

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

**DECEMBER 16, 2003**

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

**COMMISSION  
CHAMBERS**

**DENISE CARMONA  
DEPUTY CLERK**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  
- 3. CONSENT AGENDA (Page 6 - 29)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 30 - 32)**
  
- 5. REGULAR AGENDA (Page 33-39)**  
**TIME CERTAIN 11:00 A.M. (CJC Annual Report) (Page 34)**  
**TIME CERTAIN 2:00 P.M. (City of Riviera Beach) (McEaddy) (Page 33)**
  
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**REGULAR AGENDA**

**ADMINISTRATION**

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  - 5A-1 Joint Meeting with the City of Riviera Beach (McEaddy) **TIME CERTAIN 2:00 P.M.**
  - 5A-2 **ADD-ON:**

**COUNTY ATTORNEY**

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  - 5B-1 Heritage at Green Cay Apartments project Housing Revenue Bonds
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**3. CONSENT AGENDA APPROVAL**

**A. ADMINISTRATION**

1. **APPROVED** **A) R-2003-1997 -B) R-2003-1998**  
**Staff recommends motion to receive and file:** Standard Agreements with **A)** Diana L. Alexander-Burke D.V.M. and **B)** Robert Smith, D.V.M. for veterinary services for the period October 1, 2003 through September 30, 2004 in an amount not-to-exceed \$10,000 for the Public Safety Department. Countywide

2. **APPROVED**  
**Staff recommends motion to receive and file:** Four (4) executed Standard Development Agreements and three (3) Standard Development Renewal Agreements for the Water Utilities Department.

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**Standard Development Agreements**

**A) APPROVED R-2003-1999**  
OK Ventures, LLC & Stuart Ledis 01-01123-000

**B) APPROVED R-2003-2000**  
Marvin U. Mounts, Jr. & June Mounts McDonald 01-01124-000

**C) APPROVED R-2003-2001**  
David E. Bumgardner 01-01125-000

**D) APPROVED R-2003-2002**  
In The Pines, Inc. 09-01042-000

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**Standard Development Renewal Agreements**

**E) APPROVED R-2003-2003**  
Home Devco/Tivoli, LLC 05-00106-R01

**F) APPROVED R-2003-2004**  
Palm Beach Motor Cars Limited, Inc. 01-00656-R02

**G) APPROVED R-2003-2005**  
Altec Industries, Inc. 01-00655-R00

3. **Staff recommends motion to receive and file:** Nine (9) original contracts/agreements/grants for the Department of Airports.

**A) APPROVED R-2003-2006**  
Palm Beach County Glades Airport Hangar Lease Agreement for Hangar No. 4, signed by Barry Ruzek and dated November 7, 2003;

**B) APPROVED R-2003-2007**  
North County Hangar Lease Agreement for Hangar 11230-6, signed by Larry Knauer and dated November 1, 2003;

**C) APPROVED R-2003-2008**  
North County Hangar Lease Agreement for Hangar 11220-14, signed by Robert C. Nevins and dated September 1, 2003;

**D) APPROVED R-2003-2009**  
North County Hangar Lease Agreement for Hangar 11220-5, signed by Jack Reisel and dated September 1, 2003;

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

**A. ADMINISTRATION Cont'd**

**E) APPROVED R-2003-2010**  
North County Hangar Lease Agreement for Hangar 11350-20, signed by Sherman Aircraft

Sales and dated December 1, 2003;

**F) APPROVED R-2003-2011**  
North County Hangar Lease Agreement for Hangar 11230-11, signed by Edward Sasso and dated December 1, 2003;

**G) APPROVED R-2003-2012**  
North County Hangar Lease Agreement for Hangar 11220-7, signed by Richard Bromley and dated November 1, 2003;

**H) APPROVED R-2003-2013**  
North County Hangar Lease Agreement for Hangar 11750-6, signed by Paul Robinson and dated December 1, 2003; and

**I) APPROVED R-2003-2014**  
North County Hangar Lease Agreement for Hangar 11740-19, signed by DBL, Inc., and dated November 21, 2003.

4. **Staff recommends motion to receive and file:** Two (2) executed Standard Development Agreements for the Water Utilities Department.

**Standard Development Agreements**

**A) APPROVED R-2003-2015**  
Golden Shoppes, LLC 01-01120-000

**B) APPROVED R-2003-2016**  
The King's Academy 01-01126-000

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

**A. ADMINISTRATION Cont'd**

5. **APPROVED**  
**Staff recommends motion to approve:** Countywide Community Revitalization Team (CCRT) funding allocations for Fiscal Year 2004;

- A) APPROVED**  
Westgate/Belvedere Homes CRA - Funding toward the design and development of a neighborhood park (\$50,000);
- B) APPROVED**  
Gun Club Estates - Funding toward the design and construction of a neighborhood park (\$50,000);
- C) APPROVED**  
Westgate/Belvedere Homes CRA - Funding toward the design and construction of sewer improvements (\$100,000);
- D) APPROVED**  
Summit Blvd and Kirk Rd. - Funding toward the design and construction of water improvements (\$65,906);
- E) APPROVED**  
Lake Worth Road Corridor - Funding toward the design and construction of water improvements on Penn Grove Street (\$32,000);
- F) APPROVED**  
Lake Worth Road Corridor - Funding toward the acquisition and development of a Neighborhood/Family Resource Center (\$50,000);
- G) APPROVED**  
Lake Worth Road Corridor - Funding toward the construction of sewer improvements and repaving of ROW on Elizabeth Street (\$98,795);
- H) APPROVED**  
Lake Worth Road Corridor - Funding toward the design and construction of water improvements on Serafica Road, 32nd Drive South, 49th Lane South, McSherry Drive, Prince Drive, Canada Court (\$374,011);
- I) APPROVED**  
Congress Ave. and Summit Blvd. - Funding toward the design and construction of water improvements on Oklahoma Street (\$21,991);
- J) APPROVED**  
Congress Ave. and Summit Blvd. - Funding toward the design and construction of water improvements on Jackson and Henning Drives (\$59,061);
- K) APPROVED**  
Congress Ave. and Summit Blvd. - Funding toward the design and construction of water improvements on Circle Drive (\$39,361);
- L) APPROVED**  
Congress Ave. and Summit Blvd. - Funding toward the design and construction of water improvements on Bermuda Drive (\$50,778);
- M) APPROVED**  
Congress Ave. and Summit Blvd. - Funding toward the design and construction of sewer improvements on Congress Avenue (\$227,050);

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

**A. ADMINISTRATION Cont'd**

- N) APPROVED**  
Seminole Manor - Funding toward the design and development of a neighborhood park (\$200,000);
- O) APPROVED**  
Kenwood Estates - Funding toward the design of paving and drainage improvements on



Cambridge and Clinton Streets (\$40,000);

**P) APPROVED**

Okeechobee Center - Funding toward the design and development of a neighborhood park (\$50,000);

**Q) APPROVED**

Canal Point- Funding toward design and construction of a Centralized Gravity Sewer System (\$250,000);

**R) APPROVED**

Royal Palm Estates - Funding toward the construction of paving and drainage improvements on Marguerita Drive, Ethelyn Drive, Marie Drive, Neva Drive, West Trail Drive, and Tropical Avenue (\$668,409);

**S) APPROVED**

All Areas - Neighborhood Partnership Grant (NPG) Program (\$225,000);

**T) APPROVED**

All Areas - Business Frontage Improvement Grant Program (\$100,000);

**U) APPROVED**

All Areas - Home Beautification Improvement Grant Program (\$75,000);

**V) APPROVED**

All Areas - Start-up Projects for New Focus Areas (\$62,638);

**W) APPROVED**

All Areas - Residents Education to Action Program (\$10,000).

**SUMMARY:** The above projects were reviewed and recommended for funding by the CCRT Committee on November 3, 2003. Countywide (AH)

6. **ADOPTED** **R-2003-2017**

**Staff recommends motion to adopt:** Resolution by the Board of County Commissioners of Palm Beach County, Florida, in support of the Florida legislature amending Florida Statutes relating to code enforcement liens, providing that any lien for fines and costs imposed under Florida law may, at the option of the local government, be collected in a manner similar to non-ad valorem assessments under Chapter 197 Florida Statutes. **SUMMARY:** Staff was requested through an inquiry to support this resolution. Countywide

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

**B. CLERK**

1. **APPROVED**

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

2.

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

3. **APPROVED** **R-2003-2018 THROUGH R-2003-2019**

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

**C. ENGINEERING & PUBLIC WORKS**

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

**A) APPROVED R-2003-2020**  
a Joint Project Participation/Funding Agreement for the total estimated cost of \$9,600 with the Village of Palm Springs (Village) for the utility construction to be incorporated into the County's construction of Gulfstream Road Street Improvements; and

**B) APPROVED**  
Budget Amendment of \$9,600 in the Capital Outlay Fund to recognize Utility Relocation Reimbursement from the Village of Palm Springs for Gulfstream Road Drainage Improvement.

**SUMMARY:** As part of the Gulfstream Road Street Improvements project, the County and the Village desire to jointly participate in the utility adjustments to the water distribution and sewage transmission systems, and other improvements along the right-of-way. The Village agrees to reimburse the County for the cost of these utility adjustments and other improvements. Bid tabulation is enclosed. The total estimated costs for the utility construction are \$9,600. This Agreement will allow the Village's utility adjustments and other improvements to occur as a component of the County's construction. The Village will pay all construction costs associated with the utility work and perform all construction inspection of their work. District 3 (MRE)

**2. REVISED TITLE:**

**A) APPROVED R-2003-2021**  
**Staff recommends motion to approve:** a \$237,370.20 Contract with Carolina Consulting Corporation, the lowest responsive, responsible bidder, for the construction of Lyons Road, Broward/Palm Beach County Line to S.W. 18th Street (Project). **SUMMARY:** The contract consists of all work necessary to construct the Project. Carolina Consulting Corporation has indicated a total Small Business Enterprise (SBE) participation of 15% overall. Carolina Consulting Corporation has met/exceeded the overall goal for this Project. District 5 (MRE)

**B) APPROVED**  
Budget Amendment of \$17,580 in the Road Impact Fee Fund, Zone 5, to recognize utility recognize utility reimbursement from Bell South for Lyons Road, Broward/Palm Beach County Line to S. W. 18<sup>th</sup> Street. (Eng)

**3. ADOPTED R-2003-2022**  
**Staff recommends motion to adopt:** a Resolution vacating a utility easement, 20 feet x 45 feet, within Tract R1 of Valencia Shores, Plat One, as recorded in Plat Book 93, Pages 88-113, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located south of Hypoluxo Road, and east of Lyons Road. The petitioner/owner is requesting the vacation because the easement was not utilized. The utility services were installed in a different location and new easements were created. District 3 (PK)

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

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

**4. APPROVED R-2003-2022.1**  
**Staff recommends motion to approve:** an Assignment of Temporary Construction Easement. **SUMMARY:** This item will assign the County's interest in a Temporary Construction Easement to the Florida Department of Transportation (FDOT), said easement lying in Section 33, Township 43 South, Range 42 East, adjacent to State Road 80 (also known as Southern Boulevard), and east of Cleary Road. District 6 (PFK)

**5. APPROVED**  
**Staff recommends motion to approve:** Budget Transfer of \$600 in the Transportation Improvement Fund from Reserve for District 6 to Foxtrail Signing Project – District 6.

**SUMMARY:** District 6 Improvements Funds will pay for the requested street signs for Foxtrail Development. District 6 (MRE)

6. **APPROVED**

**Staff recommends a motion to approve:** Budget Transfer of \$16,009 in the Transportation Improvement Fund from Reserve for District 4 to the George Bush Bascule Bridge – District 4. **SUMMARY:** This Budget Transfer will fund the upgrade to the roof of the bridge tender's house for the George Bush Bascule Bridge. District 4 (MRE)

7. **APPROVED**

**Staff recommends motion to approve:** Budget Transfer of \$18,000 in the Transportation Improvements Fund from Reserve for District 1 to Keating Drive Speed Humps – District 1. **SUMMARY:** District 1 Improvement Funds will pay for the upgrade to the requested speed humps on Keating Drive from Northlake Boulevard to Crestdale Street, which are being installed to improve safety and reduce speeding. District 1 (MRE)

8. **APPROVED**

**Staff recommends motion to approve:** Budget Transfer of \$12,000 in the Transportation Improvement Fund from Reserve for District 1 to Acapulco Avenue Speed Humps – District 1. **SUMMARY:** District 1 Improvements Funds will pay for the requested simulated brick speed humps on Acapulco Avenue from Florida Boulevard to Atlantic Road, to improve safety and reduce speeding. District 1 (MRE)

9. **APPROVED**

**Staff recommends motion to approve:** a Payment to BellSouth Telecommunications Company (B.S.T.) not-to-exceed \$46,862 for the relocation of existing overhead and underground telecommunications facilities, as required for the construction of Northlake Reliever from Military Trail to Garden Road. **SUMMARY:** This payment to B.S.T. of up to \$46,862 is required for the relocation of B.S.T.'s existing overhead and underground telecommunications facilities, to allow for the construction of Northlake Reliever from Military Trail to Garden Road. Payment to B.S.T. is required because the facilities are covered by an existing recorded utility easement. District 1 (MRE)

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

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

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

**A) DELETED**

Budget Transfer of \$3,711,000 in the Transportation Improvement Fund from Reserves – Road Program Sweeps to Boynton Beach Boulevard from S.R. 7 to Acme Dairy Road (Project);

**B) DELETED**

a \$6,686,314.45 Contract with J. W. Cheatham, Inc. (JWCI), the lowest responsive, responsible bidder, for the construction of the Project;

**C) DELETED**

assignment of the Construction Contract (including administration) to the developer, G.L.

Homes, hereby known for this Project as Boynton Beach Boulevard LLC; and

**D) DELETED**

Budget Transfer of \$3,711,000 in the Transportation Improvement Fund from the Project to Reserves – Road Program Sweeps.

**SUMMARY:** A number of development projects require this Project to be constructed to meet the requirements of the Traffic Performance Standard (TPS). On December 18, 2001, the BCC adopted Resolution Numbers R2001-2155 and R2001-2156 that: a) approved a County Incentive Grant Program (CIGP) Agreement with the State of Florida, Department of Transportation (FDOT) that provided a 50% funding grant for the Project capped at \$4,700,000; b) approved an Agreement with G.L. Homes for designing and constructing the Project, and to complete the funding for the remaining portion not covered by the CIGP; and c) approved a Budget Amendment of \$4,700,000 in the Transportation Improvement fund to recognize the CIGP monies. The contract consists of all work necessary to construct the Project. JWCI has indicated a total Small Business Enterprise (SBE) participation of 15.6% overall. JWCI has exceeded the overall goal requirement for this Project. District 5 (MRE)

11. **APPROVED**

**Staff recommends motion to approve:** Budget Transfer of \$20,000 in the Transportation Improvement Fund from Reserve for District 4 to the St. Andrews Boulevard and Estrada Lane Improvement Project. **SUMMARY:** This Budget Transfer will fund the improvements to two (2) concrete traffic islands and a concrete median nose, by removing the existing concrete and replacing it with stamped, colored concrete. District 4 (MRE)

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

**APPROVED**

**R-2003-2023**

**A) REVISED SUMMARY:**

a Financial Assistance Agreement with the Cypress Lakes Master Homeowners' Association, Inc. (Association) to provide funding, not-to-exceed \$80,000, including a waiver of Section 410.00 of the Palm Beach County Administrative Code (as authorized by Section 102.00) and Policy EN-14; and

**B)**

Budget Transfer of \$80,000 in the Transportation Improvement Fund from Reserve for District 2 to Roebuck Road West of Haverhill Landscaping – District 2.

**SUMMARY:** This item provides funding in the amount of \$80,000 for the installation of a sound buffer and landscaping on Association's property for a distance of 2,250 feet adjacent to the County's right of way for Roebuck Road (from approximately 2,650 feet west of Haverhill Road to a point approximately 400 feet west of Haverhill Road). Funding comes from the District 2 Gas Tax Reserves. After the installation, the Association will be responsible for perpetual maintenance of the improvements. Staff believes that the waiver is appropriate since significant landscaping within the road right-of-way (approximately a 30'corridor) that would have acted as a buffer for the community was removed by contractor. District 2 (MRE)(Eng)

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

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

13. **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.(Eng) (Further staff review)

**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)

**D. COUNTY ATTORNEY**

1.

**APPROVED**

**Staff recommends motion to approve:** pre-suit Settlement for Parcel 100A in an Eminent Domain matter for the improvement of Woolbright Road between Hagen Ranch and Jog Roads, Project No. 2002501, in the amount of Four Hundred, Eighty-Four Thousand, Seven Hundred, One Dollars (\$484,701), inclusive of all attorneys fees and costs. **SUMMARY:** Parcel 100A consists of approximately Forty-Eight Thousand, Two Hundred and Thirty-Nine (48,239) square feet of unimproved vacant land along Woolbright Road between Hagen Ranch and Jog Roads. The County's appraiser valued this land at Four Hundred, Thirty-Four Thousand and Two Hundred Dollars (\$434,200) or \$9 per square foot. The remainder parcel is currently on the market for sale at \$13.90 per square foot. The owners made a counter-offer of Four Hundred, Eighty-Four Thousand, Seven Hundred and One Dollars (\$484,701) that is inclusive of all fees and costs. This represents an increase of Forty-Eight Thousand, One Hundred and Ninety Dollars (\$48,190) or 11.1% above the County's appraised value. District 5 (PM)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **APPROVED** **R-2003-2024**  
**Staff recommends motion to approve:** Provider Agency Agreement with the Village of Royal Palm Beach for a not-to-exceed amount of \$15,000 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** The Division of Senior Services (DOSS) operates a congregate dining site in Royal Palm Beach at the Kevin M. Harvin Center. DOSS provides the meals and nutritional services and there is no cost for the use of the site for congregate dining. The County will reimburse the Village for expenses incurred by an Administrator to manage the senior meals program and to provide recreation programs for the elderly. The contract term is retroactive to October 1, 2003 because the Administrator will manage the site for the entire 2004 fiscal year. The funds are in the current budget. (DOSS) Countywide (TKF)

2. **Staff recommends motion to approve:**  
**A) APPROVED R-2003-2025**  
Agreement with Children's Services Council of Palm Beach County in an amount not-to-exceed \$157,413 for Early Head Start services; and

**B) APPROVED R-2003-2026**  
Agreement with Children's Services Council of Palm Beach County in a not-to-exceed amount of \$297,551 for Head Start services for the period October 1, 2003 through September 30, 2004. **SUMMARY:** These agreements will allow Children's Services Council to provide up to \$157,413 as part of the matching funding requirement to provide full day/full year comprehensive Early Head Start services to 180 pregnant mothers, infants/toddlers and up to \$297,551 as part of the matching funds requirement to provide full day/full year Head Start services to 1,871 three to five year old children and their families. Services include comprehensive health, education, parental involvement, nutritional, social and other services. These funds are included in the current budget. (Head Start) Countywide (TKF)

3. **APPROVED**  
**Staff recommends motion to approve:** Contracts totaling \$1,113,070 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-2003-2027**  
Area Agency on Aging of Palm Beach/Treasure Coast, Inc. - \$62,026 for the Retired and Senior Volunteer Program (RSVP) and emergency assistance/disaster preparedness.

**B) APPROVED R-2003-2028**  
Oakwood Center - \$795,630 for mobile crisis treatment, inpatient services and children's day treatment.

**C) APPROVED R-2003-2029**  
Florida Housing Corporation d/b/a Palm Beach Assisted Living Facility - \$27,600 for benefits advocacy.

**D) APPROVED R-2003-2030**  
City of Pahokee - \$152,814 for a social-recreational program providing services to at-risk children and their families.

**E) APPROVED R-2003-2031**  
Sickle Cell Foundation - \$75,000 to increase education and outreach to the Haitian population countywide, as well as provide for local screening and case management to affected clients. **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 FY2004 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 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

E. COMMUNITY SERVICES

4. **APPROVED** **R-2003-2032**

**Staff recommends motion to approve:** Contract with Wendy Kesty, RD, LD/N in an amount not-to-exceed \$14,645 to provide registered dietician services for the Division of Senior Services Congregate and Home Delivered Meals Program for the period January 1, 2004 through December 31, 2004. **SUMMARY:** Registered Dietician Services are required to insure compliance with the Older Americans Act in the delivery of meals. The rate for registered dietician services is \$33.90 per hour/36 hours per month for. This service is funded under the Division of Senior Services' Older Americans Act grant in the amount of \$13,181 (90%) and County matching funds of \$1,464(10%). The local match is included in the FY2004 budget. (DOSS) Countywide, except for portions of District 3, 4, 5 and 7 south of Hypoluxo Road (TKF)

F. AIRPORTS

1. **APPROVED** **R-2003-2033**

**Staff recommends motion to approve:** Air Freight Building Lease ("Lease") with Waner Aviation, Inc. ("Waner") for the lease of cargo space at PBI. **SUMMARY:** The Lease allows Waner to occupy and utilize 943 square feet of space in the Air Freight Building for the purpose of storing aircraft parts and to repair aviation related vehicles and equipment. Waner will pay annual rent in the amount of \$6,751.88, or \$7.16 per square foot for use of the space. The Lease commences on December 16, 2003 and expires on September 30, 2004. The Lease term is automatically extended on a year-to-year basis, unless terminated by either party by giving 30 days written notice. Countywide (LMB)

2. **ADOPTED** **R-2003-2034**

**Staff recommends motion to adopt:** Resolution approving assignment of Lease Agreement to Signature Flight Support Corporation. **SUMMARY:** On August 19, 2003, the Department of Airports received a request from Signature Flight Support-Palm Beach, Inc. to approve a Consent to Assignment document that assigns their Lease Agreement to an affiliated company, Signature Flight Support Corporation. In accordance with the Lease Agreement, the Board must approve by resolution any assignment of lease or change in ownership. The change in corporate structure resulting from the approval of the Resolution will not affect the level of service offered by the company, nor will the terms and conditions of the Lease Agreement be changed in any way. Countywide (LMB)

G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. **APPROVED** **R-2003-2035**

**Staff recommends motion to adopt:** a Resolution indicating the official intent to use proceeds of tax-exempt bonds to reimburse expenditures to provide facilities for the Scripps Research Institutes and providing an effective date. **SUMMARY:** The Board expects to issue one or more series of tax-exempt bonds to finance the construction, acquisition and installation of temporary and permanent facilities for the Scripps Research Institute. In anticipation of expending funds prior to the issuance of the bonds, this resolution allows the County to use bond proceeds to reimburse expenditures paid before the date of issuance of the bonds. Countywide (PK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **APPROVED** **R-2003-2036**

**Staff recommends motion to approve:** JOC Work Order No. 04-009 with M.A.C. Construction, Inc. (R2002-1049) in the amount of \$173,686.60 for replacement of the emergency generator at the Sheriff's Stockade in West Palm Beach. **SUMMARY:** The work consists of providing and installing a new 350KW emergency generator with a 612 gallon diesel fuel belly tank, including a new concrete slab, a new automatic transfer switch, a new electrical main breaker, a remote annunciator panel, associated electrical work, and demo of the existing equipment. The M/WBE participation in this work order is 3.32% Overall, of which 0.15% is Black and 3.17% is Women. When the participation for this work order is added to M.A.C.'s total participation from the original contract date of July 9, 2002, the resulting values are 50.9% Overall, of which 12.0% is Black, 6.7% is Hispanic, and 32.2% is Women. The contractual goals are 20% Overall and 10% Black. The construction duration for this work is 112 days. (FD&O Admin) District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **APPROVED** **R-2003-2037**  
**Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 2 to the Agreement (R2003-0693) with Hanson Professional Services, Inc., to provide architectural/engineering services for the Calypso Bay Water Park Concession Buildings in the amount of \$77,090. **SUMMARY:** This Authorization is to provide architectural and engineering services for permitting, design, and construction phase services for the proposed 2,700 square feet concession building addition with party room, adjacent outdoor food pavilion/seating area and a new 225 square feet concession stand to be located at the existing Calypso Bay Water Park. Hanson Professional Services, Inc. has an annual contract for architectural services, which provides for an overall SBE/M/WBE participation goal of 15%. The participation on this CSA is 21.33%. When added to the Consultant's participation to date under this Contract, the resulting SBE/M/WBE participation is 18.31%. This project will meet all applicable codes, laws, and ordinances, including accessibility requirement of ADA. (Capital Improvements Division) District 6 (JM)

3. **APPROVED** **R-2003-2038**  
**Staff recommends motion to approve:** an Agreement with Security Services of America, LLC d/b/a Elite Protection Services allowing for interoperable communications through the countywide and EMS common groups of the County's 800 MHz Radio System. **SUMMARY:** This Agreement provides the conditions under which Elite 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 Elite. The terms of the agreement are standard and have been offered to all EMS providers. 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. Elite 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 three (3) years with one (1) three (3) year renewal or as long as Elite possesses a valid certificate of need within Palm Beach County; whichever comes first. The Agreement may be terminated by either party, with or without cause. (Electronic Services) Countywide (ND)

4. **APPROVED** **R-2003-2039**  
**Staff recommends motion to approve:** Supplement No. 1 to Consultant Services Authorization (CSA) No. 6 to the Agreement (R2000-2055) with LBFH, Inc., for John Prince Park Therapeutic Recreation Pool and Bathhouse in the amount of \$85,545. **SUMMARY:** This Authorization is to provide consultant services for the design and construction administration of improvements to the existing pool and bathhouse in John Prince Park purchased from the Girl Scouts. The consultant was previously authorized to complete a study and report of the facility to determine what improvements should be made, and how those improvements might be phased, in order that the pool could meet the needs of the County's special population. Improvements to be included in the first phase are re-plumbing of the pool, a new pool heater, improved and enlarged decking, restrooms and dressing areas for both sexes, and office space. The estimated construction cost is \$550,000. The M/WBE participation for this CSA is 38.1%. When added to the Consultant's participation to date, the resulting M/WBE participation is 40.9%. The Consultant agreed to 14.0% M/WBE participation in the original contract. This project will meet all applicable codes, laws, and ordinances including the Americans With Disabilities Act (ADA) (Capital Improvements Division) District 3 (JM).



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. APPROVED

**Staff recommends motion to approve:** the Release of a Letter of Credit in favor of Palm Beach County securing the Michael Singer, Inc's performance on the Palm Beach County Courthouse Security Barrier Art Project (R2002-0657) in the amount of \$350,000. **SUMMARY:** On May 7, 2002, the BCC approved a contract with Michael Singer ("Contractor") for the installation of the Palm Beach County Courthouse Security Barrier Art Project. Pursuant to FSS 255.05, the contract required a payment and performance bond or alternate form of security. Michael Singer offered, and the County accepted, an irrevocable letter of credit in the amount of \$350,000. The Contractor achieved final completion of the contract on July 16, 2003. Typically, upon final completion of the contract and receipt of a final waiver and release of claim from the contractor; the contractor would receive final payment and the obligations of the surety would remain in place protecting the County from any outstanding claims by subcontractors and suppliers for a period of one year. The contract documents for this project contemplated a typical bond would be offered and therefore the conditions/timing of the release of the letter of credit were not specifically delineated and not known to the Contractor. At this time, the County has a final release and waiver from the Contractor protecting the County against claims of its own and its subcontractors/suppliers. In addition, Staff has releases from subcontractors and suppliers totaling \$335,680. In light of the releases from the subcontractors/suppliers, the demonstrated financial capability of the contractor, the lack of clarity in the original documents and in order to act reasonably in developing a public art program; Staff is recommending that the letter of credit be released. Future contracts for art projects which are public works projects as defined by FSS 255.05 will clearly include the conditions under which the letter of credit will be released and when. (FDO Admin) Countywide 2 (JM)

I. HOUSING & COMMUNITY DEVELOPMENT

1. APPROVED R-2003-2040

**Staff recommends motion to approve:** an Agreement with the Revitalax Victorian Resort, Inc., for rehabilitation/conversion of their building in the City of Greenacres, in the amount of \$32,000 in Community Development Block Grant (CDBG) funds for the period of October 21, 2003, through September 30, 2004. **SUMMARY:** The building is located at 5050 Tenth Avenue North, Suite D, in the City of Greenacres. The rehabilitation/conversion of this building which was previously used as a storage warehouse, will make it suitable as an office space for this organization to provide one stop services. Once completed, they will provide homeless, chronic substance abusers, persons with HIV and mentally ill persons with services such as life skills training, limited transportation, job readiness and computer training. The project involves installation of air conditioning, partitions, restrooms, lowering the ceiling, and electrical work. The project is estimated to cost \$68,000. The Revitalax Victorian Resort, Inc., will contribute the remaining \$36,000. **This agreement will provide \$32,000 in Federal CDBG funds which do not require local matching funds.** District 2 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve:

**A) APPROVED R-2003-2041**  
a Release of Mortgage for Jimmy L. Brown and Mattie L. Brown in the amount of \$20,000, as funded in connection with the Property Rehabilitation Program, and

**B) APPROVED**  
a Payment of \$3,600 in Minicon Construction, Inc., for certain items provided in connection with the Property Rehabilitation Program.

**SUMMARY:** On February 21, 2003, Jimmy L. Brown and Mattie L. Brown granted the Palm Beach County Board of County Commissioners a \$20,000 mortgage in exchange for a loan to rehabilitate their home in unincorporated Palm Beach County at 732 Cherry Road, West Palm Beach, FL 33409. Of this amount, \$18,417 was allocated to construction costs to undertake this rehabilitation project. In addition, on October 22, 2002, the BCC approved a \$14,484 grant for lead-based paint related costs for the Browns. Of this amount, \$13,700 was intended for construction costs. Both construction amounts totaling \$32,117, were included in a construction contract executed by these homeowners with Minicon Construction, Inc. Implementation of the project was delayed and the construction contract expired without any substantial work having been completed. At such time, the homeowners decided that they no longer wished to have the work done, and declined to provide a time extension to the contractor. In the interim, the contractor had ordered certain materials for the job which he has in storage. Approval of the recommended release of mortgage recognizes that the project was not implemented, that the construction related expenditures were not made, and removes the mortgage lien from the Browns' property. Approval of the recommended payment to Minicon Construction, Inc., compensates the contractor for materials that were ordered consisting of three exterior hurricane resistant/sound attenuating doors, and base kitchen cabinets. These materials will be used on other rehabilitation and/or tornado relief projects. **The requested funds are SHIP funds that require no local match.** District 2 (TKF)

3. **APPROVED**

**Staff recommends motion to receive and file:** a Summary of Delegated Funding Awards made to property owners for rehabilitation projects totaling \$118,054, and approved between July 1, 2003, and September 30, 2003, pursuant to Resolution No. R94-1139. **SUMMARY:** On September 13, 1994, the Palm Beach County Board of County Commissioners (BCC) approved Resolution No. R94-1139 authorizing the County Administrator or designee, and/or the Director of the Department of Housing and Community Development (HCD) to approve funding to property owners in accord with policies of the various rehabilitation programs administered by HCD. The authorization also allowed for staff approval of additional funding for projects previously funded. This summary of Rehabilitation Funding Awards which is reported quarterly, includes projects funded between July 1, 2003, and September 30, 2003. Funding awards made during this period in accord with the authority delegated by the BCC totaled \$118,054. Projects not receiving approval through the delegated authority, are submitted directly to the BCC for approval and do not appear on this report. Countywide (TKF)

4. **APPROVED R-2003-2042**

**Staff recommends motion to approve:** an Agreement with Florida Housing Corporation (FHC) to provide up to \$40,000 in Community Development Block Grant (CDBG) funds for the period of October 1, 2003 to September 30, 2004 to provide services under the Homeless Seniors Program. **SUMMARY:** Funds will be used to provide emergency shelter for up to fifty-seven (57) homeless Senior Citizens on a monthly basis under the Homeless Seniors Program. A total of seventy-six (76) unduplicated homeless Seniors will be served annually.

Florida Housing Corporation operates the Homeless Seniors Program at Palm Beach Assisted Living Facility (ALF) at 534 Datura Street, West Palm Beach, FL 33401. **These are Federal CDBG funds that require no local match.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

5. **APPROVED** **R-2003-2043 THROUGH R-2003-2045**  
**Staff recommends motion to approve:** the Funding Approval/Agreement Forms for Fiscal Year 2003-04 Community Development Block Grant (CDBG), Emergency Shelter Grants (ESG), and Home Investment Partnership (HOME) Agreements with the U.S. Department of Housing and Urban Development (HUD) for \$8,392,000 (CDBG), \$245,000 (ESG), and \$2,951,321 (HOME) respectively for a total allocation of \$11,588,321. **SUMMARY:** Approval of the Funding Approval/Agreement Forms (HUD-7082 for CDBG, HUD-40093 for HOME, and Local Government Grant Agreement for ESG) are required to make \$11,588,321 in federal funds available to the County to provide assistance for community development programs. The forms require signatures for the Grant Agreements. The purpose of the CDBG, ESG, and HOME Program entitlement funding includes, but is not limited to, the development of viable urban communities through the provision of decent housing, a suitable living environment, and the expansion of economic opportunities, principally for persons of low and moderate income throughout Palm Beach County. **No local match is required to implement the CDBG program; however, the ESG and HOME programs have matching requirements. The ESG Program matching requirement is met through a cash or in-kind contribution by each agency receiving this funding, and the HOME matching requirement is met through the State Housing Initiatives Partnership (SHIP).** Countywide (TKF)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **APPROVED** **R-2003-2046**  
**Staff recommends motion to approve:** Amendment No. 1 to the Florida Department of Environmental Protection (DEP) Agreement No. WAP062 for the primary purpose of modifying the Lake Worth Lagoon Monitoring Project. **SUMMARY:** The BCC approved DEP Agreement No. WAP062 (R2002-0579) on April 16, 2002 for \$1,500,000 in grant funding. The grant term is April 23, 2002 through June 30, 2004. Amendment No. 1 replaces the Project Work Plan. It removes some monitoring activities and adds additional activities associated with the Lake Worth Lagoon Monitoring Project. The specific additional monitoring work to be completed under this amended DEP Agreement is: Mangrove/Shoreline Monitoring and Mapping; Fisheries/Benthic Monitoring (Phase I) and a Pollutant Load Reduction Analysis. The funding allocated to the monitoring portion of the Agreement remains unchanged at \$125,000 with a 50% County match of \$125,000. Countywide (AH)

2. **APPROVED** **R-2003-2047**  
**Staff recommends motion to approve:** One (1) Agreement for Purchase and Sale involving one (1) parcel (1.15 acres) of land in Unit 11 to be purchased using mitigation funds. The cost of purchasing the property is \$8,266 (land cost), plus \$403 (closing and miscellaneous costs), for a total of \$8,669. **SUMMARY:** The Agreement presented in this item is for one (1) parcel in Zone 8 and is at a purchase price which is twenty-five (25) percent above the average of recent appraisal values obtained by the County. If this, and other pending Agreements for Purchase and Sale are successfully closed, the County will have acquired, through purchase, tax deed, donation, settlement agreement, and eminent domain, a total of 1,524.31 acres. District 1 (HJ)

3. CONSENT AGENDA

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

**A) APPROVED R-2003-2048**

**approve** Interlocal Agreement with the Florida Fish and Wildlife Conservation Commission's Florida Marine Research Institute (FWC-FMRI) for an Evaluation of Dredge Hole Depressions in Lake Worth Lagoon, reimbursing the FWC-FMRI an amount not-to-exceed \$64,107, effective upon execution through April 30, 2005; and

**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:** The BCC approved the State's Department of Environmental Protection (DEP) Agreement No. WAP062 on April 16, 2002 (R2002-0579) and DEP Agreement No. S0089 on July 15, 2003 (R2003-1087). Those Agreements provide the County with funds to construct projects and conduct monitoring under the Lake Worth Lagoon Partnership Grant Program. Additional funding for Lake Worth Lagoon study and management is provided under a National Oceanographic and Atmospheric Administration (NOAA) Grant Award No. NA17OZ2129, which the BCC approved on March 12, 2002 (R2002-0351). The County will pay for the FWC-FMRI study in two phases with funds from the monitoring portion of the referenced DEP Agreements and the NOAA Grant. Under Phase I of the FWC-FMRI study, the Interlocal Agreement provides \$32,107 for FWC-FMRI to develop the methodology and perform a preliminary assessment of fish and benthic macroinvertebrates within selected dredge holes in close proximity to the C-51 Canal discharge to the Lagoon. The County will reimburse FWC-FMRI up to an additional \$32,000 in Phase II for further study of selected deep holes in the northern portion of Lake Worth Lagoon. The Interlocal Agreement requires the FWC-FMRI through its study partner, The Smithsonian Institute, to provide \$20,000 in matching funds. ERM's \$44,107 match of staff time for project coordination and oversight on this and other Lake Worth Lagoon monitoring projects brings the total match for the Interlocal Agreement to \$64,107. Countywide (AH)

**VOIDED R-2003-2049**

4. Staff recommends motion to:

**A) APPROVED**

**approve** Project Agreement Amendment to the Interlocal Agreement, Project No. ICW-PB-01-04 (R2001-2043; R2002-0672), with the Florida Inland Navigation District for cost sharing in the South Lake Worth Inlet - Sand Trap, Ledge and Channel Excavation to revise the Project Cost Estimate; and

**B) AUTHORIZED**

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

**SUMMARY:** The Interlocal Agreement with the Florida Inland Navigation District (FIND), which was approved by the Board of County Commissioners on November 20, 2001, included a detailed project cost estimate as an exhibit. The actual line item costs of the project were somewhat different from the estimate and have been administratively approved by the FIND Commissioner for the Palm Beach County district and the FIND Executive Director. The Amendment formalizes the revisions to the Interlocal Agreement exhibit by outlining the final cost allocation for the eligible project elements. The amount funded by FIND is unchanged at \$256,303. The Contract Administrator must sign the Amendment. The Agreement term was January 25, 2002 through September 30, 2003. District 4 (ND)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) APPROVED R-2003-2050
approve the Easement Agreement for Construction Access with Watermark Communities, Inc. (WCI) for up to five (5) years granting permission to access WCI's property for the purpose of dune restoration on Singer Island; and,

B) AUTHORIZED
authorize the County Administrator or his designee to sign all future time extensions, 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: WCI. has agreed to provide access through its property, prior to new development, for dune restoration efforts that are scheduled to begin the winter and spring of 2004. The dune restoration will replace severely eroded sand dunes, provide storm protection to property, and put sand back into the coastal system. District 1 (ND)

M. PARKS & RECREATION

1. APPROVED R-2003-2051
Staff recommends motion to approve: Agreement with The Children's Coalition, Inc., in an amount not-to-exceed \$20,000, for The Believe and Achieve Program for the period December 16, 2003, through September 30, 2004. SUMMARY: This funding is for the Believe and Achieve Program, which is a multi-media/multi-cultural visual art program for at-risk youth which introduces disadvantaged youth from blighted neighborhoods, children's shelters, adjudicated facilities, and after care programs to multimedia arts, remedial literacy programs, and computer technology. Expenses eligible for reimbursement include leased space, telephone, fax and copier service, administration, purchase of computer, parental control software, a server, digital cameras, program insurance, and other miscellaneous expenses related to the Believe and Achieve Program. The Agreement allows for the reimbursement of retroactive expenses subsequent to October 1, 2003. Funding is from the Recreation Assistance Program (RAP) - District 2 (\$15,000) and District 7 (\$5,000). Districts 2 and 7 (ND)

2. APPROVED R-2003-2052
Staff recommends motion to approve: Agreement with the City of Boynton Beach in an amount not-to-exceed \$1,200 for the Good Shepherd Summer Camp Program for the period December 16, 2003, through March 15, 2004. SUMMARY: This funding is to help offset costs incurred by the City of Boynton Beach for the Good Shepherd Summer Camp Program, which was held from June 16, 2003, through July 31, 2003. Expenses eligible for reimbursement include transportation, counselor stipends, acting director stipend, snacks, certificates, and a last day field trip. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to June 1, 2003. Funding is from the Recreation Assistance Program (RAP). District 4 (ND)

3. APPROVED R-2003-2053
Staff recommends motion to approve: Agreement with The Write Note Foundation, Inc., in an amount not-to-exceed \$10,000, for the Reach and Teach Program for the period December 16, 2003, through September 30, 2004. SUMMARY: This funding is to assist with costs for the Reach and Teach Program provided by The Write Note Foundation, Inc. Reach and Teach is an ongoing arts education program for middle school youth. Expenses eligible for reimbursement include program supplies (audio tapes, music composition software, CD disks, and other supplies as required for the program) and graduation awards for program participants. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to October 1, 2003. Funding is from the Recreation Assistance Program (RAP). District 5 (ND)

3. **CONSENT AGENDA APPROVAL**

M. **PARKS AND RECREATION**

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

**A) APPROVED R-2003-2054**  
Agreement with the City of South Bay in an amount not-to-exceed \$50,000 for funding of South Bay Nature Park Athletic Field Lighting for the period December 16, 2003, through June 16, 2005; and

**B) APPROVED**  
Budget Transfer of \$50,000 within the \$25M GO Parks and Culture Improvement Fund - 2003 to South Bay/Nature Park.

**SUMMARY:** This allocation provides funding for the purchase and installation of electrical service and light fixtures for the athletic field in South Bay Nature Park located east of the County's South Bay Campground. Expenses eligible for reimbursement include concrete poles, light cross arms and bullhorn, light fixtures, routing and watt amp services, and equipment rental (crane, trencher, and auger), as listed in Exhibit A to the Agreement. Funding is from the \$50 Million Recreation and Cultural Facilities Bond. District 6 (PK)

5. **APPROVED R-2003-2055**  
**Staff recommends motion to approve:** Agreement with the City of Pahokee, for the purchase and donation of vehicles. **SUMMARY:** This Agreement provides funding for County purchase of three vehicles owned by Palm Beach County and scheduled for disposal surplus property procedures. Funding is from the Park Improvement Fund - "Glades Needs/Pahokee". The Glades Needs funds will be credited to the appropriate County accounts through internal budget transfers and the vehicles will subsequently be donated to the City of Pahokee for recreational programs for youth and senior citizens. Vehicles to be purchased and then donated to Pahokee include a 1995 GMC 15 Passenger Van valued at \$6,240 and two 1996 International 3800 47-Passenger buses valued at \$8,934 each, for a total value of \$24,108 for the three vehicles. District 6 (ND)

P. **COOPERATIVE EXTENSION SERVICE**

1. **APPROVED R-2003-2056**  
**Staff recommends motion to approve:** Agreement with the Village of Wellington providing start-up funds in the amount of \$8,000 and cooperative administrative assistance for the establishment of a new farmers market within the municipal boundaries of Wellington. **SUMMARY:** On September 24, 2003, the Palm Beach County Agricultural Enhancement Council approved staff recommendation to provide Fiscal Year 2004 funding for Palm Beach County's municipal GreenMarkets. Through an agreement with the Village of Wellington, the Agricultural Economic Development Program will provide the Village of Wellington with start-up funds for a farmers market within its municipal boundaries in the amount of \$8,000. District 6 (AH)

2. **APPROVED R-2003-2057**  
**Staff recommends motion to approve:** Agreement with the Village of Royal Palm Beach providing start-up funds in the amount of \$8,000 and cooperative administrative assistance for the establishment of a new farmers market within the municipal boundaries of Royal Palm Beach. **SUMMARY:** On September 24, 2003, the Palm Beach County Agricultural Enhancement Council approved staff recommendation to provide Fiscal Year 2004 funding for Palm Beach County's municipal GreenMarkets. Through an agreement with the Village of Royal Palm Beach, the Agricultural Economic Development Program will provide the Village of Royal Palm Beach with start-up funds for a farmers market within its municipal boundaries in the amount of \$8,000. District 6 (AH)

DECEMBER 16, 2003

3. **CONSENT AGENDA APPROVAL**

**Q. CRIMINAL JUSTICE COMMISSION**

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

**A) APPROVED R-2003-2058**  
Contract with the Office of the State Attorney, Fifteenth Judicial Circuit in the amount of \$47,625 for the period October 1, 2003 through September 30, 2004 to formalize the relationship between Palm Beach County and the Office of the State Attorney, Fifteenth Judicial Circuit with respect to the fiscal management of FY2004 Byrne Grant funds; and

**B) APPROVED**  
Budget Amendment of \$47,625 in the General Fund (Fund 0001).

**SUMMARY:** On June 17, 2003, the Board of County Commissioners (BCC) approved the submittal of a grant application (R2003-0895) to the Florida Department of Law Enforcement (FDLE) for the Drug Control and System Improvement Formula Grant (a/k/a Byrne Grant) to fund a Forensic Accountant position for the Countywide Money Laundering Task Force (MLTF). This position will be housed in the Office of the State Attorney, Fifteenth Judicial Circuit. The grant requirements specify that only the governing body of a city or county is eligible to make application. Therefore, the BCC made application for the Office of the State Attorney, Fifteenth Judicial Circuit as the sub-grant recipient, and Office of the State Attorney, Fifteenth Judicial Circuit as the implementing agency. The FDLE approved the award on October 7, 2003. Countywide (DW)

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

**A) APPROVED R-2003-2059**  
a Contract with Workforce Alliance, Inc. in the amount of \$25,000 for the period October 1, 2003 through September 30, 2004 for the fiscal management of FY2004 Byrne Grant funds; and

**B) APPROVED**  
Budget Amendment of \$25,000 in the General Fund (Fund 0001).

**SUMMARY:** On June 17, 2003, the Board of County Commissioners (BCC) approved the submittal of a grant application (R2003-0898) to the Florida Department of Law Enforcement (FDLE) for the Drug Control and System Improvement Formula Grant (a/k/a Byrne Grant) to fund a Job Coach position for the Probationers' Educational Growth Reducing Ex-offender Barriers Utilizing Individual, Local and District Services (REBUILD) project. This position will be housed in Workforce Alliance, Inc. The grant requirements specify that only the governing body of a city or county is eligible to make application, and the implementing agency must be a subordinate agency of that body. Therefore, the BCC made application for Workforce Alliance, Inc. as the sub-grant recipient. The FDLE approved the award on November 3, 2003. The required matching funds will be provided by Workforce Alliance, Inc. Countywide (DW)

**R. HUMAN RESOURCES**

**1. POSTPONED**

**Staff recommends motion to adopt:** Palm Beach County's 2003 - 2004 Affirmative Action Plan, a voluntary effort to correct under representation where it exists in the Board of County Commissioner's work force. There is no fiscal impact. **SUMMARY:** Implementation of this year's Plan focuses on methods and procedures for achieving targeted work unit goals, enhancing special recruitment efforts and continuing to develop systems to correct under representation. Minority representation for all job categories for 2001 - 2002 was 27.1%, which is 5.3% above the availability. For 2002 - 2003, minority representation was 27.7%, which is 5.9% above the availability. Females represented 38.5% of the County's workforce in 2002 - 2003 as compared to the availability of the labor force for all occupations of 45.3%. Countywide (EC)

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

**S. FIRE RESCUE**

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

**A) DELETED**

Budget Transfer in the Glades Regional Fire MSTU Fund in the amount of \$15,300;

**B) DELETED**

Budget Amendment in the main Fire Rescue MSTU fund in the amount of \$15,300; and

**C) DELETED**

the First Amendment to the Interlocal Agreement with the City of Belle Glade for Provision of Fire Protection and Emergency Medical Services (Agreement No. R99-1584D).(Fire Rescue) (Further staff review/moved to 1/13/04)

**SUMMARY:** Approval of the Budget Transfer and Budget Amendment will provide funding for the transfer of a rescue unit and stretcher from the main Fire Rescue MSTU to the Glades Regional Fire MSTU. Palm Beach County currently provides fire rescue services to portions of the unincorporated areas west of 20-mile Bend through the "Glades Regional Fire MSTU" by contracting with the City of Belle Glade. This Amendment to the Interlocal Agreement revises the language regarding funding and equipment and provides for the transfer and conveyance of a rescue unit and stretcher, which are assets of the Glades Regional Fire MSTU, with a fair market value of \$15,000 and \$300, respectively. This Amendment authorizes the County's Fixed Asset Manager to process future transfers to the City, upon Board approval, without the need to further amend the Agreement. District 6 (SB)

**U. INFORMATION SYSTEM SERVICES**

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

**REVISED TITLE:**

**APPROVED**

**R-2003-2060**

**A)**Supplement to the IBM Corporation Customer Agreement (IBM Master ICA) for the installment purchase of the IBM InfoPrint Enterprise Printing System and Roll System accessory including installation, training and maintenance services in the total amount of \$1,066,544,

**B) APPROVED**

Budget Amendment of \$861,923 to recognize loan proceeds and to adjust acquisition funding in the Capital Outlay Fund; and

**C) APPROVED**

Budget Amendment of \$266,637 to recognize transfers from Capital Outlay Fund and establish debt payment budget in ISS Fund 5020.(ISS)

**SUMMARY:** This Supplement to the IBM ICA (R94-247D) will provide for an upgrade of the enterprise printing capabilities resident in ISS for use by the County. The current enterprise printing equipment has been in use since 1994 and the functionality and reliability of this system has degraded over that period. ISS uses this printing system to produce a wide variety of print jobs such as the annual property tax TRIM notices, the actual tax bills, court notices, homestead exemption notices, financial reports and many other important documents. The new system will significantly reduce repair down time and enable ISS to offer expanded printing options to its user groups. Additionally, the new system will save more than \$91,000 in maintenance costs over the three years of the contract compared to the current equipment maintenance contract. Funding was approved in the FY 2004 capital project budget in anticipation of this purchase. Countywide (PK)

**DECEMBER 16, 2003**

**3. CONSENT AGENDA**

**U. INFORMATION SYSTEM SERVICES (Cont'd)**

2. **APPROVED**

**R-2003-2061**



**Staff recommends motion to approve:** Amendment No.1 to the Contract with IBM Corporation (IBM) (R2003-1571) extending time from December 31, 2003 to April 30, 2004 for system configuration and knowledge transfer of the OnDemand Production CD-Rom software at no additional cost. **SUMMARY:** ISS purchased equipment to provide for mass production of CDs. This production software is designed to support high-volume batch processing of input files and documents. The equipment could not be installed until November 25 due to a vendor delay in obtaining a valid procurement bid. Workload schedules on the part of ISS are not able to accommodate the implementation of the software by the contract end date. IBM has agreed to extend the contract to April 30, 2004 at no additional cost to the County. Countywide (PK)

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

**A) APPROVED R-2003-2062**  
Task Order No. 3 to Contract R2001-1524 with Woolpert, LLP for a not-to-exceed amount of \$255,672 for planimetric mapping to be completed by August 1, 2004;

**B) APPROVED R-2003-2063**  
Task Order No. 3 to Contract R2001-1523 with BAE Systems ADR Inc. (ADR) for a not-to-exceed amount of \$205,677 for planimetric mapping to be completed by August 1, 2004;

**C) APPROVED R-2003-2064**  
Task Order No. 4 to Contract R2001-1522 with Surdex Corporation for a not-to-exceed amount of \$164,920 for digital ortho photography to be completed by August 1, 2004; and

**D) APPROVED**  
Budget Amendment to increase the ISS GIS Capital Budget Account in the amount of \$137,500.

**SUMMARY:** Three (3) firms were selected using the Consultant Competitive Negotiations Act process, contracted on September 11, 2001 to perform digital ortho photography and planimetric mapping for the County (R2001-1522, R2001-1523, and R2001-1524). Task Order No. 3 with Woolpert is to provide planimetric mapping for a project area of 23,336 acres; Task Order No. 3 with ADR is to provide planimetric mapping for a project area of 19,690 acres; and Task Order No. 4 with Surdex is to provide color digital ortho photography for the entire county. Funding for these Task Orders is allocated in the GIS Capital Account. The Property Appraiser's Office will fund a portion of the Woolpert Task Order in the amount of \$75,625, and the ADR Task Order in the amount of \$61,875. The contracts expire August 20, 2004, but each contains the option for three (3) additional one (1) year extensions. The proposed Task Orders are recommended by the GIS Policy Advisory Committee. Countywide (PK)

V. **METROPOLITAN PLANNING ORGANIZATION**

1. **ADOPTED R-2003-2065**  
**Staff recommends motion to adopt:** a Resolution to support the redesignation and membership reapportionment for the Palm Beach Metropolitan Planning Organization (MPO). **SUMMARY:** Following the decennial census, the Governor reviews the designation and membership of the MPO. The MPO has approved a membership reapportionment plan for the Board that includes additional municipal representatives and reaches the maximum membership for the MPO as set in state statute. The MPO membership will consist of five County Commissioners, two members each from Boca Raton and West Palm Beach, one member each from Boynton Beach, Delray Beach, Lake Worth, Riviera Beach, Palm Beach Gardens, Jupiter, Wellington, Belle Glade and the Port of Palm Beach. One membership will be rotated on an annual basis by Greenacres and Royal Palm Beach for a total of nineteen members on the MPO Board. A request for approval of the plan by the Governor will be submitted and will include resolutions of support from the member governments. Countywide (DR)

DECEMBER 16, 2003

3. **CONSENT AGENDA APPROVAL**

X. **PUBLIC SAFETY**

1. **ADOPTED R-2003-2066**  
**Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners, Palm Beach County, Florida changing the title of the Victim's Fund, amending the primary uses of the Palm Beach County Victims Fund, and rescinding Resolution No. R-99-292. **SUMMARY:**

From 1988 to approximately 1996, the Palm Beach County Victim's Fund was funded by private donations and lawfully mandated fines and penalties. Due to various changes of the Courts and defense attorneys, contributions to the County's Victim Fund as a condition of a defendant's plea were discontinued and the fund was slowly depleted. Staff presented, and the Board approved, a supplemental request to support the fund with \$35,000 of ad valorem taxes during FY04. This resolution continues the Fund and renames it the "Victims of Crime Emergency Support Fund" and provides for emergency financial assistance to victims of violent crime, their families, and surviving family members who suffer as a direct result of the crime. With limited contributions, deleting the support of indirect activities such as staff training and education and activities related to Victim's Rights Week will enable the funds to be devoted to the direct emergency relief of crime victims and their families. Countywide (DW)

**AA. PALM TRAN**

1. **APPROVED** **R-2003-2074**  
**Staff recommends motion to approve:** Amendment No. 2 to the Interagency Lease Agreement (R97-2048D) with the Solid Waste Authority (SWA) to exercise the first option to extend the term of the lease agreement through November 17, 2007. **SUMMARY:** ~~In November~~ 1997, the Board of County Commissioners (BCC) entered into a lease agreement (R97-2048D) with the Solid Waste Authority (SWA) for the storage of Palm Tran buses at the Belle Glade Regional Transfer Station at a cost of ten dollars (\$10) per year. Section 1.03 of the agreement granted an option to extend the Terms and Conditions of the lease for four (4) additional periods of five (5) years each. Palm Tran needs to continue utilization of the SWA facility for bus storage, fueling and cleaning of its buses. Countywide (DR)

2. **APPROVED** **R-2003-2073**  
**Staff recommends motion to approve:** an Interlocal Agreement with the Village of Wellington to reimburse the County for the delivery of door-to-door transportation services to Wellington residents with disabilities in an amount not-to-exceed \$40,000 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** This Interlocal Agreement with the Village of Wellington will provide paratransit services to residents no longer eligible for Americans with Disabilities Act (ADA) paratransit services. This agreement takes effect October 1, 2003 and expires September 30, 2004 in an amount not-to-exceed \$40,000. District 6 (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to:

A) **APPROVED** **R-2003-2067**

**approve** the Federal FY 2004 Certifications and Assurances to be used in connection with all Federal assistance programs FTA administers during Federal Fiscal Year 2004, as required by 49 U.S.C. 5323(n); and

B) **AUTHORIZED**

**authorize** Palm Tran's Executive Director and Assistant Executive Director, through the County Administrator, to execute and file the required certifications and assurances, on behalf of the Board of County Commissioners and to electronically transmit the Board's approval.

**SUMMARY:** Selecting and submitting certifications and assurances to FTA, either through FTA's Transportation Electronic Award and Management (TEAM) system or submission of the Signature Page, signifies the County's intent to comply with the requirements of those certifications and assurances to the extent they apply to a program for which the County submits an application for assistance in Federal Fiscal Year 2004. FTA requires a current (Federal Fiscal Year 2004) attorney's affirmation of the applicant's legal authority to certify compliance with the funding obligations in this document, the attorney's signature from a previous year is not acceptable. Before FTA may award a Federal grant or cooperative agreement, the applicant must provide to FTA all certifications and assurances pertaining to itself or its project as required by Federal laws and regulations. The requisite certifications and assurances must be submitted to FTA irrespective of whether the project is financed under the authority of 49 U.S.C. Chapter 53, or Title 23, United States Code, or another Federal statute. Countywide (DR)

4. **APPROVED** **R-2003-2068**

**Staff recommends motion to approve:** a Service Provider Application in the amount of \$358,412 with the Area Agency on Aging (AAA) to provide transportation services for senior citizens who are clients of the Division of Senior Services (DOSS) nutrition programs through Palm Tran CONNECTION. **SUMMARY:** The service provider application includes information required by the Area Agency on Aging for transportation services to be provided by Palm Tran CONNECTION for senior citizens who are clients of DOSS' nutritional programs. The AAA funds in the amount of \$358,412 and the local match of \$715,861 has already been accounted for in Palm Tran CONNECTION's approved FY 2004 budget. Countywide (DR)

BB. SHERIFF

1. Staff recommends motion to:

A) **APPROVED** **R-2003-2069**

**receive and file** the Multi-Agency Narcotics (MAN) grant in the amount of \$188,480 for the period of October 1, 2003 through September 30, 2004;

B) **APPROVED**

**approve** Budget Amendment of \$413,789 in the Sheriff's Grant Fund (1152); and

C) **APPROVED**

**approve** Budget Transfer of \$225,309 from the State Law Enforcement Trust Fund (1151) for grant match.

**SUMMARY:** The Multi-Agency Narcotics Unit (MAN) is a cooperative narcotic interdiction program implemented by various units of local government throughout the County and the Sheriff's Office. The purpose of the unit is to reduce illegal narcotic activity by coordinating law enforcement efforts between law enforcement agencies throughout the county. The unit is funded by a federal grant that is passed through to localities by the Florida Department of Law Enforcement (FDLE). The minimum required match is 25%. The Palm Beach County Sheriff's Office (PBSO) is providing a match greater than 25% for fiscal year 2004, as the Sheriff deems it in the best interest of public safety to continue the program. Matching funds are provided from the State Law Enforcement Trust Fund (LETF). This agenda item acknowledges the award amount of \$188,480 and the match amount of \$225,309 for a total budget of \$413,789. Countywide. (DW)

**3. CONSENT AGENDA APPROVAL**

**BB. SHERIFF (Cond't)**

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

**A) APPROVED R-2003-2070**  
the Florida Department of Law Enforcement's Florida Consortium "No-Suspect Casework DNA Backlog Reduction Program" Grant in the amount of \$377,174 for the period September 1, 2003 through August 31, 2004; and

**B) APPROVED**  
Budget Amendment of \$377,174 in the Sheriff's Grants Fund (1152).

**SUMMARY:** The National Institute of Justice (NIJ) has awarded the Florida Department of Law Enforcement (FDLE) \$3,939,332 for the "No-Suspect Casework DNA Backlog Reduction Program". Improvement in the sensitivity of Short Tandem Repeat (STR) technology has resulted in more cases being submitted for DNA analysis than would otherwise have been submitted. This has dramatically increased the total number of cases requiring DNA analysis. Florida's crime laboratories have not been able to keep pace with the demand for forensic DNA analysis, creating a significant backlog that is predominantly comprised of "no-suspect" cases. The primary objective of this program is to reduce the backlog of no-suspect cases requiring DNA analysis in State and County crime laboratories. Another goal is to increase Florida's DNA analysis production capability and capacity. DNA testing supports criminal investigations involving the identification or exclusion of putative suspects through the analysis of biological evidence recovered from crime scenes. There is no grant match required, nor are any County funds required in FY 2004. Countywide (DW)

**3. Staff recommends motion to:**

**A) APPROVED R-2003-2071**  
**receive and file** a Community Prosecution and Project Safe Neighborhoods grant in the amount of \$250,000 for the period of August 1, 2003 through July 31, 2005; and

**B) APPROVED**  
**approve** Budget Amendment of \$250,000 increasing the Sheriff's Grant fund (1152).

**SUMMARY:** The U.S. Department of Justice, Office of Justice Programs has awarded a Project Safe Neighborhoods (PSN) grant to the Palm Beach County Sheriff's Office (PBSO) in the amount of \$250,000. There is no local match requirement. The total program cost is \$250,000. The grant period is from August 1, 2003 through July 31, 2005. The funds will be used to hire, via a contractual agreement with the State Attorney's Office (SAO), one (1) assistant state attorney and one (1) support staff position in the amount of \$220,000 with the remaining balance to be spent on equipment and travel/training. The funds awarded through PSN will be used to ensure effective prosecution of cases arising from stricter enforcement in the area referred to as the "Okeechobee Corridor." Recent crime trends suggest that the "Okeechobee Corridor" is plagued with violent crimes and these crimes often involve firearms. Districts 1, 2, 6 & 7 (DW)

**DECEMBER 16, 2003**

**3. CONSENT AGENDA APPROVAL**

**CC. COURT ADMINISTRATION**

1. **APPROVED** **R-2003-2072**  
**Staff recommends motion to approve:** a Contract with Legal Aid Society of Palm Beach County, Inc. in the amount of \$114,250 for the Public Guardianship Program for the period of October 1, 2003 through June 30, 2004. **SUMMARY:** The Board of County Commissioners approved the establishment of a Public Guardianship Pilot Project in FY 1993 under the auspices of the Legal Aid Society of Palm Beach County, Inc. Since its inception, the Public Guardianship Program has showed a positive impact on the indigent, incapacitated elderly population of Palm Beach County by providing direct legal representation and support services. Pursuant to HB 0113A the filing fee that currently funds the program will be repealed as of June 30, 2004. Therefore, with only (9) months of available funding, the contract with Legal Aid Society of Palm Beach County, Inc. only provides for the Public Guardianship Program to be funded through June 30, 2004. Countywide (TKF)

**DD. SUPERVISOR OF ELECTIONS**

1. **APPROVED**  
**Staff recommends motion to approve:** Precinct boundary changes submitted by Theresa LePore, Supervisor of Elections, as required by Section 101.001(1), Florida Statutes. **SUMMARY:** Precinct Boundary Changes and addition of new Precinct due to Municipal Annexations and Growth. Countywide

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

TO BE POSTPONED UNTIL APRIL 13, 2004

A. POSTPONED

**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. Staff recommends motion to:

A) APPROVED

**find** that the amount of funding of the current fiscal year of the Five Year Road Program is at a minimum, as contemplated in the Comprehensive Plan and the Five Year Road Program.

B) APPROVED AS AMENDED

**find** that the new fifth year is being added to the Five Year Road Program with projects added to the Five Year Road Program at a rate contemplated in the Comprehensive Plan.

C) APPROVED

**find** that fewer than twenty percent (20%) of the programmed road construction projects (on a line item basis) from the preceding year over which the County has control are more than twelve (12) months behind schedule; and

D) ADOPTED

R-2003-069

**adopt** an Ordinance amending Ordinance No. 85-40 as amended, establishing an amended Five-Year Road Program; Providing for Title; Purpose; Adoption of revised Five-Year Road Plan and revised list of projects contained in Exhibit "A"; Implementation of the Plan; Modification of Plan; Funding of other roadway improvements; Interpretation of Exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; effective date.

**SUMMARY:** This is the annual update of the County's Five-Year Road Plan which is required to be considered each year by the Five-Year Road Program Ordinance. On November 18, 2003, the Board approved this Ordinance on preliminary reading. Exhibit "A" to the Ordinance contains the road projects to be undertaken by the County in the next five years. Three findings of fact, under the Unified Land Development Code, can also be made consistent with the background information attached to this agenda item. Also for information purposes, the state and county thoroughfares, which are projected to have capacity deficiencies at the end of the term of the current Five Year Road Program, are identified on the map and list. Countywide (MRE)

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

C. **ADOPTED** **R-2003-2075**

**Staff recommends motion to adopt:** a Resolution approving the issuance of not-to-exceed \$50,000,000 Housing Finance Authority of Palm Beach County, Florida, Single Family Homeowner Revenue Refunding Bonds (the "Bonds"), approving the sale of the Bonds within the meaning of Ordinance 79-3, as amended, and providing an effective date. **SUMMARY:** To enhance the ability of the Authority to obtain a bond allocation from the State of Florida for a single family homeownership financing, the Authority must be in a position to file a request with the State of Florida on January 1, 2004. Prior to such a request being made to the State of Florida, the Authority must have a public hearing and the approval of the Board of County Commissioners. The Authority's hearing was held on December 15, 2003. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** Countywide (PFK)

D. **ADOPTED** **R-2003-2076**

**Staff recommends motion to adopt:** a Resolution designating the area within the boundaries of the redevelopment area of the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) a brownfield area, and providing an effective date. **SUMMARY:** At a regular meeting held on August 11, 2003, the Westgate CRA Board voted to request brownfield area designation for the entire CRA area, and the topic received little comment from the public at the CRA meeting on November 10, 2003. A CRA, by definition, may be declared a brownfield area, per Florida Statutes 376.79(4). Florida Brownfield Redevelopment Act Statutes 376.77 through 376.85 enables property owners in a designated brownfield area to voluntarily utilize State brownfield program incentives for environmental remediation, rehabilitation and economic development. This is the first requested designation in the unincorporated area. District 2 (RB)

**CONTINUED FROM THE DECEMBER 4, 2003 ZONING MEETING**

E. **APPROVED AS AMENDED** **R-2003-2077**

**DOA1981-163E** Title: Resolution approving a Development Order Amendment petition of 485 Properties, LLC and WRC Properties, Inc. by Gunster Yoakley, Attorneys at Law, Agent. Request: To modify/delete conditions of approval and reconfigure site plan. General Location: Approx. 1,200 feet south of Glades Rd. on the east side of Military Trail (**BOCA CENTER**).

Pages

Size: 28.52 acres  
BCC District: 4

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**Staff Recommendation:** Approval, subject to conditions.

**Zoning Commission Recommendation:** Approved as amended, (5-0).

**MOTION:** To adopt a resolution approving the request to modify/delete conditions of approval and reconfigure site plan.

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

F. Staff recommends:

A) **ADOPTED** **R-2003-070**

**motion to adopt:** 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 No. 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; and

B) **ADOPTED**

**motion to receive and file:** the Impact Fee Review Committee 2003 Report to the Board of County Commissioners.

**SUMMARY:** Under Article 13.A.5.F 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 ordinance (which also adopts the impact fee methodology and final report by reference), impact fees for parks, fire-rescue, law enforcement (patrol), libraries, public buildings, and roads would be adjusted to 95% of the amount calculated by the methodology. At its meeting on December 2, 2003, the BCC approved a preliminary reading of the ordinance and directed that full implementation of the school impact fee increase be phased in three (3) equal increments over three (3) years. The first increment in school fees, and the increases in all other fee categories, will take effect on March 1, 2004. The ordinance has been revised to incorporate these changes. The Impact Fee Review Committee has completed its biennial report as required under Article 17.C.11 of the ULDC. The Committee accepted the methodology and related fee adjustments contained in the impact fee report prepared by Dr. Nicholas. However, the Committee recommended the school fee increase be limited to 50% of the amount calculated by the methodology phased in at equal amounts over two (2) years. The Committee further recommended that the proposed fee adjustments be implemented 90 days after BCC adoption of the methodology. Countywide (LB)

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5. REGULAR AGENDA

A. ADMINISTRATION

**TIME CERTAIN 2:00 P.M.**

1. Joint Meeting with the City of Riviera Beach (McEaddy Conference Room)

2. **ADOPTED** **R-2003-2078**

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**ADD-ON: Staff recommends motion to adopt:** Resolution by the Board of County Commissioners of Palm Beach County, Florida, in Support of the South Florida Water Management District in its Efforts to Assist the State of Florida, Palm Beach County, and the Cities of Belle Glades, South Bay and Pahokee in the Creation of the Torey Island Nature and Recreation Center. **SUMMARY:** Staff was directed at the November 18, 2003 meeting to draft this resolution supporting the South Florida Water Management District's efforts in the creation of the Torey Island Nature and Recreation Center. (Admin) (Add on per request of Commissioner Masilotti)

B. COUNTY ATTORNEY

1. **ADOPTED** **R-2003-2079**

**Staff recommends motion to adopt:** a Resolution approving the issuance of not-to-exceed \$24,000,000 Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds, (Heritage at Green Cay Apartments Project)(the "Bonds"), approving the sale of the Bonds within the meaning of Ordinance No. 79-3, as amended and providing an effective date. **SUMMARY:** The Bonds are being issued by the Authority to finance the costs of acquiring, constructing and equipping a 320-unit multifamily rental housing development in Palm Beach County to be occupied by persons of low or moderate income as required within the meaning of the Internal Revenue Code, as amended (the "Code"). **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 5 (PFK)

2. **ADOPTED** **R-2003-2080**

**Staff recommends motion to adopt:** a Resolution approving the issuance of not-to-exceed \$9,000,000 Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds, (Kyros Light Village Apartments Project) (the "Bonds"), approving the sale of the Bonds within the meaning of Ordinance 79-3, as amended and providing an effective date. **SUMMARY:** The Bonds are being issued by the Authority to finance the costs of acquiring, constructing and equipping a 126- unit multifamily rental housing development in Palm Beach County to be occupied by persons of low or moderate income as required within the meaning of the Internal Revenue Code, as amended (the "Code"). **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 6 (PFK)

3.A) **APPROVED**

**Staff recommends motion to approve on preliminary reading and advertise for public hearing on January 13, 2004 at 9:30a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ordinance No. 2003-004, the Palm Beach County Living Wage Ordinance; amending definitions; repealing the Health Benefit Provision; amending the Certification Provision; amending the Notice and Posting Provision; amending the Maintenance of Payroll Records Provision; amending the Reporting Payroll Provision; providing for captions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for effective date.

5. REGULAR AGENDA

COUNTY ATTORNEY (Cont'd)

**B APPROVED WITH STAFF DIRECTIONS**

**Staff requests Board direction regarding:** Whether, as a matter of policy, to include a standard contract provision addressing employee health benefits in County contracts covered by the Living Wage Ordinance.

**SUMMARY:** On February 25, 2003, the Board of County Commissioners approved the Palm Beach County Living Wage Ordinance (R2003-004). The Living Wage Ordinance contains a provision that requires certain County contractors and subcontractors to provide minimal health benefits to certain of their employees. This provision is preempted by Federal law under the Employee Retirement Income Security Act (ERISA), and therefore must be repealed. However, the Board may direct staff to incorporate a similar or modified health benefit requirement into a standard contract provision for County contracts covered by the Living Wage Ordinance. Countywide (EC)

**C. CRIMINAL JUSTICE COMMISSION**

**TIME CERTAIN 11:00 A.M.**

1. **APPROVED**

**Staff recommends motion to receive and file:** the 2003 Annual Report of the Criminal Justice Commission (CJC), as presented by 2003 CJC Chairman Jorge A. Dominicis. **SUMMARY:** Since its establishment in 1988, the Criminal Justice Commission has prepared and distributed an Annual Report to the Board of County Commissioners to inform them of its activities and accomplishments of the prior year. Mr. Jorge A. Dominicis, 2003 Criminal Justice Commission Chairman, will make a brief presentation to the Board. Countywide (DW)

**D. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET**

1. **DELETED**

**Staff recommends motion to adopt:** a Resolution authorizing the issuance of Public Improvement Revenue Refunding Bonds, Series 2004 (Convention Center Project) in the initial aggregate principal amount of not exceeding \$80 Million for the purpose of advance refunding the County's Public Improvement Revenue Bonds, Series 2001 (Convention Center Project), funding a reserve in connection therewith, if deemed necessary, and paying certain costs of issuance related thereto; providing certain of the terms 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; approving the form and authorizing the execution of an escrow deposit agreement; providing for certain other matters in connection therewith; and providing an effective date. **SUMMARY:** On December 9, 2003, the Board directed staff to move forward with the refunding of all of the outstanding \$80.705 Million Public Improvement Revenue Bonds, Series 2001. This resolution authorizes the advanced refunding of the convention center bonds. The net present value savings during the first five years of the refunding bonds will be approximately \$6.3 million or 8.2%. Countywide

DECEMBER 16, 2003

5. REGULAR AGENDA

**E . ENVIRONMENTAL RESOURCES MANAGEMENT**

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

**A) APPROVED R-2003-2081**  
Agreement for Sale and Purchase (Agreement) for acquisition of approximately 5.91 acres of land adjacent to the County's North Jupiter Flatwoods Natural Area from Schickedanz Capital Group, L.L.C., a Florida limited liability company, at a total purchase price of \$571,520 subject to satisfactory results of pre-closing due diligence;

**B) APPROVED**  
the expenditure of up to \$600,000 from the 2001 \$75M General Obligation Conservation Land Acquisition Fund (3002) for the purchase of the 5.91-acre property, upon the terms and conditions set forth in the Agreement, and to provide funds for initial site security improvements and signage;

**C) APPROVED**  
Budget Transfer of \$550,000 in the \$75M General Obligation-Conservation Land 2001 Construction Trust Fund (Fund 3002) from Reserves (9900) to the North Jupiter Flatwoods Project Unit (E421) to provide for the purchase of the property and for appraisal costs, closing and miscellaneous costs, and a portion of the capital site preparation work and staff time to administer the program relating to this property.

**SUMMARY:** The property, which is owned by Schickedanz Capital Group, L.L.C., located at 7741 North Military Trail, Suite 1, Palm Beach Gardens, Florida 33410 will be incorporated into the North Jupiter Flatwoods Natural Area as a wildlife connector to the Loxahatchee River corridor located northwest of the Natural Area. This property is approximately 5.91 acres of fallow farm fields that was originally targeted for acquisition into the North Jupiter Flatwoods Natural Area. It will be planted and restored as a wildlife corridor along with an additional 100-foot wide corridor that is immediately adjacent and parallel to this corridor in Martin County. The County will ultimately manage both properties as a 200-foot wide corridor. The seller will be responsible for the initial restoration and planting of the corridor. In addition, the seller will maintain the vegetation in the corridor for as long as their permit requires. The corridor will then be the responsibility of the County to manage in perpetuity. The seller will make a lump sum payment to the County to pay for that perpetual management of the corridor. The property is scheduled to close within 120 days of execution of the Agreement by the parties. The seller shall provide a Survey and Environmental Site Assessment (ESA) for the property. If the ESA indicates the presence of hazardous materials on the property, the County may elect to terminate the Agreement. If the cost of clean-up is greater than 20% of the Purchase Price, the seller may terminate the Agreement. If neither party elects to terminate the Agreement, the seller is responsible for the clean-up of the hazardous waste. District 1 (HJ)

5. REGULAR AGENDA

E . ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to approve:

**A) APPROVED R-2003-2082**  
Agreement for Sale and Purchase (Agreement) for acquisition of approximately 482 acres of environmentally sensitive lands adjacent to the County's Pal-Mar Natural Area from Stuart Enterprises, Inc., a Florida Corporation, at a total purchase price of \$4,820,000, subject to satisfactory results of pre-closing due diligence;

**B) APPROVED**  
the expenditure of up to \$4,920,000 for the purchase of the property upon the terms and conditions set forth in the Agreement and to provide funds for initial site security improvements. Funding for approximately 482 acres is anticipated to be as follows: \$3,313,334 from the 2001 \$75M General Obligation Conservation Land Acquisition Fund (3002) and \$1,606,666 from the Natural Areas Fund (1226); and,

**C) APPROVED**  
Budget Transfer of \$3,313,334 in the \$75M General Obligation Conservation Land 2001 Bond Fund (3002) from Reserves (9900) to the Pal-Mar (Corbett Buffer) Project Unit (E205) and a Budget Transfer of \$1,606,666 in the Natural Areas Fund (1226) from Reserves (3195) to the Pal-Mar Project Unit (E205) to provide for the purchase of the property and for planning and appraisal costs, closing and miscellaneous costs, and a portion of the capital site preparation work and staff time to administer the program relating to this property.

**SUMMARY:** The property, which is owned by Stuart Enterprises, Inc., located at 1250 Old Dixie Highway, Lake Park, Florida 33403 will be incorporated into the Pal-Mar Natural Area. This property is approximately 482 acres of wet pine flatwoods, cypress domes, and wet prairie habitats located south of Indiantown Road, adjacent to the northeastern portion of the existing County-owned Pal-Mar Natural Area that is west of Jupiter Farms. The property will be closed in two phases with the easternmost 321 acres closing within 150 days of execution of the Agreement. The closing of the remaining 161 acres shall occur between five (5) and ten (10) months after the date of the first closing, with the closing date set by the seller upon giving the County 60 days prior written notice of the closing date. The acquisition of this property is contingent upon the results of two independent appraisals of the property. If the purchase price is greater than 99% of the average of the two appraisals, the County may terminate this Agreement at its sole discretion. Termination must occur by written notice within 75 days of the execution of the Agreement. The seller shall provide a Survey and Environmental Site Assessment (ESA) for the property. If the ESA indicates the presence of hazardous materials on the property, the County or the seller may elect to terminate the Agreement. If neither party elects to terminate the Agreement, the seller is responsible for the clean-up of the hazardous waste. District 1 (HJ)

5. REGULAR AGENDA

E . ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) **DELETED**

**accept** three (3) Assignments of Option to Purchase (Agreements) from The Conservation Fund, as Trustee of the Conservation Fund Charitable Trust (TCF) for acquisition of approximately 50 acres of land in the Agricultural Reserve from West Boynton Farms, Inc., a Florida Corporation, at a total purchase price of \$1,023,432.25, subject to satisfactory results of pre-closing due diligence;

B) **DELETED**

**approve** the expenditure of up to \$1,100,433 from the 2001 \$75M General Obligation Conservation Land Acquisition Fund (3002) for the purchase of the three properties consisting of approximately 50 acres, upon the terms and conditions set forth in the Agreements;

C) **DELETED**

**approve** TCF's fee estimated at \$10,235 for the acquisition of the properties, which is one percent (1%) of the total purchase price, pursuant to TCF's agreement (R99-957D) with the County; and,

D) **DELETED**

**approve** Budget Transfer of \$1,100,433 in the \$75M General Obligation Conservation Land 2001 Bond Fund (3002) from Reserves (9900) to the Agricultural Reserve Project Account (E500) to provide for the purchase of the properties and for TCF's fee for its acquisition services, closing and miscellaneous costs, and a portion of the capital site preparation work and staff time to administer the program relating to this property.

**SUMMARY:** The property, which is owned or controlled by West Boynton Farms, Inc., is the ninth land acquisition in the Agricultural Reserve with funds from the 1999 Lands for Conservation Purposes bond referendum. This property is comprised of three parcels (10-acre Woskob parcel, 20-acre North King parcel, and 20-acre South King parcel, collectively known as the West Boynton Farms, Inc. property) totaling approximately 50 acres that are located west of State Road 7 and North of Boynton Beach Boulevard. The parcels being acquired are a mixture of undeveloped land with cypress wetlands, and overgrown, neglected in-ground nursery stock. Two of the parcels (North and South King parcels) will be acquired subject to a lease with Woodlands Botanicals, Inc. that will be assigned to the County at closing. The lease rental payments are \$0 and the lease expires April 22, 2004. Purchase of the West Boynton Farms, Inc. property is the first transaction to involve acquiring parcels in the Agricultural Reserve that have had development rights removed from the property and transferred to another location as part of a 60/40 development. The seller reserves the right to use these parcels as an Agricultural Reserve Preserve and the County (AGR-PUD) agrees to sign, within 10 days of written requests from the seller, any such applications and consents that will enable the seller to apply for all governmental and regulatory approvals and permits necessary for the seller to create its AGR-PUD. The purpose for the acquisition of these parcels is for the County to gain control of the restoration potential these parcels provide. Acquisition of these parcels is for water resources purposes and the properties will be managed by the Department of Environmental Resources Management (ERM) as part of a restoration effort to convert these parcels, in conjunction with adjoining County-owned parcels, back to wetlands. It is only possible to do this if the County controls the properties. This acquisition is consistent with both Board direction to give highest priority to the purchase of lands west of Highway 441, and the Palm Beach County Agricultural Reserve Master Plan. The option period expires January 28, 2004. District 3 (HJ)

5. REGULAR AGENDA

E . ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve:

**A) APPROVED R-2003-2083**

Agreement for Sale and Purchase (Agreement) for acquisition of approximately 427 acres of environmentally sensitive land adjacent to the County's Cypress Creek Natural Area from RV Holding Co., Inc., a not-for-profit Florida corporation, at a total purchase price of \$10,752,000 subject to satisfactory results of pre-closing due diligence;

**B)**  
the expenditure of up to \$10,752,000 from the 2001 \$75M General Obligation Conservation Land Acquisition Fund (3002) for the purchase of the 427-acre property, upon the terms and conditions set forth in the Agreement; and,

**C)**  
Budget Transfer of \$10,752,000 in the 2001 \$75M General Obligation Conservation Land Acquisition Fund (3002) from Reserves (9900) to the Cypress Creek Project Unit (E406) to provide for the purchase of the property.

**SUMMARY:** The property, which is owned by RV Holding Co., Inc., located in Palm Beach Gardens, Florida 33410 will be incorporated into the Cypress Creek Natural Area. The Agreement requires the County to acquire the property in an "as is" condition. The County has until December 16, 2003 to approve the Agreement or the seller may withdraw this offer to sell the property. The purchase price is based on approximately 427 acres to be acquired at \$25,180 per acre. The purchase price of \$10,752,000 is a set price with no provision for adjustment if the final survey shows the acreage is less than the estimated 427 acres. The County will have had the property appraised prior to this Board of County Commission (BCC) meeting and the values will have been provided to the BCC under a separate memorandum. The County has 90 calendar days (the inspection period) from the date the seller executed the Agreement (November 20, 2003) to conduct necessary pre-closing due diligence, such as appraisals, surveys, and environmental assessments. If the due diligence inspections reveal a deficiency in the property, as determined by the County in its sole discretion, the County may terminate the Agreement upon written notice to the seller prior to expiration of the inspection period. The closing will be on or before March 4, 2004. The property is subject to a Livestock and Hunting Lease, which will terminate not later than 90 days after closing. The Agreement also provides the seller with the option to unilaterally revoke the offer to sell (if before acceptance by the BCC) or terminate this Agreement (if after acceptance by the BCC) if all pending proceedings/public hearings to consider the designation of Old Indiantown Road as a historic site are not continued and/or postponed by December 5, 2003, and such continuation/postponement must remain in effect until closing. The seller understands that the Old Indiantown Road historic designation is scheduled for the public hearings on December 16, 2003, and that staff is recommending the item be postponed at the public hearing until April, 2004. District 1 (HJ)

5. REGULAR AGENDA

E . ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) APPROVED

accept, subject to satisfactory results of pre-closing due diligence, a Deed assigned to the County by South Florida Water Management District (SFWMD) for donation of approximately 547 acres of environmentally sensitive land zoned Light Industrial located on the southeast corner of the Seminole Pratt Whitney and Indiantown Road interchange, contingent upon approval by November 15, 2004 of a proposed application for an Agricultural Reserve Planned Development District (AGR-PDD) using as the preserve area, 918 acres of SFWMD land located in the Strazzula wetlands in the Agricultural Reserve (Ag Reserve) in connection with development of 612 acres in the Ag Reserve owned by City National Bank of Florida; and

B) APPROVED

grant a Conservation Easement to the SFWMD encumbering the 547 acres, plus approximately 2,616 acres the County will own within the Pal-Mar Natural Area after State grant contracts are closed, upon receipt of the deed described in A) above.

**SUMMARY:** The actions contained in the Motion would allow the County to extinguish 918 development units in the Ag Reserve held by the SFWMD and acquire in fee the 547 acres fronting on Indiantown and Seminole Pratt Whitney Roads as an addition to the Pal-Mar Natural Area at no cost to the County. This transaction would occur only if an AGR-PDD is approved by the County on 612 acres of land in the Ag Reserve on or before November 15, 2004. The AGR-PDD would receive no increase in density, as the development rights of the preserve area would be extinguished. According to a contract between the SFWMD and Charles E. Johnson and City National Bank of Florida, Trustee scheduled for approval by the SFWMD on December 11, 2003, Charles E. Johnson and City National Bank of Florida, Trustee will give title to the 547 acres in the Pal-Mar project area, currently under contract for a purchase price of \$5.5 million, to the SFWMD in exchange for the use of 918 acres the SFWMD owns in the Ag Reserve as a preserve area for an AGR-PDD proposed by the Developers through the placement of a Conservation Easement on the SFWMD's property. Use of the SFWMD's 918 acres as a preserve area for the AGR-PDD will only obligate the SFWMD to the terms of the Conservation Easement. The development rights associated with the 918 acres would be extinguished. The City National Bank of Florida, Trustee would not be receiving an increase in density on its 612 acres in the Ag Reserve, but would obtain the ability to build its units over the entire 612 acres. The SFWMD would then give the County the 547 acres in exchange for the County granting the SFWMD a Conservation Easement over all the County-owned lands in the Pal-Mar Natural Area including the 547 acres. District 1 (HJ)

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6. BOARD APPOINTMENTS

A. ADMINISTRATION

(Treasure Coast Regional Planning Council)

1. APPROVED

Staff recommends motion to ratify: the appointment of the following members from the Palm Beach County League of Cities to the Treasure Coast Regional Planning Council:

| <u>Regular Appointments</u>  | <u>Seat No.</u> | <u>Requirement</u>         |
|------------------------------|-----------------|----------------------------|
| Vice Mayor Joni Brinkman     | 4               | Palm Beach County Official |
| Mayor Samuel J. Ferreri      | 5               | Palm Beach County Official |
| Mayor Karen Golonka          | 6               | Palm Beach County Official |
| Councilwoman Carmela Starace | 7               | Palm Beach County Official |
| Councilwoman Annie Delgado   | 8               | Palm Beach County Official |

| <u>Alternate Appointments</u>    | <u>Seat No.</u> | <u>Requirement</u>         |
|----------------------------------|-----------------|----------------------------|
| Councilwoman Elizabeth Tennyson  | 4A              | Palm Beach County Official |
| Commissioner Retha Lowe          | 5A              | Palm Beach County Official |
| Councilman Maurice Jacobson      | 6A              | Palm Beach County Official |
| Councilwoman Lizbeth Benacquisto | 7A              | Palm Beach County Official |
| Commissioner James Exline        | 8A              | Palm Beach County Official |

**SUMMARY:** In accordance with the Treasure Coast Regional Planning Council policy, the Board is requested to ratify the Palm Beach County League of Cities appointments to the Regional Planning Council before their annual meeting which will be held on December 19, 2003. The Palm Beach County League of Cities recommends the reappointments listed above to the Treasure Coast Regional Planning Council. Countywide (DM)

B. COMMISSION DISTRICT APPOINTMENTS

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**DECEMBER 16, 2003**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**DECEMBER 16, 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**

**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."

December 16, 2003 8:00 a.m. **BOARD OF COUNTY COMMISSIONERS**  
**BOARD MEETING**  
**PALM BEACH COUNTY, FLORIDA**

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**DECEMBER 16, 2003**

| <u>PAGE</u> | <u>ITEM</u> |  |
|-------------|-------------|--|
| 8           | 3C-2 **     | <p><b>REVISED TITLE:</b> <b>A)</b> a \$237,370.20 Contract with Carolina Consulting Corporation, the lowest responsive, responsible bidder, for the construction of Lyons Road, Broward/Palm Beach County Line to S.W. 18th Street (Project); and</p> <p><b>B)</b> Budget Amendment of \$17,580 in the Road Impact Fee Fund, Zone 5, <u>to recognize utility reimbursement from Bell South for Lyons Road, Broward/Palm Beach County Line to S.W. 18th Street.</u> (Eng)</p>   |
| 10          | 3C-10       | <p><b>DELETED:</b> A \$6,686,314.45 Contract with J.W. Cheatham, Inc. (JWCI), the lowest responsive, responsible bidder, for the construction of Boynton Beach Boulevard from S.R.7 to Acme Dairy Road (Project).(Eng) (Further staff review/moved to 1/13/04)</p>   |
| 11          | 3C-12       | <p><b>REVISED SUMMARY:</b></p> <p>This item provides funding in the amount of \$80,000 for the installation of a sound buffer and landscaping on Association's property for a distance of 2,250 feet adjacent to the County's right-of-way for Roebuck Road (from approximately 2,650 feet west of Haverhill Road to a point approximately 400 feet west of Haverhill Road). Funding comes from the District 2 Gas Tax Reserves. After the installation, the Association will be responsible for perpetual maintenance of the improvements. <u>Staff believes that the waiver is appropriate since significant landscaping within the road right-of-way (approximately a 30'corridor) that would have acted as a buffer for the community was removed by a contractor.</u> <u>District 2 (MRE)</u> (Eng)</p> |
| 11          | 3C-13       | <p><b>DELETED: A)</b> 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</p> <p><b>B)</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)</p>  |
| 23          | 3S-1        | <p><b>DELETED: A)</b> Budget Transfer in the Glades Regional Fire MSTU Fund in the amount of \$15,300;</p> <p><b>B)</b> Budget Amendment in the main Fire Rescue MSTU fund in the amount of \$15,300; and</p> <p><b>C)</b> the First Amendment to the Interlocal Agreement with the City of Belle Glade for Provision of Fire Protection and Emergency Medical Services (Agreement No. R99-1584D). (Fire Rescue) (Further staff review/moved to 1/13/04)</p>   |

