

MEETING: BOARD OF COUNTY COMMISSIONERS, REGULAR

1. **CALL TO ORDER:** March 13, 2001, at 9:35 a.m., in the Palm Beach County Governmental Center, West Palm Beach, Florida.

1.A. **ROLL CALL**

MEMBERS AND OFFICERS PRESENT:

Chair Warren H. Newell
Vice-Chair Carol A. Roberts
Commissioner Burt Aaronson
Commissioner Addie L. Greene
Commissioner Mary McCarty - Absent
Commissioner Karen T. Marcus
Commissioner Tony Masilotti
County Administrator Robert Weisman
County Attorney Denise Dytrych
Chief Deputy Clerk John W. Dame
Deputy Clerk Judith Crosbie

1.B. **INVOCATION** - Commissioner Roberts

1.C. **PLEDGE OF ALLEGIANCE**

2. **AGENDA APPROVAL**

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

County Administrator Weisman noted the agenda changes as follows:

<u>PAGE</u>	<u>ITEM</u>
17	3L-4

REVISED TITLE & SUMMARY:

A) ... B) approve each of six (6) Interlocal Agreements, including signature by the Chairman prior to that of the local governments, with the following entities: City of Boynton Beach/\$325,000; Town of Lantana/ \$12,000; Town of Palm Beach/\$200,000; School District of Palm Beach County/\$62,000; City of West Palm Beach-Pollution Control Devices/\$500,000; and City West Palm Beach-Renaissance Project/\$400,000, each effective upon execution by both parties and expiring ~~May~~ June 30, 2003; **C) ...** ; and **D) ...**

SUMMARY: The DEP has received \$3,000,000 appropriated under Line Item Appropriation 1591G of the 2000-2001 Appropriations Act in support of the Lake Worth Lagoon restoration effort. Under DEP Agreement No. WAP029, the DEP will provide the County with \$2,850,000 to prepare and administer these funds in the form of a grant and subgrants for eight construction projects to benefit the Lake Worth Lagoon. Six of the eight construction projects will be administered via Interlocal Agreements between Palm Beach County and the local governments responsible for the projects. Two (2) construction projects, the Peanut Island Restoration/\$244,274, and the City of Lake Worth Wetland Restoration/\$1,082,201, will be managed by Palm Beach County's Department of Environmental Resources Management (ERM) under

the terms and conditions of DEP Agreement No. WAP029. Of the \$2,850,000 match requirement, Palm Beach County is responsible for \$124,525, with the remaining \$2,725,475 coming from these sources: municipalities, United States Army Corps of Engineers, and the Florida Inland Navigation District. In addition, a portion of the grant will fund one half of an existing ERM position for one

2.A. - CONTINUED

<u>PAGE</u>	<u>ITEM</u>	
17	3L-4 CONTD.	year (\$24,525). The remainder of this position is funded by an in-kind match from Palm Beach County of \$24,525. Due to unforeseen time constraints ... (ERM)
24	4B	<u>ADD-ON:</u> Proclamation declaring the week of March 19 - March 24 as "Olympic Flatwater Canoe/Kayak Week" in Palm Beach County. (Sponsored by Commissioner Marcus)
24	4C	<u>ADD-ON:</u> Proclamation declaring the month of April, 2001 as "Alcohol Awareness Month" in Palm Beach County. (Sponsored by Commissioner Greene)
24	4D	<u>ADD-ON:</u> Proclamation declaring April 3, 2001, as "Marshall E. Rinker Sr., Boy Scout Education Center Dedication Day" in Palm Beach County. (Sponsored by Commissioner Newell)
24	4E	<u>ADD-ON:</u> Proclamation declaring Monday, March 26, 2001 as "Congressman Mark Foley Day" in Palm Beach County. (Sponsored by Commissioner Roberts)
25	5D	<u>REVISED TITLE & SUMMARY:</u> <u>Staff recommends motion to:</u> <u>A) withdraw the request to abandon the unimproved portion of Theresa Road; and</u> <u>B) direct staff to prepare a Licensing Agreement, allowing the construction of a fence within the unimproved right-of-way of Theresa Road, which will be presented to the Board upon execution.</u> <u>SUMMARY:</u> <u>The petition site is located east of Congress Avenue, north of 2nd Avenue and south of Vassallo Avenue. The requested abandonment was postponed from the public hearing of February 27, 2001 because several property owners to the south asked that this road remain public for future access. District 3 (PK)</u>
27	6A-7	<u>ADD-ON: TIME CERTAIN - IMMEDIATELY FOLLOWING THE ATTORNEY-CLIENT SESSION AT 12:00 P.M.:</u> Executive session regarding the negotiations with Communications Workers of America (CWA).
27	6A-8 **	<u>ADD-ON: Staff recommends motion to approve:</u> A) settlement in the eminent domain action styled Palm Beach County v. J. Clinton Scott, Trustee, et. al., Case No. CL 99-007778 AI (Parcels 107, 107A, 107B, 107E1 and 107E2), for the improvement of the Lyons Road extension, Project No. 95611A; and

B) Budget Transfer of \$84,035 in the Transportation Improvement Fund from Reserves - Road Program Sweeps to Lyons Road-Delray Training Unit PUD.

SUMMARY: The County acquired fee simple title to Parcels 107, 107A, 107B, 107E1 and 107E2 for the improvement and construction of the Lyons Road extension. The County has negotiated a proposed settlement in the total amount of \$410,000. This Settlement will conclude all matters relating to these parcels, including attorney's fees and experts' fees and costs.
District 5 (EWC) (Co Atty)

30

6F-1 **

REVISED TITLE: Purchasing to a Contract with Langton Associates, Inc. for an additional one-year period (February 1, 2001 through January 31, 2002) in the amount of \$67,500. (Admin)

2.A. - CONTINUED

PAGE **ITEM**
31 6H-1

ADD-ON: Staff recommends motion to approve:

A) Donation of three (3) surplus Palm Tran buses and transference of vehicle titles to the City of South Bay, City of Belle Glade, and Village of Wellington;

B) Budget Transfer of \$11,223 in the Transportation Improvement Fund from the District 6 Improvements Reserve to the "Transportation Authority Fund 581" (Palm Tran, Inc.) Transfer account; and

C) Budget Amendment of \$11,223 in the Palm Tran Fund (581) to recognize the revenue related to the transfer above and appropriate the funds.

SUMMARY: These surplus buses will be used by the municipalities to provide transportation services to their residents. The District Commissioner has offered to contribute an amount equal to the average sales price of surplus buses, established during the latest bid sale, from his District Improvement Reserve to Palm Tran. This \$11,223 contribution to Palm Tran is proposed as compensation to Palm Tran for the loss of surplus sales revenue typically generated by bid sales. The proposed \$11,223 Budget Amendment appropriates the contributed revenue to increase the Palm Tran (Fund 581) FY 2001 budget for routine bus tire replacements. District 6 (DR) (Palm Tran)

2.B. ADOPTION

MOTION to adopt the agenda as amended. Motion by Commissioner Marcus, seconded by Commissioner Masilotti, and carried 6-0. Commissioner McCarty absent.

3. **CONSENT AGENDA - See pages 4-18.**
4. **SPECIAL PRESENTATIONS - See pages 18-19.**
5. **PUBLIC HEARINGS - 9:30 A.M. - See pages 20-21.**
6. **REGULAR AGENDA - See pages 22-31.**
TIME CERTAIN 11:30 A.M.(Item 6.A.4.) - See pages 42-44.
TIME CERTAIN 12:00 M. (Item 6.A.7.) - See page 24.
7. **BOARD APPOINTMENTS - See pages 31-33.**
8. **MATTERS BY PUBLIC 2:00 P.M. - See pages 44-49.**
9. **STAFF COMMENTS - None.**
10. **COMMISSIONER COMMENTS - See pages 33-41.**
11. **ADJOURNMENT - See page 49.**

***** CONSENT AGENDA APPROVAL *****

3.A. ADMINISTRATION

3.A.1. DOCUMENT R-2001-0346

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD AGREEMENT WITH THE TOWN OF MANALAPAN FOR THE PUBLIC SAFETY DEPARTMENT TO BECOME A PART OF THE STATEWIDE HAZARD MITIGATION STRATEGY. APPROVED 3-13-2001

3.A.2.

a. DOCUMENT R-2001-0347

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 01-01051-000 FOR THE WATER UTILITIES DEPARTMENT WITH DANIEL L. BAKST, AS TRUSTEE. APPROVED 3-13-2001

b. DOCUMENT R-2001-0348

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 02-01030-000 FOR THE WATER UTILITIES DEPARTMENT WITH JAMES L. HICKS, ET AL. APPROVED 3-13-2001

c. DOCUMENT R-2001-0349

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 05-01025-000 FOR THE WATER UTILITIES DEPARTMENT WITH THE SCHOOL BOARD. APPROVED 3-13-2001

d. DOCUMENT R-2001-0350

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 05-01027-000 FOR THE WATER UTILITIES DEPARTMENT WITH MORNINGSTAR NURSERY, INC. APPROVED 3-13-2001

e. DOCUMENT R-2001-0351

RECEIVE AND FILE ORIGINAL EXECUTED STANDARD DEVELOPER AGREEMENT 09-01017-000 FOR THE WATER UTILITIES DEPARTMENT WITH KENCO COMMUNITIES AT THE RANCH, INC. APPROVED 3-13-2001

3.A.3. DOCUMENT R-2001-0352

RECEIVE AND FILE ORIGINAL EXECUTED WORK ORDER AUTHORIZATION 5 FOR THE WATER UTILITIES DEPARTMENT WITH FOSTER MARINE CONTRACTORS, INC., CONTINUING CONSTRUCTION CONTRACT FOR A 42-INCH WATER MAIN INSTALLATION. (AMENDS R-2000-1513) APPROVED 3-13-2001

3.A.4.

RECEIVE AND FILE RESOLUTION 40-2001 OF THE CITY OF BOCA RATON REQUESTING THE BOARD OF COUNTY COMMISSIONERS TO EXPEDITE THE PURCHASE OF 82 ACRES OF ENVIRONMENTALLY SENSITIVE LANDS, FORMERLY OWNED BY BOCA TECHNOLOGY CENTER, LLC, FROM THE CITY OF BOCA RATON. APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.B. CLERK

3.B.1.

WARRANT LIST DATED MARCH 9, 2001. APPROVED 3-13-2001

COMPUTER CHECKS	\$16,706,394.01
WIRE TRANSFERS	69,163,587.04
MANUAL CHECKS	365,571.90
EFT DISBURSEMENTS	<u>2,784,952.63</u>
	\$89,020,505.58

3.B.2. MINUTES - None

3.B.3.

CONTRACTS ON CONTRACT LIST EXECUTED EXECUTED BY THE PURCHASING DIRECTOR:

a.

TERM CONTRACT WITH LANDMARK AUDIO BOOKS, INC., FOR \$111,000 FOR AN AUDIO BOOK LEASING PROGRAM FOR THE COUNTY LIBRARY SYSTEM FROM MAY 15, 2001, THROUGH MAY 14, 2002. APPROVED 3-13-2001

b.

INCREASE TO TERM CONTRACT WITH H AND H LIQUID SLUDGE AND DISPOSAL FOR \$370,000 TO HAUL AND PROPERLY DISPOSE OF ANAEROBICALLY DIGESTED SEWAGE CAKE SLUDGE FROM JANUARY 1, 2000, THROUGH JUNE 30, 2001. APPROVED 3-13-2001

c.

TERM CONTRACT WITH BOCA TIRES, INC.; PALMIS TIRE AND AUTO; TIRESOLES OF BROWARD, DBA ELPEX; AND ROBBIE TIRE COMPANY, FOR \$336,500 TO PURCHASE TIRES FOR COUNTY VEHICLES FROM FLORIDA STATE CONTRACT 863-000-99-1 FROM MARCH 15, 2001, THROUGH MARCH 14, 2002. APPROVED 3-13-2001

3.C. ENGINEERING AND PUBLIC WORKS

3.C.1. DOCUMENT R-2001-0352.1

SUBORDINATION OF UTILITY INTERESTS RECEIVED FROM ADELPHIA CABLE REQUIRED FOR THE IMPROVEMENT OF THE SUMMIT BOULEVARD AND HAVERHILL ROAD INTERSECTION. THE AGREEMENT REQUIRES THE COUNTY TO PAY FOR ANY FUTURE RELOCATIONS OF THE UTILITIES IF REQUIRED BY THE COUNTY. APPROVED 3-13-2001

3.C.2. DOCUMENT R-2001-0353

CONTRACT WITH J. W. CHEATHAM, INC, FOR \$1,838,693.02 FOR THE CONSTRUCTION OF JOG ROAD FROM HYPOLUXO ROAD TO MELALEUCA LANE. APPROVED 3-13-2001

3.C.3. DELETED

CONSENT AGENDA - CONTINUED

3.C.4. BUDGET TRANSFER 2001-0496

BUDGET TRANSFER OF \$59,885 IN THE COUNTY TRANSPORTATION TRUST FUND FROM COUNTY TRANSPORTATION TRUST CONTINGENCY TO TRAFFIC OPERATIONS FOR REPLACED HURRICANE SUPPLIES. APPROVED 3-13-2001

3.C.5.

RECEIVE AND FILE A REPORT OF PLAT RECORDATIONS FROM OCTOBER 1, 2000, THROUGH DECEMBER 31, 2000. APPROVED 3-13-2001

3.C.6.

a. BUDGET TRANSFER 2001-0497

BUDGET TRANSFER OF \$223,000 IN THE MUNICIPAL SERVICE TAXING UNIT DISTRICT C FUND FROM RESERVES TO TUCKS ROAD - LAWRENCE ROAD EAST TO END FOR STREET IMPROVEMENTS. (SEE R-2001-0354) APPROVED 3-13-2001

b. DOCUMENT R-2001-0354

CONTRACT WITH CHARLES S. WHITESIDE, INC., FOR \$195,523.50 FOR THE TUCKS ROAD STREET IMPROVEMENTS FROM LAWRENCE ROAD EAST TO THE END. APPROVED 3-13-2001

3.C.7. DOCUMENT R-2001-0355

PARTIAL RELEASE OF DRAINAGE EASEMENT LOCATED ON THE NORTH SIDE OF PGA BOULEVARD APPROXIMATELY 0.25 MILE EAST OF THE C-18 CANAL TO TAYLOR WOODROW COMMUNITIES AT MIRASOL, GOLF DIGEST, A PLANNED COMMUNITY DEVELOPMENT. APPROVED 3-13-2001

3.C.8.

PAYMENT TO FLORIDA POWER & LIGHT COMPANY, NOT TO EXCEED \$8,690, FOR THE RELOCATION OF EXISTING STREETLIGHT FACILITIES, AS REQUIRED, FOR THE CONSTRUCTION OF JOG ROAD FROM HYPOLUXO ROAD TO MELALEUCA LANE. APPROVED 3-13-2001

3.C.9. BUDGET TRANSFER 2001-0498

BUDGET TRANSFER OF \$26,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 IMPROVEMENTS FOR A WESTBOUND RIGHT-TURN LANE ON SOUTHWEST 18 STREET AT L'ERMITAGE CIRCLE. APPROVED 3-13-2001

3.C.10. DELETED

3.C.11. DOCUMENT R-2001-0356

AGREEMENT WITH NODARSE & ASSOCIATES, INC., TO PROVIDE TESTING LAB SERVICES FOR VARIOUS PROJECTS COUNTYWIDE, AS REQUIRED, ON AN ANNUAL BASIS. APPROVED 3-13-2001

3.C.12. DOCUMENT R-2001-0357

AGREEMENT WITH METRIC ENGINEERING, INC., FOR \$650616.61 TO PREPARE DESIGN DOCUMENTS REQUIRED FOR THE FOUR-LANE DIVIDED ROADWAY CONSTRUCTION PROJECT OF SEMINOLE PRATT WHITNEY ROAD FROM NORTH OF

CONSENT AGENDA - CONTINUED

3.C.13. RESOLUTION R-2001-0358

RESOLUTION VACATING 8 FEET OF A 28-FOOT-WIDE MAINTENANCE EASEMENT IN LOT 100, WOODS WALK PLAT 3, LOCATED ON THE NORTH SIDE OF LAKE WORTH ROAD AND EAST OF STATE ROAD 7. ADOPTED 3-13-2001

3.C.14. DOCUMENT R-2001-0359

SUBORDINATION OF UTILITY INTERESTS FOR PARCEL 426 FROM FLORIDA POWER & LIGHT COMPANY FOR THE WIDENING OF HAGEN RANCH ROAD BETWEEN LAKE IDA ROAD AND BOYNTON BEACH BOULEVARD. THE AGREEMENT REQUIRES THE COUNTY TO PAY FOR ANY FUTURE RELOCATION OF UTILITY FACILITIES IF REQUESTED BY THE COUNTY. APPROVED 3-13-2001

3.C.15.

a. DOCUMENT R-2001-0360

CONTRACT WITH SONIC ENGINEERING, INC., FOR \$5,273,910.20 FOR THE CONSTRUCTION OF LAKE IDA ROAD FORM MILITARY TRAIL TO CONGRESS AVENUE. APPROVED 3-13-2001

b. BUDGET AMENDMENT 2001-0564

BUDGET AMENDMENT OF \$966,092 IN THE TRANSPORTATION IMPROVEMENT FUND TO APPROPRIATE OUTSIDE UTILITY FUNDING FOR THE LAKE IDA ROAD PROJECT. (SEE R-2001-0360) APPROVED 3-13-2001

c. BUDGET TRANSFER 2001-0565

BUDGET TRANSFER OF \$1,039,708 FROM THE ROAD IMPACT FEES AREA J FUND TO THE TRANSPORTATION IMPROVEMENT FUND TO RECOGNIZE IMPACT FEE REVENUE FORM CASCADE LAKES, LTD., FOR CONSTRUCTION OF THE LAKE IDA ROAD PROJECT. (SEE R-2001-0360) APPROVED 3-13-2001

3.C.16. BUDGET TRANSFER 2001-0539

BUDGET TRANSFER OF \$52,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT BRYAN ROAD PAVING PROJECT. APPROVED 3-13-2001

3.C.17.

a. DOCUMENT R-2001-0361

FUNDING AGREEMENT WITH THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT FOR THE CONSTRUCTION OF PHASE II ROAD IMPROVEMENTS WITHIN THE DISTRICT. APPROVED 3-13-2001

b. BUDGET TRANSFER 2001-0540

BUDGET TRANSFER OF \$50,000 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT PHASE II ROAD IMPROVEMENTS. (SEE R-2001-0361) APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.D. COUNTY ATTORNEY

3.D.1. DOCUMENT R-2001-0362

AMENDMENT TO THE LICENSE WITH PALM COURT, JUPITER HEIGHTS, DOCK OWNERS ASSOCIATION, INC., TO BUILD AND MAINTAIN A RETAINING WALL AT THE END OF PALM COURT ON COUNTY RIGHT-OF-WAY IN UNINCORPORATED TEQUESTA. (AMENDS R-95-0243-D) APPROVED 3-13-2001

3.E. COMMUNITY SERVICES

3.E.1.

a. DOCUMENT R-2001-0363

AMENDMENT 3 TO RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT CONTRACT WITH COMPREHENSIVE AIDS PROGRAM OF PALM BEACH COUNTY, INC., TO INCREASE FOOD BANK/HOME-DELIVERED MEALS BY \$52,000 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$2,748,986. (AMENDS R-2000-0515) APPROVED 3-13-2001

b. DOCUMENT R-2001-0364

AMENDMENT 3 TO RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT CONTRACT WITH PALM BEACH COUNTY HEALTH DEPARTMENT TO INCREASE LABORATORY/DIAGNOSTIC TESTING BY \$32,553 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$1,224,717. (AMENDS R-2000-0516) APPROVED 3-13-2001

c. DOCUMENT R-2001-0365

AMENDMENT 1 TO RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT CONTRACT WITH TREASURE COAST HEALTH COUNCIL, INC., TO DECREASE PROGRAM SUPPORT BY \$52,000 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$783.878. (AMENDS R-2000-0520) APPROVED 3-13-2001

3.F. AIRPORTS

3.F.1.

a. DOCUMENT R-2001-0366

AGREEMENT TO PURCHASE PROPERTY LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT FROM GARY R. HAIGHT AND PATRICIA VEACH HAIGHT FOR PARCEL W-134 LOCATED AT 4652 WALLIS ROAD, WEST PALM BEACH, FOR A SALE PRICE OF \$84,000 AND REPLACEMENT HOUSING COSTS OF \$17,907 FOR THE PART 150 NOISE COMPATIBILITY STUDY. APPROVED 3-13-2001

b. DOCUMENT R-2001-0367

AGREEMENT TO PURCHASE PROPERTY LOCATED WEST OF RUNWAY 9L AT PALM BEACH INTERNATIONAL AIRPORT FROM SHEILA TIDEBERG AND PAULINE M. NOWLING FOR PARCEL W-179 LOCATED AT 133 PINE STREET, WEST PALM BEACH, FOR A SALE PRICE OF \$80,000 AND REPLACEMENT HOUSING COSTS OF \$15,145 FOR THE PART 150 NOISE COMPATIBILITY STUDY. APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

3.G.1. DOCUMENT R-2001-0368

ADDITIONAL SERVICES AUTHORIZATION 5 TO CONTRACT WITH ERNST & YOUNG, LLP, FOR \$25,000 FOR EXTERNAL AUDITING SERVICES TO ASSIST IN DEVELOPING AND DOCUMENTING AN INDIRECT COST ALLOCATION PLAN FOR THE FISCAL YEAR 2002. (AMENDS R-99-0421-D) APPROVED 3-13-2001

3.H. FACILITIES DEVELOPMENT AND OPERATIONS

3.H.1. DOCUMENT R-2001-0369

AMENDMENT 1 TO INTERLOCAL AGREEMENT WITH THE CITY OF DELRAY BEACH TO PROVIDE CNG FUEL AND FUEL MANAGEMENT SERVICE TO THE CITY. THE RENEWAL TERM OF THE AGREEMENT IS FOR FIVE YEARS, EFFECTIVE AUGUST 9, 2001. (AMENDS R-98-1209-D) APPROVED 3-13-2001

3.H.2. DOCUMENT R-2001-0370

JOB ORDER CONTRACT WORK ORDER 2001-075 WITH H.A. CONTRACTING CORPORATION FOR \$139,324.57 TO PROVIDE A 24-FOOT-BY-70-FOOT MODULAR BUILDING AT THE FORMER MUSICANA SITE LOCATED SOUTHWEST OF BUILDING 501 AT 3323 BELVEDERE ROAD. (AMENDS R-2000-0939) APPROVED 3-13-2001

3.H.3. DOCUMENT R-2001-0371

CONSULTANT SERVICES AUTHORIZATION 17 WITH GARTEK ENGINEERING CORPORATION FOR \$56,500 TO PROVIDE ENGINEERING SERVICES RELATED TO MODERNIZATION AND UPGRADING OF THE OPERATION OF THE SIX ELEVATORS IN THE GOVERNMENTAL CENTER. (AMENDS R-98-999-D) APPROVED 3-13-2001

3.H.4. DOCUMENT R-2001-0372

AMENDMENT 2 TO THE AGREEMENT WITH THOMAS B. CUSHING DEMOLITION TO IMPLEMENT THE SECOND RENEWAL OF AN ANNUAL DEMOLITION CONTRACT WITH A MAXIMUM VALUE OF \$300,000 OR FOR A 12-MONTH RENEWAL TERM. (AMENDS R-99-740-D) APPROVED 3-13-2001

3.I. HOUSING AND COMMUNITY DEVELOPMENT

3.I.1. DOCUMENT R-2001-0373

AGREEMENT WITH THE CITY OF BELLE GLADE TO PROVIDE UP TO \$15,000 FROM MARCH 13, 2001, TO SEPTEMBER 30, 2001, UNDER THE FISCAL YEAR 2000-2001 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, TO PURCHASE EDUCATIONAL EQUIPMENT IN SUPPORT OF THE COMMUNITY ORIENTED POLICING SERVICES (COPS) YOUTH PROGRAM TO BENEFIT AT-RISK AND DISADVANTAGED YOUTH. NO LOCAL MATCH REQUIRED. APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.I.2. DOCUMENT R-2001-0374

URBAN INFILL AND REDEVELOPMENT ASSISTANCE GRANT PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR \$50,000 TO DEVELOP AN URBAN INFILL AND DEVELOPMENT PLAN FOR THE SOUTH WESTGATE AREA FROM JANUARY 1, 2001, TO DECEMBER 31, 2001. NO LOCAL MATCH REQUIRED. APPROVED 3-13-2001

3.I.3. DOCUMENT R-2001-0375

SATISFACTION OF ENCUMBRANCE FOR J. MICHAEL HAYGOOD AND JACQUELYN P. HAYGOOD OF WEST PALM BEACH FOR \$8,844.70 UNDER THE RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM TO EFFECT RETROFIT/REHABILITATION TO OWNERS' HOME TO RENDER IT LESS VULNERABLE TO WIND-RELATED DAMAGE FROM HURRICANES. ALL FUNDS ARE STATE AND REQUIRE NO LOCAL MATCH. APPROVED 3-13-2001

3.I.4.

a. DOCUMENT R-2001-0376

SATISFACTION OF MORTGAGE WITH CHRIS J. KING OF BOCA RATON FOR \$7,500 IN THE HARDSHIP B PROGRAM. APPROVED 3-13-2001

b. DOCUMENT R-2001-0377

SATISFACTION OF MORTGAGE WITH BRIDGET S. PAGLIARO OF WEST PALM BEACH FOR \$15,193 IN THE HARDSHIP B PROGRAM. APPROVED 3-13-2001

c. DOCUMENT R-2001-0378

SATISFACTION OF MORTGAGE WITH GOLDIE PARKE AND ADAM C. PARKE, JR., OF WEST PALM BEACH FOR \$17,314 IN THE HARDSHIP B PROGRAM. APPROVED 3-13-2001

d. DOCUMENT R-2001-0379

SATISFACTION OF MORTGAGE WITH MONICA YVETTE SATTAR AND MOHAMMAD BAZLUR SATTAR OF WEST PALM BEACH FOR \$14,780 IN THE HARDSHIP B PROGRAM. APPROVED 3-13-2001

3.I.5.

a. DOCUMENT R-2001-0380

SATISFACTION OF MORTGAGE WITH MARTHA CURTIS OF JUPITER FOR \$6,449.46 IN THE HARDSHIP A PROGRAM. APPROVED 3-13-2001

b. DOCUMENT R-2001-0381

SATISFACTION OF MORTGAGE WITH LEE SHERMAN FOSTER OF LAKE WORTH FOR \$2,771.21 IN THE HARDSHIP A PROGRAM. APPROVED 3-13-2001

c. DOCUMENT R-2001-0382

SATISFACTION OF MORTGAGE WITH KATHERINE G. HENSLEY AND WALTER M. HENSLEY, JR., OF TEQUESTA FOR \$6,584.54 IN THE HARDSHIP A PROGRAM. APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.I.5. - CONTINUED

d. DOCUMENT R-2001-0383

SATISFACTION OF MORTGAGE WITH GENEVA R. JONES OF JUPITER FOR \$3,490.52 IN THE HARDSHIP A PROGRAM. APPROVED 3-13-2001

e. DOCUMENT R-2001-0384

SATISFACTION OF MORTGAGE WITH GENEVA JONES OF JUPITER FOR \$1,574.50 IN THE HARDSHIP A PROGRAM. APPROVED 3-13-2001

f. DOCUMENT R-2001-0385

SATISFACTION OF MORTGAGE WITH BRUCE K. SPEAR OF LAKE WORTH FOR \$5,554.81 IN THE HARDSHIP A PROGRAM. APPROVED 3-13-2001

3.J. PLANNING, ZONING AND BUILDING

3.J.1. RESOLUTION R-2001-0386

RESOLUTION AMENDING RESOLUTION ASSESSING COST OF ABATEMENT OF NUISANCE TO CORRECT THE AKA ADDRESS IN THE LEGAL DESCRIPTION FOR KENNETH D. BOURGUIGNON OF FOREST HILL VILLAGE SUBDIVISION. (AMENDS R-92-1109) ADOPTED 3-13-2001

3.K. WATER UTILITIES

3.K.1. DOCUMENT R-2001-0387

SUBORDINATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE UTILITY EASEMENT ON PARCEL 103.3R ON THE WEST SIDE OF MILITARY TRAIL BETWEEN OKEECHOBEE BOULEVARD AND BLUE HERON BOULEVARD AS PART OF A ROAD-WIDENING PROJECT. FDOT AGREED TO PAY FOR ANY UTILITY RELOCATION WORK THAT IS NECESSARY WITHIN THE EASEMENT AREA. APPROVED 3-13-2001

3.K.2. DOCUMENT R-2001-0388

CONSULTANT SERVICES AUTHORIZATION 10 WITH HAZEN AND SAWYER, P.C., FOR \$693,934 FOR DESIGN, PERMITTING, AND BIDDING SERVICES FOR A FIVE-MILLION-GALLON PER DAY EXPANSION OF THE SOUTHERN REGION WATER RECLAMATION FACILITY. THE ESTIMATED CONSTRUCTION OF THE EXPANSION IS \$7,000,000. (SEE R-99-833-D) APPROVED 3-13-2001

3.K.3. RESOLUTION R-2001-0389

RESOLUTION AMENDING RESOLUTION PERTAINING TO THE SPECIAL ASSESSMENT PROCESS FOR THE CORAL DRIVE WATER MAIN EXTENSION IMPROVEMENT PROJECT, REDUCING THE INDIVIDUAL ASSESSMENT FROM \$44.38 PER FOOT TO \$41.97 PER FOOT. (AMENDS R-2000-0874) ADOPTED 3-13-2001

3.K.4. RESOLUTION R-2001-0390

RESOLUTION CORRECTING RECORDING ERROR IN THE RESOLUTION OF THE OVERBROOK SUBDIVISION WATER MAIN EXTENSION IMPROVEMENT PROJECT TO INCREASE PAYMENT OF THE ASSESSMENTS TO 20 EQUAL ANNUAL INSTALLMENTS OF PRINCIPAL AND INTEREST. (AMENDS R-2000-1531) ADOPTED 3-13-2001

CONSENT AGENDA - CONTINUED

3.K.5. DOCUMENT R-2001-0391

CHANGE ORDER 9 TO THE CONTRACT WITH THE POOLE AND KENT COMPANY FOR THE WATER TREATMENT PLANT 9 MEMBRANE SOFTENING FACILITY, INCREASING THE CONTRACT PRICE BY \$118,086 AND PROVIDING FOR A 60-DAY EXTENSION. THE TOTAL CHANGE ORDERS TO DATE EQUAL \$308,658, RAISING THE CONTRACT PRICE FROM \$28,205,000 TO \$28,513,658. (AMENDS R-99-278-D) APPROVED 3-13-2001

3.L. ENVIRONMENTAL RESOURCES MANAGEMENT

3.L.1. DOCUMENT R-2001-0392

AGREEMENT WITH DOMINIC GUARCELLO INVOLVING A 1.15-ACRE PARCEL OF LAND IN UNIT 11 TO BE PURCHASED USING MITIGATION FUNDS FOR THE PURCHASE PRICE, INCLUDING CLOSING AND MISCELLANEOUS COSTS, OF \$5,578. APPROVED 3-13-2001

3.L.2. BUDGET AMENDMENT 2001-0504

BUDGET AMENDMENT OF \$11,354 IN THE GENERAL FUND TO PROVIDE FUNDING FOR THE COUNTY AS COMPENSATION FOR PROJECTS TO BE CONDUCTED ON BEHALF OF THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY. APPROVED 3-13-2001

3.L.3. DOCUMENT R-2001-0393

TASK ORDER 381D-10 TO A CONTINUING CONTRACT WITH COASTAL SYSTEMS INTERNATIONAL, INC., FOR \$169,725 TO PERFORM SURVEYS, MODELING, AND A PORTION OF THE FINAL PLANS AND SPECIFICATIONS FOR PEANUT ISLAND ENVIRONMENTAL RESTORATION AND PUBLIC FACILITIES. (AMENDS R-98-381-D) APPROVED 3-13-2001

3.L.4.

a. DOCUMENT R-2001-0394

REIMBURSABLE GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF IMPLEMENTING THE LAKE WORTH LAGOON PARTNERSHIP GRANT PROGRAM, EFFECTIVE UPON EXECUTION BY BOTH PARTIES AND TO EXPIRE JUNE 30, 2003. APPROVED 3-13-2001

b.

(1) DOCUMENT R-2001-0395

INTERLOCAL AGREEMENT WITH CITY OF BOYNTON BEACH FOR \$325,000 TO ESTABLISH PROVISIONS FOR THE TRANSFER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION FUNDS FROM THE COUNTY TO THE CITY FOR THE LIMITED PURPOSE OF ASSISTING IN THE IMPLEMENTATION OF THE OUTFALL WATER QUALITY IMPROVEMENT PROJECT TO BENEFIT THE LAKE WORTH LAGOON, EFFECTIVE UPON EXECUTION BY BOTH PARTIES AND TO EXPIRE MAY 30, 2003. APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.L.4.b. - CONTINUED

(2) **DOCUMENT R-2001-0396**

INTERLOCAL AGREEMENT WITH THE TOWN OF LANTANA FOR \$12,000 TO ESTABLISH PROVISIONS FOR THE TRANSFER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION FUNDS FROM THE COUNTY TO THE TOWN FOR THE LIMITED PURPOSE OF ASSISTING IN THE IMPLEMENTATION OF THE OUTFALL WATER QUALITY IMPROVEMENT PROJECT TO BENEFIT THE LAKE WORTH LAGOON, EFFECTIVE UPON EXECUTION BY BOTH PARTIES AND TO EXPIRE MAY 30, 2003. APPROVED 3-13-2001

(3) **DOCUMENT R-2001-0397**

INTERLOCAL AGREEMENT WITH THE TOWN OF PALM BEACH FOR \$200,000 TO ESTABLISH PROVISIONS FOR THE TRANSFER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION FUNDS FROM THE COUNTY TO THE TOWN FOR THE LIMITED PURPOSE OF ASSISTING IN THE IMPLEMENTATION OF THE OUTFALL WATER QUALITY IMPROVEMENT PROJECT TO BENEFIT THE LAKE WORTH LAGOON, EFFECTIVE UPON EXECUTION BY BOTH PARTIES AND TO EXPIRE MAY 30, 2003. APPROVED 3-13-2001

(4) **DOCUMENT R-2001-0398**

INTERLOCAL AGREEMENT WITH THE SCHOOL DISTRICT FOR \$62,000 TO ESTABLISH PROVISIONS FOR THE TRANSFER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION FUNDS FROM THE COUNTY TO THE DISTRICT FOR THE LIMITED PURPOSE OF ASSISTING IN THE IMPLEMENTATION OF THE ARTIFICIAL REEF HABITAT PROJECT TO BENEFIT THE LAKE WORTH LAGOON, EFFECTIVE UPON EXECUTION BY BOTH PARTIES AND TO EXPIRE MAY 30, 2003. APPROVED 3-13-2001

(5) **DOCUMENT R-2001-0399**

INTERLOCAL AGREEMENT WITH CITY OF WEST PALM BEACH FOR \$500,000 TO ESTABLISH PROVISIONS FOR THE TRANSFER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION FUNDS FROM THE COUNTY TO THE CITY FOR THE LIMITED PURPOSE OF ASSISTING IN THE IMPLEMENTATION OF THE 54TH STREET, CORDOVA ROAD, AND ARKONA COURT POLLUTION CONTROL DEVICES TO BENEFIT THE LAKE WORTH LAGOON, EFFECTIVE UPON EXECUTION BY BOTH PARTIES AND TO EXPIRE MAY 30, 2003. APPROVED 3-13-2001

(6) **DOCUMENT R-2001-0400**

INTERLOCAL AGREEMENT WITH CITY OF WEST PALM BEACH FOR \$400,000 TO ESTABLISH PROVISIONS FOR THE TRANSFER OF DEPARTMENT OF ENVIRONMENTAL PROTECTION FUNDS FROM THE COUNTY TO THE CITY FOR THE LIMITED PURPOSE OF ASSISTING IN THE IMPLEMENTATION OF THE RENAISSANCE PHASE 2, YEAR 1, PROJECT TO BENEFIT THE LAKE WORTH LAGOON, EFFECTIVE UPON EXECUTION BY BOTH PARTIES AND TO EXPIRE MAY 30, 2003. APPROVED 3-13-2001

c.

AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN ALL FUTURE TIME EXTENSIONS, TASK ASSIGNMENTS, CERTIFICATIONS, AND OTHER FORMS ASSOCIATED WITH THE LAKE WORTH LAGOON PARTNERSHIP GRANT PROGRAM AGREEMENTS, AND NECESSARY MINOR AMENDMENTS THAT DO NOT CHANGE THE SCOPE OF WORK OR TERMS AND CONDITIONS OF THE AGREEMENTS. APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.L.4. - CONTINUED

d. BUDGET AMENDMENT 2001-0552

BUDGET AMENDMENT OF \$2,850,000 IN THE LAKE WORTH LAGOON PARTNERSHIP FUND TO APPROPRIATIONS. (SEE R-2001-0395 THROUGH R-2001-0400) APPROVED 3-13-2001

3.L.5.

a. DOCUMENT R-2001-0401

REIMBURSABLE GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR \$150,000 FOR THE PURPOSE OF IMPLEMENTING THE LAKE WORTH LAGOON MONITORING PROJECT, EFFECTIVE ON THE DATE OF EXECUTION BY BOTH PARTIES AND EXPIRING JUNE 30, 2003. APPROVED 3-13-2001

b.

AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN ALL FUTURE TIME EXTENSIONS, TASK ASSIGNMENTS, CERTIFICATIONS AND OTHER FORMS ASSOCIATED WITH THIS AGREEMENT (R-2001-0401), AND NECESSARY MINOR AMENDMENTS THAT DO NOT CHANGE THE SCOPE OF WORK OR TERMS AND CONDITIONS OF THE AGREEMENT. APPROVED 3-13-2001

c. BUDGET AMENDMENT 2001-0551

BUDGET AMENDMENT OF \$150,000 IN THE LAKE WORTH LAGOON PARTNERSHIP FUND TO APPROPRIATIONS TO IMPLEMENT A LAKE WORTH LAGOON MONITORING PROJECT. (SEE R-2001-0401) APPROVED 3-13-2001

3.M. PARKS AND RECREATION

3.M.1.

a. DOCUMENT R-2001-0402

AGREEMENT WITH THE CITY OF PAHOKEE IN AMOUNT NOT TO EXCEED \$10,000 FOR SUPPLIES AND EQUIPMENT FOR YOUTH FOOTBALL, BASKETBALL, AND ART PROGRAMS FROM OCTOBER 1, 2000, THROUGH JUNE 1, 2001. APPROVED 3-13-2001

b. BUDGET TRANSFER 2001-0513

BUDGET TRANSFER OF \$10,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 6 TO PAHOKEE/PROGRAM EQUIPMENT FOR SUPPLIES AND EQUIPMENT FOR PAHOKEE YOUTH FOOTBALL, BASKETBALL, AND ART PROGRAMS. (SEE R-2001-0402) APPROVED 3-13-2001

3.M.2.

a. DOCUMENT R-2001-0403

AGREEMENT WITH THE SCHOOL BOARD IN AN AMOUNT NOT TO EXCEED \$15,000 FOR MUSICAL INSTRUMENTS FOR BINKS FOREST ELEMENTARY SCHOOL FROM JANUARY 15, 2001, THROUGH MARCH 12, 2002. APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.M.2. - CONTINUED

b. BUDGET TRANSFER 2001-0512

BUDGET TRANSFER OF \$15,000 IN PARK IMPROVEMENT FUND FROM DISTRICT 6 TO SCHOOL BOARD/BINKS FOREST ELEMENTARY SCHOOL MUSICAL INSTRUMENTS. (SEE R-2001-0403) APPROVED 3-13-2001

3.M.3.

a. DOCUMENT R-2001-0404

AGREEMENT WITH THE CITY OF WEST PALM BEACH AND THE ROBERT AND MARY MONTGOMERY ARMORY ART CENTER, INC., IN AN AMOUNT NOT TO EXCEED \$25,000 FOR IMPROVEMENTS TO THE ART CENTER CAMPUS FROM JUNE 15, 2000, THROUGH SEPTEMBER 12, 2002. APPROVED 3-13-2001

b. BUDGET TRANSFER 2001-0511

BUDGET TRANSFER OF \$25,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 2 TO WEST PALM BEACH/ARMORY ART CENTER ART CENTER IMPROVEMENTS. (SEE R-2001-0404) APPROVED 3-13-2001

3.M.4.

a. DOCUMENT R-2001-0405

AGREEMENT WITH THE CITY OF WEST PALM BEACH IN AN AMOUNT NOT TO EXCEED \$50,000 FOR THE DEVELOPMENT OF THE LOXAHATCHEE NATURE CENTER EVERGLADES PAVILION FROM JUNE 1, 2000, THROUGH SEPTEMBER 12, 2002. APPROVED 3-13-2001

b. BUDGET TRANSFER 2001-0510

BUDGET TRANSFER OF \$50,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 2 TO WEST PALM BEACH/LOXAHATCHEE NATURE CENTER. (SEE R-2001-0405) APPROVED 3-13-2001

3.M.5.

a. DOCUMENT R-2001-0406

AGREEMENT WITH COMMUNITY CHILD CARE CENTER OF DELRAY BEACH, INC., IN AN AMOUNT NOT TO EXCEED \$40,000 FOR THE MORTON DOWNEY FAMILY RESOURCE CENTER KITCHEN PROJECT FROM OCTOBER 17, 2000, THROUGH SEPTEMBER 12, 2002. APPROVED 3-13-2001

b. BUDGET TRANSFER 2001-0509

BUDGET TRANSFER OF \$40,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO COMMUNITY CHILD CARE CENTER/KITCHEN. (SEE R-2001-0406) APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.M.6.

a. DOCUMENT R-2001-0407

AGREEMENT WITH THE DELRAY BEACH JOINT VENTURE IN AN AMOUNT NOT TO EXCEED \$5,000 FOR WINTER HOLIDAY DECORATIONS FROM NOVEMBER 1, 2000, THROUGH JUNE 30, 2001. APPROVED 3-13-2001

b. BUDGET TRANSFER 2001-0508

BUDGET TRANSFER OF \$5,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO DELRAY BEACH JOINT VENTURE/WINTER HOLIDAY DECORATIONS. (SEE R-2001-0407) APPROVED 3-13-2001

3.M.7.

a. DOCUMENT R-2001-0408

AGREEMENT WITH BOCA RATON MUSEUM OF ART, INC., IN AN AMOUNT NOT TO EXCEED \$50,000 FOR CONSTRUCTION OF THE BOCA RATON MUSEUM OF ART AT MIZNER PARK FROM JANUARY 1, 2000, THROUGH SEPTEMBER 12, 2001. APPROVED 3-13-2001

b. BUDGET TRANSFER 2001-0507

BUDGET TRANSFER OF \$50,000 WITHIN THE PARK IMPROVEMENT FUND FROM RESERVES FOR DISTRICT 4 TO BOCA RATON MUSEUM OF ART/MUSEUM CONSTRUCTION. (SEE R-2001-0408) APPROVED 3-13-2001

3.M.8.

DOCUMENT R-2001-0409

INTERLOCAL AGREEMENT WITH THE CITY OF WEST PALM BEACH AND THE ZOOLOGICAL SOCIETY OF THE PALM BEACHES, INC., DBA PALM BEACH ZOO AT DREHER PARK, INC., IN AN AMOUNT NOT TO EXCEED \$1,500,000 FOR THE PALM BEACH ZOO AT DREHER PARK IMPROVEMENTS PHASE 1. PROJECT ELEMENTS CONSIST OF A TIGER EXHIBIT, A TENT FABRIC STRUCTURE, A FLORIDA EXHIBIT, AND AN ENTRY COMPLEX. THE AGREEMENT ALLOWS FOR REIMBURSEMENT OF EXPENSES SUBSEQUENT TO MARCH 9, 1999, AND CONTINUES THROUGH MARCH 13, 2003. APPROVED 3-13-2001

3.M.9.

DOCUMENT R-2001-0410

AMENDMENT 1 TO AGREEMENT WITH THE CITY OF PALM BEACH GARDENS FOR THE DEVELOPMENT OF WESTMINSTER PARK. THE AMENDMENT CHANGES THE PROJECT LOCATION TO THOMPSON RIVER LINEAR PARK AND REVISES THE SCOPE OF THE PROJECT TO INCLUDE EXTENSIVE LANDSCAPE PLANTING, PAVER WALKWAYS, BENCHES, TRASH RECEPTACLES, AND THE PROJECT'S TIME FRAME TO COMMENCE AUGUST 15, 2000, TO SEPTEMBER 12, 2002. (AMENDS R-2000-0543) APPROVED 3-13-2001

CONSENT AGENDA - CONTINUED

3.N. LIBRARY

3.N.1.

a. DOCUMENT R-2001-0411

APPLICATION TO FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES, FOR A LIBRARY SERVICES AND TECHNOLOGY ACT GRANT OF \$100,950 WITH REQUIRED ONE-THIRD MATCHING FUNDS OF \$33,675 FOR LIBRARY TECHNOLOGY CONNECTIVITY AND SERVICES (SELF-SERVICE CHECKOUT PROJECT). APPROVED 3-13-2001

b.

AUTHORIZE THE CHAIR TO LATER EXECUTE A GRANT AGREEMENT AND ANY OTHER NECESSARY FORMS AND CERTIFICATIONS WITH THE DEPARTMENT OF STATE, DIVISION OF LIBRARY INFORMATION SERVICES. (SEE R-2001-0411) APPROVED 3-13-2001

3.P. COOPERATIVE EXTENSION SERVICE

3.P.1. DOCUMENT R-2001-0412

LEASE AGREEMENT WITH BLANCHE H. GIRTMAN FOR \$1.00 A YEAR FOR LAND LOCATED AT THE NORTHEAST CORNER OF MARTIN LUTHER KING, JR. BOULEVARD AND SEACREST BOULEVARD IN BOYNTON BEACH FOR THE ESTABLISHMENT OF COMMUNITY GARDENS BY THE PALM BEACH COUNTY 4-H YOUTH DEVELOPMENT PROGRAM FROM DECEMBER 5, 2000, THROUGH DECEMBER 4, 2002. APPROVED 3-13-2001

3.P.2. DOCUMENT R-2001-0413

LEASE AGREEMENT WITH MARWAN GHALI AND SUHAIR GHALI IN THE AMOUNT OF \$1.00 PER YEAR FOR LAND LOCATED AT THE NORTHEAST CORNER OF MARTIN LUTHER KING, JR. BOULEVARD AND SEACREST BOULEVARD IN BOYNTON BEACH FOR THE ESTABLISHMENT OF COMMUNITY GARDENS BY THE PALM BEACH COUNTY 4-H YOUTH DEVELOPMENT PROGRAM FROM DECEMBER 5, 2000, THROUGH DECEMBER 4, 2002. APPROVED 3-13-2001

3.Q. CRIMINAL JUSTICE - None

3.R. EMPLOYEE RELATIONS AND PERSONNEL - None

3.S. FIRE-RESCUE - None

3.T. HEALTH DEPARTMENT - None

3.U. INFORMATION SYSTEMS SERVICES - None

3.V. METROPOLITAN PLANNING ORGANIZATION - None

3.W. PUBLIC AFFAIRS - None

3.X. PUBLIC SAFETY - None

3.Y. PURCHASING - None

CONSENT AGENDA - CONTINUED

3.Z. RISK MANAGEMENT

3.Z.1. DOCUMENT R-2001-0414

AMENDMENT 2 TO THE CONTRACT WITH CONCEPT MEDICAL DIAGNOSTIC CENTER, INC., FOR AN AMOUNT NOT TO EXCEED \$27,000 TO EXERCISE THE FINAL RENEWAL OPTION TO PROVIDE RADIOLOGY SERVICES FROM MARCH 19, 2001, THROUGH MARCH 18, 2002. (AMENDS R-99-293-D) APPROVED 3-13-2001

3.AA. Nothing Scheduled

3.BB. SHERIFF

3.BB.1. BUDGET TRANSFER 2001-0515

BUDGET TRANSFER OF \$64,580 FROM THE LAW ENFORCEMENT TRUST FUND TO THE PALM BEACH COUNTY SHERIFF'S OFFICE TO SUPPORT THE ACTIVITIES OF THE FLORIDA SHERIFFS YOUTH RANCH. APPROVED 3-13-2001

3.BB.2.

a. DOCUMENT R-2001-0415

ACCEPTANCE OF THE PALM BEACH SHERIFF'S OFFICE CONTRACT WITH THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL FOR \$44,341 FOR THE PURCHASE OF ELECTRIC POLICE PATROL BICYCLES FROM DECEMBER 1, 2000, THROUGH NOVEMBER 30, 2001. APPROVED 3-13-2001

b. BUDGET AMENDMENT 2001-0524

BUDGET AMENDMENT OF \$44,341 IN THE SHERIFF'S GRANT FUND TO THE ALTERNATIVE FUEL VEHICLE PROGRAM TO PURCHASE ELECTRIC POLICE PATROL BICYCLES. (SEE R-2001-0415) APPROVED 3-13-2001

MOTION to approve the consent agenda as amended. Motion by Commissioner Aaronson, seconded by Commissioner Marcus, and carried 6-0. Commissioner McCarty absent.

******* THIS CONCLUDES THE CONSENT AGENDA *******

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

4.A.

PROCLAMATION DECLARING APRIL 4, 2001, AS KICK BUTTS DAY. PRESENTED 3-13-2001

Commissioner Marcus said some children had earlier requested an ordinance, similar to one proposed in Hillsboro County, where tobacco would be advertised or set back behind counter space. She asked the board to direct the county attorney to prepare a draft for board's review.

Members of the board agreed that the direction was already given to staff but Commissioner Newell informed the group that the county attorney had brought forth some issues.

(CLERK'S NOTE: Commissioner McCarty joined the meeting.)

SPECIAL PRESENTATIONS - CONTINUED

4.A. - CONTINUED

County Attorney Dytrych informed the board that there were some statewide challenges which addressed First Amendment rights, advertisement, and some business issues. She said staff was aware of the issues and was monitoring them. She recommended the board adopt a resolution encouraging businesses to do the placement as an immediate first step, or in the alternative, do a water-down (less stringent) version of the ordinance, eliminating advertising issue to prevent liability challenge. She said a weaker ordinance would still have some enforcement ability without subjecting the county to legal challenge. Commissioner Marcus explained that the weaker version would require businesses to place tobacco behind the counter but advertisement could be done in front.

MOTION to direct staff to draft a resolution. Motion by Commissioner Masilotti.

Commissioner Marcus said she favored the ordinance as a regulatory process and to show support to the children in their efforts.

MOTION WITHDRAWN.

MOTION to direct staff to draft an ordinance. Motion by Commissioner Masilotti, seconded by Commissioner Marcus, and carried 7-0.

4.B.

PROCLAMATION DECLARING MARCH 19-24, 2001, AS OLYMPIC FLATWATER CANOE/KAYAK WEEK. PRESENTED 3-13-2001

4.C.

PROCLAMATION DECLARING OF APRIL 2001 AS ALCOHOL AWARENESS MONTH. PRESENTED 3-13-2001

4.D.

PROCLAMATION DECLARING APRIL 3, 2001, AS MARSHALL E. RINKER, SR., BOY SCOUT EDUCATION CENTER DEDICATION DAY. PRESENTED 3-13-2001

4.E.

PROCLAMATION DECLARING MARCH 26, 2001, AS CONGRESSMAN MARK FOLEY DAY. TO BE PRESENTED LATER 3-13-2001

5. PUBLIC HEARING - 9:30 A.M.

MOTION to receive and file proofs of publication 744691, 782618, 782659, and 793765. Motion by Commissioner McCarty, seconded by Commissioner Roberts, and carried 7-0.

5.A. RESOLUTION R-2001-0416

RESOLUTION VACATING A 20-FOOT-WIDE DRAINAGE EASEMENT IN ITS ENTIRETY AND A PORTION OF A 59-FOOT-WIDE DRAINAGE EASEMENT LOCATED SOUTH OF BELVEDERE ROAD AND EAST OF STATE ROAD 7 IN THE VILLAGE OF ROYAL PALM BEACH. THE EASEMENTS ARE REQUIRED TO CONSTRUCT A WAL-MART SUPERCENTER. (P.O.P. 782618) ADOPTED 3-13-2001

MOTION to adopt the resolution. Motion by Commissioner Roberts and seconded by Commissioner Greene.

PUBLIC COMMENT: None

UPON CALL FOR A VOTE, the motion carried 7-0.

5.B. RESOLUTION R-2001-0417

RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT PROCESS FOR GULFSTREAM ROAD FROM MELALEUCA LANE TO THE L-14 CANAL WATER MAIN EXTENSION LOCATED IN THE LAKE WORTH CORRIDOR. THE PROJECT WILL SERVE SEVEN RESIDENTIAL PROPERTIES BASED ON 100 PERCENT OF THE ASSESSABLE COST OF \$66,790.92 PAYABLE OVER 20 YEARS WITH 6.5 PERCENT INTEREST. (P.O.P. 782659) ADOPTED 3-13-2001

MOTION to adopt the resolution. Motion by Commissioner McCarty and seconded by Commissioner Aaronson.

PUBLIC COMMENT: None

UPON CALL FOR A VOTE, the motion carried 7-0.

5.C.

(1) ORDINANCE 2001-010

ORDINANCE PERTAINING TO POTABLE WATER, WASTEWATER, AND RECLAIMED WATER SPECIAL ASSESSMENTS; PROVIDING FUNDING, MUNICIPAL IMPROVEMENTS, LANDOWNER PETITION PROCESS, PERCENTAGE OF COST, SPECIAL ASSESSMENTS, AMENDING RESOLUTION, ANNUAL ASSESSMENT ROLL, LIEN OF ASSESSMENTS, REVISIONS TO ASSESSMENTS, PROCEDURAL IRREGULARITIES, CORRECTIONS OF ERRORS AND OMISSIONS, COLLECTION OF ASSESSMENTS, ALTERNATIVE METHOD OF COLLECTION, COLLECTION OF ASSESSMENTS ON GOVERNMENT PROPERTY, DEFAULT ON ASSESSMENTS, PAYMENT OF ASSESSMENTS, SUPPLEMENTAL PROVISIONS, CONFLICTING REQUIREMENTS OF DEVELOPMENT AGREEMENTS, AND SAVINGS CLAUSE. (REPEALS ORDINANCE 94-10) (P.O.P.744691) ADOPTED 3-13-2001

PUBLIC HEARING - 9:30 A.M. - CONTINUED

5.C. - CONTINUED

(2)

RESOLUTION R-2001-0418

RESOLUTION AMENDING CHAPTER 2 OF THE WATER UTILITIES DEPARTMENT'S UNIFORM POLICIES AND PROCEDURES MANUAL RELATING TO SPECIAL ASSESSMENTS. (P.O.P. 744691) ADOPTED 3-13-2001

MOTION to adopt the ordinance and the resolution. Motion by Commissioner McCarty and seconded by Commissioner Masilotti.

PUBLIC COMMENT: None

UPON CALL FOR A VOTE, the motion carried 7-0.

5.D.

(1)

WITHDRAWAL OF REQUEST TO ABANDON THE UNIMPROVED PORTION OF THERESA ROAD. (P.O.P. 793757) APPROVED 3-13-2001

(2)

DIRECTION TO PREPARE A LICENSING AGREEMENT ALLOWING THE CONSTRUCTION OF A FENCE WITHIN THE UNIMPROVED RIGHT-OF-WAY OF THERESA ROAD, WHICH WILL BE PRESENTED TO THE BOARD UPON EXECUTION. (P.O.P. 793756) APPROVED 3-13-2001

MOTION to approve the withdrawal and direction. Motion by Commissioner Roberts and seconded by Commissioner Masilotti.

PUBLIC COMMENTS: None

UPON CALL FOR A VOTE, the motion carried 7-0.

6. REGULAR AGENDA

6.A. COUNTY ATTORNEY

6.A.1.

a. RESOLUTION R-2001-0419

AMENDMENT 4 TO THE CONTRACT WITH DENISE DISTEL DYTRYCH FOR COUNTY ATTORNEY'S SERVICE THROUGH MARCH 25, 2006, AND INCREASE THE DEFERRED COMPENSATION CONTRIBUTION FROM \$8,000 TO \$8,500. (AMENDS R-96-714-D) ADOPTED 3-13-2001

b.

SET SALARY FOR COUNTY ATTORNEY DENISE DISTEL DYTRYCH FROM MARCH 26, 2001, THROUGH MARCH 25, 2002. APPROVED AS AMENDED 3-13-2001

MOTION to approve the item. Motion by Commissioner Masilotti and seconded by Commissioner Roberts.

Commissioner Roberts suggested the county attorney be paid \$120,000 this year. Commissioner Masilotti added that the amount would bring the attorney's salary in line with other attorneys statewide.

AMENDED MOTION to include setting a salary of \$120,000 for this year. The maker and seconder agreed. Upon call for a vote, the motion carried 7-0.

6.A.2.

DOCUMENT R-2001-0420

APPLICATION OF THE RAYMOND F. KRAVIS CENTER FOR THE PERFORMING ARTS, INC., FOR THE ISSUANCE OF UP TO \$45,000,000 OF INDUSTRIAL DEVELOPMENT REVENUE BONDS. PROCEEDS WILL BE USED TO ACQUIRE, CONSTRUCT, AND EQUIP IMPROVEMENTS TO THE CENTER. THE BOND WILL BE PAYABLE SOLELY FROM REVENUES DERIVED FROM THE COMPANY. APPROVED 3-13-2001

MOTION to approve the application. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.

6.A.3.

RESOLUTION R-2001-0421

RESOLUTION AMENDING THE COUNTY INVESTMENT POLICY TO INCLUDE PERFORMANCE MEASUREMENTS TO COMPLY WITH THE REQUIREMENTS OF CHAPTER 2000-264, LAWS OF FLORIDA. (AMENDS R-88-1375) ADOPTED 3-13-2001

MOTION to adopt the resolution. Motion by Commissioner Roberts, seconded by Commissioner McCarty, and carried 7-0.

REGULAR AGENDA - CONTINUED

6.A.4. See pages 42-44.

6.A.5.

DOCUMENT R-2001-0422

AGREEMENT WITH THE PUBLIC DEFENDER'S OFFICE FOR \$300,000 TO CONTINUE PROVIDING ADDITIONAL LEGAL REPRESENTATION TO INDIGENT DEFENDANTS FROM OCTOBER 1, 2000, THROUGH SEPTEMBER 30, 2001. APPROVED 3-13-2001

MOTION to approve the agreement. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.

Commissioner Marcus expressed concern about paying additional monies to the public defender under Article 5 fee sufficient program. She asked if the fees being collected were insufficient to offset the amount needed.

County Financial Analyst Maurice Rosenstock informed the board that two issues were involved. He explained that:

- The county paid the public defender over \$2 million toward conflict team cases.
- The new public defender, Carey Haughwout promised to address the issue in an attempt to decrease that amount. He and Assistant County Attorney Kathy Scarlett intended to follow up on the issue to be certain the amount was decreased.
- Public defenders had to be used to utilize Article 5 monies. The legislator had shown the intent to give additional funds, when available, to the public defender, eventually in 2001. In the interim, however, if the county did not supply the \$300,000 which had been raised mostly by fees, the court would be compelled to issue orders for outside attorneys. This would cost the county more money.

Ms. Scarlett informed the board that the county did not pay the public defender directly but through contracts with conflict-team attorneys.

In response to Commissioner Marcus's question about the additional monies, staff explained that the fees which the public defender charged, were covered in the county's allocation. Although the fees were paid to the Justice Administration Committee, they were deposited in the county's general fund, which warranted the board's involvement on the issue.

Financial Analysis Joseph Doucette of the Financial Management & Budget Department stated that the \$300,000 were expected to be offset with income of \$400,000. The county should make a profit on the transaction from fees collected, he said.

REGULAR AGENDA - CONTINUED

6.A.5. - CONTINUED

Commissioner Marcus said she was not as optimistic as staff was about state funding after attending meetings in Tallahassee last week. She said the committees which were working on these issues in Tallahassee should be made aware of those funding sources. Commissioner Aaronson suggested the chair send a letter but Commissioner Roberts interjected that the state may determine other use for the profit, if they were told about it.

Staff agreed with Commissioner Marcus that this transaction would be a part of the Article 5 refund in 2004.

UPON CALL FOR A VOTE, the motion carried 7-0.

6.A.6.

PRIVATE ATTORNEY-CLIENT SESSION IN THE CASE OF ROYAL PALM BEACH COLONY, L.P. V. SOUTH FLORIDA WATER MANAGEMENT DISTRICT ET. AL., CASE 99-8367 AO, AT 12:00 P.M. THIS DATE, IN THE THOMAS MCEADDY CONFERENCE ROOM ON THE 12TH FLOOR AT 301 NORTH OLIVE AVENUE IN WEST PALM BEACH, TO DISCUSS SETTLEMENT NEGOTIATIONS. THE FOLLOWING PERSONS WILL ATTEND THE MEETING WITH THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS: COUNTY ADMINISTRATOR ROBERT WEISMAN, COUNTY ATTORNEY DENISE DYTRYCH, AND CHIEF ASSISTANT COUNTY ATTORNEY ANDREW J. MCMAHON. PURSUANT TO FLORIDA STATUTE 286.011(8), THE ENTIRE ATTORNEY-CLIENT SESSION SHALL BE RECORDED BY A CERTIFIED COURT REPORTER WHO SHALL RECORD THE DISCUSSION AND PROCEEDINGS, THE NAMES OF THE PERSONS PRESENT AT ANY TIME, AND THE NAMES OF ALL PERSONS SPEAKING. NO PORTION OF THE SESSION SHALL BE OFF THE RECORD. THE COURT REPORTER'S NOTES SHALL BE FULLY TRANSCRIBED AND FILED WITH THE CLERK AND SHALL BE MADE PART OF THE PUBLIC RECORD UPON CONCLUSION OF THE PENDING LITIGATION. APPROVED 3-13-2001

MOTION to approve staff's recommendation to commence a private attorney-client session this afternoon. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.

TIME CERTAIN - 12:00 M.

6.A.7.

EXECUTIVE SESSION REGARDING THE NEGOTIATIONS WITH COMMUNICATIONS WORKERS OF AMERICA (CWA) IMMEDIATELY FOLLOWING AN ATTORNEY-CLIENT SESSION AT 12:00 M. THIS DATE. (INFORMATION ONLY) -- 3-13-2001

REGULAR AGENDA - CONTINUED

3.A.8.

a.

SETTLEMENT IN THE EMINENT DOMAIN ACTION STYLED PALM BEACH COUNTY V. J. CLINTON SCOTT, TRUSTEE, ET. AL., CASE CL 99-007778 AL (PARCELS 107, 107A, 107B, 107E1, AND 107E2), FOR THE IMPROVEMENT OF LYONS ROAD EXTENSION. THE COUNTY HAS NEGOTIATED A PROPOSED SETTLEMENT OF \$410,000 INCLUDING ATTORNEY FEES AND EXPERTS' FEES AND COSTS. APPROVED 3-13-2001

b.

BUDGET TRANSFER 2001-0582

BUDGET TRANSFER OF \$84,035 IN THE TRANSPORTATION IMPROVEMENT FUND FROM RESERVES - ROAD PROGRAM SWEEPS TO LYONS ROAD-DELRAY TRAINING UNIT PUD (PLANNED UNIT DEVELOPMENT). APPROVED 3-13-2001

MOTION to approve the settlement and budget transfer. Motion by Commissioner Roberts, seconded by Commissioner Aaronson, and carried 7-0.

6.B. COMMUNITY SERVICES

6.B.1.

RECOMMENDATIONS FROM THE PALM BEACH COUNTY CITIZENS ADVISORY COMMITTEE (CAC) ON HEALTH AND HUMAN SERVICES: MAINTAIN THE EXISTING SERVICE CATEGORIES FOR THE FINANCIALLY ASSISTED AGENCIES (FAA) FOR FISCAL YEAR 2002; EXTEND THE CURRENT CONTRACTS WITH PRESENT PROVIDERS FOR ONE YEAR, PROVIDING ALL CONTRACT REQUIREMENTS HAVE BEEN MET. FUNDS ACCUMULATED FROM CONTRACTS THAT DO NOT MEET REQUIREMENTS WILL BE PUT OUT ON REQUEST FOR PROPOSALS; AND FUND CONTRACTS AT THE SAME LEVEL AS FISCAL YEAR 2001 (\$7,136,045) WHICH INCLUDES UNITED WAY MATCH OR TIER II FUNDING. APPROVED AS AMENDED 3-13-2001

MOTION to approve the recommendations. Motion by Commissioner Roberts and seconded by Commissioner McCarty.

Commissioner McCarty said that last year, during the budget process, the board added about \$1 million as a one-time allotment to the categories. She expressed concern about the committee taking it upon itself to include the one-time-allotted amount into its recommendations. She contended that the committee should have made its recommendations without the additional amount and if the board saw fit to again add more monies during the budget process, it could have done so.

REGULAR AGENDA - CONTINUED

6.B.1. - CONTINUED

Assistant County Administrator Jean Creamer said staff understood that a portion of the monies were to be included in base funding. The amounts that were to be non-recurring were the United Way match and Tier II funding, a total of about \$395,000. The board did allocate an amount for the agencies but approved an additional sum. Staff did inform the advisory committee of the board's commitment to the one-time amount, she concluded. In response to Commissioner Newell, Ms. Creamer stated that staff brought forth the advisory committee's recommendations as required of staff. She said staff's recommendations would have been to follow the board's previous direction.

Commissioner Aaronson noted that the advisory committee budgeted \$395,000 more than it had been given permission to use. CAC Chairman Jack McAllister said his committee believed it was to recommend to the commission things the members thought were in the best interest of the citizens of the county. Commissioner Aaronson said although he may not agree with the committee's recommendations, he would not dictate to the group and that his intent was to clarify the amount to be \$395,000 instead of \$1 million.

In response to Commissioner Masilotti, Community Services Director Edward L. Rich said the county would advertise the request for proposals (RFP) for agencies to respond the latter part of the month, depending on the board's decision. He further informed the board that his staff customarily ask the county administrator and the budget office for recommendations as to the next year's budget. He said the recommendation for next year's budget was the same as this year funding.

In response to Commissioner Masilotti, Ms. Creamer said the board decided that if the Glades Initiative met its contractual requirements, it would get additional funding next year.

Ms. Creamer explained that before the CAC existed, staff would begin the budget process from scratch each year. She said if the board agreed to continue with the base level of funding, staff would require of each agency a new budget for the coming year, a statement of program outcome, a copy of the audit, and other basic items. Successful review of those items would qualify those agencies eligible for continued funding, she added.

Commissioner Masilotti said he was disappointed that the CAC modified the amount the board allocated to the Glades Initiative. He said the board had agreed that five percent of the FAA would go into that program, but the advisory committee agreed that amount was excessive. Mr. McAllister said that county staff recommended the program be given an amount it would utilize because the program was not yet fully developed. He agreed the monies had been allocated to other agencies.

REGULAR AGENDA - CONTINUED

6.B.1. - CONTINUED

Commissioner Roberts noted that about six years ago most of the agencies would receive only a portion of their requested budget. The board since then decided to move into the RFP process based on a community assessment. The board hoped to have an assessment ready by next year. The assessment would prioritize the needs of the community on a two- to three-year basis. Once the needs were identified, the county would try to apply funding by priority and suggest other means for those of lesser standing. She said by next year this option should materialize.

Commissioner Roberts suggested the categories and the amounts remain the same this year. The priorities could be looked at next year and meanwhile, staff could work with agencies that may not be funded in the attempt to find other funding sources.

AMENDED MOTION to approve parts a and b and to amend part c to fund the contract at base amount excluding Tier II funding and the United Way match. The Tier II funding is to be brought back for discussion during the budget process. The maker and seconder agreed. Upon call for a vote, the motion carried 7-0.

6.B.2.

a. DOCUMENT R-2001-0423

AMENDMENT 2 TO THE YOUTH OPPORTUNITY GRANT AWARD, FUNDED BY THE DEPARTMENT OF EDUCATION THROUGH THE ADULT MIGRANT AND SEASONAL FARMWORKER PROGRAM, INCREASING THE GRANT BY \$31,605 FOR A NEW AMOUNT NOT TO EXCEED \$87,167 AND EXTENDING THE PROJECT FROM FEBRUARY 1, 2001, TO JUNE 30, 2001. (AMENDS R-2000-0367) APPROVED 3-13-2001

b.

POSITION OF JOB TRAINING PARTNERSHIP ACT MIGRANT COUNSELOR TO WORK IN THE ADULT MIGRANT AND SEASONAL FARMWORKER PROGRAM'S YOUTH OPPORTUNITY PROGRAM THROUGH JUNE 30, 2001. (SEE R-2001-0423) APPROVED 3-13-2001

MOTION to approve the award amendment and position. Motion by Commissioner Masilotti, seconded by Commissioner Roberts, and carried 7-0.

6.C. PARKS AND RECREATION

6.C.1.

a.

ACQUISITION OF THE PALM GLADES GIRL SCOUT COUNCIL'S LEASEHOLD IMPROVEMENTS IN JOHN PRINCE PARK TO CREATE A COUNTYWIDE SPECIAL POPULATIONS RECREATION PROGRAMMING AND TRAINING CENTER. APPROVED 3-13-2001

REGULAR AGENDA - CONTINUED

6.C.1. - CONTINUED

b.

DEVELOPMENT OF A \$375,000 PURCHASE AGREEMENT WITH PALM GLADES GIRL SCOUT COUNCIL, INC., TO ACQUIRE COUNCIL'S LEASEHOLD IMPROVEMENTS, INCLUDING THE TERMINATION OF ITS EXISTING LEASE AND AN OPTION TO LEASE APPROXIMATELY 2 ACRES IN JUPITER FARMS DISTRICT PARK. APPROVED 3-13-2001

c.

CONCEPTUAL MASTER PLAN FOR PROPOSED SPECIAL POPULATIONS RECREATION PROGRAMMING AND TRAINING CENTER AND PHASE I IMPROVEMENTS. APPROVED 3-13-2001

d.

BUDGET TRANSFER 2001-0530

BUDGET TRANSFER OF \$600,000 TO THE PARK IMPROVEMENT FUND FROM RESERVES FOR PHASE 1 ACQUISITION AND IMPROVEMENT COSTS FOR COUNTYWIDE SPECIAL POPULATIONS RECREATION PROGRAMMING AND TRAINING CENTER. APPROVED 3-13-2001

MOTION to approve the acquisition, development, conceptual master plan, and budget transfer. Motion by Commissioner Roberts and seconded by Commissioner Masilotti.

Commissioner Masilotti thanked staff for creating countywide special populations recreation program for the handicapped and for fulfilling a promise made to the youngsters several years ago. He said he was pleased with what was happening in Lake Worth where the special needs population group and the recreation department were promoting challenger baseball, soccer, and other sports, for children who were mostly neglected.

Commissioner Aaronson pledged to continue working with the group of fund raisers to raise \$2 million for Phase II of the project. The Commissioner said Jack Donsky and Howard Pearlman, who were seated in the audience, had raised a large sum of money which was used to buy vans and other forms of transportation for the special population. They too had agreed to work at raising funds for Phase II, Commissioner Aaronson stated. He said the project would be a great asset to the special population in the county and that he would like the county to be the leader in those types of special projects.

Commissioner Roberts thanked staff for the golf tournament held to benefit the special arts. She invited her colleagues to visit her office to see artwork done by one of the individuals.

Commissioner Masilotti invited the board to the meet to be held at the Royal Palm Beach High School the following Saturday.

REGULAR AGENDA - CONTINUED

6.C.1. - CONTINUED

Parks and Recreation Director Dennis Eshleman said the inclusion programs were popular countywide and would be implemented at the new facility as well. He said the facility would be available to be used by other municipalities with similar programs.

In response to Commissioner Newell, Mr. Eshleman said the Girl Scouts had five years in which to accept the two-acres parcel in Jupiter Farms offered to them for their headquarters. He said staff had planned to modify one of the picnic shelters in the Lake Worth corridor to accommodate children for summer camps this year.

UPON CALL FOR A VOTE, the motion carried 7-0.

6.D. HOUSING AND COMMUNITY DEVELOPMENT

6.D.1. DOCUMENT R-2001-0424

LOAN AGREEMENT WITH HOPE HOUSE COMMUNITY DEVELOPMENT CORPORATION, INC., PROVIDING \$59,500 IN STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) PROGRAM FUNDS TO ASSIST IN THE RECONSTRUCTION AND REHABILITATION OF AN AFFORDABLE HOUSING PROJECT KNOWN AS BELLE BROADWAY APARTMENTS. APPROVED 3-13-2001

MOTION to approve the agreement. Motion by Commissioner Roberts, seconded by Commissioner Masilotti, and carried 7-0.

6.E. FACILITIES DEVELOPMENT AND OPERATIONS

6.E.1. DELETED

6.F. ADMINISTRATION

6.F.1. DOCUMENT R-2001-0425

CONTRACT WITH LANGTON ASSOCIATES, INC., FOR \$67,500 FOR GRANT PROGRAM DEVELOPMENT SERVICES FOR AN ADDITIONAL YEAR FROM FEBRUARY 1, 2001, THROUGH JANUARY 31, 2002. (AMENDS R-99-321-D) APPROVED 3-13-2001

MOTION to approve the contract. Motion by Commissioner Roberts, seconded by Commissioner Masilotti, and carried 7-0.

6.G. HEALTH DEPARTMENT

6.G.1. DOCUMENT R-2001-0426

CONTRACT WITH THE DEPARTMENT OF HEALTH FOR \$1,577,705 FOR ENVIRONMENTAL HEALTH AND ENGINEERING PROGRAMS PROVIDED BY THE PALM BEACH COUNTY HEALTH DEPARTMENT FROM OCTOBER 1, 2000, THROUGH SEPTEMBER 30, 2001. (SEE R-2000-1803) APPROVED 3-13-2001

MOTION to approve the contract. Motion by Commissioner Masilotti, and seconded by Commissioner Greene.

REGULAR AGENDA - CONTINUED

6.G.1. - CONTINUED

Commissioner Masilotti explained that the amount not only represented taxes from county property owners but also about \$400,000 derived from the Department of Environmental Protection (DEP), about \$300,000 from federal funds and about \$700,000 from air pollution gas tax.

In response to Commissioner Roberts, Environmental Health and Engineering Division Director Frank Gargiulo said that larger counties have similar programs. He said that provision in the statutes authorized the DEP to provide for counties that want to do more than basic protection. Palm Beach County is one of the counties designated to do those DEP duties in addition to other Department of Health functions which involves drinking water, onsite sewage disposal, and public swimming pools. The majority was being paid for by the state but county support was included as well.

In response to Commissioner Newell's inquiry, County Administrator Creamer said staff would follow up on the issues of septic tanks in parks and food preparation and service as well. Commissioner Newell explained that the question had been raised if food service was permissible in parks that were serviced by septic tanks. The commissioner suggested signs be posted to deter people from washing cooking vessels in the washroom areas of the public restrooms.

UPON CALL FOR A VOTE, the motion carried 7-0.

6.H. PALM TRAN

6.H.1.

a.

DONATION OF THREE SURPLUS PALM TRAN BUSES AND TRANSFERENCE OF VEHICLE TITLES TO THE CITY OF SOUTH BAY, CITY OF BELLE GLADE, AND VILLAGE OF WELLINGTON. APPROVED 3-13-2001

b.

BUDGET TRANSFER 2001-0577

BUDGET TRANSFER OF \$11,223 IN THE TRANSPORTATION IMPROVEMENT FUND FROM THE DISTRICT 6 IMPROVEMENTS RESERVE TO THE TRANSPORTATION AUTHORITY FUND, PALM TRAN, INC., TRANSFER ACCOUNT. APPROVED 3-13-2001

c.

BUDGET AMENDMENT R-2001-0578

BUDGET AMENDMENT OF \$11,223 IN THE PALM TRAN FUND FROM DISTRICT 6 IMPROVEMENTS RESERVE TO RECOGNIZE THE REVENUE RELATED TO THE TRANSFER OF VEHICLE TITLES TO CITIES AND TO APPROPRIATE THE FUNDS. APPROVED 3-13-2001

MOTION to approve the donation, budget transfer, and budget amendment. Motion by Commissioner Roberts and seconded by Commissioner Masilotti.

Commissioner Masilotti said the buses were actual purchases from District 6 gas-tax monies and were bought at the auction price.

REGULAR AGENDA - CONTINUED

6.H.1. - CONTINUED

Commissioner Marcus asked staff to inquire of the new city manager in Jupiter if he was interested in obtaining any of the buses being auctioned. She said the town presently had no transportation. Commissioner Newell suggested the offer be made to all of the larger cities as well.

UPON CALL FOR A VOTE, the motion carried 7-0.

Commissioner Newell asked staff to inquire of the busses stored in the vicinity of Southern Boulevard and the Florida Turnpike. The board agreed the site was unattractive.

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

7. BOARD APPOINTMENTS

7.A. ADMINISTRATION

7.A.1.

REAPPOINTMENT OF EVELYN PARKES FROM MARCH 25, 2001, THROUGH MARCH 24, 2003, AND OF PAUL SKYERS FROM FEBRUARY 1, 2001, THROUGH JANUARY 31, 2003, TO THE SMALL AND MINORITY/WOMEN BUSINESS ASSISTANCE ADVISORY COMMITTEE. APPROVED 3-13-2001

MOTION to approve the reappointments. Motion by Commissioner Roberts, seconded by Commissioner Aaronson, and carried 5-0. Commissioners Greene and Masilotti absent.

7.B. PLANNING, ZONING AND BUILDING

7.B.1.

REAPPOINTMENT OF ROBERT MCDONALD TO THE BUILDING CODE ADVISORY BOARD FOR A TERM OF THREE YEARS. APPROVED 3-13-2001

MOTION to approve the reappointment. Motion by Commissioner Roberts, seconded by Commissioner Aaronson, and carried 5-0. Commissioners Greene and Masilotti absent.

7.B.2.

REAPPOINTMENT OF HERBERT EPSTEIN AND JEFFREY P. PHIPPS TO THE ZONING COMMISSION FOR A TERM OF THREE YEARS. APPROVED 3-13-2001

MOTION to approve the reappointments. Motion by Commissioner Aaronson, seconded by Commissioner Roberts, and carried 5-0. Commissioners Greene and Masilotti absent.

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

BOARD APPOINTMENTS - CONTINUED

7.C. ENVIRONMENTAL RESOURCES MANAGEMENT

7.C.1.

REAPPOINTMENT OF FRANK DEERING TO THE GROUNDWATER AND NATURAL RESOURCES PROTECTION BOARD UNTIL FEBRUARY 25, 2004. APPROVED 3-13-2001

MOTION to approve the reappointment. Motion by Commissioner Roberts, seconded by Commissioner Marcus, and carried 6-0. Commissioner Masilotti absent.

7.D. PUBLIC SAFETY

7.D.1.

APPOINTMENT OF EDWIN RUBIN AND THE REAPPOINTMENT OF DAVID BAATELAN, SAM HERSHKOWITZ, AND ELLEN MALASKY TO THE CONSUMER AFFAIRS HEARING BOARD FOR A TERM OF TWO YEARS. APPROVED 3-13-2001

MOTION to approve the appointment and reappointments. Motion by Commissioner Roberts, seconded by Commissioner Greene, and carried 6-0. Commissioner Masilotti absent.

7.E. COMMISSION DISTRICT APPOINTMENTS

7.E.1.

REAPPOINTMENT OF NANCY CARDONE TO THE ZONING BOARD OF ADJUSTMENT FOR A THREE-YEAR TERM. APPROVED 3-13-2001

MOTION to approve the reappointment. Motion by Commissioner Marcus, seconded by Commissioner Roberts, and carried 6-0. Commissioner Masilotti absent.

No backup provided.

7.E.2.

APPOINTMENT OF FRANK L. HARRINGTON, JR., TO THE CITIZENS COMMITTEE ON AIRPORT NOISE. APPROVED 3-13-2001

MOTION to approve the reappointment. Motion by Commissioner Marcus, seconded by Commissioner Roberts, and carried 6-0. Commissioner Masilotti absent.

7.E.3.

APPOINTMENT OF KEVIN RADER AS AN ALTERNATE TO THE CITIZENS TASK FORCE UNTIL FEBRUARY 6, 2005. APPROVED 3-13-2001

MOTION to approve the appointment. Motion by Commissioner Aaronson, seconded by Commissioner Roberts, and carried 6-0. Commissioner Masilotti absent.

COMMISSION DISTRICT APPOINTMENTS - CONTINUED

7.E.4.

REAPPOINTMENT OF GAIL MEADE TO THE CITIZENS COMMITTEE ON AIRPORT NOISE FOR A TERM OF TWO YEARS. APPROVED 3-13-2001

MOTION to approve the reappointment. Motion by Commissioner Roberts, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Masilotti absent.

7.E.5.

APPOINTMENT OF KARL KAHLERT AND OF RICHARD BOGATIN AS AN ALTERNATE TO THE CITIZENS TASK FORCE. APPROVED 3-13-2001

MOTION to approve the appointments. Motion by Commissioner Roberts on behalf of Commissioner Newell, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Masilotti absent.

No backup provided.

7.E.6.

APPOINTMENT OF PINKY YOUNT TO THE CITIZENS COMMITTEE ON AIRPORT NOISE. APPROVED 3-13-2001

MOTION to approve the appointment. Motion by Commissioner Roberts on behalf of Commissioner Newell, seconded by Commissioner Aaronson, and carried 6-0. Commissioner Masilotti absent.

No backup provided.

8. **MATTERS BY THE PUBLIC** - See pages 44-49.

9. **STAFF COMMENTS**

9.A. **ADMINISTRATION** - None

9.B. **COUNTY ATTORNEY** - None

10. **COMMISSIONER COMMENTS**

10.A. **COMMISSIONER ADDIE L. GREENE** - None

10.B. **COMMISSIONER CAROL A. ROBERTS**

10.B.1.

REQUEST FOR A KIOSK AT THE PALM BEACH INTERNATIONAL AIRPORT TO DISPLAY SPORTS INFORMATION. DISCUSSED 3-13-2001

Commissioner Roberts said the Sports Commission earlier had worked to designate a location at the Palm Beach International Airport where a kiosk could be placed to inform incoming travelers of sporting events. She requested the board's support in the effort. The board verbally agreed.
No backup provided.

COMMISSIONER COMMENTS - CONTINUED

10.B.2.

RESOLUTION TO BE DRAFTED IN SUPPORT OF GOLF TOURNAMENTS IN THE COUNTY. DISCUSSED 3-13-2001

Commissioner Roberts said she met with members of the Sports Commission and representatives of Trump International Golf Course to discuss possible tournaments that could be held in the county. She said the desire was expressed for Trump to host some major tournaments including the Ladies Professional Golf Association, the senior Professional Golf Association, and the Professional Golf Association tour championship. She asked the board to endorse the concept.

Commissioner McCarty suggestion a resolution be drafted in support of the issue.

Commissioner Roberts also requested the permission of her colleagues to participate on a task force that would be formed to bring the issue to fruition.

The chair directed staff to bring back a resolution.

No backup provided.

10.C. COMMISSIONER MARY MCCARTY - None

10.D. COMMISSIONER BURT AARONSON

10.D.1.

CONCERNS ABOUT THE AVAILABILITY OF NEW VOTING MACHINES FOR THE 2002 ELECTIONS. DISCUSSED 3-13-2001

Commissioner Aaronson said the state seemed to be delaying the issue of providing new voting machines to the county for the 2002 elections. He expressed concerns about the availability of new machines for the 2002 elections. In an attempt to monitor the issue, he asked County Administrator Weisman to find out the ordering deadline for the machines to have them in place for the next elections.

Commissioner Newell, a member of the governor's task force on voting, informed the board that he had spoken with Mr. Weisman about budgeting for the purchase of new machines. Mr. Weisman interjected that Supervisor of Elections Theresa Lepore had submitted budget estimates. He said staff could move forward when the direction was clearly made.

Commissioner Aaronson commented that taxpayers he had spoken with were in favor of a one-time tax to assist with the costs of new machines.

Commissioner Roberts suggested staff contact numerous manufacturers, taking into consideration Ms. Lepore's preference. She said she had observed the touch-screen and the optical-scanning machines but staff should find out which of the manufacturers would better be able to supply the county's needs.

COMMISSIONER COMMENTS - CONTINUED

10.D.1. - CONTINUED

Commissioner Aaronson mentioned a letter that County Attorney Dytrych sent to the state. He said the letter addressed the county bringing in extra funds from the sale of the existing machines to assist with the purchase of a new system. He also mentioned the possibility of the county renting machines until the state was able to act.

Commissioner Marcus suggested the state legislation be monitored because it may mandate the type of equipment to be used.

Commissioner Newell commented that a statewide uniform system would eliminate the ability and options for challenges. He said the state showed an interest in leasing. Commissioner Marcus said instead of purchasing, if the county had the ability to lease, it should do so then transfer to the better system once it was state certified.

Commissioner Greene said some municipalities were satisfied with the equipment they had been using. She said uniformity would cause problems in those cases, if a different system was suggested to them. Commissioner Newell explained that two-thirds of the counties were satisfied users of the optical scanners.

Commissioner Newell directed Mr. Weisman to bring back a memorandum addressing the concerns of the availability of voting systems.

No backup provided.

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

10.E. COMMISSIONER KAREN T. MARCUS

10.E.1.

REQUEST FOR STATE TO NOTIFY RESIDENTS OF INVESTIGATION AND OF THE POSSIBLE REMOVAL OF CITRUS TREES ASSOCIATED WITH THE CITRUS CANCKER DISEASE. DISCUSSED 3-13-2001

Commissioner Marcus recalled the board discussion on the citrus canker disease when the state agriculture representative agreed to rectify the notification process. She said since then, she had read in the newspaper that the City of Delray Beach had filed a lawsuit over the issue. She expressed concerns about residents not being notified when investigation would be done on their property and of possible removal of their trees. She sought the board's opinion if state representatives again should be contacted.

Commissioner McCarthy said she had been contacted by residents who may be present at the afternoon session to add their comments on the subject.

Commissioner Masilotti complained that the state's Department of Agriculture (DOA) agent entered his backyard without notifying him or obtaining his permission.

COMMISSIONER COMMENTS - CONTINUED

10.E.1. - CONTINUED

Commissioner McCarty suggested a letter be sent to the DOA. Commissioner Aaronson said an email would be faster. Commissioner McCarty suggested DOA be notified that the issue again would be discussed in two weeks if the board continued to hear complaints.

Commissioner Marcus questioned the type of notification given in Delray Beach and Commissioner Roberts shared a complaint she had heard. She said a claim had been made that the state and the county agricultural departments differ in findings. She recommended both entities get together and address the concern. Commissioner McCarty said she also had heard that the state contractors were destroying healthy trees instead of affected ones.

Mark Fagan, spokesperson for the Citrus Eradication Program, admitted that the state erred because the immediate final orders were not delivered to Delray Beach before operation began there. He said the error, caused by an internal problem, had been remedied and the state was attempting to accomplish its goal to communicate the process to residents.

Commissioner Marcus suggested additional notification be done. She said big signs at the entrance of a community would be helpful. Mr. Fagan said his boss would be present at the afternoon session as well to address further comments.

Commissioner Newell asked Mr. Fagan to contact Cooperative Extension Service Director Clayton Hutcheson to be certain that they were in agreement with their procedures. Commissioner Marcus asked for the board to be informed about the enhanced procedures of notification as soon as possible.
No backup provided.

10.E.2.

WATER CRISIS NOT TAKEN SERIOUSLY. DISCUSSED 3-13-2001

Commissioner Marcus said she had observed two watering violations the previous night. She said the South Florida Water Management District (SFWMD) expressed concerns that the county was not taking the water crisis seriously and that not enough citations were being issued.

Commissioner Aaronson said when the board met with SFWMD, the county water usage was about 17 percent lower than that of Broward County. He said it was indefensible when people disobeyed the law, but it would be difficult to compare with Broward when this county's percentage was already low.

County Administrator Weisman said if complaints were made, code enforcement officers would be sent to address the violations. He urged the public to report the location of each violation. He said the sheriff's office was fully cooperating with the effort.

COMMISSIONER COMMENTS - CONTINUED

10.E.2. - CONTINUED

Commissioner Marcus suggested the chair send a letter to the cities urging them of the seriousness of the water crisis. Mr. Weisman said he already had sent a letter to the cities advising them of the new ordinance and resolution that the board adopted.

Commissioner Aaronson said he had asked his district to delay the tree planting program until the water crisis was over. Commissioner Newell added that he and County Engineer George T. Webb had discussed the possibility of asking all districts to comply. He said the City of West Palm Beach had been requested to hold back on its landscaping program on Australian Avenue.

Mr. Webb said he was in the process of sending to the board, a memorandum advising that staff would recommend planting be delayed at new installation sites. Commissioner Marcus suggested the SFWMD be asked to assist in explaining to the public that new projects were warranted through the consumptive use permit.

Commissioner Aaronson mentioned the possible of creating a better way for communities to use recycled water. The chair directed staff to schedule a workshop as soon as possible regarding the issues of drought considerations and how the county can mitigate its water usage beyond what presently was being done. He commented that the board had not developed the gray water systems, the user-friendly systems, and the building structures, in its Unified Land Development Code as other counties had done through the years.

Commissioner Masilotti suggested gray water usage on the golf courses and in county parks, and for staff to solicit municipalities within the county to encourage the use of reused water on projects and new developments. He suggested new development be relieved of landscaping requirements until the end of the drought. He suggested bonds be posted for the completion of those projects.

Commissioner Newell informed the board that he had been in contact with Broward County commissioners and was attempting to meet with the vice-chair to discuss similar county issues. Mr. Weisman announced March 26, 2001, for the workshop. Commissioner Marcus suggested the workshop commence early that day because a Comprehensive Plan meeting was also scheduled. Commissioner Roberts said a Tri-Rail event was also planned at noon that same day. She said the board would be invited to attend.

No backup provided.

10.E.3.

PALM BEACH COUNTY DAY IN TALLAHASSEE WAS A SUCCESS. DISCUSSED
3-13-2001

Commissioner Marcus thanked staff for Palm Beach County Day in Tallahassee. She said it was a success.

No backup provided.

COMMISSIONER COMMENTS - CONTINUED

10.F. COMMISSIONER TONY MASILOTTI

10.F.1.

STAFF PRAISED FOR GREAT JOB AT PALM BEACH COUNTY DAY IN TALLAHASSEE. DISCUSSED 3-13-2001

Commissioner Masilotti praised staff for the work it had done on the Palm Beach County Day in Tallahassee event. He commented that he reluctantly released Iva Grady, presently manager of Community Relations and Marketing, from his employ to participate in special-event programs for the county. He said that she did a tremendous job on that event. He said not only was staff able to raise all the monies for the event, but it made a profit through sponsorship as well.

No backup provided.

10.F.2.

COUNTY ADMINISTRATOR TO LOOK INTO SECTOR PLAN INFORMATION POSTED ON COUNTY WEB SITE. DISCUSSED 3-13-2001

Commissioner Masilotti asked the county administrator to look into erroneous information being posted on the county's web site by county consultants. He contented that the consultants posted information without staff's knowledge. He argued that the consultants needed to be told that they should not be posting information using the county's logo, with what seemed like an endorsement by the board, before the information was seen by the board.

Commissioner Newell directed Mr. Weisman to address the issue.

No backup provided.

10.F.3.

COUNTY ADMINISTRATOR TO REVIEW CODE ENFORCEMENT HOTLINE. DISCUSSED 3-13-2001

Commissioner Masilotti requested staff re-evaluate the county code enforcement hotline that was established to protect anonymous callers who wanted to report various complaints. He said the hotline now was not being used for what it was intended.

Commissioner Aaronson stated that callers should be able to give their names if they desire a response from code enforcement. County Administrator Weisman said some callers were intimidated and feared abuse for lodging valid complaints. The chair directed the county administrator to review the issue and take it back to the board.

No backup provided.

COMMISSIONER COMMENTS - CONTINUED

10.G. COMMISSIONER WARREN H. NEWELL

10.G.1.

PALM BEACH INTERNATIONAL AIRPORT REVIEW REPORT. DISCUSSED
3-13-2001

Commissioner Newell said the Airport Retail News Annual Best Concessionaire's Report and Poll had been published. He said the report listed Palm Beach International Airport in five categories for the most innovative services, the best redeveloped concessions program, the best over-all concessions program, best concessions program design, and the best concessions management team. He commended staff for the great job it did with the restoration of the airport concessionaires.

No backup provided.

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

10.G.2.

RECONFIRMATION AND RATIFICATION OF BOARD APPOINTMENTS FOR COMMISSIONERS. APPROVED 3-13-2001

Commissioner Newell asked for reconfirmation and ratification of each commissioner on the following boards:

Commissioner Burt Aaronson

1. Community Action Council Administering Board
2. Metropolitan Planning Organization
3. Solid Waste Authority
4. South Florida Fair and Palm Beach Expositions, Inc.,
Board of Trustees
5. Tourist Development Council (Chair)
6. Value Adjustment Board

Commissioner Addie L. Greene

1. Audit Committee
2. Community Action Council Administering Board
3. Metropolitan Planning Organization
4. Overall Economic Development Program
5. Small and Minority/Women Business Assistance Advisory
Committee
6. Solid Waste Authority
7. Treasure Coast Regional Planning Council
8. Value Adjustment Board (alternate)

Commissioner Mary McCarty

1. Business Development Board
2. Communications Systems & Operations Policy Advisory Board
3. Community Action Council Administering Board
4. Education and Government Programming Advisory Board
5. Joint Committee to Increase Government Efficiency/Mini
Grace Committee
6. Metropolitan Planning Organization Board
7. Solid Waste Authority
8. Treasure Coast Regional Planning Council

9. Value Adjustment Board

COMMISSIONER COMMENTS - CONTINUED

10.G.2. - CONTINUED

Commissioner Karen T. Marcus

1. Community Action Council Administering Board
2. Metropolitan Planning Organization
3. Solid Waste Authority
4. Treasure Coast Regional Planning Council
5. Palm Beach Countywide Beaches and Shores Council

Commissioner Tony Masilotti

1. Children's Services Council
2. Community Action Council Administering Board
3. Intergovernmental Coordinating Committee
4. Metropolitan Planning Organization
5. Public Safety Coordinating Council
6. Solid Waste Authority
7. Treasure Coast Regional Planning Council
8. Value Adjustment Board

Commissioner Warren H. Newell

1. Artificial Reef and Estuarine Enhancement Committee
2. Community Action Council Administering Board
3. Corrections Task Force
4. Criminal Justice Commission
5. Intergovernmental Coordinating Committee
6. Juvenile Justice Council
7. Metropolitan Planning Organization
8. Solid Waste Authority
9. Treasure Coast Regional Planning Council

Commissioner Carol A. Roberts

1. Audit Committee
2. Community Action Council Administering Board
3. Investment Policy Committee
4. Metropolitan Planning Organization
5. Overall Economic Development Board
6. Regional Transportation Organization
7. Small and Minority/Women Business Assistance Advisory Committee
8. Solid Waste Authority
9. Treasure Coast Regional Planning Council
10. Tri-County Commuter Rail Authority
11. Value Adjustment Board

MOTION to reconfirm and ratify the appointments. Motion by Commissioner Roberts, seconded by Commissioner Marcus, and carried 6-0. Commissioner Aaronson absent.

COMMISSIONER COMMENTS - CONTINUED

10.G.3.

STAFF TO RELAY COUNTY CONCERNS OF THE ROADWAY NETWORK TO THE GOVERNMENTAL CENTER, HOSPITALS, AND OTHER FACILITIES IN THE DOWNTOWN AREA TO THE CITY OF WEST PALM BEACH. DISCUSSED 3-13-2001

Commissioner Newell commented on his review, with County Administrator Weisman, of the roadway network which accessed the government center, hospitals and other facilities in the West Palm Beach downtown area. He said he would like Mr. Weisman and the County Engineer to relay to the city, the county's concerns regarding the roadways, particularly the roundabouts, intersections, and other proposed changes by the city.

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

Commissioner Marcus said she would like to review staff's comments to the city before they were delivered. Commissioner Newell agreed that staff could brief the board first. He said the project was moving along speedily and an early reaction from the county would be to its advantage.

In response to Commissioner Marcus, Commissioner Newell said the Metropolitan Planning Organization (MPO) had not been asked to comment on the plans. He said the city provided a presentation which differed from the actual construction documentation. Commissioner Marcus suggested the MPO request another presentation.

Commissioner McCarty informed the board that a bypass system was installed when the main street in the City of Delray was converted to a two-lane road. She suggested the City of West Palm Beach be asked to provide an alternative route for people who wanted to do business around town.

Commissioner Masilotti commented that the board had agreed that 45th Street would be designated a constrained roadway at a lower level of service (CRALLS) in an attempt to help revitalize Mangonia Park. He said he had learned that the City of West Palm Beach had taken advantage of the CRALLS and allowed for the commercial usage of a superstore warehouse to be built. He asked if the issue had been resolved. Commissioner Roberts answered that an amendment to the CRALLS designation had been filed.

Commissioner Newell said that he wanted to be certain that the engineering staff review the plans, but also assist the city in a positive working format. The board discussed the present traffic congestion on the city streets when commuters travel to work. The chair directed the engineering staff to get back to the board with some of the issues.

No backup provided.

TIME CERTAIN - 11:30 A.M.

6.A.4.

PRELIMINARY READING AND ADVERTISE FOR PUBLIC HEARING ON APRIL 17, 2001, AT 9:30 A.M., AN ORDINANCE AMENDING THE HOUSING FINANCE AUTHORITY SECTION OF THE CODE, CHAPTER 2, ARTICLE 5, DIVISION 3, PROVIDING FOR ANNUAL NOMINATION AND APPROVAL OF THE CHAIRPERSON. (AMENDS ORDINANCE 88-1375) APPROVED AS AMENDED 3-13-2001

Housing Finance Authority Vice-Chair Jeff Winikoff summarized that:

- The authority discussed the chair position being a one-year term rather than the present practice of two years at its January 16, 2001 meeting.
- The discussion was tabled and the group elected a chair, vice-chair, and secretary, under provisions of the existing ordinance.
- A motion was then passed 5-2, for the commission to consider making the position of chairmanship a one-year term.
- There may have been confusion because the chairman had resigned the year before, during the course of his term, and Larry Bishins, who was then vice-chair, filled the unexpired-term position. Mr. Bishins was then elected to a full two-year term in January, 2001.
- The board previously was asked to confirm the appointment of Mr. Bishins as chair, himself as vice-chair, and R. M. Hooker as secretary, for a two-year term with the recommendation for it to review the ordinance and consider the appointments for one-year terms in the future.
- He believed the chair should be allowed to serve a two-year term, for continuity.

John Sansbury, an authority member, informed the board that majority of the members felt that they were familiar with the authority's operations and were confident that any member could serve as chair. He said he expressed his desire to get an opportunity to serve.

Assistant County Administrator Creamer informed the board that on March 21, 2000, the board approved Mr. Bishins as chair for a two-year term. In response to Commissioner Masilotti, Ms. Creamer answered that Mr. Bishins would have completed his term in January 2002.

6.A.4. - CONTINUED

In response to Commissioner Greene, Mr. Winikoff explained that the authority's intent was for the board to approve Mr. Bishins for a two-year term beginning in January 2001 to expire in January 2003. He said that the request apparently conflicted with the board's action of last year when the appointment had intended to expire in January 2002.

MOTION to approve the ordinance on preliminary reading and to advertise for public hearing on April 17, 2001, at 9:30 a.m., which is amended to allow for the chairmanship of the Housing Finance Authority to be for one-year term beginning in 2002 after Mr. Bishins finishes his two-year term. Motion by Commissioner Marcus and seconded by Commissioner McCarty.

Commissioners Greene and Roberts commented that they were opposed to the motion because continuity was necessary. Commissioner Aaronson agreed it took more than one year to learn the process. He said Mr. Bishins should be allowed to serve a full two-year term.

Mr. Winikoff explained the duties of the chair versus the vice-chair in response to Commissioner Masilotti's inquiry.

HFA board members James Harper, Sr., and Ken Townsend agreed they supported the motion because they thought the one-year term limit was traditional to government boards and that the learning curve was not compatible with that of the county commission.

Commissioner Aaronson expressed disbelief that none of the members who had been on the board for more than 10 years ever requested the terms be changed. A brief discussion evolved on previous amendment to the ordinance.

HFA member Randee Schatz added that she thought all the offices should have a one- or two-year limit and that she voted for the one-year term because the previous chair at the time had been in office for more than 10 years. Commissioner McCarty pointed out that the current chair was among the majority vote for the change. She said since the statutes did not permit the board to determine the length of term for the other officers, the authority was expected to make those determinations.

UPON CALL FOR A VOTE, the motion carried 4-3. Commissioners Aaronson, Greene, and Roberts opposed.

Commissioner Masilotti requested the present term of office for the existing chair expire in March 2002. Commissioner Roberts pointed out that the term was already voted on and it would expire in January 2002.

In response to Commissioner Greene, the county attorney agreed to research if state law applied to a married couple serving on the HFA board at the same time.

TIME CERTAIN - 11:30 A.M. - CONTINUED

6.A.4. - CONTINUED

Mr. Winikoff informed the board of the following matters:

- The authority had a \$16 million bond issue slated for single-family homes that should have less than a six percent interest rate with zero points.
- Last week the new superintendent of schools asked for help to entice new teachers.
- The sheriff and fire fighters had complained that the cost of living in the county made it difficult to attract new employees.
- He intended to ask the authority to authorize 25 percent set aside for a period of time, to assist in targeting new teachers, fire fighters, and policemen for the county.

Commissioner Masilotti advised Mr. Winikoff to be cautious of arbitrage laws. Commissioner McCarty suggested the authority research other areas where that practice had been used. She said the Wall Street Journal published an article about abuses as a result of that practice.

Commissioner Newell directed staff to be certain the chair serve for a 24-month period and that the dates quoted were correct.

RECESS

At 12:16 p.m., the chair declared a recess.

RECONVENE

At 2:05 p.m., the meeting reconvened with Commissioners Aaronson, Greene, Marcus, Newell, and Roberts present.

8. MATTERS BY THE PUBLIC - 2:00 P.M.

8.A.1.

CONCERNS ABOUT THE COUNTY OUTREACH PROGRAM. DISCUSSED 3-13-2001

Alan Levine of 114 Murray Road in West Palm Beach complained of issues he had with the county regarding the county's homeless outreach program. He cited conversation with Community Services Director Edward Rich and the Supervisor of the Homeless Outreach Team Kim Parnett.

Mr. Levine said he asked the audit committee to consider doing an audit on the outreach program. Commissioner Roberts interjected that, as chair of that committee, the group had not been formally asked.

No backup provided.

MATTERS BY THE PUBLIC - CONTINUED

8.A.2.

PALM TRAN OPERATION DURING COLD WEATHER SHELTER. DISCUSSED 3-13-2001

Alan Lavine stated that Palm Tran supposedly was to become a part of the loop to provide transportation when the cold weather center was opened. Only five persons used the bus on opening day because the Emergency Operating Center automatic telephone calling system was not activated. Palm Tran then refused to operate because of the low count on the first day, even though eighteen days of cold weather had followed. Mr. Levine commented that the issue was sad.

No backup provided.

8.A.3.

CITRUS CANKER ISSUE. DISCUSSED 3-13-2001

Richard Miranda with the Florida Department of Agriculture, said the department had increased its advertising efforts in this county. The recommendation to post notices informing the community of their presence was well noted and would be sent to the capital. The new commissioner in Tallahassee would be visiting the following week to address all of the issues and concerns. The outcome would be shared with the county.

In response to Commissioner Aaronson, Mr. Miranda informed the board that the costs associated with the citrus eradication program was a joint effort between the federal and state Departments of Agriculture. Under state law, an infected or exposed tree had no marketable value and budgeted funds were not allowed to be used for replacements. The Shade Florida Program was meant to help residents reforest properties. Congress set the amount of \$100 per property to be reimbursed.

CLERK'S NOTE: Commissioner McCarty joined the meeting.

Mr. Miranda explained that the Sun Sentinel survey which outlined Dr. Gaultwall's (sic) study had concluded that citrus canker under optimal conditions, would reach a distance of 1,900 feet from the positive tree about 95 percent of the time. Mr. Maranda informed the board that all of their equipment, vehicles, and personnel were sprayed and disinfected between projects.

Commissioner Roberts suggested a resolution to support Senator Geller's legislation for property owners to be refunded \$100 a tree. Commissioner Newell contended that \$100 a tree totaled a large sum because a lot of trees were being destroyed. The board contended that the eradication program was also costing taxpayers a tremendous sum.

MOTION to direct staff to draft a resolution urging residents to support Senator Geller's bill that would require \$100 a tree, instead of \$100 per property, be paid to residents affected by citrus canker eradication program. The county attorney is to review the bill to be certain it reflects the desire of the board. Motion by Commissioner Aaronson and seconded by Commissioner Roberts.

MATTERS BY THE PUBLIC - CONTINUED

8.A.3. - CONTINUED

County Attorney Dytrych said she would attach a copy of the bill to the agenda item.

Commissioner McCarty said she was concerned about the contamination caused by the people doing the removal of the trees. Mr. Miranda said steps had been taken to rectify the issue. He said two supervisors were assigned at each removal site. One would oversee the actual tree removal and the other would monitor the transportation effort.

In response to Commissioners Greene and Marcus, Mr. Miranda promised the commissioners a map of the districts. He said finds were located by on-site physical surveys. He promised the board his work location schedule for the county. Commissioner Aaronson suggested the work schedule be broadcast on Channel 20.

UPON CALL FOR A VOTE, the motion carried 6-0. Commissioner Masilotti absent.

No backup provided.

8.A.4.

THANKS TO COMMISSIONERS AND REQUEST FOR SUPPORT ON ENVIRONMENTALLY SENSITIVE LANDS. DISCUSSED 3-13-2001

Steven Bell of 133 South 11th Street in Lantana, thanked Commissioner Marcus for sending his recommendations, that he had not mentioned, to the Environmental Resource Management. He said the department's response was inadequate as was the response given to Commissioner Newell's request for information regarding the destruction of materials on State Road 441.

Mr. Bell also thanked Commissioner Roberts for her visit to Everglades Day. He requested the board's support to Commissioner Roberts' perpetuity efforts on environmentally sensitive lands. Commissioner Roberts informed Mr. Bell that the board agreed to put the issue on the ballot.

He urged the board to continue with the strict exotic pest-plants removal.

No backup provided.

8.A.5.

THE CONSORTIUM OF SCHOOLS, DEMOGRAPHICS AND ECONOMICS. DISCUSSED 3-13-2001

School Board Member Paulette Burdick said she had earlier dropped off the South Florida Consortium of School Boards' Legislative Program to individual commissioners. She stated that:

- The basis for the legislative program was that it provides the economics and demographics of ten school districts combined to present their legislative issues.

MATTERS BY THE PUBLIC - CONTINUED

8.A.5. - CONTINUED

- The 10 school districts represent 50 percent of the student population in the state, 70 percent of the growth, 50 of the exceptional students, and 80 percent of limited English speaking students.
- The 10 school districts had higher home crises, insurance costs, and averaged a higher transportation costs than the other districts.
- Fifty-two percent of the state sales tax revenue was collected in these 10 districts.
- One of the positive things within the consortium was that 71 of the 120 members of the legislature in Tallahassee represented these districts.
- A positive outcome was hoped during the legislative sessions.
- Key elements during the legislative session would be teacher retention and recruitment. Every year over the next 10 years 16,000 teachers would be needed.
- A major problem was keeping teachers within the district. Of 72 percent of teachers surveyed, salary was cited as the reason for them leaving the public education system. Classroom size was identified by 63 percent. Other factors were stress and the lack of parental support.
- Help was needed in Tallahassee to gain support for recruitment and retention and to remind legislators that they need to properly fund public education.
- The beginning teacher salary throughout neighboring states, with the exception of Mississippi and Louisiana, averaged about \$5,000 more than what was offered in Florida.
- The district was now faced with budget cuts regarding instructional technology and the some teachers' programs.
- Palm Beach, Broward, and Miami/Dade counties, called the internet coast, needed monies to send graduate students, who are technologically literate, into the workforce.
- New teachers in the county spend tremendous amount of money for supplies. The legislature had allowed \$100 a teacher, a year, for the past three years for this endeavor. The program had been eliminated from this year's budget.
- The school board supported a proposal from the superintendent and the Florida School Board Association to oppose House Bill 303, the current voucher legislation.
- She had heard that the Palm Beach County Day in Tallahassee was successful. She did not attend because of budgetary constraints but she would be visiting later during the legislative session.

MATTERS BY THE PUBLIC - CONTINUED

8.A.5. - CONTINUED

In response to Commissioner Newell, Ms. Burdick informed the board that the consortium selected the counties because of shared interests, especially in the Florida Education Finance Program (FEFP) formula. She stated that she was the president of the consortium and that her group supported school concurrency, at Commissioner Marcus's inquiry. She said her meetings were piggy-backed with the school board association. However, specific items within the formula were of particular interest to the consortium.

On Commissioner Aaronson question of whether or not her school board endorsed the ideas of the consortium, Ms. Burdick answered that she believed the legislative platform was unanimously supported. She said she had not obtained the school board's permission to address the county commission but as president of the consortium, she felt it was her responsibility to inform the community. Commissioner Aaronson commented that county policy required speakers of groups to produce documentation that they were designated representatives of those particular groups.

Ms. Burdick informed the board that each consortium district would have to use collaboration and people working together to convince legislators that more monies were needed for schools. She said she had been visiting various groups in an attempt to build partnerships.

Commissioner Greene inquired of Ms. Burdick what was being done to aid the 80 percent limited English-speaking students. Ms. Burdick spoke of the assistance of an intensified program in place which required those students to be fluent in English within two years.

Commissioner Roberts suggested that residents react at the poll to legislators who do not acknowledge education as a significant goal.

Ms. Burdick promised to forward a formal copy of the legislative platform to the board. She said about 200 bills relating to education were being tracked. Commissioner Newell commented on the joint legislative package produce yearly by the county, school board and the municipal league.

Ms. Burdick said the Bank of America provided low-cost interest on mortgages for teachers. She said that the hotel industry should offer lodging for new teachers until the first paycheck was received and when a prospective teachers come to the county for interviews. She commented that although her group had put together good ideas, the cooperation and support of the residents and commission was needed. She pointed out that the average national salary for a teacher was \$44,000 but the state of Florida averaged \$34,000.

Commissioner Aaronson suggested a bond issue to support teachers' employment but he was advised that bond issue for that purpose was against state laws. Commissioner Marcus suggested that the bond issue could be done but used for what was allowed on capital side as Duvall County had done.

MATTERS BY THE PUBLIC - CONTINUED

8.A.5. - CONTINUED

Commissioner Newell informed the board that a community-based committee, mirrored after the Criminal Justice Commission, would be introduced in approximately two months. He said the committee would be the entity to develop strategies to various policies.

Commissioner Marcus expressed the desire to look at other options locally to address smaller class size, or whatever was necessary to improve the school system. She also supported public awareness on legislative performance in Tallahassee. She said letters informing people how their money was spent would get the legislators' interest.

Commissioner Newell informed the board that the proposed education commission would address issues similar to those being discussed. He directed Deputy County Administrator Baker to forward to the board, the draft of the proposal to develop the education commission.

Commissioner Greene contended that the county commission should have been among the first to be notified about the consortium because the board would have had more impact on its outcome. She also contended that the state had more teachers than other professions, but the teachers had the lowest voters turn out. She said teachers could make the difference if they would show at the polls.

Commissioner Masilotti reasoned that money may not be the only cause of people not becoming teachers. He said other professions may seem more viable. He praised the public school system for its performance and programs.

Ms. Burdick thanked the board for wanting to partner and to agree to look at strategies to utilize resources. Commissioner Aaronson suggested the county find ways to alleviate the education situation if help could not be obtained from the state.

Commissioner Newell explained the board policy on public speaker's representation. Ms. Burdick again informed the commission that the school board was not aware of her visit but that it supported the legislative package.

No backup provided.

9. See pages 33.

10. See page 33-41.

11. **ADJOURNMENT**

The chair declared the meeting adjourned at 3:15 p.m.

ATTESTED:

APPROVED:

Clerk

Chair

