CONTENTS
REGULAR AGENDA CONTINUED

ADMINISTRATION

Page 19

- 5A-1 Convention Center update
- 5A-2 Partnership with FAU for the location of Scripps temporary facility at the Jupiter campus **TIME CERTAIN 11:00 A.M.**
- 5A-3 Convention Center Hotel negotiations **TIME CERTAIN 2:05 P.M.**

COUNTY ATTORNEY

Page 19

- 5B-1 Resolution amending the County Investment Policy

OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

Page 20

- 5C-1 Resolution supplementing Resolution authorizing the issuance of Public Improvement Revenue and Refunding Bonds for the Light Industrial Complex Project

Page 20

- 5C-2 Ordinance amending the ULDC impact fees

ENVIRONMENTAL RESOURCES MANAGEMENT

Page 21

- 5D-1 Report on the Status of the Environmental Sensitive Lands Acquisition Program

FACILITIES DEVELOPMENT & OPERATIONS

Page 21

- 5E-1 Request from United Way to plan for a co-location of an administrative office and conference center in the Mid County Community Services Campus on Lake Worth Road

Page 22

- 6A-1 **ADD-ON:** Appointment of one (1) member to the Committee on Fire-Rescue Level of Service for a specific term from December 2, 2003 until June 1, 2004

BOARD APPOINTMENTS (Page 22)

MATTERS BY PUBLIC - 2:00 P.M. (Page 23)

STAFF COMMENTS (Page 24)

COMMISSIONER COMMENTS (Page 25)

ADJOURNMENT (Page 25)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **APPROVED**
Staff recommends motion to receive and file: Four (4) original contracts/agreements/grants for the Department of Airports.

A) **APPROVED** **R-2003-1941**
North County Hangar Lease Agreement for Hangar 11350-13, signed by Phil Elmore and dated November 1, 2003;

B) **APPROVED** **R-2003-1942**
North County Hangar Lease Agreement for Hangar 11230-8, signed by Wayne Joplin and dated November 1, 2003;

C) **APPROVED** **R-2003-1943**
North County Hangar Lease Agreement for Hangar 11230-3, signed by Melvin Marx and dated November 1, 2003;

D) **APPROVED** **R-2003-1944**
North County Hangar Lease Agreement for Hangar 11740-1, signed by Robert A. Benz and dated November 1, 2003.

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

A) **APPROVED** **R-2003-1945**
Memorandum of Understanding between the Department of Airports and the Fire-Rescue Department for the use of the Palm Beach Part Airport fire station.

3. **APPROVED** **R-2003-1946**
Staff recommends motion to receive and file: Standard agreement with Tracy Doherty, D.V.M. for veterinary services for the period October 14, 2003 through September 30, 2004 in an amount not-to-exceed \$10,000 for the Public Safety Department

B. CLERK

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

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

3. **APPROVED** **R-2003-1947**
Staff recommends motion to approve: Contracts and claims settlements list.

4. **APPROVED** **R-2003-1948**
Staff recommends motion to receive and file: Annual financial reports, excess fees and unexpended budget for F/Y 2002/03, for the Clerk of the Circuit Court, Tax Collector and Property Appraiser. **SUMMARY:** The financial reports of these Constitutional Officers were submitted to the Office of the Clerk to the Board on or before October 31, 2002, in accordance with F.S. 218.36. The amounts shown for the Tax Collector and the Property Appraiser represent the total payment to the County. A portion of these revenues are budgeted in the Library and Fire-Rescue funds.

3. **CONSENT AGENDA APPROVAL**

B. **CLERK (Cont'd)**

	<u>Budget Estimate</u>	<u>Actual Excess Fees</u>	<u>Additional Excess Fees</u>
CLERK	\$ 3,000,000	\$ 6,531,075	\$3,531,075
TAX COLLECTOR	20,481,491	21,170,074	688,583
PROPERTY APPR.	<u>1,637,214</u>	<u>1,592,810</u>	<u>(44,404)</u>
TOTAL	\$25,118,705	\$29,293,959	\$4,175,254

The amounts shown as additional excess fees will be included in the adjustment for additional balances brought forward which will be brought to the Board of County Commissioners in March, 2004. Countywide

5. **APPROVED** **R-2003-1949**
Staff recommends motion to approve: the Seventh Amendment to the Agreement with Integral Systems, Inc. (R93-1549D) dated December 7, 1993, in an amount not-to-exceed \$272,950 for acquisition of JES2MAIL module of the I-Trust Web module (software) and an additional two (2) years of software maintenance for personnel/payroll system December 7, 2003 to December 6, 2005. **SUMMARY:** This amendment also provides for an additional two (2) years of software maintenance for the County's Personnel/Payroll system, Checkwrite and I-Trust Web modules at a cost of \$258,300 for the period effective December 7, 2003 through December 6, 2005. Acquisition of the JES2MAIL software module, at a cost of \$14,650 is required to facilitate the increasing demand for reports to be separated and sent via e-mail to the recipients. This software will permit large single reports to be distributed automatically via e-mail in a PDF format without human intervention, thereby making staff more efficient and providing more timely reports in a neat and professional format. Countywide (PK)

C. **ENGINEERING & PUBLIC WORKS**

1. **APPROVED**
Staff recommends motion to receive and file: a Report of Plat Recordations from July 1, through September 30, 2003. **SUMMARY:** This is a quarterly summary of subdivision plats recorded during the past fiscal quarter as required by Department of Engineering and Public Works Policies and Procedures Manual Item No. ED-0-11, governing administrative approval of plats by the County Engineer. Countywide (ME)

2. **DELETED**

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

A) DELETED
an Agreement for Acquisition with Schickendanz Capital Group, L.L.C. (Developer), for the acquisition of right-of-way as needed for Island Way from Indiantown Road to the County Line, known as the North Fork Parcel; and

B) DELETED
Budget Amendment of \$3,000 in the Road Impact Fee Zone 1 Fund to recognize a Developer contribution for acquisition of Island Way – North Fork Parcel.

SUMMARY: This item will approve an Agreement for Acquisition with the Developer for Island Way and recognize a Developer contribution. The Developer is providing the right-of-way for Island Way, but was unsuccessful in negotiating the purchase of the needed land from the owner. The Developer, is therefore, entering into this Acquisition Agreement and supplying all funding needed to secure the property. District 1 (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **APPROVED** **R-2003-1950**

Staff recommends motion to approve: an Amendment to the Agreement (R2001-1433) with Diane C. Duvall, Esq., and Gary L. Pickett, Esq., one of the teams of attorneys which provide legal representation to indigent persons in juvenile court cases, dependency hearings and termination of parental rights hearings in which the Public Defender's Office withdraws due to a conflict of interest. **SUMMARY:** Diane Duvall and Gary Pickett, the attorneys on the Conflict Team for Juvenile Division 'JK', desire to add an attorney to their Conflict Team. Pursuant to the terms of Article 1.B. of the original Agreement, Karen Martin, Esq., has been selected as the additional attorney. Countywide (LSJ)

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

A) APPROVED

Settlement in the Eminent Domain action styled Palm Beach County v. Chevron U.S.A., Inc., Case No. CL-02-1835-AB, for the improvement of the intersection of Hagen Ranch Road and West Atlantic Avenue as to Project No. 1996506A.1, Parcels 101 and 301; and

B) APPROVED

Budget Transfer of \$14,500 in the Road Impact Zone 5 Fund from Reserves to Hagen Ranch Road at West Atlantic Avenue.

SUMMARY: The County acquired fees simple title to Parcel 101 and a temporary construction easement on Parcel 301 for the improvement of the intersection of Hagen Ranch Road and West Atlantic Avenue by virtue of an Agreed Order of Taking entered May 1, 2002. The County previously deposited Sixty-Six Thousand, Two Hundred Dollars (\$66,200) into the Registry of the Court as its good faith estimate of value. A proposed settlement in the amount of Eighty-Eight Thousand, Six Hundred, Seventy-Seven Dollars (\$88,677) was reached subject to approval of the Board of County Commissioners. The County will receive a credit of Sixty-Six Thousand, Two Hundred Dollars (\$66,200) towards the full amount of the proposed settlement. The proposed settlement is broken down as follows: Eighty-Three Thousand, One Hundred Dollars (\$83,100) as compensation to the property owner for all damages of any type whatsoever; and Five Thousand, Five Hundred, Seventy-Seven Dollars (\$5,577) as attorneys fees. As such, the transfer of funds in the amount of Fourteen Thousand and Five Hundred Dollars (\$14,500), plus the funds within the current budget in the amount of Fourteen Thousand, Eight Hundred and Sixty-Eight Dollars (\$14,868), would allow for the conclusion of all matters relating to these Parcels with the exception of costs, which will be sent for independent review. District 5 (PM)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **APPROVED**
Staff recommends motion to approve: Contracts for services to homeless individuals with the following vendors for the period January 1, 2004 through December 31, 2004 for a total of \$442,418:

A) APPROVED R-2003-1951
Gulfstream Goodwill Industries, Inc. for supportive services in an amount not-to-exceed \$57,812;

B) APPROVED R-2003-1952
Gulfstream Goodwill Industries, Inc. for supportive housing in an amount not-to-exceed \$228,606;

C) APPROVED R-2003-1953
Oakwood Center of the Palm Beaches for supportive services in an amount not-to-exceed \$78,000;

D) APPROVED R-2003-1954
Comprehensive Alcoholism Rehabilitation Programs, (CARP) Inc. for supportive services in an amount not-to-exceed \$78,000.

SUMMARY: In 2002, HUD awarded the Division of Human Services a one year renewal grant to begin January 2004. The grant will continue funding 30 transitional housing beds and supportive services offered through Gulfstream Goodwill Industries, Inc. CARP and Oakwood Center provide staff for the Homeless Outreach Teams and related support services. Funds for these contracts are comprised of \$438,254 from HUD and \$4,164 in County match. (Human Services) Countywide (TKF)

2. **APPROVED R-2003-1955**
Staff recommends motion to ratify: the Chair's signature on Modification No. 001 to the FY 03-04 Community Services Block Grant (CSBG) application (R2003-1334; dated September 9, 2003 with the State of Florida Department of Community Affairs for the period October 1, 2003 through September 30, 2004. **SUMMARY:** The State of Florida Department of Community Affairs required agencies to resubmit their CSBG work plan and budget detail pages, amending them to reflect the new Results Oriented Management Accountability (ROMA) National Goals, Outcomes and Indicators. The FY 2003-2004 Community Services Block Grant consists of \$774,738 in Federal funds with a required match of \$154,948 (20%). No additional funds are required. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **ADOPTED** **R-2003-1956**
Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida adopting Minimum Standards for Commercial Aeronautical Activities for North Palm Beach County Airport; providing for severability; providing for an effective date. **SUMMARY:** The Department of Airports is requesting adoption of a resolution establishing Minimum Standards for Commercial Aeronautical Activities (Minimum Standards) for North Palm Beach County Airport, which provide the requirements to be met by entities desirous of engaging in commercial general aviation aeronautical activities and non-commercial self-service fueling. The Department of Airports held a public information meeting with existing North Palm Beach County Airport tenants, subtenants and prospective tenants to address any question or comments on the Minimum Standards. The Minimum Standards were well accepted. In addition, the FAA and the Aviation and Airports Advisory Board have reviewed the minimum Standards. Approval of the resolution will establish reasonable Minimum Standards that are relevant to the current aeronautical activity at north Palm Beach County Airport with the goal of protecting the level and quality of services offered to the public which shall apply uniformly to all on-airport aeronautical activities and services while promoting safety, maintaining a higher quality of service for airport users from unlicensed and unauthorized products and services, enhancing the availability of services for all airport users and promoting the orderly development of the airport land. Countywide (LMB)

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

A) **APPROVED** **R-2003-1957**
a Contract with Ranger Construction Industries, Inc., in the amount of \$5,828,872.30 for the Runway 9L-27R Partial Parallel Taxiway (Taxiway "L") Project at Palm Beach International Airport; and

B) **APPROVED**
Budget Amendment of \$5,337,500 in the Airports Improvement and Development Fund (Fund 4111) to recognize Federal Aviation Administration (FAA) and Florida Department of Transportation (FDOT) grants and to establish budget for the project totaling \$6,100,000, including contingency.

SUMMARY: This project was advertised utilizing the competitive bid process. On August 15, 2003 two (2) bids were received; of these two (2) bids, Ranger Construction Industries, Inc., was identified as the lowest responsible/responsive bidder in the amount of \$5,828,872.30. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 21.00%. Ranger Construction Industries, Inc., bid contained 22.33% DBE participation. Countywide (JCM)

3. **APPROVED** **R-2003-1958**
Staff recommends motion to approve: Amendment No. 5 to the Contract with The LPA Group, Incorporated, for Consulting/Professional Services, in the amount of \$648,804 for Palm Beach County Department of Airports. **SUMMARY:** On December 5, 2000, the County entered into a Consulting Agreement (R2000-1977) with The LPA Group Incorporated for General Airport Planning and Design. The agreement is for 2 years with 2 one-year options. On May 15, 2001, the County entered into Amendment No. 1 (R2001-0738) for additional services for year one. On December 18, 2001, the County entered into Amendment No. 2 (R2001-2179) for year two services. On June 18, 2002, the County entered into Amendment No. 3 (R2002-0952) for additional services. On February 4, 2003, the County entered into Amendment No. 4 (R2003-0167) for additional services. Amendment No. 5 contains the projects outlined in Exhibit "I" Scope of Services and Fees and exercises the second and final renewal option. The fee for this Amendment is \$648,804 and is partially reimbursable through State and Federal grants. Fee will be verified in accordance with FAA Advisory Circular 150/5100-14C. The DBE participation in this Amendment is 25%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. **APPROVED** **R-2003-1959**
Staff recommends motion to approve: a Reimbursable Agreement with the Federal Aviation Administration (FAA) in the amount of \$188,500 for the Relocation of Glide Slope (GS), Runway 9L at Palm Beach International Airport (PBI). **SUMMARY:** Upon approval of this Reimbursable Agreement by the BCC, the FAA will provide services such as: Civil Engineering Design Review, Electronics Engineering, Construction, Electronics Installation, Flight Inspection and Drafting as required by the Department of Airports for the Relocation of Glide Slope, Parallel Taxiway to Runway 9L project as requested by the FAA. The agreement is estimated to last two years. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **APPROVED** **R-2003-1960**
Staff recommends motion to approve: Supplement No.1 to Consultant Services Authorization (CSA) No. 19 to the Agreement (R99-567D) with Stephen Boruff, AIA Architects and Planners, Inc., to provide architectural/engineering services for East Wellington Fire Station in the amount of \$65,100. **SUMMARY:** This Authorization is to provide architectural and engineering services for permitting, design and construction phase services for the proposed 5,500 square foot, two-bay fire station to be located in the Village of Wellington on Pierson Road. Stephen Boruff Architects has an annual contract for professional services for fire stations, which provides for an overall M/WBE participation goal of 23.5%. The participation on this CSA is 17.9%. When added to the Consultant's participation to date under this Contract, the resulting M/WBE participation is 20.1%. This project will meet all applicable codes, laws and ordinances, including accessibility requirement of ADA. (Capital Improvements Division) District 6 (JM)

2. **APPROVED** **R-2003-1961**
Staff recommends motion to approve: an Interlocal Agreement with Florida Department of Health d/b/a AG Holley Hospital allowing for interoperable communications through the countywide and EMS common groups of the County's 800 MHz Radio System. **SUMMARY:** This interlocal agreement provides the conditions under which AG Holley Hospital can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the Hospital. The terms of the agreement are standard and have been offered to other hospitals and EMS providers with 800 MHz trunked radio capabilities. This agreement also contains state approved standard operating procedures specific to the use of the EMS common talk groups. There are no charges associated with this agreement. The Hospital is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The term of the agreement is for five (5) years with three (3), five (5) year renewals. The Agreement may be terminated by either party, with or without cause. (Electronic Services & Security) Countywide (ND)

3. **APPROVED** **R-2003-1962**
Staff recommends motion to approve: JOC Work Order No. 04-004 with H.A. Contracting, (R2001-0926) in the amount of \$157,623.27 for replacement of the emergency generator at the West County Administrative Building in Belle Glade. **SUMMARY:** The work consists of providing and installing a new 230KW emergency generator with a 1300 gallon diesel belly fuel tank, including a new concrete slab with piles, a new automatic transfer switch, a new electrical main breaker, a remote annunciator panel in the lobby, associated electrical work, and demo of the existing equipment. The M/WBE participation in this work order is 32.2% Overall, of which 32.2% is Black. When the participation for this work order is added to H.A.'s total participation from the original contract date of June 19, 2001, the resulting values are 20.3% Overall, of which 14.1% is Black, 0.4% is Hispanic, and 5.8% is Women. The contractual goals are 20% Overall and 10% Black. The construction duration for this work is 180 days. (FD&O Admin) District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **APPROVED** **R-2003-1963**
Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 4 to the Continuing Services Contract with Stephen Boruff, AIA (R2003-0525) for design and construction administration services for the renovation of the former Temple Judea in West Palm Beach for use as the new West Palm Beach Head Start, in the amount of \$58,900. **SUMMARY:** The scope of services provides for architectural and engineering services for the design, permitting, and construction administration for the remodeling of an existing 14,700 sq. ft. facility. The facility is located at 100 Chillingworth Drive in West Palm Beach. The construction cost estimate for this project is \$1,000,000. The SBE participation in this CSA is 44.14% and 42.14% for this contract Overall. The SBE Contract Goal is 15%. This project meets all applicable codes, laws and ordinance including accessibility requirement of ADA. (FD&O Admin) District 7 (JM)
5. **APPROVED** **R-2003-1964**
Staff recommends motion to approve: an Interlocal Agreement with the City of Coral Springs allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the conditions under which the City 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 City. The terms of the agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The City is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The term of the agreement is for five (5) years with three (3), five (5) year renewals. The Agreement may be terminated by either party, with or without cause. (Electronic Services & Security) Countywide (ND)
6. **APPROVED** **R-2003-1965**
Staff recommends motion to approve: a Sole Source Reimbursement Agreement with Aramark Sports and Entertainment Services, Inc., in an amount not-to-exceed \$1,095,115.91 which includes \$595,115.91 for the purchase of small wares for the Convention Center and an allowance of \$500,000 for creation of additional concession areas and improvements to existing concession areas. **SUMMARY:** This Agreement with Aramark sets forth the limits and procedures for reimbursement by the County to Aramark. During CVB's negotiation of a contract with Aramark (who was selected as result of a competitive process) for food and beverage services, it was determined to be beneficial to the CVB to have Aramark purchase and own the small wares required for the food and beverage operation. The benefits are; 1) elimination of administrative responsibility for asset control, 2) reduction in costs as a result of Aramark's buying power, and 3) single point of responsibility for coordination with food and beverage operations. The CVB contract identifies the specific small wares to be purchased and requires that all items purchased only be used at the Convention Center. In the event of a termination of the contract either for default or expiration of term; title and possession of all passes to the County. This Agreement reimburses Aramark for such small wares expenditures in an amount not-to-exceed \$595,115.91. In addition, the CVB's contract with Aramark provides for the allocation of up to \$500,000 for the creation of additional, and improvement to the existing, concession areas. The Agreement also provides for reimbursement of Aramark for such improvements in the event that such improvements are undertaken by Aramark directly. The term of the Agreement is June 1, 2004 or at such time that all funds have been exhausted. (FDO Admin) Countywide/District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. **APPROVED** **R-2003-1966**

Staff recommends motion to approve: Change Order No.106 in the amount of \$228,011 to the Contract with Clark Construction Group, Inc (R2001-0699) for the Palm Beach County Convention Center. **SUMMARY:** On May 1, 2001, the Board entered into a contract with Clark Construction Group, Inc. in the amount of \$55,917,000 for the construction of the Palm Beach County Convention Center. Upon energizing the Exhibit Hall lights, it was discovered that although the lighting levels met code requirements, they did not meet the criteria proposed by the design consultant during building programming. Consequently, additional lighting fixtures will need to be added. The Architect and Lighting Consultant have acknowledged that this change is a result of a design error. The change order is being issued unilaterally as Clark would not agree to a no time extension clause, despite the inclusion of premium time in the cost of the change order. Approval of this change order will allow Clark and its subcontractor performing the work to be paid. The M/WBE minority participation associated with this change order is 0%. With this change, overall minority participation is 29.1% with a 5.79% black participation. The contract goal is 15% overall with 6% black participation. The Facilities Management Construction Committee reviewed and concurred with staff's recommendation for approval. (Capital Improvements Division) Countywide (JM)

8. **APPROVED** **R-2003-1967**

Staff recommends motion to approve: an Agreement for Donation of Land with Callery-Judge Grove, L.P. for the donation of approximately 12 acres of real property on the west side of Seminole Pratt Whitney Road across from Groves Market Shopping Center for the development of a fire station, PBSO Level 2 substation, and library. **SUMMARY:** The master plans for fire-rescue services, law enforcement facilities and libraries all identified the need for facilities in the western Acreage/Loxahatchee areas. Individual sites had been secured for each facility but it was determined that the co-location of all three facilities on the same campus would reduce the site development costs, long term maintenance costs and provide a visible presence for these government services. While each facility had generally the same service area, each had different site requirements. The Callery-Judge site provided unique opportunities to meet these site requirements. Callery-Judge is agreeing to donate approximately 12 acres of real property for this purpose. The Agreement requires the County to secure all land development approvals and close on the transaction prior to December 1, 2004 and then to commence construction within 18 months of closing or the property will revert to Callery-Judge. After commencement of construction, the use of the property is deed restricted to government use only. The master schedule for development of the three facilities identifies a construction start date in December of 2004 with occupancy of all three facilities anticipated for February 2006. (PREM) District 6 (HF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **APPROVED** **R-2003-1968**

Staff recommends motion to approve: an Agreement with the Town of Jupiter for the provision of traffic calming measures in the Pines Gardens South neighborhood in the amount of \$85,289 in Community Development Block Grant (CDBG) funds for the period of December 2, 2003, through September 30, 2004. **SUMMARY:** The traffic calming measures undertaken in conjunction with this project include the installation of traffic circles, pedestrian crossings, and traffic humps in the Pines Gardens South neighborhood in the Town of Jupiter. The design for the traffic calming measures for this neighborhood has been completed, and the work is being implemented in phases. This represents the third phase of work in connection with this project. **This agreement will provide \$85,289 in Federal CDBG funds which do not require local matching funds.** District 1 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **APPROVED** **R-2003-1969**

Staff recommends motion to approve: a two-year Unit Price Contract with Lanzo Lining Services, Inc. for reconstruction of sanitary sewer lines (Cured-In-Place Liner) in a cumulative amount not-to-exceed \$275,925. **SUMMARY:** On September 24, 2003, two (2) construction bids were received for this work, with Lanzo Lining Services, Inc. being the low bidder in the amount of \$275,925. This contract provides for rehabilitation of wastewater pipelines utilizing the cured-in-place lining method. These services are utilized on an as-needed basis when pipeline repairs are required. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This contract with Lanzo Lining Services, Inc. provides for SBE participation of 15.60% overall. (WUD Project No. 03-179B) District 2,3,5 and 6 (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **APPROVED** **R-2003-1970 THROUGH R-2003-1971**

Staff recommends motion to approve: Two (2) Agreements for Purchase and Sale involving two (2) parcels (2.30 acres) of land in Unit 11 to be purchased using mitigation funds. The cost of purchasing the property is \$16,532 (land cost), plus \$805 (closing and miscellaneous costs), for a total of \$17,337. **SUMMARY:** The Agreements presented in this item are for one (1) parcel in Zone 5 and one (1) parcel in Zone 8 and are at a purchase price which is twenty-five (25) percent above the average of recent appraisal values obtained by the County. If these, and other pending Agreements for Purchase and Sale are successfully closed, the County will have acquired, through purchase, tax deed, donation, settlement agreement, and eminent domain, a total of 1,523.16 acres. District 1 (HJ)

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

A) APPROVED R-2003-1972

Grant Contract (Contract) with Florida Communities Trust (FCT) that specifies the State standards for acquisition which the County must meet in order to receive Florida Forever Revenue Bond proceeds partially covering acquisition expenses for the properties comprising the Cypress Creek Natural Area, and that also requires the County to manage the Natural Area only for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation, the maximum amount of which grant award is the lesser of 50% of the total project costs or \$2,459,275; and

B) APPROVED

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

SUMMARY: The purchase of Cypress Creek Natural Area (R2002-0850 and R2002-2195) is part of the County's Conservation Lands Acquisition Program. Approval of this Contract is the first step necessary for State participation in cost sharing under the State's Florida Forever Grant Program. The Contract requires the County to follow standards for acquisition that are generally the same as those adhered to by the County for all of its conservation land acquisitions; to submit to an audit; and to develop a Project Plan, including a management plan that will outline facility development, public use and both natural and historic resources management including a professional survey of the historic resources on the site. Approval of the Project Plan by FCT is required before funds will be disbursed. If the Project Plan is approved within the time allotted by the Contract, the County will be asked to execute an Agreement and a Calculation. The Agreement will contain those terms and conditions of the Contract still applicable and the Calculation will detail the final approved acquisition costs and the share of those costs paid by the County and State, respectively. Due to the standard nature of Contract requirements and short turn-around allotted for Agreement and Calculation processing, authorization is requested for the County Administrator or his designee to execute all and any future documents in association with this grant. District 1 (HJ)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **APPROVED** **R-2003-1973**
Staff recommends motion to approve: Interlocal Agreement with the School Board of Palm Beach County for the mutual use of recreational facilities. **SUMMARY:** This Agreement enables the School Board of Palm Beach County and Palm Beach County Parks and Recreation Department to utilize each other's recreational facilities at no cost. It provides a more user friendly procedure for requesting and authorizing the use of one another's recreational facilities and establishes the requirements for use by County-affiliated recreation organizations. The Agreement automatically renews on an annual basis but may be canceled with 30 days advance written notification by either party. The School Board approved the Agreement at its October 15, 2003, meeting. Countywide (LB)
2. **APPROVED** **R-2003-1974**
Staff recommends motion to approve: Agreement with Special Olympics Florida, Inc., allowing the sale of naming rights for the Therapeutic Recreation Complex and its associated facilities at John Prince Park. **SUMMARY:** On January 8, 2002, the BCC approved in concept the use of naming rights as part of the fund raising efforts for these new facilities. Special Olympics and the County have undertaken an aggressive program to raise funds for the County to construct a gymnasium and athletic center in John Prince Park. This agreement provides Special Olympics the opportunity to sell naming rights for these facilities and requires Special Olympics to raise a minimum of one million dollars through naming rights within a two (2) year period. Countywide (ND)
3. **APPROVED** **R-2003-1975**
Staff recommends motion to approve: Agreement with Best of the Rest Stars, Inc., in an amount not-to-exceed \$10,000, for Youth Fest 2003, for the period December 2, 2003, through March 1, 2004. **SUMMARY:** This funding is to help offset costs previously incurred by Best of the Rest Stars, Inc. for Youth Fest 2003, which was held on October 11, 2003, at Palm Beach Community College - Lake Worth Campus gymnasium. Expenses eligible for reimbursement include t-shirts, booklets, advertising, telephone and postage, prizes, sports bags, lunch, photography, awards, appreciation plaques, motivational clinic costs, and consultant and Youth Fest Director fees. The Agreement allows for the reimbursement of expenses subsequent to April 1, 2003. Funding is from the Recreation Assistance Program (RAP). District 7 (ND)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. **APPROVED** **R-2003-1976**
Staff recommends motion to approve: the Grant Agreement with Reece Farms, Inc (a Florida Corporation) located in West Palm Beach, Florida, in the amount of \$4,073.06 from Agricultural Economic Development Program funds for capital improvements which will create an additional job for this established hydroponic herb farm. **SUMMARY:** On September 24, 2003, the Palm Beach County Agricultural Enhancement Council approved staff recommendation for a grant to Reece Farm, Inc. This grant will require creating one full-time job. The effective date of the grant is the date the agreement is approved and the term of the grant is 24 months. Countywide (AH)

W. PUBLIC INFORMATION

1. **APPROVED** **R-2003-1977**
REVISED TITLE & SUMMARY: The Second Amendment to extend the Agreement (R2000-1522) with Wireless Broadband Services of Fort Pierce, a wholly owned subsidiary of Sprint Communications, Inc., for the relocation of Channel 20's transmitting facility to the new County tower on State Road 80 ~~to October~~ until April 1, 2004 or until 90 days after authorization of the relocation modification application by the Federal Communications Commission ("FCC"), whichever comes later. **SUMMARY:** ~~Due to the changes in the schedule of construction and facility installation at the County's new Communications tower at 20 State Road 80 both the County and Sprint wish to extend the Agreement for Sprint to relocate Channel 20's transmitters to the County's new site for one-year to October 2004. The extension of the contract will allow~~ Relocation of Channel 20's transmitting facility cannot occur until the relocation modification application is approved by the FCC. The application is currently before the FCC, and a decision is expected soon. The second amendment provides additional time for FCC authorization, re-engineering and relocation of Channel 20's the transmitting equipment facility. Countywide (MJ) (Pub Affrs)

X. PUBLIC SAFETY

1. **Staff recommends motion to:**

A) **ADOPTED** **R-2003-1978**
adopt a Resolution authorizing the County Administrator to sign and forward to the Florida Department of Health, Bureau of Emergency Medical Services, the FY 2004 annual EMS County Grant Application and County Distribution Agreement for \$470,960.30;

B) **AUTHORIZED**
authorize the County Administrator to sign state budget transfer forms related to the grant;

and

C) **APPROVED**
approve Budget Amendment of \$39,531 in EMS Grant Fund (1425) to adjust budget to actual grant award; and

D) **APPROVED**
approve Downward Budget Amendment of \$1,437 in the Fire-Rescue Fund (1300) to adjust budget to actual grant award.

SUMMARY: This is an annual grant provided to the County from the State of Florida Department of Health, Bureau of Emergency Medical Services, to improve and expand the EMS system. The funds are distributed as reimbursement to the EMS providers and will also fund the Palm Beach County Medical Communications System. The EMS County Grant Award Program begins October 1, 2003 and concludes September 30, 2004. No county match is required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. COURT ADMINISTRATION

1. **APPROVED** **R-2003-1979**
Staff recommends motion to ratify: the Chair's signature on an agreement with the Children's Services Council of Palm Beach County for the Guardian Ad Litem Pilot Model Division Program in the amount of \$140,256 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** The Children's Services Council of Palm Beach County (CSC) has provided a Pilot Model Division grant in the amount of \$140,256 for the Guardian Ad Litem (GAL) Program. This is the third year the CSC has provided this grant to the Guardian Ad Litem program. This grant partially funds the cost of a part-time 20 hour Staff Attorney, a Case Coordinator, a Volunteer Coordinator, and a Secretary. The grant does not require a match; however, overmatch of \$9,523 is provided by the County in order to fully fund the above positions and associated operating expenditures. This grant overmatch is included in the 15th Judicial Circuit's approved FY2004 operating budget. The grant period begins on October 1, 2003 and ends on September 30, 2004. Grant funded positions will be deleted upon termination of grant funding. Countywide (TKF)

2. **APPROVED** **R-2003-1980**
Staff recommends motion to ratify: the Chair's signature on Amendment No. 001 to the Florida Department of Children and Families (DCF) Contract (R2003-1268) in the amount of \$32,868 for the period July 1, 2003 through June 30, 2004 for supervised family visitation services in the Family Connection Program. **SUMMARY:** DCF contracted with Palm Beach County to provide funding for the 15th Judicial Circuit's Family Connection Program to provide supervised visitation, therapeutic supervised visitation and monitored exchange for families in order to insure a safe environment for the visit or exchange to take place. Pursuant to Amendment No. 001, Child and Family Connection, Inc. will be assuming all financial and legal obligations previously held by DCF under the terms of the original contract. There is no fiscal impact associated with this amendment. Countywide (TKF)

CC. SHERIFF

1. **Staff recommends motion to:**

A) **APPROVED** **R-2003-1981**
receive and file the Florida Department of Transportation Contract in the amount of \$153,426 for the PBSO's Bicycle and Traffic Safety Education Program for the period of October 7, 2003 through September 30, 2004; and

B) **APPROVED**
approve Budget Amendment of \$153,426 in the Sheriff's Grants Fund (1152).

SUMMARY: The Florida Department of Transportation has awarded the Palm Beach County Sheriff's Office (PBSO) the Bicycle Safety Education Program contract. This Bicycle Safety Education contract will be used to continue funding for two positions that teach Bicycle and Traffic Safety Education in the elementary and middle schools in Palm Beach County. These positions will continue to coordinate services with the PBSO Bike Unit. There is a 50% match required for the salary and benefits funded under the grant in the amount of \$49,758 for FY 2004. The 50% match is being provided via personal services included in the Sheriff's Office approved FY 2004 budget. Countywide. (DW)

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

A. PRESENTED
Certificates saluting the Glades Central High School Football Team as "2003 Muck Bowl Champions." (Sponsored by Commissioner Masilotti)

B. PRESENTED
Proclamation declaring Tuesday December 2, 2003 as "RAM Day" in Palm Beach County. (Sponsored by Commissioner Greene)

C. PRESENTED
Proclamation declaring Wednesday December 17, 2003 as "Animal Rights Day" in Palm Beach County. (Sponsored by Commissioner Marcus)

D. PRESENTED
ADD-ON: Proclamation recognizing the 50th Anniversary of St. Catherine Greek Orthodox Church. (Sponsored by Commissioner Koons)

5. REGULAR AGENDA

A. ADMINISTRATION

- 1. Convention Center update

REVISED TITLE & SUMMARY:

TIME CERTAIN 11:00 A.M.

Staff recommends approval:

- 2. APPROVED

A) of proposed \$10 million dollar repayment schedule (over a five (5) year period at \$2 Million per year) of advance funds to Florida Atlantic University (FAU) for the temporary location of Scripps temporary facility at the Jupiter campus; and

- B) APPROVED

to negotiate a Contract with FAU on the funding, repayment, usage of the facility and the ultimate disposal of the property.

SUMMARY: On November 18, 2003 the Board of County Commissioners considered and approved in concept a proposal to provide advanced funding of \$12 to Florida Atlantic University to build 40,000 square feet of office/lab space for temporary use by Scripps. FAU proposed to repay the County \$7.5 Million over a two-year period beginning in FY 06 in two (2) equal installments of \$3.75 Million. At the BCC meeting, FAU was informed by the Board that a repayment of \$10 Million will be required. FAU is proposing to repay \$10 Million over a five (5) year period at \$2 Million per year beginning August 2004. This proposal provides for a longer term payment period but would allow the County to begin receiving payments two (2) years earlier than the prior proposal (FY 04 and FY 05). The new proposal will result in a reduction of approximately \$200,000 in interest payments. The FAU's Board of Trustees has agreed to the latest proposal. If this payment schedule is acceptable to the BCC, staff will begin to negotiate a contract with FAU. Countywide (DN)

TIME CERTAIN 2:05 P.M.

- 3. Staff requests direction regarding: The Convention Center Hotel.

B. COUNTY ATTORNEY

- 1. ADOPTED R-2003-1982

Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R88-1375, as amended by Resolution Nos. R93-871, R94-1452, R95-178, R95-704, R96-198, R97-604, R99-341, R2000-1218, R2001-0421, R2002-1463, and R2003-0232, which set forth the County Investment Policy, further amending the Investment Policy provisions relating to the County's portfolio performance measurement, and providing an effective date. SUMMARY: This amending resolution changes the measure for the County's entire portfolio performance to the yield of the 2-Year Constant Maturity Treasury (CMT) as an index. As part of this change, the investment portfolio's aggregate yield will be compared against the yield of the rolling 12-month moving average of the index. Countywide (PFK)

5. REGULAR AGENDA

C. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. **ADOPTED** **R-2003-1983**

Staff recommends motion to adopt a Resolution supplementing Resolution No. R2001-1961, as amended by Resolution Nos. R2001-2064 and R2002-1866, and authorizing the issuance of Public Improvement Revenue and Refunding Bonds in one or more series in the initial aggregate principal amount of not exceeding \$100,000,000 for the purpose of financing the costs of a) acquiring, constructing and installing various capital projects as herein described and all costs necessary or incidental thereto, b) current refunding Revenue Refunding Bond Anticipation Notes (Light Industrial Complex Projects), Series 2002 and c) current refunding Airport Centre Revenue Bonds, Series 1992; providing for the terms and payment of such bonds; providing for the rights, security and remedies of the holders thereof, making certain covenants and agreements in connection therewith; providing for the undertaking by the County required by Rule 15c2-12 of the Securities and Exchange Commission; providing for certain other matters in connection therewith; and providing for an effective date. **SUMMARY:** On October 22, 2002, the Board approved a resolution authorizing the issuance of \$7,692,586 Revenue Refunding Bond Anticipation Notes (Light Industrial Complex Project). The Board initially issued a bond anticipation note on November 20, 2001 to provide interim financing for the costs of acquiring land and constructing and equipping a light industrial complex. The proceeds from the above bond issue will pay off the bond anticipation note, refund the outstanding Airport Centre Bonds and provide the financing for the Vista Center expansion and improvements, the South County Courthouse improvements and the restoration of the 1916 Old Courthouse. In order to time the issuance of the bonds with the award of the construction contracts, we expect the bonds will be issued in late January, 2004. Countywide (PK)

2. **APPROVED**

REVISED MOTION: Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 16, 2003, at 9:30 a.m.: An Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Article 10 of the Unified Land Development Code of Palm Beach County as adopted by Ordinance 92-20 as amended, and adopting in its place a new Article 13, impact fees; Article 13 – impact fees; Chapter A – general; Chapter B-County district, regional, and beach parks impact fee; Chapter C – fire-rescue impact fee; Chapter D - library impact fee; Chapter E - law enforcement impact fee; Chapter F-public buildings impact fee; Chapter G - school impact fee; Chapter H-road impact fees; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Unified Land Development Code; providing for a savings clause; and providing for an effective date. ~~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 13.b County district regional and beach parks impact fees; amending Section 13.c fire rescue impact fees; amending Section 13.d library impact fees; amending Section 13.e law enforcement impact fees; amending Section 13.f public buildings impact fees; amending Section 13.g school impact fees; amending Section 13.h 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.~~ (OFMB)

5. REGULAR AGENDA

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. APPROVED

Staff recommends motion to receive and file: a Report on the Status of the Environmentally Sensitive Lands Acquisition Program. **SUMMARY:** The Board made a request for a status report on the environmentally sensitive lands (ESL) acquisition program at its meeting on October 7, 2003. The request asked for information on the targeted sites, what had been purchased, what properties remained, how much money was available to spend, and what was the strategy for spending the remaining ESL funds. The report submitted with this item is a series of tables that answer those questions. The tables indicate that 13 of the 15 high priority sites from the 1991 Environmentally Sensitive Lands Referendum have been completely or partially acquired by the County. Furthermore, 12 additional sites have been completely or partially acquired by the County from the 1999 Land Acquisition Program for Conservation Purposes. These ESL natural areas total 26,870 acres acquired. At the time of purchase, these acquired ESL sites were valued at approximately \$222,976,073 and the County has spent approximately \$132,721,355 for these properties. The cost differential has been made up from owner discounts, mitigation funds, other agency or municipal funds, and approximately \$45,734,999 in cost-sharing grants that have been received from the State. An additional \$13,763,157 in cost-sharing grants from the State are pending the completion of the grant documents required to release the funds to the County. Approximately \$21,924,240 should be available for continued ESL acquisitions when all pending grant funds have been received. Several properties, as in-fill and additions to existing Natural Areas, remain to be acquired, as do connector pieces between the larger natural areas. Twenty (20) ecosites remain available for acquisition from the lists of targeted sites. Countywide (HJ)

E. FACILITIES DEVELOPMENT & OPERATIONS

2. DELETED

Staff requests direction: Regarding a request from the United Way to plan for the co-location of a United Way administrative office and conference center into the County's Mid County Community Services Campus on Lake Worth Road. **SUMMARY:** In February 2003, the United Way first contacted the County with regard to the possible donation of land at the County's proposed Mid County Community Services Campus for the construction of an administrative office and conference center. United Way believes that this would assist in the revitalization of the Lake Worth Road corridor and enhance economic opportunities. At the time, Staff reported that there was sufficient space for such a facility, but the operational and logistical impacts, if any, would not be known until the planning phase of the project was concluded. Staff proceeded with the planning and site design with and without an office building/conference center for United Way. As such, direction is required with regard to incorporating the office conference center into the campus so that the project can proceed into the design phase. In addition, United Way has sent additional correspondence regarding the potential terms of a long term lease of the land if the BCC were to consider this co-location. The items that the BCC should consider, and United Way's questions regarding terms, are addressed individually in this Board Item. (FDO Admin) Countywide (HF)

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

1. **APPROVED**

ADD-ON: Staff recommends motion to approve: appointment of one (1) member to the Committee on Fire-Rescue Level of Service for a specific term from December 2, 2003 until June 1, 2004 to replace Armand Nault the Interim representative for the EMS Advisory Council.

<u>Nominee</u>	<u>Category</u>	<u>Nominated by:</u>	<u>Seat</u>
Darrel Donatto	EMS Advisory Board	EMS Advisory Council	9

SUMMARY: Palm Beach County Resolution No. R2003-1838 established the Committee on Fire-Rescue Level of Service. The nine members were approved at the November 4, 2003 meeting and serve a specific term from November 4, 2003 until June 1, 2004, at which time the Committee will sunset. The Committee serves in an advisory capacity to the Board of County Commissioners and shall report to the Board on January 27, 2004. Countywide (SB)

B.

1. MOVED FROM 6A-1: **COMMISSION DISTRICT APPOINTMENTS**

DECEMBER 2, 2003

7. MATTERS BY PUBLIC - 2:00 P.M.

* * * * *

DECEMBER 2, 2003

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 2, 2003

9. COMMISSIONER COMMENTS

A. District 1 - KAREN T. MARCUS, CHAIR

B. District 2 - COMMISSIONER JEFF KOONS

C. District 3 - COMMISSIONER WARREN H. NEWELL

D. District 4 - COMMISSIONER MARY MCCARTY

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - TONY MASILOTTI, VICE-CHAIRMAN

G. District 7 - COMMISSIONER ADDIE L. GREENE

10. ADJOURNMENT

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

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 2, 2003

PAGE **ITEM**
7 3C-3

DELETED:

- A)** an Agreement for Acquisition with Schickendanz Capital Group, L.L.C. (Developer), for the acquisition of right-of-way as needed for Island Way from Indiantown Road to the County Line, known as the North Fork Parcel; and
- B)** Budget Amendment of \$3,000 in the Road Impact Fee Zone 1 Fund to recognize a Developer contribution for acquisition of Island Way – North Fork Parcel. (Eng) (Further staff review/moved to 12/16/03)

17 3W-1

REVISED TITLE & SUMMARY: The Second Amendment to extend the Agreement (R2000 -1522) with Wireless Broadband Services of Fort Pierce, a wholly owned subsidiary of Sprint Communications, Inc., for the relocation of Channel 20's transmitting facility to the new County tower on State Road 80 ~~to October~~ until April 1, 2004 or until 90 days after authorization of the relocation modification application by the Federal Communications Commission ("FCC"), whichever comes later. **SUMMARY:** ~~Due to the changes in the schedule of construction and facility installation at the County's new Communications tower at 20 State Road 80 both the County and Sprint wish to extend the Agreement for Sprint to relocate Channel 20's transmitters to the County's new site for one-year to October 2004. The extension of the contract will allow~~ Relocation of Channel 20's transmitting facility cannot occur until the relocation modification application is approved by the FCC. The application is currently before the FCC, and a decision is expected soon. The second amendment provides additional time for FCC authorization, re-engineering and relocation of Channel 20's the transmitting equipment facility. Countywide (MJ) (Pub Affrs)

19 4D

ADD-ON: Proclamation recognizing the 50th Anniversary of St. Catherine Greek Orthodox Church. (Sponsored by Commissioner Koons)

20 5A-2 **

REVISED TITLE & SUMMARY:

TIME CERTAIN 11:00 A.M.
Staff recommends approval:

A) of proposed \$10 million dollar repayment schedule (over a five (5) year period at \$2 Million per year) of advance funds to Florida Atlantic University (FAU) for the temporary location of Scripps temporary facility at the Jupiter campus; and

B) to negotiate a Contract with FAU on the funding, repayment, usage of the facility and the ultimate disposal of the property.

SUMMARY: On November 18, 2003 the Board of County Commissioners considered and approved in concept a proposal to provide advanced funding of \$12 to Florida Atlantic University to build 40,000 square feet of office/lab space for temporary use by Scripps. FAU proposed to repay the County \$7.5 Million over a two-year period beginning in FY 06 in two (2) equal installments of \$3.75 Million. At the BCC meeting, FAU was informed by the Board that a repayment of \$10 Million will be required. FAU is proposing to repay \$10 Million over a five (5) year period at \$2 Million per year beginning August 2004. This proposal provides for a longer term payment period but would allow the County to begin receiving payments two (2) years earlier than the prior proposal (FY 04 and FY 05). The new proposal will result in a reduction of approximately \$200,000 in interest payments. The FAU's Board of Trustees has agreed to the latest proposal. If this payment schedule is acceptable to the BCC, staff will begin to negotiate a contract with FAU. Countywide (DN)

22 5C-2 **REVISED MOTION:** Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 16, 2003, at 9:30 a.m.: An Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Article 10 of the Unified Land Development Code of Palm Beach County as adopted by Ordinance 92-20 as amended, and adopting in its place a new Article 13, impact fees; Article 13 – impact fees; Chapter A – general; Chapter B-County district, regional, and beach parks impact fee; Chapter C – fire-rescue impact fee; Chapter D - library impact fee; Chapter E - law enforcement impact fee; Chapter F-public buildings impact fee; Chapter G - school impact fee; Chapter H-road impact fees; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Unified Land Development Code; providing for a savings clause; and providing for an effective date. ~~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 13.b County district regional and beach parks impact fees; amending Section 13.c fire rescue impact fees; amending Section 13.d library impact fees; amending Section 13.e law enforcement impact fees; amending Section 13.f public buildings impact fees; amending Section 13.g school impact fees; amending Section 13.h 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.~~ (OFMB)

23 5E-1 **DELETED:** Staff requests direction: Regarding a request from the United Way to plan for the co-location of a United Way administrative office and conference center into the County’s Mid County Community Services Campus on Lake Worth Road. (FD&O)

24 6A-1 **ADD-ON:** Staff recommends motion to approve: appointment of one (1) member to the Committee on Fire-Rescue Level of Service for a specific term from December 2, 2003 until June 1, 2004 to replace Armand Nault the Interim representative for the EMS Advisory Council.

<u>Nominee</u>	<u>Category</u>	<u>Nominated by:</u>	<u>Seat</u>
Darrel Donatto	EMS Advisory Board	EMS Advisory Council	9

SUMMARY: Palm Beach County Resolution No. R2003-1838 established the Committee on Fire-Rescue Level of Service. The nine members were approved at the November 4, 2003 meeting and serve a specific term from November 4, 2003 until June 1, 2004, at which time the Committee will sunset. The Committee serves in an advisory capacity to the Board of County Commissioners and shall report to the Board on January 27, 2004. Countywide (SB)

24 6B-1 **MOVED FROM 6A-1: COMMISSION DISTRICT APPOINTMENTS**

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 (*).